

TOWN BOARD EXECUTIVE SESSION was held beginning at 6:31PM to discuss proposed, pending or current litigation and the proposed acquisition/sale/lease of real property when publicity might affect value.

PRESENT: Supervisor Marren, Councilman Condon, Councilman Kahovec, Councilman Guinan, Councilman Tantillo, Kevin Overton- Attorney, and Vincent Pettrone-Realtor.

RESOLUTION #223
MOVE TO EXECUTIVE SESSION

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

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

RESOLVED that the Victor Town Board enter into Executive Session proposed, pending or current litigation and the proposed acquisition/sale/lease of real property when publicity might affect value.

No Board Action Taken

RESOLUTION #224
MOTION TO CLOSE EXECUTIVE SESSION & RE-OPEN MEETING

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

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

Motion was made by Councilman Tantillo, seconded by Councilman Guinan to close the executive meeting @ 6:59PM.

A regular meeting of the Victor Town Board was held on Monday May 28, 2019 at 7:00PM with the following Board Members present:

PRESENT: Supervisor Jack Marren
 Councilman Ed Kahovec
 Councilman David Tantillo
 Councilman Mike Guinan
 Councilman Dave Condon

OTHERS PRESENT: Karen Bodine-Town Clerk, Kevin Overton- Town Attorney, Barb Cole-Finance Director, Mark Years-Highway Superintendent, Jon McConnell, Dr. Michael Keys, Kevin Caggiano, Mary Lyng, Rosemary Hunt, Lee Wagar, David Nankin, and Steve Metzger-LaBella Associates.

Supervisor Marren called the meeting to order at 7:05PM and made the following announcements:

- Everyone was asked to sign in on the attendance sheet, please turn off all cell phones and electronic devices, and please conduct any private conversations in the hallway or outside. Emergency exits can be found to the right and left sides of the Main Meeting Room.
- Flag Salute

- Town Employee Birthdays in the Month of June
- Father’s Day on June 16th
- Honor Flight Presentation will be at the June 24th Town Board Meeting
- There will only be one Town Board Meeting in June on the 24th and also one Town Board Meeting in July and August. September and October there will be two meetings in the month and in November and December there will only be one meeting per month.

RESOLUTION #225

APPROVAL OF MINUTES

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

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

Unanimously Approved

RESOLVED that the minutes of the regular meeting of April 22, 2019 be approved.

RESOLUTION #226

PAYMENT OF BILLS

On motion of Councilman Tantillo, 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 #10 in the amount of \$333,201.16. Documentation for these expenditures can be found on vouchers filed by numbers #20190975-20191086.

General Townwide	\$170,828.25
General Outside Village	33,275.60
Highway Townwide	94,758.02
Sanitary Conveyance Project	15,760.50
Storm Sewer Mapping Project	6,275.00
Fishers Lighting	175.05
Brookwood Meadows Lighting	185.17
High Point Lighting	398.21
Cobblestone Lighting	2,635.96
Quail Ridge Lighting	516.27
Rolling Meadows Lighting	546.43
Legacy at the Fairways Lighting	692.00
Stoneleigh Lighting	19.70
SS Consolidated Sewer Fund	510.00
Trust & Agency	6,625.00

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

- LaBella Associates for Professional Services 3/23-4/19/19, chargebacks to developers, Sewer Capital Project costs and Stormwater Mapping costs.
- Harris Beach – Legal Services for the Month of April 2019 & Litigation costs.
- B & M International – Rental for the Victor Town Courts for the month of June 2019
- State Comptroller - Fines and Fees earned Victor Town Court for month of April 2019
- Macedon Excavating & Paving – Application #1 for the Fishers Run Reconstruction

- MVP – Employee Health Care for the Month of June 2019
- MVP – Retiree Health Care for the Month of June 2019
- Bluestone Creek Development – Parks & Recreation rental for the Month of July 2019

