

VICTOR TOWN BOARD MEETING, MONDAY MAY 10, 2021

The Victor Town Board and Special meeting of May 10, 2021 was held in the Victor Town Hall Main Meeting Room and also live streamed via YouTube with text commenting available.

SPECIAL MEETING- 6:30PM a Town Board Executive Meeting was held to discuss Town Certiorari Matters that are currently being negotiated for settlement or heading towards litigation.

PRESENT: Supervisor Marren, Councilman Condon, Councilman Kahovec, Councilman Guinan, Councilman Cusimano, Marlene Murnan- Assessor, and Shelia Chalifoux-Attorney

**RESOLUTION #133 MOTION TO OPEN EXECUTIVE SESSION**

Time: 6:30 PM

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

5 Ayes: Marren, Condon, Kahovec, Guinan, Cusimano      0 Nays

RESOLVED that the Victor Town Board enter into Executive Session for proposed, pending or current litigation.

**RESOLUTION#134 RESOLUTION APPROVING SETTLEMENT OF PENDING TAX ASSESSMENT LITIGATION WITH MSF EASTGATE-I, LLC FOR PROPERTY LOCATED AT 10-60SQUARE DRIVE AND WITH VICTOR SQUARE RETAIL, LLC FOR PROPERTY LOCATED AT 4-20 COMMERCE DRIVE**

On motion of Councilman Condon, seconded by Councilman Kahovec the Victor Town Board resolved to approve settlement of the Town's pending assessment litigation matters with MSF Eastgate-I, LLC (relating to property located at 10-60 Square Drive) and with Victor Square Retail, LLC (relating to property located at 4-20 Commerce Drive) in accord with the terms of the proposed Settlement Agreements and resolved to authorize Chalifoux Law, PC to execute all documents necessary to effectuate said settlements.

5 Ayes: Marren, Condon, Kahovec, Guinan, Cusimano      0 Nays

**RESOLUTION #135 MOTION TO CLOSE EXECUTIVE SESSION**

Time: 6:59PM

On motion of Councilman Guinan seconded by Councilman Kahovec, the Executive session of the Victor Town Board was closed.

5 Ayes: Marren, Condon, Kahovec, Guinan, Cusimano      0 Nays

A regular meeting of the Victor Town Board was held on May 10, 2021 at 7:00PM with the following Board Members present:

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PRESENT: Supervisor Jack Marren Councilman Drew Cusimano  
 Councilman Dave Condon Councilman Ed Kahovec  
 Councilman Mike Guinan

OTHERS PRESENT VIA VIDEO CONFERENCE: Karen Bodine - Town Clerk, Suzy Mandrino- IT, Rich O'Donnell- Finance Director, Mark Years – Highway, Steve Metzger- LaBella Associates, Kevin Overton- Attorney, Tim Terranova- Victor High School Superintendent, Tom Zuber- Auditor, Babette Huber- Historian, David Nankin, and Josh Raymor.

Supervisor Marren called the regular meeting of May 10, 2021 to order at 7:05pm

Flag Salute:

**Supervisor Announcements:**

- Working with the American Legion to put together a potential Memorial Day Parade. This would be a car parade similar to the one the High School just had honoring the Senior Class.

**RESOLUTION #136 APPROVAL OF MINUTES**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the minutes for April 26 2021 be adopted.

**RESOLUTION #137 PAYMENT OF BILLS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the bills be approved for Manifest #9 in the amount of \$122,691.56  
 Documentation for these expenditures can be found on vouchers filed by numbers #20210769-20210854.

Manifest #9	
General Townwide	\$58,177.55
General Outside Village	\$10,200.95
Highway Townwide	\$54,313.06

Supervisor Marren reviewed the following expenditures for Manifest #9 that were in the range or exceeded \$10,000.00.

