

A regular meeting of the Victor Town Board was held on February 26, 2018 starting at 7:00 PM with the following members present:

PRESENT: Supervisor Jack Marren
 Councilman David Condon
 Councilman David Tantillo
 Councilman Mike Guinan
 Councilman Ed Kahovec

OTHERS PRESENT: Karen Bodine, Town Clerk; Frank Pavia, Town Attorney; Mark Years, Highway Superintendent; Kim Kinsella, Brian Emelson, Parks & Recreation Director; Wes Pettee, Town Engineer; Fred Rainaldi Jr, Marty Avila, Megan Larmouth, Doug Fisher, Kate Crowley, Lee Wagner, David Nankin, Barb Cole and Marsha Senges.

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

- 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.

The flag was saluted.

RESOLUTION #87

APPROVAL OF MINUTES

On motion of Councilman Kahovec, seconded by Councilman Condon, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

RESOLVED that the minutes of the regular meeting of January 22, 2018 be approved.

RESOLUTION #88

PAYMENT OF BILLS

On motion of Councilman Tantillo, seconded by Councilman Guinan, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

RESOLVED that the bills be paid on Manifest #4 in the amount of \$726,569.68.

These expenditures can be found on vouchers filed by numbers: # 20180237-2018355.

A- General Townwide	\$191,251.47
B- General Outside Village	\$17,183.03
DB – Highway Townwide	\$344,344.69
H21 Community Connectivity Capital Project	\$520.48
SF1-Victor Fire Protection	\$154,773.30
SL1 –Fishers Light	\$174.55
SL2 –Brookwood Meadows Light	\$184.70
SL3 –High Point Light	\$371.17

SL4 –Cobblestone Light	\$2609.41
SL5 –Quail Ridge Light	\$514.49
SL6 –Rolling Meadows Light	\$544.89
SL7 –Legacy at Fairways	\$689.20
SL8 –Stoneleigh Light	\$27.61
SS –S5 CVS Sewer	\$5740.16
TA –Trust & Agency	\$7640.53

Supervisor Marren reviewed each of the ten large expenses that were in the range of, or exceeded \$10,000 included in Manifest #4.

PRIVILEGE OF THE FLOOR & REPORTS OF TOWN OFFICIALS

Fred Rainaldi Jr addressed the Board to introduce the High Point Project to the new Town Board Members. Fred brought several displays of the proposed project for the board to see. He also expressed how High Point has evolved and becomes more special with each new phase.

Doug Fisher spoke about the upcoming presentation he will be giving on Thursday March 1st at 7:00 PM in the Town Hall. He will be speaking about the history of the Town of Victor’s transportation system.

Marty Avila, Building Inspector spoke to the board on a proposed Moratorium on Solar Farms asking the board to set a Public Hearing to review the Local Law that has been established. Anticipates having a Code in draft form ready to present to the Town Board by mid-summer. Marty also stated that this moratorium would not affect private homeowners, business owners, farmers that want to put in solar for private energy use.

Kate Crowley, Chairwoman for the Conservation Board gave an update on the Conservation Board.

The Conservation Board’s mission is to assure preservation of natural and scenic resources. Last year they reviewed over fifty projects and seven site walks and for most of the projects they prepare site comments and send to the Planning Board. They are just an advisory committee do not act on projects.

Kate also noted that the Steep Slope policy is still in holding so the town can develop code, because many times when working with a parcel that has a steep slope there is not enough information for guidance on how the site will be developed. Kate and Kim Kinsella will be working on this Steep Slope policy moving forward. Also, two more projects updating the plant manual and land cover inventory. Kate would like to see agritourism promoted in our community. Turned it back to the board and asked what they see as priority for the Conservation Board as they work with Planning & Building.

Supervisor Marren commented on the importance of agritourism in our county and thanked Kate and her committee for their work.

RESOLUTION #89

MOVE TO SCHEDULED PUBLIC HEARING

On motion of Councilman Condon, seconded by Councilman Tantillo, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

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

Public Hearing was opened at 7:37 PM.

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

The Board discussed and made a few amendments to the Local Law.

