

This meeting will be held in person at the Victor Town Hall and live streamed via YouTube with text commenting available. Go To:

<https://www.youtube.com/c/townofvictornewyork>

**Victor Town Board Meeting Agenda
Monday, April 25, 2022
DRAFT RESOLUTION PACKET**

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

Special Meeting 6:30 PM – Executive Session - To discuss to discuss proposed acquisition, sale, or lease of real property

Victor Town Board Meeting Agenda - Monday April 25, 2022

Regular Meeting – Call to Order

Flag Salute

Public Hearings

- Victor Consolidated Sewer District 2022 Pump Station Improvement

Approval of the April 11, 2022 Regular Town Board meeting minutes.

Payment of Bills

Privilege of the Floor-

- Tom Zuber – Mengal Metzger & Barr – 2021 Audit report
- Keith Maynard - Annual MS4 Report

Public Comments and Concerns

Reports of Town Officials

- ❖ Highway
- ❖ IT
- ❖ Victor Farmington Volunteer Ambulance Corp
- ❖ Victor Fire District

Resolutions

Finance

1. Acceptance of a Community Development Block Grant awarded through the New York State Office of Community Renewal
2. Utilization of Community Development Block Grant Funds

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Highway

3. Amend Resolution No. 103-22 - Purchase 2021 Ford F-250 XI Supercab pick up truck and declare 2012 Ford F-350 Superduty pick up truck surplus

4. Purchase a new Fleet Maintenance System

5. Amend Resolution No. 140-22 - Award of Bid – Raccoon Run / Deer Crossing Road Improvements

Town Clerk

6. License and Hold Harmless Agreement – 1186 Louise Way to allow encroachment into Drainage Easement

7. Letter of Credit – Piper Meadows Subdivision – Release 9

8. Letter of Credit – Southgate Hills 2 Subdivision – Grading Only - Release 1

PUBLIC COMMENT

ADJOURN

PH

NOTICE OF PUBLIC HEARING

TOWN OF VICTOR CONSOLIDATED SEWER DISTRICT – 2022 PUMP STATION IMPROVEMENTS

PLEASE TAKE NOTICE that the Town Board of the Town of Victor, Ontario County, New York, by resolution dated March 28, 2022, ordered that a public hearing be held at the Town of Victor Town Hall, 85 East Main Street, Victor, New York on April 25, 2022, at 7:00 pm to consider whether it is in the public interest to approve the hereinafter described project:

The Town Board (the "Town Board") of the Town of Victor (the "Town") is considering authorizing certain improvements to the Town of Victor Consolidated Sewer District (the "District") consisting of the replacement of pump stations PS-5 (Gypsum Mills), PS-7 (East Victor), and , and PS-11 (County Road 9) and installation of backup generators at pump stations PS-7, PS-12, PS-16, PS-32, and all ancillary and related work required in connection therewith (collectively referred to as the "Project").

The estimated maximum cost of the Project is Four Million Twenty-Two Thousand dollars (\$4,022,000.00).

All persons interested in the Project, and the subject matter thereof, are invited to attend the public hearing. An opportunity to be heard in regards thereto will then and there be given. Written comments may also be directed to the Victor Town Clerk, Victor Town Hall, 85 East Main Street, Victor, New York 14564, on or before 12:00 PM on April 25, 2022. The Victor Town Hall has barrier-free access for the physically handicapped, and any such handicapped person seeking transportation to said Public Hearing may contact the Victor Town Clerk during regular business hours.

Dated: March 29, 2022

Karen C. Bodine, Town Clerk

#1

RESOLUTION NO. ACCEPTANCE OF A COMMUNITY DEVELOPMENT BLOCK GRANT AWARDED THROUGH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

WHEREAS, on July 26, 2022 the Town Board approved Resolution No. 204-2022 After Public Hearing – Community Development Block Grant (CDBG) Cares Act Funding authorizing the submission of a grant application on behalf of the Town of Victor to the Office of Community Renewal to assist businesses in the Town of Victor impacted by the COVID-19 pandemic; and

WHEREAS, the Town Board of the Town of Victor is aware the Town of Victor has been awarded a Community Development Block Grant (CDBG) in the amount of Five Hundred Thousand dollars (\$500,000.00) from the NYS office of Community Renewal to assist local businesses impacted by COVID-19 (CDBG Project #1179CVSB25-21); and

