

VICTOR TOWN BOARD REGULAR MEETING
MONDAY JANUARY 26, 2026

A special meeting of the Victor Town Board was held on Monday January 26, 2026 in the Supervisor's Conference Room of the Town Hall at 5:30PM.

PRESENT: Town Board members; Rich O'Donnell Finance Director; Frank Pavia Attorney; Marlene Murnan Assessor; and Tina Kolaczyk Human Resources.

MOTION TO MOVE INTO EXECUTIVE SESSION at 5:30PM

On motion of Councilman Condon, seconded by Councilwoman Ogra, the Board moved into executive session.

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

RESOLVED, the Board enter into executive session for proposed, pending or current litigation and matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension.

MOTION TO END EXECUTIVE SESSION at 6:56PM

On motion of Councilwoman Ogra, seconded by Councilman Condon, the executive session was adjourned.

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

A regular meeting of the Victor Town Board was held on Monday, January 26, 2026 in the Main Meeting Room of the Victor Town Hall at 7:00PM.

Supervisor Marren called the regular meeting of the Victor Town Board to order at 7:03PM and all joined in a salute to the flag.

ROLL CALL VOTE: Jack Marren, Dave Condon, Drew Cusimano, and Alexis Ogra, Jen Tipton all present.

OTHERS PRESENT: Karen Bodine-Town Clerk; Frank Pavia, Attorney; Mark Years, Highway Superintendent; Keith Maynard, Project Manager; Steve Metzger; Casey Paige.

PUBLIC HEARING: Proposed Local Law to Override the NY Tax Levy Limit for 2027

Supervisor Marren asked the finance director, Rich O'Donnell to explain why the Board takes this action each year. Rich explained this is a formality and the main reason is timing due to our budget process. He explained the budget process starts in July and August and then it takes time to set the public hearing. There are several budget workshops and if there was going to be an increase in the override, the residents would know of it. We do not certainly go in with the idea of going over the tax cap, but we like to keep the expenses level to the previous year.

MOTION TO CLOSE THE PUBLIC HEARINGS:

Motion made by Councilman Cusimano, seconded by Councilman Condon to close the Public Hearing.

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5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

SUPERVISOR ANNOUNCEMENTS:

- Employee Birthdays for the month of February
- All Town facilities will be closed on February 16th for Presidents Day
- Thanked the Highway and Parks staff for keeping the roads and parks cleared of snow over the course of the last few days

APPROVAL OF MEETING MINUTES:

Motion made by Councilwoman Ogra, seconded by Councilman Condon to approve the Organizational Minutes and the Regular Minutes of January 5, 2026.

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

PAYMENT OF BILLS

On motion of Councilwoman Ogra, seconded by Councilman Cusimano, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

RESOLVED that the bills are approved for Manifest No. 2 in the amount of \$1,287,246.40.

Documentation for these expenditures can be found on vouchers filed by numbers 202600085-202600294.

Manifest No. 2

General Townwide		\$667,684.75
General Outside Village		\$25,235.10
Highway Townwide		\$285,659.13
Victor Fire Protection		\$21,519.85
Lighting Districts		\$6,587.41
SS Consolidated Sewer		\$260,269.27
Trust and Agency		\$12,847.50

Supervisor Marren reviewed the following expenditures for Manifest No. 2 that were in the range of or exceeded \$5,000.

- American Rock Salt – Salt for Town roads - \$72,551.34
- Boughton Park – 2026 Annual Support Share - \$54,460.46
- CDW – IT Computer Equipment - \$12,359.09
- CP Ward – Pump Station (5&11) partial payment #9 - \$128,475.39
- Excellus – February Retiree Healthcare - \$7,922.42
- Five Star Bank – December Town Visa charges - \$7,443.39
- Granicus – Software support - \$20,599.93
- Integrated Systems – Annual support & software renewals - \$49,020.40

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- Labella Associates PC – Professional Services for Nov. – \$48,408.75
(Chargeback to developers \$12,687.50 Total cost to the Town - \$35,721.25)
- Mercy Flight – 2026 Agreement for EMS Services - \$6,000.00
- Mirabito Energy – December Fuel - \$20,183.36
- NYS Unemployment – 2025 Q4 Charges - \$14,883.43
- NYS Controllars - December Court fees - \$23,629.00
- Ontario County – Annual Dog Control Fees - \$44,886.55
- On the Spot Cleaners – Townwide Air Duct Cleaning (ARPA)- \$21,415.00
- RG&E – Townwide Gas & Electric - \$25,431.31
- VF Ambulance – 2026 Agreement for Emergency Services - \$305,000.00
- Victor LDC – 2026 Town Contribution - \$24,475.00
- Victor Sewer District – 2025 Delinquent Taxes (re-levied) - \$98,620.52
- Tracey Road Equipment- Highway truck - \$156,903.00

The total of the above-mentioned expenditures is \$1,142,668.34

Total Town expenditures minus the previously mentioned expenditures equals \$144,578.06

The Supervisor asked Mark about the Town's salt supply. He explained they were good right now and prior to the storm they were hitting just the hills and intersections in the towns to minimize the use of salt. Councilwoman Ogra asked why the shortage with salt and Mark explained everyone is having a busy winter and it's been hard keeping up.

