

VICTOR TOWN BOARD MEETING MONDAY, MARCH 27, 2023

An executive session of the Victor Town Board was held on March 27, 2023, at 5:30 PM in the Veterans Memorial Room at the Victor Town Hall to discuss the proposed acquisition/sale/lease of real property when publicity might affect the value.

PRESENT: Supervisor Marren; Councilman Cusimano; Councilman Condon; Councilman Kahovec; Councilman Guinan; Rich O'Donnell, Finance Director; Mark Years and Greg Knapp, Highway; Brian Emelson and Jeff Rader, Parks Department; Keith Maynard, Stormwater Program Manager; Tim Webber, Brian Ringenwald, Mark Kukuvka and Steve Metzger, LaBella Associates

MOTION TO OPEN EXECUTIVE SESSION

Time: 5:30PM

On motion of Councilman Condon, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

RESOLVED that the Victor Town Board move to Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect the value.

MOTION TO CLOSE EXECUTIVE SESSION

Time: 6:48PM

On motion of Councilman Condon seconded by Councilman Cusimano, the Executive session of the Victor Town Board was closed with no action taken.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

RESOLVED that the Executive Session closed, and the Board took a short break before the regularly scheduled meeting.

Supervisor Marren called the regular meeting to order @ 7:00PM.

Everyone was asked to sign in on the attendance sheet, cell phones were requested to be turned off and any private conversations or interviews to be conducted in the hallway outside.

Emergency exits were pointed out.

Also noted the meeting room is equipped with the induction loop hearing assistance system, explaining conversations can be heard through the microphones on hearing aids with a t-switch.

Emergency exits were pointed out. The meeting was also live streamed via YouTube with text commenting available to the public.

Flag Salute

PRESENT: Supervisor Marren
Councilman Condon
Councilman Guinan

Councilman Cusimano
Councilman Kahovec

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ALSO PRESENT: Karen Bodine, Town Clerk; Kevin Overton, Attorney; Mark Years, Highway Superintendent; Rich O'Donnell, Finance Director; Suzy Mandrino, IT; Steve Metzger, LaBella Associates; David Nankin

SUPERVISOR'S ANNOUNCEMENTS:

- Employee Birthdays for the month of April

APPROVAL OF MINUTES.

On motion of Councilman Condon, seconded by Councilman Guinan, the March 8, 2023, Town Board meeting minutes were approved as presented. Motion Carried.

3 Ayes (Marren, Condon, Guinan) 2 Abstain (Kahovec and Cusimano)

On motion of Councilman Condon, seconded by Councilman Cusimano the March 13, 2023, Town Board meeting minutes were approved as presented. Motion Carried.

4 Ayes (Condon, Cusimano, Kahovec, Guinan) 1 Abstain (Marren)

PAYMENT OF BILLS

On motion of Councilman Kahovec, seconded by Councilman Guinan Manifest #6 in the amount of \$260,965.07 was approved. Motion carried.

5 Ayes (Marren, Condon, Kahovec, Cusimano, Guinan) 0 Nays

Documentation for these expenditures can be found on vouchers filed by numbers #20230551-20230640.

General Townwide	\$137,718.90
General Outside Village	16,050.14
Highway Townwide	100,496.50
Lighting Districts	5,544.03
Trust & Agency	1,155.50

Supervisor Marren reviewed the following expenditures for Manifest #6 that were in the range of or exceeded \$5,000.00.

- American Rock Salt – Road salt for winter - \$55,463.81
- Bluestone Creek Develop. – April rent Parks/Rec. facility - \$11,562.50
- Five Star Bank – February Visa charges - \$7,425.19
- Guardian Insurance – April Dental - \$5,101.30
- Harris Beach – February Legal Services - \$18,566.03
(chargeback \$7,539.39 - cost to the Town \$11,026.64)
- MVP Health – April Healthcare employees/retirees - \$74,000.72
- Nocco Energy – Fuel for February - \$6,129.20
- NYS Controllers Office – February Court Fees - \$22,785.00
- Red Truck Painting – (re-issue check) Town Hall Painting - \$14,970.00

- RG&E – March Townwide Gas & Electric - \$12,490.54

PRIVILEGE OF THE FLOOR:

Public Comments or Concerns: *No comments.*

Report of Town Officials:

