

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

Supervisor Marren called the regular meeting to order @ 7:04PM.

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 or outside. Emergency exits were pointed out. The meeting was also live streamed via YouTube with text commenting available.

Flag Salute

PRESENT: Supervisor Marren
Councilman Guinan
ABSENT: Councilman Kahovec

Councilman Cusimano
Councilman Guinan

ALSO PRESENT: Karen Bodine- Town Clerk; Frank Pavia- Attorney; Mark Years- Highway Superintendent; Rich O'Donnell- Finance Director; Brian Emelson- Parks Director; Suzy Mandrino-IT; Wes Pettee- LaBella Associates; Jerry Watkins- BRW of Greece, LLC; Linc Swedrock- BME; Keith Maynard; Peter Vars; Peter Passero; Rob Cain- CSD Housing; Mike Seaman- Christa Construction; David Nankin.

SUPERVISOR'S ANNOUNCEMENTS:

- Councilman Kahovec necessarily absent.
- Employee Birthdays for the month of October
- All Town operations will be closed on Monday, October 10th
- Next Town Board Meeting will be Tuesday, October 11th
- Early Voting starts on October 29th here at the Town Hall

APPROVAL OF MINUTES

On motion of Councilman Condon, seconded by Councilman Guinan, the September 12, 2022, Town Board meeting minutes were accepted. The August 29th and the September 6th Budget Workshop minutes were accepted on motion of Councilman Guinan, seconded by Supervisor Marren. Motions Carried.

4 Ayes 0 Nays (Marren, Cusimano, Condon, Guinan)

1 Abstain Councilman Condon on 8/29th & 1 Abstain Councilman Cusimano on 9/6th.

PAYMENT OF BILLS

On motion of Councilman Cusimano, seconded by Councilman Guinan, Manifest #18 in the amount of \$323,060.27 was approved. Motion carried.

4 Ayes 0 Nays (Marren, Condon, Cusimano, Kahovec)

Documentation for these expenditures can be found on vouchers filed by numbers #20221730-1888.

General Townwide	\$116,986.60
General Outside Village	23,134.73

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

Highway Townwide	142,149.94
Lighting Districts	5,466.50
SS Consolidated Sewer Fund	14,282.50
Trust and Agency	21,040.00

Supervisor Marren reviewed the following expenditures for Manifest #18 that were in the range or exceeded \$5,000.00.

- Alliance Door – Hwy. & PR Annual Maintenance - \$7,544.25
- B & M International LLC – October Rent Courts facility - \$10,275.00
- Bluestone Creek Develop. – October Rent Parks/Rec. facility - \$13,750.00
- Guardian – September & October Dental - \$9,669.76
- Labella Associates PC – Professional Services for August – \$58,875.00 (Chargeback to developers \$19,960.00 cost to the Town \$38,915.00)
- Lehigh Hanson – Re-profiling several Town roads - \$31,282.63
- Macedon Excavating & Paving – Racoon Run and Deer Crossing Paving Projects - \$47,976.91
- MVP Health – October Healthcare Employees/Retirees - \$63,461.91
- Nocco Energy – Diesel Fuel for August & September \$11,762.10
- RG&E – September utilities - \$8,227.19
- Victor Central Schools – Tax for 7891 Lehigh Crossing - \$19,712.55

PRIVILEGE OF THE FLOOR:

Linc Swedrock from BME Associates and **Jerry Watkins** from BRW of Greece, LLC came back to the Board to discuss the open space area Southgate Hills, Section 3 parking area adjacent to the Lehigh Trail.

Linc Swedrock explained that after input from the Town Board they revised the area to about an acre for the dedication of the parking area adjacent to the Lehigh Trail and then two building lots were increased to include the pond area. Parks & Recreation director, Brian Emelson and the Town Board had no objection to the revised plan. Councilman Cusimano appreciated the changes and feels this will be a benefit to the town.

