

A regular meeting of the Victor Town Board was held on May 23, 2016 starting at 7:00 PM with the following members present:

PRESENT:                   Supervisor     Jack Marren  
                                   Councilman    David Tantillo  
                                   Councilman    Silvio Palermo  
                                   Councilman    Dan Crowley

ABSENT:                    Councilman     Mike Guinan

OTHERS PRESENT: Debra Denz, Town Clerk; David Hou, Town Attorney; Mark Years, Highway Superintendent; Brian Emelson, Parks & Recreation Director; Steve Metzger, Town Engineer; Liz Wheeler, Dave Nankin, Barb Cole, Gloria Dunton, Jeff Smith, Sue Stehling, Kent Kiikka, Melody Burri and Jerry Colyer.

Supervisor Marren called the meeting to order at 7:00 PM, and made the following announcements:

- 1) Everyone was asked to sign in on the attendance sheet, cell phones were requested to be turned off, and any private conversations or interviews to be conducted in the hallway or outside. Emergency exit locations were pointed out to the left and right sides of the Main Meeting Room.
- 2) Councilman Guinan necessarily absent.

The flag was saluted.

#### RESOLUTION #206

##### APPROVAL OF MINUTES

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED       AYES 4 (Marren, Palermo, Crowley, Tantillo)       NAYS 0

RESOLVED that the minutes of the regular meeting of April 25, 2016 be approved.

#### RESOLUTION #207

##### PAYMENT OF BILLS

On motion of Councilman Palermo, seconded by Councilman Crowley, the following resolution was ADOPTED       AYES 4 (Marren, Palermo, Crowley, Tantillo)       NAYS 0

RESOLVED that the bills be paid on Manifest #10 in the amount of \$248,461.28. Documentation for these expenditures can be found on vouchers filed by numbers #20160999-20161131.

A- General Townwide	\$159,213.67
B- General Outside Village	\$16,000.48
DB – Highway Townwide	\$68,448.54
SL1 –Fishers Light	\$8.26
SL2 –Brookwood Meadows Light	\$7.08
SL3 –High Point Light	\$18.33
SL4 –Cobblestone Light	\$91.43
SL5 –Quail Ridge Light	\$16.54
SL7 –Legacy at Fairways	\$12.61
SL8 –Stoneleigh Light	\$6.84
TA –Trust & Agency	\$4,637.50

Supervisor Marren reviewed each of the five large expenses that were included in Manifest #10.

PRIVILEGE OF THE FLOOR

1) Jeff Smith, Woodstone Custom Homes with Bob Brimley, Marathon Engineering, introduced a subdivision proposal for a 34 acre parcel located on NYS Route 251 between Willis Hill and Strong roads. The project consisted of two separate streets, one off Willis Hill and one off of Strong Rd. The eastern street to have 22 lots with 2,000-2,500 SF 2 story homes, \$300,000-\$400,000 price range, western street to have 23 lots with 1,500-1,800 SF ranch homes, \$200,000-\$300,000 price range. Requested consideration for making application for Planned Development District (PDD) zoning for higher density of 40 to 48 lots from current R-2 zoning that would allow 17 lots.

Town Board discussion followed regarding the density in the adopted Comprehensive Plan and the ongoing issues for traffic. The Town Board is in the process of developing requirements for traffic mitigation and did not support Mr. Smith moving forward with an application at this time.

2) Randy Shephard, The Bonadio Group, CPAs reviewed that there was a new accounting standard required this year relating to the pension plan for the NYS Retirement System, and presented the 2015 Audit.

Supervisor Marren reviewed that staying tax cap compliant is challenging with fund balance. On a positive note, he reported that the first quarter sales tax revenue for 2016 shows an increase of 4% over 2015. Noted that this was the second year in a row with no identified audit findings, and thanked Gloria, Barb, and the Finance Dept. staff for their work during the audit.

## RESOLUTION #208

MOVE TO SCHEDULED PUBLIC HEARING

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

RESOLVED that the regular meeting of the Victor Town Board be interrupted to hold the scheduled Public Hearing.