- Highway - will go to 4 ten-hour days next week
- Historian
- Humane Society
- IT

Supervisor Verbal Report:

- ✓ MCWA Report – project on Brace Road
- ✓ Thanked Board members who attended years of service recognition program luncheon last week here at the Town Hall.
- ✓ Kathy Rayburn and Supervisor Marren attended a meeting at Victor Central School for the program which originated in Canandaigua called “The Spot”. This program provides snacks, clothing etc. to students at the school. They are hoping to expand this program.
- ✓ February Victor/Farmington Ambulance Report
- ✓ Ontario County EMS and Fire Report - presented to Fishers Fire District and sent out a link to the full report which consisted of 480 pages.
- ✓ Silvertown Glenn letter from the NYS Department of Transportation
- ✓ FLMHT – looking to expand Post 65 to grow and save costs. Needs to reach out to 7 more counties.
- ✓ Received notice of the resignation of the Fishers Fire District Chairman Fred Dewey and also Commissioner Debra Hogan announced she plans to resign in the next thirty days.
- ✓ A student was hit by a car over by the school near Piper Meadows in February. There is a meeting this week with the Highway Superintendent, Director of Public Works, Engineer, Victor Central School, and Supervisor Marren. They may look to expand the current school zone. Supervisor Marren has a letter from the parents of the student that was hit. The student is doing well.
- ✓ Thanked Councilman Cusimano for getting approval from the Victor Village Board for the Climb Aboard Victor Event.

The Town Clerk reported she is working on gathering information regarding the CE200 forms required by the insurance carrier for certain performers or people offering classes for the Parks & Recreation programs. She has gathered some information from surrounding townships but will research further. Right now, there are seven acts, particularly entertainment acts, that are unwilling to fill these out in their current format. Brian suggested talking with Tina to see how the town handled this process in the past.

BUSINESS:

RESOLUTION NO. 106

AMEND 2022 BUDGET INCREASING A FUND CAPITAL RESERVES FROM UNAPPROPRIATED UNASSIGNED FUND BALANCE

On motion of Councilman Condon, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, the Town of Victor A Fund Unassigned Unappropriated Fund Balance is higher than the target range per the Town of Victor Fund Balance Policy, and

WHEREAS, a Buildings and Land Fund was established on January 22, 2001, by Resolution #58 to "finance the cost of construction, reconstruction or acquisition of buildings or other property", and

WHEREAS, the Capital Reserve – R1 Buildings and Land Fund exists in the Town budget as Account A.0878.001, now, therefore, be it

RESOLVED that the Town Board approves amending the 2022 Budget to allocate excess Fund Balance in the amount of Two Million One Hundred Seventy-Five Thousand dollars (\$2,175,000) to the Capital Reserve – R1 Buildings and Land Account for possible future Town Highway facility and Town Hall reconstruction, and

	<u>TO:</u>			<u>FROM:</u>	
ACCOUNT NO.	DESCRIPTION	AMOUNT	ACCOUNT NO.	DESCRIPTION	AMOUNT
A.0878.001	Capital Reserve - R1 Buildings and Land	\$2,175,000	A.0917.000	Unassigned Fund Balance	\$2,175,000

RESOLVED, that the Town Board authorizes the Finance Director to make all necessary entries to achieve this budget amendment upon Town Board approval, and further,

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

RESOLUTION NO. 107

AUTHORIZATION FOR SUPERVISOR TO SIGN AMENDMENT TO THE NYSDOT SNOW AND ICE CONTRACT D014821 FOR ADJUSTMENTS FOR 2022/2023 SEASON

On motion of Councilman Condon, seconded by Councilman Guinan, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

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WHEREAS, The New York State Department of Transportation (NYSDOT) entered into Contract #D014821 from July 1, 2019 through June 30, 2024 with the Town of Victor to control snow and ice on State Routes 444 and 251 each winter; and

WHEREAS, due to the increase in salt prices, labor increases and fixed costs during the 2022/2023 season, the Municipality requests that the Municipal Snow and Ice Agreement be revised to reflect the contract shortages so that outstanding and future obligations can be met; and

WHEREAS, the Supervisor is requesting an adjustment for Contract D014821 for additional funds totaling Fourteen Thousand Two Hundred Eleven and Fifty-Seven cents (\$14,211.57); now, therefore, be it

RESOLVED that the Victor Town Board hereby authorizes the Supervisor to sign an Amendment to Contract #D014821 for an adjustment of additional funds totaling Fourteen Thousand Two Hundred Eleven and Fifty-Seven cents (\$14,211.57); and further

RESOLVED that a copy of this resolution be forwarded to the Town Clerk, Finance Department, Highway Superintendent and the New York State Department of Transportation.

