

VICTOR TOWN BOARD MEETING MONDAY JANUARY 23, 2023

An executive session of the Victor Town Board was held on January 23, 2023 at 6:00 PM in the Supervisor's Conference Room at the Victor Town Hall.

**PRESENT:** Supervisor Marren, Councilman Cusimano; Councilman Condon, Councilman Kahovec; Councilman Guinan; Rich O'Donnell, Finance Director; Attorneys Frank Pavia, Kyle Gooch from Harris Beach. Munesh Patel also zoomed in.

**MOTION TO OPEN EXECUTIVE SESSION**

Time: 6:00PM

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

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

RESOLVED that the Victor Town Board move to Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect the value.

**MOTION TO CLOSE EXECUTIVE SESSION**

Time: 6:48PM

On motion of Councilman Cusimano seconded by Councilman Condon, the Executive session of the Victor Town Board was closed with no action taken.

5 Ayes (Marren, Kahovec, Guinan, Condon, Cusimano) 0 Nays

RESOLVED that the Executive Session closed, and the Board took a short break before the regularly scheduled meeting.

**Supervisor Marren** called the regular meeting to order @ 7:01 PM.

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 outside. Emergency exits were pointed out.

Also noted the meeting room is equipped with the induction loop hearing assistance system, explaining conversations can be heard through the microphones on hearing aids with a t-switch. Emergency exits were pointed out. The meeting was also live streamed via YouTube with text commenting available to the public.

**Flag Salute**

<b>PRESENT:</b>	Supervisor Marren	Councilman Guinan
	Councilman Kahovec	Councilman Cusimano
	Councilman Condon	

**ALSO PRESENT:** Karen Bodine, Town Clerk; Frank Pavia, Attorney; Mark Years, Highway Superintendent; Rich O'Donnell, Finance Director; Suzy Mandrino, IT; Steve Metzger - LaBella Associates; Carole Fisher; Maura Steed; David Anderson; Sandra Schneider.

**SUPERVISOR'S ANNOUNCEMENTS:**

- Employee Birthdays of the Month

**PUBLIC HEARING BEGINS @ 7:00PM**

- 1) Proposed Local Law to Amend Chapter 211 Zoning to Create a Cannabis Retail Dispensary Overlay Zoning District

*Legal Notice was posted & published in the Daily Messenger on January 13, 2023.*

Resolution No. 314 was adopted on December 12, 2022 for the Town Board to Act as Lead Agency Relating to the Adoption of the Cannabis Local Law

**Public Hearing is rescheduled for February 13 and will be renoticed.**

Supervisor Marren asked the clerk's office to reschedule the first public hearing. He indicated he sent the Board maps, also at their seats. The maps identify parcels in the Benderson complex (building that houses Men's Warehouse, PiCraft Pizza, Jersey Mike's and the corner restaurant). Previously, the board had looked at 250, 500 and 750-foot buffers and felt all seemed to be pretty extreme. There is the 100-foot buffer which is identified in the local law as well. The intent is to look at where these buildings are and the two neighborhoods behind them; residents that live on Rolling Meadows Way and on Meadowlark Lane. The intent would be to provide a buffer that has no distance identified but excludes these four parcels from the tax map. Supervisor Marren also asked the board and the town attorney if we could remove any language in the local law that refers to contiguous parcels which can cause confusion.

Supervisor Marren is making these recommendations and is asking for feedback from the Board. If the board agrees we'll have the revisions and renotify holding the public hearing on February 13.

All board members agreed and had no issues.

- 2) Proposed Local Law to Override the NY Tax Levy Limit For 2024 – Town of Victor  
*Legal Notice was posted & published in the Daily Messenger on January 13, 2023.*

Finance Director, Rich O'Donnell provided an overview. This is a procedural process, which has been done in the last few years and has been done in January before the budget process starts in the summer. The intention is always NOT to override the tax limit. In the budget meetings with department heads prior to the start of the budget process, the thought is to be at the tax cap or below. In 2023, the tax levy was kept the same. Some concerns going into this budget year are inflation and how it affects the costs of goods which we have no control over (utilities, fuel and the sales tax revenue). Mr. O'Donnell is confident we can stay at or below the tax cap for next year.

There were no members of the public speaking for or against the tax cap override.

