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**Victor Town Board Meeting Agenda
Monday, May 24, 2021
DRAFT RESOLUTION PACKET**

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

Regular Meeting

Resolutions

Finance

1. Budget Transfer - Parks Trust
2. Budget Amendment - Repairs to Fishers Park Tennis and Pickleball Courts

Highway

3. Purchase Unleaded Gasoline and Diesel Fuel - Town of Farmington
4. Purchase New Fuel Management System

Human Resources

5. Contract - Cintas First Aid & Safety

Parks & Recreation

6. Request for Certificate of Liability Insurance Waivers
7. Agreement - Bob Stokes
8. Agreement - Brian Regan (The Earthtones)
9. Agreement - Marc Berger and RIDE
10. Agreement - Benjamin Gordner (Flint Creek Band)
11. Agreement - Salvatores Pizzeria (P & G Victor, LLC)
12. Purchase Engineered Wood Fiber (Playground Safety Surfacing)
13. Agreement- Super Seal Sealcoating
14. Rental of Paver and Operator - Fishers Park Tennis and Pickleball Courts Project
15. Limited Permission Alcoholic Beverage Permit

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PUBLIC COMMENT

ADJOURN

#1

RESOLUTION # BUDGET TRANSFER - PARKS TRUST

WHEREAS, on May 10, 2021 the Town Board approved Resolution #151 - Agreement - Bayer Landscape Architecture for design services for a future dog park and related site improvements at Harlan Fisher Park; and

WHEREAS, the Finance Director has determined a budget transfer is required to cover the approved cost that was erroneously budgeted to the wrong account for the Parks Trust capital purchases; and

RESOLVED that the following 2021 budget transfer be approved as recommended by the Finance Director as listed below:

	TO:			FROM:	
ACCOUNT NO.	DESCRIPTION	AMOUNT	ACCOUNT NO.	DESCRIPTION	AMOUNT
CP.7183.200	Parks Trust – Equipment & Capital Outlay	\$20,000.00	CP.7183.440	Parks Trust - Engineering	\$20,000.00

And further

RESOLVED that all entries to achieve the above-mentioned budget transfers be completed upon Town Board approval of this resolution; and further

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

#2

RESOLUTION # _____ BUDGET AMENDMENT - REPAIRS TO FISHERS PARK TENNIS AND PICKLEBALL COURTS

WHEREAS, on May 25, 2021 the Town Board will approve resolutions for repairs to the Fishers Park tennis and pickleball courts; and

WHEREAS, the funding for this project was not budgeted in the 2021 budget but funds are available in the Parks Trust Assigned Unappropriated Fund Balance account; now, therefore, be it

RESOLVED that the Town Board approve appropriation of Fund Balance to reflect the following:

FROM	AMOUNT	TO	AMOUNT
Assigned Unappropriated Fund Balance		Assigned Appropriated Fund Balance	
CP.0915.000	\$50,000.00	CP.0914.000	\$50,000.00

and amend the 2021 Budget to reflect:

Increase Revenue	CP.5900	Fund Balance	\$50,000.00
Increase Expense	CP.7183.200	Parks Trust. Equipment & Capital	\$50,000.00

and further

RESOLVED that the Finance Director is to ensure all appropriate accounting entries to reflect the above adjustments are made in the Parks Trust Fund (CP) upon board approval; and further

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

#3

RESOLUTION # PURCHASE UNLEADED GASOLINE AND DIESEL FUEL - TOWN OF FARMINGTON

WHEREAS, the Town experienced an emergency need to shut down all of the fuel tanks used to dispense fuel to the Town fleet and agencies that have contracted with the Town for fuel management access; and

WHEREAS, the Town of Farmington was able to provide access to their fuel station during this emergency for both unleaded gasoline and diesel fuel for the Victor Town fleet; now, therefore, be it

RESOLVED the Town Board authorizes the Town employees to fuel Town vehicles and equipment during this emergency situation with both unleaded gasoline and diesel fuel at market cost plus \$.06/gallon maintenance fee at the Town of Farmington fuel station; and

RESOLVED that a copy of this resolution be forwarded to the Finance Director, Highway Superintendent, Town Clerk, and Peter Ingalsbe, Town of Farmington Supervisor.