RESOLUTION NO. 108

ACKNOWLEDGEMENT OF THE RESIGNATION OF BRIAN BOUDREAU FROM THE PART-TIME LABORER'S POSITION FOR THE TOWN OF VICTOR TRANSFER STATION

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, Brian Boudreau has been a member of the Town of Victor Transfer Station as a Part-Time Laborer since 2021, and

WHEREAS, Brian Boudreau has submitted his resignation from his position as a Part-Time Laborer for the Transfer Station to Highway Superintendent Mark Years, effective March 25, 2023; now, therefore be it

RESOLVED that the Town Board acknowledges the resignation of Brian Boudreau, Part-Time Laborer, from the Town of Victor Transfer Station effective March 25, 2023, and be it further

RESOLVED that the Town Board thanks Brian for his service and commitment to the residents of our community and wishes him all the best in his new adventures.

RESOLUTION NO. 109

ACKNOWLEDGEMENT OF THE RESIGNATION OF ADAM REITZ FROM THE FULL-TIME TRAILS
MOTOR EQUIPMENT OPERATOR POSITION

On motion of Councilman Condon, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, Adam Reitz was appointed to the Full-Time Trails Motor Equipment Operator position on April 15, 2021, and

WHEREAS, Adam Reitz has submitted his letter of resignation from the Full-Time Trails Motor Equipment Operator position effective April 7, 2023; now, therefore be it

RESOLVED that the Board acknowledges and accepts the resignation of Adam Reitz from the Full-Time Trails Motor Equipment Operator position effective April 7, 2023, and be it further

RESOLVED that Adam Reitz will move to a part-time Motor Equipment Operator position to be utilized as needed for trail projects, and be it further

RESOLVED that the Victor Town Board and the residents of Victor thank Adam Reitz for his hard work and dedication to the trails of Victor, and be it further

RESOLVED that a copy of this resolution be sent to Adam Reitz, Director of Parks & Recreation, Human Resources, and the Finance Office.

RESOLUTION NO.110

APPOINTMENT OF DYLAN REED TO THE FULL-TIME TRAILS
MOTOR EQUIPMENT OPERATOR POSITION

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, a vacancy exists in the Parks Department for a Trails Motor Equipment Operator position due to the resignation of Adam Reitz, and

WHEREAS, Dylan Reed has worked on the trails for the Town of Victor Parks Department as a Laborer, and

WHEREAS, Dylan Reed possesses the qualifications necessary to fill this position and is being recommended by the Director of Parks & Recreation; now, therefore be it

RESOLVED, that Dylan Reed be appointed to the position of Motor Equipment Operator for the Town of Victor at a Grade 5a, step A salary of Twenty-Five dollars and Forty-One cents per hour

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(\$25.41/hour), and is to be funded from the 2023 Town Budget Line Item #A.7110.100 – Parks Personal Services, with a starting date of April 10, 2023, and be it further

RESOLVED, that a copy of this resolution be forwarded to Dylan Reed, Director of Parks & Recreation, Human Resources, and the Finance Office.

RESOLUTION NO.111
APPOINTMENT OF BRITTNEY PENDER TO THE FULL-TIME
DEPUTY TOWN CLERK POSITION

On motion of Councilman Condon, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, a vacancy exists in the Town Clerks Office for a Deputy Town Clerk position due to the retirement of Roxann Ammerman, and

WHEREAS, the position was advertised, and approved applicants were selected and interviewed for this position by an interview committee consisting of Karen Bodine – Town Clerk, Kimberly Reese – Deputy Town Clerk, Councilman Drew Cusimano, and Tina Kolaczyk – Human Resources, and

WHEREAS, it was decided by the interview team that Brittney Pender possesses the qualifications necessary to fill this position; now, therefore be it

RESOLVED, that Brittney Pender be appointed to the position of Deputy Town Clerk for the Town of Victor at a Grade 5a, step A salary of Twenty-Two dollars and Thirteen cents per hour (\$22.13/hour), and is to be funded from the 2023 Town Budget Line Item #A.1410.100 – Town Clerk Personal Services, with a starting date of April 3, 2023, and be it further

RESOLVED, that a copy of this resolution be forwarded to Brittney Pender, Town Clerk, Human Resources, and the Finance Office.