PRIVILEGE OF THE FLOOR- None

PUBLIC COMMENTS: None

REPORTS OF TOWN OFFICIALS:

- *Proclamation - Recognition of Mary Lyng, Finance Clerk Retirement- Supervisor Marren read aloud the Proclamation for Mary Lyng and thanked her for many years of service.*
- *Proclamation – Honoring Superintendent Dawn Santiago-Marullo Retirement - Councilman Condon was happy to read aloud the Proclamation for Dawn as they worked together at Victor Central School.*

SUPERVISOR REPORT:

- Supervisor thanked the Board Members and the Town Clerk for marching in the Memorial Day Parade.
- Office of the Aging - Seniors of the Year were awarded to Victor residents Sue Stehling and Marge O'Dea.
- Victor/Farmington State of the Towns Presentation at the Finger Lakes Gaming & Racetrack. Supervisor Marren and Kathy Rayburn attended.

Town Officials Reports: in packets

- Finance Director submitted the Fiscal Manager monthly expense & revenue control reports.
- Highway Superintendent – Supervisor Marren complimented Mark Years on how well he did at the auction selling some of the older equipment.
- Assessor – has received many grievances.
- Town Clerk – Identity Awareness Presentation on June 20th at 10:30 AM in the Town Hall. Also, the Town Clerk thanked Lee Wagar for her information about Life Span and the information on free smoke alarms, noting that her mother-in-law in Monroe County had them installed by the Red Cross.

Councilman Condon noted that we as a community need to be more diligent about different types of scams and so many people get taken advantage of especially the elderly.

Supervisor Marren thanked Renee McConnell and the Town Clerk for their work on the Hold Harmless Agreements in working to keep the costs down for Town residents.

BUSINESS:

RESOLUTION #227

CORRECTION OF MANIFEST #4-2019

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

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

Unanimously Approved

WHEREAS the Finance Dept. has submitted the following check # 59688 issued to The Sagamore for \$35.00 which was lost in the mail. The Finance Dept. put a Stop Payment on check #59688 and a replacement check will not be issued as the payment was charged on the

Town Credit Card resulting in the need to correct the corresponding Manifest; now, therefore, be it

RESOLVED, that the following Manifest be corrected:

2/25/2019 Manifest # 4-2019 total amount be corrected to \$249,605.47 voided check # 59688 (Voucher #20190302 in the amount of \$35.00)
--

and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Department.

RESOLUTION #228

ACCEPTANCE OF GRANT FROM FINGER LAKES MUNICIPAL HEALTH INSURANCE TRUST FOR EMPLOYEE WELLNESS PROGRAM

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 Town of Victor Wellness Committee works cooperatively with the Finger Lakes Municipal Health Insurance Trust to maintain and enhance employee health through various programs provided through the Wellness Committee; and

WHEREAS, the Wellness Committee has recommended a program to purchase reusable grocery bags for Town employees; and

WHEREAS, this program has been approved by the Town Supervisor, and funding for this project has been given in the form of a grant through the Finger Lakes Municipal Health Insurance Trust; and

WHEREAS, the Finger Lakes Municipal Health Insurance Trust has donated Five Hundred Dollars (\$500.00) to the Town of Victor in support of this wellness project; and

WHEREAS, the Chairman of the Wellness Committee recommends that we accept and deposit this donation in support of this project; now, therefore be it

RESOLVED that the Town Board accepts the Wellness grant in the amount of Five Hundred dollars (\$500.00) from the Finger Lakes Municipal Health Insurance Trust (FLMHIT) and authorizes the Finance Director to increase the revenue line Gifts and Donations (A.2705) by Five Hundred dollars (\$500.00) in the 2019 Budget in addition to an offsetting increase in the expense line Other General Government Wellness Committee (A.1989.420) of Five Hundred dollars (\$500.00). All budget entries to be done upon board approval; and be it further.