WHEREAS, the funds awarded are for the purpose of providing financial assistance, in the form of a grants to local businesses in the Town and Village of Victor; and

WHEREAS, the grant requires the Town to establish a separate non-interest bearing checking account for the exclusive use of this project; and

WHEREAS, the Town will establish a Committee to review all applications to ensure each meet the established criteria required by NYS Homes and Community Renewal and work with Labella Associates to administer the Grant; and

WHEREAS, the Town Board understands projects need to be disbursed by October 31, 2022; now, therefore, be it

RESOLVED the Town Board does hereby authorize the Town Finance Director to create (CDBG) account lines for the distribution separate from the Town's annual budget; and further

RESOLVED the Town Clerk is directed to provide a copy of this resolution to the Town Finance Director, Economic Development Director, and Town Clerk.

#2

RESOLUTION NO. UTILIZATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the Town of Victor has been awarded a Community Development Block Grant (CDBG) in the amount of Five Hundred Thousand dollars (\$500,000.00) from the NYS office of Community Renewal to assist local businesses impacted by COVID-19 (CDBG Project #1179CVSB25-21); and

WHEREAS, the Committee has reviewed and approved the (9) applicants listed below that have meet the established criteria required by NYS Homes and Community Renewal (OCR) and each business will be awarded a Thirty Five Thousand dollars (\$35,000.00) Grant upon final approval from NYS

Apparel Printer Plus
A&E Gifts & Clothing
Tambe Self Storage
Twin Elder Brewery
Bistro 11
Group Tours
Victor Music Experience
Breathe Yoga
Sweet Basil; now, therefore, be it

RESOLVED that the Town Board does hereby authorize the Finance Director to submit for distribution of funds received from NYS Office of Community Renewal upon final approval; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Director, Economic Development Director, and the Town Clerk.

#3

RESOLUTION NO. _____ AMEND RESOLUTION NO. 103-2022 PURCHASE 2021
FORD F-250 XL SUPERCAB PICK UP TRUCK AND DECLARE 2012 FORD F-350 SUPERDUTY PICK
UP TRUCK SURPLUS

WHEREAS, on February 28, 2022 the Town Board approved Resolution #103-2022 authorizing the Purchase of a 2021 Ford F-250 XL SuperCab Pickup Truck; and

WHEREAS, this vehicle is available for purchase under NYS Office of General Services Vehicle Marketplace Mini-Bid # through Van Bortel Ford at a cost of Thirty-Three Thousand Eight Hundred and Sixty-Seven Dollars and Ninety One cents (\$33,867.91) and not by piggybacking off of Board of Cooperative Education Services (BOCES) contract at a cost of Thirty-Four Thousand Two Hundred Sixty One Dollars and Forty cents (\$34,261.40); now, therefore, be it

RESOLVED that Resolution No. 103-2022 be amended to read as follows:

PURCHASE 2021 FORD F-250 XL SUPERCAB PICK UP TRUCK AND DECLARE 2012 FORD F-350
SUPERDUTY PICK UP TRUCK VIN #1FTRF3B67CEC99843 SURPLUS

WHEREAS, the Department of Parks and Recreation has the need to purchase a 2021 Ford F-250, XL SuperCab, pick-up truck and declare the 2012 Ford F-350 Super Duty, pick-up truck with VIN# 1FTRF3B67CEC99843 as surplus; and

WHEREAS, this vehicle is available for purchase under NYS Office of General Services Vehicle Marketplace Mini-Bid # through Van Bortel Ford at a cost of Thirty-Three Thousand Eight Hundred and Sixty-Seven dollars and Ninety-One cents (\$33,867.91); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase a 2021 Ford F-250, XL SuperCab, pick-up truck from Van Bortel Ford under NYS Office of General Services Vehicle Marketplace Mini-Bid # at a cost of Thirty-Three Thousand Eight Hundred and Sixty Seven Dollars and Ninety-One cents (\$33,867.91) to be paid from the 2022 Budget Line item A.7110.200 Parks.Equipment and declare the 2012 Ford F-350 Super Duty, pick-up truck with VIN# 1FTRF3B67CEC99843 as surplus; and further

RESOLVED that a copy of this resolution be forwarded to Parks Maintenance Assistant, Director of Parks and Recreation, Town Clerk, Finance Director, and Joshua Relyea, Van Bortel Ford.

