

**Victor Town Board Meeting Agenda**  
**Monday, April 24, 2023**  
**DRAFT RESOLUTION PACKET**

*"Town Board Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting."*

**Executive Session** (Supervisor's Conference Room), 6:30PM - proposed, pending or current litigation

**Regular Meeting**, 7PM

**Flag Salute**

**Public Hearings** start at 7:00 PM

Pursuant to Article 2 of the New York Eminent Domain Procedure Law for the Acquisition of Certain Real Property located in the Town of Victor

**Approval of the April 10, 2023 Regular Town Board meeting minutes**

**Payment of Bills**

**Privilege of the Floor**

**Public Comments and Concerns**

**Reports of Town Officials**

- Engineer
- Highway
- IT

**Resolutions**

**Finance**

1. Amend 2023 budget to include associated revenue and expense items for IT and security upgrades to the highway facility
2. Authorization for Town Supervisor to enter real property appraisal services agreement with midland appraisal associates, inc.

**Highway**

3. Speed limit reduction High Street (Village line to Lane Road)

**Human Resources**

4. Appointment of Casey Paige to transfer station department head position

**PUBLIC COMMENT**

**ADJOURN**

**NOTICE PURSUANT TO ARTICLE 2 OF THE NEW YORK EMINENT DOMAIN  
PROCEDURE LAW FOR THE ACQUISITION OF CERTAIN REAL PROPERTY  
LOCATED IN THE TOWN OF VICTOR, ONTARIO COUNTY, NEW YORK**

**NOTICE IS HEREBY GIVEN** to all persons that a public hearing, pursuant to Article 2 of the New York Eminent Domain Procedure Law ("EDPL"), will be held by the Town of Victor (the "Town") on Monday, April 24, 2023, beginning at 7:00 p.m., local time, at the Town of Victor Town Hall located at 85 East Main Street, Victor, New York 14564.

In addition to informing the public, said public hearing is being held for the purpose of considering (i) the proposed "acquisition" by condemnation (as such quoted term is defined under EDPL; hereinafter referred to as the "Acquisition") of certain "real property" (as such quoted term is defined under EDPL), located at the situs at the Eastview Mall (located at 7979 Pittsford-Victor Road in the Town of Victor, Ontario County, New York; the "Eastview Mall"), consisting of the former, and now vacant, approximately 93,000 square foot Lord & Taylor's department store together with the existing Lord & Taylor's improvements and the adjoining and nearby parking fields and related improvements located at 700 Eastview Mall Drive (identifiable by Tax ID#: 6.00-1-12.600 and owned by HBC Victor LLC) and containing in the aggregate approximately 8.40 acres (collectively, the "Proposed Site") in the Town of Victor, Ontario County, New York and (ii) the public purpose of the proposed Acquisition, location of the Proposed Site, general effects of the proposed Acquisition on the environment and the residents of the locality and other relevant information. No proposed alternate locations are being considered.

Wilmorite Construction, LLC (an affiliate of Eastview Mall, LLC, the landowner of Eastview Mall), for itself and on behalf of its affiliates including LTEVM, LLC, a Wilmorite controlled entity (collectively, the "Company"), has requested the Town's assistance with respect to the Acquisition of the Proposed Site in connection with the reuse and redevelopment by the Company of the vacant and underutilized Proposed Site through a municipal and economic development project consisting of (collectively, the "Project"): (A) leasing approximately 11,000 square feet to the Town for use as a business incubator office, community and recreation center space and other Town-related uses to provide additional foot traffic near that area of Eastview Mall, (B) leasing approximately 50,000 square feet to a leading and growing international new to market and regionally significant retailer (currently under confidential lease negotiations with the Company) known for its affordable, sustainable, environmentally conscious and trend setting clothing, beauty products, homeware and accessories to create a sought after retail destination and (C) leasing approximately 32,000 square feet to a family-owned grocer (currently under a confidential letter of intent with the Company) focused on healthy, environmentally conscious and nutritious food choices, all to further the public purposes of advancing the general prosperity and economic welfare of the residents of the Town by returning the vacant and underutilized Proposed Site to productive use and thereby, among other things, attract additional businesses and visitors to the Eastview Mall, while creating employment opportunities, increasing the property tax base within the Town, increasing sales tax revenues to the Town and Ontario County, and decreasing the negative impacts associated with large vacant buildings within the Town and surrounding community.

All interested persons are invited to attend said public hearing and present their views regarding the proposed Acquisition. Persons unable to attend the public hearing, or persons in attendance at the public hearing, may submit to the Town, either prior to or during the public hearing, any written comments or other related documents regarding the proposed Acquisition. Any written comments and related documents received prior to or on the public hearing date will become part of the official public hearing record. Written comments can be sent to the Town of Victor, c/o Town Supervisor, 85 East Main Street, Victor, New York. Comments received after the close of the public hearing on Monday, April 24, 2023, will not be considered.