## PUBLIC HEARING

TO ESTABLISH THE "889 STRONG ROAD SEWER DISTRICT" AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT

Public Hearing was opened at 7:30 PM.

Legal Notice was read into the record by the Town Clerk.

Supervisor Marren called for comment.

Jerry Colyer, 7275 Rawson Rd., requested the Town Board to consider his concern before establishing new sewer districts. He felt there is an inherent cost unfairness when new districts are created and the cost is shared by all in the consolidated sewer district.

Supervisor Marren reviewed the benefits and the way the cost of the sewer system is shared.

Public Hearing closed 7:45 PM

## RESOLUTION #207

RE-OPEN REGULAR MEETING OF THE VICTOR TOWN BOARD

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

RESOLVED that the regular meeting of the Victor Town Board be reconvened.

TOWN OFFICIALSSUPERVISOR

Supervisor Marren distributed information in a submitted report to Town Board members, and discussed the following items:

- 1) Town Board approved Supervisor Marren signing off for the Planning Board to be lead agency for SEQR for the East Victor Road Subdivision.
- 2) Reminder that for Memorial Day, 5/30/16, following the Parade and Ceremony at the Village Hall, the Cemetery Committee will conduct a brief ceremony at the Parks Cemetery by Cole & Parks and Burger King on Rowley Rd.
- 3) Finger Lakes Railway advised that empty railroad salt cars are staged on the tracks between School St. & State Route 251 until October. Discussions continue regarding Village and Town interest in that area.
- 4) NYS DOT has a TIP application for a roundabout or signal light for State Route 96 and Lynaugh Rd. Application needs approval from Genesee Transportation Council Board, with engineering and construction starting 2017 if funding is available.
- 5) Not able to attend National Trails Day in Victor, June 4<sup>th</sup>. Requested other members to attend.
- 6) Attended Danforth Advanced Technology open house, Conducted Kiwanis Club Presentation 4/29/16, and Ontario County Womens' Republicans Honor Flight event.
- 7) Presented 2016 Seniors of the Year awards celebration recognizing four Victor residents: Dick Abraham, Rita Baveineau, Harvey Limbeck and Murial Nado. There were 18 Seniors county wide recognized for their volunteerism.

SUBMITTED REPORTS

Highway

Fiscal Manager

Economic Development

Attorney

Engineer

COUNCILMAN PALERMO

Liaison report from Planning Board meeting: reviewed highlights: City Tavern approved to create a patio, No action –applicant install tent Hunt's property to sell fireworks, and applicant same parcel, Outdoor Accents display sheds; Otto Tomatos approved for outdoor patio; informal discussion regarding the Cole & Parks building-applicant obtaining feedback for demolition to construct Royal Carwash. Planning Board not ready to move forward with application for demolition of that building.

SUPERVISOR MARREN

ZBA, 120 day extension granted to Mr. Cline regarding his application for a variance

COUNCILMAN TANTILLO

- 1) Communications Task Force, reviewed workshop results. Developing town wide survey for residents to be sent out via Survey Monkey.
- 2) Exploring partnering with the LDC for a Town Mobile application for smart phones for better communication to residents and promoting businesses. Could be a potential revenue stream for the LDC.
- 3) Stormwater Committee, commended them for their work in establishing the Drainage Improvement Area. Noted that the second part is to improve the design and construction standards. Advised that meeting is scheduled for 5/25/16 to prepare recommendations to the Town Board
- 4) Regarding Annexation that was approved and relating to traffic analysis, he advised that he has discovered that key traffic information was never presented to the Planning Board for their completion of the SEQR document. He is finalizing his findings that he will present to the Town Board at the 6/13/16 meeting, and then email to the Planning Board. He reviewed options for the Planning Board, allowed by NYS SEQR that may be considered. (617.7E amend SEQR document or 617.7F rescind SEQR document and declare a positive declaration).

5) Traffic Committee, reviewed that currently no fund is in place for infrastructure improvements, or a funding mechanism for future infrastructure developments. Reviewed information received from the Town Traffic Consultant, and recommended a town wide transportation tax for current town wide infrastructure and traffic mitigation fees for new development. He requested Town Board feedback for direction to Atty. for the Town.

