

**VICTOR TOWN BOARD MEETING
MONDAY, MAY 13, 2019
DRAFT RESOLUTION PACKET**

*“Town Board Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting.”*

MEETING BEGINS at 7:00 PM

7) BUSINESS

- A. SILVERTON GLENN LOT 118 - ACCEPTANCE OF DEDICATION (Karen Bodine)
- B. SILVERTON GLENN, LOT 118, LETTER OF CREDIT, RELEASE NO. 1 (FINAL) (Karen Bodine)
- C. AUTHORIZATION TO ENTER INTO AGREEMENT WITH ZUPER BOUNCE LLC FOR RENTAL OF CHILDREN’S INFLATABLES AND A MOVIE SCREEN FOR DEPARTMENT OF PARKS AND RECREATION (Brian Emelson)
- D. AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH IMPACT EARTH FOR THE TOWN OF VICTOR COMPOSTING PILOT PROGRAM (Mark Years)
- E. ACCEPTANCE OF THE 2018 TOWN OF VICTOR COURTS AUDIT FROM RAY F. WAGER, CPA, P.C., A DIVISION OF MENGEL METZGER BARR & CO. LLP (Barb Cole)
- F. ACCEPTANCE OF THE 2018 TOWN OF VICTOR FINANCIAL AUDIT FROM RAY F. WAGER, CPA, P.C., A DIVISION OF MENGLER METZGER BARR & CO., LLP. (Barb Cole)
- G. APPOINTMENT OF JOHN ROMANO AS BOUGHTON PARK COMMISSIONER (Tina Kolaczyk)
- H. AUTHORIZATION FOR SUPERVISOR TO EXTEND EXISTING PROFESSIONAL TRAFFIC ENGINEERING SERVICES AGREEMENT WITH CLARK PATTERSON LEE (Tina Kolaczyk)
- I. AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 7943 OAK BROOK CIRCLE TO ALLOW ENCROACHMENT INTO DRAINAGE EASEMENT (Jack Marren)

7A

RESOLUTION #
SILVERTON GLENN LOT 118 - ACCEPTANCE OF DEDICATION

WHEREAS S & J Morrell Inc., developer of Silverton Glenn Lot 118, has offered to dedicate to the Town of Victor the sanitary sewer system as set forth in the Town Engineer's letter of May 2, 2019 and

WHEREAS, the Engineer for the Town has indicated by letter dated May 2, 2019 that the sanitary sewer system is acceptable to be dedicated to the Town; and,

WHEREAS, S & J Morrell Inc, has posted a Maintenance Bond No. 0712645 in the amount of \$2,419.60 as recommended by the Town Engineer in a letter dated May 2, 2019 to be held for two (2) years after the acceptance of the dedicated facility; now, therefore, be it

RESOLVED AS FOLLOWS:

1. That the Town of Victor hereby accepts dedication of the sanitary sewer system located within the right-of-way as they either lie within the dedicated right-of-way or the Town has previously been granted easements.

3. That the dedication of the said system shall be effective upon the executed deeds being filed in the Ontario County Clerk's Office.

AND FURTHER RESOLVED that a copy of this resolution be forwarded to the Planning Dept., the Highway Superintendent, the Code Enforcement Officer, Engineer for the Town, BME Associates and S & J Morrell Inc.

Dated May 13, 2019

Jack Marren, Supervisor

David Tantillo, Councilman

Dave Condon, Councilman

Ed Kahovec, Councilman

Mike Guinan, Councilman

7B

RESOLUTION #
SILVERTON GLENN, LOT 118, LETTER OF CREDIT, RELEASE NO. 1 (FINAL)

WHEREAS, S & J Morrell Inc. received Planning Board approval for Silverton Glenn, Lot 118 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Five Star Bank Irrevocable Letter of Credit No. 7002064533 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developers Request for Release of Funds Statement of Construction No. 1 (Final) dated May 2, 2019 and recommends in his letter of May 2, 2019 that \$163,037.00 minus engineering and inspection fees and any other fees owed the Town be released from said letter of credit; now, therefore, be it

RESOLVED, that the Victor Town Board hereby approves Release No. 1 (Final) on the Five Star Bank Irrevocable Letter of Credit No. 7002064533 in the amount of \$163,037.00 minus engineering and inspection fees and any other fees owed the Town as recommended by the Town Engineer; and, further

RESOLVED that given said release there now remains \$0.00 in said Letter of Credit after acceptance of the dedicated facilities in accordance with the Town Engineer's letter dated May 2, 2019; and, further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, S & J Morrell Inc. and BME Associates.