**MOTION TO CLOSE THE PUBLIC HEARINGS**

On motion of Councilman Guinan, seconded by Councilman Cusimano the Public Hearings were closed and the regular meeting reconvened. Motion carried.

5 Ayes (Marren, Condon, Kahovec, Cusimano, Guinan) 0 Nays

**APPROVAL OF MINUTES**

On motion of Councilman Cusimano, seconded by Councilman Condon, the January 9<sup>th</sup> Organizational Minutes along with the Regular Town Board meeting minutes were approved as presented. Motion Carried.

5 Ayes (Marren, Condon, Kahovec, Cusimano, Guinan) 0 Nays

**PAYMENT OF BILLS**

On motion of Councilman Kahovec, seconded by Councilman Guinan Manifest #2 in the amount of \$118,800.09 was approved. Motion carried.

5 Ayes (Marren, Condon, Kahovec, Cusimano, Guinan) 0 Nays

Documentation for these expenditures can be found on vouchers filed by numbers #20230095-20230176.

General Townwide	\$94,549.83
General Outside Village	10,722.68
Highway Townwide	13,527.58

**Supervisor Marren** reviewed the following expenditures for Manifest #2 that were in the range of or exceeded \$5,000.00.

- Bluestone Creek Development – February rent Parks/Rec. facility - \$11,562.50
- Harris Beach – December Legal Services - \$10,344.50
- Integrated Systems – For 2023 Professional Services - \$5,166.25
- Kistner Concrete – Manholes/catch basins - \$6,561.56
- Ontario County Board of Elections – 2023 contract for Town voting districts - \$18,000.00
- Ontario County Stormwater Coalition – 2023 Membership - \$5,000.00

**PRIVILEGE OF THE FLOOR: None**

**Public Comments or Concerns:**

Maura Steed, Strong Road resident, wanted to express her passion for the farmland and the legacy of Victor. She appreciates the opportunity to speak before the Board. There is a development being proposed on Strong and Taylor Roads and residents are fearful of this opening the door to more farmland being lost permanently. There are green spaces and conservation included, but they won't be conducive to farming. We won't be good stewards of the land. The drumlins, the unique formation of the land have made for incredible aquifers for creeks, streams that have continued to be sources of water. She discussed the Finger Lakes and Great Lakes that provide so much of the fresh water in the world. Ms. Steed understands the farmers' right to sell the land but is asking the Town to look at creative ways of dealing with this. She suggested farmer organizations encouraging young people who want to farm, organizations with endowments whose goal is to preserve the land, etc.

Carol Fisher, 632 Wangum Road (County Road 42) wanted to acknowledge Casey Paige, Highway Department for her hard work and credited her for having RGE/NYSEG fix the street light that has been out for quite awhile by her home.

**Report of Town Officials:**

- ❖ Highway  
Supervisor Marren commented that both metal and paper were down \$7,000 (over 2021).

- ❖ Historian

- ❖ IT

- ❖ Planning and Building

Supervisor Marren noted the number of fire inspections (893) performed by our Fire Marshal, Robert Graham. Building permits issued in 2022 are 803, which is close to more than 100 more than what was issued in 2021. Also, the stormwater manager said we are still waiting on new generators for PS 10, Rainbow Run and PS 13. It has taken about 18 months (versus the year they were told).

There were 45 residents at the Zoning Board of Appeals meeting, most of which live in the Gypsum Mills area. There were a couple stop work orders issued there. Several of the manufactured homes in the park are infringing upon the space between each dwelling. The Town Supervisor, ZBA Chair and Code Officer met and toured the manufactured home park. Some of those applications were tabled because they had to be referred to the County.

Councilman Drew Cusimano is the liaison to the ZBA, and he referenced the conservation about Hold Harmless agreements at the last town board meeting and he reported an applicant at the ZBA meeting followed the proper process for adding an addition to the home, but it was the contractor that completed the job was too close to the side setback of the adjacent residential property. Councilman Cusimano noted the diligence of the planning & building department with hold harmless agreements, easements, and all of these projects and also it seems to be a difficult thing to capture the whole town and control those situations.

Councilman Cusimano also wanted to recognize our Fire Marshal, Robert Graham on the amount of fire inspections and said that he witnesses the detail inspections the fire marshal performs. Supervisor Marren agreed the fire marshal is very thorough.