Dated: April 4, 2023

TOWN OF VICTOR

# #1

## RESOLUTION NO.

### AMEND 2023 BUDGET TO INCLUDE ASSOCIATED REVENUE AND EXPENSE ITEMS FOR IT AND SECURITY UPGRADES TO THE HIGHWAY FACILITY

WHEREAS, the Town Board approved the receipt of the final awarded amount of \$633,485.27 bringing the total awarded amount received to \$1,266,970.55 from the Federal government associated with the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund per Resolution No. 211, dated July 25, 2022; and

WHEREAS, in guidance issued by the NYS Comptroller June 2021, the NYS Comptroller classified these funds as non-recurring revenues which are not repeatedly received by local governments and directed local governments to submit a budget amendment; and

WHEREAS, the Town Board understands funds can generally be used to cover permissible costs that were incurred after March 3, 2021, and the deadline to obligate funds is December 31, 2024, and the deadline to spend funds is December 31, 2026; and

WHEREAS, the Town Board understands the monies may be used for the following categories:

- To respond to the COVID-19 public health emergency or its negative economic impacts;
- To provide premium pay to essential workers;
- To cover loss of revenue to provide government services;
- To make necessary investments in building improvements, water, sewer, and broadband infrastructure; and

WHEREAS, the Highway Department has the need to upgrade some of its IT infrastructure and install new security cameras; and

WHEREAS, the IT upgrades and security camera were not part of the 2023 budget expenditures, and

WHEREAS, the Town is able to piggyback off the Broome County Contract CA2362-4 from Integrated Systems for these services; and

WHEREAS, the Town Finance Director created Capital Project (ARPA) for accounting of ARPA revenues and expenditures separate from the Town's annual budget; and

# #1

WHEREAS, funds need to be appropriated in the 2023 Budget to reflect the revenue and expense items for the current year as indicated below:

Revenue:

A.4490.000	Federal Aid – ARPA	\$49,803.38
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Expense:

A.1680.200.ARP	Central Data Processing, Equipment - ARPA	\$29,673.38
A.1680.400.ARP	Central Data Processing, Contractual – ARPA	\$20,130.00

Now, therefore, be it

RESOLVED, that the Town Board approve appropriation of Federal Aid – ARPA Revenue (A.4490.000) in the amount of Forty-Nine Thousand Eight Hundred Three dollars and Thirty-Eight cents with the associated increase in Revenue and Expense accounts as indicated above; and

BE IT FINALLY RESOLVED, the Town Clerk to provide a copy of this resolution to the Town IT Director, Highway Department Supervisor, Finance Director and Town Clerk.

## #2

### RESOLUTION NO.

### AUTHORIZATION FOR TOWN SUPERVISOR TO ENTER REAL PROPERTY APPRAISAL SERVICES AGREEMENT WITH MIDLAND APPRAISAL ASSOCIATES, INC.

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 prior to the execution of such contracts by the Town Supervisor; and

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

WHEREAS, funds are available in the 2023 Budget Line-Item A.1940.400 Purchases of Land/Easement/Right-of-way; and

WHEREAS, a Request for Quote (RFQ) was received from Midland Appraisal Associates, Inc. for Twenty-Five Hundred dollars (\$2,500.00) for appraisal services for several possible properties; and

WHEREAS, the Town has used Midland Appraisal Associates several times in the past and is very satisfied with their services; therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor to enter into a contract with Midland Appraisal Associates, Inc. at a fee not to exceed Twenty-Five Hundred dollars (\$2,500.00) to be charged to the 2023 Budget Line A.1940.400; and be it further

RESOLVED that a copy of this Resolution be provided to the Town Clerk, Finance Director, and Midland Appraisal Associates, Inc.

# #3

## RESOLUTION NO.

### AUTHORIZATION TO PETITION THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON HIGH STREET BETWEEN VILLAGE LINE AND LANE ROAD

WHEREAS, the Highway Superintendent has concerns regarding pedestrian crossings, school bus and vehicular traffic due to school activities, and an increase of residential homes built in subdivisions along this street in the last two years. There have been twenty-nine (29) new homes built, with ten (10) more parcels remaining in the subdivision. On February 8, 2023, a student walking home from school, was hit by a vehicle in the crosswalk. Please see the attached letter from the Superintendent of the Victor Central School District along with a letter from the parents of the student hit in the crosswalk, urging leadership to institute speed limit reductions along with other safety measures on High Street. Due to these major safety concerns, the Highway Superintendent is requesting an evaluation and reduction of the speed limit on High Street between the Village Line and Lane Road; now, therefore, be it

RESOLVED the Highway Superintendent proceed with petitioning the State Department of Transportation for evaluation of High Street between the Village Line and Lane Road within the Town of Victor, for a reduced speed limit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Supervisor, Highway Superintendent, Tim Terranova, Superintendent, Victor Schools, 953 High Street, Victor, New York and Rick and Lindsay Walters, 7154 Piper Meadow Drive, Victor, New York.

# #4

## RESOLUTION NO.

### APPOINTMENT OF CASEY PAIGE TO TRANSFER STATION DEPARTMENT HEAD POSITION

WHEREAS, Casey Paige has been an employee of the Town of Victor Highway/Transfer Station complex for the past 18 years, and

WHEREAS, over the past 18 years, the recycling, waste remediation, sustainability, and Transfer Station activities have continued to grow and expand now to the level where a separate department head is needed to manage the staff and activities of the Transfer Station area in conjunction with the developing sustainability initiatives that the Town is being required to implement in order to minimize landfill waste, and

WHEREAS, the Board recognizes the management activities that Casey Paige has been fulfilling, and wishes to officially appoint her as the Department Head for the Transfer Station Complex, with the Town of Victor internal title of Waste Diversion Coordinator; now, therefore be it

RESOLVED that the Board appoints Casey Paige as the Department Head for the Transfer Station Complex, with the Town of Victor internal title of Waste Diversion Coordinator, at a Grade 7, Step C salaried pay rate of \$67,959.09 per year to be charged to the 2023 Budget Line Item #A.8160.100 - Refuse & Garbage Personnel Services, and be it further

RESOLVED that the Board thanks Casey Paige for her efforts in helping the Town and its residents to improve the waste diversion and sustainability initiatives within our community, and be it further

RESOLVED that a copy of this resolution be sent to Casey Paige, the Highway Superintendent, the Finance Office, and Human Resources.