Councilman Condon asked for a block of Resolutions 112 & 113, Board had no objection.

RESOLUTION NO. 112
AGREEMENT – RICH SCHAEFER (BUFFALO BLUEGRASS ALL-STARS)

On motion of Councilman Guinan, seconded by Councilman Kahovec, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Rich Schaefer (Buffalo Bluegrass All-Stars) for a concert at its Sid Partington Memorial Concert in the Park event on July 20, 2023 at Victor Municipal Park; and

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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 Rich Schaefer (Buffalo Bluegrass All-Stars) 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 fixed fee of Eight Hundred dollars (\$800.00) to be paid from the 2023 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 will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Rich Schaefer.

RESOLUTION NO.113

AGREEMENT – GROSS FAMILY INCORPORATED (ARTIST: CLAUDIA HOYSER)

On motion of Councilman Guinan, seconded by Councilman Kahovec, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Gross Family Incorporated (Claudia Hoysler) for a concert at its Taco Tuesday at Dryer Road Park event on August 15, 2023; 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 Gross Family Incorporated (Artist: Claudia Hoysler) 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 fixed fee of Seven Hundred Fifty dollars (\$750.00) to be paid from the 2023 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 will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Tony Gross, Gross Family Incorporated.

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RESOLUTION NO.114

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

On motion of Councilman Condon, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

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>
Rich Schaefer (Buffalo Bluegrass All-Stars)	Summer Concert	Victor Municipal Park	\$800.00	December 31, 2023	Insufficient Coverage
Gross Family Incorporated (Claudia Hoyser)	Summer Concert	Dryer Road Park	\$750.00	December 31, 2023	Insufficient Coverage

Now, therefore, be it

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

<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>
Rich Schaefer (Buffalo Bluegrass All-Stars)	Summer Concert	Victor Municipal Park	\$800.00	December 31, 2023	Insufficient Coverage
Gross Family Incorporated (Claudia Hoyser)	Summer Concert	Dryer Road Park	\$750.00	December 31, 2023	Insufficient Coverage

And be it

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, Tony Gross - Gross Family Incorporated, and Rich Schaefer.

RESOLUTION NO. 115

AUTHORIZATION FOR THE PURCHASE OF DUAL PEDESTAL, IN-GROUND MOUNT, THERMOPLASTIC POWDER-COATED STEEL, CANOPY PICNIC TABLES

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, the Department of Parks and Recreation has the need to purchase four dual pedestal, in-ground mount, thermoplastic powder-coated steel, canopy picnic tables; and WHEREAS, the Director of Parks and Recreation has received the following written quotes for said items;

VENDOR	PRICE QUOTE
Park Warehouse LLC	\$25,198.89
Belson Outdoors	\$29,530.92
School Outfitters	\$33,727.00

and

WHEREAS, the Director of Parks and Recreation recommends that the Town purchase four dual pedestal, in-ground mount, thermoplastic powder-coated steel, canopy picnic tables from Park Warehouse LLC at a cost of Twenty-Five Thousand One Hundred Ninety-Eight dollars and Eighty-Nine cents (\$25,198.89) per the attached price proposal; and

WHEREAS, funds are available in the 2023 Budget line item A.7183.200 Capital Parks Trust Fund – Supplies / Equipment; now therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase four dual pedestal, in-ground mount, thermoplastic powder-coated steel, canopy picnic tables from Park Warehouse LLC and said funds are available in the 2023 Budget line-item A.7183.200 Capital Parks Trust Fund – Supplies / Equipment; and further

RESOLVED that a copy of this resolution be forwarded to the Director of Parks and Recreation; Town Clerk; Director of Finance; and Rose Renaud, Park Warehouse LLC.

