

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

An Organizational Meeting of the Victor Town Board was held on January 9, 2023, starting at 6:30 PM with the following members present:

**PRESENT:**

Supervisor	Jack Marren
Councilman	David Condon
Councilman	Mike Guinan
Councilman	Ed Kahovec
Councilman	Drew Cusimano

**OTHERS PRESENT:** Karen Bodine-Town Clerk; Mark Years-Highway Superintendent; Steve Metzger-LaBella Associates; Rich O'Donnell-Finance Director; Suzy Mandrino-IT; Brian Emelson-Parks & Recreation Director; David Nankin; Adam Ryczek-Code Officer

**Flag Salute**

**RESOLUTION NO. 1 - TOWN BOARD MEETING NIGHTS**

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

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

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, November, and December, 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 at 8:00am).* 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 10, 2023, and December 18, 2023.

**RESOLUTION NO. 2 - RULES OF ORDER**

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 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 NO. 3 - OFFICIAL NEWSPAPER**

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

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

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

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

**RESOLUTION NO. 4 - OFFICIAL DEPOSITORY**

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

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

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 NO. 5 - 2023 ESTABLISHMENT OF PETTY CASH ACCOUNTS**

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

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

WHEREAS, Pursuant to Town Law, 64(1-a), the Victor Town Board does hereby establish petty cash accounts for the following officers in the amounts indicated below:

Town Clerk	\$200.00
Receiver of Taxes	\$300.00
Sewer Drawer	\$100.00

RESOLVED that the fiscal responsibility for the petty cash accounts is the responsibility of the Town officer.

**RESOLUTION NO. 6 - CANANDAIGUA NATIONAL BANK ACCEPT 2023 TOWN AND COUNTY TAX BILLS**

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 requests Canandaigua National Bank to act as an agent for the Town of Victor and collect Town and County Taxes for the year 2023 during the month of January; and

WHEREAS, the Canandaigua National Bank will accept tax bills from January 1<sup>st</sup> through January 31<sup>st</sup> full payments only (no installment payments) and will deposit these payments to the Town of Victor Tax Account on the following business day and notify the collector with an itemized listing of taxes received; and

WHEREAS, there will be no charge to the Town for this service; and

WHEREAS, the Victor Town Tax Receiver will be responsible for any check that is returned for any reason; now, therefore, be it

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

RESOLVED that Canandaigua National Bank will act as an agent for the Town of Victor and will accept tax bills for the Town of Victor during the month of January 2023 with no expense to the Town; and be it further

RESOLVED that these monies will be deposited in the Town of Victor Tax Receiver's checking account with no expense to the Town and the bank will notify the Town the following day with an itemized listing; and be it further

RESOLVED that a copy of this resolution be forwarded to Canandaigua National Bank and the Tax Receiver.

**RESOLUTION NO. 7 - 2023 AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES**

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

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

WHEREAS, pursuant to New York Highway Law Section 284, the Victor Town Board and the Victor Town Highway Superintendent are annually required to execute an agreement which governs the expenditure of monies on the Town of Victor highways; and

WHEREAS, the Town Board and the Town Highway Superintendent have reviewed a proposed agreement entitled "Agreement for the Expenditure of Highway Monies" to govern the expenditure of monies for the year 2023 on Town highways; and

WHEREAS, the monies identified in the Agreement for the Expenditure of Highway Monies is consistent with the 2023 Town budget; now, therefore be it

RESOLVED that the Town Board hereby adopts, approves, and ratifies the Agreement for the Expenditure of Highway Monies identified as Schedule "A" and kept in the subject file in the Town Clerk's office and hereby authorizes the Town Supervisor to enter into and execute the same; and further

RESOLVED that a copy of this Resolution be forwarded to the Town Clerk, the Town Highway Superintendent, Ontario County Highway Superintendent, and the Finance Director.

**RESOLUTION NO. 8 - AUTHORIZED FINANCIAL INSTITUTIONS AND INVESTMENT LIMITS**

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

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

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

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

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:

<b>Financial Institution</b>	<b>Investment Limits</b>
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, Town Clerk, Canandaigua National Bank, Lyons National Bank, and Five Star Bank.

