

6:00 PM –Town Board Budget Workshop #3:

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

OTHERS PRESENT: Karen Bodine, Town Clerk; Barb Cole, Mark Years, Kim Kinsella, Lee Wager, Mike Stockman, Neil Stein and David Nankin

Kim Kinsella presented the Codes and Development proposed budget to the Board.

Bobcat Excavator – The Board discussed whether to keep the Bobcat for 5-7 years or trade up to a newer model. More information is needed at this time to make a decision.

Fire Department & Debt Service will continue to be a part of the Town of Victor budget due to the fact that the fire district has not been formed and may not be formed prior to year's end. There was discussion to try and incorporate the debt service payments to be on the same schedule between the Fire Department increase and the debt service. The current contract is \$515,000.00, which includes the debt service and a \$35,000.00 increase with no career.

Victor/Farmington Ambulance – At this time Town of Farmington has kept money in their new budget, at the last budget meeting Victor removed the \$17,500.00, may have to put back into the budget.

The next Budget Workshop will be on 9/10/18 from 6:00 – 7:00PM entirely in executive session.

A regular meeting of the Victor Town Board was held on August 27, 2018 starting at 7:04PM with the following members present:

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

OTHERS PRESENT: Karen Bodine-Town Clerk, Kevin Overton-Town Attorney, Barb Cole-Finance Director, Mark Years-Highway Superintendent, Steve Metzger -Town Engineer, Kim Kinsella, Mike Stockman-Parks & Recreation, Lee Wager, David Nankin, Troy Bamann, Jim Guelzow and Bob Hamby-LSI Solutions, Brian & Tammy Doane, Voula Dragos, Stephen Schultz, Neil Stein and Tim Brown.

Supervisor Marren called the meeting to order, 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
- Supervisor Marren wished everyone a great Labor Day Weekend
- Declared Councilman Condon necessarily absent

- Birthdays for the month of September
- Town Hall will be closed on Monday September 3rd for Labor Day

RESOLUTION #438**APPROVAL OF MINUTES**

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

RESOLVED that the minutes of the regular meeting of July 23, 2018 be approved.

RESOLUTION #439**PAYMENT OF BILLS**

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

RESOLVED that the bills be paid on Manifest #15 in the amount of \$341,903.63.

Documentation for these expenditures can be found on vouchers filed by numbers #20181663-20181771.

A- General Townwide	\$119,585.28
B- General Outside Village	\$ 3,990.03
DB – Highway Townwide	\$160,913.38
H21 –Community Connectivity Capital Project	\$ 689.85
H23-Route 96 Infrastructure Capital Project	\$ 10,957.25
H24- Sanitary Conveyance Capital Project	\$ 14,777.25
H25- Storm Sewer System Mapping Capital Project	\$ 8,427.49
SL1 –Fishers Light	\$ 183.32
SL2 –Brookwood Meadows Light	\$ 194.33
SL3 –High Point Light	\$ 380.63
SL4 –Cobblestone Light	\$ 2,748.89
SL5 –Quail Ridge Light	\$ 542.32
SL6 –Rolling Meadows Light	\$ 573.53
SL7 –Legacy at Fairways	\$ 727.51
SL8 –Stoneleigh Light	\$ 17.57
SS --SS CVS Sewer	\$ 105.00
TA –Trust & Agency	\$ 17,090.00

Supervisor Marren reviewed each of the six large expenses that were included in Manifest #15.

- LaBella Associates for Professional Services
- Office of the Comptroller for Fines & Fees – Victor Town Courts
- B & M International Rent for the Victor Town Courts month of September
- Bluestone Creek Development- Parks & Recreation Rental for September
- Fuel – Highway
- Highway Construction – Canterbury, Chestnut Hill, Dorsett, Kensington & Taylor Rise

PRIVILEGE OF THE FLOOR-

- Troy Bamann - 1255 Heather Lane addressed the Board to request putting a shed in a drainage easement. Troy explained to the Board that when he purchased his home five years ago, he believed the hedge row was the property line. He is asking permission for a Hold Harmless Agreement due to Town documents showing that the shed is actually on part of a drainage easement. The Board had no objections with the understanding that if access was needed to the easement the shed would have to be moved. It was further noted that Al Benedict took a look at this and felt it is dry in this area and stormwater would not be affected. Mr. Bamann still needs to go before the Zoning Board of Appeals.
- LSI Solutions - 7796 Route 251 – Jim Guelzow came before the Town Board to ask approval for an amendment to the Conservation easement for a berm to be installed at 851 Bel Arbor Drive to minimize traffic noise and vehicular lights from the LSI drive and parking lot. The Board had no objections to the conservation easement changes and the neighbors from Bel Arbor Estates who were also at the meeting were satisfied with this solution.