- American Rock Salt Co LLC – Road salt
- Edmunds GovTech – Software Annual Renewal
- Integrated Systems – May hosting
- MVP Health Care, Inc. – May Employee and Retiree health insurance

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- Noco Energy – Diesel fuel

**PRIVILEGE OF THE FLOOR:**

- Tom Zuber, Mengel, Metzger Barr & Co LLP – Tom gave the brief overview of the financial results for the 2020 Town Audit. The report consisted of 65 pages. The audit showed no material weaknesses and no significant deficiencies, with the town ending up in a good financial position. Sales tax came in much stronger than anticipated, noting a lot had to do with the tax on internet sales. Tom also talked about the federal stimulus money that will be coming into the towns. Long term stabilization with regards to capital reserve money is very positive. Tom gave a breakdown of revenue and expenditures and fund balance. Due to the uncertainty of the year in regards to the budget expenditures were down in the highway budget for projects. Key Note: the Town is in a positive net position. A few minor procedural recommendations to enhance the checks and balances already in place. Continued monitoring of cyber risks was recommended by the audit and to document the process in writing. A report of the Town Courts had very positive results. Supervisor Marren explained that Suzy Mandrino and Rich O'Donnell met with Tom to take notes to follow up on what needs to be done with cyber risks and working with Integrated Systems.
- Dr. Tim Terranova - Victor Central School District Superintendent – Tim gave a brief update on the VCS School Budget and noted the upcoming School Budget Vote which will take place on Tuesday May 18<sup>th</sup>. Tim noted the goals of the budget: maintain a comprehensive education that the VCS community expects, stabilize reserves, and maximizes efficient spending. He noted the high school is ranked in the top 4% of schools in the state for its graduation rates, music education programs and sports with scholar athlete distinction in every single varsity sport. Noting this school district has been strong for many years. The budget will not exceed the tax cap this year as in the previous year. Two positive reasons, significant additional sustainable state aid called foundation aid in the amount of \$2.4 million and additional onetime stimulus money. With this additional revenue the school can start to add instructional staffing to the under staffed areas to help support the students at a higher level without impacting the taxes of the community. Adding reading support, special education services, and two additional social workers to support the mental health needs of students. Additional cleaners will be added, increase technology support, federal stimulus money will provide one chrome book for each student. The school is paying on a 2 million dollar debt based on some of the recent capital projects because there was not enough money in the capital reserves, the school had to bond to cover the projects. The approximate tax rate will be going from \$17.08 to \$17.78 and hopeful it will go down by September. Total Budget is \$83,218,489 and a school bus proposition of \$977,036.00. Looking to re-establish capital reserve and establish a technology reserve and also the Victor/Farmington Library Vote. Supervisor Marren thanked Tim Terranova and noted that he did inherit a financial situation as a new superintendent. Thanked the superintendent for bringing the students back to school and elated that the federal government has supported all the school districts after going through such a financially difficult time with the pandemic.

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Councilman Condon commented good job and asked a question about the foundation aid and was this like a save harmless guarantee. The additional \$2.4 million in federal aid will be the amount going forward with the changes that were made to the formula because Victor's formula for aid was based on numbers from 2008.

- Babette Huber – Historian addressed the Board to give an update on the Past Perfect software that the Town purchased in 2017 to manage the permanent historical collection. Wilma Townsend was hired part-time to use this software. Wilma has a master's degree in museum studies and is the Curator at the Ontario County Historical Society. Wilma has put about 2,000 items into the program. The program allows the documentation of each photo, each document and artifact individually. Babette gave a couple of examples of some community names she looked up. Babette commended Wilma and the Board for this project so the Town's historical records can be preserved forever and we need to keep updating these records.

**PUBLIC COMMENT:** *None*

**REPORTS OF TOWN OFFICIALS:**

Historian Highway Parks & Recreation Town Clerk  
 Supervisor- two letters about round-a-bouts at County Road 9 and Lynaugh Road and Railroad Road between 251 and Victor Insulators a request through Congressman Jacob's office.

