

A regular meeting of the Victor Town Board was held on April 8, 2019 at 7:00PM with the following Board Members present:

PRESENT:

Supervisor	Jack Marren
Councilman	David Condon
Councilman	David Tantillo
Councilman	Mike Guinan
Councilman	Ed Kahovec

OTHERS PRESENT: Karen Bodine-Town Clerk, Frank Pavia- Town Attorney, Barb Cole-Finance Director, Mark Years-Highway Superintendent, Mike Stockman- Parks & Recreation Director, Lee Wagner, David Nankin, Steve Metzger- LaBella Associates, Matthew Brown, Derek Brown and Tim Brown.

Supervisor Marren called the meeting to order at 7:03PM and made the following announcements:

- 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 exit locations were pointed out to the left and right sides of the Main Meeting Room.
- Flag Salute led by Matthew Brown who is earning his rank to become an Eagle Scout

RESOLUTION #169
APPROVAL OF MINUTES

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

RESOLVED that the minutes of the regular meeting of March 11, 2019 be approved.

RESOLUTION #170
PAYMENT OF BILLS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

RESOLVED that the bills be approved for Manifest #7 in the amount of \$ Documentation for these expenditures can be found on vouchers filed by numbers #20190589-20190695.

General Townwide	\$ 148,566.79
General Outside Village	16,484.13
Highway Townwide	79,753.77
Sanitary Conveyance Project	1,552.50
Trust & Agency	440.00

Supervisor Marren reviewed the following six expenditures that were in the range of or exceeded \$10,000.00.

- Bluestone Creek Development – Rental Parks & Recreation for the month of May 2019
- American Rock Salt – Road Salt

- MVP for Employee Health Care for the month of April 2019
- State Comptroller Office for Fines & Fees for the Victor Town Courts for the month of February, 2019
- Elderlee Inc. Guide Rail Purchases
- Grassland Equipment & Irrigation Corp. purchase of a Toro 60” Zero Turn Mower for the Parks & Recreation Department and Trails.

PRIVILEGE OF THE FLOOR- None

PUBLIC COMMENTS: **Lee Wager** addressed the Town Board about the Life Span program in Monroe County where Lee volunteers. The program is available through the American Red Cross and they are installing free smoke alarms up to three per household. The program is not established in Ontario County, but Lee spoke with someone and they would be willing to come to Victor.

Supervisor Marren took the information and will contact the Office of the Aging to see if having a program like this would be a possibility.

REPORTS OF TOWN OFFICIALS:

Barb Cole- Director of Finance presented an overview of the 2018 fiscal year end finances.

Councilman Tantillo asked Barb to explain Fund Balance and also expressed his support for the Fund Balance being used for the building and land reserves. In Barb’s presentation, she showed the A, B, and DB Fund Balances noting these aid in keeping the Town tax rates level as well as building up the reserves to fund future large capital expenditures. Fund Balance was appropriated for the 2018 budget to bring balances more in line with target numbers. This was done again in 2019, enabling the Town to use sales tax revenue to offset expenses in the A & DB fund. These excess funds were the result of water reserve money released to the B fund in 2017. The Board was in full agreement to move fund balance to the building and land reserves.

Councilman Condon complemented Barb on her presentation.

SUPERVISOR REPORT-

- Heather Lane – great work done by the Highway on replacing an old drainage pipe in the easement.
- County Easement – Victor Insulators for Sewer Project, Resolution passed by the County Public Works and then go before the Board of Supervisors on April 18th.
- Commissioners – Looking for 5 Commissioners for the Victor Fire Department, interviews will begin soon.
- Sewer Master Plan – Authorization for Mark Tayrien from LaBella Associates to create a Town Sewer Master Plan, anticipating an 8-10 week turn around to present to the Board.

Town Officials Reports:

Town Clerk

Parks and Recreation

Planning & Building Dept.

- Finance Director submitted the Fiscal Manager monthly expense & revenue control reports.

- Supervisor Marren wants to have a conversation with Brian regarding the improvements to Harlan Fisher Park.
- The Town Clerk presented the 30 day Liquor License Notice of Renewal for Cobble Creek Country Club for their Golf Cart. The Board had no objection.

Committee Reports:

Councilman Tantillo- gave kudos to Wes Pettee from LaBella Associates for his work with the Planning Board.

