

VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

An Organizational Meeting of the Victor Town Board was held on January 4, 2021 in the Victor Town Hall Main Meeting Room starting at 6:33 PM and also live streamed via YouTube.

**PRESENT:** Supervisor Jack Marren Councilman Drew Cusimano  
 Councilman Dave Condon Councilman Ed Kahovec  
 Councilman Mike Guinan

**OTHERS PRESENT:** Karen Bodine-Town Clerk; Kevin Overton- Town Attorney; Mark Years-Highway Superintendent; Steve Metzger- LaBella Associates; Barb Cole- Finance Director; Suzy Mandrino- IT.

**Flag Salute:**

**RESOLUTION # 1 TOWN BOARD MEETING NIGHTS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Victor Town Board Meetings will be held the second and fourth Mondays of each month at 7:00 p.m. *with the exceptions of June, July, and August where there is one meeting on the 4<sup>th</sup> Monday (On the 2<sup>nd</sup> Monday of those months, there will be a quorum to pay bills only).* In the event that the second or fourth Mondays fall on a holiday, the meeting will be held on Tuesday of the same week.

Note: Exceptions will be made for Tuesday, October 12, 2021.

**RESOLUTION # 2 RULES OF ORDER**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that Roberts Rules of Order, Newly Revised, 12<sup>th</sup> Edition will govern such meetings when not in conflict with the laws of the State of New York.

**RESOLUTION # 3 OFFICIAL NEWSPAPER**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Daily Messenger be designated as the official publication for the Town of Victor.

**RESOLUTION #4 OFFICIAL DEPOSITORY**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Town of Victor may do business with any bank or trust company licensed to do business in the State of New York.

**RESOLUTION #5 AUTHORIZED FINANCIAL INSTITUTIONS AND INVESTMENT LIMITS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, Chapter 32, Section 10, of the Victor Town Code requires the Town "shall maintain a list of financial institutions approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution"; and

WHEREAS, the intent of this Policy is to maintain cash controls and accountability for Town funds; and

WHEREAS, the proposed limits account for the total sum deposits and transfers from Real Property tax collection, average collected balances and bond monies; and

WHEREAS, the Finance Director has proposed the following Financial Institutions and Investment Limits:

<u>Financial Institution</u>	<u>Investment Limits</u>
Canandaigua National Bank	\$20 million
Lyons National Bank	\$15 million
Five Star Bank	\$15 million

now, therefore be it

RESOLVED that the Financial Institution and Investment Limits recommended by the Finance Director be approved and reviewed annually at each Town Board Organizational Meeting; and further

RESOLVED that a copy of this resolution be sent to the Finance Director, Senior Account Clerk, Finance Clerk, Human Resources, Suzy Mandrino, Town Clerk, Canandaigua National Bank, Lyons National Bank, and Five Star Bank.

**RESOLUTION #6 POST-ISSUANCE TAX COMPLIANCE AND CONTINUING DISCLOSURE POLICIES AND PROCEDURES FOR TAX-EXEMPT NOTES & BONDS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Town of Victor is in the process of bonding for the Sanitary Sewer Conveyance Capital Project; and

WHEREAS, Bond Counsel is assisting with the legal considerations in the related bond closing; and

WHEREAS, Bond Counsel has advised that the following Post-Issuance Tax Compliance and Continuing Disclosure Policy and Procedure for Tax-Exempt Notes & Bonds (Appendix A) be adopted by the Town Board:

**Post-Issuance Tax Compliance and Continuing Disclosure Policies and Procedures for Tax-Exempt Notes & Bonds**

The purpose of these Post-Issuance Tax Compliance and Continuing Disclosure Policies and Procedures is to establish policies and procedures in connection with tax-exempt notes and bonds, or installment purchase agreements, or other tax-exempt or tax-advantaged debt obligations (referred to herein in each case as the "Bonds") issued by, or on behalf of, the TOWN OF VICTOR (the "Issuer") so as to maximize the likelihood that certain applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Bonds are met and so as to likewise maximize the likelihood that certain applicable post-issuance requirements of the federal securities laws Rule, hereinafter defined, are met. The Issuer reserves the right to use its discretion as necessary and appropriate to make exceptions or request additional provisions as circumstances warrant, and as permitted by applicable law. The Issuer also reserves the right to change these policies and procedures from time to time. The Issuer shall review and reconfirm and re-adopt these policies and procedures not less frequently than annually at the same time it adopts or re-adopts its other ongoing policies and procedures.

**Post-Issuance Tax Compliance Requirements****External Advisors/Documentation**

The Issuer shall consult with bond counsel and other legal counsel and with its financial advisor and other advisors, as needed, throughout the Bond issuance process to identify requirements and to establish procedures necessary or appropriate so that the Bonds will continue to qualify for tax-exempt status. Those requirements and procedures shall be documented in the tax arbitrage certificate (the "Arbitrage Certificate") and/or other documents finalized at or before

issuance of the Bonds. Those requirements and procedures shall include future compliance with applicable arbitrage rebate or yield restriction requirements and all other applicable post-issuance requirements of federal tax law throughout (and in some cases beyond) the term of the Bonds.