**Supervisor's Verbal Report:**

- There will be a Sewer and Overlay Workshop at 6:00PM before the May 24<sup>th</sup> Town Board Meeting. Will be looking for direction from the Board for possible infrastructure improvements
- Kathy Rayburn- draft MOU in mailboxes that Frank Pavia assisted her with and looking for feedback from the Board to give authorization for Supervisor to sign agreement.
- Friday will be the last control room meeting that started about a year ago in the nine county region. Very informative group and built great relationships with other counties.
- Letter to Empire State Development – state looking to retrieve the million dollars that went towards the Fishers Ridge (DiMarco Group) project a few years ago. Phone conversation set for tomorrow with Empire State Development.

Councilman Kahovec asked about the positivity rate for our region. Supervisor Marren noted that it has been up and down. Countywide working to vaccinate the homebound and in addition going around to companies in the areas to offer the vaccine to employees. Some companies offering a stipend to employees who get vaccinated. Supervisor Marren noted that Ontario County Health Department will be going to some companies in Victor and Canandaigua to vaccinate employees.

**RESOLUTIONS**

**Court**

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**RESOLUTION #138 CONTRACT AND SERVICE AGREEMENT - LINEAGE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Town Court has the need to replace the existing copier which no longer meets its needs; and

WHEREAS, through Sourcwell Cooperative Purchasing, member ID#96578, a NYS approved source, the Konica Minolta Bizhub 450i copier from Lineage is available; now, therefore, be it

RESOLVED the Town Board authorizes the Supervisor to purchase a Konica Minolta Bizhub 450i copier in an amount of Five Thousand Seven Hundred Fifty Dollars (\$5,750.00) and a 60 month Maintenance Service Agreement at a per click charge of \$.0059 per copy from Lineage through Sourcwell Cooperative Purchasing, member ID#96578, a NYS approved source to be paid from the 2021 Budget Line item A.1110.200 Justice. Equipment; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Department, Town Clerk, IT, Town Courts, and Mike Milligan at Lineage.

**Finance****RESOLUTION #139 BUDGET TRANSFER - FUND PURCHASE OF TOWN COURTS COPIER**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the purchase of the Town Courts copier was not included in 2021 budget; and

WHEREAS, the Finance Director has identified available funds in the 2021 budget in lines A.1670.400 Central Mail & Print. Contractual in the amount of Two Thousand Six Hundred dollars (\$2,600.00) and in A.1355.800 Assessor. Employee Benefits in the amount of Three Thousand One Hundred and Fifty dollars (\$3,150.00), therefore, be it

RESOLVED the Town Board authorize a budget transfer for a total of Five Thousand Seven Hundred and Fifty dollars (\$5,750.00) line A.1110.200 Justice Equipment for the purchase of the Town Courts copier, from budget lines A.1670.400 Central Mail & Print. Contractual in the amount of Two Thousand Six Hundred dollars (\$2,600.00) and in A.1355.800 Assessor. Employee Benefits in the amount of Three Thousand One Hundred and Fifty dollars (\$3,150.00); and

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

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

**RESOLUTION #140 REIMBURSE PREPAYMENTS - COMPLETED OR INACTIVE CHARGEBACK ACCOUNTS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Finance Director, in coordination with the Planning & Building Department Project Coordinator, has reviewed developer chargeback accounts with prepayment (credit) balances; and

WHEREAS, two accounts have been identified that have prepayment balances and no further engineering or legal charges are anticipated to apply against these prepayment balances; now, therefore, be it

RESOLVED that upon Town Board approval the Finance Director will reimburse the developers identified below for any remaining prepaid (credit) balances, and close these inactive accounts:

Kimberly Wilson - Hobby Lobby Facade  
Marcelo Kohan - Home Depot Canopy; and be it further

RESOLVED that a copy of this resolution will be forwarded to the Project Coordinator, Town Clerk and Finance Director.