BUSINESS:

RESOLUTION #171

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

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 Dobbie (“Ruby Shooz”)	Summer Concert	Victor Municipal Park	\$1,600.00	July 18, 2019	Insufficient Coverage

Now, therefore be it

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

<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 Dobbie (“Ruby Shooz”)	Summer Concert	Victor Municipal Park	\$1,600.00	July 18, 2019	Insufficient Coverage

And be it further

RESOLVED that a copy of this resolution be sent to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; and Brian Dobbie.

RESOLUTION #172

AUTHORIZATION TO ENTER INTO AGREEMENT WITH BRIAN DOBBIE (“RUBY SHOOZ”) FOR SUMMER CONCERT

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Brian Dobbie (“Ruby Shooz”) to provide music and a sound system for a concert to be held on Thursday, July 18, 2019 from 7:00 – 8:30 pm for a fixed fee of One Thousand Six Hundred Dollars (\$1,600.00); and

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

WHEREAS, funds are included and available in the 2019 Operating Budget line item A7550.4 Celebrations Contractual; now, 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 Parks and Recreation to enter into agreement with Brian Dobbie (“Ruby Shooz”) to provide music and a sound system for a concert to be held on Thursday, July 18, 2019 from 7:00 – 8:30 pm for a fixed fee of One Thousand Six Hundred Dollars (\$1,600.00) and said funds are included and available in the 2019 Operating Budget line item A7550.4 Celebrations Contractual; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Brian Dobbie, Ruby Shooz.

RESOLUTION #173

AUTHORIZATION TO ENTER INTO AGREEMENT - DAR’S DELIGHTS HOMEMADE ICE CREAM, LLC FOR FOOD AND ICE CREAM SALES AT SUMMER CONCERTS AND SPECIAL EVENTS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Department of Parks and Recreation seeks to offer food and ice cream sales at summer concerts and special events; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Dar’s Delights Homemade Ice Cream, LLC to provide food and ice cream sales at summer concerts and special events to be held at various dates, times and locations that are mutually agreed upon by the Contractor and the Event Coordinator with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; 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 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 Parks and Recreation to enter into agreement with Dar's Delights Homemade Ice Cream, LLC to provide food and ice cream sales at summer concerts and special events to be held at various dates, times and locations that are mutually agreed upon by the Contractor and Event Coordinator with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Darlene Folts, Dar's Delights Homemade Ice Cream, LLC.

RESOLUTION #174
AUTHORIZATION TO ENTER INTO AGREEMENT WITH ROC CITY SAMMICH LLC FOR FOOD TRUCK AT SUMMER CONCERTS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Department of Parks and Recreation seeks to offer food truck services at a summer concert; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Roc City Sammich LLC to provide a food truck at a summer concert to be held on Thursday, June 20, 2019 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; 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 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 Parks and Recreation to enter into agreement with Roc City Sammich LLC. to provide a food truck at a summer concert to be held on Thursday, June 20, 2019 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Joseph Cario, Roc City Sammich LLC.

RESOLUTION #175

AUTHORIZATION TO ENTER INTO AGREEMENT - SMOOTHIES PLUS, LLC FOR BEVERAGES SALES AT SUMMER CONCERTS AND SPECIAL EVENTS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Department of Parks and Recreation seeks to offer frozen, non-alcoholic beverage sales at summer concerts and special events; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Smoothies Plus, LLC to provide frozen, non-alcoholic beverage sales at summer concerts and special events to be held at various dates, times and locations that are mutually agreed upon by the Contractor and the Event Coordinator with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; 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 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 Parks and Recreation to enter into agreement with Smoothies Plus, LLC to provide frozen, non-alcoholic beverage sales at summer concerts and special events to be held at various dates, times and locations that are mutually agreed upon by the Contractor and Event Coordinator with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Jessica Quigly, Smoothies Plus, LLC.