When authorized or required in the Arbitrage Certificate, the Issuer shall engage expert advisors, which may include the financial advisor to the Issuer (each a "Rebate Service Provider"), to assist in the determination of whether yield restriction is required or in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, unless the Arbitrage Certificate documents that arbitrage rebate or yield restriction will not be applicable to an issue of Bonds. When authorized or required by the Arbitrage Certificate, the Issuer shall engage bond counsel for consultation to assist the Issuer in meeting its obligations in the Arbitrage Certificate.

The Issuer shall prepare regular, periodic statements regarding the investments and transactions involving Bond proceeds.

#### Arbitrage Rebate and Yield

Unless the Arbitrage Certificate documents that arbitrage rebate will not be applicable to an issue of Bonds, the Issuer shall be responsible for:

- engaging the services of a Rebate Service Provider and, prior to each rebate calculation date, delivering periodic statements concerning the investment of Bond proceeds to the Rebate Service Provider;
- providing to the Rebate Service Provider additional documents and information reasonably requested by the Rebate Service Provider;
- monitoring efforts of the Rebate Service Provider;
- assuring payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issuer date of the Bonds, and no later than 60 days after the last Bond of each issue is redeemed;
- during the acquisition and construction period of each capital project financed in whole or in part by Bonds, monitoring the investment and expenditure of Bond proceeds and consulting with the Rebate Service Provider to determine compliance with any applicable small issuer or spending exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months, 24 months, or 36 months, as applicable, following the issue date of the Bonds; and
- retaining copies of all arbitrage reports and spending or investment statements as

described below under "Record Keeping Requirements."

#### Use of Bond Proceeds and Bond-Financed or Refinanced Assets

The Issuer shall be responsible for:

- monitoring the use of Bond proceeds and the use (including, with particular sensitivity, any use or potential for use by any person or entity other than a governmental unit, such as, a private entity or not-for-profit entity) of Bond-financed or refinanced assets (e.g., facilities, furnishings or equipment) throughout the term of the Bonds to ensure compliance with covenants and restrictions set forth in the Arbitrage Certificate relating to the Bonds;
- maintaining records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of Bonds, including a final allocation of Bond proceeds as described below under "Record Keeping Requirements";
- consulting with bond counsel and other legal counsel and with the financial advisor or other advisors in the review of any contracts or arrangements involving the transfer, or sale, or lease or other use of all or any portion of Bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Arbitrage Certificate relating to the Bonds;
- maintaining records for any contracts or arrangements involving the use of Bond-financed or refinanced assets as described below under "Record Keeping Requirements";
- conferring at least annually with personnel responsible for Bond-financed or refinanced assets to identify and discuss any existing or planned use of Bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Arbitrage Certificate relating to the Bonds; and
- to the extent that the Issuer discovers that any applicable tax restrictions regarding use of Bond proceeds and Bond-financed or refinanced assets will or may be violated, consulting promptly with bond counsel and other legal counsel and with the financial advisor or other advisors to determine a course of action to remediate all nonqualified bonds, if such counsel or advisor advises that a remedial action is necessary.

All relevant records and contracts shall be maintained as described below.

#### Due Diligence Monitoring Compliance

The board of the Issuer will identify in writing the appropriate business official(s) or other individual(s) or employee(s) of the Issuer responsible for conducting due diligence review of all outstanding Bonds at regular intervals and will provide a written description of the training provided, or to be provided, to such responsible individual(s) with regard to monitoring compliance and the Issuer shall maintain a record of such training, including the date(s) of attendance and a general description of the training received. The Issuer will assure adequate maintenance of training of the responsible official/employee and will establish such monitoring procedures, with timely reporting to the chief fiscal officer and/or to the Finance Board of the Issuer, reasonably expected to timely identify tax law noncompliance and procedures ensuring that the Issuer will take steps to timely correct any and all discovered noncompliance with the tax law. If the Issuer engages in an activity causing bond-financed property to be used in a manner that violates the applicable use and payment limitations in the internal revenue code, the Issuer may take one or more "self-help" remedial actions. Possible remedial actions include defeasing the non-qualified portion of the outstanding Bonds or using the amounts realized from a sale of bond-financed property for another qualifying use; and if the Issuer fails to timely identify noncompliance early enough to qualify for self-help remedial actions or for matters in which self-help is not available, the Issuer can approach the IRS under its VCAP program which is described in more detail in IRS Notice 2008-31 and Internal Revenue Manual Sections 7.2.3.

The Issuer is aware of its ability, pursuant to Revenue Service Notice 2008-31, as it may be modified by the IRS from time to time, to request a voluntary closing agreement with the IRS to correct failures on the part of the Issuer to comply with the federal tax rules related to tax-exempt debt issuances.

Whenever possible, monitoring of tax law compliance will be integrated with the Issuer's accounting systems so that those who directly manage Bond-financed or refinanced assets will be prompted to identify relevant facts at the time any changes are contemplated and to communicate such plans to the appropriate finance officials of the Issuer.

