

A regular meeting of the Village of Victor Board of Trustees was held on Monday, March 7, 2022 at the Village Hall, 60 E. Main St, Victor, NY 14564

MEMBERS PRESENT: Mayor Gary Hadden
Deputy Mayor Michael Crowley
Trustee Carol Commisso
Trustee Robert Kelly
Trustee Michelle Chalupa
Director of Public works John Turner
Village Clerk Pamela Hogenes

MEMBERS ABSENT: Village Attorney Reid Holter

OTHERS PRESENT: Randy Shea, Maria Shea, Kathy Nichols and Larry St. Cyr

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 March 7, 2022, 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 2022-2023 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*

Date: February 16, 2022

Open Public Hearing

On a motion made by Trustee Robert Kelly, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 5 AYES 0 NAYS

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

Mayor Hadden asked for comments from the Board – *No comments from the Board*
Mayor Hadden stated the Village did not anticipate going over the tax cap and is passing this local law as a precaution just in case there was a calculation error with our budget.

Mayor Hadden asked for comments from the Public.

Randy Shea, 50 W. Main St., asked if, since the Village was staying under the tax cap, would the residents get a rebate as they did a few years ago. *Not unless the Town, County and School also stay under their tax caps.*

Close Public Hearing

On a motion made by Trustee Michael Crowley, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 5 AYES 0 NAYS

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

Resolution #19-22

Adopt Local Law #01-22 to Override the Tax Levy Limit for the Village Fiscal Year 2022-2023

On motion of Trustee Carol Commisso, seconded by Trustee Michael Crowley the following resolution was ADOPTED 5 AYES 0 NAYS

Whereas, a resolution was adopted by the Board of Trustees of the Village of Victor for a public hearing to be held by said Board of Trustees on March 7, 2022 at 7:00pm at the Village Hall, 60 East Main Street, Victor, New York to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

Whereas, notice of said public hearing was duly advertised in the official newspaper of the Village of Victor, on February 18, 2022 and all other notices required by law to be given were properly served, posted or given; and

Whereas, said public hearing was held on March 7, 2022 at 7:00pm at the Village Hall, 60 East Main Street, Victor, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

Whereas, the Board of Trustees on 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 of the Village of Victor hereby adopts said Local Law No. 1-22 of 2022, entitled, "A Local Law to override the tax levy limit established in General Municipal Law §3-c, a copy of which is attached hereto and made a part of this resolution, and be it further

Resolved, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of State of New York.

Village of Victor

Local Law #1-22

A local law to override the 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, 2022 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, 2022 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.

Privilege of the Floor

Randy Shea, 50 W. Main St., distributed information regarding a book that was located in a library with inappropriate language in it as well as some definitions regarding adult entertainment, adult bookstores, etc.

Mr. Shea feels having books such as the one he is referring to should not be in libraries and readily available to children. Mr. Shea has spoken to the director of the Victor

Farmington Library, Tim Niver and Mr. Niver confirmed that there are no age restrictions in place for lending out sexually explicit material.

Mr. Shea feels if the Victor Farmington Library has more than 5% sexually explicit material, it should be deemed an adult bookstore and wondered if the Village Board could pass a local law restricting the percentage of sexually explicit material in the Library.

Mr. Crowley feels it should be up to parents to monitor what their children are exposed to. The Board all agreed that children can get and see anything on their cell phones, they don't need to go to a library.

The Board will not be taking any action on Mr. Shea's request, nor have the Code Enforcement Officer inspect the library to see how many sexually explicit books and/or movies they carry.

Clerk Report

Resolution #20-22

Acceptance of Minutes

On motion of Trustee Michelle Chalupa, seconded by Trustee Carol Commisso the following resolution was APPROVED 4 AYES 0 NAYS 1 ABSTAIN Gary Hadden

Resolved to accept the meeting minutes from February 21, 2022.

Resolution #21-22

Payment of Bills

Whereas, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #19 using vouchers #1066-1116 and,

NOW, therefore on a motion made by Trustee Michael Crowley, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 5 AYES 0 NAYS

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

| | |
|--------------------|--------------------|
| General | \$ 24,522.57 |
| Water | \$ 255.84 |
| Sewer | \$ 16,771.02 |
| HP – WWTP Upgrades | \$ <u>2,139.60</u> |
| TOTAL | \$ 43,689.03 |

Director of Public Works Report

Resolution #22-22

Proposal for Engineering Services, Design and Construction Phase High Street Improvements – MRB Group

On motion by Trustee Michael Crowley, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved to authorize Mayor Hadden to sign the proposal from MRB Group for Engineering Services for the Design and Construction Phase of the High Street Improvement Project in an amount not to exceed \$117,460.00.