Public Hearing closed 7:43 PM

RESOLUTION #90

MOVE TO CLOSE THE PUBLIC HEARING OF THE VICTOR TOWN BOARD

On motion of Councilman Kahovec, seconded by Councilman Tantillo, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

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

SUPERVISOR'S REPORT

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

- Fishers Fire District- the chair stated they will vote on 3/20/18
- Hydrant Markers- awarded \$25,000 (Kolb's Office) Highway superintendent will purchase markers and disperse them between the town and village.
- Casey will craft a letter to residents with punch cards and also a set PH will be scheduled for the no expiration on punch cards
- UNO's Pizza has closed their Victor location
- Info on correspondence related to the Highway Facility Workshop
- Financial Advisor Bob Fox and our Director of Finance starting to work on Multi-year plan
- Update on Capital Expenditure Plan (mini CIP)

TOWN BOARD LIASION COMMITTEE REPORTS

- Councilman Tantillo updated the board on the Route 96 Transformative Corridor Plan. The next meeting will be Wednesday March 7th from 7:00-9:00PM. At this point there will be a review of the draft that was emailed out to the steering committee. The goal is to go through the draft and get a consensus on the content and the next steps. There has been six infrastructure projects throughout the town that have been heavily vetted and presented to the public. There is overwhelming support of the six projects and once presented to the town board and they are approved, the next steps would be to work with Rich Perrin and TY Lynn to identify how to generate revenue via federal, state, local and developers. Councilman Tantillo will ask Rich to forward all the information to the board for their review ahead of the presentation.
- Councilman Kahovec commented to Mark Years that the staff at the transfer station is doing a great job dealing professionally with the residents.
- Councilman Condon also asked Mark to check with the surrounding towns, like Manchester and Canandaigua to find out what they use for scales. This information would be for future reference looking ahead to the fall.

BUSINESS

RESOLUTION #91

ACCEPTANCE OF LETTER OF CREDIT, QUATELA OFFICE BUILDING

On motion of Councilman Tantillo, seconded by Councilman Condon, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, Rhino96 LLC., received Planning Board approval for Quatela Office Building with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, the Engineer for the Town reviewed the developer's estimate of construction costs which includes 10% contingencies, 10% developer's assurance and 4% Town Engineering fees in his letter dated January 31, 2018 and has recommended a Letter of Credit totaling \$253,857.80; and,

WHEREAS, Rhino96 LLC. has submitted Canandaigua National Bank Irrevocable Letter of Credit

No. 1107054272 in favor of the Town of Victor in the amount of \$253,857.80 as recommended by the Town Engineer and is due to expire January 31, 2018; now, therefore, be it

RESOLVED that the Victor Town Board does hereby accept Canandaigua National Bank Irrevocable Letter of Credit No. 1107054272 in the amount of \$253,857.80 with the condition that should this Letter of Credit not be renewed at least ten (10) days prior to its expiration date of February 9, 2019, the Town Clerk is authorized to draw the balance of this Letter of Credit and place said funds in an Escrow Account in the Town official depository until such time as the Engineer for the Town recommends dedication of the infrastructure and release of the remaining funds; and, be it further

RESOLVED that a copy of this resolution be forwarded to the Planning Board, Codes and Development, LaBella, Costich Engineering and Rhino96, LLC.

RESOLUTION #92

ACCEPTANCE OF LETTER OF CREDIT, LEHIGH CROSSING SUBDIVISION, LOT 5

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, Bluestone Creek Development, LLC., received Planning Board approval for Lehigh Crossing Subdivision, Lot 5 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, the Engineer for the Town reviewed the developer's estimate of construction costs which includes 10% contingencies, 10% developer's assurance and 4% Town Engineering fees in his letter dated February 1, 2018 and has recommended a Letter of Credit totaling \$43,029.00; and,

WHEREAS, Bluestone Creek Development, LLC. has submitted Five Star Bank Irrevocable Letter of Credit No. 70020517925 in favor of the Town of Victor in the amount of \$43,029.00 as recommended by the Town Engineer and is due to expire March 1, 2019; now, therefore, be it

RESOLVED that the Victor Town Board does hereby accept Five Star Bank Irrevocable Letter of Credit No. 70020517925 in the amount of \$43,029.00 with the condition that should this Letter of Credit not be renewed at least ten (10) days prior to its expiration date of March 1, 2019, the Town Clerk is authorized to draw the balance of this Letter of Credit and place said funds in an Escrow Account in the Town official depository until such time as the Engineer for the Town recommends dedication of the infrastructure and release of the remaining funds; and, be it further

RESOLVED that a copy of this resolution be forwarded to the Planning Board, Codes and Development, LaBella, BME Associates, and Bluestone Creek Development, LLC.