#### Record Keeping Requirement

The Issuer shall be responsible for maintaining the following documents for the term of each issue of Bonds (including refunding Bonds, if any) plus at least three years:

- a copy of the Bond closing transcript(s) and other relevant documentation delivered to the Issuer at or in connection with closing of the issue of Bonds;
- a copy of all material documents relating to capital expenditures financed or refinanced by Bond proceeds, including (without limitation) construction contracts, purchase orders, invoices, and payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of Bond proceeds;

- a copy of all contracts and arrangements (such as, leases, subleases, management or other service agreements, research contracts, joint venture arrangements, and the like) involving the use of Bond-financed or refinanced assets;
- a copy of all expenditures of Bond proceeds for project expenses and records of all investments, arbitrage reports and underlying documents, including bank statements and copies of all investment bidding documents, if any;
- a copy of expenditure reimbursements incurred for expenditures paid prior to issuing the Bonds; and
- a copy of audited financial statements.

#### Post-Issuance Continuing Disclosure

Under the provisions of SEC Rule 15c2-12 (the "Rule"), Participating Underwriters (as defined in the Rule) are required to determine that each borrower (such as the Issuer) has entered into a written Continuing Disclosure Agreement to make ongoing disclosure in connection with each debt offering subject to the Rule. Unless the Issuer is exempt from compliance with the Rule or the continuing disclosure provisions of the Rule as a result of certain permitted exemptions, the transcript of closing documentation for each issue of related Bonds will include a Continuing Disclosure Agreement executed by the Issuer ("Continuing Disclosure Agreement").

In addition to the responsibilities of the Issuer set forth in each Continuing Disclosure Agreement, in order to monitor compliance by the Issuer with its Continuing Disclosure Agreements, the appropriate business official(s) or other individual(s) or employee(s) of the Issuer, as designated in writing by the board of the Issuer, will:

- A. Assist in the preparation or review of annual reports of financial information and operating data ("Annual Reports") in the form required by the related Continuing Disclosure Agreements.
- B. Maintain a calendar, with appropriate reminder notifications, listing the filing due dates relating to dissemination of Annual Reports, which annual due date is generally expressed as a date within a certain number of days (e.g., 180 days) following the end of the Issuer's fiscal year (the "Annual Report Due Date"), as provided in the related Continuing Disclosure Agreements.
- C. Ensure timely dissemination of the Annual Report by the Annual Report Due Date, in the format and manner provided in the related Continuing Disclosure Agreements, which may include transmitting such filing to the Municipal Securities Rulemaking Board

("MSRB") through the Electronic Municipal Market Access ("EMMA") System at [www.emma.msrb.org](http://www.emma.msrb.org) in the format prescribed by the MSRB.

- D. Monitor the occurrence of any event notice (as described in the Continuing Disclosure Agreements) and timely file notice of the occurrence of any such event in the manner provided under the Continuing Disclosure Agreements. Maintain an ongoing, updated list of all "financial obligations" of the Issuer, as defined in the Rule so as to be in a position to timely file any event notice that may be required by the Rule. To be timely filed, any and all such event notices must be transmitted within 10 business days (or such other time period as set forth in the Continuing Disclosure Agreements) of the occurrence of such event.
- E. Ensure timely dissemination of notice of any failure to provide the required Annual Report on or before the date specified in the Continuing Disclosure Agreement, if and as required by the Continuing Disclosure Agreement, and ensure that each official statement of the Issuer describes any instances in the previous five years in which the Issuer failed to comply, in all material respects, with any previous Continuing Disclosure Agreement.
- F. Monitor the performance of any dissemination agent(s) engaged by the Issuer (which may include the financial advisor to the Issuer) to assist in the performance of any obligation under the Continuing Disclosure Agreements.

The Issuer shall provide, or cause to be provided, periodic training of such business official(s) or other individual(s) or employee(s) of the Issuer regarding continuing disclosure obligations pursuant to the Rule to ensure compliance with the federal securities laws and shall maintain a record such training, including the date(s) of attendance and a general description of the training received; now therefore be it

RESOLVED the Town Board hereby adopts the Town of Victor Post-Issuance Tax Compliance and Continuing Disclosure Policy and Procedure for Tax-Exempt Notes & Bonds as included in this resolution and kept in the subject folder in the Town Clerk's office; and further

RESOLVED the Town Board will re-adopt the Town of Victor Post-Issuance Tax Compliance and Continuing Disclosure Policy and Procedure for Tax-Exempt Notes & Bonds not less frequently than annually at the annual organizational meeting; and further

RESOLVED that a copy of this resolution be sent to the Finance Director and the Town Clerk.



**RESOLUTION #7 CONTRACT - NEW YORK MUNICIPAL INSURANCE RECIPROCAL (NYMIR) AND EASTERN SHORE ASSOCIATES**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Town will utilize Eastern Shore Associates as the insurance broker for the Town's municipal insurance needs for the 2021 calendar year; and be it further

RESOLVED that the Town Supervisor be authorized to contract with New York Municipal Insurance Reciprocal (NYMIR) under the terms and conditions as provided for in the 2021 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office in the amount of One Hundred Nineteen Thousand Forty One dollars and Seventy Three cents (\$119,041.73) to be charged to the 2021 Town Budget line items A.1910.400, B.1910.400, and DB.1910.400 Unallocated Insurance Contractual; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Director, Human Resources, Town Clerk, and Jackie Shaffer, Eastern Shore Associates, for New York Municipal Insurance Reciprocal (NYMIR).