PRIVILEGE OF THE FLOOR: None

PUBLIC COMMENTS:

REPORTS OF TOWN OFFICIALS:

- ✓ Planning and Building
- ✓ Highway
- ✓ IT
- ✓ Parks and Recreation

SUPERVISOR VERBAL REPORT:

- Prior notifications in the Board's mailboxes were from: Victor/Farmington Ambulance is offering free First Aid Training
- Caitlyn Bailey and Kathy Rayburn taking the lead on the Memorial Day Parade
- Casey is working on Special Collection Events for this year
- NYS DOT announced last week that this region #4 has a new Director Brad Wallike
- In February there will be a joint training with the NYS Police and Victor/Farmington Volunteer Ambulance on car seat technician certifications.
- Two new businesses opened in Fishers Landing: Mei's Spa and Retreat and Top Dollar Gold and Silver exchange

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- Thank you letter from Ganondagon, Boughton Park Maintenance report for 2025, Victor Fire District report, CEMP meeting update which was given on 1-14-26, 2025 Sheriff's activity report for the Town of Victor, and a letter from our Sheriff.
- In February or March, the Supervisor would like to petition DOT for another speed study for a speed reduction on High Street. Supervisor met with a bus monitor who had concerns about the speed on High Street. There was an incident with a motorist who did not stop for the flashing lights.
- There is a walk in resolution that will be introduced at the end of the meeting.
- Supervisor recognized Dave Condon for being inducted into the 2025 Victor Hall of Fame on December 5th. Coach Condon graduate of 1976, High School Social Studies teacher for 30 years. His legacy as a lifelong Blue Devil impacted many as a teacher, coach, mentor and leader spans generations. A proud Ambassador for Victor. Congratulations.

Councilwoman Ogra attended the last Village Board meeting and there was a discussion regarding signs for businesses in the Village particularly flag banners. Arbor Day they will planting trees along the driveway for Victor Municipal Park. A caucus was held for two Village Trustee positions, Matt Snyder and Carol Commisso.

Councilwoman Ogra suggested to have Mercy Flight come to one of our Board meetings.

Councilman Condon met with the Victor Cross Country coach about having a 5K race on the 4th of July for a fund raiser. He also mentioned that he and Casey have had a few conversations about the future of our recycling and making it equitable for our residents that use the facility. As Flint closes this is important to look at the extra cost that High Acres will potentially be.

Councilwoman Tipton commented attending the NYS Association of Towns training for newly elected officials. She expressed that she learned a lot and she is looking forward to continuing her education.

Supervisor Marren asked Rich O'Donnell to explain why we do the budget amendments. Rich explained that budget amendments are done periodically throughout the year, but sometimes they might be carried over to January or February of the next year. It is an accounting procedure when the auditors come in they need to match the budget with the financials at the end of the year. For example, the Fire Protection amendment was challenging due to the fact that the town never knew for sure what kind of funds they would be receiving. They waited until the end to see what the revenue and expenses were to make the amendment. He also gave an example of how the budget was amended when the Town purchased the Lehigh Crossing Building for Parks and Recreation and the Lord and Taylor property.

ACTION ITEMS:

RESOLUTION NO. 35-2026

AMEND 2025 BUDGET TO INCLUDE ASSOCIATED REVENUE AND EXPENSE ITEMS FOR 2025 FIRE PROTECTION EXPENDITURES AND ACCEPTANCE OF FUNDS

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On motion of Councilman Condon, seconded by Councilwoman Tipton, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Fisher’s Fire District has been approved to dissolve on October 1, 2025, creating additional need for EMS within the newly created Fire District One and Fire District Two; and

WHEREAS, Section 122-b 1{c} of the New York General Municipal Law authorizes the Town to supply ambulance services for the furnishing of pre-hospital emergency treatment or for transporting sick or injured persons; and

WHEREAS, Victor Fire District and Bushnell’s Basin Fire Association each has provided the Town with a 15-month contract agreement for coverage in the two newly formed Fire Protection Districts; and

WHEREAS, the Town accepts the funding from Fisher Fire District in 2025 in the amount of Eight Hundred and Ninety-Six Thousand 00/100 (\$896,000.00) received Six Hundred and thirty thousand 00/100 (\$630,000.00) in October, One hundred and fifty-one thousand 00/100 (\$151,000.00) in November and One hundred fifteen-thousand 00/100 (\$115,000.00) in December; now, therefore be it

WHEREAS, funds need to be appropriated in the 2025 Budget to reflect the revenue and expense items for the current year as indicated below:

Revenue:

SF1.1001	Real Property Taxes	\$ 896,000.00
	Total Revenue	\$ 896,000.00

Expense:

SF1.3410.400	Fire Protection Contractual	\$ 896,000.00
	Total Expense	\$ 896,000.00

Now, therefore, be it

RESOLVED, that the Town Board approve appropriation of Real Property Taxes received from Fisher Fire District – Revenue (SF1.1001) in the amount of Eight Hundred and Ninety-Six Thousand 00/100 (\$896,000.00) and with the associated increase in Revenue and Expense accounts as indicated above; and

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BE IT FINALLY RESOLVED, the Town Clerk to provide a copy of this resolution to the Town Finance Director and Town Clerk.