RESOLUTION NO. 116

PLANNING BOARD REFERRALS AND SET 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

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, the Town Board is considering adoption of the draft 2023 Sanitary Sewer Master Plan for Expansions of the Consolidated Sewer District (the "2023 Sanitary Sewer Master Plan"), which plan supplements the Sanitary Sewer Collection System Master Plan for the Town of Farmington and Town of Victor completed in August 2016 (the "2016 Farmington Victor Sewer Study"); and

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WHEREAS, the Town of Victor Comprehensive Plan adopted in August 2015 (the "Comprehensive Plan") stated that "the rapid pace of growth within Victor and associated district extensions has outstripped the capacity of many sanitary sewer pump stations as well as that of some associated mains" (Chapter 4, "Growth Management and Community Character", page 4.7); and

WHEREAS the Comprehensive Plan, noting the foregoing capacity deficiencies as well as the potential for sewer extensions to induce higher density development within areas where lower density development would be preferred (Chapter 4, page 4.13), identified a recommended strategy to "create a water and sewer infrastructure plan before approving extension of those services through other parts of the town" (Chapter 4, page 4.19); and

WHEREAS, although the 2016 Farmington Victor Sewer Study acknowledged the three-tiered system of density overlays then in effect, that study did not take into account related initiatives recommended in the 2015 Comprehensive Plan that would modify those overlays or other cautionary recommendations included in the Comprehensive Plan regarding the potential effects of sanitary sewer extensions; and

WHEREAS, a primary purpose of completing the draft 2023 Sanitary Sewer Master Plan has therefore been to supplement the information presented in both the 2016 Farmington Victor Sewer Study and coordinate it with the 2015 Comprehensive Plan relative to potential sewer district extensions so as to ensure that "community planning priorities, including asset management, growth management, and the preservation of both open space and rural character, are taken into account along with sound engineering practices in responding to requests to approve expansions of the District beyond its present boundaries" (2023 Sanitary Sewer Master Plan draft, page 1); and

WHEREAS, in order to coordinate the 2016 Farmington Victor Sewer Study and the 2015 Comprehensive Plan, the draft 2023 Sanitary Sewer Master Plan has also identified some recommended modifications to the Concept Level Future Land Use plan presented in the Comprehensive Plan on page 8.15; and

WHEREAS, the Town Board is therefore considering adopting the 2023 Sanitary Sewer Master Plan in a manner that would also amend the Comprehensive Plan as well as incorporate the 2023 Sanitary Sewer Master Plan as a Comprehensive Plan appendix; and

WHEREAS, Town Law Section 272-a (5) provides that any proposed comprehensive plan amendment prepared by the Town Board may be referred to the Town Planning Board for review and recommendation before action by the Town Board; and

WHEREAS, General Municipal Law Section 239-m and Town Law Section 272-a (5) require that the Town Board shall refer an amendment of a comprehensive plan pursuant Town Law Section 272-a to the Ontario County Planning Board before taking final action; and

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WHEREAS, Town Law Section 272-a (6) provides, in the event that the Town Board prepares an amendment to the Comprehensive Plan, that the Town Board shall first hold one or more public hearings prior to adoption of such proposed amendment; and

WHEREAS, relative to prior environmental reviews, some aspects of the 2023 Sanitary Sewer Master Plan now being considered for adoption and the associated amendments to the Comprehensive Plan were neither anticipated nor evaluated in the Generic Environmental Impact Statement ("EIS") and associated State Environmental Quality Review ("SEQR") completed by the Town Board in 2015 relative to adoption of the Comprehensive Plan despite the inclusion within that action of an implementation activity (Ch. 5 Strategy 17 entitled "Develop and Maintain Community Development Plans") that called for the development and adoption of a "Sanitary Sewer and Public Water Master Plan"; and

WHEREAS, the Town Board may need, therefore, to complete some additional environmental review of the action now being considered and its potential impacts given that the limitations of the generic environmental review completed in 2015; and

WHEREAS, in order to comply with SEQRA, the Town Board must make a preliminary classification of the Action now being considered as Type I, Unlisted or Type II; and

WHEREAS, relative to the SEQR classification of this present Action, the proposed adoption of the 2023 Sanitary Sewer Master Plan could be characterized as the adoption of a "comprehensive resource management plan" as the term is used in the regulations governing environmental reviews (6 NY-CRR 617.4 (b)(1)) to describe an action that should be classified as a Type I action; and