**RESOLUTION #8 APPOINT MARRIAGE OFFICER**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Domestic Relations Law Section 11-c authorizes the governing body of any village, town or city to appoint one or more Marriage Officers who have the authority to solemnize a marriage; now, therefore, be it

RESOLVED that the Town Board hereby appoints Deputy Town Clerk Roxann Ammerman as a Marriage Officer of the Town of Victor to run concurrent with her appointed term of office; and further

RESOLVED that the Town Board hereby appoints Supervisor Jack Marren as a Marriage Officer of the Town of Victor to run concurrent with his elected term of office; and further

RESOLVED that a certified copy of this resolution be filed at the appropriate state agency as required by law; and further

RESOLVED that a copy of this resolution be forwarded to Supervisor Jack Marren, the Town Clerk, and Deputy Town Clerk Roxann Ammerman.

**RESOLUTION #9 APPOINT TOWN CONSTABLE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that Tamara Vienna be appointed Town Constable at a rate of Twenty Five dollars and Seventy Six cents (\$25.76) per hour (Grade 3, Step F).

**RESOLUTION #10 ASSIGNMENT OF TEMPORARY JUSTICES - 7TH JUDICIAL DISTRICT**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, towns and villages within the Seventh Judicial District for more than twenty years have consented to the temporary assignment of its justices to other town/village courts within the Seventh Judicial District should the need arise; and

WHEREAS, said assignment procedures administered by the Unified Court Systems have been very successful in streamlining this process when necessary; and

WHEREAS, the Unified Court System Seventh Judicial District is again requesting the consent of the town/villages within this District to the temporary assignment of its justices to provide in other town/village courts within the District as the need arises during the year 2021; and

WHEREAS, both Town Justice Holter and Town Justice Kocher support and encourage the town to consent to this assignment procedure; now, therefore, be it

RESOLVED that the Victor Town Board does hereby consent to take part in the temporary assignment of its justices to other town/village courts within the Seventh Judicial District should the need arise; and further

RESOLVED that a copy of this resolution be forwarded to the Unified Court System Seventh Judicial District, Town Clerk, Town Justice Reid Holter and Town Justice William Kocher.

**RESOLUTION #11 REAPPOINT SUSAN STEHLING AND LISA ROBERTS - BOUGHTON PARK COMMISSION**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

WHEREAS, the four- year terms of Susan Stehling and Lisa Roberts to the Boughton Park Commission expire on December 31, 2020; and

WHEREAS, Susan Stehling and Lisa Roberts have indicated their desire to continue to serve on said Commission and have met the conditions for reappointment; now, therefore be it

RESOLVED that the Town Board of the Town of Victor hereby reappoints Susan Stehling and Lisa Roberts to the Boughton Park Commission for a term of four years with said term beginning on January 1, 2021 and expiring on December 31, 2024; and further

RESOLVED that a copy of this resolution be forwarded to Susan Stehling, Lisa Roberts, David Damaske, Suzy Mandrino, Town Clerk, and Human Resources.

**RESOLUTION #12 REAPPOINT ANDREW PHILLIPS - CONSERVATION BOARD**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, Andrew Phillip's term to the Conservation Board expires on December 31, 2020; and

WHEREAS, Andrew Phillips has indicated his desire to continue to serve on said Board and has met the conditions for reappointment; now, therefore, be it

RESOLVED that Andrew Phillips be re-appointed to the Conservation Board for a five-year term, beginning on January 1, 2021 and ending on December 31, 2025; and further

RESOLVED that a copy of this resolution be sent to Human Resources, Andrew Phillips, Matthew Matteson, Kim Kinsella, Kim Reese, Town Clerk, and Suzy Mandrino.

**RESOLUTION #13 REAPPOINT SUSAN STEHLING - HISTORIC ADVISORY COMMITTEE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the three year term of Susan Stehling to the Historic Advisory Committee expires on December 31, 2020; and

WHEREAS, Susan Stehling has indicated her desire to continue to serve on said Committee and has met the conditions for reappointment; now, therefore be it

VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

RESOLVED that the Town Board of the Town of Victor hereby reappoints Susan Stehling to the Historic Advisory Committee for a term of three years with said term beginning on January 1, 2021 and expiring on December 31, 2023; and further

RESOLVED that a copy of this resolution be forwarded to Susan Stehling, Babette Huber, Suzy Mandrino, Town Clerk, and Human Resources.

**RESOLUTION #14 REAPPOINT LISA ROBERTS - PARKS & RECREATION CITIZENS ADVISORY COMMITTEE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, Lisa Robert's term to the Parks & Recreation Citizens Advisory Committee expires on December 31, 2020, and

WHEREAS, Lisa Roberts has indicated her desire to continue to serve on said Committee and has met the conditions for reappointment; now, therefore, be it

RESOLVED that Lisa Roberts be re-appointed to the Parks & Recreation Citizens Advisory Committee for a three-year term, beginning on January 1, 2020 and ending on December 31, 2023; and further

RESOLVED that a copy of this resolution be sent to Human Resources, Lisa Roberts, Gregory Richards, Suzy Mandrino, Town Clerk, and Brian Emelson.