**RESOLUTION #141 ACCEPT FUNDS - VICTOR GARDEN CLUB**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Department of Parks and Recreation received a donation from the Victor Garden Club for the purchase of flowers for the Four Corners, Town Hall, and Rawson Road Complex in association with its civic beautification efforts; and

WHEREAS, on April 12, 2021 the Town Board approved Resolution #119 – Purchase Flowers and Plant Material for said project; now, therefore be it

RESOLVED that the Town Board accepts these funds support of the Civic Beautification project in the amount of One Hundred dollars (\$100.00) and authorizes the Finance Director to increase the revenue line A2705 Gifts and Donations by One Hundred dollars (\$100.00) in the 2021 Budget in addition to an offsetting increase in the expense line A7110.400 Parks. Contractual of

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One Hundred dollars (\$100.00). All budget entries to be completed upon board approval; and further

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

### Highway

#### **RESOLUTION #142 PURCHASE GANTRY CRANE - HIGHWAY DEPARTMENT**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Highway Department has the need to purchase a Gantry Crane and electric hoist; and

WHEREAS, a request for proposal was sent to three (3) supply companies for quotes on a Gantry Crane with electric hoist; and

WHEREAS, the following vendors responded to the Request for Proposal as follows:

LCI Industrial	\$11,170.00 plus freight
Global Industrial	Unable to quote
HM Cross & Sons	\$12,435.00

Now, therefore, be it

RESOLVED that the Town Board authorizes the Highway Superintendent to purchase the Gorbel Gantry Crane and Electric Hoist for Eleven Thousand One Hundred Seventy dollars (\$11,170.00) plus freight to be paid from the 2021 Budget Line item DB.5130.200 Machinery. Equipment; and further

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

### Human Resources

#### **RESOLUTION #143 APPOINT CAMERON BENDER - VICTOR CEMETERY PRESERVATION & RESTORATION COMMITTEE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, Cameron Bender approached the Victor Cemetery Preservation and Restoration Committee with an interest in becoming a member; and

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WHEREAS, the Town Board and the Victor Cemetery Preservation and Restoration Committee reviewed Cameron Bender's background and voted that he would be a welcome addition to this committee; now, therefore be it

RESOLVED that Cameron Bender be appointed to the Victor Cemetery Preservation and Restoration Committee; and be it further

RESOLVED that a copy of this resolution be sent to Cameron Bender, Robert Kelly, Town Historian, Town Clerk, and Human Resources

**RESOLUTION #144 APPOINT JOSEPH RAPCHICK - BOARD OF ETHICS CHAIR**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Board of Ethics members have appointed Joseph Rapchick as the Chairperson for the Board of Ethics for a term beginning on April 1, 2021 and ending on December 31, 2022; and be it further

RESOLVED that a copy of this resolution be sent to Joseph Rapchick, Town Clerk, and Human Resources.

**Parks & Recreation**

**RESOLUTION #145 REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

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>

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Greg Munro	Concert in the Park	Victor Municipal Park	\$500.00	August 31, 2021	Insufficient Coverage
Mark Rust	Concert in the Park	Mead Square Park / Library	\$600.00	August 31, 2021	Insufficient Coverage
Michael Cosco	Concert in the Park	Victor Municipal Park	\$1,100.00	August 31, 2021	Insufficient Coverage

now, therefore be it

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

<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>
Greg Munro	Concert in the Park	Victor Municipal Park	\$500.00	August 31, 2021	Insufficient Coverage
Mark Rust	Concert in the Park	Mead Square Park / Library	\$600.00	August 31, 2021	Insufficient Coverage
Michael Cosco	Concert in the Park	Victor Municipal Park	\$1,100.00	August 31, 2021	Insufficient Coverage

and be it further

RESOLVED that a copy of this resolution be sent to the Director of Parks and Recreation, Town Clerk, Greg Munro, Michael Cosco, and Mark Rust.

**RESOLUTION #146 AGREEMENT - BLUE APPLE PRODUCTIONS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Department of Parks and Recreation seeks to offer an outdoor movie 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 Blue Apple Productions to provide all necessary equipment and staffing for an outdoor movie showing including inflatable twenty-four foot by fourteen foot screen, blowers / anchors / cords, video / projection, audio / speakers, FM transmission to vehicles, and attendants to support said services to be held on Saturday, August 28, 2021 from sunset – 11:00 pm; and

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

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RESOLVED that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Blue Apple Productions 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 Seven Hundred Ninety Five dollars (\$1,795.00) to be paid from the 2021 Budget Line item A7550.400 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 the Director of Parks and Recreation, Finance Director, Town Clerk, and Steve Korchynsky, Blue Apple Productions.