RESOLUTION # 93

CORRECTION OF MANIFEST # 3-2018

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Finance Dept. has submitted voided check #57490 for the Town Sewer Relevy & Pilot Payment made payable to the Village of Victor resulting in the need to correct the corresponding Manifest; now, therefore, be it

RESOLVED, that the following Manifest be corrected to read as follows:

02/12/2018 Manifest #3-2018- total amount be corrected from \$3,953,138.11 to \$3,940,461.77 (Vouchers #20180150 & 20180153 for a total of \$12,676.34 –voided check); and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Department.

RESOLUTION #94

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

On motion of Councilman Guinan, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Town Board adopted the Resolution # 234 - Town of Victor Contract Procedures on June 13, 2016; and

WHEREAS, per the Contract Process, contractors and vendors who cannot obtain a Certificate of Liability Insurance which is in accordance with the Town's insurance requirements in order to perform their contracted service for the Town of Victor may appeal to the Victor Town Board for a Waiver of the Certificate of Liability Insurance; and

WHEREAS, the Town wishes services to be provided by the following vendors, who are requesting the waiver of providing a Certificate of Liability Insurance to the Town of Victor:

<u>Vendor</u>	<u>Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Benjamin Gordner dba Flint Creek	Summer Concert	Victor Municipal Park	\$850.00	July 31, 2018	Insufficient Coverage
Bradley Potter	Summer Concert	Victor Municipal Park	\$750.00	August 30, 2018	Insufficient Coverage
Darren Everhart	Summer Concert	Victor Municipal Park	\$500.00	July 31, 2018	Insufficient Coverage
Teagan and the Tweeds	Summer Concert	Victor Municipal Park	\$850.00	August 30, 2018	Insufficient Coverage
MaryBeth Fitzsimmons	Ceramics and Painting Programs	Victor Recreation Center	60% Contractor / 40% Town	December 31, 2018	Insufficient Coverage
Michael George / Red, Hot and Blue Band	Summer Concert	Victor Recreation Center	\$680.00	August 31, 2018	Insufficient Coverage

Now, therefore be it

RESOLVED that the Town Board grants the Certificate of Liability Waivers for the following service provider:

<u>Vendor</u>	<u>Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Benjamin Gordner dba Flint Creek	Summer Concert	Victor Municipal Park	\$850.00	July 31, 2018	Insufficient Coverage
Bradley Potter	Summer Concert	Victor Municipal Park	\$750.00	August 30, 2018	Insufficient Coverage
Darren Everhart	Summer Concert	Victor Municipal Park	\$500.00	July 31, 2018	Insufficient Coverage
Teagan and the Tweeds	Summer Concert	Victor Municipal Park	\$850.00	August 30, 2018	Insufficient Coverage
MaryBeth Fitzsimmons	Ceramics and Painting Programs	Victor Recreation Center	60% Contractor / 40% Town	December 31, 2018	Insufficient Coverage
Michael George / Red, Hot and Blue Band	Summer Concert	Victor Recreation Center	\$680.00	August 31, 2018	Insufficient Coverage

And be it further

RESOLVED that a copy of this resolution be sent to Brian Emelson, Director of Parks and Recreation, Karen Bodine, Town Clerk, and Benjamin Gordner, Bradley Potter, Darren Everhart, Katy Wright, MaryBeth Fitzsimmons and Michael George.

RESOLUTION #95

AUTHORIZATION TO ENTER INTO AGREEMENT - BENJAMIN GORDNER – FLINT CREEK BAND FOR SUMMER CONCERT

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Benjamin Gordner – Flint Creek Band to provide a concert to be held on Thursday, June 28, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Eight Hundred Fifty Dollars (\$850.00); and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Benjamin Gordner – Flint Creek Band to provide a concert to be held on Thursday, June 28, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Eight Hundred Fifty dollars (\$850.00), said funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Benjamin Gordner.