**RESOLUTION #15 REAPPOINT JOSEPH LOGAN - PLANNING BOARD**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, Joseph Logan's term to the Planning Board expires on December 31, 2020, and

WHEREAS, Joseph Logan has indicated his desire to continue to serve on said Board and has met the conditions for reappointment; now, therefore, be it

RESOLVED that Joseph Logan be re-appointed to the Planning Board for a five-year term, beginning on January 1, 2021 and ending on December 31, 2025, and further

RESOLVED that a copy of this resolution be sent to Human Resources, Joseph Logan, Ernest Santoro, Kim Kinsella, Lisa Boughton, Town Clerk, and Suzy Mandrino.

**RESOLUTION #16 APPOINT ARCHITECTURAL REVIEW SUB-COMMITTEE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that Al Gallina and Joseph Logan be appointed to the Architectural Review Sub-Committee of the Planning Board, Al Gallina be appointed as Chair, and Mark Kukuvka from LaBella Associates will be the Architectural Consultant.

**RESOLUTION #17 APPOINT CHAIR – CONSERVATION BOARD**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that Andrew Phillips be appointed as Conservation Board Chair.

**RESOLUTION #18 APPOINT CHAIR – PARKS & RECREATION CITIZENS ADVISORY COMMITTEE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that Lisa Roberts be appointed as Parks & Recreation Citizens Advisory Committee Chair.

**RESOLUTION #19 APPOINT CHAIR – PLANNING BOARD**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that Ernest Santoro be appointed as Planning Board Chair.

**RESOLUTION #20 TOWN BOARD 2021 LIAISON ASSIGNMENTS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the 2021 Town Board liaison assignments are as follows:

Boughton Park Commission

Dave Condon

## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

Cemetery Preservation & Restoration Committee	Drew Cusimano
Comprehensive Plan	Dave Condon / Mike Guinan
Conservation Board	Ed Kahovec (Jan-June) / Mike Guinan (July-Dec)
Emergency Services (Fire Departments, Ambulance, Emergency Preparedness/Services)	Jack Marren
Finance/Audit	Dave Condon / Jack Marren
Fishers Fire District	Jack Marren
Highway Department	Drew Cusimano / Mike Guinan / Jack Marren
Highway Facility Capital Project	Mike Guinan / Jack Marren
Historic Advisory Committee	Drew Cusimano
Library	Jack Marren
Local Development Corp	Mike Guinan
Parks and Recreation Citizens Advisory Committee	Drew Cusimano
Personnel/Compensation	Dave Condon / Jack Marren
Planning Board	Dave Condon (Jan-Apr) / Ed Kahovec (May-Aug) / Mike Guinan (Sept-Dec)
Transfer Station	Ed Kahovec
Victor Central School Board	Jack Marren
Victor Fire District	Dave Condon
Village Board of Trustees	Jack Marren
Zoning Board of Appeals	Drew Cusimano (Jan-June) / Ed Kahovec (July-Dec)

Liaison Expectations

- ✓ Attend monthly and special interest meetings, activities, and events
- ✓ Work cooperatively with Victor community groups and businesses that could work in partnership with the Board/Committee
- ✓ Interview, and recommend appointments for members.
- ✓ Provide insight and assistance, when needed, to further the Board/Committee along on projects and goals.
- ✓ Provide periodic update/report at Town Board meetings
- ✓ Report back to the Liaison group on pertinent Town Board information

**RESOLUTION #21 ALLOCATE FUNDING - VICTOR LOCAL DEVELOPMENT CORPORATION**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Victor Local Development Corporation requested and was granted funding for 2021 in the 2021 budget; now therefore be it

RESOLVED that the Supervisor be authorized to allocate funds to the Victor Local Development Corporation (VLDC), for their annual Town contribution to the VLDC, in the amount Twenty Thousand Three Hundred Forty Four Dollars (\$20,344.00) to be charged to the 2021 budget line item A6420.411 Economic Development Local Development Corporation Contractual, to provide their services to the residents of the Town of Victor for the 2021 fiscal year; and further

RESOLVED that a copy of this resolution be forwarded to the Executive Director VLDC, Town Clerk; and Town Finance Dept.

**RESOLUTION #22 FIDELITY BOND**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the following Town Officials will be bonded:

	<u>Current Coverage</u>
Town Clerk	\$1,000,000
Deputy Tax Receiver	\$1,000,000
Finance Director	\$1,000,000
Supervisor	\$100,000
Deputy Town Supervisor	\$30,000
Town Justices (2)	\$100,000
Court Clerks (2)	\$100,000

## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

Court Account Clerk	\$100,000
Deputy Town Clerks (1)	\$30,000
Senior Account Clerk	\$300,000
Senior Account Clerk	\$100,000
Highway/Transfer Station Clerks (2)	\$100,000
Parks and Rec Director	\$30,000
Parks & Rec Clerks (1)	\$100,000
Town Councilmen (4)	\$100,000; and further

A \$30,000 Bond is carried on all public employees

RESOLVED that a copy of this resolution be sent to Eastern Shore Associates.