Supervisor Marren thanked Councilman Condon for answering questions from the Planning Board regarding the cannabis overlay district that was referred to them.

**SUPERVISOR'S ANNOUNCEMENTS:**

Supervisor Marren also noted that also at the Town Board's place setting there is the Victor Fire Department line officers and district commissioners contact information for 2023.

He also thanked all the board members who took the time to attend the open house for Congresswoman Claudia Tenney. Through redistricting, she is our Congresswoman and the office in Victor will be her main office, 7171 Pittsford-Victor Road, which is across the street from the car wash and the first Kwik-Fil gas station.

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Supervisor Marren received a resignation from the Director of the Victor/Farmington Food Cupboard, Karen Guidarelli. She will be sorely missed. Karen is very passionate about feeding the people in this region.

A new company is coming to Victor, DGA Builders, with 59 employees and looking to grow. They are located at 7612 Main Street Fishers. This is the second tenant in this 12,000-sf building. DGA will occupy about 8,000 square feet.

**BUSINESS:**

**RESOLUTION NO. 33 AGREEMENT – PROCTOR ENTERPRISES, REPLACEMENT OF GARAGE ROOF AT MARY FRANCES BLUEBIRD HAVEN**

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with a contractor for the replacement of the garage roof at Mary Frances Bluebird Haven; and WHEREAS, the Director of Parks and Recreation has received the following quotes for the project:

VENDOR	PRICE QUOTE
Proctor Enterprises	\$4,875.00
Roof Rangers	\$12,100.00

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor to enter into agreement with Proctor Enterprises under the terms and conditions as provided for in the contract kept in the subject matter file in the Town Clerk’s Office for a fixed fee of Four Thousand, Eight Hundred and Seventy-Five dollars (\$4,875.00) to be paid from the 2023 Budget Line item A.7110.400ARP – American Rescue Plan Contractual; and further

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 a copy will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Jerry Proctor.

**RESOLUTION NO. 34 AGREEMENT – BRIAN PETTY**

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Brian Petty for instruction in comic book art / cartooning, drawing and watercolor painting for youth and adults; and

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WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Brian Petty under the terms and conditions as provided for in the contract kept in the subject matter file in the Town Clerk's Office for a fixed fee of One Hundred Sixty dollars (\$160.00) per four-week session/ per program to be paid from the 2023 Budget Line item A.7020.400 Celebrations Contractual; and further

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 a copy will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Brian Petty.

RESOLUTION NO. 35 AGREEMENT – SHARON MCGRAIN (MOJO BLUE BAND)

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Sharon McGrain (MoJo Blue Band) for a concert at its Sid Partington Memorial Concert in the Park event on June 29, 2023 at Victor Municipal Park; 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 the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Sharon McGrain (MoJo Blue Band) under the terms and conditions as provided for in the contract kept in the subject matter file in the Town Clerk's Office for a fixed fee of Eight Hundred Dollars (\$800.00) to be paid from the 2023 Budget Line-item A.7550.400 Celebrations Contractual; and further

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 a copy will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Sharon McGrain.

RESOLUTION NO. 36 REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, the Town Board adopted the Resolution # 234 – Town of Victor Contract Procedures on June 13, 2016; and

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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 Petty	Comic Book Art / Cartooning / Drawing / Watercolor Painting	Victor Recreation Center	\$160.00 / per 4-week session / per program	December 31, 2023		Insufficient Coverage
Sharon McGrain	Summer Concert	Victor Municipal Park	\$800.00	December 31, 2023		Insufficient Coverage

Now, therefore, be it

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

<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 Petty	Comic Book Art / Cartooning / Drawing / Watercolor Painting	Victor Recreation Center	\$160.00 / per 4-week session / per program	December 31, 2023	Insufficient Coverage
Sharon McGrain	Summer Concert	Victor Municipal Park	\$800.00	December 31, 2023	Insufficient Coverage

And be it further

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, Sharon McGrain and Brian Petty.