PUBLIC COMMENTS and Concerns: None

REPORTS OF TOWN OFFICIALS:

Marty Avila – Code Enforcement - Marty presented the proposed Solar Photovoltaic Energy Systems Draft Code that would be added to the current Zoning chapter of the Town Code. Marty explained set ups for solar, building installed (roof mounted), building integrated (windows or shingles), and ground mounted (solar farms). There was some discussion about glare from the solar uses.

Kevin Overton commented that tree coverage can buffer the glare created from the solar farms and he noted that it is more of a concern from the FAA and flying over and also noted we are not close to an airport for risk.

The Town Board had no objections to set the Public Hearing at the next Town Board Meeting.

SUPERVISOR REPORT:

- DEC in Avon last week regarding the DEC violation along with the Engineer, Supervisor and the Sewer Superintendent for Farmington. The meeting was positive and LaBella presented the Town's Sewer Capital Project and how this would be a relief to the entire sewer lines throughout the town.
- Complemented Mike Stockman about the success of the concert series for the Parks and Recreation Department
- Future meeting with the Victor/Farmington Ambulance
- Town Justice Toby Reh's dad David Reh passed away. His father was instrumental in the ownership of Ravenwood Golf Course and with his involvement with Ontario County IDA.
- Looking for feedback on Fishers Ridge Project to position both the Town and developer for funding, would there be any objection from the Board to collaborate with the developer advocating on both parties with the state. Councilman Tantillo is supportive and feels to partner with them to create new jobs and benefit the Town. The intent is not to burden both the tax payers and developer.
- Comment Card regarding the addition of trails over by the new Dryer Road trails.

TOWN OFFICIALS /COMMITTEE REPORTS:

Barb Cole- submitted the Fiscal Manager monthly expense & revenue control reports.

Town Engineer – Submitted report

Town Clerk - No objection from the Board for zoning variance at 1348 New Seabury Lane.

Councilman Tantillo thanked Supervisor Marren for putting the article in the Victor Voice sharing with the residents when using the trails as a pedestrian and cyclist, don't assume the traffic is going to stop for you.

Councilman Kahovec attended the last Conservation Board Meeting and introduced himself. He will be the liaison for September, October, November, and December.

Recently the Victor Town Board and East and West Bloomfield Town Boards received their budget from the Boughton Commission. Supervisor Marren asked Neil Stein if the Board had adopted or are working on a reserve policy. It was discussed at their last meeting, but it was referred back to the treasurer to look at options.

Councilman Tantillo noted that when there is money left over in the reserve, technically it should go back to the three municipalities based on their contributions.

BUSINESS:**RESOLUTION #440****APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED CONSERVATION EASEMENT FOR LOTS 1 & 13 OF THE BEL ARBOR ESTATES SUBDIVISION (ALSO KNOWN AS 851 & 859 BEL ARBOR DRIVE)**

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

WHEREAS, the Town of Victor ("Town") is the grantee of a conservation easement ("Conservation Easement") that extends, in part, across Lots 1 & 13 of the Bel Arbor Estates Subdivision, also known as 851 & 859 Bel Arbor Drive, in the Town and further described in Conservation Easement #2, identified as Exhibit "A" and kept in the subject file in the Town Clerk's Office; and

WHEREAS, Tim Dragos and Voula Dragos, of 851 Bel Arbor Drive (Tax Map #15.01-1-68.010) and Brian Doane, of 859 Bel Arbor Drive (Tax Map #15.01-1-68.130), (collectively as the "Owners") desire to amend the Conservation Easement specifically for the construction of a berm with landscaping within the Conservation Easement on the 851 Bel Arbor Drive (Lot 1) property. LSI Solutions, located at 7796 NYS Route 251, has offered to install a berm with landscaping for the purpose of screening from car lights and traffic noise. The berm is in response to a left hand turn into their property, required by the NYS DOT, which will disturb part of the Bel Arbor Estates Conservation Easement. This information is set forth in more detail in the proposed amendment identified as Exhibit "B" ("Proposed Amendment") and kept in the subject file in the Town Clerk's Office; and

WHEREAS, the Conservation Easement, by its terms, presently prohibits the aforementioned activity contemplated by the Proposed Amendment within its boundaries; and

WHEREAS, the Town Conservation Board has reviewed the Proposed Amendment and has determined that the Proposed Amendment would amount to a minor change to the

