

6:00 PM Town Board Workshop- Route 96 Corridor Strategic Infrastructure Plan Next Steps

A regular meeting of the Victor Town Board was held on March 26, 2018 starting at 7:20 PM with the following members present:

PRESENT:

Supervisor	Jack Marren
Councilman	David Condon
Councilman	David Tantillo
Councilman	Ed Kahovec

ABSENT:

Councilman	Mike Guinan
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OTHERS PRESENT: Karen Bodine, Town Clerk; Frank Pavia, Town Attorney; Mark Years, Highway Superintendent; Kim Kinsella, Brian Emelson, Parks & Recreation Director; Douglas Fisher, Bruce Habberfield, Lee Wagner, David Nankin, Wes Pettee, & Steve Metzger, LaBella Associates; Neil Stein, Randy Shea, Sue Stehling, Marlies Sullivan, Jennifer Michniewicz, Tim Brown, Miguel A. Reyes, Joe Picciotti, Harris Beach; Doug Eldred, Fred Rinaldi, Edwin Rueda

Supervisor Marren called the meeting to order at 7:20 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.
- Announced thirteen Town Employee Birthdays for the month of April
- Thanked & complimented the Town Clerk on the format of the meeting minutes

The flag was saluted.

RESOLUTION #123

APPROVAL OF MINUTES

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

RESOLVED that the minutes of the regular meeting of February 26, 2018 be approved.

RESOLUTION #124

PAYMENT OF BILLS

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

RESOLVED that the bills be paid on Manifest #6 in the amount of \$ 366,974.65. These expenditures can be found on vouchers filed by numbers: #20180463-20180580.

A- General Townwide	\$188,007.38
B- General Outside Village	\$16,153.99
DB – Highway Townwide	\$77,941.54
SL1 –Fishers Light	\$173.88
SL2 –Brookwood Meadows Light	\$184.11
SL3 –High Point Light	\$367.05
SL4 –Cobblestone Light	\$2,601.93

SL5 –Quail Ridge Light	\$513.13
SL6 –Rolling Meadows Light	\$543.19
SL7 –Legacy at Fairways	\$687.67
SL8 –Stoneleigh Light	\$23.78
SS – Consolidated Sewer	\$50,888.75
TA –Trust & Agency	\$28,888.25

Supervisor Marren reviewed each of the nine large expenses that were in the range of, or exceeded \$10,000 included in Manifest #6.

- LaBella- Town costs after charge backs
- MVP – Health Care
- Clark Patterson Lee
- Comptroller- Fees & Fines Courts
- B & M Rental of Courts
- Bluestone Creek Development
- Harris Beach Legal
- American Rock Salt –road salt

PRIVILEGE OF THE FLOOR:

Marlies Sullivan-7955 Bramwell Park, requested a hold harmless agreement to place a fence within a utility easement for her dogs because her invisible fence is not working anymore with one of her dogs. Ms. Sullivan stated she had planted three small pine trees, one of which is in the easement and she also stated it is an ornamental and will not get very big. The Board had no objection and Supervisor Marren asked Council to create a hold harmless agreement.

RESOLUTION #125

MOVE TO SCHEDULED PUBLIC HEARING

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS

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

Public Hearing was opened at 7:30 PM.

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

Neil Stein - 1722 Strong Road, spoke in favor of the modification and stated he felt this was a more equitable situation. Also, stated that because the transfer station permits have a senior rate maybe the punch cards should also have one.

Councilman Tantillo suggested to protect future Town Boards that two key words non-transferrable and non-refundable should be added. He also added that based on no expiration date, the transfer station just lost a revenue stream.

Neil Stein-1722 Strong Road, commented on Councilman Tantillo’s comment that the town may not lose as much revenue, now that the punch card does not have an expiration date someone like himself would probably buy one, stating he could never use five punches in one year.