Robert Cain, CSD Housing, LLC addressed the Board with a Proposed Development Apartment/Townhouse Concept for a Planned Development District on approximately 17.4 acres located on the north side of Route 96, bounded to the west by Victoria Lane and to the north and east by Heath Row. They are looking for feedback from the Board on their proposal of up to 200 multi-family units as a mix of one, two, and three-bedrooms units proposed in several buildings on the site. Peter Vars with BME Associates walked the Board through the concept plan and the purpose of the application as it relates to a potential re-zoning action to a PDD, noting the property is currently zoned commercial. A pre-construction/application meeting was held on 9/6/22 and during this meeting key issues were identified that would be addressed in any application such as traffic, sewer capacity, SEQR process and the fact that the property is located within the Route 96/251 overlay district.

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

Supervisor Marren explained on 9/6/22 a team consisting of himself, Wes Pettee, Lisa Boughton, Keith Maynard, and Kim Kinsella met with Peter Vars. Two types of housing are proposed; single buildings up to three stories in height and would contain up to 80 units and walk-up townhouses, all two-story buildings with four to six units per building with no garages. Also, the CSD Housing will oversee and manage all the leases for the complex.

Councilman Cusimano commented that the Town seems to favor when the buildings really have a visual appeal or are not visible to the primary roadway, in this case Route 96. Something to consider is that the Phoenix Mills Plaza across from this development sits a little bit below grade, noting a three-story building closer to Route 96 begins to appear almost like a four-story building when down in that plaza. **Peter Vars** explained that they will prepare necessary visuals or simulations to illustrate the relationship of the proposed building and surroundings. This will be submitted as part of the application process. The property is heavily vegetated along the Route 96 right of way and part of that can be used for screening.

Councilman Cusimano liked the blended concept of the apartments with the two-story townhomes. Feels this fits the character of the town and where we are going with development. **Councilman Condon** asked about the current density if the property was not rezoned. **Councilman Guinan** asked if the front level was going to be a different elevation. **Peter Vars** explained they will provide a comparative analysis as part of the re-zoning petition with the intent of a traffic study.

*Online question from resident Jacques Paquin- Will this be conventional multi-family housing? Peter Vars explained they will be all rental units.

Wes Pettee of LaBella Associates presented an update on the Sanitary Sewer Master Plan. Wes clarified that this is a Sewer Master Plan that addresses potential extensions of the Consolidated Sewer District. The primary purpose of the plan is to provide guidance relative to the request to extend the Town of Victor Consolidated Sewer District by supplementing and coordinating relevant information presented in two documents. The Sanitary Sewer Collection System Master Plan for the Town of Farmington and the Town of Victor, known as the Farmington/Victor Sewer study which was completed in 2016 as well as the 2015 Comprehensive Plan. Wes explained since the plan was last presented to the Board, they have been working on updates that include the completion and operation of the 9 million dollar Auburn Trail sanitary sewer project. Also, as a recommendation of the 2021 draft plan, the Town has implemented the one-time charge for new connection to the consolidated sewer district. The other item that Labella would like to include to this update is an assessment as to how the new connection fee is working today. Wes explained that Labella would like to provide the updated draft plan within the next two weeks. He described the Sewer Master Plan as a reference guide or field guide to help the Town Board and Planning Board process requests from developers to extend the sewer district.

Supervisor Marren noted that the Bids were opened on 9/22/22 for Pump Station 7. The Board would like Wes to send the draft plan document and give them time to look it over and digest it and maybe in a month or so have a presentation.

Public Comments or Concerns: None

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

Report of Town Officials:

- ✓ Finance Director
- ✓ Highway
- ✓ IT

The Town Clerk will have the tentative budget in the next couple of days. The Clerk had sent an email concerning the August 22, 2022, meeting minutes. After they were approved an email was sent from Cheryl Jones Richter and she would like to have the minutes state that she is in support of insuring that the Town strongly considers NOT tearing up the rails. The Board had no objection. The Clerk also gave an update on the painting that has been done at the Town Hall. She thanked Rich for supporting the painting project. The painting was done by Wade Granger, owner of Red Truck Painting.

Councilman Condon commented that the painting crew was very professional and accommodating in terms of people moving around the building.