7C

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - ZUPER BOUNCE LLC FOR RENTAL OF CHILDREN'S INFLATABLES AND A MOVIE SCREEN

WHEREAS, the Department of Parks and Recreation has the need to rent children's inflatables and a movie screen for its special events; and

WHEREAS, funds are included and available in the 2019 Budget line item A7550.4 Celebrations - Contractual; and

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations for these items;

Vendor	Price Proposal
Zuper Bounce LLC	\$5,300.00
Blue Apple Productions	\$4,995.00

And;

WHEREAS, the Assistant Director of Parks and Recreation recommends that the Town enter into agreement with Zuper Bounce for the rental of children's inflatables and a movie screen at a cost of Five Thousand Three Hundred Dollars (\$5,300.00), therefore, be it

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 the Town Board authorizes the Town Supervisor and the Director of Recreation and Parks to enter into agreement with Zuper Bounce for the rental of children's inflatables and a movie screen for its special events at a cost of Five Thousand Three Hundred Dollars (\$5,300.00), said funds are included and available in the 2019 Budget line item A7550.4 Celebrations - Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; Barbara Cole, Director of Finance and Stacey Stratton, Zuper Bounce.

* NOTE – Zuper Bounce was selected as Blue Apple Productions wanted a 3 year commitment.

7D

RESOLUTION #

AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
IMPACT EARTH FOR THE TOWN OF VICTOR COMPOSTING PILOT PROGRAM

WHEREAS, the Town is interested in hosting and launching a composting program to be overseen by the Transfer Station staff for town residents that hold Transfer Station permits; and

WHEREAS, funding was made available through the LSWMP to run this program for 100 people for a 1 year pilot program, which will run from approximately June 13, 2019 to February 28, 2020, at which time the program will be evaluated to assess residential interest and/or problems; and

WHEREAS, funds are available in the 2019 Budget Line item CM.8160.400 Refuse and Garbage Contractual; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to enter into an agreement with Impact Earth for the Town of Victor Composting Pilot Program in which funding was made available through the LSWMP, to fund this pilot program for 100 people for 1 year, running approximately from June 13, 2019 to February 28, 2020, upon which time the program will be evaluated; and further

RESOLVED, funds are available in the 2019 Budget Line item CM.8160.400 Refuse and Garbage Contractual; and further

RESOLVED, that a copy of this Resolution be provided to the Highway Superintendent, Town Clerk, Finance Department and Impact Earth.

7E

RESOLUTION #

ACCEPTANCE OF THE 2018 TOWN OF VICTOR COURTS AUDIT FROM RAY F. WAGER, CPA, P.C., A DIVISION OF MENGEL METZGER BARR & CO. LLP

WHEREAS, an audit of the Town of Victor Courts was conducted by Ray F. Wager, CPA, P.C. for the fiscal year ending December 31, 2018; and

WHEREAS, the findings of the audit were received and reviewed with the Victor Town Board on April 22, 2018; now, therefore be it

RESOLVED, that the 2018 Victor Town Courts Audit, conducted by Ray F. Wager, CPA, P.C. be accepted; and be it further

RESOLVED, that a copy of this resolution be sent to the Barb Cole, Finance Director; Karen Bodine, Town Clerk; Ray F. Wager, CPA, P.C.; and the New York State Unified Court System.

7F

RESOLUTION #

ACCEPTANCE OF THE 2018 TOWN OF VICTOR FINANCIAL AUDIT FROM RAY F. WAGER, CPA, P.C., A DIVISION OF MENGLER METZGER BARR & CO., LLP.

WHEREAS, a financial audit of the Town of Victor was conducted by Ray F. Wager, CPA, P.C. for the fiscal year ending December 31, 2018; and

WHEREAS, the findings of the audit were received and reviewed with the Victor Town Board on April 22, 2018; now, therefore be it

RESOLVED, that the 2018 Victor Financial Audit, conducted by Ray F. Wager, CPA, P.C. be accepted; and be it further

RESOLVED, that a copy of this resolution be sent to Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Ray F. Wager, CPA, P.C.

