

**A regular meeting of the Village of Victor Board of Trustees was held on Monday, February 17, 2020 at the Village Hall, 60 East Main Street.**

**MEMBERS PRESENT:**

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

**OTHERS PRESENT:** JP Schepp, MRB Group, Jon McConnell, WWTP Operator

Workshop held at 6:30pm to discuss upgrades to the Waste Water Treatment Plant.

Regular Meeting was called to order by Mayor Hadden at 7:12pm.

Salute to the flag.

### **Public Hearing**

### **Adopt Local Law #01-20 to Override the Tax Levy Limit for the Village Fiscal Year 2020-2021**

Pamela Hogenes read the following legal notice into the record:

*"Please take notice that the Village of Victor Board of Trustees will hold a Public Hearing on February 17, 2020, at 7:00pm, at 60 East Main Street, Victor. The sole purpose of this Public Hearing will be to determine if the Village of Victor should enact a Local Law to override the tax levy limit established in General Municipal Law §3-c for the 2020-2021 Village Tax. A draft proposal of the chapter is on file at the office of the Village Clerk, Village of Victor.*

*By Order of the  
Village of Victor  
Board of Trustees"*

### ***Open Public Hearing***

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

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

Mayor Hadden read justification to adopt this local law provided by Diane White, Village Treasurer.

*"Due to the formation of the Victor Fire District, we had to decrease the Village tax cap calculation by \$91,892 for transfer of services. After two budget workshops and reviewing all requested projects and expenditures, we are just **under** the adjusted Tax Cap by \$924. With such a small margin leaving little room for error, the Board has decided to go ahead with the Tax Cap Override Resolution as not to violate any NYS tax legislation."*

Mayor Hadden asked for comments from the Board. *There were no comments*  
Mayor Hadden asked for comments from the Public. *None in attendance*

### ***Close Public Hearing***

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

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

### **Resolution #12-20**

#### **Adopt Local Law #01-20 to Override the Tax Levy Limit for the Village Fiscal Year 2020-2021**

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

**Whereas**, a resolution was adopted by the Board of Trustees of the Village of Victor for a public hearing to be held by said Board of Trustees on February 17, 2020 at 7:00pm at the Village Hall, 60 East Main Street, Victor, New York to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**Whereas**, notice of said public hearing was duly advertised in the official newspaper of the Village of Victor, on February 6, 2020 and all other notices required by law to be given were properly served, posted or given; and

**Whereas**, said public hearing was held on February 17, 2020 at 7:00pm at the Village Hall, 60 East Main Street, Victor, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**Whereas**, the Board of Trustees on the Village of Victor, after due deliberation, finds it in the best interest of the Village of Victor to adopt said Local Law.

**Now, Therefore Be It Resolved**, that the Board of Trustees of the Village of Victor hereby adopts said Local Law No. 1-20 of 2020, entitled, "A Local Law of override the tax levy limit established in General Municipal Law §3-c, a copy of which is attached hereto and made a part of this resolution, and e it further

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

## **Village of Victor**

### **Local Law #1-20**

#### **A local law to override the tax levy limit established in General Municipal Law §3-c**

**Section 1. Legislative Intent** It is the intent of this local law to allow, but not require, the Village of Victor to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

**Section 2. Authority** This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the village's board of trustees to override the property tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said village board of trustees.

**Section 3. Tax Levy Limit Override** The Board of Trustees of the Village of Victor, County of Ontario, is hereby authorized, but not required, to adopt a budget for the fiscal year commencing June 1, 2020 that includes a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

**Section 4. Severability** If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date** This local law shall take effect immediately upon filing with the Secretary of State.

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#### **Clerk Report**

### **Resolution #13-20**

**Acceptance of Minutes**

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

**Resolved** to accept the meeting minutes from February 3, 2020.

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**Resolution #14-20**

**Payment of Bills**

**Whereas**, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #18 using vouchers #626-684; and,

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

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

General	\$ 14,498.34
Water	\$ 20,217.00
Sewer	\$ 3,436.32
HB – Moore, Webster, Dryer Recon	\$ <u>16,087.16</u>
<b>TOTAL</b>	\$ 54,238.82

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**Director of Public Works Report**

Mr. Turner would like to schedule a public hearing for March 16 to address three minor changes in the Village Code.

**Resolution #15-20**

**Schedule Public Hearing, Amending Chapter 153, Trees and Vegetation, Chapter 158, Vehicles and Traffic and Chapter 165, Water to the Village Code**

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

**Resolved** to schedule a Public Hearing for March 16, 2020 for the sole purpose of amending the following Chapters of the Village Code:

- 1) Chapter 153, Trees and Vegetation addressing maintenance of Trees
- 2) Chapter 158, Vehicles and Traffic addressing Stop Signs
- 3) Chapter 165, Water addressing access to conduct water testing

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Mr. Turner stated the sewer fund needs to be discussed at the next budget workshop on March 9 to prepare for the WWTP upgrade previously noted.

### **Trustees Reports**

**Michelle Chalupa** – For Tree Board: Arbor Day is April 18 @ 10:00am on Rawson Rd. Applying for Growth Award. They will be putting an article in the Victor Voice Newsletter.

Library Board meets tomorrow night (Feb. 18)

Meeting w/Community Solar folks on Feb. 25

**Michael Crowley** – Met with LDC executive director to express some concerns he had.

**Carol Commisso** – Had Village Revitalization Workgroup meeting w/Ed Flynn to apply for grant funding.

**Robert Kelly** – At the Library Buildings and Grounds committee meeting: looking at a new site for the Library. They have had an engineer walk through it and will get a report. The library board is still frustrated with the Village regarding the reverter clause. After the report is received, Mayor Hadden and Deputy Mayor Crowley will meet with the library folks.

### **Mayor Report**

Planning Board is next Wed., Feb. 26. The Gullace Project and Bright Raven Gymnastics are on the agenda. Meeting with Bright Raven representatives on Thurs. Feb. 20.

### **Attorney Report**

None

### **Executive Session**

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

**Resolved**, that the Village Board of Trustees will enter into executive session to discuss a real estate matter. Attorney Holter, Mr. Turner and Ms. Hogenes to remain.

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

**Resolved**, that the Village Board of Trustees will exit out of executive session.

### **Adjournment**

Meeting adjourned on motion at 8:22pm.

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Pamela Hogenes, Village Clerk