

VILLAGE OF MOUNT MORRIS
REGULAR BOARD MEETING

February 24, 2026

The Regular Meeting of the Village Board of the Village of Mount Morris, County of Livingston and the State of New York, was held at the Village Hall, 117 Main Street, Mount Morris, New York, on February 24, 2026 at 6:30 PM.

PRESENT: VILLAGE BOARD

Kelly Bacon – Mayor

Elizabeth Shea – Trustee

Tim Bryant – Trustee

Kelly Richardson – Trustee

Mark Torcello – Trustee

Lisa Torcello – Clerk/Treasurer

Elijah McWhinney – Village Attorney

ALSO PRESENT:

Chris Young, Superintendent of Public Works; Jeff Wilcox, Police Chief; Supervisor David DiSalvo; Tracy Kenney; Joshua Bacon; Jane O'Dell; Chickie Stout; Sandra Bentley; Cathie Gehrig; Kevin Fahey; Ann Hunt; Joe Rawleigh; Jen Young; Bob Ossont; Deb Bump; Larry Woodworth; Jim DiSalvo; George Belanka; Edward Phillips.

Mayor Bacon called the meeting to order and asked everyone to rise for the Pledge of Allegiance.

Mayor Bacon opened the public hearing for **extending a temporary land use moratorium prohibiting the establishment of tobacco stores within the Village of Mount Morris.**

The following individual spoke during the public hearing:

Edward Phillips expressed his opposition to the smoke shops. He stated that he has observed people having to knock before being let in.

Attorney McWhinney asked how many such businesses the Village currently has. Mayor Bacon stated that there are currently two, but it depends on how the Village defines smoke shops and the percentage of related items sold within the business.

Mayor Bacon left the Public Hearing open.

Mayor Bacon presented **Certificates of Appreciation** to the following organizations for their assistance with *Christmas Magic in Mount Morris* and noted that certificates were already presented to Kiwanis at their meeting and one for Mount Morris Fire/Rescue would be presented at their meeting that week.

- Mount Morris Community Involvement Association
- Mount Morris VFW Post 547 & Auxiliary
- Mount Morris Library
- Mount Morris Partners for Progress

Mayor Bacon continued public comment regarding the temporary land use moratorium prohibiting the establishment of tobacco stores within the Village of Mount Morris.

Kevin Fahey, Village representative to the Livingston County Planning Board, stated that extensions are normal and are usually for one year. Attorney McWhinney stated that his office typically prepares these extensions for six months at a time.

Mayor Bacon stated that at a previous board meeting the subject of setting a public hearing for a law overriding the tax levy cap was discussed, and that passing such a law would be in place should it be needed for the adopted budget.

Attorney McWhinney stated that even if the Board passes the law, it does not mean that the Village must exceed the cap. He further stated that his office prepares these local laws for many villages and towns they represent as a standard practice.

RESOLUTION 30.26

APPROVAL OF PUBLIC HEARING FOR ALLOWANCE OF PROPERTY TAX LEVY IN EXCESS OF THE 2% LIMIT

On a motion by Trustee Torcello, seconded by Trustee Bryant, the following resolution was

ADOPTED

Ayes: 5 – Bacon, Bryant, Shea, Torcello, Richardson

Nays: 0

The Village Board of the Village of Mount Morris met at a regular board meeting at the Village Hall of the Village of Mount Morris located at 117 Main Street, Mount Morris, New York, on the 24th day of February, 2026, commencing at 6:30 PM and the following members were:

Present:

Mayor Bacon

Trustee Bryant

Trustee Richardson

Trustee Shea

Trustee Torcello

Absent: None

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Section 3-C of the General Municipal Law, also known as the “Property Tax Cap,” provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, to adopt a budget that requires a tax levy greater than two percent (2%) for the coming fiscal year, the Village Board must first enact, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, the Village Board of the Village of Mount Morris finds it in the best interest of the Village to hold a public hearing to consider the adoption of such a local law.

NOW, THEREFORE, BE IT

RESOLVED, that the Village Board of the Village of Mount Morris will hold a public hearing on the proposed adoption of said local law on the 24th day of March, 2026 at 6:30 PM, at which time all interested parties and citizens for or against the proposed law will be heard; and be it further

RESOLVED, that the Village Clerk shall make notice of the above public hearing in the Village’s official newspaper and shall obtain an Affidavit of Publication for such notice; and be it further

RESOLVED, that the Village Clerk shall post the Notice of Public Hearing on the Village notice board, along with a copy of the proposed local law.

RESOLUTION 31.26

APPROVAL OF PARK RESERVATIONS

On a motion by Trustee Richardson, seconded by Trustee Shea, the following resolution was

ADOPTED

Ayes: 5 – Bacon, Bryant, Shea, Torcello, Richardson

Nays: 0

Resolved to approve the following Bellamy Park reservations:

- June 13, 2026 – Partners for Progress, Glory Day
- August 15, 2026 – Kiwanis, Music in the Park

RESOLUTION 32.26

APPROVAL OF MINUTES

On a motion by Trustee Bryant, seconded by Trustee Richardson, the following resolution was

ADOPTED

Ayes: 5 – Bacon, Bryant, Shea, Torcello, Richardson

Nays: 0

Resolved to approve the minutes for **January 13, 2026**.

Department Reports

DPW Report

Superintendent Young reported that the loader repairs have been completed. He also stated that there have been a few inquiries regarding the surplus equipment. Updates to the Water Treatment Plant are ongoing; valves are holding up the project.