7G

RESOLUTION #
APPOINTMENT OF JOHN ROMANO AS BOUGHTON PARK COMMISSIONER

WHEREAS, Glenn Cooke resigned his appointment as the Victor representative to the Boughton Park Commission on April 15, 2019; and

WHEREAS, the Town Board thanks Glenn Cooke for his service to Boughton Park, the Town of Victor, and it's residents, and wishes him all the best; and

WHEREAS, the position was advertised, and candidates were interviewed on January 16, 2019 by an interview committee consisting of Supervisor Jack Marren and Glenn Cooke- Boughton Park Commissioner; and

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

RESOLVED, that John Romano be appointed to Glenn Cooke's unfulfilled term as Boughton Park Commissioner, with a starting date of May 14, 2019 and ending date of December 31, 2019; and be it further

RESOLVED, that a copy of this resolution be forwarded to John Romano, Dave Damaske – Chairman Boughton Park Commission, Glenn Cooke, Human Resources, Town Clerk, and the Finance Office.

7H

RESOLUTION #

AUTHORIZATION FOR SUPERVISOR TO EXTEND EXISTING PROFESSIONAL TRAFFIC ENGINEERING SERVICES AGREEMENT WITH CLARK PATTERSON LEE.

WHEREAS, on May 8, 2017 the Town Board approved Resolution #208 to enter into a Professional Traffic Engineering Services Agreement with Clark Patterson Lee; and

WHEREAS, this contract expired on May 8, 2019; and

WHEREAS, the Town Board wishes to extend the Professional Engineering Services Agreement with Clark Patterson Lee for the Town of Victor until May 13, 2020 as noted in Schedule A and kept on file in the Town Clerk's office; and

RESOLVED that the Town Board hereby authorizes the Town Supervisor to extend the Professional Traffic Engineering Services Agreement with Clark Patterson Lee for the Town of Victor until May 13, 2020; and be it further

RESOLVED that copies of this resolution be forwarded Clark Patterson Lee, Planning & Building Department, Human Resources, Town Clerk, and the Finance Office.

RESOLUTION #

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 7943 OAK BROOK CIRCLE TO ALLOW ENCROACHMENT INTO DRAINAGE EASEMENT

WHEREAS, Achille M. Cavatassi and Kristen L. Cavatassi are the record owners (the "Owner") of the premises at 7943 Oak Brook Circle, Tax Map #15.02-3-17.000, (the "Property") in the Town of Victor; and

WHEREAS, the Town is the owner of an drainage easement, which drainage easement is situated running in an north-south direction along the eastern side of the Property between Tax Maps #5.02-3-17.000 and 5.02-3-19.110 approximately Thirty (30) feet wide as shown on Map #12856 filed in the Ontario County Clerk's Office ("Drainage Easement"); and

WHEREAS, the Owner of the property proposes to install a french drain (the "French Drain") with a portion of said proposed French Drain encroaching onto the Drainage Easement on the Property; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement ("Agreement") to allow the French Drain to encroach onto the Drainage Easement, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk's Office; and

WHEREAS, the Agreement would permit the French Drain to be constructed, but would require the Owners to remove and/or repair said French Drain, hold the Town harmless, and return the Property within the Drainage Easement to its pre-alteration condition should the Town need to exercise its rights relating to the Easement in a manner which would require removal of the portion of French Drain, and the Town was induced into entering into the Agreement based on said representations; and

WHEREAS, the Town Building Department and Town Engineer have reviewed the proposed French Drain and have indicated that the aforementioned proposed encroachment of the French Drain into the Drainage Easement would not materially adversely affect the integrity, purpose, or function of the Drainage Easement, including but not limited to utilities, or be a hindrance in gaining access to any facilities or other infrastructure located within the Drainage Easement to effect repairs, maintenance, and/or improvements, and have no objection to the Town Board entering into the Agreement; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the License and Hold Harmless Agreement with Achille M. Cavatassi and Kristen L. Cavatassi, in a form approved by the Attorney for the Town, to allow the proposed French Drain to encroach into the Drainage Easement, and any other document reasonably necessary to effect said Agreement; and further be it

RESOLVED, that upon filing with the Ontario County Clerk's office, a copy of the filed License and Hold Harmless Agreement with Achille M. Cavatassi and Kristen L. Cavatassi will be provided to the Town Clerk; and further

RESOLVED, that a copy of this Resolution be provided to the Town Planning and Building Department, the Town Clerk, and the Owners.