RESOLUTION NO. 36-2026

ACCEPT THE FUNDS FROM (DASNY) THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND AMEND 2025 BUDGET TO INCLUDE THE ASSOCIATED REVENUE AND EXPENSE FOR THE EDPL ACQUISITION OF 700 EASTVIEW MALL DRIVE AND ACCEPTANCE OF FUNDS FROM WILMORITE CONSTRUCTION, LLC.

On motion of Councilwoman Ogra, seconded by Councilman Condon, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor, County of Ontario (the "Town") is desires to acquire certain "real property" (as that term is defined in the New York Eminent Domain Procedure Law (the "EDPL") comprising approximately 8.4 acres located at 700 Eastview Mall Drive, Victor, New York, Tax Parcel No. 6.00-1-12.60 formerly occupied by Lord & Taylor and now owned by HBC Victor, LLC (the "Parcel") for purposes of facilitating a "public project" (as that term is defined in the EDPL and hereinafter referred to as the "Project"); and

WHEREAS, the Town may exercise its power of eminent domain for the public purposes of advancing the general prosperity and economic welfare of the residents of the Town by returning the vacant and underutilized Parcel to productive use thereby promoting employment and increasing the property tax base within the Town; and

WHEREAS, as required by Article 4 of the EDPL, the Town retained Rynne, Murphy & Associates, Inc. to complete a trial ready appraisal of the Parcel with an effective date of March 10, 2025, and which calculated a fair market value of the Parcel of Three Million Nine Hundred Thousand Dollars and No Cents (\$3,900,000.00); and

WHEREAS, pursuant to Article 4 of the EDPL, on August 19, 2025, the Town made an offer of compensation to HBC Victor LLC ("HBC") in the amount of Three Million Nine Hundred Thousand Dollars and No Cents (\$3,900,000.00), which represents 100% of the appraised value of the Parcel as set forth in the March 10, 2025, Rynne, Murphy & Associates, Inc. appraisal; and

WHEREAS, the Town has been awarded a Community Resiliency, Economic Sustainability, and Technology Program (CREST) Reimbursement Grant through the Dormitory Authority State of New York (DASNY) in the amount of Three Million Five Hundred Thousand Dollars and No Cents (\$3,500,000.00) to be used to acquire the Parcel; and

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WHEREAS, since the DASNY award constitutes a Reimbursement Grant, the Town is required to expend its Capital Reserves toward the total offer of compensation amount with the understanding that DASNY will reimburse the Town for the full amount of the Grant within two (2) months after the Town submits the necessary documentation to DASNY, which funds will then be appropriated back into the Town’s Capital Reserve upon receipt; and

WHEREAS, the Town has entered into an Acquisition Agreement with Wilmorite Construction, LLC. (“Wilmorite”) wherein Wilmorite shall provide additional funding to the Town of Victor in the amount of Four Hundred Thousand Dollars and No Cents (\$400,000.00) for the acquisition of the Parcel; and

WHEREAS, the Town agrees to accept the Four Hundred Thousand Dollars and No Cents (\$400,000.00) from Wilmorite to be used solely for the purpose of the acquisition of the Parcel; and

WHEREAS, funds need to be appropriated in the 2025 Budget to reflect the movement to Appropriated Fund Balance from Capital Reserve-R1 Buildings and Land fund (A.0978.001) along with the associated increase in the Expense account as indicated below:

Increase Revenue	A.5900	Fund Balance	\$3,500,000
Increase Revenue	A.2770	Miscellaneous Revenue	\$ 400,000
Increase Expense	A.1940.200	Purchase Building & Land	\$3,500,000
Increase Expense	A.1940.200	Purchase Building & Land	\$ 400,000

Now, therefore, be it

RESOLVED that the Town Board approves appropriation of Capital Reserve-R1 Buildings and Land (A.0978.001) to Appropriated Fund Balance (A.091.000) with the associated increase in Revenue and Expense accounts as indicated above, and be it further

RESOLVED that the Town Board approves upon receipt of the Grant Funds of Three Million Five Hundred Thousand Dollars and No Cents (\$3,500,000.00) appropriating back into the Capital Reserve-R1 Building and Land fund (A.0978.001) for future use, and be it further

RESOLVED that the Town Board authorizes the payment of Three Million Nine Hundred Thousand Dollars and No Cents (\$3,900,000.00) required pursuant to the August 19,2025 Offer of Compensation made to HBC, and be it further

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RESOLVED that a copy of this Resolution be provided to the Town Clerk and Finance Director.

RESOLUTION NO. 37-2026

2026 AGREEMENT MERCY FLIGHT FOR EMERGENCY SERVICES

On motion of Councilman Cusimano, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

RESOLVED that Town Board authorizes the Supervisor to enter into an agreement with Mercy Flight Central to provide air ambulance transportation, critical care services, air medical utilization education, and ground schools and safety training for a term to cover January 1, 2026 through December 31, 2026 under the terms and conditions as provided for in the 2026 contract and kept in the subject matter file in the Town Clerk's office at a cost not to exceed Six Thousand dollars (\$6,000.00), to be paid from the 2026 Budget line A.4540.400 Ambulance Contractual; and further be it

RESOLVED that a copy of this resolution be forwarded to Mercy Flight Central, Finance Director, and Town Clerk.