#4

RESOLUTION NO. PURCHASE A NEW FLEET MAINTENANCE SYSTEM

WHEREAS, the Highway Department has the immediate need to implement a fleet maintenance program for the Highway Department; and

WHEREAS, the Highway Superintendent has received the following three quotes for a new fleet maintenance program

System	Cost	Service fee
FleetSoft	\$710/month for a Total of \$8,520	250 Assets and three users
Autosist, LLC	\$3,990/year	Unlimited assets and four users
Fleetio	\$4,536/year	Sixty assets – will not quote per user

Now, therefore, be it

RESOLVED that the Highway Superintendent be authorized to purchase a new fleet maintenance program from Autosist, LLC for Three Thousand Nine Hundred Ninety Dollars (\$3,990.00) to be paid from the 2022 Budget Line item A.5132.400 Highway Garage.Contractual; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Department, Highway Superintendent, Town Clerk, and Autosist, LLC.

#5

RESOLUTION NO. AMEND RESOLUTION NO. 140-2022 AWARD OF BID – RACCOON RUN / DEER CROSSING ROAD IMPROVEMENTS

WHEREAS, on March 11, 2022 the Town Board approved Resolution No. 140-2022 Award of Bid – Raccoon Run / Deer Crossing Road Improvements; and

WHEREAS, an error was made in the listing of the project name; now, therefore, be it

RESOLVED that Resolution No. 140-2022 be amended to read as follows:

AWARD OF BID – RACCOON RUN / DEER CROSSING ROAD REHABILITATION PROJECT

WHEREAS, the Town Highway Superintendent has identified the need for improvements on Raccoon Run and Deer Crossing Road; and

WHEREAS the Town Board classifies the Raccoon Run / Deer Crossing Road rehabilitation project as a Type II Action per Section 617.5 subparagraph (c)(5) of SEQRA's implementing regulations, which indicates "repaving of existing highways not involving the addition of new travel lanes", and such classification of Type II are not subject to further SEQRA review and concludes the SEQRA process; and

WHEREAS, the Town Clerk advertised an invitation to bid on the Raccoon Run / Deer Crossing Road Rehabilitation project which consisted of the reconstruction of the concrete gutters and closed storm sewer system for a total length of 4,150+/- feet of Raccoon Run and Deer Crossing Road. The work includes removal and replacement of existing concrete gutters, cross culverts and storm sewer systems; and

WHEREAS, on Thursday, March 24, 2022, at 10:00 AM all bids were opened and read publicly with the following results:

Bidder	Total Bid
CP Ward, Inc.	\$988,375.31
DiFiore Construction	\$1,248,800.00
Pooler Enterprises, Inc.	\$1,072,959.70
Randsco Pipeline	\$731,083.00
Macedon Landscaping, Inc.	\$711,564.50

and

WHEREAS, the Town Engineer has reviewed the submitted bids and recommends that this Contract be awarded to the low bidder, Macedon Landscaping, Inc. in the amount of Seven Hundred Eleven Thousand Five Hundred Sixty-Four dollars and Fifty cents (\$711,564.50); now, therefore, be it

#5

RESOLVED that the bid for the improvements to Raccoon Run / Deer Crossing Road Rehabilitation project be awarded to Macedon Landscaping in the amount Seven Hundred Eleven Thousand Five Hundred Sixty-Four dollars and Fifty cents (\$711,564.50) to be paid from the 2022 Budget line item DB.5110.400.RRD General Repairs Contractual Raccoon Run/Deer Crossing Project; and further

RESOLVED that a copy of this resolution be forwarded to Macedon Landscaping, Inc., LaBella PC, Highway Superintendent, Finance, and the Town Clerk.