#### DISCUSSION - TRAFFIC

Lengthy Town Board discussion followed relating to exploring a town wide transportation district tax and a traffic mitigation fee for new development. The proposed funding for a town wide transportation district tax, similar to funding for the Drainage Improvement Area, was clarified by the Town Engineer and Councilman Tantillo. The Attorney for the Town indicated that involvement through our local representatives for NYS legislative support may be needed. He was directed to resend summary information from 2014, and with input from the Director of Development and the Town's Engineer and Traffic consultant, draft a proposal for Town Board consideration.

#### RESOLUTION #210

##### LEHIGH CROSSING, SECTION 2, LETTER OF CREDIT, RELEASE 1

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, Bluestone Creek Development, LLC, received Planning Board approval for Lehigh Crossing, Section 2 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Five Star Bank Irrevocable Letter of Credit No. 7002054929 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 1 dated May 3, 2016 and recommends in his letter May 11, 2016 that \$119,286.81, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 1 on the Five Star Bank Irrevocable Letter of Credit No. 7002054929 in the amount of \$119,286.81, as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains \$711,939.72 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Bluestone Creek Development, LLC, and BME Associates.

#### RESOLUTION #211

##### THE FAIRWAYS, PHASE 2, LETTER OF CREDIT, RELEASE 2

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, The Fairways Townhomes, LLC, received Planning Board approval for The Fairways, Phase 2 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, First Niagara Bank Irrevocable Letter of Credit No. 430399 was previously posted with the Town; and

(Resolution #211 con't)

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 2 dated May 10, 2016 and recommends in his letter May 13, 2016 that \$94,038.03 be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 2 on the First Niagara Bank Irrevocable Letter of Credit No. 430399 in the amount of \$94,038.03 as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains \$149,963.96 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, The Fairways Townhomes, LLC and Mark IV Enterprises.

RESOLUTION #212

BALLERINA COURT, SECTION 1 - ACCEPTANCE OF DEDICATION

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, Affronti Development, LLC, developer of the Ballerina Court, Section 1, has offered to dedicate to the Town of Victor the storm and sanitary sewer systems, as set forth in the Town Engineer's letter of May 16, 2016; and

WHEREAS, the Engineer for the Town has indicated by letter dated May 16, 2016, the storm and sanitary sewer systems are acceptable to be dedicated to the Town; and,

WHEREAS, Affronti Development, LLC. has posted a Maintenance Bond No. 71752793 in the amount of \$27,843.60 which is the amount recommended by the Town Engineer in a letter dated May 16, 2016, to be held for two (2) years after the acceptance of the dedicated facilities; now, therefore, be it

RESOLVED AS FOLLOWS:

1. That the Town of Victor hereby accepts dedication of the storm and sanitary sewer systems located within the right-of-way as it either lies within the dedicated right-of-way or the Town has previously been granted easements.
2. That the dedication of the said systems shall be effective upon the executed deeds being filed in the Ontario County Clerk's Office.

AND FURTHER RESOLVED that a copy of this resolution be forwarded to the Planning and Building Dept., the Highway Superintendent, the Engineer for the Town, and Affronti Development, LLC.

RESOLUTION #213

AUTHORIZATION FOR THE TOWN SUPERVISOR TO ENTER INTO AGREEMENT WITH CRESCENT MOON FOR RENTAL OF PORTABLE TOILETS FOR DEPARTMENT OF PARKS AND RECREATION

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, the Department of Parks and Recreation has the need to rent portable toilets for several of the parks in its system; and

(Resolution #213 con't)

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations for the rental and monthly maintenance of said toilets:

Crescent Moon / Rochester Portable Toilets	\$165.00 / per unit – per month
O'Brien Septic & Portable Toilets	\$180.00 / per unit – per month

And

WHEREAS, funds are available in the 2016 Budget line item A7110.4 Parks Contractual; and

WHEREAS, the Director of Parks and Recreation recommends that the Town Board accept the quote of Crescent Moon in an amount not to exceed One Hundred Sixty Five Dollars (\$165.00) per unit, per month for a one-year contract period; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor to enter into agreement with Crescent Moon / Rochester Portable Toilets in an amount not to exceed One Hundred Sixty Five Dollars (\$165.00) per unit, per month for a one-year contract period, said funds are available in the 2016 Budget line item A7110.4 Parks Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Debra Denz, Town Clerk; Gloria Dunton, Fiscal Manager; and Crescent Moon.