RESOLUTION NO. 38-2026

AUTHORIZATION FOR THE TOWN OF VICTOR TO FUND THE TOWNS SHARE OF THE 2026 BOUGHTON PARK BUDGET

On motion of Councilman Condon, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town Board has received the proposed share of the 2026 Boughton Park Budget; and

WHEREAS, the Town Board has agreed to contribute Fifty Four Thousand Four Hundred Sixty dollars and Forty-Six cents (\$54,460.46) or (78% of the budget) to the Boughton Park Commission; now, therefore, be it

RESOLVED that said funding is available in the 2026 Town Budget line-item A.7110.460 Parks Boughton Park which reflects the Town's share to be used for operating expenses in the 2026 Boughton Park Budget; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Director, Town Clerk, and the Boughton Park Commission.

RESOLUTION NO. 39-2026

AFTER PUBLIC HEARING ADOPTING LOCAL LAW NO.1-2026 TO OVERRIDE THE 2027 TAX LEVY

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LIMIT FOR THE TOWN OF VICTOR

On motion of Councilman Cusimano, seconded by Councilwoman Tipton, the following motion was carried:

4 Ayes (Marren, Condon, Cusimano, Tipton) 1 Nays (Ogra)

WHEREAS, a resolution was duly adopted by the Town Board on the 5th day of January 2026, calling for a Public Hearing to be held by the Town Board on the 26th day of January 2026, at the Town Hall at 7:00 PM, to hear all interested parties on a proposed local law to Override the Tax Levy Limit for 2027 Town of Victor; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Town Hall on the 26th of January 2026 at 7:00 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any parts thereof; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said local law; now, therefore be it

RESOLVED that the Town Board hereby adopts said Local Law as follows:

LOCAL LAW NO. 1-2026 TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2027 – TOWN OF VICTOR

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

Section I. Authorization

This Local Law is in accordance with New York General Municipal Law at Section 3-c.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 1-2026 Override the NY Tax Levy Limit for 2027 of the Town of Victor. The purpose of this local law is to override the NY Tax Levy Limit, pursuant to NY General Municipal Law Section 3-c.

Section III. Legislative Findings

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The Victor Town Board finds and hereby determines that the Town has continued to experience rapid growth. In connection 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. In part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation to cover increased costs is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes). Therefore, 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.

Section IV. Amendment

The Town Board of the Town of Victor, County of Ontario, is hereby authorized to adopt a budget for the fiscal year of 2027 which requires a real property tax levy increase in excess of the limit set by NY General Municipal Law Section 3-c.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part, or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This local law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

RESOLVED that the Town Clerk of the Town of Victor be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

RESOLUTION NO. 40-2026

AUTHORIZATION FOR THE PURCHASE OF A 2026 CHEVROLET SILVERADO EV PICKUP TRUCK FOR THE PLANNING AND BUILDING DEPARTMENT THROUGH OGS CONTRACT #PC68975

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

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Planning and Building Department has the need to purchase a 2026 Chevrolet Silverado EV pickup truck for use in the daily operations of the department; and

WHEREAS, this vehicle is available for purchase from Jim Barnard Chevrolet through OGS contract #PC68975 at a cost of Sixty-Two Thousand, Seven Hundred and Eighty Dollars and 00/100 (\$62,780.00); and

WHEREAS, the 2019 Ford Escape (VIN# 1FMCU0F73KUB81740) is declared surplus and will be traded into Jim Barnard Chevrolet for a value of Nine Thousand Dollars and 00/100 (\$9,000.00); and

WHEREAS, the total cost of the 2026 Chevrolet Silverado EV after the trade in of the 2019 Ford Escape is Fifty-Three Thousand, Nine Hundred and Sixty-Six Dollars and 93/100 (\$53,966.93); and

WHEREAS, funds are available in the 2026 Budget line-item B.3620.200 Building and Safety Equipment for the purchase of a 2026 Chevrolet Silverado EV Pick-up truck: now therefore, be it

RESOLVED that the Town Board authorizes the Project Manager to purchase a 2026 Chevrolet Silverado EV Pick-up truck from Jim Barnard Chevrolet through OGS contract #PC68975 and trade in the 2019 Ford Escape (VIN# 1FMCU0F73KUB81740) and pay a total cost of Fifty-Three Thousand, Nine Hundred and Sixty-Six Dollars and 93/100 (\$53,966.93); and further

RESOLVED that a copy of this resolution be forwarded to the Project Manager, Town Clerk; Director of Finance; and Allyn Barnard, Jim Barnard Chevrolet.