SUPERVISOR'S VERBAL REPORT:

- Robotics recycling drive is October 1st 9am-1pm
- Town of Victor Wellness Committee having a Health and Wellness Fair on October 19th at the Town Hall from 9am-1pm and open to the public.
- Board Members were provided the Joint Farmington/Victor Meeting Minutes on September 13th and the August Victor/Farmington Ambulance report

BUSINESS:**RESOLUTION NO. 249 2022/2023 INTERMUNICIPAL AGREEMENT - ONTARIO COUNTY MUNICIPAL SNOW AND ICE AGREEMENT**

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, Ontario County desires to obtain snow and ice control services from the Town of Victor in an Agreement for County Road 9, County Road 42, and a portion of County Road 41 from Mertensia Road to the Monroe County line; and

WHEREAS, the current agreement expires on September 30, 2022; and

WHEREAS, this Agreement is consistent with the Agreement by Ontario County Department of Public Works, Bureau of Highways, and the Town of Victor in the past; and

WHEREAS, the Town of Victor is willing to provide said service, and the Highway Superintendent approves of this Agreement; now, therefore, be it

RESOLVED that the Supervisor for the Town of Victor is authorized to enter into Agreement for the Municipal Snow and Ice Agreement with the County of Ontario to provide snow and ice

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

control services by the Town of Victor on County Road 9, County Road 42, and the portion of County Road 41 from Mertensia Road to the Monroe County line, said Agreement to expire September 30, 2023; and further

RESOLVED that a copy of this resolution be forwarded to the Highway Superintendent, Town Clerk, Finance Director, and the Ontario County Department of Public Works.

***TABLED – COUNCILMAN CONDON WILL FOLLOW UP WITH THE HISTORIAN
RESOLUTION NO. AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE
LANDMARK SOCIETY OF WESTERN NEW YORK FOR HISTORIC BARN SURVEY**

**RESOLUTION NO. 250 STANDARD WORKDAY AND REPORTING RESOLUTION FOR
ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT PURPOSES**

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard workday be established for retirement credit purposes; now therefore be it

RESOLVED that this Board hereby establishes the following as the standard workdays for elected and appointed officials; and be it further

RESOLVED that this Board will report the following days worked in the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials, who are members of the retirement system, as stated in the New York State and Local Retirement System Standard Workday and Reporting Resolution for Elected and Appointed Officials (Form RS2417-A), labelled as "Schedule A" and kept in the subject file in the Town Clerk's office; and be it further

RESOLVED that a certified copy of this resolution be posted on the Town of Victor website at www.victorny.org for a minimum of 30 days for public comment; and be it further

RESOLVED that the completed New York State and Local Retirement System Standard Workday and Reporting Resolution for Elected and Appointed Officials (Form RS2417-A) transmitted by the Human Resources Office to the New York State Comptroller; and be it further

RESOLVED that a copy of this resolution be forwarded to Human Resources, Finance Director, Town Clerk.

**RESOLUTION NO. 251 TOWN OF VICTOR VIDEOCONFERENCING POLICY AND
PROCEDURE**

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, a public hearing was duly held on September 12, 2022, at 7:00 PM at the Victor Town Hall for Proposed Local Law No. 6-2022, entitled, "A Local Law Authorizing the Town Board and the Other Public Bodies of the Town to Use Videoconferencing Technology to Participate in Public Meetings";

The following public policy shall apply to the public bodies of the Town of Victor relative to public meetings thereof, all consistent with NY Open Meetings Law and the Town of Victor Videoconferencing Local Law:

