

A regular meeting of the Village of Victor Board of Trustees was held on Monday, March 4, 2019 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
Director of Public Works John Turner
Village Clerk Pamela Hogenes

MEMBERS ABSENT: Attorney Reid Holter

OTHERS PRESENT: Diane White, Village Treasurer, Jason Shelton, Gerald Barry, Jen Nguyen, Robert Dunn, Alexandra TePoel and Mark Turner

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

Salute to the flag.

Privilege of the Floor

Mayor Hadden recognized two 50 year members of the Victor Fire Department with a certificate of appreciation to:

Resolution #22-19

SERVICE APPRECIATION AWARD – LEWIS STEWART, VICTOR FIRE DEPARTMENT

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

WHEREAS, Lewis Stewart joined the Victor Fire Department in 1969 and has continued to be a member of the Victor Fire Department; and

WHEREAS, the Village of Victor Board of Trustees would like to present Lewis Stewart with a certificate of appreciation for his dedication and service to the residents and business owners of the Village of Victor; be it

RESOLVED that the Village Board of Trustees hereby recognizes and expresses its sincere appreciation to Lewis Stewart for his fifty (50) years of dedicated service to our community; and, further

RESOLVED that a certified copy of this resolution be forwarded to Lewis Stewart

Resolution #23-19

SERVICE APPRECIATION AWARD – KENNETH WILSON, VICTOR FIRE DEPARTMENT

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

WHEREAS, Kenneth Wilson joined the Victor Fire Department in 1969 and has continued to be a member of the Victor Fire Department; and

WHEREAS, the Village of Victor Board of Trustees would like to present Kenneth Wilson with a certificate of appreciation for his dedication and service to the residents and business owners of the Village of Victor; be it

RESOLVED that the Village Board of Trustees hereby recognizes and expresses its sincere appreciation to Kenneth Wilson for his fifty (50) years of dedicated service to our community; and, further

RESOLVED that a certified copy of this resolution be forwarded to Kenneth Wilson

Mr. Jason Shelton and Mr. Gerald Barry accepted the certificates and the resolutions on behalf of Mr. Stewart and Mr. Wilson

Proclamation

Mayor Hadden read a proclamation recognizing March 13, 2019 as Registered Dietitian Nutritionist Day and presented it to Jennifer Nguyen and Alexandra TePoel from the Food Services Dept. at Victor Central School.

Public Hearing

Adopt Local Law #01-19 to Override the Tax Levy Limit for the Village Fiscal Year 2019-2020

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 March 4, 2019, 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 2019-2020

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 stated overriding the tax levy limit will prevent the Village from taking money from the Unreserved Fund Balance this year.

Ms. White provided changes in state funding noting the possible elimination of AIM funding and a reduction in CHIPS funding to the Village of Victor.

Close Public Hearing

On a motion made by Trustee Michelle Chalupa, seconded by Trustee Robert Kelly, the following resolution was ADOPTED 4 AYES 0 NAYS

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

Resolution #24-19

Adopt Local Law #01-19 to Override the Tax Levy Limit for the Village Fiscal Year 2019-2020

On motion of Trustee Carol Commisso, 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 4, 2019 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 21 and all other notices required by law to be given were property served, posted or given; and

Whereas, said public hearing was held on March 4, 2019 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. 1-19 of 2019, 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 #1-19

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, 2019 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, 2019 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.

Ms. White exited at 7:20pm

Clerk Report

Resolution #25-19

Acceptance of Minutes

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

Resolved to accept the meeting minutes from February 18, 2019

Resolution #26-19

Payment of Bills

Whereas, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #19 using vouchers #1450-1529; and,

NOW, therefore on a motion made by Trustee Robert Kelly, seconded by Trustee Michelle Chalupa, 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	\$ 27,838.02
Water	\$ 322.57
Sewer	\$ 10,087.11
HG – Glendower/Duxbury Reconst.	\$ <u>12,079.96</u>
TOTAL	\$ 50,327.66