RESOLUTION NO. 41-2026

PURCHASE 2025 WESTERN STAR 47X TANDEM AXLE TRUCK WITH PLOW EQUIPMENT,
PIGGYBACKING OFF OF THE ONONDAGA COUNTY CONTRACT 0010914 FOR HEAVY DUTY
TRUCKS AND DECLARE THE 2016 WESTERN STAR TANDEM AXLE TRUCK SURPLUS

On motion of Councilman Cusimano, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Highway Department has the need to purchase a 2025 Western Star 47X Tandem axle truck with Tenco plow equipment for use in highway operations and declare the 2016 Western Star surplus (VIN #5KKHAVDV1GPHF6325); and

WHEREAS, this vehicle is available for purchase by piggybacking off from the Onondaga County Contract #0010914 for heavy duty trucks; now, therefore, be it

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RESOLVED that the Town Board authorizes the Highway Superintendent to purchase a 2025 Western Star 47X tandem axle truck with plow equipment for highway operations in the amount not to exceed Three Hundred Forty-Six Thousand Six Hundred Thirty-One dollars (\$346,631.00) by piggybacking off from the Onondaga County Contract #0010914 for heavy duty trucks to be paid from the 2026 Budget Line item DB.51320.200 Machinery Equipment; and further

RESOLVED that the 2016 Western Star tandem axle truck (VIN #5KKHAVDV1GPHF6325) be declared surplus and sold at auction; and further

RESOLVED that a copy of this resolution be forwarded to the Highway Superintendent, Finance Director, Town Clerk, and Tracey Road Equipment.

RESOLUTION NO. 42-2026

AUTHORIZATION FOR SUPERVISOR TO SIGN AMENDMENT TO THE NYSDOT SNOW AND ICE CONTRACT D014821 FOR ADJUSTMENTS FOR 2025/2026 SEASON

On motion of Councilman Condon, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, The New York State Department of Transportation (NYSDOT) entered into Contract #D014821 from July 1, 2024, through June 30, 2029, with the Town of Victor to control snow and ice on State Routes 444 and 251 each winter; and

WHEREAS, due to the increase in salt prices, labor increases and fixed costs during the 2025/2026 season, the Municipality requests that the Municipal Snow and Ice Agreement be revised to reflect contract shortages so that outstanding and future obligations can be met; and

WHEREAS, the Supervisor is requesting an adjustment for Contract D014821 for additional funds totaling Twenty-Nine Thousand Ninety-Five dollars and Fifty-One cents (\$29,095.51); now, therefore, be it

RESOLVED that the Victor Town Board hereby authorizes the Supervisor to sign an Amendment to Contract #D014821 for an adjustment of additional funds totaling Twenty-Nine Thousand Ninety-Five dollars and Fifty-One cents (\$29,095.51); and further

RESOLVED that a copy of this resolution be forwarded to the Town Clerk, Finance Department, Highway Superintendent and the New York State Department of Transportation.

RESOLUTION NO. 43-2026 AGREEMENT – MARY SLAUGHTER

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On motion of Councilman Cusimano, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Mary Slaughter for instruction in gymnastics, sports and games for youth; 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 Mary Slaughter 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 sum of Seventy Percent (70%) of the recreation program revenues allocated to the Contractor and Thirty Percent (30%) of the recreation program revenues allocated to the Town to be paid from the 2026 Budget Line item A.7020.400 Recreation Programs 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 Mary Slaughter.

RESOLUTION NO. 44-2026

AGREEMENT – SEAN ROBERTS

On motion of Councilwoman Ogra, seconded by Councilwoman Tipton, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Sean Roberts for instruction and participant supervision for Dungeons and Dragons focused gameplay programs for youth and adults; 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 Sean Roberts 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 sum of Seventy Percent (70%) of the recreation program revenues allocated to the Contractor and Thirty Percent (30%) of the recreation program revenues allocated to the Town to be paid from the 2026 Budget Line item A.7020.400 Recreation Programs Contractual; and further

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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 Sean Roberts.

RESOLUTION NO. 45-2026

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

On motion of Councilman Cusimano, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 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>
Mary Slaughter	Gymnastics / Sports / Games	Victor Recreation Center	70%/30%	December 31, 2026	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>
Mary Slaughter	Gymnastics / Sports / Games	Victor Recreation Center	70%/30%	December 31, 2026	Insufficient Coverage

And be it

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

RESOLUTION NO. 46-2026

INTER-MUNICIPAL AGREEMENT REGARDING COOPERATION TO COMPLY WITH THE FEDERAL PHASE II STORMWATER REGULATIONS IN ONTARIO AND WAYNE COUNTIES

On motion of Councilman Condon, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor is a participating member of the Ontario - Wayne Counties Stormwater Coalition which is managed by the Ontario County Soil and Water Conservation District and/or an appointed representative from the Ontario-Wayne MS4 Coalition; and

WHEREAS, the agreement signed in 2023 is being amended to add the City of Canandaigua and the terms of the agreement are now February 1, 2026, through January 31, 2031; and

WHEREAS, the Agreement and Membership Fee Schedule, identified as Appendix 'A' Ontario-Wayne Stormwater Coalition, are kept in the subject file of the Clerk's Office; now, therefore, be it

RESOLVED that the Town Board authorizes the Supervisor to enter into the amended Intermunicipal Agreement to participate in the Ontario - Wayne Counties Stormwater Coalition; and further

RESOLVED that copies be forwarded to the Ontario - Wayne Counties Stormwater Coalition; Stormwater Manager; Highway Superintendent; Town Clerk and the Finance Director.