RESOLUTION #96

AUTHORIZATION TO ENTER INTO AGREEMENT - BRADLEY POTTER – RED EYED JACK BAND FOR SUMMER CONCERT

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Bradley Potter – Red Eyed Jack Band to provide a concert to be held on Thursday, August 2, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Seven Hundred Fifty Dollars (\$750.00); and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Bradley Potter to provide a concert to be held on Thursday, August 2, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Seven Hundred Fifty Dollars (\$750.00), said funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Bradley Potter, Red Eyed Jack Band.

RESOLUTION #97

AUTHORIZATION TO ENTER INTO AGREEMENT - DARREN EVERHART FOR SUMMER CONCERT

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Darren Everhart to provide a concert to be held on Thursday, June 14, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Five Hundred Dollars (\$500.00); and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Darren Everhart to provide a concert to be held on Thursday, June 14, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Five Hundred Dollars (\$500.00), said funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Darren Everhart.

RESOLUTION #98

AUTHORIZATION TO ENTER INTO AGREEMENT - TEAGAN AND THE TWEEDS BAND FOR SUMMER CONCERT

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Teagan and the Tweeds Band to provide a concert to be held on Thursday, July 19, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Eight Hundred Fifty Dollars (\$850.00); and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Teagan and the Tweeds to provide a concert to be held on Thursday, July 19, 2018 from 7:00 – 8:30 pm for a fixed fee not to exceed Eight Hundred Fifty Dollars (\$850.00), said funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Katy Wright, Teagan and the Tweeds Band.

RESOLUTION #99

AUTHORIZATION TO ENTER INTO AGREEMENT - MARYBETH FITZSIMMONS FOR CERAMICS AND PAINTING INSTRUCTION

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation seeks to offer ceramics and painting classes for youth and adults in their recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with MaryBeth Fitzsimmons to provide instruction for ceramics and painting to be held at a mutually agreeable time and date for the instructor and program coordinator for Sixty Percent (60%) of the program registration net funds with the Town taking Forty Percent (40%) of the program registration net funds; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7020.4 Recreation Programs Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with MaryBeth Fitzsimmons to provide instruction for ceramics and painting classes for youth and adults to be held at a mutually agreeable time and date for the instructor and program coordinator for , Sixty Percent (60%) of the program registration net funds with the Town taking Forty Percent (40%) of the program registration net funds, funds are included and available in the 2018 Operating Budget line item A7020.4 Recreation Programs Contractual; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and MaryBeth Fitzsimmons.

RESOLUTION #100

AUTHORIZATION TO ENTER INTO AGREEMENT - CHEF'S CATERING FOR FOOD TRUCK AT SUMMER CONCERTS

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation seeks to offer food truck services at a summer concert; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Chef's Catering to provide a food truck at a summer concert to be held on Thursday, July 19, 2018 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Chef's Catering to provide a food truck at a summer concert to be held on Thursday, July 19, 2018 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation Supervisor; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Michael Zazzaro.

Town Board discussed Resolution #101

Councilman Condon asked Brian if they had shopped around for pricing on flowers and Brian noted that the value and quality being wholesale you can't get these prices at a retail shop. He also noted that the customer service is outstanding and they had not bid this out.

RESOLUTION #101

AUTHORIZATION FOR THE PURCHASE OF FLOWERS AND FERTILIZER FOR THE VICTOR TOWN HALL AND FOUR CORNERS FLOWER BEDS

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation is responsible for the care and maintenance of the flower and shrub beds at the Victor Town Hall and the intersection of New York State Route 96, Ontario County Road 42 and Rowley Road in Victor; and

WHEREAS, the Director of Parks and Recreation and the President of the Victor Garden Club have obtained a written quotation for the purchase of said flowers and fertilizer from Bundschuh Greenhouses at a total cost not to exceed Two Thousand Ninety One Dollars and Twenty Five Cents (\$2,091.25); and

WHEREAS, funds are appropriated in the 2018 Budget line item A7110.4; and

WHEREAS, the Director of Parks and Recreation recommends that said materials be purchased from Bundschuh Greenhouses in an amount not to exceed Two Thousand Ninety One Dollars and Twenty Five Cents (\$2,091.25); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to order and purchase flowers and fertilizer for the Victor Town Hall and the intersection of New York State Route 96, Ontario County Road 42 and Rowley Road in Victor in an amount not to exceed Two Thousand Ninety One Dollars and Twenty Five Cents (\$2,091.25), said funds are available in the 2018 Budget line item A7110.4; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Mary Duprey, Victor Garden Club; Karen Bodine, Town Clerk; Barbara Cole, Director of Finance; and Bob Bundschuh, Bundschuh Greenhouses.