RESOLVED that a copy of this resolution be forwarded to Michael Stockman, Chairman Wellness Committee; Barbara Cole, Finance Department; Karen Bodine, Town Clerk; and Jack Marren, Supervisor/FLMHIT Liaison.

RESOLUTION #229

AUTHORIZATION FOR SUPERVISOR TO SIGN AMENDMENT TO THE 2018/2019 SNOW AND ICE SEASON FOR INDEXED LUMP SUM CONTRACTS FOR WINTER SEVERITY ADJUSTMENT

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 New York State Department of Transportation (NYSDOT) contracts with the Town of Victor to control snow and ice on State Routes 444 and 251 each winter; and

WHEREAS, the Town of Victor entered into the 2018/2019 Snow and Ice Agreement (Contract #D009778) with NYSDOT with Resolution No. 73-17 which expires on June 30, 2019; and

WHEREAS, due to the severity of the winter during 2018/2019 the Municipality requests that the Municipal Snow and Ice Agreement estimated expenditure be revised to reflect the additional lane miles of state roads that were plowed/treated during the winter season; and

WHEREAS, in correspondence dated 5/9/19 the NYSDOT has agreed to an index adjustment increasing the amount due by Thirty Five Thousand Four Hundred Seventy dollars and Forty Four cents (\$35,470.44); now, therefore, be it

RESOLVED, that the Victor Town Board does hereby authorize the Supervisor to sign the Amendment to the 2018/2019 Snow and Ice Season, which increases the contract amount by Thirty Five Thousand Four Hundred Seventy dollars and Forty Four cents (\$35,470.44); and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Department, Mark Years, Highway Superintendent; Town Clerk, and the New York State Department of Transportation, Ontario/Wayne County Residency.

Resolution #230- the Town Board recognized Jon McConnell and Dr. Michael Keys and thanked them for their interest in serving on the Joint Victor Fire District as Commissioners, noting this will make history as the first five Fire Commissioners to serve. Also, John Turner, Peter Kowal, and Charles Trego and Betty Post were mentioned for serving. A thank you to Councilman Condon and Councilman Tantillo for being part of the interview committee along with Gerald Barry, Trustee Mike Crowley, and Mayor Gary Hadden.

RESOLUTION #230

APPOINTMENT OF THE INITIAL BOARD OF FIRE COMMISSIONERS AND TREASURER FOR THE NEWLY-FORMED VICTOR JOINT FIRE DISTRICT

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 Victor Joint Fire District was formed on March 19, 2019 through a referendum vote of the residents of the Village of Victor; and

WHEREAS, the Victor Town Board, per Article 11 § 174 of Town Law, has the authority to appoint the initial Board of Fire Commissioners and Treasurer for the newly-formed fire district; and

WHEREAS, these positions were advertised and interviews were held on Thursday, May 2, 2019 of all selected applicants with a selection committee consisting of Councilman David Tantillo, Councilman David Condon, Mayor Gary Hadden, Deputy Mayor Michael Crowley, and Past president of the Victor Fire Department, Inc. Gerald Barry; and

WHEREAS, Dr. Michael Keyes, Peter Kowal, John Turner, Jon McConnell, and Charles Trego were selected to comprise the initial Board of Fire Commissioners for a term beginning on June 1, 2019 through December 31, 2019; and

WHEREAS, Betty Post was selected to serve as the initial Fire District Treasurer for a term beginning on June 1, 2019 through December 31, 2019; now therefore be it

RESOLVED that the Victor Town Board hereby appoints Dr. Michael Keyes, Peter Kowal, John Turner, Jon McConnell, and Charles Trego to comprise the initial Board of Fire Commissioners for a term beginning on June 1, 2019 through December 31, 2019; and be it further

RESOLVED that the Victor Town Board hereby appoints Betty Post to serve as the initial Fire District Treasurer for a term beginning on June 1, 2019 through December 31, 2019; and be it further

RESOLVED that a copy of this resolution be sent to Human Resources, Fire Chief Sean McAdoo, Dr. Michael Keyes, Peter Kowal, John Turner, Jon McConnell, Charles Trego, Betty Post and the Town Clerk.

