

**A regular meeting of the Village of Victor Board of Trustees was held on Monday, March 1, 2021 via Zoom and live streamed on You Tube.**

**MEMBERS PRESENT:** Mayor Gary Hadden  
Deputy Mayor Michael Crowley  
Trustee Carol Commisso  
Trustee Robert Kelly  
Trustee Michelle Chalupa  
Village Clerk Pamela Hogenes

**MEMBERS PRESENT:** Director of Public Works John Turner  
Village Attorney Reid Holter

**OTHERS PRESENT:** Jim Odorcyk, Kathy Rayburn and Amy DiPrima (via zoom)

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

Salute to the flag.

**Public Hearing**

Ms. Hogenes read the legal notice into record:

*"Please take notice that the Village of Victor Board of Trustees will hold a Public Hearing on March 1, 2021, at 7:00pm, via zoom and live streamed on You Tube. 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 2021-2022 Village Tax. A draft proposal of the chapter is on file at the office of the Village Clerk, Village of Victor.*

[https://www.youtube.com/channel/UCrvSGrrKOEZDd1OMc6cI7qg?view\\_as=subscriber](https://www.youtube.com/channel/UCrvSGrrKOEZDd1OMc6cI7qg?view_as=subscriber)

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

*Date: February 16, 2021"*

***Open Public Hearing***

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 open the Public Hearing.

Mayor Hadden stated the 2021-2022 draft budget is very close to the tax cap and as a safeguard feels it would be best to adopt a local law to override the 2021-2022 tax levy limit in case there are any errors with our calculations. Mayor Hadden also stated we do not expect to go over the tax cap.

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 Carol Commisso, 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 #17-21**

**Adopt Local Law #01-21 to Override the Tax Levy Limit for the Village Fiscal Year 2021-2022**

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

**Whereas**, a resolution was adopted by the Board of Trustees of the Village of Victor for a public hearing to be held by said Board of Trustees on March 1, 2021 at 7:00pm via zoom meeting and live streamed on YouTube to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**Whereas**, notice of said public hearing was duly advertised in the official newspaper of the Village of Victor, on February 18, 2021 and all other notices required by law to be given were properly served, posted or given; and

**Whereas**, said public hearing was held on March 1, 2021 at 7:00pm via zoom meeting and live streamed on YouTube 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. 1-21 of 2021, 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 be it further

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

**Village of Victor**

## **Local Law #1-21**

### **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, 2021 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, 2021 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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### **Privilege of the Floor**

**Jim Odorcyk, 14 Railroad St.**, came before the board to ask that the penalty be waived on his quarter 4 water bill from 2020. Mr. Odorcyk stated he is wintering in Florida and the bill did not get to him until after it was due. He sent payment immediately and sent a letter with it requesting the relief from the \$118.71.

Mr. Kelly stated the process has not changed and does not feel the penalty should be waived. Mayor Hadden asked for a roll call vote to approve waiving the penalty.

Mayor Hadden        AYE  
Trustee Commisso    AYE  
Trustee Kelly        NAY

Trustee Crowley     AYE  
Trustee Chalupa     AYE

**Kathy Rayburn and Amy DiPrima, Victor Community Development Office (VCDO), presented** a PowerPoint Presentation to talk about why the partnership was

formed between the Economic Development Office and the Chamber of Commerce, basically creating a one stop shop for new and existing businesses.

Ms. Rayburn and Ms. DiPrima outlined what the VCDO has been doing and what they hope to accomplish. The VCDO has launched a website **victorcdo.org** and have been on several commercials. VCDO has published a Victor Community Guide that will be mailed out to homes in Victor. They are very active on social media. VCDO will be assisting in community events and provide financial assistance to businesses.

Goals for 2021

- Active Business Recruitment program
- Increase Funding for Loan program
- Business Outreach/Participation
- Assist Parks and Rec with Summer concerts
- Coordinate Community/Business Events: HAVD, Spooktacular, Mobile Markets

**Clerk Report**

**Resolution #18-21**

**Acceptance of Minutes**

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

**Resolved** to accept the meeting minutes from February 16, 2021.

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**Resolution #19-21**

**Payment of Bills**

**Whereas**, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #19 using vouchers #1119-1182 and,

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

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

General	\$ 17,523.58
Water	\$ 137.81
Sewer	\$ 14,805.78
HD – DPW Radio System	\$ 542.99
HB-Moore, Webster, Dryer Recon	\$ <u>412.06</u>

**TOTAL**

\$ 33,422.22

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**Resolution #20-21**

**Election Polling Place and Candidates**

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

**Resolved,** that the next annual election of the Village of Victor will be held on Tuesday March 16, 2021, at the Victor Village Hall, 60 East Main Street, Victor, New York. Polls will be open from 12:00 noon to 9:00 pm. The following persons have been nominated for the office and terms set forth below:

Office of Mayor  
Two (2) Year Term

Gary A. Hadden 70 Latchmere Dr. Victor, NY 14564	Jennifer Arena 276 E. Main St. Victor, NY 14564
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Office of Trustee (2)  
Two (2) Year Term

Michael L. Crowley 10 Woodworth St. Victor, NY 14564	Jennifer Tipton 14 Ambassador Dr. Victor, NY 14564
Michelle Chalupa 9 Valley View Dr. Victor, NY 14564	Corey Kelley 155 E. Main St. Apt. #2 Victor, NY 14564

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**Director of Public Works Report**

None

**Trustees Reports**

**Carol Commisso** – Met with Ms. Rayburn and Ed Flynn from Labella on community development grants. Mr. Flynn is willing to come to a board meeting to discuss grants that are available.

**Michael Crowley** – Mr. Crowley suggested opening Village Hall back up prior to the Village elections on March 16. He also feels the Village Boards should start in person meetings. *It was determined that Village Hall will open on March 8 and in person board meetings will start at the March 15 Village Board meeting.*

**Michelle Chalupa** – Attended Library board, they are having a floor plan drawn up for a new location they are looking at.

**Robert Kelly** – At Planning Board, a concept plan was presented for a drive-thru type convenient store at 290 W. Main and approved to move forward.

### **Resolution #21-21**

#### **Additional Election Inspector**

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

**Resolved**, that the Village Board of Trustees appoints Pamela Hogenes as an additional election inspector for the Village of Victor election on Tuesday, March 16, 2021 for a fee of \$150.00.

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### **Mayor Report**

Mayor Hadden stated an intermunicipal agreement for site improvements at 34 Maple Ave., between the Victor Fire District and the Village Department of Public works is being drafted. After Attorney Holter has reviewed it, it will come to the Village Board for approval.

Mayor Hadden stated there was an offer to a Code Enforcement applicant, but it was turned down. We will be retaining the interim Code Enforcement Officer from Ontario County until we find a replacement.

The Community Solar program has 71 participants resulting in a \$3,550.00 rebate to the Village. Source Power would like to have a public event to present the check possibly around Earth Day.

Mayor Hadden will not be at the April 5 meeting, so the budget public hearing will be on April 19.

**Attorney Report**

None

**Adjournment**

Meeting adjourned on motion at 8:37pm.

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Pamela Hogenes, Village Clerk