RESOLUTION NO. 47-2026

AFTER PUBLIC HEARING

LOCAL LAW TO AMEND THE TOWN OF VICTOR ZONING CODE AND ZONING MAP TO EXTEND THE EASTVIEW MALL MIXED USE OVERLAY DISTRICT

On motion of Councilwoman Ogra, seconded by Councilman Cusimano, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, changing commercial circumstances have led to the need for owners and tenants of some non-residential parcels to repurpose some spaces to incorporate a more wide-ranging mix of uses and for zoning provisions to afford them flexibility to do so in the absence of any plan for development provided the affected sites are considered appropriate for a satisfactory combination of residential, recreational, commercial and/or light industrial use and can accommodate a mix of such uses without departing from the spirit and intent of the Town's zoning regulations; and

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WHEREAS, the Town Board authorized the creation of the Eastview Mall Mixed-Use Overlay District and established the same by adopting Local Law Numbers 11-2019 and 12-2019 on October 15, 2019; and

WHEREAS, a proposed Local Law that would amend the Town Zoning Code to authorize the extension of Mixed Use Overlay district has been prepared and submitted for the Town Board's review, which Local Law the Town Board is now considering for adoption; and

WHEREAS, the Town Board has scheduled, noticed, held and closed the Public Hearing(s) required relative to the proposed amendment to the Zoning Code, said public hearing was held on January 5, 2026; and

WHEREAS, the Town Board has referred the proposed amendment of the Zoning Code to both the Town Planning Board and the Ontario County Planning Board for their review, comments and recommendations thereon; and

WHEREAS, in order to comply with the NY State Environmental Quality Review Act and its regulations promulgated at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), the Town Board has initiated an environmental review of the proposed action and been established as the Lead Agency responsible under SEQRA for completing the required environmental review; and

WHEREAS, the Town Board has previously, received, reviewed and accepted a State Environmental Quality Review ("SEQR") Environmental Assessment Form ("EAF") Part 1 describing this action and prepared for its consideration by the Town Engineer, LaBella Associates, DPC; and

WHEREAS, LaBella Associates has now prepared and submitted for the Town Board's consideration an EAF Parts 2 and Part 3 describing the proposed adoption of the Local Law that would amend the Zoning Code to extend of Mixed Use Overlay districts; and

WHEREAS, the EAF Part 2 submitted for the Town Board's consideration by LaBella Associates identified no potential impacts; and

WHEREAS, the action involves no physical activity and would only extend a specific Mixed Use Overlay District; and

WHEREAS even following extension of the proposed Mixed Use Overlay District, further action by the Town Board would be required to approve a specific Mixed Use Plan before the mix of uses on the site could be expanded beyond those presently permitted and specially permitted on the site pursuant to the regulations governing the underlying base zoning district; and

WHEREAS even following extension of the proposed Mixed Use Overlay District, further Town Board action to approve the required Mixed Use Plan will provide further opportunity to consider how any potential mix of uses should be limited, conditioned or otherwise constrained to ensure that the mix

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of uses on the site would remain appropriate and within the site's capacity to accommodate such uses; and

WHEREAS, prior to subsequent action to approve a specific Mixed Use Plan for the site, the Town Board would necessarily complete an environmental review under SEQRA to consider and evaluate the foregoing as well as other potential environmental impacts; and

RESOLVED, that the Eastview Mall site described in the proposed Local Law is one that is appropriate for a satisfactory combination of residential, recreational, commercial and/or light industrial uses given the site configuration, spaces available and wide range of uses already permitted upon the site pursuant to the regulations governing the underlying base district; and be it further

RESOLVED, that the Eastview Mall site described in the proposed Local Law is one that has sufficient capacity to accommodate a wide mix of uses without departing from the spirit and intent of the Town's zoning regulations; and be it further

RESOLVED, that the Town Board hereby accepts, in accordance with SEQRA, the EAF Parts 2 and Part 3 describing the action that was prepared by LaBella Associates, DPC; and, be it further

RESOLVED, that the Town Board hereby finds that, as described more fully in the EAF Part 2 and Part 3 accepted by the Town Board, the proposed action will result in no significant adverse impacts on the environment, and that, therefore, no environmental impact statement need be prepared; and, be it further

RESOLVED, accordingly, that the Town Board hereby issues a negative declaration under SEQRA; and, be it further

RESOLVED, by the Town Board of the Town of Victor that the Town Board hereby adopts said Local Law No. 2-2026 to Amend Chapter 211 Zoning to Extend the Eastview Mall Mixed Use Overlay District as follows:

LOCAL LAW NO. 2-2026 TO AMEND CHAPTER 211 ZONING TO EXTEND THE EASTVIEW MALL MIXED USE OVERLAY DISTRICT

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

Section I. Authorization

The adoption of this Local Law is in accordance with Municipal Home Rule Law Section 10.

Section II. Title and Purpose

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This law shall be known as and may be cited as Local Law No. __-2026 to amend Chapter 211 Zoning to Extend the Eastview Mall Mixed Use Overlay District. The purpose of this Local Law is to provide additional flexibility within and around the Eastview Mall site for authorization of a mix of multiple principal residential, recreational, commercial and/or light industrial uses without departing from the spirit and intent of these zoning regulations and in the absence of a plan for development.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that the Local Law to extend the Eastview Mall Mixed Use Overlay District is in the best interest of the Town.

