

**A regular meeting of the Village of Victor Board of Trustees was held on Monday, April 4, 2016, at the Village Hall, 60 East Main Street.**

**MEMBERS PRESENT:** Mayor Jason Ashton  
Trustee Larry Rhodes  
Trustee Gary Hadden  
Trustee Carol Commisso  
Director of Public Works John Turner  
Village Attorney Reid Holter  
Village Clerk Pamela Hogenes

**MEMBERS ABSENT:** Trustee Michael Crowley

**OTHERS PRESENT:** John Holden, Deputy Chief Sean McAdoo, Chief Joe Murphy, VFD

Meeting was called to order by Mayor Ashton at 7:00pm.

Salute to the flag.

**Public Hearing**

Pamela Hogenes read the following legal notice into the record:

*PLEASE TAKE NOTICE that the Board of Trustees of the Village of Victor will hold a public hearing at the Village Hall, 60 East Main Street, Victor NY on Monday, April 4, 2016. The public hearing will commence at 7:00pm. The purpose of the public hearing will be to solicit comments from the public as to whether the Village of Victor should enact a local law imposing a moratorium on accepting any applications for Telecommunication Towers within the limits of the Village of Victor for the shorter of (1) one hundred eighty (180) days or (2) such time that the Village has completed the review of the Village Code.*

*By Order of the  
Village of Victor  
Board of Trustees*

*Date: March 22, 2016  
Pamela Hogenes, Village Clerk*

***Open Public Hearing***

On a motion made by Trustee Gary Hadden, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved,** that the Village Board of Trustees will open the Public Hearing.

Mayor Ashton asked for comments from the Board.

Mr. Rhodes asked what prompted the need for the moratorium.

Attorney Holter stated the Town has been approached recently regarding more cell towers in the Town and the Village. Mr. Holter was made aware that the Village Code refers to a section in the Town Code that is no longer in the Town's code.

Mayor Ashton stated the Telecommunication Tower chapter will be part of the Village code review.

Mayor Ashton asked for comments from the Public.

*No comments from the public*

***Close Public Hearing***

On a motion made by Trustee Larry Rhodes, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved,** that the Village Board of Trustees will close the Public Hearing.

**Resolution #44-16**

**TELECOMMUNICATION TOWERS- MORATORIUM**

On motion of Trustee Gary Hadden, seconded by Trustee Larry Rhodes the following resolution was ADOPTED 4 AYES 0 NAYS

**Whereas,** the Village of Victor is in the process of reviewing the Village Code; and,

**Whereas,** the Village Board feels that, in particular, Chapter 149, Telecommunication Towers needs to be amended; now

**Therefore, be it Resolved,** that the Village Board of Trustees of the Village of Victor hereby enacts the following local law: #1-16

That for a period of no more than one hundred eighty (180) days from the date of enactment of this local law the Village Board will not accept any applications to construct a telecommunication tower within the Village limits.

The local law shall remain in effect for one hundred eighty days (180) or until such time as the Village code review is substantially completed whichever is shorter.

\*\*\*\*

**Privilege of the Floor**

**John Holden**, 172 Maple Ave., came before the board requesting a lot line adjustment between his property and 162 Maple Ave. Mr. Holden stated he is purchasing 11 feet from Ms. McMillan to add a garage to his home.

**Resolution #45-16**

**Lot Line Adjustment – 162/172 Maple Ave**

On motion by Trustee Gary Hadden, seconded by Trustee Larry Rhodes the following resolution was ADOPTED 4 AYES 0 NAYS

WHEREAS, an application for approval of a change in the lot lines between 172 Maple Avenue and 162 Maple Avenue was received by the Village Clerk from John and Dawn Holden, 172 Maple Ave., Victor on March 29, 2016;

WHEREAS, the present location of the lot line results in 172 Maple Ave. being a nonconforming lot;

WHEREAS, the proposed survey map dated October 13, 2015 and identified as "map" was received from Gary Dutton on March 20, 2016;

WHEREAS, if the requested change is approved, the parcel at 172 Maple Ave. will continue to be a nonconforming lot, but to a lesser degree than now exists;

WHEREAS, both the owner of 172 Maple Ave. and the owner of 162 Maple Ave. expressed support for the requested change; and,

WHEREAS, the Village Board of Trustees reviewed the application and survey and has determined that the change in the lot lines shall be in the best interest of the owners of the affected lots and of the Village;

THEREFORE, NOW, BE IT RESOLVED that the Village Board of Trustees hereby approves the lot line adjustment between 162 Maple Ave., Victor, NY and 172 Maple Ave., Victor, NY as described in the above referenced map.

\*\*\*\*

**Open Discussion**

**Chief Joe Murphy, Victor Fire Dept.** stated he found a 2001 Rescue Truck on line for \$180,000 and would like the board's approval to have the broker hold the vehicle until the Truck Committee can go and look at the truck in Pennsylvania.

Chief Murphy is hoping to get \$125,000 for the old ladder truck currently for sale. Purchasing this truck will push out the repayment on the new ladder truck one more year.

The board did not object to the Truck Committee going to see the truck. Trustee Rhodes to go along.

