

Victor Town Board Meeting Agenda
Monday, May 8, 2023
DRAFT RESOLUTION PACKET

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

Workshop, 6:00 – 7:00PM - Eastview Mall Zoning, LaBella Associates

Victor Town Board Meeting Agenda – Monday, May 8, 2023

Regular Meeting, 7:00PM

Flag Salute

Public Hearings start at 7:00 PM

- Adoption of the 2023 Sanitary Sewer Master Plan

Approval of the April 24, 2023 Regular Town Board meeting minutes

Payment of Bills

Privilege of the Floor

- ❖ Tim Terranova – VCS Budget review
- ❖ Keith Maynard - Annual MS4 Report and Stormwater Update

Public Comments and Concerns (3 minutes, please)

Reports of Town Officials

- Finance
- Historian
- Parks & Recreation

Resolutions

Finance

1. Authorize Town Supervisor to work with Town of Farmington on required improvements to PS-25

Highway

2. Authorization for Town Clerk to petition New York State Department of Transportation to evaluate the area speed limit for Bradhurst Street
3. Authorization to sell unusable recycle container and 1998 compactor at auction

Parks & Recreation

4. Accept donation – Community Pops Band and Chorus

Planning & Building

5. Town of Victor Town Board 2022 pump station improvements project (phase 2) SEQR Resolution – intent to declare lead agency status

Supervisor

6. 7200 Rawson Road PDD – Deem application complete, refer to the Town Planning Board and the County Planning Board
7. Declaring Victor Town Board’s intent to serve as lead agency for the application and local law relating to establishing the Rawson Road Planned Development District
8. Set Public Hearing – DIA for Southgate 3
9. Approval of acquisition of an easement by the Monroe County Water Authority pursuant to §1096(6-a) of New York’s Public Authorities Law

Town Clerk

10. Hold Harmless – Benderson Development Company, 407 Commerce Drive

PUBLIC COMMENT

ADJOURN

NOTICE OF PUBLIC HEARING

ADOPTION OF THE 2023 SANITARY SEWER MASTER PLAN FOR EXPANSIONS OF THE CONSOLIDATED SEWER DISTRICT AND ASSOCIATED AMENDMENTS TO THE TOWN OF VICTOR COMPREHENSIVE PLAN

PLEASE TAKE NOTICE that a draft 2023 Sanitary Sewer Master Plan for Expansions of the Consolidated Sewer District has been submitted to the Town Board of the Town of Victor, New York and is on file in the Victor Town Clerk's office where it is available for public inspection during regular business hours.

PLEASE TAKE FURTHER NOTICE that the Town Board also intends to amend the Town of Victor Comprehensive Plan by incorporation of the 2023 Sanitary Sewer Master Plan. Additional information regarding the draft 2023 Sanitary Sewer Master Plan can be found at www.victorny.org.

PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said draft 2023 Sanitary Sewer Master Plan and to amend the adopted Town of Victor Comprehensive Plan has been scheduled for the 8th day of May 2023 at 7:00PM, at Victor Town Hall, 85 East Main Street, Victor, New York at which time all interested parties will be given an opportunity to be heard. Written comments may also be directed to the Victor Town Clerk on or before noon on May 8th, 2023. The meeting will also be live streamed via YouTube at <https://www.youtube.com/c/townofvictornewyork> with text commenting available.

Dated: April 24, 2023

Karen C Bodine, Town Clerk

#1

RESOLUTION NO.

AUTHORIZE TOWN SUPERVISOR TO WORK WITH THE TOWN OF FARMINGTON
ON REQUIRED IMPROVEMENTS TO PS-25

WHEREAS, the Town of Farmington identified the urgent need to repair to PS-25 in the Town of Victor, and

WHEREAS, Labella Associates and MRB Group support the recommended improvements, and

WHEREAS, the Town of Victor and Town of Farmington will split the costs of improvements to PS-25 estimated at (\$32,000.00) from Colacino Industries Inc. for the Electrical Upgrades, and

WHEREAS, the Town of Victor has agreed to pay up to Thirty-Two Thousand dollars (\$32,000.00) for Electrical Upgrades for PS-25 split between 2022 budget line SS.8120.400, Sanitary Sewers for Twenty Thousand dollars (\$20,000.00) and 2023 budget line SS.8120.400 for Twelve Thousand dollars (\$12,000.00), and

RESOLVED, that the Victor Town Board authorizes the payment of the Town's portion of up to Thirty-Two Thousand dollars (\$32,000.00) based on satisfactory completion of the PS-25 to be paid to the Dakksco Pipeline Corp. and the Town of Farmington to reimburse payment to Colacino Industries from budget line SS.8120.400 Sanitary Sewers Contractual; and be it further

RESOLVED, that a copy of this resolution will be sent to the Town of Victor Finance Director, Town of Farmington Town Clerk, Town of Victor Town Clerk, Town of Farmington Supervisor, Dakksco Pipeline and Colacino Industries.

