

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

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Victor Town Board Meeting Agenda

Monday, October 24, 2022

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, 6:30 PM (Supervisor's conference room) - to discuss medical, financial, credit or employment history

Regular Meeting, 7PM

Flag Salute

Public Hearings start at 7:00 PM

1. Public Hearing Town of Victor - 2022 Special Assessment Roll to Collect Sewer District Capital Recovery Charge, Sewer District Capital Improvement Costs, Lighting District O&M Costs and Central Water District Capital Improvement Costs Based on Benefit Formulas
(Legal Notice was posted & published in the Daily Messenger on October 14, 2022)
2. Public Hearing – 2023 Budget
(Legal Notice was posted & published in the Daily Messenger on October 16, 2022)

Approval of the October 11, 2022, Regular Town Board meeting and Budget Workshop minutes

Payment of Bills

Privilege of the Floor

Public Comments and Concerns

Reports of Town Officials

- ❖ Highway
- ❖ IT

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Resolutions

Highway

1. Purchase of open top container

Human Resources

2. Public Space Designation of Town of Victor Property

Parks & Recreation

3. Agreement – Cristina Caldwell, Sports Nutrition Instruction
4. Request for Certificate of Liability Insurance Waiver, Cristina Caldwell

Supervisor

5. After Public Hearing - Establishment of The Fairways Phase 3 Lighting District Extension
6. After Public Hearing Town of Victor - 2022 Special Assessment Roll to Collect Sewer District Capital Recovery Charge, Sewer District Capital Improvement Costs, Lighting District O&M Costs and Central Water District Capital Improvement Costs Based on Benefit Formulas
7. After Public Hearing – 2023 Budget

Town Clerk

8. Southgate Hills Section 2, Utility LOC Release 3

PUBLIC COMMENT

ADJOURN

NOTICE OF PUBLIC HEARING

TOWN OF VICTOR - 2022 SPECIAL ASSESSMENT ROLLS TO COLLECT SEWER DISTRICT CAPITAL RECOVERY CHARGES, SEWER DISTRICT CAPITAL IMPROVEMENT COSTS, LIGHTING DISTRICT O&M COSTS AND CENTRAL WATER DISTRICT CAPITAL IMPROVEMENT COSTS BASED ON BENEFIT FORMULAS

Notice is hereby given that the 2022 Special Assessment Rolls to collect Victor Consolidated Sewer District Capital Recovery Charges and Capital Improvement Costs, Central Water District Capital Improvement Costs, and Lighting District Operating and Maintenance Costs based on Benefit Formula, have been completed and are filed in the office of the Town Clerk at 85 East Main Street, Victor, New York, where they are available for inspection by any interested person during regular scheduled office hours.

The Town Board of the Town of Victor will hold a Public Hearing on said 2022 Special Assessment Rolls at the Victor Town Hall, 85 East Main St., Victor, New York at 7:00 PM on Monday, October 24, 2022, 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 12:00 PM on Monday, October 24. This meeting will also be live streamed via YouTube at <https://www.youtube.com/c/townofvictornewyork> with text commenting available.

The 2022 Special Assessment Rolls are available on the Town website at www.victor.ny.org.

Dated: October 12, 2022

Karen C. Bodine, Town Clerk

NOTICE OF PUBLIC HEARING
TOWN OF VICTOR – 2023 BUDGET

Notice is hereby given that the Preliminary Budget of the Town of Victor for the fiscal year of 2023 has been completed and filed in the office of the Town Clerk at 85 East Main Street, Victor, New York, where it is available for inspection by any interested person during all regular scheduled office hours.

The Town Board will hold a Public Hearing on said budget at the Victor Town Hall, 85 East Main Street, Victor, New York at 7:00 PM on Monday, October 24, 2022 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 12:00 PM on the 24th day of October 2022. The meeting will also be live streamed via YouTube at <https://www.youtube.com/c/townofvictornewyork> with text commenting available.

The following is a summary of the entire Preliminary Budget for 2023:

Total Appropriations	\$15,203,567
Less Estimated Revenues	\$ 9,559,962
Less Unexpended Balances	\$ 1,541,841
Other Sources (Reserves)	\$ -0-
Amount to be Raised by Taxes	\$4,101,764

Further, notice is given pursuant to Section 113 of the Town Law that the following are the proposed yearly salaries of the Town Officers of the Town of Victor:

Supervisor	\$99,083
Town Clerk	\$66,950
Council Members each, (4)	\$15,375
Highway Superintendent	\$90,396
Justices each (2)	\$46,105

This by order of the Victor Town Board.