RESOLUTION #214

AUTHORIZATION TO NAME INFLATABLE AND MOVIE SCREEN VENDOR FOR PARKS AND RECREATION PROGRAMS

On motion of Councilman Crowley, seconded by Councilman Tantillo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, the Parks and Recreation Department has a need to have a vendor who supplies Inflatable outdoor activities and provides outdoor movies for numerous programs throughout the year; and

WHEREAS, an Request for Proposal was sent to two (2) outdoor movie and inflatable companies requesting costs; and

WHEREAS, the two outdoor movie and inflatable companies responded to the Request for Proposal with the following written quotations:

Numerous Inflatable Activity Sets and Outdoor Movie Events	
Zuper Bounce LLC PO Box 743 Clarkson NY 14430	\$5,325.00
Blue Apple Productions PO Box 275, Pittsford, NY 14534	\$5,495.00

WHEREAS; funds are included and available in the 2016 Budget line item A7550.4 Celebrations/Special Events and A7020.4 Recreation Programs; and

WHEREAS, Zuper Bounce LLC has met all criteria asked in proposal and the lower cost; and

WHEREAS; the Director of Parks and Recreation recommends that we accept the proposal from Zuper Bounce LLC at a cost of Five Thousand Three Hundred Twenty Five dollars, (\$5,325.00) per year for a three-year contract period; now therefore be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to contract with Zuper Bounce LLC for its' recreation programs at a cost not to exceed Five Thousand Three Hundred Twenty Five dollars, (\$5,325.00) per year for a three-year contract period, said funds are included and available in the 2015 Budget line item A7550.4 Celebrations/Special Events and A7020.4 Recreation Programs; and further

(Resolution #214 con't)

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Debra Denz, Town Clerk; Gloria Dunton, Fiscal Manager, and Michael Cuzzupoli, Zuper Bounce LLC.

RESOLUTION # 215

AUTHORIZATION TO APPOINT KEITH MAYNARD TO THE POSITION OF MOTOR EQUIPMENT OPERATOR FOR THE PARKS DEPARTMENT

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS the Town of Victor has an opening for a Motor Equipment Operator position in the Parks Department due to the resignation of Tabatha Chastang on May 6, 2016; and

WHEREAS, the position was advertised, and selected candidates were interviewed on May 13, 2016 by an interview committee consisting of Brian Emelson, Director of Parks & Recreation; Jeff Rader, Parks Maintenance Assistant; Tim Hadden, Parks Motor Equipment Operator; and Tina Kolaczyk, Human Resources; and

WHEREAS, it was decided by the interview team that Keith Maynard, Victor, NY possesses the qualifications necessary to fill this position; now, therefore be it

RESOLVED, that Keith Maynard, Victor, NY be appointed to the position of Motor Equipment Operator for the Town of Victor Parks Department at a Grade 4, step C hourly rate salary of Twenty Three dollars and Eighty Four cents (\$23.84), and is to be funded from the 2016 Town Budget Line Item #A.7110.100 - Parks Personal Services, with a starting date of June 13, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to Brian Emelson, Jeff Rader, Tina Kolaczyk, Mary Lyng, Keith Maynard, Town Clerk, and the Ontario County Department of Human Resources.