RESOLUTION #231

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO CONTRACT FOR ACTUARY TO COMPLY WITH GASB 75 – GOVERNMENTAL ACCOUNTING STANDARDS BOARD FOR RETIREE HEALTH CARE PLAN

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

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

Unanimously Approved

WHEREAS, an actuary is needed to perform the actuarial services for the retiree health care plan for the Town of Victor in accordance with GASB 75 – Governmental Accounting Standards Board - for each fiscal year ending December 31st ; and

WHEREAS, Brown & Brown Consulting Services has submitted a four-year quote for these services as follows:

2019 – “Rollforward Valuation” - \$1,850.00
2020 – Full Valuation - \$3,500.00
2021 – “Rollforward Valuation” - \$1,850.00
2022 – Full Valuation - \$3,500.00; and

WHEREAS, the funds are included and will be available each applicable year beginning in 2019 in the Town Budget Line Item A.1989.400 Special Items Contracted Costs; now, therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to enter into a four-year contract with Brown & Brown Consulting Services for GASB 75 Actuarial Services as follows:

2019 – “Rollforward Valuation” - \$1,850.00
2020 – Full Valuation - \$3,500.00
2021 - “Rollforward Valuation” - \$1,850.00
2022 – Full Valuation - \$3,500.00; and be it further

RESOLVED, that said funds are included and will be available each applicable year beginning in 2019 in the Town Budget Line Item A.1989.400 Special Items Contracted Costs; and it be further

RESOLVED, that a copy of this resolution be sent to Curt Evans – Brown & Brown of Pennsylvania, LP; Brain Hart – Brown & Brown of New York; Finance Office, Town Clerk, and Human Resources.

RESOLUTION#232

AUTHORIZATION FOR TOWN SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF FARMINGTON FOR SHARED BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER SERVICES

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

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

WHEREAS, the Town of Farmington is currently in need of Building Inspectors and Code Enforcement Officers to assist with construction safety and compliance items; and

WHEREAS, the Town of Victor and the Town of Farmington have agreed to utilize the shared services of Building Inspectors and Code Enforcement Officers employed by the Town of Victor, per the agreement identified as Schedule A and kept in the subject file in the Town Clerk's office; and

WHEREAS, the Town of Victor will bill the Town of Farmington at the beginning of each month for the total hours used in the prior month at an hourly rate as follows:

Tom Stirone – Building Inspector:	\$25.85/hour
John Hargather – Building Inspector:	\$26.85/hour
Marty Avila – Code Enforcement Officer:	\$29.79/hour
Alan Benedict – Code Enforcement Officer:	\$52.30/hour; now, therefore be it

RESOLVED, that the Supervisor is authorized to enter into an Intermunicipal Agreement with the Town of Farmington for the shared services of the Town of Victor's Building Inspectors and Code Enforcement Officers at an hourly rate schedule as follows:

Tom Stirone – Building Inspector:	\$25.85/hour
John Hargather – Building Inspector:	\$26.85/hour
Marty Avila – Code Enforcement Officer:	\$29.79/hour
Alan Benedict – Code Enforcement Officer:	\$52.30/hour; and be it further

RESOLVED that a copy of this resolution be sent to Director of Planning & Building, Finance Department, Human Resources, Town Clerk, and the Town of Farmington Supervisor.