**RESOLUTION NO. 9 - APPOINT MARRIAGE OFFICER**

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 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 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.

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

**RESOLUTION NO. 10 - APPOINT TOWN CONSTABLE**

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

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

RESOLVED that Tamara Vienna be appointed Town Constable at a rate of Twenty-Nine dollars and Thirty cents (\$29.30) per hour.

RESOLVED that a copy of this resolution be forwarded to Tamara Vienna.

**RESOLUTION NO. 11 - ASSIGNMENT OF TEMPORARY JUSTICES - 7TH JUDICIAL DISTRICT**

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

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

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 2023; 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 NO. 12 - 2023 HANDICAP PARKING PERMIT ISSUING AGENT**

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

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

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

WHEREAS, Pursuant to Vehicle and Traffic Law, §1203-a (1), the Victor Town Board does hereby designate the Town Clerk and Deputy Town Clerks as the Town of Victor handicap parking permit issuing agents;

WHEREAS, the Town Clerk shall post this designation and information on how to obtain a handicap parking permit on the Town's website.

**RESOLUTION NO. 13 - TOWN BOARD 2023 LIAISON ASSIGNMENTS**

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 the 2023 Town Board liaison assignments are as follows:

Boughton Park Commission	Drew Cusimano
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	Jack Marren and Town Board
Historic Advisory Committee	Dave Condon
Library	Jack Marren
Local Development Corp	Mike Guinan
Parks and Recreation Citizens Advisory Committee	Drew Cusimano

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

Personnel/Compensation	Dave Condon / Jack Marren
Planning Board	Dave Condon (Jan-Mar) / Ed Kahovec (Apr-June) / Mike Guinan (July-Sept) / Drew Cusimano (Oct-Dec) <i>3-month rotations</i>
Transfer Station	Dave Condon
Victor Central School Board	Jack Marren
Victor Fire District	Ed Kahovec
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 NO. 14 - FIDELITY BOND**

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 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
Court Account Clerk	\$100,000

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

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
Recreation Supervisors (2)	\$30,000
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 NO. 15 - DESIGNATION OF FULL-TIME EMPLOYEES**

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

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

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

Sole Assessor  
Assessor's Aide  
Code Enforcement Officer (3)  
Fire Marshal  
Secretary to Zoning Board of Appeals  
Secretary to Planning Board  
Stormwater Program Manager  
Project 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 Mechanics (2)  
Highway/Stormwater Motor Equipment Operator  
Recycling Operators (1)  
Town Supervisor  
Manager of Technology Support  
Finance Director  
Senior Account Clerks (2)



**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

Administrative Aide  
Parks Maintenance Assistant  
Parks Motor Equipment Operators – MEO – (2)  
Trails Motor Equipment Operator  
Parks & Recreation Director  
Director of Economic Development

**RESOLUTION NO. 16 - ACCEPT ORGANIZATIONAL CHART**

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

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

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 9, 2023 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 NO. 17 - DESIGNATION OF PAY DAYS**

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

1. Planning Board Members (5)

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

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

**RESOLUTION NO. 18 - APPROVE MILEAGE RATE**

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

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

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

**RESOLUTION NO. 19 - BENEFIT PACKAGE EMPLOYEE POLICY**

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

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

RESOLVED the HOLIDAY SCHEDULE FOR 2023 be adopted as follows:

Martin Luther King Day	Monday	January 16, 2023
President's Day	Monday	February 20, 2023
Memorial Day	Monday	May 29, 2023
Floater	Monday	July 3, 2023
Independence Day	Tuesday	July 4, 2023
Labor Day	Monday	September 4, 2023
Indigenous Peoples Day	Monday	October 9, 2023
Veterans' Day	Friday	November 10, 2023
Thanksgiving Day	Thursday	November 23, 2023
Day after Thanksgiving	Friday	November 24, 2023
Christmas	Monday	December 25, 2023
New Year's Day 2024	Monday	January 1, 2024
Birthday Holiday		

**RESOLUTION NO. 20 - APPOINT NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS).  
NIMSCAST POINT OF CONTACT**

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

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

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

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

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 NO. 21 - APPOINT COMPREHENSIVE EMERGENCY MANAGEMENT PLAN ADVISORY BOARD**

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

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

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 NO. 22 - EASEMENT AGREEMENTS AND SEQRA CLASSIFICATION**

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

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

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

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

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

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 NO. 23 - TOWN SUBJECT MATTER LIST**

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

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

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.