RESOLUTION #216

AUTHORIZATION FOR SALARY INCREASE – TIMOTHY HADDEN, PARKS MOTOR EQUIPMENT OPERATOR

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

BE IT RESOLVED, upon review of Timothy Hadden's roles and responsibilities in the Parks and Recreation Department, the Town Board wishes to increase Tim's current salary classification from a Grade 4, Step B to a Grade 4, Step C at a new hourly rate of twenty-three dollars and eighty four cents (\$23.84), which is to be funded from the 2016 Town Budget Line Item #A.7110.100 - Parks Personal Services, with a starting date of May 23, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to Brian Emelson, Tina Kolaczyk, Mary Lyng, and Timothy Hadden.

RESOLUTION #217

ACKNOWLEDGEMENT OF THE RESIGNATION OF LINDA HERNE FROM THE BOARD OF ASSESSMENT REVIEW AND THE APPOINTMENT OF KENNETH KOLACZYK TO THE TOWN OF VICTOR BOARD OF ASSEMENT REVIEW

On motion of Councilman Palermo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

(Resolution #217 con't)

WHEREAS, a vacancy on the Town of Victor Board of Assessment Review exists due to the resignation of Linda Herne on April 7, 2016; and

WHEREAS the Victor Town Board wishes to thank Linda Herne for her hard work and dedication to the Board of Assessment Review for the past five years; and

WHEREAS, the position was advertised and interviews were conducted by Jack Marren, Town Supervisor, on May 19, 2016 of all candidates who had submitted letters of interest and resumes, and who wished to be interviewed for the position; and

WHEREAS, Jack Marren, Town Supervisor, has recommended that Kenneth Kolaczyk be appointed to the Town of Victor Board of Assessment Review; now, therefore be it

RESOLVED, that the Town Board appoints Kenneth Kolaczyk to the Town of Victor Board of Assessment Review to fill the unexpired existing term from October 1, 2016 to September 30, 2020 at a 2016 salary of Four Hundred dollars (\$400.00) per year, to be taken from budget line item #A.1360.100 Board of Assessment Review Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Linda Herne, Kenneth Kolaczyk, Wayne Pickering, Mary Lyng, Tina Kolaczyk, and Robin Johnson, Ontario County Office of Real Property.

RESOLUTION #218

AMENDMENT TO AGREEMENT WITH GENEVA CLUB BEVERAGE CO., INC. TO INCLUDE VENDING MACHINE SERVICE FOR HIGHWAY/RECYCLE FACILITIES

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, on March 14, 2016 the Town Board approved Resolution # 115-16 Authorization for the Supervisor to Enter Into an Agreement With Geneva Club Beverage Co., Inc.; and

WHEREAS, the Highway and Recycle Departments wish to add vending machines at the Highway/Recycle complex located at 60 Rawson Road; and

WHEREAS, the current contract with Geneva Club Beverage Co., Inc. needs to be amended to include vending machines for the Highway/Recycle complex located at 60 Rawson Road which would have a soda machine with 0% commission to the Town and vend all items at \$1.50 unless going with an AMP Energy Drink item; the snack machine will also have a 0% commission with below market prices; now, therefore be it

RESOLVED that the current contract with Geneva Club Beverage Co., Inc. be amended to include vending machines for the Highway/Recycle complex located at 60 Rawson Road which would have a soda machine with 0% commission to the Town and vend all items at \$1.50 unless going with an AMP Energy Drink item; the snack machine will also have a 0% commission with below market prices; and be it further

RESOLVED that the contract expiration date for all vending machines supplied to the Town of Victor will be under a one-year contract with an expiration date of March 15, 2017; and be it further

RESOLVED that a copy of this resolution be forwarded to Mike Wilczewski of Geneva Club Beverage Co., Inc., Casey Haines, the Finance Department, and the Town Clerk.

RESOLUTION #219

AUTHORIZATION FOR SUPERVISOR TO SOLICIT PROPOSALS FOR CLEANING SERVICES FOR TOWN FACILITIES

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, pursuant to General Municipal Law 103 and the Town's Procurement Policy, the Town Board may direct a policy for the acquisition of services to be rendered to the Town; and

WHEREAS, the current contract for Town facility cleaning services expires on June 30, 2016; now, therefore, be it

RESOLVED that the Town Board hereby authorizes the Supervisor to solicit proposals for cleaning services for Town facilities; and further

RESOLVED that a copy of this Resolution be forwarded to Tina Kolaczyk, Town Clerk, and the Finance Dept.