### **Clerk Report**

#### **Resolution #46-16**

##### **Acceptance of Minutes**

On motion of Trustee Gary Hadden, seconded by Trustee Larry Rhodes, the following resolution was APPROVED 3 AYES 0 NAYS 1 ABSTAIN Carol Commisso

**Resolved** to accept the meeting minutes from March 21, 2016

\*\*\*\*

#### **Resolution #47-16**

##### **Payment of Bills**

**Whereas**, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #21 using vouchers #1547-1593; and,

**NOW**, therefore on a motion made by Trustee Carol Commisso, seconded by Trustee Larry Rhodes, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved** to authorize the Treasurer to pay invoices from Abstract #21 in the following amounts:

General	\$ 71,107.71
Water	\$ 7,641.68
Sewer	\$ <u>16,435.57</u>
<b>TOTAL</b>	\$ 95,184.96

\*\*\*\*

#### **Resolution #48-16**

##### **Amend Resolution #39-16 – Schedule Joint Public Hearing, Lynaugh Rd. Properties LLC**

On motion by Trustee Gary Hadden, seconded by Trustee Carol Commisso the following resolution was ADOPTED 4 AYES 0 NAYS

**Whereas**, on March 21, 2016, the Village Board of Trustees adopted resolution #39-16 scheduling a Joint Public Hearing with the Town of Victor for April 11, 2016 @ 6:30pm for the annexation of lands from the Town into the Village of Victor; and

**Whereas**, it was determined that the date of the Joint Public Hearing needed to be moved to April 25, 2016 @ 6:30pm; now be it

**Resolved**, that the Village Board and the Town Board will hold a Joint Public Hearing on April 25, 2016 at 6:30pm at the Town Hall, 85 E. Main St, Victor regarding the Petition for Annexation from Lynaugh Rd. Properties LLC.

\*\*\*\*

**ORGANIZATIONAL PORTION**

The Village Clerk reviewed the fire escape plan for the Village Hall pointing out the exits and that in case of evacuation everyone should proceed to the Presbyterian Church, 70 East Main Street.

**RESOLUTION #49-16**

**Organizational Appointments**

On motion of Trustee Gary Hadden, seconded by Trustee Carol Commisso the following resolutions were ADOPTED 4 AYES 0 NAYS

1. **VILLAGE BOARD MEETING NIGHTS**  
**Resolved** that the Victor Village Board of Trustees meetings will be held the first and third Mondays of each month at 7:00 p.m. In the event that the first or third Monday falls on a holiday, the meeting will be held on Tuesday of the same week.
2. **CHANGE ANNUAL FIRST MEETING IN SEPTEMBER**  
**Resolved**, to annually change the first Board of Trustees meeting in September to be on the second Monday of the month due to the Labor Day Holiday
3. **VILLAGE HALL SUMMER HOURS**  
**Resolved**, that the Village Board of Trustees authorizes the Village Hall Office Staff to establish summer hours, 8:00am to 4:00pm, Monday through Friday, during the months of July and August.
4. **OFFICIAL NEWSPAPER**  
**Resolved** that the Daily Messenger be designated as the official publication for the Village of Victor.
5. **OFFICIAL DEPOSITORY**  
**Resolved** that the Village of Victor may do business with any bank or trust company licensed to do business in the state of New York.
6. **CUSTODIAN OF LOCK BOX**  
**Resolved** that the Treasurer be the custodian of the lock box.
7. **VILLAGE ATTORNEY APPOINTMENT**  
**Resolved** to appoint Reid Holter as Village Attorney for a term of one (1) year.

8. **VILLAGE ENGINEERING FIRM**  
**Resolved** to appoint Chatfield Engineers as the Village Engineer for a term of one (1) year.
9. **VILLAGE FINANCIAL CONSULTANT**  
**Resolved** to appoint Fiscal Advisors (Contract with Roy McMaster) for a term of one (1) year.
10. **VILLAGE INSURANCE AGENT**  
**Resolved** to appoint Robert Anderson of R L Anderson –Van Horne Associates for a term of one (1) year.
11. **VILLAGE HISTORIAN**  
**Resolved**, that the Village Board of Trustees will appoint Babette Huber as Village Historian for a term of two (2) years. (Expires 04/18)
12. **PART TIME CLERK**  
**Resolved** to appoint Roseanne Turner-Adams as Part-time Clerk for a term of one (1) year.
13. **DESIGNATION OF THE VICTOR CHAMBER OF COMMERCE AS COORDINATOR TO PROMOTE TOURISM IN VICTOR**  
**Resolved**, that the Village of Victor does hereby designate the Victor Chamber of Commerce as the Coordinator to promote tourism in Victor
14. **MILEAGE RATE**  
**Resolved**, that the Village of Victor will pay mileage to its Village Officials and Employees at the rate in accordance with the allowance paid by the Internal Revenue Service regulations.
15. **CHECK SIGNING AUTHORIZATION**  
**Resolved** to authorize the Mayor and Village Clerk to sign checks, banking slips and tax searches in the absence of the Treasurer.
16. **Workday and Reporting Resolution for Elected And Appointed Officials**  
**Resolved**, for New York State Retirement purposes, the Village Board of Trustees reports the following days worked for employees of the Village of Victor as follows:  
  
Elected officials standard workday is 6 hours per day.  
Village Clerk standard workday is 8 hours per day.  
Village Treasurer standard workday is 8 hours per day.  
Village Director of Public Works standard workday is 8 hours per day.  
Village Attorney standard workday is 6 hours per day.  
Part time Village employees standard workday is 6 hours per day.