#2

RESOLUTION NO.

AUTHORIZATION FOR TOWN CLERK TO PETITION NEW YORK STATE DEPARTMENT OF
TRANSPORTATION TO EVALUATE THE AREA SPEED LIMIT FOR BRADHURST STREET

WHEREAS, the Highway Superintendent has received requests to evaluate the speed limit on Bradhurst Street; now therefore, be it

RESOLVED that the Town Clerk proceed with petitioning the New York State Department of Transportation to evaluate for an area speed limit for Bradhurst Street; and further

RESOLVED that a copy of this resolution be forwarded to Highway Superintendent.

#3

RESOLUTION NO.
AUTHORIZATION TO SELL UNUSABLE RECYCLE CONTAINER AND
1998 COMPACTOR AT AUCTION

WHEREAS, the Town of Victor Highway Superintendent has reviewed the unusable recycle container and 1998 Marathon compactor, and;

WHEREAS, the open top container is no longer safe for hauling and the compactor has deteriorated and has been replaced with a new 2023 Marathon compactor:

1 Bucks 2007 30 yard open top container
1998 refurbished Marathon SP Series Model 2201 compactor

RESOLVED that the Town Board declare the equipment as surplus equipment; and further

RESOLVED that the Town Board authorizes the sale of this equipment at an online auction; and further

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

#4

RESOLUTION NO.

ACCEPT DONATION – COMMUNITY POPS BAND AND CHORUS

WHEREAS, the Town received a donation from the Cobblestone Foundation Incorporated (Cobblestone Arts Center) to provide for the purchase of instrumental sheet music folders for the Department of Parks and Recreation's Community Pops Band and Chorus; now, therefore be it

RESOLVED that the Town Board accept these funds for the purchase of instrumental sheet music folders in the amount of Nine Hundred Twenty-Six dollars and Ninety-Nine cents (\$926.99) in the 2023 Budget and authorizes the Finance Director to increase the revenue line A.2705 Gifts & Donations by Nine Hundred Twenty-Six dollars and Ninety Nine cents (\$926.99) in addition to an offsetting increase in the expense line A.6772.400 Programs for the Aging Contractual of Nine Hundred Twenty-Six dollars and Ninety-Nine cents (\$926.99). All budget entries to be done upon board approval; and further

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

#5

RESOLUTION NO.

TOWN OF VICTOR TOWN BOARD 2022 PUMP STATION IMPROVEMENTS PROJECT (PHASE 2)

SEQR RESOLUTION – INTENT TO DECLARE LEAD AGENCY STATUS

At the meeting of the Town Board of the Town of Victor held on ____ Month ____ Date ____, 2023, Board Member _____ moved adoption of the following resolution; Board Member _____ seconded the motion and was passed.

WHEREAS, the 2022 Pump Station Improvements Project (Phase 1) included the following scope of work:

- At Pump Station 5: Replacement of an existing suction lift pump station with a new pump station, which may include above grade structure with backflow preventer; Replacement of generator; and Site restoration.
- At Pump Station 7: Replacement of an existing submersible pump station, including a new wet well, valve vault, and bypass connection; Installation of new emergency generator; An alternate to replace existing asbestos cement pipe force main; Site restoration; and Potential land acquisitions/easements from adjacent residents.
- At Pump Station 11: Replacement of an existing suction lift pump station with a new triplex suction lift pump station, including above grade structure and new water service with backflow preventer; Generator replacement; and Site restoration.
- At Pump Stations 12, 16, 17, and 32: Installation of new generators, which includes running new gas services to each generator, installation of concrete pads, installation of automatic transfer switches, and connection to the control panel; and

WHEREAS, the 2022 Pump Station Improvements Project (Phase 1) was reviewed in accordance with the New York State Environmental Quality Review (SEQR) regulations. The 2022 Pump Station Improvements Project (Phase 1) was classified as an Unlisted Action, the Short Environmental Assessment Form ("SEAF") Parts 1-3 were drafted, and a Negative Declaration Resolution was adopted by the Town Board of the Town of Victor ("Town Board") on May 9, 2022; and