RESOLUTION #126

MOVE TO CLOSE THE PUBLIC HEARING OF THE VICTOR TOWN BOARD

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

RESOLVED that the regular meeting of the Victor Town Board be reconvened @7:35PM

REPORTS FROM TOWN OFFICIALS

Wes Pettee, LaBella Associates Director Economic Development - shared the Planning Board recommendations for the High Point Business Park Planned Development District which was approved to present to the Town Board for their review. Wes stated that from time to time the Town has asked to consider increasing allowable densities for various projects with High Point being one example. Petition for this project was submitted in May of 2017 to the Town Clerk and the Town Board referred this application to the Planning Board for recommendation, which is required as part of the Town Code. The project currently anticipated 294 apartment units in lieu of 72 townhouses that were previously approved as part of the preliminary development plan in 2005. This would be an increase of 222 units. Wes pointed out several findings that the Planning Board made with regard to the rezoning application in 2005.

1. That prior to rezoning the Town Board evaluate and balance the applicant's compliance with the Town's Corridor Overlay District Regulations and the need for relief therefrom.
2. That the Town Board determines and balance applicant's compliance with the Town's comprehensive plan.
3. That the Town Board requires reasonable compliance with the Town architectural and design standards.
4. That the Town Board determine and balance applicant's compliance with the Valentown Historic Preservation District goals and objectives.

The decision at the Planning Board level was not unanimous, however very careful consideration was given toward this project's relationship to the Town's Comprehensive Plan, the built environment and the natural environment. Specific attention was given to the project need and this was balanced against the Town's adopted 2015 Comprehensive Plan as well as the anticipated built out threshold. The applicant has indicated that it has additional information based on a previously completed plan that, within 3 years of being built, the applicant will realize a 95% absorption rate, which takes into consideration a 25% turnover after year one. The need for the Amended Plan is based on the Applicant's assertion of a growing market demand for residential apartments in close proximity to commercial centers and workplace locales. This Amended Plan would fulfill the apparent need for apartment style housing. Wes highlighted several areas of the 11 points Planning Board's review. Wes also noted that one of the proposed buildings was moved away from one of the closest neighboring property which constituted a beneficial change to mitigate the impact of the bulk associated with the apartment buildings, which he pointed out on the plan design.

Wes also concluded that this rezoning action is a two -step process. 1) Amendment of the zoning map and the Planning Board has not taken any action on any site plan, no approval from the Planning Board at this point. The only action the Planning Board took was to make this final recommendation to the Town Board 2) Formal site plan application would be filed and considered by the Planning Board.

Councilman Kahovec asked about the traffic study AM vs PM for this project and was interested in what the percentage difference was between them.

Jennifer Michniewicz, Clark Patterson Lee – stated that the PM is the higher volume, stating that 294 units calculate 148 am, 179 pm and 140 weekend trips.

Councilman Tantillo asked what improvements have been done to accommodate the increased traffic, or were these already done prior when the other businesses were done.

Jennifer explained that the information was analyzed in 2005 and a growth rate of 4% annually was applied which accrues, so the growth rate was mitigated. Jennifer also noted that over thirty intersections were analyzed as part of the FEIS study.

Joe Picciotti to clarify for the Board, Jennifer based upon the mitigation measures that have been built and compared to what was done in 2005, you are not anticipating any additional traffic. She noted that there is excess capacity built into the mitigation already proposed and there will not be a need for additional mitigation for the change in use.

Supervisor Marren noted that back in August of 2107, two Public Hearings were left open concerning two properties owned by the Rainbros Associates.

Joe Picciotti gave an overview on the next steps for the Town Board moving forward. In 2005, there was an extensive application with findings and this current application is a change and there are significant changes. Going forward for purposes of whether it is appropriate for rezoning it will need to be reviewed by SEQR and its impacts. This is a material change of what was originally proposed in 2005 and are the adverse impact to these changes, like traffic, utility, and infrastructure. The difference here is there is a significant number of additional units and a different bulk (*taller*). The Board has to consider in their determination if this amounts to a potentially adverse impact.

Discussion continued on High Point:

Supervisor Marren asked if anyone had any comments on the recommendation from the Planning Board, noting that the vote was not unanimous.