RESOLUTION #176

AUTHORIZATION TO ENTER INTO AGREEMENT - GOURMET GOODIES ROCHESTER, LLC FOR FOOD CONCESSIONS AT SUMMER CONCERTS AND SPECIAL EVENTS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Department of Parks and Recreation seeks to offer food concessions at summer concerts and special events; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Gourmet Goodies Rochester, LLC to provide a food concessions at summer concerts and special events to be held at a date and time that is mutually agreed upon by the Contractor and Event Coordinator with the Town receiving Ten Percent (10%) of the gross sales from the event revenue for each event; 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 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 Parks and Recreation to enter into agreement with Gourmet Goodies Rochester, LLC to provide food concessions at summer concerts and special events to be held at a date and time that is mutually agreed upon by the Contractor and Event Coordinator with Town receiving Ten Percent (10%) of the gross sales from the event revenue for each event; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Debra Stirone, Gourmet Goodies Rochester, LLC.

RESOLUTION #177

AUTHORIZATION FOR THE PURCHASE OF FLOWERS AND PLANT MATERIAL FOR THE VICTOR TOWN HALL AND FOUR CORNERS FLOWER BEDS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Department of Parks and Recreation is responsible for the care and maintenance of the flower and shrub beds at the Victor Town Hall and the intersection of New York State Route 96, Ontario County Road 42 and Rowley Road in Victor; and

WHEREAS, the Director of Parks and Recreation and the Project Manager from the Victor Garden Club have obtained a written quotation for the purchase of said flowers and plant material from Bundschuh Greenhouses at an anticipated cost of One Thousand Nine Hundred Sixty Three dollars (\$1,963.00); and

WHEREAS, funds are appropriated in the 2019 Budget line item A7110.4 Parks Contractual; and

WHEREAS, the Director of Parks and Recreation recommends that said materials be purchased from Bundschuh Greenhouses in an amount not to exceed Two Thousand Four Hundred Ninety Nine dollars and Ninety Nine cents (\$2,499.99); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to order and purchase flowers and plant material for the Victor Town Hall and the intersection of New York State Route 96, Ontario County Road 42 and Rowley Road in Victor in an amount not to exceed Two Thousand Four Hundred Ninety Nine dollars and Ninety Nine cents (\$2,499.99), said funds are available in the 2019 Budget line item A7110.4 Parks Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Mary Duprey, Victor Garden Club; Karen Bodine, Town Clerk; Barbara Cole, Director of Finance; and Bob Bundschuh, Bundschuh Greenhouses.

RESOLUTION #178

AUTHORIZATION TO ACCEPT DONATION OF RECREATION EQUIPMENT

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, Town resident Christine Valway contacted the Director of Parks and Recreation about donating a Sport Craft foosball table and Sport Craft table tennis table to the Department of Parks and Recreation for its youth programs; and

WHEREAS, Steve Hendrickson, Recreation Supervisor of youth programs has inspected the equipment and deemed it as an acceptable donation which would improve the Town's recreation program; and

WHEREAS, the Director of Parks and Recreation recommends that we accept the donation of recreation equipment from Christine Valway at no cost to the Town; now, therefore be it

RESOLVED that the Town Board accepts the donation of a Sport Craft foosball table and a Sport Craft table tennis table at no cost to the Town; and further

RESOLVED that the Department of Parks and Recreation and the Town Board would like to thank Christine Valway for her kind donation in support of the Town's youth recreation program; and further

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

RESOLUTION #179

AUTHORIZATION TO ACCEPT SPECIAL EVENTS SPONSORSHIP DONATIONS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Department of Parks and Recreation organizes a variety of seasonal and community-wide special events; and

WHEREAS, the activities have realized recent donations from 2019 sponsors and partners in the amount of Five Hundred Dollars (\$500.00) as follows from:

Orangetheory Fitness Victor	\$500.00
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And

WHEREAS, the Director of Parks and Recreation recommends that we accept and deposit these donations in support of these community events which will incur costs and require expenditures within Budget Line A7550.4 Celebrations Contractual; now, therefore be it

RESOLVED that the Town Board accepts the above sponsorship donations in the amount of Five Hundred Dollars (\$500.00) and authorizes the Director of Finance to increase the revenue line A2705 Gifts and Donations by Five Hundred Dollars (\$500.00) in the 2019 Budget in addition to an offsetting increase in the expense line A7550.4 Celebrations Contractual of Five Hundred Dollars (\$500.00). All budget entries to be done upon board approval; and further

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

RESOLUTION #180
AUTHORIZATION TO ENTER INTO AGREEMENT WITH TRUGREEN COMMERCIAL FOR ATHLETIC FIELD / RECREATION CENTER TURF MAINTENANCE PROGRAM