**TOWN JUSTICE APPOINTMENTS**

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

**TOWN CLERK APPOINTMENTS**

Deputy Town Clerk	Kimberly Reese
Deputy Town Clerk	JoAnn Henry

**RESOLUTION NO. 24 - PAYMENT OF BILLS PRIOR TO AUDIT**

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

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

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.

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

**RESOLUTION NO. 25 - 2024 ORGANIZATIONAL MEETING**

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

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

RESOLVED that the Victor Town Board Organizational Meeting for the year 2024 will be held on Monday, January 8, 2024.

**RESOLUTION NO. 26 - SET PUBLIC HEARING – PROPOSED LOCAL LAW TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2024 – TOWN OF VICTOR**

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

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

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

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 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; 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 2024, 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 23<sup>rd</sup> day of January, 2023 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.

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

**RESOLUTION NO. 27 - ADOPTION OF THE 2023 FEE SCHEDULE**

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 of the Town of Victor has reviewed the updated fee schedule for the Town of Victor for the year 2023; and

RESOLVED, The Town Board has determined that the fees identified in the 2023 Fee Schedule are reasonable and hereby adopts it effective January 1, 2023.

**RESOLUTION NO. 28 - ALLOCATE FUNDING - VICTOR LOCAL DEVELOPMENT CORPORATION**

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

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

WHEREAS, the Victor Local Development Corporation requested and was granted funding for 2023 in the 2023 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-Two Thousand Three Hundred Forty-Four dollars (\$22,344.00) to be paid from the 2023 Budget Line item A6420.400 Economic Development.Contractual to provide their services to the residents of the Town of Victor for the 2023 fiscal year; and further

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

**PUBLIC COMMENT**

*No Public Comment at this time.*

**ADJOURNMENT**

On motion by Councilman Cusimano, seconded by Councilman Guinan, the organizational meeting was closed at 6:39pm, followed by a short break.

**Supervisor Marren** called to order the regular Town Board Meeting of January 9, 2023@ 7:00PM followed by a salute to the flag.

<b>PRESENT:</b>	Supervisor	Jack Marren
	Councilman	David Condon
	Councilman	Mike Guinan
	Councilman	Ed Kahovec

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

Councilman Drew Cusimano

**OTHERS PRESENT:** Karen Bodine-Town Clerk; Kevin Overton-Attorney Harris Beach; Mark Years-Highway Superintendent; Steve Metzger-LaBella Associates; Rich O'Donnell-Finance Director; Suzy Mandrino-IT; Brian Emelson-Parks & Recreation Director; David Nankin; Adam Ryczek-Code Officer.

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 or outside. Supervisor Marren announced that this meeting room is equipped with the induction loop hearing assistance system. You will be able to hear conversations 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.

**Supervisor Announcements:** None

**APPROVAL OF MINUTES**

On motion of Councilman Kahovec, seconded by Councilman Guinan, the following resolution was adopted: 3 Ayes (Marren, Guinan, Kahovec) 2 Abstain (Condon and Cusimano)

RESOLVED that the minutes for December 27, 2022 be accepted as presented to the Board by the Town Clerk.

**PAYMENT OF BILLS**

On motion of Councilman Kahovec, seconded by Councilman Cusimano, the following resolution was adopted: 5 Ayes (Marren, Condon, Guinan, Kahovec, Cusimano) 0 Nays

RESOLVED that the bills be approved for Manifest #1 in the amount of \$754,550.69. Documentation for these expenditures can be found on vouchers filed by numbers #20230002-20230094.

Manifest No. 1

General Townwide	\$543,077.55
General Outside Village	54,576.79
Highway Townwide	155,072.23
Lighting Districts	540.37
SS Consolidated Sewer	243.75
Trust & Agency Fund	1,040.00

**Supervisor Marren** reviewed the following expenditures for Manifest No. 1 that were in the range of or exceeded \$5,000.00.