**RESOLUTION #147 AGREEMENT - GREG MUNRO (HEY MABEL)**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

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 Greg Munro (Hey Mabel) to provide music and a sound system for a concert to be held on Thursday, July 29, 2021 from 7:00 – 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 Greg Munro (Hey Mabel) 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 Five Hundred dollars (\$500.00) to be paid from the 2021 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 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, Economic Development Director, and Greg Munro.

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**RESOLUTION #148 AGREEMENT - MARK RUST**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

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 Rust to provide music and a sound system for a concert to be held on Tuesday, August 10, 2021 from 11:00 am – 12:30 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 Mark Rust 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 Six Hundred dollars (\$600.00) to be paid from the 2021 Operating Budget line item A7550.400 Celebrations. Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker 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 Mark Rust.

**RESOLUTION #149 AGREEMENT - MELISSA MCCABE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Department of Parks and Recreation seeks to offer instruction in running for youth 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 Melissa McCabe to provide instruction in running for youth at dates, times and locations which are mutually agreed upon by the Contractor and the Director of Parks and Recreation; 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 Melissa 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 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 2021 Budget Line item A.7020.400 Recreation Programs. 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 the Director of Parks and Recreation, Finance Director, Town Clerk, and Melissa McCabe.

**RESOLUTION #150 AGREEMENT - MICHAEL COSCO (MR.MUSTARD)**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

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 Michael Cosco (Mr. Mustard) to provide music and a sound system for a concert to be held on Thursday, July 22, 2021 from 7:00 – 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 Michael Cosco (Mr. Mustard) 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 One Hundred dollars (\$1,100.00) to be paid from the 2021 Budget line item A.6420.400 Economic Development. Contractual; and further

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RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker and the Attorney for the Town; and further

RESOLVED that a copy will be forwarded to Director of Parks and Recreation, Finance Director, Town Clerk, Economic Development Director, and Michael Cosco.

**RESOLUTION #151 AGREEMENT - BAYER LANDSCAPE ARCHITECTURE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, it is the desire of the Town Board, the Department of Parks and Recreation and the Parks and Recreation Citizens' Advisory Committee to develop a design for a future dog park and related site improvements at Harlan Fisher Park in accord with the (2019) Parks and Recreation Master Plan which reflects the needs and desires of our residents; and

WHEREAS, the Director of Parks and Recreation and the Parks and Recreation Citizens' Advisory requested a proposal for professional services from Bayer Landscape Architecture for design services including project programming, preliminary site analysis and evaluation, base mapping / survey, project advisory team meetings, a community outreach event, and a final comprehensive schematic design plan including a proposed cost estimate for construction of the dog park; and

WHEREAS, it is the recommendation of the Director of Parks and Recreation and Parks and the Parks and Recreation Citizens' Advisory that the Town retain Bayer Landscape Architecture for said design services; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to enter into agreement with Bayer Landscape Architecture to develop a design for a future dog park and related site improvements per the proposed scope of services in an amount not to exceed Twenty Thousand Dollars (\$20,000.00) to be paid from the 2021 Budget Line item CP7183.200 Parks-Parks Trust. Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Director of Parks and Recreation, Town Clerk, Director of Finance, Parks and Recreation Citizens' Advisory Committee and Mark Bayer / Joshua Raymor, Bayer Landscape Architecture.

**PUBLIC COMMENT or ANY UNFINISHED BUSINESS:** *None*

**ADJOURNMENT:**

With no further business to come before the Board tonight, motion was made by Councilman Guinan, seconded by Councilman Condon to adjourn the meeting at 8:02PM.

Respectfully submitted,

Karen C. Bodine  
Town Clerk