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Department of Parks and Recreation has the need to enter into agreement with a vendor to provide fertilizer and pesticide applications to its athletic fields at Dryer Road Park and Village on the Park to increase the playability and safety of the athletic fields and to the grounds of the Recreation Center; and

WHEREAS, the Director of Parks and Recreation has obtained the following proposals for said services on an annual basis for a three-year period;

Vendor	Cost
TruGreen Commercial	\$3,640.52
Broccolo Tree & Lawncare	\$4,280.00

And;

WHEREAS, funds are appropriated in the 2019 budget line item A7110.4 Parks Contractual; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation and Town Supervisor to enter into an agreement with TruGreen Commercial in an amount not to exceed Three Thousand Six Hundred Forty dollars and Fifty Two cents (\$3,640.52) per year for a three-year period, said funds are available in the 2019 budget line item A7110.4 Parks 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, Finance Director; and Cindy Geller, TruGreen Commercial.

RESOLUTION #181
AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF A PYLON SIGN FOR DRYER ROAD PARK

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Department of Parks and Recreation has the need to purchase and have installed a custom, pylon sign for the Dryer Road Park multi-use trails system; and

WHEREAS, the Director of Parks and Recreation has issued a Request for Proposals (RFP) to several qualified, local firms which included the drawings and general provisions of the work to be performed; and

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations for the purchase and installation of the pylon sign:

VENDOR	PRICE PROPOSAL
ID Sign Systems	\$7,040.00
Premier Sign System, LLC	\$10,500.00
Fossil Industries, Inc.	No Proposal (unable to meet specifications)

And

WHEREAS, funds are available and identified in the 2019 Budget line item TA.0085.001 Multi-Use Trails Fund; and

WHEREAS, the Director of Parks and Recreation recommends that said materials and services be purchased from ID Sign Systems in an amount not to exceed Seven Thousand Forty Dollars (\$7,040.00); now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor to enter into agreement for the purchase and installation of a custom pylon sign for Dryer Road Park as described in the drawings, general provisions, specifications and contract documents issued by the Director of Parks and Recreation from ID Sign Systems in an amount not to exceed Seven Thousand Forty Dollars (\$7,040.00), said funds are available and identified in the 2019 Budget line item TA.0085.001 Multi-Use Trails Fund; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; Barb Cole, Director of Finance; and Sean DeChalais, ID Sign Systems.

RESOLUTION #182

AUTHORIZATION FOR PURCHASE OF 2019 FORD F-150 XL SUPER CAB 4 x 4 PICK UP TRUCK PIGGYBACKING OFF ONONDAGA COUNTY BID PROPOSAL NO. 8771 2019 AND DECLARE THE 2014 FORD F150 SURPLUS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Highway Department has the need to purchase a 2019 Super Cab, 4 X 4 pick-up truck for Highway Department operations and declare the 2014 F150 XL Regular Cab 4 x 4 (VIN#1FTMF1EM9EKF55901) as surplus; and

WHEREAS, this vehicle is available for purchase by piggybacking off the Onondaga County Bid No. 8771 2019 through Van Bortel Ford at a cost of Thirty One Thousand Nine Hundred Two dollars and Forty One Cents (\$31,902.41); and

WHEREAS, funds are available in the 2019 Budget line item H22.5130.200 Highway Equipment for the purchase of a pick-up truck for Highway Department operations to replace an existing vehicle, which will be declared surplus and sold at auction; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase a 2019 Ford F-150 XL, Super Cab, 4 x 4 Pick-up Truck in an amount not to exceed Thirty One Thousand Nine Hundred Two dollars and Forty One Cents (\$31,902.41) by piggybacking Onondaga County Bid Proposal No. 8771 2019, said funds are available in the 2019 Budget line item H22.5130.200 Highway Equipment; and further

RESOLVED, that the 2014 F150 XL Regular Cab 4 x 4 Pick-up truck 1FTMF1EM9EK55901 be declared as surplus; and further

RESOLVED, that a copy of this resolution be forwarded to Mark Years, Highway Superintendent; Town Clerk, Finance Department and Van Bortel Ford.