Councilman Tantillo commented that he did not want to set a precedent for the future if another project came before the Board asking for a similar decision. Supervisor Marren agreed that each individual project has their own specific pros and cons. When you think of adverse and environmental impact on this project there are a lot of positive checks on the concerns of the residents.

Councilman Condon asked **Fred Rinaldi** about the architectural site plan and model presented. **Fred** expressed that this building will come to life in a very special way, far greater detail with materials used and the topography is one of the most amazing things about the site, noting that 83% of these residential lands is green and they have been able to contain 100% of the footprint in or within the footprint of the former townhouse units.

Edwin Rueda neighboring the proposed property expressed his concern about the size of the three adjacent buildings, referring to them as towers and sighting there is no buffer for the buildings. He also appreciated the one building closest to his property was moved, but felt he still will see the tall buildings when he steps outside his house. He is asking the Board for consideration about his concerns.

Supervisor Marren asked if there was a square footage breakdown comparing the original 72 units verses the 294 units.

Doug Eldred presented that what they tried to do with the new layout is to maintain the same clearing limits to put the buildings in. The underground parking was added to alleviate a lot of surface parking. He stated from an ecological view there is no impact because the same developable area is being maintained as with the original project. The density of the development is about 5.2 units per acre and also provided comparisons of other projects. Doug also pointed out that the Town Code requires a buffer of 100' between industrial use and residential uses and that they provided 140' of mature trees. He also noted they have had 3 meetings with the Fire Chiefs & Fire Marshall, and they agreed to significant fire safety improvements for the buildings. Safety features such as larger hallways, standpipe systems, knox boxes, and also wider elevators for gurneys. Doug had a copy of the letter from the Fire Chief with all the safety improvements that he will forward to the Board.

Miguel Reyes representing Mr. Rueda spoke on his behalf with a few concerns about the density and intensity of a use. Also noting these units will be rental units changing the character, not being owner occupied. He also asked the Board to note the feasibility study that was done.

Joe Picciotti repeated to the Board the next step will be for them to make a determination in order to move forward with rezoning, SEQR needs to be completed. The

options based upon this application has any potential significant adverse impact been identified.

Councilman Condon expressed that he feels there is a lot to digest with this project and wants to table it for now to have time to read through the transcripts of the Planning Board's comments and how they came to their decision. Suggested taking a walk or drive through to review the site.

Supervisor Marren thanked everyone for their overview of the project and noted a future workshop would be scheduled.

SUPERVISOR'S REPORT

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

Supervisor Marren presented Brian Emelson with the plaque with the letter from Marc Molinaro the Dutchess County Executive. The letter was written to the Supervisor in regards to the Town of Victor taking action about the "Think Differently" program. Supervisor Marren noted that some changes were implemented in the Village at the four corners with treads on the sidewalks to prevent slipping. He also thanked Coach Steve and Brian for all their efforts with the program.

Councilman Tantillo expressed he had attended a seminar in the fall and what a powerful presentation Mr. Molinaro had given and he also mentioned his programs for special needs at Christmas at the mall.

Brian Emelson announced that the Parks & Recreation Dept. is one of twenty five agencies that will be recognized across the state at the upcoming NYS Recreation of Parks Society Conference in Syracuse for their pro-active approach towards inclusion.

Supervisor Marren noted the Sewer Easement moving forward, next step is County and Village and hopefully going out to bid at some point. On March 5th the Village Board approved a resolution overriding the tax cap levy. A letter from the Fire Chief on the result of the Fishers Fire District Vote. As Chairman of the Board, he has sent out a couple of letters regarding the internet fairness provision, noting that periodically he gets phone calls from residents concerned about their cable and internet services. Also the first meeting in April there will be two resolutions on speed reductions on County Road 9 from the Village to the thruway and Lynaugh Road as a result of part of the study done by Clark Patterson Lee.

REPORTS FROM TOWN OFFICIALS SUBMITTED:

Highway	Victor Fire Chief
Planning & Buildings	ED/VLDC
Parks and Recreation	

THE TOWN CLERK received an application for a Liquor License from the Legacy at the Fairways to have a license for the garden and patio. There were no objections from the Board.

