

VICTOR TOWN BOARD MEETING, MONDAY MAY 24, 2021

A Workshop for the Residential Overlay Districts Density (Sewer Master Plan) was held at 6:00PM on May 24, 2021 before the regular Town Board meeting in the Victor Town Hall Main Meeting Room. This was also live streamed via YouTube with text commenting available.

PRESENT: Supervisor Marren, Councilman Condon, Councilman Kahovec, Councilman Guinan, Councilman Cusimano, Wes Pettee, Bob Cantwell, Maura Steed, Jerry Knaus, David Riedman, David Nankin.

A regular meeting of the Victor Town Board was held on May 24, 2021 at 7:00PM with the following Board Members present:

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

OTHERS PRESENT: Karen Bodine - Town Clerk; Kevin Overton- Attorney; Suzy Mandrino- IT; Rich O'Donnell- Finance Director; Barb Cole, Mark Years – Highway; Steve Metzger- LaBella Associates; David Nankin, Ed Flynn.

**Supervisor Marren** called the regular meeting of May 24, 2021 to order at 7:02pm and asked all present to join in a salute to the flag.

**Supervisor Announcements:**

- Town Employee Birthdays for the month of June
- Father's Day on June 20<sup>th</sup>
- During the months of June, July and August will be going to the summer Town Board Meeting Schedule- one in person meeting per month, last meeting of each month. The first meeting of the month is for the payment of the bills only. If there is a situation where some type of action needs to be considered by the Board, this will be made public. Supervisor Marren announced at the first meeting in June to pay bills there will be a resolution for the Board to accept the Town's Audit Report.
- Zoom meetings for the first meetings of the month in the summer. Looking at a time frame of 8-8:30am. Councilman Kahovec noted that he may not be available at that time due to his work schedule.

**RESOLUTION #154 APPROVAL OF MINUTES**

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 minutes for the regular Town Board Meeting of May 10, 2021 and the Special Town Board Meeting Minutes of May 17, 2021 be adopted as one resolution.

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**RESOLUTION #155 PAYMENT OF BILLS**

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

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

RESOLVED that the bills be approved for Manifest #10 in the amount of \$141,394.10  
Documentation for these expenditures can be found on vouchers filed by numbers #20210855-20210946.

	Manifest #10
General Townwide	\$94,159.69
General Outside Village	7,020.25
Highway Townwide	27,156.94
Sanitary Conveyance Capital Improvement Project	550.00
Total of Lighting Districts	459.47
SS Consolidated Sewer Fund	95.00
Trust & Agency	11,952.75

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

- American Rock Salt – Road salt \$9,468.83
- B & M International LLC– June Court facility rent - \$9,375.00
- Bluestone Creek Development LLC – June rent Parks & Recreation facility - \$13,750.00
- Grassland Equipment – Lawnmower - \$ 12,370.32
- Harris Beach – April attorney fees - \$ 11,062.00
- Labella Associates PC – April engineering fees – \$15,290.00
- Mengel, Metzger, Barr – Annual Audit Fee - \$ 8,725.00
- Noco Energy – Diesel fuel - \$5,075.83
- REL COM, Inc. – Phone Replacement - \$ 7,963.00

**PRIVILEGE OF THE FLOOR:**

- **Ed Flynn** from LaBella Associates addressed the Board with information about potential for grant money from the Community Development Block Grant (CDBG) Federal CARES Act. He has been working with Kathy Rayburn on this grant which will provide funding for small business assistance in the Town of Victor. There was a survey that went out and forty five businesses returned feedback that they do need help. The grant which will be applied for is \$500,000.00 and will provide up to \$35,000 per business and is hoping to help between 10-15 businesses in the Town. The process is two step with a preliminary application to the State that was reviewed and approved. With that approval and invite to submit a full application, it is a good indication that the funding will be granted. As part of the process, there will be a public hearing. The program is a first come, first serve program and once the funding is received it must be spent in twelve months. The primary beneficiaries of the program need to be low to moderate income businesses in

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the Town. There will be a committee set up to accept and rank the applications to award the funding. There will be 60 million dollars available statewide for funding and 30 million dollars available for non-entitlement communities like Victor. This program directly benefits low to moderate income businesses. Councilman Kahovec would like to participate with this program when the time comes.

- **Kathy Rayburn** was unable to make the meeting tonight, but Supervisor Marren read aloud an update on the grant money through the GCT council and the UPWP program. The goal is to build on the Access Management plan that was completed in May of 2019 and project approval was received in March of 2021. The completed project will go deeper than the Access Management Plan by providing concept level designs for future infrastructure improvement projects. The total project cost is \$85,000. Grant funding received is \$81,000 with a cash match of \$4,000. The RFP went out in May with an estimated time of completion to be September of 2022.

**PUBLIC COMMENT:** *None*

**REPORTS OF TOWN OFFICIALS:**

- Finance- expense and revenue reports
- Economic Development Victor Connectivity & Access Plan – UPWP funding
- IT

**Supervisor Marren** gave Board Members information on volunteering projects, state legislation to pass the EMS protection act, and recent audits for the V/F Ambulance. Jim Hood from the V/F Ambulance Corp. will be attending a meeting in June or July to address the board. Smoking ordinances in our Town Parks will have to be changed due to the marijuana legalization. Councilman Kahovec brought up dispensaries in the town and decisions that will need to be made at some point regarding locations in the town and village. Harris Beach has put together some information analyzing the law on this with more to follow.