RESOLUTION #220

RETRACTION AND RE-ISSUE OF THE REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES RELATED TO THE RENOVATION OF THE ABANDONED HISTORIC VICTOR SCHOOL STREET PUMP HOUSE

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, the Request for Proposals for Professional Services Related to the Renovation of the Abandoned Historic Victor School Street Pump House was issued on April 11, 2016; and

WHEREAS, the Town & Village Historian received a Fifteen Thousand dollar (\$15,000.00) Historic Preservation and Parkland Improvements Grant for this project; and

WHEREAS, the Rochester Landmark Society had provided to the Town & Village Historian their estimate of the costs to repair and restore the Abandoned School Street Pump House as a historical building within the Village of Victor which were in accordance with the grant funding received, and had provided a listing of potential historic restoration vendors who would be able to appropriately conduct the restoration of the building; and

WHEREAS, several of the recommended vendors were accidentally omitted from the Request for Proposal mailing list and therefore were not appropriately notified of the opportunity to submit a proposal for this project; and

WHEREAS, there was only one respondent to the Request for Proposals who provided pricing 35% higher than the budgeted expense for the project; and

WHEREAS, the Town & Village reserves the right to reject any or all proposals, or to reject any proposal if the evidence submitted by, or investigation of such respondent fails to satisfy the Village that such respondent is properly qualified to carry out the obligations of the RFP and to complete the work contemplated therein. The Village reserves the right to waive any minor informality in the RFP; now, therefore be it

RESOLVED that the Town exercises its right to retract the Request for Proposals for Professional Services Related to the Renovation of the Abandoned Historic Victor School Street Pump House that was issued on April 11, 2016, and to reject all proposals previously submitted; and be it further

(Resolution #220 con't)

RESOLVED that the Request for Proposals for Professional Services Related to the Renovation of the Abandoned Historic Victor School Street Pump House be re-issued; and be it further

RESOLVED that a copy of this resolution be sent to the Town & Village Historian, the Village of Victor, Town Clerk, and the Town Human Resources Office.

RESOLUTION #221

ACCEPTANCE OF THE 2015 TOWN OF VICTOR FINANCIAL AUDIT FROM BONADIO & COMPANY

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, a financial audit of the Town of Victor was conducted by Bonadio & Co., LLP for the fiscal year ending December 31, 2015; and

WHEREAS, the findings of the audit were received on May 20, 2016 and were reviewed with the Victor Town Board on May 23, 2016; now, therefore be it

RESOLVED, that the 2015 Town of Victor Financial Audit, conducted by Bonadio & Co., LLC be accepted; and be it further

RESOLVED, that a copy of this resolution be sent to the Town Clerk, Fiscal Manager, and Bonadio & Co.

RESOLUTION #222

ACCEPTANCE OF THE 2015 TOWN OF VICTOR COURTS AUDIT FROM BONADIO & COMPANY

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, an audit of the Town of Victor Courts was conducted by Bonadio & Co., LLP for the fiscal year ending December 31, 2015; and

WHEREAS, the findings of the audit were received on February 12, 2016 and were reviewed with the Victor Town Board on May 23, 2016; now, therefore be it

RESOLVED, that the 2015 Victor Town Courts Audit, conducted by Bonadio & Co., LLC be accepted; and be it further

RESOLVED, that a copy of this resolution be sent to the Finance Office, Town Clerk, Bonadio & Co., and the New York State Unified Court System.