**RESOLUTION #23 DESIGNATION OF FULL-TIME EMPLOYEES**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the designation of full-time employees will be as follows:

Sole Assessor

Assessor's Aide

Code Enforcement Officer (2)

Fire Marshal

Secretary to Zoning Board of Appeals

Secretary to Planning Board

Stormwater Program Manager

Development Coordinator

Court Clerks (2)

Court - Account Clerk

Deputy Town Clerks (2)

Town Clerk

Highway Superintendent

Deputy Highway Superintendent

Hourly Highway Employees (12) working 40 hours per week

Highway/Transfer Station Account Clerk

Highway/Transfer Station/Court Account Clerk

Highway Mechanic

Highway/Stormwater Motor Equipment Operator

Recycling Operators (1)

Town Supervisor

Confidential Secretary to the Supervisor

Finance Director



## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

Senior Account Clerks (2)  
 Administrative Aide  
 Parks Maintenance Assistant  
 Parks Motor Equipment Operator - MEO  
 Parks Motor Equipment Operator - Light  
 Parks & Recreation Director  
 Director of Economic Development

**RESOLUTION #24 ACCEPT ORGANIZATIONAL CHART**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, on July 12, 2010 Resolution No. 230 – Acceptance of the Town of Victor Organizational Chart – was approved; and

WHEREAS, the Town of Victor has undergone several employee and department changes over the past several years; and

WHEREAS, a new organizational chart was developed to document Town employees and reporting relationships in Town offices; and

WHEREAS, the organizational chart, previously adopted by Resolution No. 21 on January 7, 2019 shall be amended; now, therefore, be it

RESOLVED that the Town Board accepts the Town of Victor Organizational Chart listed as Schedule "A" dated January 4, 2021 and kept in the subject file in the Town Clerk's Office; and further

RESOLVED that the organizational chart will be placed on the agenda for every Town Board Organizational Meeting; and further

RESOLVED that a copy of this resolution be forwarded to Department Heads, Town Clerk, Finance Director, Town Board, and the Human Resources Department.

**RESOLUTION #25 DESIGNATION OF PAY DAYS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that all personnel employed by the Town of Victor be paid bi-weekly, with the exception of the following who will be paid annually on the first pay day in December:

1. Planning Board Members (5)
2. Zoning Board of Appeals Members (5)
3. Assessment Board of Review (5)
4. Conservation Board Members (5)

**RESOLUTION #26 APPROVE MILEAGE RATE**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Town of Victor pay mileage at a rate in accordance with Internal Revenue Service regulations.

**RESOLUTION #27 BENEFIT PACKAGE EMPLOYEE POLICY**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

HOLIDAY SCHEDULE FOR 2021:

Martin Luther King Day	Monday	January 18, 2021
President’s Day	Monday	February 15, 2021
Memorial Day	Monday	May 31, 2021
Independence Day	Monday	July 5, 2021
Labor Day	Monday	September 6, 2021
Columbus Day	Monday	October 11, 2021
Veterans’ Day	Thursday	November 11, 2021
Floating Holiday	Friday	November 12, 2021
Thanksgiving Day	Thursday	November 25, 2021
Floating Holiday/Thanksgiving	Friday	November 26, 2021
Christmas	Friday	December 24, 2021
New Year’s Day 2022	Friday	December 31, 2021
Birthday Holiday		

**RESOLUTION #28 APPOINT NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS), NIMSCAST POINT OF CONTACT**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the National Incident Management System (NIMS ensures that all government agencies are prepared to protect against, respond to and recover from any incident; and

WHEREAS, the Federal Emergency Management Agency's National Integration Center developed NIMS Compliance Assistance Support Tool (NIMSCAST) to help State and local jurisdictions to maintain their national baseline compliance, and requires the selection of one person to be a Point of Contract for NIMS in our jurisdiction; now, therefore, be it

RESOLVED that Robert Graham, Fire Marshal, be appointed as Point of Contact for NIMSCAST; and further

RESOLVED that a copy of this resolution be forwarded to Robert Graham, Town Clerk, and Jeff Harloff, Ontario County Fire Coordinator.

**RESOLUTION #29 APPOINT COMPREHENSIVE EMERGENCY MANAGEMENT PLAN ADVISORY BOARD**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Town Board annually appoints a Comprehensive Emergency Management Plan Committee consisting of the Village Clerk Pam Hogenes, Village Public Works Representative Jon McConnell, Village DPW Director John Turner, Town Highway Representative Mark Years, Town Supervisor Jack Marren, Village Deputy Emergency Manager Gerry Sensabaugh, and Fire Marshal Robert Graham; and

WHEREAS, Robert Graham will be appointed as the Emergency Manager for the Comprehensive Emergency Management Plan Advisory Board; now therefore, be it

RESOLVED that a copy of this resolution be forwarded to Pam Hogenes, Jon McConnell, Jack Marren, John Turner, Gerry Sensabaugh, Mark Years, Robert Graham, and the Town Clerk.

**RESOLUTION #30 EASEMENT AGREEMENTS AND SEQRA CLASSIFICATION**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, upon the Town of Victor Planning Board approval of final site plans/subdivision plans routinely condition said approval upon the applicant providing certain easements for the control of storm water, access, conservation and utility services; and

WHEREAS, said easement agreements are necessary to the proper function of public services; and

## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

WHEREAS, the easements, accompanying plans, and agreements have been approved by the Town Engineer and recommended by the Town Attorney; and

WHEREAS, the proposed action is an unlisted action pursuant to 6 NYCRR 617; and

WHEREAS, the acceptance of easement agreements in and of itself has no impact upon the environment; now, therefore, be it

RESOLVED that the Town Board determines the acceptance of easement agreements to be Type II action pursuant to the State Environmental Quality Review Act; and further

RESOLVED that the Town Board authorizes the Supervisor to execute the Easement Agreements, including Storm Water Facility Maintenance Agreements required by the Planning Board for development projects; and further

RESOLVED that a copy of this resolution be forwarded to the applicant, the Planning Department, Town Clerk, and that the executed agreement be recorded with the Ontario County Clerk's Office.