Resolution #27-19

Election Polling Place, Candidates and Referendum

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 next annual election of the Village of Victor will be held on Tuesday, March 19, 2019, 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

Office of Trustee (2)
Two (2) Year Term

Michael L. Crowley
10 Woodworth St.
Victor, NY 14564

Michelle L. Chalupa
9 Valley View Cir.
Victor, NY 14564

Nancy S. Shelton
135 E. Main St. #3
Victor, NY 14564

REFERENDUM FOR THE DISSOLUTION OF THE FIRE DEPARTMENT AND THE FORMATION OF A JOINT FIRE DISTRICT:

Should the Village of Victor dissolve the Fire Department and, together with the Town of Victor, establish a joint fire district (to be named the "Victor Fire District") effective June 1, 2019, as follows: The Victor Fire District would encompass the same geographic area as is currently served by the Victor Fire Department. The Victor Fire District would be governed by a five member Board of Fire Commissioners which would be, initially, appointed by the Town board, and thereafter be elected by the residents of the district. The Victor Fire District would become a new taxing authority; the tax would be included as a separate line item on the real property tax bills issued each January. The Victor Fire District would be given the opportunity to lease the Victor Fire Hall from the Village for lease payments sufficient to cover the outstanding bond and, when the bond is paid in full, to purchase the Fire Hall for one dollar. The Victor Fire District would be given the opportunity to lease the fire truck referred to as the "Quint" for lease payments sufficient to cover the outstanding lease on the Quint and, thereafter, to purchase the Quint for one dollar. All other vehicles, equipment, fixtures, tools and uniforms of the Village utilized exclusively for and by the Fire Department and the remaining balance of all reserve

accounts established by the Village for the Fire Department would be transferred to the Victor Fire District immediately upon its formation. The Victor Fire District would become the sponsor of the Length of Service Awards Program currently sponsored by the Village for the benefit of firefighters. In order to fund the operation of the Victor Fire District for the seven months from June 1, 2019 until December 31, 2019: (a) the portion of the Village budget for the fiscal year commencing June 1, 2019 would be prorated and seven-twelfths of said amount would be assigned by the Village to the Victor Fire District, and (b) the remaining balance of the funds committed by the Town to the Village for fire protection services for 2019 as of June 1, 2019 would be assigned to the Victor Fire District. Thereafter, the Victor Fire District would be funded by the new Fire District tax.

Director of Public Works Report

Mr. Turner read the following resolution into record.

Resolution #28-19

Transfer of Funds, Snow Removal - Salt

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

Resolved to authorize the Treasurer to transfer funds from the Snow Removal Reserve Fund in the amount of \$10,000 to Acct. #A5142.4 Snow Removal.

This resolution is subject to a permissive referendum.

Trustees Reports

Robert Kelly – At Roundtable:

- Ontario County Tourism office is holding a seminar on meeting spaces in Ontario County
- LDC announced the Victor Business Awards are May 2
- Parks and Rec is starting a speaker series for seniors program
- Victor Chamber is holding monthly meetings at different locations.
- Library Building and Grounds committee is still looking for new space for the library

Carol Commisso - Attended LDC meeting. Adopted new by-laws and they are restructuring their committees. Revising guidelines for the Façade Improvement Program to try and generate more applicants.

Michelle Chalupa – None

Michael Crowley – Mr. Crowley cited a recent ZBA case that may come before the Village Board and would like clarification from Attorney Holter.

Mayor Report

Mayor Hadden presented a resolution to establish a Community Choice Aggregation Program, but after motions and discussion, the board felt Attorney Holter needed to review supporting documents before the Local Law can be adopted, so the motions were rescinded and the resolution was tabled.

After discussions between Mayor Hadden and Chief McAdoo, an article is ready to be submitted to the Daily Messenger, the Democrat and Chronicle and the Victor Post regarding the Fire District vote.

Attorney Report

None

Adjournment

Meeting adjourned on motion at 8:00pm.

Pamela Hogenes, Village Clerk