- American Rock Salt – Road Salt - \$52,543.80
- Boughton Park Corp. – 2023 Town Victor Contribution - \$53,027.00
- Eastern Shore Associates – 2023 Town wide Insurance - \$141,791.76

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

- Guardian Insurance – January Dental - \$ 5,063.38
- Integrated Systems – January Hosting/Storage - \$5,860.11
- Mercy Flight – 2023 Agreement for Emergency Services - \$5,000.00
- Ontario County Treasurer – 2023 Workers Compensation - \$116,949.00
- MVP Healthcare – January Employee Healthcare - \$74,131.37
- Nocco Energy – Diesel Fuel for December - \$10,733.40
- Victor Farmington Volunteer Ambulance Corp – 2023 Agreement for Emergency Services totals - \$250,000.00

**NO PRIVILEGE OF THE FLOOR**

**NO PUBLIC COMMENTS**

**REPORTS OF TOWN OFFICIALS**

Conservation Board Annual Report 2022

Finance

Historian

Parks & Recreation

Victor Traffic

**TOWN CLERK** asked for board discussion on the request for a Hold Harmless agreement at 1070 Carrington Way. All materials were distributed to the Board prior to the meeting. The applicant, Kyle Taylor, is requesting a Hold Harmless Agreement after installing a fence in the stormwater easement. The supervisor referred to photos taken by the code officer.

Councilman Kahovec started discussion about educating residents about the need for permits as well as conservation easements and other easements on their property.

The Town Clerk commented that in speaking with other town clerks in Ontario County, their towns do not have Hold Harmless agreements.

Mr. Overton reported other towns do something similar, indemnity agreements, which allow for an improvement to be where it shouldn't be without the town having potential liability in case they have to go into the easement to do work. The town does have the ability to stop issuing hold harmless agreements and not allow residents to enter into the easement. The code officers don't actively seek out these violations and wouldn't know unless they happen upon them or are notified. Newer and growing communities face this situation more often. The benefit of the hold harmless agreement is mainly for the landowner because the town is acknowledging that there is an improvement that is located within a restricted area. From the town's perspective, we can remove an improvement to access the easement area without liability. There needs to be particular language to transfer the agreement to the next landowner; it doesn't necessarily transfer to next owner.



**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

Mr. Condon expressed concern for what these situations can create for future homeowners and future town employees when they are discovered. He suggested discussing fees with the planning and building department to make this more punitive.

There was further discussion about compliance permits and ways to curb this type of behavior and the cost of the hold harmless permits. This has been an ongoing issue. At closing, the buyer's attorney should be notifying their client about the easements on the property. Also, the need for the hold harmless is to have a paper trail and to the benefit of the homeowners; so they have a document that states the town knows they have an encroachment and the town is not making them remove it. For the town's benefit it ensures the homeowner is clearly aware and anyone else who buys the home is aware of the agreement.

Supervisor Marren directed the Town Clerk to see how many hold harmless agreements were provided to homeowners and the board will discuss this again at a future meeting. No action will be taken on this situation this evening.

Town Clerk Karen Bodine updated the residents on the new tax system (Systems East) adopted by the County and all town clerks. She also noted that the town hall offices have been painted and invited all to view them. Councilman Kahovec commented that he noticed Ken Wilson doing a very nice job with cleaning over the weekend.

Some items/equipment in the basement will be going on an auction site (RTI Auctions) to try to sell and clean out.

**SUPERVISOR VERBAL REPORT:**

The Town of Victor is the official owner of the courts building. Thanks to Kevin (Overton) and Rich (O'Donnell) for their help with that process.

Town Board received a letter from Delores and Ken Fanton, residents on Taylor Road regarding the 1086 Strong Road subdivision. And, Supervisor Marren also distributed the Victor Fire Department December report and an article on David Wright, former Town Board member.

A stop work order was issued for Go Car Wash. The Victor/Farmington Food Cupboard is looking for soup donations.

Supervisor Marren received a letter from a town resident and former member of the Victor Masonic Temple asking the town to identify a project that they can contribute to.