Dated: October 12, 2022

Karen C. Bodine, Town Clerk

#1

RESOLUTION NO. AUTHORIZATION FOR THE PURCHASE OF ONE HEAVY DUTY, 30 YARD RECYCLE CONTAINER FOR THE RECYCLE DEPARTMENT

WHEREAS, the Highway Superintendent has identified the need for one (1) new 30 yard open top container for the recycle department due to the condition and deterioration of the support structures on the current container at the facility used for hauling waste and recyclables; and

WHEREAS, funds are available in the 2022 budget line A.8160.200 Refuse & Garbage Equipment, utilizing funds received from the July 2022 RTI online auction for the sale of a roll off dumpster and a 30 yard open top container totaling \$9,325.00; and

WHEREAS, the requests for proposals were sent out and two quotations were received as follows:

Wastequip	\$5,908.00 (plus \$1,495.00 freight)
Bucks Fabricating	\$7,450.00 (plus \$900.00 freight)

And

WHEREAS, Mark Years, Highway Superintendent, recommends the Town Board accept the quote from Wastequip Fabricating for one (1) new 30 yard open top containers at a cost not to exceed Seven Thousand Four Hundred Three dollars (\$7,403.00); now, therefore, be it

RESOLVED that the Town Board authorizes the Highway Superintendent to purchase one (1) new 30 yard open top containers from Wastequip at a cost not to exceed Seven Thousand Four Hundred Three dollars (\$7,403.00) and further

RESOLVED that a copy of this resolution be forwarded to Mark Years, Highway Superintendent, Fiscal Manager, Town Clerk, and Wastequip.

#2

RESOLUTION NO. PUBLIC SPACE DESIGNATION OF TOWN OF VICTOR PROPERTY

WHEREAS, The Town of Victor is committed to protecting the rights of citizens under the First Amendment of the United States Constitution, while implementing policies and procedures that protect the health, safety, welfare, and personal privacy of the Town's employees and the general public who do business with or use the services of the Town; and

WHEREAS, the annexed policy ("Policy") is intended to delineate the portions of Town Property (as defined therein) that are accessible to and observable by the general public from those portions that are accessible on a limited basis; now, therefore, be it

RESOLVED, each department shall designate their public spaces using the terms, guidelines, and definitions within the Policy annexed hereto; and further

RESOLVED, that copies of this resolution shall be transmitted by the Town Clerk to each Town department.

#3

RESOLUTION NO. AGREEMENT CRISTINA CALDWELL, SPORTS NUTRITION INSTRUCTION

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Cristina Caldwell for instruction in sports nutrition for youth, adults and families; 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 Cristina Caldwell under the terms and conditions as provided for in the contract kept in the subject matter file in the Town Clerk's Office for a 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 2022 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 will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Cristina Caldwell.

#4

RESOLUTION NO. REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVER

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:

Vendor	Activity / Event	Location of Event	Amount of Contract	Duration of Contract	Reason for Exemption
Cristina Caldwell	Sports Nutrition Instruction	Victor Recreation Center	70% / 30%	December 31, 2022	Insufficient Coverage

Now, therefore, be it

RESOLVED that the Town Board grants the Certificate of Liability Insurance Waivers for the following service provider:

Vendor	Activity / Event	Location of Event	Amount of Contract	Duration of Contract	Reason for Exemption
Cristina Caldwell	Sports Nutrition Instruction	Victor Recreation Center	70% / 30%	December 31, 2022	Insufficient Coverage

And, be it further

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, and Cristina Caldwell.

#5

RESOLUTION NO. AUTHORIZATION AFTER PUBLIC HEARING TO ESTABLISH THE FAIRWAYS PHASE 3 LIGHTING DISTRICT EXTENSION

WHEREAS, the Town Board of the Town of Victor ("the Town") received a request (the "Petition") from Fairview Ponds, LLC (the "Petitioner") for the establishment of the Fairways Phase 3 Lighting District as an extension of the "Fairways Phase 1 & 2 Lighting District, which extension would complete the district along the entirety of Championship Drive in the Town of Victor; and

WHEREAS, on September 1, 2022, the Petitioner along with Passero Associates (the consulting engineers) filed a map, plan and report for the Fairways Phase 3 Lighting District Extension and the boundaries are as follows: the lands comprising lots 530 through lots 607 on Championship Drive in the Town of Victor, which lands are more fully described in the metes and bounds description of which is set forth at in the Map, Plan and Report referred to herein; and

WHEREAS, the proposed improvements include a total of 15 streetlights and the associated conduit to be installed along Championship Drive within the frontage of 15 lots for this project, as described in the Map, Plan and Report which are on file with the Victor Town Clerk and available for public review; and

WHEREAS, the maximum amount proposed to be expended by the Town for the Fairways Phase 3 Lighting District and associated improvements is the sum of zero dollars (\$0.00), as the Petitioner and/or Rochester, Gas and Electric will pay for the capital cost of the Fairways Phase 3 Lighting District; and