#4

RESOLUTION # PURCHASE NEW FUEL MANAGEMENT SYSTEM

WHEREAS, the Highway Department has the immediate need to increase security and accountability for the fuel system due to incompatibility with the current software and a new computer for the Highway office; and

WHEREAS, the Highway Superintendent received the following quotes for a new fuel management system:

System	Company	Cost	Monthly service fee
Fuelcloud Fuel Management	Francis Smith & Sons, Inc.	\$8,915.00 (includes one time set up fee of \$350 and \$75 freight charge)	\$85.00 (Paid to Fuelcloud)
Upgrade existing K800 to key chip system	S & W Services, Inc.	\$14,633.70	n/a
Cloud SiteCo	Coencorp	\$8,748.87 (price includes US-remote commissioning and shipping)	\$3,069.23

And

WHEREAS, the Fuelcloud Fuel Management system would allow for the establishment of an Intermunicipal Agreement with not only the County but other municipalities within the County who use Fuelcloud for fuel emergencies; now, therefore, be it

RESOLVED that based on their quote and service reputation with Ontario County and other local municipalities the Town Board authorizes the Highway Superintendent to purchase the new fuel management system from Francis Smith & Sons, Inc. for Eight Thousand Nine Hundred Fifteen Dollars (\$8,915.00) plus a monthly Eighty Five Dollar (\$85.00) service charge and a Seventy Five dollar (\$75.00) freight charge to be paid from the 2021 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 Francis Smith & Sons, Inc

#5

RESOLUTION # CONTRACT - CINTAS FIRST AID & SAFETY

WHEREAS, the Town has the need for service provider to replenish all first aid cabinets and vehicle first aid kits, and to perform inspections of eyewash stations and AED's in accordance with OSHA requirements; and

WHEREAS, the Town currently has a contract with Cintas for uniform and floor mat services and Cintas is part of the US Communities Contract which provides these services and supplies at a discounted rate for local and government entities; and

WHEREAS, a quote has been received to install/restock all Town first aid kits and provide a monthly replenishment service, inspect and maintain all AED's on a monthly basis, inspect and clean all eyewash stations on a quarterly basis and install 2 additional eyewash stations in Highway buildings A and D in order for the Town to be in compliance with OSHA requirements; now, therefore be it

RESOLVED that the Supervisor is authorized to enter into a contract with Cintas First Aid & Safety for the provision, replenishment, and inspection of first aid supplies, eyewash stations, and AED's at an initial estimated cost of Two Thousand Nine Hundred Seventy Three dollars and Ninety Six cents (\$2,973.96) plus additional first aid cabinet supplies, and a monthly supplies replenishment cost based on product usages to be paid from the 2021 Budget Line item A.3620.400 Safety Inspection.Contractual; and be it further

RESOLVED that a copy of this resolution be sent to Scott Burdick – Cintas First Aid & Safety, Finance Department, Town Courts, Parks & Recreation, Town Highway & Recycle Departments, and the Town Clerk.

#6

RESOLUTION # REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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>Activity / Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Brian Regan (The Earthtones)	Concert in the Park	Victor Municipal Park	\$800.00	August 31, 2021	Insufficient Coverage
Marc Berger (Marc Berger & RIDE)	Concert in the Park	Victor Municipal Park	\$1,200.00	August 31, 2021	Insufficient Coverage
Benjamin Gordner (Flint Creek Band)	Concert in the Park	Victor Municipal Park	\$850.00	August 31, 2021	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>
Brian Regan (The Earthtones)	Concert in the Park	Victor Municipal Park	\$800.00	August 31, 2021	Insufficient Coverage
Marc Berger (Marc Berger & RIDE)	Concert in the Park	Victor Municipal Park	\$1,200.00	August 31, 2021	Insufficient Coverage
Benjamin Gordner (Flint Creek Band)	Concert in the Park	Victor Municipal Park	\$850.00	August 31, 2021	Insufficient Coverage

and be it further

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, Brian Regan, Benjamin Gordner, and Marc Berger.