**RESOLUTIONS/BUSINESS**

**RESOLUTION NO. 29 AGREEMENT – MIKE MORELAND'S LAWN & LANDSCAPE, INC. FOR ATHLETIC FIELD / RECREATION CENTER TURF MAINTENANCE PROGRAM**

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

On motion of Councilman Condon, seconded by Councilman Kahovec, the following resolution was adopted: 5 Ayes (Marren, Condon, Guinan, Kahovec, Cusimano) 0 Nays

WHEREAS, the Department of Parks and Recreation has the need to enter into agreement with a vendor to provide fertilizer and pesticide applications to its athletic fields at Dryer Road Park and Village on the Park to increase the playability and safety of the fields and to the grounds of the Recreation Center; and

WHEREAS, the Director of Parks and Recreation has obtained the following proposals for said services for a period of three years (2023 – 2025);

Vendor	Annual Cost
Mike Moreland's Lawn & Landscape, Inc.	\$3,941.14
TruGreen Commercial	\$4,550.65

And;

WHEREAS, funds are included and available in the 2023 Operating Budget Line item A.7110.400 Parks Contractual; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation and Town Supervisor to enter into agreement with Mike Moreland's Lawn and Landscape, Inc. to provide fertilizer and pesticide applications to its athletic fields at Dryer Road Park and Village on the Park to increase the playability and safety of the fields and to the grounds of the Recreation Center in an annual amount not to exceed Three Thousand Nine Hundred Forty One dollars and Fourteen cents (\$3,941.14), said funds are available in the 2023 Operating Budget Line item A.7110.400 Parks Contractual; and further

RESOLVED that a copy of this resolution be forwarded to the Director of Parks and Recreation, Director of Finance, Town Clerk, and Darcy Brophy, Mike Moreland's Lawn and Landscape Inc.

**RESOLUTION NO. 30 AGREEMENT – MIKE KORNRICH**

On motion of Councilman Cusimano, seconded by Councilman Guinan, the following resolution was adopted: 5 Ayes (Marren, Condon, Guinan, Kahovec, Cusimano) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Mike Kornrich for a children's and family concert at its Winterfest event; 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 Mike Kornrich 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

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

fee of Four Hundred Fifty dollars (\$450.00) 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 Mike Kornrich.

**RESOLUTION NO. 31 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, Guinan, Kahovec, Cusimano) 0 Nays

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

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>
Mike Kornrich	Winterfest Concert	Victor Recreation Center	\$450.00	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>
Mike Kornrich	Winterfest Concert	Victor Recreation Center	\$450.00	December 31, 2023	Insufficient Coverage

And be it

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, and Mike Kornrich.

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

**RESOLUTION NO. 32 SET PUBLIC HEARING - PROPOSED LOCAL LAW TO AMEND  
CHAPTER 211 ZONING TO CREATE A CANNABIS RETAIL DISPENSARY OVERLAY ZONING  
DISTRICT**

On motion of Councilman Condon, seconded by Councilman Guinan, the following resolution was adopted: 5 Ayes (Marren, Condon, Guinan, Kahovec, Cusimano) 0 Nays

WHEREAS, that a draft Local Law has been introduced to the Town Board of the Town of Victor, New York, on December 12, 2022, to amend the Town's Zoning Law allowing adult-use cannabis retail dispensaries in accordance with the Cannabis Law Article 4, Section 131 and pursuant to same create a Cannabis Retail Dispensary Zoning District; and

WHEREAS, said Local Law is on file in the Victor Town Clerk's Office, 85 East Main Street, Victor, New York, where it is available for public inspection during regular business hours; now, therefore be it

RESOLVED by the Victor Town Board that a Public Hearing shall be held on January 23, 2023 at 7:00 PM at the Victor Town Hall, 85 East Main Street, Victor, NY at which time and place all interested persons may be heard; and be it further

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

**TOWN OF VICTOR**

**PROPOSED LOCAL LAW NO. \_\_ OF 2023**

**A LOCAL LAW TO AMEND THE ZONING LAW TO CREATE A CANNABIS  
RETAIL DISPENSARY OVERLAY ZONING DISTRICT**

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

**Section 1. Intent.**

It is the intent of the Town of Victor Town Board to amend Chapter 211 of the Town Code to allow adult-use cannabis retail dispensaries in accordance with the Cannabis Law Article 4, Section 131 ("the Cannabis Law"). The amendments set forth herein are necessary and desirable to protect the public health, safety, welfare, and environmental resources, provide a consistent regulatory framework for the cannabis industry consistent with state regulations, foster a healthy, diverse and economically viable cannabis industry that contributes to the local economy, and ensure that environmental, public health, safety and nuisance factors related to the cannabis industry are adequately addressed.