FINANCE REPORT – financial report consisting of the expense and revenue control updates for the month of March were submitted to the Board for their review.

TOWN BOARD LIASION COMMITTEE REPORTS:

Councilman Tantillo gave an update from the Planning Board that there is a meeting scheduled for the Gullace Project tomorrow night. BME sent out questions that they had to respond to and **Councilman Tantillo** shared some of his concerns with the Town Board. The Town made a deal with the Village to annex a portion of the town land over to the Village with the hopes that they would develop that parcel, so when this was done, half would not belong to the Village and half belong to the town, making it difficult for services. It was his interpretation that the Village has no plan on developing the parcel and asked the applicant to put in a

cul-de-sac on the stub road that would normally lead to the Village portion and would defeat the whole idea of connectivity and access management. He also noted that once land is annexed you cannot get it back.

Supervisor Marren also shared his disappointed that it was the Town Board's intent from a public safety standpoint that it was a direct line from Hillcrest right into the parcel and felt they acted in good faith. **Councilman Tantillo** was going to share this with the Planning Board.

BUSINESS

RESOLUTION #127

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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

ADOPTED AYES 4 (Marren, 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>
Dave Tiberio	Summer in the Square	Mead Square Park	\$1,500.00	July 30, 2018	Insufficient Coverage
Phil Hilden	Photography Classes	Victor Recreation Center	60% / 40%	December 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>
Dave Tiberio	Summer in the Square	Mead Square Park	\$1,500.00	July 30, 2018	Insufficient Coverage
Phil Hilden	Photography Classes	Victor Recreation Center	60% / 40%	December 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, Dave Tiberio and Phil Hilden.

RESOLUTION #128

AUTHORIZATION TO ENTER INTO AGREEMENT - DAVE TIBERIO FOR SUMMER IN THE SQUARE CONCERT

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

ADOPTED AYES 4 (Marren, 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 Dave Tiberio to provide music and sound for its Summer in the Square event to be held on Saturday, July 14, 2018 from 6:00 – 9:00 pm for a fixed fee not to exceed One Thousand Five Hundred Dollars (\$1,500.00); 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 Dave Tiberio to provide music and sound for its Summer in the Square event to be held on Saturday, July 14, 2018 from 6:00 – 9:00 pm for a fixed fee not to exceed One Thousand Five Hundred Dollars (\$1,500.00), 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 Dave Tiberio.

RESOLUTION #129

AUTHORIZATION TO ENTER INTO AGREEMENT - PHIL HILDEN FOR PHOTOGRAPHY INSTRUCTION

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

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

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Phil Hilden to provide instructional staff and equipment for photography classes to be held on various dates & times 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 Phil Hilden to provide instructional staff and equipment for photography classes to be held at various dates & times for Sixty Percent (60%) of the program registration net funds with the Town taking Forty Percent (40%) of the program registration net funds, said 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 Phil Hilden.

RESOLUTION #130

AUTHORIZATION TO ENTER INTO AGREEMENT - MEAT THE PRESS LLC FOOD TRUCK AT SUMMER CONCERTS

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

ADOPTED AYES 4 (Marren, 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 Meat The Press LLC to provide a food truck at a summer concert to be held on Thursday, June 14, 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 Meat The Press LLC to provide a food truck at a summer concert to be held on Thursday, June 14, 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; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Christopher J. Virgo.

RESOLUTION #131

AUTHORIZATION TO ENTER INTO AGREEMENT - TOM WAHL'S INC. FOOD TRUCK AT SUMMER CONCERTS

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

ADOPTED AYES 4 (Marren, 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 Tom Wahl's Inc. to provide a food truck at a summer concert to be held on Thursday, July 26, 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 Tom Wahl's Inc. to provide a food truck at a summer concert to be held on Thursday, July 26, 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; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Jonathan Gonzalez.