RESOLUTION #223

APPROVE AMENDED AND RESTATED EASEMENTS FOR AUBURN HILLS / STONINGTON RIDGE

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, the Town of Victor Planning Board previously approved a residential subdivision commonly known as Auburn Hills in the Town of Victor; and

WHEREAS, Section 2 of said subdivision has since been acquired by Woodstone Custom Homes and is now being referred to as Stonington Ridge; and

WHEREAS, Woodstone Custom Homes wishes to complete development of Section 2, including a re-subdivision of the lots and renaming of the roads, and in connection therewith, wishes to address the proposed conservation easement area therein; and

(Resolution #223 con't)

WHEREAS, in connection with said conservation easement area, and per the recommendation of the Town, including the Town Planning Board, Woodstone wishes to eliminate de minimus strips of outlying lands from the conservation easement area and change the internal references to match the new subdivision names; and

WHEREAS, the Town Board finds that said strips are exceedingly small, are long and narrow and run along the borders of property lines and, thus, offer little to no value by way of conservation; and

WHEREAS, were the Town to retain these strips as conservation lands, it would impose an undue administrative and financial burden on the Town to maintain said lands and to enforce them as conservation lands, and it would impose burdens upon the residents in the area to respect said lands as conservation lands despite the fact that said lands offer no conservation value; and

WHEREAS, the Town of Victor Conservation Board has repeatedly objected to acquiring conservation easements over outlying small strips of lands as they are difficult to identify, maintain and offer little conservation value; and

WHEREAS, thus, the Town is proposing to eliminate said de minimus strips from the conservation easement by way of the Amended and Restated Conservation Easement for the area, as said strips are of no value to the Town, identified as Schedule A and a copy to be kept in the subject file in the Town Clerk's office; and

WHEREAS, furthermore, Woodstone Custom Homes is requesting that the trail easement at the property be slightly shifted per the Amended and Restated Trail Easement, as Schedule B and a copy to be kept in the subject file in the Town Clerk's office; now, therefore, be it

RESOLVED, that, for the reasons set forth herein, the Victor Town Board hereby approves the Amended and Restated Conservation Easement and the Amended and Restated Trail Easement; and further

RESOLVED, that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Debra Denz, Town Clerk; Conservation Board, and Woodstone Custom Homes.

RESOLUTION #224

CONFIRMING RESOLUTION FOR THE ESTABLISHMENT OF THE COUNTY ROAD 9 WATER DISTRICT AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED WATER DISTRICT

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, on April 11, 2016, the Town Board approved and authorized the establishment of the County Road 9 Water District as well as the simultaneous consolidation thereof into the Town of Victor Consolidated Water District pursuant to the Final Consolidation Agreement for the Town of Victor Consolidated Water District and the County Road 9 Water District; and

WHEREAS, the Town Engineer provided the Ontario County Real Property Office and the Town Tax Assessor current maps showing parcel boundaries and assessment districts and areas, in both hard copy and digital form; and

WHEREAS, the Town Clerk of the Town of Victor duly filed a certified copy of the approval resolution with the New York State Comptroller; and

WHEREAS, the Town Clerk of the Town of Victor duly recorded a certified copy of the approval resolution in the Office of the Clerk of Ontario County; and

(Resolution #224 con't)

WHEREAS, the Town Clerk duly published and posted a Notice of Permissive Referendum in accordance with Town Law; and

WHEREAS, greater than 30 days have passed since the posting and publishing of said Notice of Permissive Referendum; and

WHEREAS, no petition in opposition to the establishment and consolidation of the County Road 9 Water District has been filed; now, therefore, be it

RESOLVED, that the Town Clerk file a certification with the Ontario County Clerk indicating that 30 days have passed since the posting and publishing of the Notice of Permissive Referendum and no petition in opposition to said establishment and consolidation has been filed.

RESOLUTION #225

AUTHORIZATION AFTER PUBLIC HEARING FOR THE ESTABLISHMENT OF THE "889 STRONG ROAD SEWER DISTRICT" AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED SEWER DISTRICT

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 4 (Marren, Palermo, Crowley, Tantillo) NAYS 0

WHEREAS, the Town Board of the Town of Victor ("the Town") has received a Map, Plan and Report (the "MPR") requesting an extension to the Town of Victor Consolidated Sewer District (the "Sewer District") into the parcel 889 Strong Road, Victor, NY, 14564, tax account # 14.02-1-17.000 (the proposed extension to the Sewer District is hereinafter referred to as the "889 Strong Road Sewer District"); and