**Section 2. Authority.**

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

This Local Law is enacted pursuant to the Cannabis Law which expressly authorizes the Town Board to enact local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries.

**Section 3. Local Law.**

The Town Board of the Town of Victor hereby amends Chapter 211 to read as follows:

**Article II, Chapter 211, Section 12 of the Zoning Law entitled “Definitions” is hereby amended by adding a new definition for “Cannabis Retail Dispensaries” as follows:**

Cannabis Retail Dispensaries – a retail facility that sells at retail any cannabis product authorized for sale under the New York State Marijuana Regulation and Taxation Act (hereinafter referred to in this Chapter as the “Cannabis Law”), and the sale for which a license is required for an adult-use cannabis retail dispensary under the provisions of the Cannabis Law.

**Article III, Chapter 211, Section 15 (B) of the Zoning Law entitled “Zoning Districts” is hereby amended by adding a new zoning district for “Cannabis Retail Dispensaries” as follows:**

District Table	Zoning District
CRD-O	Cannabis Retail Dispensary Overlay District

**Article III, Chapter 211 of the Zoning Law entitled “Zoning” is hereby amended by adding a new zoning district entitled “Cannabis Retail Dispensary District” as follows:**

§ 211-27.16 Cannabis Retail Dispensary Overlay District

A. Purpose.

The purpose of the Cannabis Retail Dispensary Overlay District is to establish a zoning district for adult-use cannabis retail dispensaries to operate in the Town in accordance with the Cannabis Law.

B. General Guidelines.

- (1) The Cannabis Retail Dispensary Overlay District shall only be established in the Commercial District.
- (2) The Zoning District Map shall be amended to depict the Cannabis Retail Dispensary Overlay District.