RESOLUTION #102

APPROVING AND AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF VICTOR AND VILLAGE OF VICTOR TO JOINTLY PARTICIPATE IN A PROJECT TO CONSTRUCT A SHARED USE PATH AND SIDEWALKS ON TOWN AND VILLAGE PROPERTY IN CONJUNCTION WITH THE FEDERALLY FUNDED VICTOR COMMUNITY CONNECTIVITY PROJECT

On motion of Councilman Tantillo, seconded by Councilman Guinan, the following resolution was

ADOPTED AS AMENDED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Town of Victor and the Village of Victor desire to jointly collaborate in a project to construct a shared use path on Lane Road in the Town and sidewalks on High Street in the Village (“the Project”) in conjunction with the Federally funded Victor Community Connectivity project; and

WHEREAS, it is in the mutual best interests of the residents of the Town of Victor and Village of Victor to cooperate on the Project which will accrue to the mutual welfare and benefit of both groups; and

WHEREAS, pursuant to General Municipal Law, Article 5-G, Section 119-o, the Town of Victor and Village of Victor are authorized by statute to enter in a Memorandum of Understanding providing for the respective rights and obligations of the parties with respect to the Project (“Memorandum of Understanding”); and

WHEREAS, the funds to be expended on the Project by the Town of Victor shall be taken from the Town’s budgeted line item H21.5410 Victor Community Connectivity Project Capital Outlay, which upon payment by the Town, will be reimbursed at Seventy-Five Percent (75%) with a maximum Federal project allocation of Two Hundred Forty Seven Thousand Four Hundred Ninety Three Dollars (\$247,493.38); and

WHEREAS, a draft Memorandum of Understanding with respect to the Project has been prepared by the Attorney to the Town of Victor; and

WHEREAS, the Director of Parks and Recreation acting as the Project Manager and Responsible Local Official (RLO) presented the project, construction budget and the Memorandum of Understanding to the Village of Victor Board of Trustees at their January 29, 2018 meeting with no objections on the part of the Village of Victor Board of Trustees; and

WHEREAS, the Mayor of the Village of Victor and the Board of Trustees have reviewed and accepted as to form the Memorandum of Understanding for the Project as required by the New York State Department of Transportation (“NYSDOT”); and

RESOLVED, that the Memorandum of Understanding is hereby approved by the Victor Town Board, and the Town Supervisor is further authorized to execute such agreement on behalf of the Town of Victor; and be it further

RESOLVED, an executed copy of the Memorandum of Understanding identified as Schedule A is kept in the subject file in the Town Clerk’s office; now, therefore be it

RESOLVED, that a copy of this resolution be forwarded to Gary Hadden, Mayor, Village of Victor; Brian Emelson, Director of Parks and Recreation / RLO; Karen Bodine, Town Clerk; Emily Smith, Fisher Associates; and Jay Reisinger, Local Projects Liaison, NYSDOT – Region Four.

RESOLUTION #103

AUTHORIZATION TO PURCHASE 2018 MILTON CATERPILLAR 420F2 ST BACKHOE, OFF NEW YORK STATE BID CONTRACT PC66988 FROM MILTON CAT AND DECLARE THE 2004 NEW HOLLAND BACKHOE SERIAL NUMBER 31051428 SURPLUS

On motion of Councilman Tantillo, seconded by Councilman Condon, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Recycle Department has the need to purchase a 2018 Milton Caterpillar 420F2 ST Backhoe for recycle operations and to declare the 2004 New Holland Backhoe Serial #31051428 as surplus; and

WHEREAS, this equipment is available for purchase off the New York State Bid Contract Award Number PC66988 from Milton Cat; and