RESOLUTION #183

AUTHORIZATION FOR PURCHASE OF 2019 FORD F-350 XL REGULAR CAB 4 x 4 PICK UP TRUCK PIGGYBACKING OFF ONONDAGA COUNTY BID PROPOSAL NO. 7974 2019 AND DECLARE THE 2014 FORD F250 SURPLUS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Highway Department has the need to purchase a 2019 Regular Cab, 4 X 4 pick-up truck for Highway Department operations and declare the 2014 F250 XL Regular Cab (VIN#1FTBF2A66EEA49185) as surplus, and;

WHEREAS, this vehicle is available for purchase by piggybacking off the Onondaga County Bid No. 7974 2019 through Van Bortel Ford at a cost of Thirty Five Thousand One Hundred Fifty Two dollars and Twenty Cents (\$35,152.20); and

WHEREAS, funds are available in the 2019 Budget line item H22.5130.200 Highway Equipment for the purchase of a pick-up truck for Highway Department operations to replace an existing vehicle, which will be declared surplus and sold at auction; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase a 2019 Ford F-350 XL, Regular Cab, 4 x 4 Pick-up Truck in an amount not to exceed Thirty Five Thousand One Hundred Fifty Two dollars and Twenty Cents (\$35,152.20) by piggybacking Onondaga County Bid Proposal No. 7974 2019, said funds are available in the 2019 Budget line item H22.5130.200 Highway Equipment; and further

RESOLVED that the 2014 F250 XL Regular Cab 4 x 4 pickup truck 1FTBF2A66EEA49185 be declared as surplus; and further

RESOLVED, that a copy of this resolution be forwarded to Mark Years, Highway Superintendent; Town Clerk, Finance Department and Van Bortel Ford.

RESOLUTION #184

APPOINTMENT OF DAVID WYATT TO PART-TIME SEASONAL HIGHWAY LABORER POSITION

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, David Wyatt, was interviewed for the Part-Time Seasonal Highway Laborer position on March 29, 2019 by an interview committee consisting of Mark Years, Highway Superintendent, Randy Rader – Deputy Highway Superintendent, and Tina Kolaczyk – Director of Human Resources; and

WHEREAS, the interview committee wishes to appoint David Wyatt to the Part-Time Seasonal Highway Laborer position with a starting date in the month of May 2019 at a rate of Eleven dollars and Eighty Five cents (\$11.85)/hour to be charged to the 2019 budget line item #DB.5110.100 General Repairs. Personal Services; now, therefore be it

RESOLVED that David Wyatt, be appointed to the Part-Time Seasonal Highway Laborer position with a starting date in the month of May 2019 at a rate of Eleven dollars and Eighty Five cents (\$11.85)/hour to be charged to the 2019 budget line item #DB.5110.100 General Repairs. Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to David Wyatt, Mark Years, Casey Paige, Town Clerk, Finance Department, and Human Resources.

RESOLUTION #185

APPOINTMENT OF JUSTIN ELLIOT TO PART-TIME PARKS MOTOR EQUIPMENT OPERATOR-LIGHT POSITION

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, Justin Elliot, was interviewed for the Part-Time Parks Motor Equipment Operator - Light position on March 29, 2019 by an interview committee consisting of Mark Years, Highway Superintendent, Brian Emelson – Director of Parks & Recreation, Jeff Rader – Parks Maintenance Supervisor, Tim Hadden – Parks Motor Equipment Operator, and Tina Kolaczyk – Director of Human Resources; and

WHEREAS, the interview committee wishes to appoint Justin Elliot to the Part-Time Parks Motor Equipment Operator -Light position with a starting date in the month of May 2019 at a rate of Sixteen dollars and Fifty Three cents (\$16.53)/hour to be charged to the 2019 budget line item #A.7110.100 Parks Personal Services; now, therefore be it

RESOLVED that Justin Elliot, be appointed to the Part-Time Parks Motor Equipment Operator - Light position with a starting date in the month of May 2019 at a rate of Sixteen dollars and Fifty Three cents (\$16.53)/hour to be charged to the 2019 budget line item #A.7110.100 Parks Personal Services; and be it further

RESOLVED that a copy of this resolution be sent Justin Elliot, Brian Emelson, Jeff Rader, Town Clerk, Finance Department, and Human Resources.