Section IV. Amendment

Chapter 211 Zoning and the Zoning District Map shall be amended by the addition of the subparagraph B(8) within section 211-27.14, entitled "Eastview Mall Mixed Use Overlay District.":

§211-27.14 Eastview Mall Mixed Use Overlay District

- A. The Zoning District Map shall be amended to depict the Eastview Mall Mixed Use Overlay District.
- B. Extent of the Eastview Mall Mixed Use Overlay District. The Eastview Mall Mixed Use Overlay District is comprised of approximately 160.9 acres and multiple contiguous parcels identified by the following tax map numbers, street addresses and acreages:
 - (1) Tax Map No. 6.00-1-12.100, 100 – 1020 Eastview Mall Drive, 89.59 acres.
 - (2) Tax Map No. 6.00-1-12.500, 70 Eastview Mall Drive, 14.1 acres.
 - (3) Tax Map No. 6.00-1-11.000, 100 Eastview Mall Drive, 15.9 acres.
 - (4) Tax Map No. 6.00-1-10.200, 300 Eastview Mall Drive, 8.4 acres.
 - (5) Tax Map No. 6.00-1-12.600, 700 Eastview Mall Drive, 8.4 acres.
 - (6) Tax Map No. 6.00-1-12.700, 70 Eastview Mall Drive, 10.8 acres.
 - (7) Tax Map No. 6.00-1-9.000, 70 Eastview Mall Drive, 13.7 acres.
 - (8) Tax Map No. 6.00-1-12.400, 50-52 Eastview Mall Drive, 20.16 acres.
- C. The underlying base zone is:
 - (1) Commercial Center District.
- D. For a site within the Eastview Mall Mixed Use Overlay District, in addition to uses listed as a permitted use or as a special permit use within the underlying base zone, the mix of uses to be made of sites within the overlay district shall include other permitted uses and special permit uses identified in a Mixed Use Plan for the site(s) approved by a resolution of the Town Board.

Section V. Validity and Severability

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Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

And be it further,

RESOLVED, that the Town Clerk of the Town of Victor be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

RESOLUTION NO. 48-2026

DESIGNATION OF VOTING DELEGATE FOR ASSOCIATION OF TOWNS

On motion of Councilwoman Ogra, seconded by Councilman Cusimano, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town Board of the Town of Victor has duly designated the following-named person to attend the Annual Business Session of the Association of Towns of the State of New York to be held on February 15, 2026, and to cast the vote for the Town of Victor; now, therefore, be it

RESOLVED that Victor Town Supervisor Jack Marren be designated as the Voting Delegate representing the Town of Victor at the Association of Towns 2026 Training School and Annual Meetings on February 15-17, 2026 in New York City, NY; and be it further

RESOLVED that a copy of this resolution be sent to the Association of Towns and Town Supervisor Jack Marren.

RESOLUTION NO. 49-2026

LETTER OF CREDIT BLUESTONE TRAIL - RELEASE 4

On motion of Councilman Condon, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

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WHEREAS, upon Rawson Community LLC receiving Planning Board approval for the Bluestone Trail Project, a Canandaigua National Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure; and,

WHEREAS, the Town Engineer reviewed the request for release of funds from Letter of Credit and Statement of Construction Completed No. 1 prepared by Mary Turner of Morrell Builders and dated January 14th, 2026; and

WHEREAS, in the letter, the Town Engineer recommended that Two Hundred Ninety-Seven Thousand Eight Hundred Twenty-Eight and Nineteen Cents (\$297,828.19) be released from said Letter of Credit conditioned upon payment of all fees owed to the Town; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 4 on the Canandaigua National Bank Irrevocable Letter of Credit in the amount of that Two Hundred Ninety-Seven Thousand Eight Hundred Twenty-Eight and Nineteen Cents (\$297,828.19) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains One Million Nine Hundred Seventy-Two Thousand Six Hundred Eighty-Seven and Seven Cents (\$1,972,687.07) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer, Mary Turner of Morrell Builders, and Town Clerk.

RESOLUTION NO. 50-2026

LETTER OF CREDIT STONE BROOK SUBDIVISION – RELEASE 1

On motion of Councilman Cusimano, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor has received a request from Woodstone Custom Homes for a Release of Funds from a Canandaigua National Bank Irrevocable Letter of Credit; and,

WHEREAS, the Town Engineer reviewed the request for release of funds from Letter of Credit and Statement of Construction Completed No. 1 prepared by Cole Papasergi, Marathon Engineering and dated January 21st, 2026; and

WHEREAS, in the letter, the Town Engineer recommended that Two Million Four Hundred Sixty-Four Thousand Three Hundred Thirty-Seven Dollars and Fifty Cents. (\$2,464,337.50) be released from said Letter of Credit conditioned upon payment of all fees owed to the Town; now, therefore, be it

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RESOLVED that the Town Board hereby approves Release No. 1 on the Canandaigua National Bank Irrevocable Letter of Credit in the amount of that Two Million Four Hundred Sixty-Four Thousand Three Hundred Thirty-Seven Dollars and Fifty Cents. (\$2,464,337.50) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Nine Hundred Twenty-Two Thousand Five Hundred Thirty-One Dollars and Fifteen Cents (\$922,531.15) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer, Cole Papasergi, Marathon Engineering and Town Clerk.