17. **PREPAID BILLS**  
**Resolved** to authorize the Treasurer to prepay the utility bills, postage, insurance and freight.
18. **VILLAGE INVESTMENT POLICY**  
**Resolved** that the Village of Victor Investment Policy as it appears in the Village Code Book has been reviewed and is hereby adopted for fiscal year 2016-2017.
19. **PROCUREMENT POLICY**  
**Resolved** that the Village of Victor Procurement Policy as it appears in the Village Code Book has been reviewed and is hereby adopted for fiscal year 2016-2017.
20. **REVERTER CLAUSE**  
**Resolved** that the Village of Victor Reverter Clause for the Urban Renewal Agency has been reviewed and discussed and is hereby adopted for fiscal year 2016-2017
21. **COMPREHENSIVE EMERGENCY MANAGEMENT PLAN COMMITTEE**  
**Resolved** that the Fire Marshal is requesting the Village Board appoint a Comprehensive Emergency Management Plan Committee consisting of the Village Clerk Pamela Hogenes, Village Public Works Representative Jon McConnell, Village Board Representative Jason Ashton, Town Water Department and Highway Representative S. Scott Hopkins and Town Board Representative Jack Marren, Gerald Sensabaugh, Deputy Emergency Manager and Fire Marshall Robert Graham, Emergency Manager for a term of one (1) year.

\*\*\*\*

Ms. Hogenes stated the Victor Farmington Library is not raising the tax rate this year so no vote is needed.

### **Director of Public Works Report**

Mr. Turner reported:

- Pre-bid meeting on April 1. 7 contractors attended. Bid opening is 11:00 on April 8.
- Still working on MOU with Town on the detour for Maple Ave.
- Drainage on Lynaugh completed
- Latchmere improvements – May 1
- High St. re-paving - July

### **Resolution #50-16**

#### **Transfer of Funds – New Sewer Truck and Hydraulic Tamper for Mini-shovel**

On a motion made by Trustee Larry Rhodes, seconded by Trustee Gary Hadden, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved**, that the Village Board of Trustees authorizes the Treasurer to transfer funds in the amount of \$380,410 from the Equipment Reserve Fund to the Central Garage Account A1640.2 for the purchase of a 2016 Sewer Truck and Hydraulic Tamper attachment for the Mini-shovel.

This resolution is subject to a permissive referendum.

\*\*\*\*

### **Trustees Reports**

**Larry Rhodes** – Mr. Rhodes reported:

- Tree Board – Mr. Rhodes showed a plaque the Tree Board has received for their Tree City USA designation. On April 23<sup>rd</sup> the Tree Board is having an Arbor Day ceremony starting with a tree planting at the corner of School St. and Rawson Rd. at 9:30am. An Arbor Day Proclamation will be read, followed by a tree planting project along School St. The Tree Board is looking for volunteers from the Village Board.

### **Resolution #51-16**

#### **Appoint Rose Quinnan, Victor Village Tree Board**

On motion of Trustee Larry Rhodes, seconded by Trustee Gary Hadden the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved** that the Village Board of Trustees appoints Rose Quinnan to the Victor Village Tree Board.

\*\*\*\*

**Carol Commisso** – None

**Gary Hadden** – Mr. Hadden thanked the Tree Board for their dedication and hard work since its inception.

The Cemetery committee will be doing work in the Village cemetery this year. The dedication of the Parks Cemetery on Rowley Rd. will be Memorial Day weekend.

Mr. Hadden stated the new sign has arrived for the Fire Dept. and the Town Highway Dept. would like to utilize the old one. Mr. Turner stated he has no need for it so the Village will declare it surplus and gift it to the Town of Victor.

### **Mayor Report**

#### **Resolution #52-16**

#### **Zoning Board of Appeals Appointment – Kathryn Gruenfelder**

On motion of Trustee Gary Hadden, seconded by Trustee Larry Rhodes, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved** that the Village of Victor Board of Trustees will appoint Kathryn Gruenfelder to the Zoning Board of Appeals to fill the unexpired term of Carol Comisso to expire in April 2018.

\*\*\*\*

Mayor Ashton reported:

- Met with Meg CHaides and John Holden regarding the Ferris Terrace project
- Ms. CHaides and Mr. Holden will be meeting with a County Planning Board member to discuss the process for a PUD district on Apr. 11
- Village Government and Business Alliance meeting to discuss how to move forward with the survey results
- Staff meeting on Wed.
- Will be meeting with Labella regarding the code review.

**Adjournment**

Meeting adjourned on motion at 8:25pm.

---

Pamela Hogenes, Village Clerk