#6

RESOLUTION NO. _____ LICENSE AND HOLD HARMLESS AGREEMENT – 1186 LOUISE WAY TO ALLOW ENCROACHMENT INTO DRAINAGE EASEMENT

WHEREAS, Jonathan D. Billett and Laurie J. Billett are the record owners (the "Owners") of the premises at 1186 Louise Way, Tax Map #28.08-1-59.000, (the "Property") in the Town of Victor; and

WHEREAS, the Town is the owner of a drainage easement, as shown in Book 1368 of Deeds at page 388 in the Ontario County Clerk's Office, which drainage easement is situated running in an east - west direction along the northern side of the Property approximately thirty (30) feet wide as shown on Map #34873 filed in the Ontario County Clerk's Office ("Drainage Easement"); and

WHEREAS, the Owners of the property propose to install a raised bed garden (the "Raised Bed Garden") on the northern side in the Drainage Easement; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement ("Agreement") to allow the Raised Bed Garden to encroach onto the Drainage Easement, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk's Office; and

WHEREAS, the Agreement would permit the Raised Bed Garden to be constructed, but would require the Owners to remove and/or repair said Raised Bed Garden, hold the Town harmless, and return the Property within the Drainage Easement to its pre-alteration condition should the Town need to exercise its rights relating to the Drainage Easement in a manner which would require removal of the Raised Bed Garden, and the Town was induced into entering into the Agreement based on said representations; and

WHEREAS, the Town Building Department and Town Engineer have reviewed the proposed Raised Bed Garden and have indicated that the aforementioned proposed encroachment into the Drainage Easement would not materially adversely affect the integrity, purpose, or function of the Drainage Easement, including but not limited to drainage, or be a hindrance in gaining access to any facilities or other infrastructure located within the Drainage Easement to effect repairs, maintenance, and/or improvements, and have no objection to the Town Board entering into the Agreement; now, therefore, be it

RESOLVED that the Supervisor is authorized to execute the License and Hold Harmless Agreement with Jonathan D. Billett and Laurie J. Billett, in a form approved by the Attorney for the Town, to allow the proposed raised bed garden to encroach into the Drainage Easement, and any other document reasonably necessary to effect said Agreement; and

RESOLVED that upon filing with the Ontario County Clerk's office, a copy of the filed License and Hold Harmless Agreement with Jonathan D. Billett and Laurie J. Billett will be provided to the Town Clerk; and further

RESOLVED that a copy of this Resolution be provided to the Town Planning and Building Department, the Town Clerk, and the Owners.

#7

RESOLUTION # LETTER OF CREDIT – PIPER MEADOWS SUBDIVISION - RELEASE 9

WHEREAS, upon S & J Morrell Inc. receiving Planning Board approval for the Piper Meadows Subdivision, a Five Star Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure; and,

WHEREAS, in their April 19, 2022 letter, the Town Engineer recommended that One Hundred Nine Thousand Five Twenty-Six dollars and Seventy-Two cents (\$109,526.72) be released from said Letter of Credit conditioned upon payment of all fees owed the Town; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 9 on the Five Star Bank Irrevocable Letter of Credit in the amount of One Hundred Nine Thousand Five Twenty-Six dollars and Seventy-Two cents (\$109,526.72) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Five Hundred Forty-Two Thousand Five Hundred Thirty-Three dollars and Ninety Six cents (\$542,533.96) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer, S & J Morrell, Finance Director, and Town Clerk.

#8

RESOLUTION # LETTER OF CREDIT – SOUTHGATE HILLS 2 SUBDIVISION – GRADING ONLY - RELEASE 1

WHEREAS, upon Reidman Acquisitions LLC (BRW of Greece LLC) receiving Planning Board approval for the Southgate Hills 2 Subdivision – Grading Only, a Tompkins Community Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure; and,

WHEREAS, in their April 19, 2022 letter, the Town Engineer recommended that Sixty-Five Thousand Five Hundred dollars and Thirty-One cents (\$65,500.31) be released from said Letter of Credit conditioned upon payment of all fees owed the Town; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 1 on the Tompkins Community Bank Irrevocable Letter of Credit in the amount of Sixty-Five Thousand Five Hundred dollars and Thirty-One cents (\$65,500.31) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains One Hundred Ninety-One Thousand Six Hundred Thirty-Six dollars and Seventy-Eight cents (\$191,636.78) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer Reidman Acquisitions LLC (BRW of Greece LLC), Finance Director, and Town Clerk.