1. **Physical Presence of Members Unless Extraordinary Circumstances.** In order to participate as a member of a public body during a public meeting, such member shall be physically present at the public meeting unless such member is unable to be physically present at any meeting location due to **extraordinary circumstances** such as: disability, illness, caregiving responsibilities, or any other **significant or unexpected factor or event** which precludes a member's physical attendance at such meeting, in which case the member may participate via videoconferencing as set forth herein. Physical absence and request to participate via videoconference due to extraordinary circumstances shall be noticed to the Board Chair and Town Clerk as soon as reasonably practicable.
2. **Legal Notice Requirements. Notice.** If videoconferencing is used to conduct a meeting, the Town Clerk will issue public notice for such meeting and shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend. The Town Clerk will identify any Board member(s) who will be attending virtually, and the address that they will be attending from, pursuant to POL §103-a, in order to establish a quorum with all members having legal voting rights during the meeting.
3. **Physical Location Quorum for Videoconferencing.** A public body may, in its discretion, use videoconferencing to conduct its meetings, provided that a minimum number of members are physically present to fulfill the public body's quorum requirement in the same physical location or locations where the public can physically attend, as identified in the Legal Notice, and all other requirements set forth herein have been met.
4. **Members Viewable and Audible.** Except during an executive session, the public body shall ensure that the members of the public body can be heard, seen and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon, whether such member(s) are physically present or participating via videoconferencing.
5. **Public Participation in Videoconference.** If videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized, including that the videoconferencing authorizes the same (except in the case of executive sessions).

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

6. **Minutes.** Minutes of any meetings which involves videoconferencing shall include which, if any, members participated remotely and shall be made available to the public pursuant to NY Open Meetings Law.
7. **Recordings and Transcription.** Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the Town's website within five (5) business days following the meeting and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon request.
8. **State of Emergency.** Provisions of this Policy may be waived or altered during a State of Emergency, all in accordance with NY Open Meetings Law.
9. **Policy on Website.** This Policy shall be posted on the Town of Victor website.

Now therefore be it;

RESOLVED that the Town Board of the Town of Victor hereby adopts this public policy which shall apply to the public bodies of the Town of Victor relative to public meetings thereof, all consistent with NY Open Meetings Law and the Town of Victor Videoconferencing Local Law: and be it further

RESOLVED that a copy of this resolution be forwarded to the Town Clerk & Human Resources Director.

RESOLUTION NO. 252 REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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

4 Ayes 0 Nays (Marren, Condon, 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>
Mark Rust	Veterans Appreciation Concert	Victor Town Hall	\$750.00	December 31, 2022	Insufficient Coverage
OTBI Entertainment Group	Halloween Party Show	Victor Recreation Center	\$450.00	December 31, 2022	Insufficient Coverage

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

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>
Mark Rust	Veterans Appreciation Concert	Victor Town Hall	\$750.00	December 31, 2022	Insufficient Coverage
OTBI Entertainment Group	Halloween Party Show	Victor Recreation Center	\$450.00	December 31, 2022	Insufficient Coverage

And be it

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, Mark Rust and OTBI Entertainment Group c/o Matthew Roy.

RESOLUTION NO. 253 AGREEMENT – MARK RUST

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Mark Rust for a Veterans Appreciation Luncheon concert at the Victor Town Hall on Thursday, November 10, 2022; 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 authorize 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 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 2022 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 Mark Rust.

RESOLUTION NO. 254 AGREEMENT – OTBI ENTERTAINMENT GROUP

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with OTBI Entertainment Group / The Happy Pirates c/o Matthew Roy for a concert at the Monster Mash Halloween Party at the Victor Recreation Center on Saturday, October 29, 2022; 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 OTBI Entertainment Group / The Happy Pirates c/o Matthew Roy 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 Four Hundred Fifty Dollars (\$450.00) to be paid from the 2022 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 OTBI Entertainment Group, c/o Matthew Roy.

**Comments:*

Councilman Condon noted that the Committee has done a really good job in terms of maintaining where they are and where they need to go and maintaining public safety. Mr. Harmon from Bloomfield has been a good liaison helping out.

RESOLUTION NO. 255 TO SUPPORT ENGINEERING AT BOUGHTON PARK

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, Boughton Park Commission requested the ponds & dams upgrades, be managed by the three town supervisors along with one board member from each town, and

WHEREAS, the newly updated group includes Frank Fessner, Dave Condon and Scott Harmon as well as Jack Marren, Todd Campbell, and Fred Wille, and

WHEREAS, the next phase proposal from Gomez & Sullivan has been approved, and

RESOLVED that this Board approve this next phase project taken together amount of \$50,000.00, and the Town of Victor has applied for grant funding for the total cost of this phase.