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

- (3) The Cannabis Retail Dispensary Overlay District is comprised of multiple contiguous parcels by the following tax map numbers, street addresses and acreages:
- a. Tax Map No. 6.04-1-80.000, Commerce Drive, 0.89 acres
  - b. Tax Map No. 6.04-1-78.000, 400-441 Commerce Drive, 48.37 acres
  - c. Tax Map No. 6.00-1-10.200, 300 Eastview Mall Drive, 8.45 acres
  - d. Tax Map No. 6.00-1-11.000, 100 Eastview Mall Drive, 15.86 acres
  - e. Tax Map No. 1.02-1-8.000/PLZA, 100-190 Cobblestone Court Drive, 12.34 acres
  - f. Tax Map No. 6.00-1-16.110, 7637 St Route 96, 5.31 acres
  - g. Tax Map No. 6.00-1-7.131, 8055 St Route 96, 4.46 acres
  - h. Tax Map No. 6.00-1-7.110, St Route 96, 0.83 acres
  - i. Tax Map No. 6.04-1-79.000, 7620 St Route 96, 1.08 acres
  - j. Tax Map No. 6.00-1-67.000, 7651 St Route 96, 1.95 acres
  - k. Tax Map No. 6.00-1-12.700, 600 Eastview Mall Drive, 10.78 acres
  - l. Tax Map No. 6.02-2-47.100, 4-20 Commerce Drive, 7.95 acres
  - m. Tax Map No. 6.02-2-49.000, 300 High Street, 4.32 acres
  - n. Tax Map No. 1.02-1-9.100, 10-80 Cobblestone Court Drive, 22.64 acres
  - o. Tax Map No. 6.00-1-12.400, 50-52 Eastview Mall Drive, 20.16 acres
  - p. Tax Map No. 6.02-2-51.000, 7720 St Route 96, 2.99 acres
  - q. Tax Map No. 6.00-1-12.210, 40 Eastview Mall Drive, 3.56 acres
  - r. Tax Map No. 6.02-2-48.000, 7724 St Route 96, 1.67 acres
  - s. Tax Map No. 6.00-1-7.210, 8045 St Route 96, 8.50 acres
  - t. Tax Map No. 6.00-1-12.600, 700 Eastview Mall Drive, 8.45 acres
  - u. Tax Map No. 6.00-1-66.100, 7635 St Route 96, 3.45 acres
  - v. Tax Map No. 6.00-1-12.500, 70 Eastview Mall Drive, 14.20 acres
  - w. Tax Map No. 6.00-1-8.000, 8025 St Route 96, 1.05 acres
  - x. Tax Map No. 6.00-1-12.800, St Route 96, 1.86 acres
  - y. Tax Map No. 6.00-1-7.120, 8053 St Route 96, 1.32 acres
  - z. Tax Map No. 6.00-1-66.200, 7633 St Route 96, 4.16 acres
  - aa. Tax Map No. 6.00-1-12.310, 38 Eastview Mall Drive, 0.83 acres
  - bb. Tax Map No. 6.00-1-9.000, 200 Eastview Mall Drive, 13.66 acres
  - cc. Tax Map No. 6.00-1-12.100, 100-1020 Eastview Mall Drive, 93.55 acres
  - dd. Tax Map No. 6.00-1-3.310, 7550-7560 Commons Blvd, 7.14 acres
  - ee. Tax Map No. 6.00-1-3.410, 7500 Commons Blvd, 8.77 acres
  - ff. Tax Map No. 6.00-1-3.500, Commons Blvd, 2.26 acres
  - gg. Tax Map No. 1.02-1-13.000/RETL, 240 High Street Ext, 1.38 acres
  - hh. Tax Map No. 1.02-1-13.000/COBL, 236 High Street Ext, 0.44 acres
  - ii. Tax Map No. 1.02-1-14.000, 235-237 High Street Ext, 3.52 acres
  - jj. Tax Map No. 1.02-1-12.100/REST, 204 High Point Dr, 1.72 acres
  - kk. Tax Map No. 1.02-1-12.100/RETL, 202 High Point Dr, 0.67 acres
  - ll. Tax Map No. 1.02-1-12.100/COBL, 200 High Point Dr, 0.92 acres
  - mm. Tax Map No. 1.02-1-9.200, High Point Drive, 0.62 acres

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

- (4) For a site within the Cannabis Retail Dispensary Overlay District, in addition to uses listed as a permitted use or as a special permit use within the underlying Commercial District base zone, the types of uses to be made of sites within the Overlay District shall include Cannabis Retail Dispensaries approved by a resolution of the Town Board.

C. Special Conditions.

All Cannabis retail dispensaries are subject to the requirements of the Cannabis Law and with the additional special conditions:

- (1) A Cannabis Retail Dispensary shall not open or conduct any business prior to 9 AM nor remain open or conduct any business after 9 PM Mondays through Saturdays and shall not open or conduct any business prior to 12 PM nor remain open or conduct any business after 6 PM on Sundays.
- (2) No portion of a Cannabis Retail Dispensary or the real property (lot) on which it is sited shall be located closer than 1,500 feet from any other Cannabis Retail Dispensary, such distance measured on a straight line from the nearest property line of the lot on which any other existing Cannabis Retail Dispensary to the nearest property line of the lot to be occupied by the proposed Cannabis Retail Dispensary.
- (3) Subject to applicable law, a Cannabis Retail Dispensary shall provide to the Town copies of all information and documentation submitted to the State of New York in application for a license to operate under the Cannabis Law.
- (4) A Cannabis Retail Dispensary shall not operate until the dispensary has obtained all licenses and permits required for it to conduct any business issued by the State of New York and any of its agencies for Cannabis Retail Dispensary operations.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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. Repeal.**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

**VICTOR TOWN BOARD ORGANIZATIONAL/REGULAR MEETING  
MONDAY, JANUARY 9, 2023**

**Section 6. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**PUBLIC COMMENT:**

Dave Nankin commented on the discussion about Hold Harmless and Easements. He feels the public needs to be educated on these processes.

**ADJOURNMENT:**

With no further business to come before the Board tonight, motion was made by Councilman Guinan, seconded by Councilman Cusimano to adjourn the meeting @ 7:51PM.

Respectfully submitted,

Karen C. Bodine  
Town Clerk