WHEREAS, also relative to classification of this Action, the adoption of the 2023 Sanitary Sewer Master Plan could also be characterized as a limited form of the adoption of a "municipality's land use plan" as the term is used in the regulations governing environmental reviews (6 NY-CRR 617.4 (b)(1)) to describe an action that should be classified as a Type I action; and

WHEREAS, relative to the involvement of other agencies, the Action being considered is not one in which more than one agency is involved; and

WHEREAS, relative to lead agency status, regulations governing the required environmental review (6 NY-CRR 617.6 (b)(1)) provide that, when a single agency proposes to undertake, fund or approve a Type I or Unlisted action that does not involve another agency, that single agency will be the lead agency; and

WHEREAS, relative to coordination, the requirement imposed upon lead agencies in the regulations governing environmental reviews (6 NY-CRR 617.4 (b)(3)) to coordinate a review with other agencies is inapplicable when only a single agency is involved; and

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WHEREAS, the Town's engineering and planning consultant, LaBella Associates, has prepared and submitted for the Town Board's consideration and review Part 1 of a SEQR Full Environmental Assessment Form ('Full EAF') describing the Action now being considered; now, therefore, be it

RESOLVED that the Action now under consideration does include, in addition to the proposed adoption of the 2023 Sanitary Sewer Master Plan, the following proposed amendments to the Comprehensive Plan recommended in the 2023 Sewer Master Plan:

- Amendment of the Comprehensive Plan so as to modify both the Concept Level Future Land Use plan now presented on page 8.15 of the Comprehensive Plan as well as the Concept Level Future Land Use Potential Density Changes map now presented on page 8.16 of the Comprehensive Plan so as to make it consistent with Figure 13 of the 2023 Sanitary Sewer Master Plan, which figure is entitled "2023 Modified Future Land Use Plan Map"; and
- Amendment of the Comprehensive Plan to incorporate the 2023 Sanitary Sewer Master Plan as a Comprehensive Plan appendix; and it is further

RESOLVED that the Town Board hereby makes a preliminary classification under SEQRA of the Action now being considered as a Type I action; and it is further

RESOLVED that the Town Board, as the only agency involved in the action now being considered and as an agency proposing to undertake, fund or approve said action, is therefore the lead agency under SEQRA; and it is further

RESOLVED having reviewed the Full EAF Part 1 prepared by LaBella Associates, the Town Board hereby accepts the same; and it is further

RESOLVED that the proposed amendments to the Comprehensive Plan recommended in the 2023 Sanitary Sewer Master Plan as described above are hereby referred to both the Town Planning Board and the Ontario County Planning Board for their review and recommendation; and it is further

RESOLVED that a Public Hearing regarding the 2023 Sanitary Sewer Master Plan now being considered for adoption as well as the associated amendments to the Comprehensive Plan recommended in the 2023 Sanitary Sewer Master Plan shall be held on May 8, 2023, at 7 PM EST at the Victor Town Hall located at 85 E. Main Street, Victor, NY; and it is further

RESOLVED that the Town Clerk shall provide and publish such notice(s) of the Public Hearing(s) scheduled herein as are required under the Town Zoning Code, the NY Town Law and the and General Municipal Law.

RESOLUTION NO. 117

SOUTHGATE HILLS 2 (UTILITY ONLY) RELEASE 4

On motion of Councilman Cusimano, seconded by Councilman Kahovec, the following resolution was adopted.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

WHEREAS, upon Riedman Acquisitions 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 March 22, 2023 letter, the Town Engineer recommended that Twenty-Three Thousand One Hundred Fourteen dollars and Ninety-Five cents (\$23,114.95) 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. 4** on the Tompkins Community Bank Irrevocable Letter of Credit in the amount Twenty-Three Thousand One Hundred Fourteen dollars and Ninety-Five cents (\$23,114.95) be conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Two Hundred Twenty-Three Thousand Nine Hundred Eighty-Five dollars and Forty-Six cents (\$223,985.46) in said Letter of Credit; and further

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

Public Comments or Concerns: None

ADJOURNMENT:

With no further business to come before the Board tonight, a motion was made by Councilman Guinan, seconded by Councilman Cusimano to adjourn the regular Town Board meeting at 7:26PM.

Respectfully submitted,

Karen C. Bodine
Town Clerk