WHEREAS, the price quoted and budgeted for in 2017 to purchase the 2018 Milton Caterpillar 420F2 ST backhoe has increased Three Hundred Fifty Nine dollars (\$359.00) from Ninety Thousand Nine Hundred Forty Seven dollars (\$90,947.00) to Ninety One Thousand Three Hundred Six dollars (\$91,306.00); and

WHEREAS, a budget transfer in the amount of Three Hundred Fifty Nine dollars (\$359.00) from the Recycle Contractual Account (A.8160.400) to the Recycle Equipment Account (A.8160.200) is needed; now therefore be it

RESOLVED that upon the budget transfer in the amount of Three Hundred Fifty Nine dollars (\$359.00) from the Recycle Contractual Account (A.8160.400) to the Recycle Equipment Account (A.8160.200) sufficient funds are available for the purchase of the 2018 Milton Caterpillar 420F2 ST backhoe to replace the 2004 New Holland Backhoe Serial #31051428 which will be declared as surplus and sold at auction; and further

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase the 2018 Milton Caterpillar 420F2ST Backhoe off the New York State Bid Contract PC66988 from Milton Cat in the amount of Ninety One Thousand Three Hundred Six dollars (\$91,306.00) and declare the 2004 New Holland Backhoe Serial Number 31051428 surplus to be sold at auction; and further

RESOLVED, that a copy of this resolution be forwarded the Mark Years, Highway Superintendent, the Finance Department, and Milton Cat, 4610 East Saile Drive, Batavia, NY 14020.

RESOLUTION #104

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO PROFESSIONAL CONSULTING SERVICES AGREEMENT - RAYMOND F. WAGER, CPA, P.C., A DIVISION OF MENGEL METZGER BARR & CO. LLP, - 2017 INTERNAL AUDIT OF THE TOWN CLERK'S OFFICE

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, pursuant to New York's Town Law, including Section 64(6) and Section 20(2), the Town Board has the power to approve contracts for Town services, including but not limited to contracts for legal, consulting, accounting, and engineering services prior to the execution of such contracts by the Town Supervisor; and

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

WHEREAS, the Victor Town Clerk and the Director of Finance wish to engage Raymond F. Wager, CPA, P.C., a division of Mengel Metzger Barr & Co. LLP, to perform an internal audit of the Town Clerk's Office, as specified in the proposal submitted by Raymond F. Wager, CPA, P.C. dated January 26, 2018, and labelled as "Schedule A" to be kept in the subject file in the Town Clerk's Office, at a cost not to exceed Two Thousand Nine Hundred Fifty dollars (\$2,950.00); and

WHEREAS, funds are available in the 2018 Budget line item A.1310.400 Finance-Audit & Services Contractual; and

WHEREAS, Raymond F. Wager, CPA, P.C. has been identified by the Director of Finance as having the appropriate internal auditing services for the Town of Victor; now, therefore be it

RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a contract with Raymond F. Wager, CPA, P.C., a division of Mengel Metzger Barr & Co. LLP, for the 2017 Town Clerk Internal Audit Professional Consulting Services, under the terms and conditions as provided in the 2017 proposal submitted by Raymond F. Wager, CPA, P.C. dated January 26, 2018, and labelled as "Schedule A" to be kept in the subject file in the Town Clerk's Office, at a cost not to exceed Two Thousand Nine Hundred Fifty dollars (\$2,950.00), said funds are available in the 2018 Budget line item A.1310.400 Finance-Audit & Services Contractual; and further be it

RESOLVED that a copy of this Resolution be forwarded to Raymond F. Wager, CPA, P.C., the Finance Director, Town Clerk, and the Human Resources Department.

RESOLUTION #105

SET PUBLIC HEARING – LOCAL LAW # _____ -2018 TO IMPLEMENT A TEMPORARY LAND USE MORATORIUM PROHIBITING LARGE SCALE SOLAR INSTALLATIONS WITHIN THE TOWN OF VICTOR

On motion of Councilman Kahovec, seconded by Councilman Tantillo, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Town Board recognizes and acknowledges that the Town needs to study and analyze many considerations that affect the preparation of local legislation to regulate the future creation and siting of large scale solar installations; and

WHEREAS, the Town Board has formally requested the Town Planning and Building Department to identify and review local laws from other jurisdictions, and related information and source materials, in order to assist in developing the parameters of a local law to regulate large scale solar installations; and