RESOLUTION NO. 37 AGREEMENT – PAMELA WARREN

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Pamela Warren for instruction in ice skating for preschool age children, youth, and adults; and

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WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Pam Warren under the terms and conditions as provided for in the contract kept in the subject matter file in the Town Clerk's Office for a sum of Eighty Percent (80%) of the recreation program revenues allocated to the Contractor and Twenty Percent (20%) of the recreation program revenues allocated to the Town to be paid from the 2023 Budget Line item A.7020.400 Recreation Programs - Contractual; and further

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 a copy will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Pamela Warren.

RESOLUTION NO. 38 AUTHORIZATION FOR THE PURCHASE OF LAND PRIDE / KUBOTA TRACTOR GRAPPLE BUCKET FROM SAXBY IMPLEMENT CORPORATION PIGGYBACKING FROM LAND PRIDE SOURCEWELL CONTRACT # 070821-LPI

On motion of Councilman Cusimano, seconded by Councilman Guinan, the following resolution was adopted.

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, the Department of Parks and Recreation has the need to purchase a Land Pride / Kubota Tractor Grapple Bucket; and

WHEREAS, this piece of equipment is available for purchase from Saxby Implement Corporation (Member #96578) piggybacking from the Land Pride Sourcewell Contract #070821-LPI at a cost of Three Thousand Five Hundred Three dollars and Twenty-Five cents (\$3,503.25); and

WHEREAS, funds are available in the 2023 Budget line item A.7110.400 Parks Contractual for the purchase of a Kubota tractor grapple bucket for the Department of Parks and Recreation; now therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase a 2023 Land Pride / Kubota Tractor Grapple Bucket from Saxby Implement Corporation (Member #96578) piggybacking from the Land Pride Sourcewell Contract #070821-LPI at a cost of Three Thousand Five Hundred Three dollars and Twenty-Five cents (\$3,503.25), said funds are available in the 2023 Budget line item A.7110.00 Parks Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Parks Maintenance Assistant; Director of Parks and Recreation; Town Clerk; Director of Finance; and Don Hill, Saxby Implement Corporation.

RESOLUTION NO. 39 AUTHORIZATION FOR THE PURCHASE OF TORO TURBO FORCE 60" ZERO-TURN MOWER FOR PARKS AND TRAILS OPERATIONS PIGGYBACKING FROM NEW YORK STATE CONTRACT PC69682



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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, the Department of Parks and Recreation has the need to purchase a Toro Turbo Force 60" Zero-Turn Mower for parks and trails operations; and

WHEREAS, this equipment is available for purchase from Grassland Equipment and Irrigation Company by piggybacking from New York State Contract PC69682 at a cost of Sixteen Thousand Two Hundred Twenty-One dollars and Thirty-Three cents (\$16,221.33); and

WHEREAS, funds are available in the 2023 Budget line item A.7110.200 Parks Equipment for the purchase of a Toro Turbo Force 60" Zero-Turn Mower; now therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase a 2023 Toro Turbo Force 60" Zero-Turn Mower for parks and trails operations from Grassland Equipment and Irrigation Company by piggybacking from New York State Contract PC69682 at a cost of Sixteen Thousand Two Hundred Twenty-One dollars and Thirty-Three cents (\$16,221.33), and said funds are available in the 2023 Budget line item A.7110.200 Parks Equipment; and further RESOLVED that a copy of this resolution be forwarded to Parks Maintenance Assistant, Director of Parks and Recreation, Town Clerk, Director of Finance, and Brent Lewis, Grassland Equipment, and Irrigation Company.

RESOLUTION NO. 40 AUTHORIZATION FOR THE TOWN SUPERVISOR TO ENTER INTO A LEASE AND SERVICE AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS FOR (2) COLOR COPIERS FOR TOWN HALL

On motion of Councilman Cusimano, seconded by Councilman Guinan, the following resolution was adopted.

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

WHEREAS, the Town Hall has the need to replace two existing central copiers located on the first and second floors in Town Hall due to age and deterioration of the equipment; and

WHEREAS, the Finance Department has received written Lease and Service proposals for (2) copiers from Eastern Managed Print, Lineage and Toshiba Business Solutions to include:

Eastern Managed Print	\$1,028.73 per month for 60 months
Lineage	\$512.03 per month for 63 months
Toshiba Business Solutions	\$450.70 per month for 60 months

WHEREAS, the Finance Department and IT Department have assessed the functions and capabilities of these multifunction copiers to meet the Towns needs and recommends that the proposal from Toshiba Business Solutions for (2) Toshiba E6516ACT Color copiers with printing, scanning, faxing capability at a lease cost for two copiers for Four Hundred Fifty dollars and Seventy cents (\$450.70)