**Supervisor's Verbal Report:**

- Unsafe Structure at 7395 Modock Road has been removed
- A moment of history, Fishers Fire District to celebrate 100 years of service. Plans are underway to commemorate this accomplishment
- Recognition of a couple of town residents who have really driven the pickleball project- Keith Shields and Jerry Colyer.
- FLMHIT meeting last Tuesday our Victor Wellness Committee introduced the Community Health Magazine
- New Town Face Mask Policy
- Lieutenant Cusimano gave a firsthand perspective of the collaboration between the Victor Farmington Ambulance and the Fishers Fire District in a recent case with an elderly resident in Cobblestone.
- Memorial Day Parade and Ceremony will be on Monday May 31<sup>st</sup> at 10:00am

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**Councilman Kahovec** asked about the property at 7395 Modock Road and whether it was a commercial entity in a residential area due to the items out in back of the property.

**Supervisor Marren** announced this was Barb Cole's last Board Meeting. Last week the employees had a nice get together for her retirement in the Main Meeting Room. He complemented Barb and noted her choice to move money earned the town interest as well as earning interest for the Health Consortium. He expressed that it has been a pleasure working with her and the Board echoed the supervisor's comments and congratulated her.

#### **Committee Reports:**

- **Councilman Cusimano** commented and had a concern about his 3 year old daughter being required to wear masks while participating in the Victor Parks & Recreation outdoor soccer and lacrosse program.

**Councilman Condon** noted that the school policy is to wear the masks as tolerated.

**Supervisor Marren** noted that the county came out and vaccinated 200 individuals and about 180 were under 18 years of age.

**Councilman Kahovec** had a quick note from the Conservation Board. The O'Neil property on Strong Road is selling off 7 lots to 7 different individuals. All 7 people were on a Zoom meeting asking questions on how each property will fit into a conservation easement and what will it look like. This is a unique situation as most of the time a developer has the property all set up on how things will be built.

## **RESOLUTIONS**

### **Finance**

#### **RESOLUTION #156 BUDGET TRANSFER - PARKS TRUST**

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

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

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:

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	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.

**RESOLUTION #157 BUDGET AMENDMENT - REPAIRS TO FISHERS PARK TENNIS AND PICKLEBALL COURTS**

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

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

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

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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.

**Highway****RESOLUTION #158 PURCHASE UNLEADED GASOLINE AND DIESEL FUEL - TOWN OF FARMINGTON**

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

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

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.

**RESOLUTION #159 PURCHASE NEW FUEL MANAGEMENT SYSTEM**

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 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	\$85.00 (Paid to Fuelcloud)

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		one time set up fee of \$350 and \$75 freight charge)	
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.

### **Human Resources**

#### **RESOLUTION #160 CONTRACT - CINTAS FIRST AID & SAFETY**

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 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

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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.

### **Parks & Recreation**

#### **RESOLUTION #161 REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS**

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 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 providers:



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<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.

**RESOLUTION #162 AGREEMENT - BOB STOKES**

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 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

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

**RESOLUTION #163 AGREEMENT - BRIAN REGAN (THE EARTHTONES)**

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 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).

**RESOLUTION #164 AGREEMENT - MARC BERGER AND RIDE**

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

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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.

**RESOLUTION #165      BENJAMIN GORDNER - FLINT CREEK BAND**

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 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

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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.

**RESOLUTION #166 AGREEMENT - SALVATORE'S PIZZERIA**

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 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).

**RESOLUTION #167 PURCHASE ENGINEERED WOOD FIBER (PLAYGROUND SAFETY SURFACING)**

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

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

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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 re-surfacing 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.

**RESOLUTION #168 AGREEMENT- SUPER SEAL SEALCOATING**

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 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

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(\$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.

**RESOLUTION #169 RENTAL OF PAVER AND OPERATOR - FISHERS PARK TENNIS AND PICKLEBALL COURTS PROJECT**

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 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.

**RESOLUTION #170 LIMITED PERMISSION ALCOHOLIC BEVERAGE PERMIT**

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 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

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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 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>, and August 5<sup>th</sup>, 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.

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

**RESOLUTION #171 MOTION TO MOVE INTO EXECUTIVE SESSION**

Attendees: Town Board & Attorney Kevin Overton

Time: 7:41PM

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 Victor Town Board enter into Executive Session for proposed acquisition/sale/lease of real property when publicity might affect the value

*No Action Taken*

**RESOLUTION #172 MOTION TO CLOSE EXECUTIVE SESSION**

Time: 8:12PM

## VICTOR TOWN BOARD MEETING, MONDAY MAY 24, 2021

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

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

**ADJOURNMENT:**

With no further business to come before the Board tonight, motion was made by Councilman Guinan, seconded by Councilman Kahovec to adjourn the meeting at 8:12PM.

Respectfully submitted,

Karen C. Bodine  
Town Clerk