WHEREAS, as part of the 2022 Pump Station Improvements Project (Phase 2), the Town of Victor proposes the demolition and replacement of two sanitary sewer pump stations and installation of generators at four other sanitary sewer pump stations, all located throughout the Town of Victor. The proposed project scope of work includes the following:

- At Pump Station 5: Replacement of an existing suction lift pump station with a new pump station, which may include above grade structure with backflow preventer; Replacement of generator; and Site restoration.
- At Pump Station 11: Replacement of an existing suction lift pump station with a new triplex suction lift pump station, including above grade structure and new water service with backflow preventer; Generator replacement; and Site restoration.
- At Pump Stations 12, 16, 17, and 32: Installation of new generators, which includes running new gas services to each generator, installation of concrete pads, installation of automatic transfer switches, and connection to the control panel; and

#6

RESOLUTION NO.

DECLARE 7200 RAWSON ROAD REZONING APPLICATION COMPLETE (TO BE ENTITLED "RAWSON ROAD PLANNED DEVELOPMENT DISTRICT") & REFER APPLICATION TO TOWN OF VICTOR PLANNING BOARD & ONTARIO COUNTY PLANNING BOARD

WHEREAS, on April 14, 2023, the Town of Victor received an application from BME Associates on behalf of Rawson Community LLC requesting rezoning for ± 22.5 acres of property located at 7200 Rawson Road, Tax Map #27.00-01-28 from LI (Light Industrial) to PDD (Planned Development District); and

WHEREAS, in a letter dated April 27, 2023 the Town Engineer reviewed and found the application submission complete with the confirmation that the Letter of Petition and Authorization signed by the property owner on February 11, 2014 is acceptable. An updated Letter of Authorization was submitted on April 27, 2023; be it

RESOLVED that the Victor Town Board finds the 7200 Rawson Road rezoning application is complete; and further

RESOLVED that this application be referred to the Town of Victor Planning Board and the Ontario County Planning Board in accordance with Section 211-27 of the Victor Town Code; and further

RESOLVED that a copy of this resolution be sent to the Town Engineer, Town Clerk, Town Attorney, Town of Victor Planning Board, Ontario County Planning Board, Town Clerk and Rawson Community LLC.

#7

RESOLUTION NO.
DECLARING VICTOR TOWN BOARD'S INTENT TO SERVE AS LEAD AGENCY FOR THE
APPLICATION AND LOCAL LAW RELATING TO ESTABLISHING
THE RAWSON ROAD PLANNED DEVELOPMENT DISTRICT

WHEREAS, on April 14, 2023, the Town of Victor received an application from BME Associates on behalf of Rawson Community LLC requesting rezoning for ± 22.5 acres of property located at 7200 Rawson Road, Tax Map #27.00-01-28 from LI (Light Industrial) to PDD (Planned Development District); and

WHEREAS, after review by the Town Engineer, the Victor Town Board determined the application is complete; and

WHEREAS, the establishment of the PDD and subsequent development of the Properties (the "Action") is subject to environmental review pursuant to the State Environmental Quality Review Act ("SEQR"); and

WHEREAS, the Action has been preliminary determined to be an Unlisted action pursuant to SEQR and a Full Environmental Assessment Form has been submitted to the Town Board; and

WHEREAS, in accordance with the SEQR regulations, the Town Board wishes to serve as Lead Agency to conduct a coordinated environmental review of the proposed Action, now therefore, be it

RESOLVED that in accordance with SEQR, the Town Board of the Town of Victor hereby declares its intent to serve as Lead Agency to conduct an environmental review of the Action; and be it further

RESOLVED that the Supervisor of the Town is hereby authorized to execute the lead agency request which shall include the Environmental Assessment Form (EAF); and be it further

RESOLVED that the lead agency request, application materials, Local Law and EAF shall be circulated to the involved and interested agencies, thereby notifying them of the Town Board's intent to serve as lead agency; and be it further

RESOVLED that in absence of objections to the Town Board's intent to serve as lead agency within the thirty-day period following notification, the Town Board of the Town of Victor shall proceed to assume lead agency status with respect to the Action.