WHEREAS, the Town Board also recognizes the need to review and examine its existing ordinances, local laws and Zoning Code provisions insofar as they may be affected by the adoption of such local law(s) regulating the creation and/or siting of large scale solar power installations. It is deemed necessary to enact this moratorium in order to permit the Town adequate time in which to draft suitable legislation for this purpose and in anticipation of the impending updates to the land use regulations to incorporate into the Town's existing Zoning Code; and

WHEREAS, the Town Board requested a draft a Local Law which will temporarily prohibit the acceptance, processing and approval of applications for the location, development or site plan approval of a large scale solar installation within the Town of Victor; and

WHEREAS, a draft Local Law has been submitted to the Town Board; said draft Local Law is on file with the Town Clerk; now, therefore, be it

RESOLVED by the Victor Town Board that a Public Hearing shall be had on the 12th day of March, 2018, at 7:30 p.m., for the purpose of adopting a Local Law to implement a temporary land use Moratorium on and Prohibition of Large Scale Solar Installations within the Town of Victor; and be it further

RESOLVED that the Town Board hereby directs the Town Clerk to refer the Local Law to the Ontario County Planning Board pursuant to NY General Municipal Law Section 239-m; and be it further

RESOLVED that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

RESOLUTION #106

AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. ____ - 2018 TO AMEND THE TOWN OF VICTOR EMPLOYEE RECOGNITION PROGRAM

On motion of Councilman Kahovec, seconded by Councilman Guinan, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

Roll Call Vote:

Supervisor Marren Aye Councilman Guinan Aye Councilman Tantillo Aye
Councilman Condon Aye Councilman Kahovec Aye

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Victor on the 22nd day of January, 2018, calling for a Public Hearing to be held by the Town Board of the Town of Victor on the 12th day of February, 2018, at the Victor Town Hall, 85 East Main Street, at 7:30 PM, to hear all interested parties on a proposed Local Law to amend the Town of Victor Employee Recognition Program; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Victor Town Hall on the 12th day of February, 2018, at 7:30 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any parts thereof; and

WHEREAS, the Town Board of the Town of Victor, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; and

WHEREAS, the Town Board of the Town of Victor finds that Town of Victor Employee Recognition Program should be amended; now, therefore be it

RESOLVED by the Town Board of the Town of Victor that the Town Board hereby adopts said Local Law No. ____-2018 to amend the Town of Victor Employee Recognition Program as follows:

LOCAL LAW NO. ____ - 2018 TO AMEND THE TOWN OF VICTOR EMPLOYEE RECOGNITION PROGRAM

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

This Local Law is adopted pursuant to the authority granted to the Town of Victor at New York Municipal Home Rule Law Section 10.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. ____ - 2018 to amend the Town of Victor Employee Recognition Program. The purpose of this Local Law is to amend the Town program revising the employee recognition program to allow all employees the opportunity to participate in order to be recognized as an exemplary employee.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that, in relation to the compensation and welfare of its employees, recognizing and rewarding Town employees for valued behavior will act as an inducement to continued efficient, valuable, competent and faithful behavior. Encouraging and supporting efficient, valuable, competent and faithful behavior of its employees enables the Town to realize a more efficient, healthy, happy and valuable workforce.

Section IV. Employee Recognition Program

Program Name

Cause for Applause

Time Frames for rewarding employees

- 1) 1 year grand prize total points (A prize will be awarded to the employees with the top 3 point totals obtained within the calendar year)
- 2) Quarterly prize will be awarded to the employees with the top 3 point totals for each quarter of the year. Points for the subsequent quarter will be reset to zero, though points will continue to accumulate for the calendar year.