WHEREAS, since there will be no capital cost to the Town for the Fairways Phase 3 Lighting District, no financing will be employed and it is therefore not necessary to obtain the approval of the New York State Comptroller's Office; and

WHEREAS the Victor Town Board met at the Town Hall, 85 East Main Street, Victor, New York, on the 11th day of October, at 7:00 PM for the purpose of conducting a public hearing at which time and place all interested persons had an opportunity to be heard; and

WHEREAS, that the Order for the notice of the public hearing was duly published and posted as required by law; and be it

RESOLVED, that all property and property owners within the proposed Fairways Phase 3 Lighting District are benefitted, and all property and property owners benefitted by the Fairways Phase 3 Lighting District are included within the limits thereof; and be it further

RESOLVED, that the Town Board does hereby approve and authorize the establishment of the Fairways Phase 3 Lighting District as an extension of the "Fairways Phase 1 & 2

Lighting District, which extension would complete the district along the entirety of Championship Drive in the Town of Victor; and be it further

RESOLVED, that the future costs of operation and maintenance of the Lighting District shall be paid on a benefits basis to be levied and assessed against the property therein; and be it further

RESOLVED, that all parcels within the Lighting District benefit equally from the improvements therein, therefore, the operation and maintenance costs shall be shared equally among the parcels within the Lighting District; and be it further

RESOLVED, that maintenance and operation charges will be assessed on a benefits basis against all property within the Consolidated Fairways Lighting District, at a cost estimated to be in the total aggregate amount \$15,000 annually, which estimate is subject to the fluctuations in the price of electricity supplied by Rochester Gas and Electric; and, be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly filed with the New York State Comptroller; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly recorded in the Office of the Clerk of Ontario County within ten (10) days of the adoption of this Resolution.

#6

RESOLUTION NO. ADOPT 2022 SPECIAL ASSESSMENT ROLL TO COLLECT SEWER DISTRICT CAPITAL RECOVERY CHARGE, SEWER DISTRICT CAPITAL IMPROVEMENT COSTS, LIGHTING DISTRICT O&M COSTS AND CENTRAL WATER DISTRICT CAPITAL IMPROVEMENT COSTS BASED ON BENEFIT FORMULAS

WHEREAS, the Town Board directed the Town Assessor to prepare the 2022 Special Assessment Roll; and

WHEREAS, pursuant to Town Law §239 the Town Clerk caused a notice of Public Hearing regarding the 2022 Special Assessment Roll to be timely noticed and published; and

WHEREAS, a public hearing was held on October 24, 2022 the Town Board reviewed all public comments and objections; now, therefore, be it

RESOLVED that the Town Board affirms and adopts the 2022 Special Assessment Roll dated October 11, 2022 (Water & Lighting & Sewer); and further

RESOLVED that a copy of this resolution be forwarded to the Town Clerk, Assessor, and Director Real Property Tax Services.

#7

RESOLUTION NO. ADOPTION OF THE 2023 BUDGET

WHEREAS, the Town Supervisor and Town Board conducted budget workshops on August 29, September 6 and October 11, 2022; and

WHEREAS, the budget preparation process included a complete fiscal evaluation of the Town; and

WHEREAS, the 2023 budget proposes a tax rate of \$1.93 per thousand dollars of assessed valuation; and

WHEREAS, at the October 11, 2022 regular meeting of the Town Board, a resolution was approved setting the 2023 Budget Public Hearing for October 24, 2022 at 7:00 PM at the Victor Town Hall and live streamed via YouTube; now, therefore, be it

RESOLVED that all comments both written and oral have been heard and the Town Board does hereby adopt the proposed 2023 Budget as the official 2023 Budget for the Town of Victor which is on file in the Town Clerk's Office; and further

RESOLVED that the Town Clerk forward two certified copies of the 2023 Budget along with two copies of each Special Assessment Roll and the Assessor's Impact report to the Clerk of the Ontario County Board of Supervisors; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Director, Town Clerk, Ontario County Real Property, and the Clerk of the Ontario County Board of Supervisors.

#8

RESOLUTION NO. SOUTHGATE HILLS 2 (UTILITY ONLY) RELEASE 3

WHEREAS, upon Riedman Acquisitions LLC (BRW of Greece LLC) receiving Planning Board approval for the Southgate Hills 2 Subdivision, 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 October 13, 2022 letter, the Town Engineer recommended that One Hundred Thirty-Five Thousand Four Hundred Twenty-Nine dollars and Fifteen cents (\$135,429.15) 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. 3** on the Tompkins Community Bank Irrevocable Letter of Credit in the amount One Hundred Thirty-Five Thousand Four Hundred Twenty-Nine dollars and Fifteen cents (\$135,429.15) be conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Two Hundred Forty-Seven Thousand One Hundred dollars and Forty-one cents (\$247,100.41) in said Letter of Credit; and further

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