RESOLUTION #186

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TWP RISK MANAGEMENT CONSULTING FOR PROFESSIONAL SAFETY CONSULTANT SERVICES

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, pursuant to New York's Town Law, including Section 64(6) and Section 20(2), the Town Board has the power to approve contracts for Town services, prior to the execution of such contracts by the Town Supervisor; and

WHEREAS, pursuant to General Municipal Law 103-b and the Town's Procurement Policy, the Town Board may direct a policy for the acquisition of the Town's professional services; and

WHEREAS, the Town of Victor has a need for professional safety consultant services; and

WHEREAS, a request for Proposals was issued, and the responses received were as follows:

- 1) TWP Risk Management Consulting \$75.00/hour.
- 2) Watson & Associates, Greenville, NY but has a rep in Rochester - \$90.00/hour plus mileage (approx. \$25.00 per visit) PLUS TRAVEL TIME at \$50.00/hour, which is approximately an \$80.00 fee per visit.
- 3) Quality Risk Solutions LLC, Orchard Park, NY - \$140.00/hour for our point of contact, but state that the majority of services would be provided by an EHS consultant at \$100.00/hour, with no travel charges. They have 3 consultants in Rochester.

Now, therefore be it

RESOLVED, that the Supervisor is authorized to enter into a two (2) year contract with TWP Risk Management Consulting at a cost of Seventy Five dollars (\$75.00)/hour, said funds are available in the 2019 Budget Line Item #A.3620.400 Safety Inspection Contractual; and be it further

RESOLVED, that a copy of this resolution be sent to TWP Risk Management Consulting, Finance Department, Town Clerk, Human Resources, and Supervisor Peter Ingalsbe –Town of Farmington.

RESOLUTION #187

AUTHORIZATION FOR TOWN CLERK TO PETITION NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON ABBOT CIRCLE, ERICA TRAIL AND LOUISE WAY (BALLERINA COURT SUBDIVISION)

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Highway Superintendent has received a request to evaluate the speed limit on Abbot Circle, Erica Trail, and Louise Way in the Ballerina Court Subdivision; now, therefore, be it

RESOLVED that the Town Clerk proceed with petitioning the NYS Department of Transportation to evaluate the speed limit for Abbot Circle, Erica Trail, and Louise Way in the Ballerina Court Subdivision; and further

RESOLVED that a copy of this resolution be forwarded to the Ontario County Superintendent of Highways, Karen Bodine, Town Clerk; and Mark Years, Highway Superintendent.

RESOLUTION #188

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 7910 LEHIGH CROSSING TO ALLOW ENCROACHMENT INTO UTILITY EASEMENT

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, Bluestone Creek Development, LLC is the record owner (the “Owner”) of the premises at 7910 Lehigh Crossing, Lot 5, Tax Map #14.02-1-6.112, (the “Property”) in the Town of Victor; and

WHEREAS, the Town is the owner of an utility easement, as shown in Book 1382 of Deeds at page 522 in the Ontario County Clerk’s Office, which utility easement is situated running in a north-south direction along the east side of the Property between Tax Map #14.02-1-6.112 and 14.02-1-6.111 approximately twenty (20) feet wide as shown on Map #34649 filed in the Ontario County Clerk’s Office (“Easement”); and

WHEREAS, the Owners of the property propose to have the electric service transmission lines (the “Electric Service Lines”) cross the Easement by the north east corner of the building on the Property; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement (“Agreement”) to allow the Electric Service Lines to encroach across the Easement, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk’s Office; and

WHEREAS, the Agreement would permit the Electric Service Lines to remain, but would require the Owners to remove and/or repair said Electric Service Lines, hold the Town harmless, and return the Property within the 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 Electric Service Lines, 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 Electric Service Lines and have indicated that the aforementioned encroachment of the Electric Service Lines into the Easement would not materially adversely affect the integrity, purpose, or function of the Easement, including but not limited to utilities, or be a hindrance in gaining access to any facilities or other infrastructure located within the 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 Bluestone Creek Development, LLC, in a form approved by the Attorney for the

Town, to allow the Electric Service Lines to encroach into the 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 Bluestone Creek Development, LLC 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 Owner.