Resolution #23-22

Transfer of Funds – 2024 6-Wheeled International

On a motion made by Trustee Carol Commisso, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 5 AYES 0 NAYS (as amended)

Resolved, that the Village Board of Trustees authorizes the Treasurer to transfer funds in the amount not to exceed \$250,000 from the Equipment Reserve to Account A1640.2 – Central Garage for a 2024 6-wheeled International.

This resolution is subject to a permissive referendum.

- Working on MS4 report
- Tree Trimming continues

Trustees Reports

Carol Commisso – None

Michelle Chalupa – Library Board meets on March 9 and Tree Board is on March 14.

Robert Kelly – None

Michael Crowley – None

Mayor Report

Resolution #24-22

Permit & Application Fee Schedule

On motion of Trustee Michelle Chalupa, seconded by Trustee Carol Comisso, the following resolution was ADOPTED 5 AYES 0 NAYS

RESOLVED, to implement the permit and application fee schedule as follows:

**VILLAGE OF VICTOR
PERMIT & FEE SCHEDULE
March 7, 2022**

Single- and two-family dwellings:

| Category | Description | Village of Victor Fee |
|---|--|------------------------------------|
| New construction | Construction of a new one- or two-family home | \$0.25/square foot (\$350 minimum) |
| Accessory structures | New or addition to garage, carport, breezeway, deck, greenhouse, shed, gazebo | \$0.15/square foot (\$80 minimum) |
| Fireplace/ solid fuel appliance | As described | \$75 |
| Building equipment/systems Generator Roof / reroof (2 layers max) | Installation, replacement, extension, alterations, or repair to any electrical, mechanical, septic or sewer system when not part of other construction | \$85 |
| Solar Panels | Installation of solar panels on house/ to include engineer drawings if on roof. | \$100 |
| Addition | Construction of an addition with habitable space | \$0.20/square foot (\$100 minimum) |
| Conversion of non-habitable space | Convert existing non-habitable space to - habitable space | \$0.15/square foot (\$100 minimum) |
| Remodel | Renovate existing space, including alteration from one-family to two-family | |

| | | |
|------------|---|-------|
| | and fire damage repair | |
| Compliance | Visual inspection of previously existing conditions | \$100 |

Commercial & Multiple Dwellings:

| Category | Description | Village of Victor Fee |
|---|--|------------------------------------|
| New or added construction | Construction of new building, or addition to existing, with tenants | \$0.25/square foot (\$400 minimum) |
| Alter, remodel, renovate | Alteration of interior space, including new tenant | \$0.20/square foot (\$200 minimum) |
| Accessory Structures | New or addition to garage, carport, breezeway, deck, greenhouse, shed, etc. | \$0.15/square foot (\$100 minimum) |
| Fireplace/solid fuel appliance | As described | \$75 |
| Building equipment/systems Generator Fire Suppression | Installation, replacement, extension, alterations, or repair to any electrical, mechanical, septic or sewer system when not part of other construction | \$100 |
| Move-in tenant Includes C of O insp. | New tenant moving in without any system changes or remodeling | \$60 |
| Roof | Includes plan review, Permitting & Field Inspection | \$80 |

General; applicable to all types:

| Category | Description | Village of Victor Fee |
|------------------------|--------------------------|-----------------------|
| Pool and/or Hot Tub | Aboveground In-ground | \$75 \$125 |
| Signs (Any such signs) | Installation of sign(s) | \$85 |

| | | |
|---|---|--|
| Demolition | Pool, shed, etc. | \$50 |
| Demolition | Building or house | \$350 |
| Fence | Installation of fence | \$75 |
| Move/relocate structure | Move or relocate any building or structure including building systems | \$300 |
| Renewal fees | Extension of permit: First extension Second extension | \$50 \$200 |
| Assembly permit Operating permits (Tax-exempt properties may apply for a waiver of the fees.) | Assembly <100 people Assembly >100 people Hazardous Occupancy Tents Pyrotechnic | \$80 \$100 \$100 |
| Incurred specialists | Any fees incurred at the discretion of CEO for third-party review or inspections | Fee total + 2% |
| Parks and Recreation Fee | Fee imposed with regard to all new residential construction | \$1,500 per family dwelling unit |
| Peddler Fee | Fee imposed per § 112-3 B5 | \$100 for up to 5 people for 3 days \$75/day after |
| Special Event Fee | Fee imposed per § (77-3) B2j | \$75 + fees on application, i.e. fireworks, tents etc. |
| Vendor Fee | Fee imposed per § 112-4 G | \$20 for 2 days or \$275/year |
| Transient Business Fee | Fee imposed per § 112-4.3 D6 | \$100 |
| Violation | Building w/o permit at discretion of CEO | \$250 |
| Violation | Work not ready for insp. at discretion of CEO | \$100 |

Attorney Report

None

Adjournment

Meeting adjourned on motion at 7:50pm.

Pamela Hogenes, Village Clerk