**RESOLUTION #31 TOWN SUBJECT MATTER LIST**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the New York State Record Retention and Disposition Schedule LGS-1 be maintained as the Town Subject Matter List for Freedom of Information requests.

**RESOLUTION #32 REQUIREMENT OF PERSONAL REGISTRATION FOR SPECIAL TOWN ELECTIONS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, pursuant to Town Law, 84-(a), personal registration for special elections may be required providing for absentee ballots for voters who are unable to appear in person the day of the special elections; and

WHEREAS, the Town Board may determine that it may be beneficial for town voters to require personal registration so that eligible voters who are unable to appear in person would be able to vote by absentee ballots; now, therefore, be it

VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

RESOLVED that personal registration may be required for any Special Town Elections that may be held in 2021; and further

RESOLVED that the Town Clerk shall publish and post the notice for personal registration as required by Town Law, 84(2).

**ANNOUNCEMENT OF TOWN JUSTICE APPOINTMENTS**

Clerk to Town Justice	Terri Bolt
Clerk to Town Justice	Kerry Miller

**RESOLUTION #33 PAYMENT OF BILLS PRIOR TO AUDIT**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED as allowed by Town Law Section 118(2), the Town Board hereby authorizes the Town Supervisor to make payments of all bills without prior audit for public utility services such as gas, electric, water, sewer, fuel oil, and telephone services as well as postage, freight, and express charges.

**RESOLUTION #34 2022 ORGANIZATIONAL MEETING**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

RESOLVED that the Victor Town Board Organizational Meeting for the year 2022 will be held on Monday, January 3, 2022.

*\*Supervisor Marren noted that this is probably the earliest that the Town has ever done this and Barb Cole explained that it is not the Town's intention to override the tax cap but this is merely a preventive measure. If the Town does not override the tax cap and then exceed the tax cap there are restrictions on the money. Councilman Condon commented that he thought this was the best way to go and he fully supported this.*

**RESOLUTION #35 SET PUBLIC HEARING – PROPOSED LOCAL LAW TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2022 – TOWN OF VICTOR**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the Town Board of the Town of Victor recognizes that the Town has continued to experience rapid growth; and

## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

WHEREAS, the Town Board further recognizes that 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.; and

WHEREAS, in part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes); and

WHEREAS, the Town Board finds that, in order to maintain the high level of services and the high standard of living 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; and

WHEREAS, a draft Local Law has been submitted to the Town Board implementing the provision for such override of the Tax Levy Limit for 2022, said draft Local Law is on file with the Town Clerk where it is available for public review; now, therefore, be it

RESOLVED by the Town Board of the Town of Victor, that a Public Hearing shall be had on the 25th day of January 2021, at 7:00 p.m., at the Victor Town Hall, 85 East Main St., Victor, NY, for the purpose of considering the adoption of such Local Law to override the Tax Levy Limit; and be it further

RESOLVED that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

**PUBLIC COMMENT:** None

The Organizational Meeting portion of the meeting was closed @ 6:44PM followed by a short break.

Supervisor Marren called to order the regular Town Board Meeting @ 7:05PM followed by a salute to the flag.

Announcements:

- Next Town Board Meeting will be held on January 25<sup>th</sup> and all Town facilities will be closed on January 18<sup>th</sup> for Martin Luther King Day.
- Town Clerk asked if the Board would hold off on approving the December 21, 2020 meeting minutes until the January 25<sup>th</sup> meeting.

**RESOLUTION #36 PAYMENT OF BILLS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

RESOLVED that the bills be approved for Manifest #1 in the amount of \$459,071.34.

Documentation for these expenditures can be found on vouchers filed by numbers #20200001-20200071.

Manifest #1	
General Townwide	266,858.60
General Outside Village	45,797.77
Highway Townwide	140,767.56
Sanitary Conveyance Capital Improvement	487.50
Total of Lighting Districts	5,159.91

Supervisor Marren reviewed the following expenditures for Manifest #1 that were in the range or exceeded \$10,000.00.

- Rochester Gas & Electric – Town utilities for gas and electric
- Office of State Comptroller – November fines and forfeitures
- Ontario County Treasurer – 2021 Workers' Compensation
- Victor Farmington Volunteer Ambulance Corp. – 2021 Agreement for Emergency Services
- Mercy Flight – 2021 Agreement for Emergency Services
- American Rock Salt – Road Salt
- Green Renewable of Manchester NY, Inc. – Tub Grinding
- Ontario County Board of Elections – Chargeback for 12 Town Voting Districts
- Eastern Shore Associates – 2021 Town Insurance
- MVP Health Care, Inc. – January employee and retiree health care

## **NO PRIVILEGE OF THE FLOOR**

## **REPORTS OF TOWN OFFICIALS**

Historian

Conservation Board Report – the Board was impressed to see the accomplishments of the Conservation Board during these difficult times. Supervisor Marren expressed the Town has been blessed with many outstanding Chairs and Members to our Town Boards. Councilman Kahovec noted that all Boards adjusted to zoom meeting process and gave kudos to all of them.