WHEREAS, given the nature of the MPR and the policy and practice of the Town of Victor with respect to sewer districts, the MPR will be treated as and has been converted to one for the establishment and consolidation of the 889 Strong Road Sewer District into the Victor Consolidated Sewer District; and

WHEREAS, after the said MPR was duly filed in the Office of the Town Clerk of the Town of Victor (where it was then and is currently available for public inspection), the Town Board did duly adopt an Order and Resolution (the "Order") reciting the proposed establishment of the 889 Strong Road Sewer District and a description of the boundaries of the proposed 889 Strong Road Sewer District, the maximum amount proposed to be expended for the improvement, that amount being zero dollars (\$0.00), the proposed method of apportioning the cost of such improvement, and the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying that the Town Board shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 23<sup>rd</sup> day of May, 2016, for the purposes of conducting a public hearing on the 889 Strong Road Sewer District establishment and consolidation, and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, the Order additionally specified that the 889 Strong Road Sewer District, simultaneous with the establishment thereof, is to be consolidated into the Victor Consolidated Sewer District, and said Order set forth a descriptive summary of the Proposed Joint Consolidation Agreement for the Town of Victor Consolidated Sewer District and the 889 Strong Road Sewer District (the "Agreement"), as well as the costs to typical properties, including fees; and

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

(Resolution #225 con't)

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made, now therefore be it

RESOLVED, that the Order for the notice of the public hearing was duly published and posted as required by law and is otherwise sufficient; and be it further

RESOLVED, that all property and property owners within the proposed 889 Strong Road Sewer District are benefitted; and be it further

RESOLVED, that all property and property owners benefitted by the 889 Strong Road Sewer District are included within the limits thereof; and be it further

RESOLVED, by the Town Board of the Town of Victor, in the County of Ontario, that it is in the public interest of the Town of Victor to authorize the establishment of the 889 Strong Road Sewer District and the simultaneous consolidation thereof into the Victor Consolidated Sewer District; and be it further

RESOLVED, that the Town Board does hereby approve and authorize the establishment of the 889 Strong Road Sewer District as well as the simultaneous consolidation thereof into the Town of Victor Consolidated Sewer District pursuant to the Agreement, said Agreement now and hereby adopted by the Town Board as the Final Consolidation Agreement for the Town of Victor Consolidated Sewer District and the 889 Strong Road Sewer District; and be it further

RESOLVED, that the capital costs charged to the properties within the Victor Consolidated Sewer District, as consolidated with the 889 Strong Road Sewer District, will be in accordance with the formula established by the Town Board as set forth in the Victor Town Code at Chapter 162; and be it further

RESOLVED, that maintenance and operation charges will be calculated and charged as more specifically set forth in the Victor Town Code at Chapter 162; and be it further

RESOVLED, that a hook-up fee will be charged in accordance with Chapter 162 of the Victor Town Code; and be it further

RESOLVED, that inasmuch as no expenditure of funds for capital costs is authorized herein, and because the Town will not expend any monies for the establishment indicated herein, this Resolution is not subject to the review and/or approval of the State Comptroller of the State of New York; and be it further

RESOLVED, that this constitutes a Type II action under the State Environmental Quality Review Act and is thus not subject to review under the same; and be it further

RESOLVED, that the applicant is directed to provide to the Town Clerk current maps showing parcel boundaries and assessment districts and areas, in both hard copy and digital form for the Clerk to submit to the Ontario County Real Property Office and the Town Assessor; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly filed with the New York State Comptroller; and be it further

RESOLVED, that the Town Clerk publish and post a Notice of Permissive Referendum within 10 days of adoption of this resolution in accordance with Town Law; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly recorded in the Office of the Clerk of Ontario County within ten (10) days of the adoption of this Resolution.

PUBLIC COMMENT

Supervisor Marren requested public comment on any subject.

No one wished to comment.

On motion of Councilman Crowley, seconded by Councilman Palermo, the meeting was adjourned at 8:25 PM.

Respectfully submitted, \_\_\_\_\_ Debra J. Denz, Town Clerk