

**A regular meeting of the Village of Victor Board of Trustees was held on Monday, March 5, 2018 at the Village Hall, 60 East Main Street.**

**MEMBERS PRESENT:** Mayor Gary Hadden  
Deputy Mayor Michael Crowley  
Trustee Carol Commisso  
Trustee Robert Kelly  
Village Clerk Pamela Hogenes

**MEMBERS ABSENT:** Trustee Larry Rhodes  
Attorney Reid Holter  
Director of Public Works John Turner

**OTHERS PRESENT:** Diane White, Treasurer

Meeting was called to order by Mayor Hadden at 7:05pm.

Salute to the flag.

**Public Hearing**  
**Override NY Tax Levy Limit**

Pamela Hogenes read the following legal notice into the record:

*Please take notice that the Village of Victor Board of Trustees will hold a Public Hearing on March 5, 2018, at 7:00pm, at 60 East Main Street, Victor. The sole purpose of this Public Hearing will be to determine if the Village of Victor should enact a Local Law to override the tax levy limit established in General Municipal Law §3-c for the 2018-2019 Village Tax. A draft proposal of the chapter is on file at the office of the Village Clerk, Village of Victor.*

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

***Open Public Hearing***

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

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

Ms. White, Village Treasurer stated the proposed 2018-2019 budget currently was \$700 under the tax cap and as a safeguard feels the Board should pass a resolution to override

the tax levy limit just in case there is an error. The proposed Village tax rate will increase from \$4.35/1,000 to \$4.36/1,000.

Mayor Hadden asked for comments from the Board.

*No comments from the Board*

Mayor Hadden asked for comments from the Public.

*No comments from the public*

***Close Public Hearing***

On a motion made by Trustee Robert Kelly, seconded by Trustee Michael Crowley, the following resolution was ADOPTED 4 AYES 0 NAYS

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

**Resolution #29-18**

**OVERRIDE THE NY TAX LEVY LIMIT FOR 2018-2019 – LOCAL LAW #01-18**

On motion by Trustee Michael Crowley, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 4 AYES 0 NAYS

**Whereas**, the Board of Trustees of the Village of Victor held a public hearing on March 5, 2018 at 60 East Main St. Victor, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to Local Law #01-18 entitled "A Local Law to Override the New York Tax Levy Limit established in General Municipal Law §3-c"; and,

**Whereas**, the Board of Trustees of the Village of Victor, after due deliberation, finds it in the best interest of the Village of Victor to adopt said Local Law

**Now therefore, be it resolved**, that the Board of Trustees adopts Local Law 1-18 entitled "A Local Law to Override the New York Tax Levy Limit established in General Municipal Law §3-c" as follows:

**Local Law #1-18**

**A Local Law to Override the New York Tax Levy Limit Established in  
General Municipal Law §3-c**

**Section 1. Legislative Intent** It is the intent of this local law to allow, but not require, the Village of Victor to adopt a budget for the fiscal year commencing June 1, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. Authority** This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village’s Board of Trustees to override the property tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said village board of trustees.

**Section 3. Tax Levy Limit Override** The Board of Trustees of the Village of Victor, County of Ontario, is hereby authorized, but not required, to adopt a budget for the fiscal year commencing June 1, 2018 that includes a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

**Section 4. Severability** If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date** This local law shall take effect immediately upon filing with the Secretary of State.