RESOLUTION #132

AUTHORIZATION TO ENTER INTO AGREEMENT - TRUGREEN COMMERCIAL FOR ATHLETIC FIELD MAINTENANCE PROGRAM

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation has the need to enter into agreement with a vendor to provide fertilizer and pesticide applications three times per year to its athletic fields at Dryer Road Park and Village on the Park to increase the playability and safety of said fields; and

WHEREAS, the Director of Parks and Recreation has obtained the following proposals for said services;

Vendor	Cost
TruGreen Commercial	\$2,108.21
Broccolo Tree & Lawncare	\$3,326.00

And;

WHEREAS, funds were included and appropriated in the 2018 budget line item A7110.4 Parks Contractual; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation and Town Supervisor to Enter into Agreement with TruGreen Commercial in an amount not to exceed Two Thousand One Hundred Eight Dollars and Twenty One Cents (\$2,108.21), said funds are available in the 2018 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; Karen Bodine, Town Clerk; Barbara Cole, Finance Director; and Timothy Bowers, TruGreen Commercial.

RESOLUTION #133

AUTHORIZATION TO ENTER INTO AGREEMENT - O'BRIEN'S SEPTIC AND PORTABLE TOILETS FOR PORTABLE TOILET RENTALS - DEPARTMENT OF PARKS AND RECREATION

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Department of Parks and Recreation has the need to rent seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park; and

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

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations for these items;

Vendor	Per Unit / Per Month Price Quote	Annualized Cost to the Town
United Rentals DBA Reliable Onsite Services	\$145.00	\$6,090.00
O'Brien's Septic and Portable Toilets	\$135.00	\$5,670.00

And;

WHEREAS, the Director of Parks and Recreation recommends that the Town enter into agreement with O'Brien's Septic and Portable Toilets for the rental of seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park at a cost not to exceed One Hundred Thirty Five Dollars (\$135.00) per unit / per month; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor and Director of Parks and Recreation to enter into agreement with O'Brien's Septic and Portable Toilets to rent seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park at a cost not to exceed One Hundred Thirty Five Dollars (\$135.00) per unit / per month, said funds are included and available in the 2018 Budget line item A7110.4 Parks and Trails Operations; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; Barbara Cole, Director of Finance, and Kathy O'Brien, O'Brien's Septic and Portable Toilets.

RESOLUTION #134

AUTHORIZATION FOR THE PURCHASE OF A 2018 FORD FUSION S FWD FROM THE NYS OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE MINI-BID #18030036

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Planning & Building Department has the need to purchase a 2018 Ford Fusion S FWD for Building Inspector operations; and,

WHEREAS, this vehicle is available for purchase under NYS Office of General Services Vehicle Marketplace Mini-Bid #18030036, Contract #PC67357 through Genesee Valley Ford at a cost of Seventeen Thousand Two Hundred Thirty Seven dollars (\$17,237.00); and,

WHEREAS, funds are available in the 2018 Budget line item B.3620.200, Building-Safety Inspection Equipment; now therefore be it

RESOLVED, that the Town Board authorizes the Planning & Building Department to purchase a 2018 Ford Fusion S FWD in an amount not to exceed Seventeen Thousand Two Hundred Thirty Seven dollars (\$17,237.00) from the NYS Office of General Services Vehicle Marketplace Mini-Bid #18030036, Contract #PC67357 through Genesee Valley Ford; and further

RESOLVED, that a copy of this resolution be forwarded to Kim Kinsella, Planning/Zoning Coordinator; Town Clerk, Finance Department and Beth Hasebe, Genesee Valley Ford, LLC, 1675 Interstate Drive, Avon, New York 14414.

RESOLUTION #135

ORDER FOR PUBLIC HEARING TO ESTABLISH THE ANTON VALLEY DRAINAGE IMPROVEMENT AREA

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

WHEREAS, the Town Board of the Town of Victor ("the Town") has received a petition to extend the Town of Victor Drainage Improvement Area ("VDIA") and a Drainage Improvement Area Report ("DIR") from Antonelli Development LLC (the "Petitioner") requesting the extension of the VDIA to include the Anton Valley residential subdivision located on the corner of County Road 9 (aka Victor-Egypt Road) and Gillis Road as more specifically described in the DIR; and