RESOLUTION #233

CONFIRMING RESOLUTION FOR THE ESTABLISHMENT OF THE “BLUMONT RISE SUBDIVISION SEWER DISTRICT” AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED SEWER DISTRICT

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

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

WHEREAS, on March 25, 2019, the Town Board approved and authorized the establishment of the “Blumont Rise” Sewer District as well as the simultaneous consolidation thereof into the Town of Victor Consolidated Sewer District pursuant to the Final Consolidation Agreement for the Town of Victor Consolidated Sewer District and the “Blumont Rise” Sewer District; and

WHEREAS, the Town Engineer provided the Ontario County Real Property Office and the Town Tax Assessor current maps showing parcel boundaries and assessment districts and areas, in both hard copy and digital form; and

WHEREAS, the Town Clerk of the Town of Victor duly filed a certified copy of the approval resolution with the New York State Comptroller; and

WHEREAS, the Town Clerk of the Town of Victor duly recorded a certified copy of the approval resolution in the Office of the Clerk of Ontario County; and

WHEREAS, the Town Clerk duly published and posted a Notice of Permissive Referendum in accordance with Town Law; and

WHEREAS, greater than 30 days have passed since the posting and publishing of said Notice of Permissive Referendum; and

WHEREAS, no petition in opposition to the establishment and consolidation of the “Blumont Rise” Sewer District has been filed; now, therefore, be it

RESOLVED, that the Town Clerk file a certification with the Ontario County Clerk indicating that 30 days have passed since the posting and publishing of the Notice of Permissive Referendum and no petition in opposition to said establishment and consolidation has been filed.

Resolution #234- Councilman Tantillo commented on a sunset clause that would eliminate the process of a Public Hearing and the property would revert back to the original zoning. Counsel Kevin Overton will look into this and also noted that this action would not be inappropriate to do at this time.

Councilman Tantillo wants to note this in the resolution if the Town Board executes the sunset clause.

RESOLUTION #234

SET PUBLIC HEARING - LOCAL LAW NO. -2019 TO REPEAL LOCAL LAW NO. 1-2015 ESTABLISHING 7200 RAWSON ROAD PLANNED DEVELOPMENT DISTRICT

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

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

Unanimously Approved

WHEREAS, on December 22, 2014 Local Law No. 1-2015 to Establish a Planned Development District Entitled “7200 Rawson Road” by Amending the Town of Victor Zoning Map and the Victor Town Code at Chapter 211 Entitled “Zoning” was adopted; and

WHEREAS, the Planning and Building Department has identified the need to repeal Local Law No. 1-2015 to Establish a Planned Development District Entitled "7200 Rawson Road" by Amending the Town of Victor Zoning Map and the Victor Town Code at Chapter 211 Entitled “Zoning” as the Local Law was conditioned upon the Planning Board issuing site plan approval and/or subdivision approval in relation to the parcel identified in the Local Law, which approval must occur within one year of approval of this Local Law. Since no site plan approval and/or subdivision approval was issued, tax map parcel # 27.00-1-28.000 shall revert back to Light Industrial zoning; and

WHEREAS, a draft Local Law has been submitted to the Town Board and said draft Local Law is on file with the Town Clerk; and

WHEREAS, the Town Board seeks to set a public hearing with respect to the adoption of said local law; now, therefore, be it

RESOLVED, by the Victor Town Board that a Public Hearing shall be had on the 24th day of June, 2019, at 7:00 p.m., for the purpose of adopting a Local Law to repeal Local Law No. 1-2015 Establishing 7200 Rawson Road Planned Development District; and

RESOLVED, that the Town Board hereby directs the Town Clerk to refer the Local Law to the Ontario County Planning Board pursuant to NY General Municipal Law Section 239-m; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Planning Board, Assessor, Town Planning and Building Department, and the Town Clerk.

PUBLIC COMMENTS:

- **Steve Metzger** - LaBella Associates addressed the Board to let them know that LaBella will be coming before the Board next month with a recommendation to purchase a Pump for Pump Station #14 in Cobblestone. Pumps can be directly purchased from the manufacturer and once the site design is complete, it will go out to bid. A summary with details will be provided to the Board at the next meeting.

ADJOURNMENT:

With no further business to come before the Board, the regular Town Board meeting was adjourned at 7:35PM on motion by Councilman Tantillo, seconded by Councilman Kahovec. Motion carried.

Respectfully Submitted,

Karen C. Bodine -Town Clerk