RESOLUTION #189

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 890 KENSINGTON COURT TO ALLOW ENCROACHMENT INTO UTILITY EASEMENT

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, Michael P. Ziegelmann is the record owner (the "Owner") of the premises at 980 Kensington Court, Tax Map #16.10-2-91.000, (the "Property") in the Town of Victor; and

WHEREAS, the Town is the owner of an utility easement, as shown in Book 1016 of Deeds at page 320 in the Ontario County Clerk's Office, which utility easement is situated running in an east-west direction along the northern side of the Property between Tax Map #16.10-2-91.000 and Tax Map #16.10-2-92.000 approximately twenty (20) feet wide as shown on Map #25238 filed in the Ontario County Clerk's Office ("Easement"); and

WHEREAS, the Owner of the property proposes to install a fence (the "Fence") with a portion of said proposed Fence encroaching onto the Easement on the Property; and

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

WHEREAS, the Agreement would permit the Fence to be constructed, but would require the Owners to remove and/or repair said Fence, hold the Town harmless, and return the Property within the 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 Fence, 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 Fence and have indicated that the aforementioned proposed encroachment of the Fence into the Easement would not materially adversely affect the integrity, purpose, or function of the Easement, including but not limited to utilities, or be a hindrance in gaining access to any facilities or other infrastructure located within the 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 Michael P. Ziegelmann, in a form approved by the Attorney for the Town, to

allow the proposed Fence to encroach into the 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 Michael P. Ziegelmann 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 Owner.

RESOLUTION #190
AWARD OF BID – FISHERS RUN RECONSTRUCTION

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Town Highway Superintendent has identified various road projects to be completed in 2019; and

WHEREAS, Fishers Run has been identified as needing reconstruction; and

WHEREAS the Town Board classifies the Fishers Run project as a Type II Action per Section 617.5 subparagraph (c)(5) of SEQRA’s implementing regulations, which indicates “repaving of existing highways not involving the addition of new travel lanes”, and such classification of Type II are not subject to further SEQRA review and concludes the SEQRA process; and

WHEREAS, funding for the project is available in the 2019 budget line item DB.5110.400.FRN General Repairs Contractual Fishers Run Project; and

WHEREAS, the Town Clerk advertised an invitation to bid on the Fishers Run Rehabilitation project which consisted of the rehabilitation of the asphalt concrete pavement for the 2,100 +/- feet of Fishers Run, including removal of existing asphalt pavement and concrete gutters, widening of road subbase, reconstruction of concrete gutters, replacement of surface storm water inlets and 410 feet of storm sewer, repaving the roadway, grading, seeding, and minor utility adjustments; and

WHEREAS, on Tuesday, March 19, 2019 at 10:00 AM all bids were opened and read publicly with the following results:

Bidder	Total Bid
Hewett Young Electric, LLC	\$967,097.00
Sealand Contractors Corp.	\$807,000.22
Woodstone Earth Construction, Inc.	\$829,799.32
Villager Construction, Inc.	\$848,000.00
Macedon Landscaping, Inc.	\$661,639.00

and

WHEREAS, the Town Engineer has reviewed the submitted bids and recommends that this Contract be awarded to the low bidder, Macedon Landscaping in the amount of Six Hundred Sixty One Thousand Six Hundred Thirty Nine dollars (\$661,639.00); now, therefore, be it

RESOLVED that the bid for the improvements to Fishers Run Rehabilitation project be awarded to Macedon Landscaping in the amount of Six Hundred Sixty One Thousand Six Hundred Thirty Nine dollars (\$661,639.00), said funds are available in the 2019 budget line item DB.5110.400.FRN General Repairs Contractual Fishers Run Project; and further

RESOLVED that a copy of this resolution be forwarded to Macedon Landscaping, Inc., Labella PC, Highway Superintendent, Finance, and the Town Clerk.

PUBLIC COMMENTS: None

RESOLUTION #191
MOVE TO EXECUTIVE SESSION
Time: 7:45PM

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

RESOLVED that the Victor Town Board enter into Executive Session for:

- proposed, pending or current litigation
- employment history of a particular person/corporation
- the proposed acquisition/sale of real property when publicity might affect the value

No Board Action Taken

RESOLUTION #192
MOVE TO CLOSE EXECUTIVE SESSION

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

ADJOURNMENT:

With no further business to come before the Board, the regular Town Board meeting was adjourned at 8:47PM on motion by Councilman Guinan, seconded by Councilman Kahovec. Motion carried.

Respectfully Submitted,

Karen C. Bodine -Town Clerk