Awards, winners will get their choice of available awards

- 1) 4 hours off (awarded for yearend only)
- 2) Gift certificate (Values will be \$50.00/\$25.00 for year/quarter)

- 3) Movie passes (2 passes for quarter only)
- 4) 2 hours off (quarter only)
- 5) Popcorn party (quarter only)
- 6) Bucket of Candy (quarter only)
- 7) On-site massage (need to determine a value for this)
- 8) Car wash (quarter only)
- 9) Oil change (quarter only)
- 10) Bowling pass \$15.00 (quarter only)

Ways to obtain points

Event for awarding points	Description	Points awarded per event	Max points awarded
Attend a group meeting	Attendance at an inter-department or staff meeting	8	No limit
Monthly employee luncheon	Participation in an employee monthly luncheon or similar event	4	No limit
Name appears on a comment card	Your name is mentioned on a comment card in a positive manner	10 – individual 4 - group	No limit
Perfect Attendance	Completion of 1 Calendar QTR/year without a recorded sick day (i.e. Jan-Mar)	8/QTR 10/year	42
Money saving ideas	Present a money saving idea that is implemented.	10	No limit
Attendance at a committee meeting	Any committee associated with the Town of Victor	5	No limit
Committee Member	A participating member of any committee associated with the Town of Victor	4 /year	4
Voluntary Training	Teaching or attending work related voluntary training	5/training event	No limit
“Caught Ya”	Writer and receiver of a “caught ya” card which is a formal recognition of a person performing a good deed. (i.e. providing good customer service as identified by a co-worker)	10 for the writer and receiver	50/QTR
Days without a preventable accident	Each person of each department receives points for not having a preventable accident. Subject to Committee review	10/QTR 10/yearly	50/year
Wellness challenge participation	The employee must sign up for and actively participate in and complete a wellness program of any type.	10/event	No limit
Volunteer activities	Participation with a volunteer organization, for example, Victor Youth Baseball	5/organization/ year	No limit
Attendance at a Victor Community Event	Any event that benefits the Victor Community in any way. Oversight is by the Customer Service	4/event	No limit

	Committee. An example, attend Hang Around Victor Days.		
Identifying and reporting a safety issue in writing	The Individual must identify a work place safety issue, document the condition in writing and report it to the immediate supervisor for resolution.	10/report	50/year
Work related association member	Active member of any work related association	4/membership/year	No limit
Attend a "Town Board" meeting	Voluntarily attend a Town Board, Planning Board, Zoning Board of Appeals, Conservation Board or Village Board meeting	8/meeting	40/year
Customer Service Committee Oversight	The Customer Service Committee may add points, subtract points or alter the program as it feels necessary		

Miscellaneous information

- 1) This program will be "on your honor" in order to minimize additional tasks for the Customer Service Committee to complete. The Customer Service Committee has the discretion to remove points if it feels that points are not being earned.
- 2) Employees will be responsible for their own point totals as well as providing the totals to the Customer Service Committee for review within 7 days of the end of each month.
- 3) The "Employee of the Month" program will end.
- 4) 3X5 slips will be printed and available for employees to use for "Caught Ya" activities. These will be filled out and provided to the employee that is the subject of the "Caught Ya" and then forwarded via the comment card box.
- 5) "Red tickets" will continue to be distributed. The program may expand to allow trading of tickets for awards due to the lack of participation at the yearend luncheon. For example: 1 ticket is worth a \$5.00 gift certificate.

Section VIII. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section IX. Repeal, Amendment and Supersession of Other Laws

All other Ordinances or Local Laws of the Town of Victor which are in conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect during its effective period.

Section X. Effective Date

This Local Law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.; and be it further

RESOLVED that the Town Clerk of the Town of Victor be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

PUBLIC COMMENT

Supervisor Marren requested public comment on any subject.

David Nankin brought up a question about combining highway departments between towns, like Farmington and Victor to save money on equipment. Supervisor Marren expressed that Victor does have a shoulder machine that was purchased with Farmington about 8 or 9 years ago. He also stated that many times during asphalt season you may see trucks from other townships, noting we are always looking for more efficient ways to do things.

RESOLUTION #107

MOVE TO EXECUTIVE SESSION @ 8:10 PM

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

RESOLVED that the Victor Town Board enter into Executive Session for discussion of pending litigation. The Town Attorney was requested to stay, the Town Clerk was excused. No Town Board action to take place following the Executive Session

RESOLUTION #108

RE-OPEN OPEN MEETING

On motion of Councilman Kahovec, seconded by Councilman Tantillo, the following resolution was

ADOPTED AYES 5 (Marren, Guinan, Condon, Tantillo, Kahovec) NAYS 0

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

On motion of Councilman Tantillo, seconded by Councilman Guinan, the meeting was adjourned at 8:38 PM.

Respectfully submitted, _____ Karen C. Bodine, Town Clerk