Supervisor Verbal Report:

- Ontario County continues with the three rapid testing sights for COVID testing. One at the Victor/Farmington 9-11 on Wednesdays.
- Farmington Sewer fees per unit will go from \$87.50 to \$88.50 and commercial charges are now maxed out at 3 units totaling 5700, and unit cost is \$1900 per unit.
- Home sales in Victor under the pandemic doing fairly well. It is a seller's market.
- Deer carcass removal – homeowner wanted the highway to know what an outstanding job they did in taking care of this.

- March 22, 2020 was the implementation of the NYS on pause and have seen our region, state, and individuals within our own community go through COVID 19 fatigue. Supervisor Marren shared with the Board his silver lining through all of this pandemic is the Town of Victor employees. They were challenged to create safety guidelines for employees and all visitors to our facilities and did an outstanding job. They worked on a COVID 19 budget that impacted their own budgets and worked on the day to day challenges of managing departments while being short staffed. Councilman Condon also commented that he sees the Town employees wearing masks at all times. Councilman Cusimano gave kudos to the Supervisor for setting a clear expectation of wearing masks while working in the Town facilities.

## RESOLUTIONS

### **Town Clerk**

#### **RESOLUTION # 37 - AMEND RESOLUTION NO. 343-20 - TRANSFER DELINQUENT SEWER DOLLAR AMOUNTS TO ONTARIO COUNTY - TAX PASS**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, on November 23, 2020 Resolution #343 – Transfer Delinquent Sewer Dollar Amounts to Ontario County – Tax Pass; and

WHEREAS, an error was made in listing the amount to be transferred; now, therefore, be it

RESOLVED that Resolution No. 343-20 be amended to read as follows:

#### **TRANSFER DELINQUENT SEWER DOLLAR AMOUNTS TO ONTARIO COUNTY - TAX PASS**

RESOLVED that the Town Clerk is authorized to transfer delinquent sewer accounts in the amount of Ninety Thousand Two Hundred Fifty Five dollars and Sixty One cents (\$90,255.61) to the Ontario County Real property Tax Office for inclusion on the January tax roll of the property owners involved; and further

RESOLVED that a copy of this resolution be forwarded to the Town Clerk, the Finance Director, and Ontario County Real Property.

*\*Councilman Condon thanked Barb Cole for finding the funds in the 2020 budget to cover this expenditure.*

### **Finance**

#### **RESOLUTION #38 PURCHASE VIDEO RECORDING EQUIPMENT - TOWN HALL**

On motion of Councilman Cusimano, seconded by Councilman Condon, the following resolution was adopted:



VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, the video recording equipment is no longer working in the Town Hall; and

WHEREAS, for the security of both employees and the public it is advantageous to proceed with the purchase of replacement equipment; and

WHEREAS, this equipment is available for purchase by piggybacking off from the Broome County Contract 2362-4; now, therefore, be it

RESOLVED that the Town Board authorizes the purchase of the replacement video recording equipment for the Town Hall by piggybacking off of the Broome County Contract 2362-4 in an amount not to exceed Nine Thousand Three Hundred Ninety Nine Dollars (\$9,399.00) to be charged to the 2020 Budget line A.1680.200 Central Data Processing-Equipment; and further

RESOLVED the existing video recording equipment has been declared scrap; and further

RESOLVED that a copy of this resolution be forwarded to the IT Department, Finance Department, and the Town Clerk.

*\*Supervisor Marren noted this was an action to protect our senior population and prevent them from having to come into the building to file real property exemptions.*

**Assessor**

**RESOLUTION #39 EXTENSION OF SENIOR AND INDIVIDUAL WITH DISABILITIES AND LIMITED INCOME EXEMPTION OPT-IN**

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

5 Ayes: 0 nays (Marren, Condon, Kahovec, Guinan, Cusimano)

WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, many seniors and individuals with disabilities do not have the ability to file their real property tax exemption applications in person due to safety precautions and lack the ability to file such applications online; and

WHEREAS, on December 18, 2020 Governor Cuomo has issued Executive Order 202.83 which includes Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, which permits the governing body of an assessing unit the ability to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for

## VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING, MONDAY, JANUARY 4, 2021

renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; now, therefore, be it

RESOLVED that Town Board directs the assessor to extend the 2020 exemption status for those individuals receiving the exemptions through 2021 without a renewal application except that the assessor may require a renewal application if she believes that an owner that qualified for the 2020 exemption has since changed their primary residence, added another owner to the deed, transferred the property to a new owner or died; and further

RESOLVED that the Town Board is authorized to pass such resolution, and that the assessor is instructed to take any such necessary actions in the above-described directives; and further

RESOLVED that a copy of this Resolution be forwarded to the Assessor and the Town Clerk.

*\*Supervisor Marren noted that the COVID 19 vaccine will be available to highway departments, state DOT, County, and local governments under phase 2B.*

**PUBLIC COMMENT:** None

**ADJOURNMENT:**

With no further business to come before the Board tonight, motion was made by Councilman Kahovec, seconded by Councilman Guinan to adjourn the meeting @ 7:20PM.

Respectfully submitted,

Karen C. Bodine  
Town Clerk