Police Report

Chief Wilcox reported that the two new part-time employees are now working. Trustee Shea asked if this would provide 24/7 coverage. Chief Wilcox responded that it would not, but it does allow for additional shifts to be covered when full-time officers are off duty, and some of the other shifts are being filled.

Code Enforcement Report

Mayor Bacon stated that the Code Enforcement Officer was unable to attend but did provide a written report.

Public Comment

Supervisor DiSalvo stated that the Town Attorney will be contacting the Village Attorney regarding updating the two court contracts for court officers and court rental. He also reported that water meters have been ordered and some have already arrived.

Tracy Kenney commented on police coverage and budget matters, Village attorney fees, and the audit petition she previously presented to the Board.

Cathie Gehrig asked if the Village still retains an accounting firm. Mayor Bacon responded that the Village continues to work with **Ladelfa, Schoder & Walker**.

Edward Phillips stated that he appreciates the speed signs, noting that they are helpful reminders for drivers.

Tracy Kenney asked why the signs are battery powered, and the Board explained that this was a recommendation from the New York State Department of Transportation for those state routes.

RESOLUTION 33.26

APPROVAL OF CLOSING OF THE PUBLIC HEARING

On a motion by Trustee Bryant, seconded by Trustee Richardson, the following resolution was

ADOPTED

Resolved to close the public hearing for **extending a temporary land use moratorium prohibiting the establishment of tobacco stores within the Village of Mount Morris.**

RESOLUTION 34.26

RESOLUTION TO ADOPT LOCAL LAW NO. 2 OF 2026 ENTITLED

“EXTENDING A TEMPORARY LAND USE MORATORIUM PROHIBITING THE ESTABLISHMENT OF TOBACCO STORES IN THE VILLAGE OF MOUNT MORRIS”

Adopted: February 24, 2026

The Village Board of the Village of Mount Morris met at a regular board meeting at the Village Offices of the Village of Mount Morris located at 117 Main Street, Mount Morris, New York on the 24th day of February, 2026, commencing at 6:30 P.M., at which time and place the following members were:

Present:	Mayor	Kelly Bacon
	Trustee	Tim Bryant
	Trustee	Mark Torcello

Trustee Kelly Richardson
Trustee Beth Shea

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Village Board previously established a moratorium to temporarily halt the establishment of new tobacco stores for a period of up to six (6) months, during which time the Village has conducted research on regulations for tobacco stores, and, in consultation with the Village Attorney and Village Planning Board, has reviewed several examples of such regulations passed in other municipalities; and

WHEREAS, the Village Board of the Village of Mount Morris now seeks to use such examples to draft regulations of its own; and

WHEREAS, in order to grant the Village Board time to draft these regulations, the Board is considering a local law entitled “Extending a Temporary Land Use Moratorium Prohibiting the Establishment of Tobacco Stores within the Village of Mount Morris,” to temporarily halt the establishment of new tobacco stores for an additional six (6) months, while the Village considers comprehensive zoning changes and the enactment of zoning measures to specifically address the establishment and operation of tobacco stores within the Village; and

WHEREAS, the Village Board of the Village of Mount Morris held a public hearing on the proposed adoption of said local law on the 24th day of February, 2026 at 6:30 P.M., at which time all interested parties and citizens for or against the proposed law were heard and due deliberation having been had; and

WHEREAS, the proposed local law was submitted to the Livingston County Planning Board for comments and recommendations pursuant to General Municipal Law Section 239-M on January 30,2026 and comments were received from the Livingston County Planning Board on the February 23,2026 which recommended Approval; and

WHEREAS, the Village Board of the Village of Mount Morris recognizes that this local law is a Type II Action pursuant to 6 NYCRR § 617.5(c)(36), and therefore SEQR review will not be required as there are no adverse environmental impacts; and

WHEREAS, the Village Board believes it to be in the public interest to adopt Local Law No. 2 of 2026 to extend the moratorium prohibiting the establishment of tobacco and smoke shops in the Village for a period of six (6) month period while the Village Board works to revise the provisions of the Village Code which govern the establishment and operation of tobacco and smoke shops within the Village; and

NOW ON MOTION OF Trustee Bryant which has been duly seconded by Trustee Shea,
be it

RESOLVED, by the Village Board of the Village of Mount Morris, that it is in the best interests of the Village to adopt the proposed Local Law entitled, “Extending a Temporary Land Use Moratorium Prohibiting the Establishment of Tobacco Stores within the Village of Mount Morris” and the same is hereby adopted; and be it further

RESOLVED, that the Village Board shall file the required report of its final action with the Livingston County Planning Board in no more than 30 days; and be it

FURTHER RESOLVED, that the Village Clerk is hereby directed to enter the adoption of said Local Law in the minutes of this meeting, to file the law in the Office of the Village Clerk, and to file the law with the Secretary of the State of New York pursuant to Section 27 (L) of the Municipal Home Rule Law.

Ayes: 5

Nays: 0

RESOLUTION 35.26

APPROVAL OF EXECUTIVE SESSION

On a motion by Mayor Bacon, seconded by Trustee Shea, the following resolution was

ADOPTED

Ayes: 5 – Bacon, Bryant, Torcello, Shea, Richardson

Resolved to enter Executive Session regarding contracts.

RESOLUTION 36.26

APPROVAL TO EXIT EXECUTIVE SESSION

On a motion by Trustee Bryant, seconded by Trustee Richardson, the following resolution was

ADOPTED

Ayes: 5 – Bacon, Bryant, Torcello, Shea, Richardson

Resolved to exit Executive Session.

With no further business, a motion was made by Mayor Bacon and seconded by Trustee Bryant to adjourn the meeting at **8:30 PM**.