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per month for a 60 month term and Service Agreement including supplies with a cost of \$.0065 per page for black and white copies and \$.0423 per page for color copies be awarded; and

WHEREAS, Toshiba Business Solutions currently has lease agreements for copiers with other Ontario County Government agencies as well as other local municipalities to supply equipment for their agencies and departments; and

RESOLVED funding for the copiers is available in the 2023 Town Budget from the operating budget line A.1680.400 Central Data Processing Contractual; and further

RESOLVED that the Town Board authorizes the Town Superintendent to enter into a (60) month lease agreement with Toshiba Business Solutions in an amount not to exceed Four Hundred Fifty dollars and Seventy cents (\$450.70) per month for (2) Toshiba E6516ACT Color copiers and Service Agreement including supplies with a cost of \$.0065 per page for black and white copies and \$.0423 per page for color copies; and further;

RESOLVED that a copy of this resolution be forwarded to Town Clerk; IT Department, Finance Department, and Donald Mongeon, Toshiba Business Solutions, Inc.

RESOLUTION NO. 41 DESIGNATION OF VOTING DELEGATE FOR ASSOCIATION OF TOWNS

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

RESOLVED that Victor Town Supervisor Jack Marren be designated as the Voting Delegate representing the Town of Victor at the Association of Towns 2023 Training School and Annual Meeting on February 19-22, 2023 in New York City, NY.

RESOLUTION NO. 42 AFTER PUBLIC HEARING ADOPTING LOCAL LAW TO OVERRIDE THE 2024 TAX LEVY LIMIT FOR THE TOWN OF VICTOR

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

5 Ayes (Marren, Condon, Cusimano, Guinan, Kahovec) 0 Nays

ROLL CALL VOTE:

Supervisor Marren aye    Councilman Condon    aye    Councilman Kahovec    aye  
Councilman Guinan    aye    Councilman Cusimano    aye

WHEREAS, a resolution was duly adopted by the Town Board on the 9<sup>th</sup> day of January, 2023, calling for a Public Hearing to be held by the Town Board on the 23<sup>rd</sup> day of January, 2023, at the Town Hall at 7:00 PM, to hear all interested parties on a proposed local law to Override the Tax Levy Limit for 2024 – Town of Victor; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Town Hall on the 23<sup>rd</sup> of January, 2023, at 7:00

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PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any parts thereof; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said local law; now, therefore be it

RESOLVED, that the Town Board hereby adopts said Local Law as follows:

LOCAL LAW TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2024 – TOWN OF VICTOR

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

This Local Law is in accordance with New York General Municipal Law at Section 3-c.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. \_\_\_-2023 Override the NY Tax Levy Limit for 2024 of the Town of Victor. The purpose of this local law is to override the NY Tax Levy Limit, pursuant to NY General Municipal Law Section 3-c.

Section III. Legislative Findings

The Victor Town Board finds and hereby determines that the Town has continued to experience rapid growth. In connection with such growth, along with development in technology, increases in health care costs, etc., the Town is facing increased costs including, but not limited to, costs related to sewer and water infrastructure, highway costs, employee payroll and benefits costs, technology costs, etc. In part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation to cover increased costs is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes). Therefore, in order to maintain the high level of services and the high standard of living in the Town of Victor, it may be necessary to increase taxation beyond the level otherwise permitted by the NYS Tax Cap at NY General Municipal Law Section 3-c.

Section IV. Amendment

The Town Board of the Town of Victor, County of Ontario, is hereby authorized to adopt a budget for the fiscal year of 2024 which requires a real property tax levy increase in excess of the limit set by NY General Municipal Law Section 3-c.

Section V. Validity and Severability

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Should any word, section, clause, paragraph, sentence, part, or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This local law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

RESOLVED that the Town Clerk of the Town of Victor be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

**Public Comments or Concerns:** None

**ADJOURNMENT:**

With no further business to come before the Board tonight, motion was made by Councilman Guinan, seconded by Councilman Cusimano to adjourn the regular Town Board meeting at 7:36 PM.

Respectfully submitted,

Karen C. Bodine  
Town Clerk