RESOLVED that copies of this resolution be forwarded to all appropriate parties.

RESOLUTION NO. 256 SET PUBLIC HEARING TO ESTABLISH THE FAIRWAYS PHASE 3 LIGHTING DISTRICT EXTENSION

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

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

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

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

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

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

WHEREAS, the Petitioner in accordance with Lighting District Formation – Article 12 of Victor Town Law desires to establish a lighting district extension to serve the properties located along Championship Drive, a newly developed public roadway, within the Fairways Phase 3 project. A lighting district was previously established for the Fairways Phase 1 project, with an extension for Phase 2 provided to the Town of Victor in 2017 and which were combined to form a single Lighting District to be referred to as the "Consolidated Fairways Lighting District"; now therefore be it

RESOLVED that, pursuant to Article 12 of the Town Law, the Town Board of the Town of Victor, shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 11th day of October,

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

at 7:00 PM for the purpose of conducting a public hearing at which time and place all interested persons may be heard regarding Fairview Ponds, LLC requesting the establishment of the Fairways Phase 3 Lighting District as an extension of the Fairways Phase 1 & 2 Lighting District and part of the Consolidated Fairways Lighting District, which extension would complete the district along the entirety of Championship Drive in the Town of Victor; and it is further

ORDERED and RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to duly advertise this public hearing as is required by Town Law.

RESOLUTION NO. 257 AUTHORIZING ADOPTION BY THE VICTOR TOWN BOARD OF LOCAL LAW NO. 6-2022 TO EXPAND USE OF VIDEOCONFERENCING

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Victor for a public hearing to be held on September 12, 2022 at 7:00 PM at the Victor Town Hall, 85 East Main Street to hear all interested parties on a proposed local law authorizing the Town Board and other public bodies of the Town to use videoconferencing technology to participate in public meeting; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Victor on September 2, 2022, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on September 12, 2022, at 7:00 PM at the Victor Town Hall and interested parties were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law; and

WHEREAS, the Town Board of the Town of Victor, after due deliberation, finds it in the best interest of the Town of Victor to adopt said Local Law now therefore be it;

RESOLVED that the Town Board of the Town of Victor hereby adopts said Local Law No. 6-2022, entitled, "A Local Law Authorizing the Town Board and the Other Public Bodies of the Town to Use Videoconferencing Technology to Participate in Public Meetings", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED that the Town Clerk is hereby directed to enter said in the minutes of this meeting and in the Local Law Book of the Town of Victor, and to give due notice of the adoption of said local law to the Secretary of State of New York.

RESOLUTION NO. 258 SOUTHGATE HILLS 2 (UTILITY ONLY) RELEASE 2

VICTOR TOWN BOARD MEETING MONDAY SEPTEMBER 26, 2022

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

4 Ayes 0 Nays (Marren, Condon, Guinan, Cusimano)

WHEREAS, upon Riedman Acquisitions LLC (BRW of Greece LLC) receiving Planning Board approval for the Southgate Hills 2 Subdivision, a Tompkins Community Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure: and,

WHEREAS, in their September 19, 2022, letter, the Town Engineer recommended that One Hundred Twelve Thousand Three Hundred Forty-Eight dollars and Ten cents (112,348.10) 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. 2** on the Tompkins Community Bank Irrevocable Letter of Credit in the amount of One Hundred Twelve Thousand Three Hundred Forty-Eight dollars and Ten cents (112,348.10) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Three Hundred Eighty-Two Thousand Five Hundred Twenty-Nine dollars and Fifty-six cents (\$382,529.56) in said Letter of Credit; and further

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

Public Comments or Concerns:

Dave Nankin commented about the barns around town. How many barns exist in the town and how do you determine what is historical? He also asked about the Sewer Master plan and how the capacity of the sewer is determined.

ADJOURNMENT:

With no further business to come before the Board tonight, motion was made by Councilman Condon, seconded by Councilman Guinan to adjourn the regular Town Board meeting at 8:04PM

Respectfully submitted,

Karen C. Bodine, Town Clerk