WHEREAS, the boundaries of the Anton Valley Drainage District comprise a parcel at County Road 9 and Gillis Road, tax map #16.00-1-53.000, the metes and bounds description of which is set forth in the MPR referred to herein and available for public inspection at the Victor Town Clerk's Office; and

WHEREAS, the proposed drainage improvements include the maintenance of the stormwater drainage system for the residential subdivision, the creation of a basin pond and outlet control structure and the maintenance of landscaped dry swales; and

WHEREAS, the maximum amount proposed to be expended by for the stormwater drainage improvements to be constructed for the Anton Valley residential subdivision which will be consumed by the Anton Valley Drainage District is the sum of Two Hundred Ninety Five Thousand Dollars (\$295,000.00), the capital cost of which will be paid the Petitioner, and then the maintenance of which shall be assessed, levied and collected annually from the property

owners within the VDIA in proportion as nearly as may be to the benefit which each lot or parcel of land in the VDIA shall benefit from; and

WHEREAS, since there will be no capital cost to the Town for the extension , no financing will be employed and it is therefore not necessary to obtain the approval of the New York State Comptroller’s Office; now, therefore be it

RESOLVED, that the Town Board of the Town of Victor, shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 9th day of April, 2018, at 7:30 p.m. for the purpose of conducting a public hearing on the petition to extend the VDIA to include the Anton Valley residential subdivision, at which time and place all persons interested in the subjects thereof may be heard; and be it further

RESOLVED that the Town Clerk advertise for said Public Hearing.

RESOLUTION #136

AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. ___ - 2018 TO AMEND THE TOWN CODE AT CHAPTER 27 FEES, SECTION 27-8 FEES ENUMERATED RELATING TO THE TRANSFER STATION

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

ADOPTED AYES 4 (Marren, Condon, Tantillo, Kahovec) NAYS 0

Roll Call Vote:

Supervisor Marren 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 12th day of March, 2018, calling for a Public Hearing to be held by the Town Board of the Town of Victor on the 26th day of March, 2018 to hear all interested parties on a proposed Local Law to clarify the punch car permit type associated with the services provided at the Transfer Station; and

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

WHEREAS, said Public Hearings were duly held at the Victor Town Hall on the 26th day of March, 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 Victor Town Board finds and hereby determines that Chapter 27 Fees be amended; and

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

RESOLVED that Victor Town Board hereby adopts said Local Law No. ___-2018, as follows:

LOCAL LAW NO. ___ - 2018 TO AMEND THE TOWN CODE AT CHAPTER 27 FEES, SECTION 27-8 FEES ENUMERATED RELATING TO THE TRANSFER STATION

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 Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. ____ - 2018 to amend the Town Code at Chapter 27 Fees, Section 27-8 Fees Enumerated. The purpose of this amendment is to change the Transfer Station Punch Card permit type to Non-Expiring.

Section III. Legislative Finding

The Town Board finds that it is necessary to add a permit option and fee for residents and property owners to use for the disposal of large items and remodeling/construction debris.

Section IV. Amendment

Chapter 27 Fees, Section 27-8 shall be amended to read as follows:

AA. Transfer Station permit and Swap Shop only permit; permits available for purchase at Highway office only.

(2) Residential permit.

(c) Upon providing proper proof, residents and property owners within the Town of Victor, not including business entities, may obtain a Transfer Station Punch Card that shall entitle the holder thereof to dispose of large items and remodeling/construction debris. ***An Annual The non-expiring*** punch card shall cost \$100.00 for five (5) punches.

Section V. 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 VI. 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 VII. 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 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

David Nankin -1174 Chaucer Court commented on High Point. Asked the Board to give careful thought to this project. Also he added would this still be a viable project with just two-story buildings with underground parking giving more open space, drainage, and suitable for the area. Noted that this proposed site would be nice with 72 condos or townhomes and they would be owner occupied and not rentals. David also commented that these proposed units do not fit into the architectural fabric of our community, and if the board decides to go ahead with this project to scale it down a bit to make everyone happy.

On motion of Councilman Tantillo, seconded by Councilman Kahovec, the meeting was adjourned at 9:05 PM.

Respectfully submitted, _____

Karen C. Bodine, Town Clerk