Roll Call Vote

Mayor Gary Hadden	AYE	Deputy Mayor Michael Crowley	AYE
Trustee Robert Kelly	AYE	Trustee Carol Commisso	AYE
Trustee Larry Rhodes	Absent		

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**Clerk Report**

**Resolution #30-18**

**Acceptance of Minutes**

On motion of Trustee Carol Commisso, seconded by Trustee Robert Kelly, the following resolution was APPROVED 3 AYES 0 NAYS 1 ABSTAIN Michael Crowley

**Resolved** to accept the meeting minutes from February 19, 2018

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**Resolution #31-18**

**Payment of Bills**

**Whereas**, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #19 using vouchers #1485-1563; and,

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

**Resolved** to authorize the Treasurer to pay invoices from Abstract #19 in the following amounts:

General	\$ 26,404.41
Water	\$ 534.78
Sewer	\$ 7,868.18
HL – Latchmere Reconstruction	\$ 16,806.48
HW – WWTP Upgrades	\$ 28.68
<b>TOTAL</b>	<b>\$ 51,642.53</b>

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**Resolution #32-18**

**Schedule Public Hearing, Repeal Chapter 170, Zoning and Adopt a new Chapter 170, Zoning**

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

**Resolved** to schedule a Public Hearing for March 19, 2018 for the sole purpose of determining if the Village of Victor should repeal Chapter 170, Zoning, and adopt a new Chapter 170 of the same name.

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**Resolution #33-18**

**Schedule Public Hearing, Repeal Chapter 130, Signs and Adopt a new Chapter 130, Signs**

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

**Resolved** to schedule a Public Hearing for March 19, 2018 for the sole purpose of determining if the Village of Victor should repeal Chapter 130, Signs, and adopt a new Chapter 130 of the same name.

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**Resolution #34-18**

**Election Polling Place & Candidates**

On a motion made by Trustee Michael Crowley, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved**, that the next annual election of the Village of Victor will be held on Tuesday, March 20, 2018, at the Victor Village Hall, 60 East Main Street, Victor, New York. Polls will be open from 12:00 noon to 9:00 pm. The following persons have been nominated for the office and terms set forth below:

Office of Trustee (2)  
Two (2) Year Term

Carol Commisso  
11 Ambassador Dr.  
Victor, NY 14564

Robert Kelly  
10 Valley View Dr.  
Victor, NY 14564

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**Resolution #35-18**

**Approved Third Party Electrical Inspectors**

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

**Resolved**, that the Village of Victor, Board of Trustees authorizes the New York Electrical Inspection Agency, the Commonwealth Agency and the Middle Department Agency to perform third party electrical inspections in the Village of Victor with the following conditions:

- Providing proof of insurances and maintaining trained inspectors that use the latest rules of the National Electrical Code and the current ICC Building Codes used in the State of New York
- Shall be approved by the Rochester Gas and Electric to perform inspections
- Provide annually proof of insurance and qualifications of all inspectors to the office of Code Enforcement

**Further Resolved**, that the Board of Trustees reserved the right at any time, to any agency, to suspend permission to inspect within the boundaries of the Village of Victor with valid reason; and

**Further Resolved**, that a certified copy of this resolution be forwarded to the New York Electrical Inspection Agency, the Commonwealth Agency and the Middle Department Agency and going forward, this resolution be added to the Organizational meeting.

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

None

### **Trustees Reports**

**Michael Crowley** – Mr. Crowley requested entering into executive session later in the meeting to discuss a possible litigation issue.

**Larry Rhodes** – None

**Carol Commisso** - Ed Flynn from Labella Assoc. will be attending a future LDC meeting to help facilitate some projects after Dadras provides their recommendations for the Downtown Revitalization project. LDC has hired a new Attorney from Harris Beach. The Façade Improvement Program has been extended down School St. to 160 School St. and down Maple Ave. to Finn's Tap Room.

**Robert Kelly** – Planning Board has two sign applications, Deviate Desserts and Amy Lou's Cuts.

### **Mayor Report**

The next RT 96 corridor committee meeting is Wed. March 7.

### **Attorney Report**

None

### **Executive Session**

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

**Resolved,** that the Village Board of Trustees will enter into executive session to discuss a personnel matter. Ms. Hogenes to remain.

On motion of Trustee Carol Commisso, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved,** that the Village Board of Trustees will exit out of executive session.

### **Adjournment**

Meeting adjourned on motion at 7:50pm.

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Pamela Hogenes, Village Clerk