Conservation Easement and that allowing the Proposed Amendment would not materially adversely impact the purpose or value of the Conservation Easement; and

WHEREAS, the Town Board concurs with the Conservation Board that allowing the Proposed Amendment would not materially adversely impact the purpose or value of the Conservation Easement and that such change would be in the best public interest; and

WHEREAS, the Town Board has no objection to the Proposed Amendment provided all costs incurred by the Town to amend and approve of the Proposed Amendment are paid by the LSI Solutions; now, therefore, be it

RESOLVED, that the Victor Town Board hereby approves the Proposed Amendment, and authorizes the Supervisor to execute the Proposed Amendment on forms approved by the Attorney for the Town and any other documents that may be reasonably necessary to effect the Proposed Amendment; and

RESOLVED, that the Proposed Amendment shall not be filed until all costs incurred by the Town to amend and approve of the Proposed Amendment are paid by LSI Solutions; and further be it

RESOLVED, that a copy of this Resolution be provided to the Town Clerk, the Town Conservation Board, the Attorney for the Town, the Owners and LSI Solutions.

RESOLUTION #441

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

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>
Vera Forster	Director Community Chorus	Various Locations	\$1,800.00	December 31, 2019	Insufficient Coverage
Butterfly Yoga, LLC	Kid's Yoga	7891 Lehigh Crossing	70% - 30%	August 31, 2019	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>
Vera Forster	Director Community Chorus	Various Locations	\$1,800.00	December 31, 2019	Insufficient Coverage
Butterfly Yoga, LLC	Kid's Yoga	7891 Lehigh Crossing	70% - 30%	August 31, 2019	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; Vera Forster and Butterfly Yoga, LLC.

RESOLUTION #442

AUTHORIZATION TO ENTER INTO AGREEMENT - VERA FORSTER AS DIRECTOR OF COMMUNITY CHORUS

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

WHEREAS, the Department of Parks and Recreation seeks to have offer a community chorus; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Vera Forster to be the Director of the Community Chorus to be held at various times and dates for One Thousand Eight Hundred Dollars, (\$1,800.00), said funds are included in the 2018 Operating Budget line item A6772.4 Programs for The Aging Contractual; 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 A6772.4 Programs for the Aging 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 Vera Forster to be the Director of the Community Chorus to be held at various times and dates for One Thousand Eight Hundred Dollars, (\$1,800.00), said funds are included in the 2018 Operating Budget line item A6772.4 Programs for The Aging 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 Vera Forster.

RESOLUTION #443**AUTHORIZATION TO ENTER INTO AGREEMENT - BUTTERFLY KIDS YOGA LLC TO TEACH YOUTH YOGA CLASSES**

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

WHEREAS, the Department of Parks and Recreation seeks to offer yoga classes for children in the recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Butterfly Kids Yoga LLC to offer yoga classes, to be held on various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Butterfly Kids Yoga LLC to offer yoga classes to be held at various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Butterfly Kids Yoga LLC.

RESOLUTION #444**AUTHORIZATION TO ENTER INTO AGREEMENT - DEBBIE BARMASTER FOR HORSEBACK RIDING LESSONS**

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

WHEREAS, the Department of Parks and Recreation seeks to offer Horseback riding lessons for all ages in the recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Debbie Barmaster to provide Horseback riding lessons to be held on various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Debbie Barmaster to provide Horseback riding lessons to be held at various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Christine Winter, Recreation Supervisor; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Debbie Barmaster.

RESOLUTION # ~~TABLED~~

AUTHORIZATION TO PURCHASE 2018 E55 T4 BOBCAT COMPACT EXCAVATOR OFF NEW YORK STATE BID CONTRACT AWARD NUMBER PGB-22792, CONTRACT PC67141 FROM BOBCAT OF FINGER LAKES ON 1 YEAR TRADE PROGRAM FOR THE 2017 E45 BOBCAT EXCAVATOR

RESOLUTION #445

ACCEPTANCE OF GRANT FROM FINGER LAKES MUNICIPAL HEALTH INSURANCE TRUST FOR EMPLOYEE WELLNESS PROGRAM

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

4 Ayes: Marren, Guinan, Kahovec, Tantillo

WHEREAS, the Town of Victor Wellness Committee works cooperatively with the Finger Lakes Municipal Health Insurance Trust to maintain and enhance employee health through various programs provided through the Wellness Committee; and

WHEREAS, the Wellness Committee has recommended a program to teach healthy cooking techniques to Town employees; and