#8

RESOLUTION NO.
SET PUBLIC HEARING – SOUTHGATE HILLS 3 TOWN OF VICTOR
DRAINAGE IMPROVEMENT AREA

WHEREAS, on behalf of Riedman Companies, BME Associates submitted information for Southgate Hills Section 3 in support of the subdivision to be included in the Town's Drainage Improvement Area; and

WHEREAS, LaBella Associates reviewed and commented on the Special District Application dated 3/15/23, Drainage Improvement Area report, dated 3/15/23 and Short Environmental Assessment Form; and now, therefore, be it

RESOLVED by the Victor Town Board, that a Public Hearing shall be scheduled on the 22nd day of May 2023, at 7:00PM, at the Victor Town Hall, 85 East Main Street, Victor, NY for the purpose of considering Southgate Hills Subdivision Section 3 to be included in the Town of Victor Drainage Improvement Area; and further

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

#9

RESOLUTION NO.

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW

WHEREAS, The Monroe County Water Authority ("Authority") intends to provide public water service to 0 East Victor Road, County Road 41, Plastermill Road, Plastermill Road, and 0 Main Street Fishers located in the Town of Victor; and

WHEREAS, the acquisition of the easement is necessary for operation, maintenance and the future replacement of the water main which will allow the Authority to continue to reliably provide potable water supply to the area; and

WHEREAS, the easement is located along the frontage of 0 East Victor Road (Tax Acct. No. 28.04-1-48), which is owned by BRW of Greece LLC, County Road 41 (Tax Acct. No. 40.0-1-6.0), which is owned by Roger and Christie Morrison, Plastermill Road (Tax Acct. No. 28.0-1-38.2), which is owned by Regency Townhomes of Victor Owner KofP LLC, Plastermill Road (Tax Acct. No. 16.0-1-37.23), which is owned by Villas of Victor Apartments Owner KofP LLC, and 0 Main Street Fishers (Tax Acct. No. 6.00-1-58.31 & 6.00-1-58.32), which is owned by Morrell Builders, Inc. ; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Authority to obtain the prior approval of the Town Board for the above-referenced acquisition; now therefore be it

RESOLVED that the Town hereby approves of the Authority's acquisition of the frontage easement located at 0 East Victor Road, County Road 41, Plastermill Road, Plastermill Road, and 0 Main Street Fishers in accordance with §1096(6-a) of the New York Public Authorities Law and be it further

RESOLVED that a copy of this resolution be provided to the Authority.

#10

RESOLUTION NO.

LICENSE AND HOLD HARMLESS AGREEMENT, 407 COMMERCE DRIVE TO ALLOW ENCROACHMENT INTO A SANITARY SEWER EASEMENT

WHEREAS, Benderson Development Company, LLC is the record owner (the "Owner") of the properties at 400-441 Commerce Drive – Tax Map #6.04-1-78.00, otherwise known as Victor Crossing in the Town of Victor; and

WHEREAS, the Town is the owner of a sanitary sewer easement, as shown in Liber 01240, beginning at page 0069, ending at page 0076 in the Ontario County Clerk's Office which sanitary sewer easement is situated running east of New York State 96 and is located along the south side of 407 Commerce Drive; and

WHEREAS, the Owner of the property is proposing installation of a sanitary sewer lateral along with replacement of pavement and curbing as needed at 407 Commerce Drive on the southern side of the Victor Crossings buildings in the Sewer Easement; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement ("Agreement") to allow the proposed sanitary sewer lateral, pavement and curbing to encroach into the Easement, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk's Office; and

WHEREAS, the Agreement would permit the installation of a sanitary sewer lateral and necessary pavement and curbing to be constructed, but would require the Owner to remove and/or repair said sanitary sewer lateral, pavement and curbing, hold the Town harmless, and return the Property within the Easements to its pre-alteration condition should the Town need to exercise its rights relating to the Easement in a manner which would require removal of the portion of the sanitary sewer lateral, pavement and curbing, 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 installation of sanitary sewer lateral, pavement and curbing and have indicated that the aforementioned proposed encroachment into the Easement would not materially adversely affect the integrity, purpose, or function of the Easement, or be a hindrance in gaining access to any facilities or other infrastructure located within the 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 Benderson Development Company, LLC in a form approved by the Attorney for the Town, to allow the proposed installation of sanitary sewer lateral,

#10

pavement and curbing to encroach into the Easement, and any other document reasonably necessary to effect said Agreement; and further be it

RESOLVED that upon filing with the Ontario County Clerk's office, a copy of the License and Hold Harmless Agreement with Benderson Development Company LLC will be provided by 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 Owner.