

A regular meeting of the Village of Victor Board of Trustees was held on Monday, February 20, 2023 at the Village Hall, 60 E. Main St, Victor, NY 14564

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

MEMBERS ABSENT: Deputy Mayor Michael Crowley
Trustee Carol Commisso

OTHERS PRESENT: Drew Cusimano, Town Councilman

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

Salute to the flag.

Public Hearing

Ms. Hogenes read the legal notice into record:

"Please take notice that the Village of Victor Board of Trustees will hold a Public Hearing on February 20, 2023, at 7:00pm at the Village Hall, 60 E. Main St., Victor, NY. 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 2023-2024 Village Tax. A draft proposal of the budget 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 Robert Kelly, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 3 AYES 0 NAYS

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

Mayor Hadden explained that the Village Board has had their budget workshops and do not anticipate going over the tax levy, but would adopt the following resolution as a safety measure in case we were off on our calculations. Mayor Hadden also explained what would happen if we did go over the tax cap without adopting this resolution.

Mayor Hadden asked for comments from the Board – *No comments from the Board*

Mayor Hadden asked for comments from the Public. *Mr. Cusimano stated the Town Board always passes a similar resolution prior to the Town's budget adoption.*

Close Public Hearing

On a motion made by Trustee Michelle Chalupa, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 3 AYES 0 NAYS

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

RESOLUTION #18-23

OVERRIDE THE NY TAX LEVY LIMIT FOR 2023-2024 – LOCAL LAW #01-23

On motion by Trustee Michelle Chalupa, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 3 AYES 0 NAYS

Whereas, the Board of Trustees of the Village of Victor held a public hearing on February 20, 2023 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 #01-23 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 1-23 entitled "A Local Law to Override the New York Tax Levy Limit established in General Municipal Law §3-c" as follows:

Local Law #1-23

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, 2023 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 June1, 2023 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	Trustee Michelle Chalupa	AYE
Trustee Robert Kelly	AYE	Deputy Mayor Michael Crowley	Absent
Trustee Carol Commisso	Absent		

Privilege of the Floor

Drew Cusimano, Town Councilman, distributed a proposal for a Climb Aboard event that he would like to hold within the Village on September 16, 2023. This would be the 2nd year for this event which was held at Eastview Mall last fall.

Mr. Cusimano stated between 2500 and 3000 people attended last year’s event. This event brings in dozens of emergency equipment, highway equipment, military equipment, school vehicles and demonstrations. Participants are able to climb into the equipment and see them up close.

Mr. Cusimano would like to use the Village Parking lots to display the equipment along with food trucks and vendor display tables. Mr. Cusimano included a map in his packet to show where he is thinking of staging the equipment.

The Board and Mr. Turner had several concerns regarding parking. A discussion regarding the usage of Firemen’s Field for either parking or the equipment. Also concerns regarding the businesses in the area that are open on Saturday if road closures are needed.

Mr. Cusimano will reach out to the Victor Fire District to request use of Firemen’s Field and possibly have a Chicken BBQ that day.

The Board asked Mr. Cusimano to superimpose the equipment, vendor tables and food vendors on a map to give them a better idea of the layout. Mr. Cusimano will attend a meeting in the near future with more information when there is a full board present.

Clerk Report

Resolution #19-23

Acceptance of Minutes

On motion of Trustee Michelle Chalupa, seconded by Trustee Robert Kelly the following resolution was APPROVED 3 AYES 0 NAYS

Resolved to accept the meeting minutes from February 6, 2023.

Resolution #20-23

Payment of Bills

Whereas, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #18 using vouchers #1024-1113 and,

NOW, therefore on a motion made by Trustee Robert Kelly, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 3 AYES 0 NAYS

Resolved to authorize the Treasurer to pay invoices from Abstract #18 in the following amounts:

General	\$ 47,297.05
Water	\$ 14,611.36
Sewer	\$ 8,724.67
HF – Floating Digester Cover	\$ 1,910.13
HH – High St. Improvements	\$ 5,000.80
HP = WWTP UV Disinfectant	\$ <u>212,496.00</u>
TOTAL	\$ 290,040.01

Resolution #21-23

NYS Liquor Authority, 30-Day Waiver

On a motion by Trustee Michelle Chalupa, seconded by Mayor Gary Hadden, the following resolution was ADOPTED 3 AYES 0 NAYS

Resolved, that the Village of Victor Board of Trustees authorizes the Mayor to sign the letter to the NYS Liquor Authority waiving the 30-day notification of requirement for applying for a new liquor license for the business known as "DeWolf Brewing Company" located at 60 Maple Avenue.

Director of Public Works Report

Resolution #22-23

Floating Digester Cover – Emergency Repairs

On motion by Mayor Gary Hadden, seconded by Trustee Robert Kelly the following resolution was ADOPTED 3 AYES 0 NAYS

WHEREAS, Emergency Repairs are needed for the Floating Digester Cover at the Wastewater Treatment Plant (WWTP); and

WHEREAS, Procore Industrial Services is currently working on the upgrades on the current digester; and

WHEREAS, Procore Industrial Services has submitted a quote for the Floating Digester Cover repairs; and

WHEREAS, The Village Board, along with the Director of Public Works with the recommendation from MRB Group; now, be it

RESOLVED, that the Village Board of Trustees approves the funding for the emergency repairs to the Floating Digester Cover.

Mr. Turner also reported:

- DPW has been exercising water valves throughout the Village.

Trustees Reports

Carol Commisso – None

Michelle Chalupa – Was notified that Kitty VanBortel will be purchasing the trees for the Arbor Day event

Robert Kelly - For Planning Board, developers for 160 School St. are coming for concept approval and the Fire Department Inc. is seeking a special use permit.

Michael Crowley – None

Mayor Report

Mayor Hadden reported:

- Two public hearings at our next meeting, March 6. Adopt the Storm Water Management Plan and rezoning 160 School St. It was determined that Incentive Zoning is not an option at this location.
- Mayor Hadden has been contacted by the Victor Fire District regarding transfer of property. The Fire Hall will be paid off in April 2023 and they would like to discuss the income and expenses regarding the Cell Tower. Mayor Hadden and Attorney Holter will meet with Sean McAdoo, District Administrator and the District's Attorney.

Attorney Report

Attorney Holter will be necessarily absent at the March 6 meeting.

Adjournment

Meeting adjourned on motion at 8:25pm.

Pamela Hogenes, Village Clerk