

**A regular meeting of the Village of Victor Board of Trustees was held on Monday, February 6, 2023 at the Village Hall, 60 E. Main St, Victor, NY 14564**

**MEMBERS PRESENT:** Mayor Gary Hadden  
Deputy Mayor Michael Crowley  
Trustee Robert Kelly  
Trustee Michelle Chalupa  
Village Attorney Reid Holter  
Director of Public Works John Turner  
Village Clerk Pamela Hogenes

**MEMBERS ABSENT:** Trustee Carol Commisso

**OTHERS PRESENT:** Lance Brabant (MRB), Vince Pettrone, Matt Tomlinson (Marathon), David Hanlon (Hanlon), Doug Templeton (Hanlon), Meg CHaides, Allison Bartlett and Brian McKinnon (Christa Construction)

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

Salute to the flag.

**Privilege of the Floor**

**Lance Brabant, MRB Group**, came before the board to explain why the Village needs to amend and adopt a Storm Water Management Plan as directed by NYS DEC with regards to our MS4 Plan. Per the DEC audit in February 2021, the Village needed to implement 6 minimum control measures which are: Public education, Public involvement, Elicit discharge and testing, Construction site active runoff, Post construction inspections and Pollution prevention.

Mr. Brabant explained the steps that the Village needs to take. Adopt a neg dec SEQR, hold a public hearing and adopt the amended plan.

**Resolution #09-23**

**Municipal Separate Storm Sewer System (MS4) Storm Water Management Plan (SWMP) SEQR Resolution – Type II Action**

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

**WHEREAS**, the Village of Victor Village Board of Trustees (Hereinafter referred to as "Village Board") has reviewed the proposed Village of Victor Municipal Separate Storm Sewer System (MS4) Storm Water Management Plan prepared by the MRB Group (hereinafter referred to as "Village Engineer") dated February 2023; and

**WHEREAS**, this action constitutes “(26) Routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and “(33) Adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list” which under the New York State Environmental Quality Review (SEQR) Act are listed as Type II actions for which it has been determined there are no significant adverse effects on the environment; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above-referenced action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [26] [33] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

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#### **Resolution #10-23**

#### **Schedule Public Hearing, Adopt Stormwater Management Program, (SWMP)**

On motion of Trustee Michael Crowley, seconded by Trustee Michelle Chalupa the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved** to schedule a Public Hearing for March 6, 2023 @ 7:00pm for the sole purpose of determining if the Village of Victor should adopt the Stormwater Management Program (SWMP).

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**Brian McKinnon, Christa Construction**, stated 160 School St. is under contract with them to purchase and develop into a Senior Citizen housing project. This would require the parcel to be re-zoned from Industrial to SCR-3 Senior Citizen Multiple Residential district.

**Doug Templeton, Hanlon Architects**, distributed renderings of the proposed project.

**Matt Tomlinson, Marathon Engineering**, is proposing a 60ft tall, 5 story building with 112 apartment rentals. 1<sup>st</sup> floor would be for parking. Several variances will be needed for project approval. Mr. Tomlinson is asking the Village Board to be lead agency for SEQR.

**Dave Hanlon, Hanlon Architects**, explained the building would have 88 – 1100 sq ft, 2 bedroom units, 24 - 900 sq. ft, 1 bedroom units. This project will target 55 year olds and older. The team will attend the February 22 Planning Board meeting for concept approval

Mr. Crowley suggested considering Incentive Zoning as opposed to changing to SCR-3. Incentive Zoning is not currently in the Village Code, but it could be. Mr. Crowley is concerned that the Zoning Board of Appeals will not grant all the variances this project will need and Incentive Zoning would help alleviate them.

**Resolution #11-23**

**Schedule Public Hearing – Rezone Property, 160 School Street**

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

**Resolved**, that the Village Board of Trustees will schedule a public hearing for March 6, 2023 @ 7:00pm for the sole purpose of determining if the Village should rezone property located at 160 School Street, Tax Map #28.05-1-53.000, from Industrial to SCR-3 Senior Citizen Multiple Residential.

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**Clerk Report**

**Resolution #12-23**

**Acceptance of Minutes**

On motion of Trustee Michael Robert Kelly, seconded by Trustee Michelle Chalupa the following resolution was APPROVED 4 AYES 0 NAYS

**Resolved** to accept the meeting minutes from January 17, 2023.

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**Resolution #13-23**

**Payment of Bills**

**Whereas**, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #17 using vouchers #925-1023 and,

**NOW**, therefore on a motion made by Trustee Michelle Chalupa, seconded by Trustee Michael Crowley, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved** to authorize the Treasurer to pay invoices from Abstract #17 in the following amounts:

General	\$ 30,775.23
Water	\$ 1,989.45
Sewer	\$ 9,994.16
HF – Floating Digester Cover	\$ 55.39
HH – High St. Improvements	\$ 15,902.31
HP = WWTP UV Disinfectant	<u>\$ 238,699.74</u>
<b>TOTAL</b>	<b>\$ 297,416.28</b>

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**Resolution #14-23**

**Schedule Public Hearing – Adopt Local Law to override the tax levy limit for 2023 – 2024**

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

**Whereas**, the Village Board of the Village of Victor, after due deliberation, finds it in the best interests of the Village to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A local law to override the tax levy limit established in General Municipal Law §3-c"; and

**Now therefore, be it resolved**, that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Hall, 60 East Main Street, Victor, New York, at 7:00p.m. on February 20, 2023.

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**Resolution #15-23**

**Election Inspectors**

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

**Resolved**, that the Village Board of Trustees appoints the following, Joseph Loffredo, Evelyn Develder and Barb Phippen to serve as inspectors for the Village of Victor election on Tuesday, March 21, 2023 for a fee of \$150.00 each.

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**Director of Public Works Report**

**Resolution #16-23**

**Release of Funds – WWTP Improvements – Crane-Hogan**

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

**Whereas**, the Village of Victor was notified on January 31, 2023 by MRB Group recommending payment of \$196,583.50 to Crane-Hogan for Pay Application #8 of the WWTP Improvements project; now,

**Therefore, be it resolved**, that the Village Board of Trustees approves the payment to Crane-Hogan in the amount of \$196,583.50.

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**Resolution #17-23**

**Release of Funds – WWTP Improvements – Concord Electric**

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

**Whereas**, the Village of Victor was notified on January 31, 2023 by MRB Group recommending payment of \$15,912.50 to Concord Electric for Pay Application #3 of the WWTP Improvements project; now,

**Therefore, be it resolved**, that the Village Board of Trustees approves the payment to Concord Electric in the amount of \$15,912.50.

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Mr. Turner also reported:

- The organizers of the Climb Aboard Event would like to move the event from Eastview Mall into the Village. The event was very large last year and spread out, Mr. Turner doesn't feel we have enough room for all the equipment, food vendors, etc. He will reach back out to the organizer for more information
- Distributed a proposal to fix and paint the floating digester cover at the WWTP

### **Trustees Reports**

***Carol Commisso*** – None

***Michelle Chalupa*** – None

***Robert Kelly*** - For Planning Board, Village Landing, 47 East St. came for concept approval for a 55 apartment project

***Michael Crowley*** – Had a short meeting with Attorney Holter regarding Incentive Zoning

### **Mayor Report**

Mayor Hadden reported:

- County Board of Supervisors did not renew the lease with the railroad
- The railroad is going to the Federal Transportation Board to get approval to remove the rails
- County is working on a property tax incentive for 1<sup>st</sup> responders.

### **Attorney Report**

None

### **Adjournment**

Meeting adjourned on motion at 8:18pm.

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Pamela Hogenes, Village Clerk