RESOLUTION NO. 51-2026

VICTOR SQUARE RELEASE NO. 1 4000 SF BLDG EXPANSION

On motion of Councilman Condon, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor has received a request from Benderson Development for the release of funds from the Letter of Credit; and

WHEREAS, the Town Engineer has reviewed the Letter of Credit and Statement of Construction Completed No. 1 prepared by Matt Oates of Benderson Development, dated November 13, 2025, and has determined that the work described therein has been satisfactorily completed; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Victor hereby authorizes the release of funds in the amount of Twenty Four Thousand Seven Hundred Forty-Two Dollars and Sixty Eight Cents (\$24,742.68) from the Irrevocable Letter of Credit held by M and T Bank

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Clerk, Town Engineer, and Benderson Development.

RESOLUTION NO. 52-2026

AMENDMENT FOR THE 2026 FEE SCHEDULE

On motion of Councilwoman Tipton, seconded by Councilwoman Ogra, the following motion was carried:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor has found it necessary to amend the Town of Victor Fee Schedule and the changes are as follows:

L. Chapter 162 - Sewers.

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- (1) Property serviced by the Village of Victor sewage treatment plant shall be charged: (a) A sewer rent fee of \$82.00 per quarter per property unit, according to the property unit designations set forth at § 162-79. Amended 4/03/2023 (b) A hookup and connection fee of \$1,500.00 upon hookup and connection to the sewer system.
- (2) Property serviced by the Town of Farmington sewage treatment plant shall be charged: (a) A sewer rent fee of \$95.00 per quarter per Commercial property unit, and \$95.00 per quarter per Residential property unit according to the property unit designations set forth at § 162-102;

R. Transfer Station permit and Swap Shop only permit; permits available for purchase at Highway office only.

- (1) Swap Shop – no charge
- (2) Residential permit (annual)- recycling, household trash, food scrap recycling, tree and brush debris, nontransferable and nonrefundable - \$200
- (3) Senior permit (annual - 65 years or older)- recycling, household trash, tree, food scrap recycling, and brush debris, nontransferable and nonrefundable - \$185
- (4) Punch card (expires 12/31/2028) – large items, construction debris, garage and basement cleanout, nontransferable and nonrefundable - \$200
- (5) Commercial permit – recyclable materials only (annual) nontransferable and nonrefundable - \$200
- (6) Organics only permit – tree and brush debris and food scraps only (annual) nontransferable and nonrefundable \$160

RESOLVED that the Town Board approves the amendments to the Fee Schedule effective immediately; said Fee Schedule is kept in the subject file in the Town Clerk’s office and posted on the Town website; and further

RESOLVED that a copy of this resolution with the amended Fee Schedule shall be forwarded to the Town Clerk; Transfer Station and Planning & Building department.

RESOLUTION NO. 53-2026

APPOINTMENT OF INTERIM RECREATION DIRECTOR

Motion made by Councilman Condon, seconded by Councilman Cusimano to approve the following resolution:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor continually evaluates its organizational structure to ensure effective leadership, operational efficiency, and the delivery of high-quality services to residents; and

WHEREAS, the Town has determined that separating the Parks & Recreation Department into two distinct departments—a Parks Department and a Recreation Department—will strengthen leadership focus and enhance departmental effectiveness; and

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WHEREAS, the current Director of Parks & Recreation, Brian Emelson, has announced his intent to retire in October 2026 and will remain in his title through that time while focusing exclusively on the management and execution of major parks and trails capital projects and the supervision of the Parks Department; and

WHEREAS, in order to ensure continuity of leadership and dedicated oversight of recreation programs, facilities, and staff, the Town Board finds it necessary to appoint an Interim Director of Recreation; and

WHEREAS, Michael Stockman possesses the experience, knowledge, and leadership skills necessary to assume responsibility for the administration and management of the Recreation Department, including all programs and personnel; and

WHEREAS, the Town Board desires to recognize this additional responsibility through appropriate compensation;

NOW, THEREFORE, BE IT RESOLVED, that the Victor Town Board hereby appoints Michael Stockman to the position of Interim Recreation Director, effective January 27, 2026; and

BE IT FURTHER RESOLVED, that Mr. Stockman shall receive additional compensation in the amount of \$1,206.90 per month for calendar year 2026, to be charged to the 2026 Town Budget Line Item A.7020.100 – Rec Admin Personal Services; and

BE IT FURTHER RESOLVED, that this appointment is intended to support the successful operation and continued development of the Town's Recreation Department during this transitional period; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Brian Emelson, Michael Stockman, Finance Department, Human Resources.

PUBLIC COMMENTS: none

ADJOURNMENT: 7:37 PM

With no further business to come before the Board tonight, a motion was made by Councilmember Ogra, seconded by Councilmember Condon to adjourn the meeting.

Respectfully submitted,



Karen C. Bodine- Town Clerk