#7

RESOLUTION # AGREEMENT - BOB STOKES

WHEREAS, the Department of Parks and Recreation seeks to offer instruction in pickleball for adults if it is able to under the health and safety guidelines and protocols of New York State related to the COVID-19 pandemic; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Bob Stokes to provide instruction in pickleball for adults at dates, times and locations which are mutually agreed upon by the Contractor and the Director of Parks and Recreation; 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 the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Bob Stokes under the terms and conditions as provided for the in the 2021 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office for the sum of Seventy Percent (70%) of the recreation program revenues allocated to the Contractor and Thirty Percent (30%) of the recreation program revenues allocated to the Town to be paid from the 2021 Budget line item A.7020.400 Rec.Admin.Contractual; and further

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

#8

RESOLUTION # AGREEMENT - BRIAN REGAN (THE EARTHTONES)

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park if it is able to under the health and safety guidelines and protocols of New York State related to the COVID-19 pandemic; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Brian Regan (The Earthtones) to provide music and a sound system for a concert to be held on Thursday, July 8, 2021 from 7:00 pm – 8:30 pm; 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 the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Brian Regan (The Earthtones) under the terms and conditions as provided for in the 2021 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office for the sum of Eight Hundred dollars (\$800.00) to be paid from the 2021 Budget line item A.7550.400 Celebrations.Contractual; and further

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 a copy of this resolution be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Brian Regan (The Earthtones).

#9

RESOLUTION # AGREEMENT - MARC BERGER AND RIDE

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park if it is able to under the health and safety guidelines and protocols of New York State related to the COVID-19 pandemic; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Mark Berger to provide music and a sound system for a concert to be held on Thursday, August 5, 2021 from 7:00 pm – 8:30 pm; 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 the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Marc Berger under the terms and conditions as provided for in the 2021 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office for the sum of One Thousand Two Hundred Dollars (\$1,200.00) to be paid from the 2021 Operating Budget line item A.6420.400 Economic Development.Contractual; and further

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 a copy of this resolution be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, Director of Economic Development and Marc Berger.

#10

RESOLUTION # BENJAMIN GORDNER - FLINT CREEK BAND

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park if it is able to under the health and safety guidelines and protocols of New York State related to the COVID-19 pandemic; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Benjamin Gordner (Flint Creek Band) to provide music and a sound system for a concert to be held on Thursday, July 1, 2021 from 7:00 pm – 8:30 pm; 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 the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Benjamin Gordner (Flint Creek Band) under the terms and conditions as provided for in the 2021 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office for the sum of Eight Hundred Fifty dollars (\$850.00) to be paid from the 2021 Budget line item A.7550.400 Celebrations.Contractual; and further

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 a copy of this resolution be forwarded to Director of Parks and Recreation, Director of Finance, Town Clerk, and Benjamin Gordner.

#11

RESOLUTION # AGREEMENT - SALVATORE'S PIZZERIA

WHEREAS, the Department of Parks and Recreation seeks to offer a variety of recreation programs and special events if it is able to under the health and safety guidelines and protocols of New York State related to the COVID-19 pandemic; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Salvatore's Pizzeria (P & G Victor, LLC) to provide pizzas for purchase and sale at a variety of recreation programs and special events as agreed upon by the Contractor and Director of Parks and Recreation; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, be it

RESOLVED that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Salvatore's Pizzeria (P & G Victor, LLC) under the terms and conditions as provided for in the 2021 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office to be paid from the 2021 Budget line item A.7020.400 Rec.Admin.Contractual and A.7550.400 Celebrations.Contractual; and further

RESOLVED that this resolution is conditioned upon therefore, 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 a copy of this resolution be forwarded to Director of Parks and Recreation, Finance Director, Town Clerk, and Mike Perrotta, Salvatore's Pizzeria (P & G Victor LLC).

#12

RESOLUTION # PURCHASE ENGINEERED WOOD FIBER (PLAYGROUND SAFETY SURFACING)

WHEREAS, the Department of Parks and Recreation has the need to purchase and have delivered Two Hundred Cubic Yards (200 cu. yds.) of engineered wood fiber for the resurfacing of four (4) playgrounds within the Town and Village of Victor; and

WHEREAS, the Director of Parks and Recreation has obtained the following quotes:

Bears Playgrounds	\$5,178.80
Marturano Recreation Corporation	\$4,774.00

Now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase the engineered wood fiber from Marturano Recreation Corporation for the resurfacing of Town and Village park playgrounds in the amount of Four Thousand Seven Hundred Seventy Four dollars (\$4,774.00) to be paid from the 2021 Budget Line item A.7140.200 Playgrounds.Equipment; and further