WHEREAS, this program has been approved by the Town Supervisor, and funding for this project has been given in the form of a grant through the Finger Lakes Municipal Health Insurance Trust; and

WHEREAS, the Finger Lakes Municipal Health Insurance Trust has donated Five Hundred Dollars (\$500.00) to the Town of Victor in support of this wellness project; and

WHEREAS, the Chairman of the Wellness Committee recommends that we accept and deposit this donation in support of this project; now, therefore be it

RESOLVED that the Town Board accepts the Wellness grant in the amount of Five Hundred dollars (\$500.00) from the Finger Lakes Municipal Health Insurance Trust (FLMHIT) and authorizes the Finance Director to increase the revenue line Gifts and Donations (A.2705) by Five Hundred dollars (\$500.00) in the 2018 Budget in addition to an offsetting increase in the expense line Other General Government Wellness Committee (A.1989.420) of Five Hundred dollars (\$500.00). All budget entries to be done upon board approval; and be it further.

RESOLVED that a copy of this resolution be forwarded to Michael Stockman, Chairman Wellness Committee; Barbara Cole, Finance Department; Karen Bodine, Town Clerk; and Jack Marren, Supervisor/FLMHIT Liaison.

RESOLUTION #446

NAMING AUTHORIZED REPRESENTATIVE AND DIRECTION TO FILE 2018 NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT APPLICATION FOR THE AUBURN TRAIL SANITARY SEWER PROJECT

On motion of Councilman Tantillo, seconded by Councilman K, the following resolution was adopted:

4 Ayes: Marren, Guinan, Kahovec, Tantillo

WHEREAS, the Town of Victor intends to carry out the Auburn Trail Sanitary Sewer Project that includes installation of approximately 35,000 linear feet of gravity and force main sanitary sewer line, replacement of related sanitary sewer pump stations and incorporating additional associated equipment; and

WHEREAS, the proposed improvements associated with the Auburn Trail Sanitary Sewer Project are eligible to receive funding under the New York State Water Infrastructure Improvement Act ("WIIA") grant program, and grant applications for the WIIA grant program are due September 7, 2018; and

WHEREAS, the Town of Victor is required to designate an "Authorized Representative" under the New York State WIIA grant program; now, therefore, be it

RESOLVED that the Town Board of the Town of Victor designates the Town Supervisor to be the Town's "Authorized Representative", thereby allowing the Town Supervisor to act on the Town's behalf for the New York State WIIA grant program; and be it further

RESOLVED that the Victor Town Board authorizes and directs the Town Supervisor, Jack Marren, to submit a 2018 New York State Water Infrastructure Improvement Act grant application; and be it further

RESOLVED that copies of this resolution be forwarded to LaBella PC and the Town Clerk.

RESOLUTION #447

SET PUBLIC HEARING – LOCAL LAW NO. –2018 TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2019 – TOWN OF VICTOR

WHEREAS, the Town Board of the Town of Victor recognizes that the Town has continued to experience rapid growth; and

WHEREAS, the Town Board further recognizes that with such growth, along with development in technology, increases in health care costs, etc., the Town is facing increased costs including,

but not limited to, costs related to sewer and water infrastructure, highway costs, employee payroll and benefits costs, technology costs, etc.; and

WHEREAS, in part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes); and

WHEREAS, the Town Board finds that, in order to maintain the high level of services and the high standard of living the Town of Victor, it may be necessary to increase taxation beyond the level otherwise permitted by the NYS Tax Cap at NY General Municipal Law Section 3-c; and

WHEREAS, as a result, the Town Board of the Town of Victor directed the attorney for the Town to draft a Local Law permitting the Town to override the Tax Levy Limit imposed by General Municipal Law Section 3-c; and

WHEREAS, a draft Local Law has been submitted to the Town Board implementing the provision for such override of the Tax Levy Limit for 2019; said draft Local Law is on file with the Town Clerk where it is available for public review; now, therefore, be it

RESOLVED, by the Town Board of the Town of Victor, that a Public Hearing shall be had on the 10th day of September, 2018, at 7:30 p.m., at the Victor Town Hall, 85 East Main St., Victor, NY, for the purpose of considering the adoption of such Local Law to override the Tax Levy Limit; and be it further

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

PUBLIC COMMENT- No one wished to comment tonight.

ADJOURNMENT:

With no further business to come before the Board, the meeting was adjourned at 7:50 PM on motion by Councilman Guinan, seconded by Councilman Kahovec. Motion carried.

Respectfully Submitted,

Karen C. Bodine -Town Clerk