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

#13

RESOLUTION # AGREEMENT- SUPER SEAL SEALCOATING

WHEREAS, the Department of Parks and Recreation has the need to have the tennis and pickleball courts at Fishers Park resurfaced, repaired and expanded to accommodate the growth of the sport; and

WHEREAS, the Director of Parks and Recreation received the following quotes for a professional contractor specializing in these services:

Super Seal Sealcoating LLC	\$28,280.00
Rochester Jet-Black Sealers Inc.	\$30,337.00
JM Pro Courts & Surface	No Response to Request for Quote
American Court Resurfacing	No Response to Request for Quote

Now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor to enter into an agreement with Super Seal Sealcoating for all necessary surface repairs and improvements to the tennis and pickleball courts at Fishers Park for Twenty Eight Thousand Two Hundred Eighty dollars (\$28,280.00) to be paid from the 2021 Budget Line item CP.7183.200 ParksTrust.Equipment & Capital; and further

RESOLVED that a copy of this resolution be forwarded to the Director of Parks & Recreation, Town Clerk, Finance Director, and Greg Duffy, Super Seal Sealcoating.

#14

RESOLUTION # _____ RENTAL OF PAVER AND OPERATOR - FISHERS PARK TENNIS AND PICKLEBALL COURTS PROJECT

WHEREAS, the Department of Parks and Recreation has the need to have the tennis and pickleball courts at Fishers Park resurfaced, repaired, and expanded to accommodate the growth of the sport; and

WHEREAS, this project requires the paving of an additional Twelve Hundred (1,200) square feet of court space which will increase the number of pickleball courts that the existing playing surface can accommodate; and

WHEREAS, the Director of Parks and Recreation received a proposal from Pooler Enterprises for the labor and equipment for the project identified as Schedule A and kept in the subject file in the Town Clerk's office; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to rent a paver and operator from Pooler Enterprises for the project in the amount of Two Thousand Four Hundred Sixty Five dollars (\$2,465.00) to be paid from the 2021 Budget Line item CP.7183.200 Parks Trust. Equipment & Capital; and further

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

#15

RESOLUTION # LIMITED PERMISSION ALCOHOLIC BEVERAGE PERMIT

WHEREAS, the Town has a Limited Permission Alcohol Use Policy and Permit relating to the Consumption and/or Dispensing of Alcoholic Beverages in certain Town of Victor parks during special events; and

WHEREAS, the Department of Parks and Recreation will be hosting the annual Sid Partington Memorial Summer Concert in the Parks series at the Victor Municipal Park on Thursdays, July 1st, 8th, 15th, 22nd, 29th, and August 5th, 2021 from 7:00 pm – 8:30 pm; and

WHEREAS, it is the desire of the Department of Parks and Recreation to have Twin Elder Brewery on site to dispense alcohol at the six events and they have applied for a Special Events – Temporary Bar and Wine Permit through the New York State Liquor Authority; now, therefore, be it

RESOLVED that the Town Board hereby authorizes the Special Events of the Sid Partington Memorial Summer Concert in the Park series at the Victor Municipal Park conditioned upon 1) approval of the Special Events – Temporary Bar and Wine Permit Application by the New York State Liquor Authority to Twin Elder Brewery for dispensing alcohol at the summer concerts, and further conditioned upon 2) the issuance of a Certificate of Insurance from Twin Elder naming the Town of Victor as an Additional Insured; the Town Board of the Town of Victor hereby authorizes the issuance of a Limited Permission Alcoholic Beverage Permit by the Town of Victor Department of Parks and Recreation to Twin Elder Brewery to dispense alcohol at the Sid Partington Memorial Summer Concert in the Park series, so long as Twin Elder complies with the requirements thereof to the satisfaction of the Department of Parks and Recreation as well as the requirements of the Town Code and Policy for Dispensing and Consumption of Alcohol; and be it further

RESOLVED that a copy of this resolution be forwarded to the Director of Parks and Recreation, Director of Economic Development, Town Clerk, and Chris Thomas, Twin Elder Brewery.