

**PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES**

February 13, 2024, at 5:30 pm

PRESENT:

Mayor: Alysa Plummer
Trustees: Lili Lanphear
Justin Leitgeb
David Marshall
Lisa Cove
Village Attorney: Jeffery Turner
Village Clerk: Dorothea M. Ciccarelli

CALL TO ORDER

Motion by Mayor Plummer and seconded by Trustee Cove to call the meeting to order.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *Motion passed.*

CONFLICTS OF INTEREST DISCLOSURE

The members stated they did not have any conflict of interest.

The Pledge of Allegiance is recited at the start of the meeting.

PUBLIC COMMENT

Renee Van Der Vennet, 25 Courtenay Circle—advocates for the Village Refuse district. She believes it will save residents money, that the Village refuse is better for the roads and environment, and that having trash day just one day a week instead of a constant pickup rotation benefits the community.

David Wilkes, 19 W. Jefferson Rd—expresses interest in the refuse district. He is at Jefferson and Rand, so the trucks cut through the lawn three days a week, leading to the deterioration of his landscaping. Having a set refuse district will help with wear and tear on the roads and save money for residents.

Jane Freeman, 77 State St.—agrees with previous statements as a champion for the refuse district. She asks the Board what residents can do to expedite the process, including the costs in the upcoming tax bill, without waiting an entire year.

Andrew Trout, 18 Eastview Terrace—supports the refuse district. He states that too many trash trucks are in the Village, causing road and traffic issues. His household agrees that the benefits outweigh the disadvantages.

John Limbeck, 65 State Street—His feelings about short—term rentals have been shared before. He shared his interpretation of how residents turned over profit for their homes within the Village for the past 20 years compared to now. Mr. Limbeck concurs that short-term rentals will be detrimental to the Village.

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Resident, 50 State St—speaks to his experience from the recent Coffee and Conversation topics at Village Hall. He can relate to the commercialization of homes and sometimes their lack of care. As an owner of a short-term rental in the Village, his clientele has not been that of concerning comments. He brings people in who want to experience Pittsford.

Timothy Flynn, 170 Badden Road—is the property manager for 50 State St. His short-term rental services exemplify his passion for this area, and he does all he can to show guests how they can embrace the Village.

BUILDING INSPECTOR REPORT

The Building Inspector’s report was presented to the board.

Trustee Marshall asks a question regarding the multi-apartment conversion and the zoning to which the reports should apply. The Building Inspector will send a further overview. Trustee Marshall asks to see more old permits for multi-residences. He also provides opinion of the rental registry's next steps, including the building inspector conducting yearly inspections.

DPW REPORT

Board members review the report. Trustees Marshall and Cove ask for an update on refreshing the trash receptacles. Trustee Marshall and Mayor Plummer instructed the Superintendent to investigate getting recycling bins in some areas of the Village.

TREASURER’S/VILLAGE CLERK REPORT

For approval, the Village Clerk presented vouchers listed in Abstract #19 of the 2023/2024 fiscal year.

Vouchers for approval Abstract #19

• General Fund (#449-#497):	\$ 15,879.40
• Sewer Fund (#449-#493):	\$ 2,967.27
	<hr/>
	\$ 18,846.67

Motion by Trustee Marshall and seconded by Trustee Cove to approve the bill pay presented.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

Trustee Marshall motioned, seconded by Trustee Leitgeb, to approve payment of the remaining HSA for an employee who has met their deductible.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

The Clerk reports that the Coffee & Conversation heard over the previous weekend went well.

Trustee Lanphear proposes to the Board to keep up with these formats and advocate to continue them with the residents.

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Trustee Marshall motioned, seconded by Trustee Lanphear, that the Trustees approve future dates and topics for Coffee & Conversation ahead of time.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

SPECIAL PERMIT—5 STATE STREET

Mike Reynolds, 5SS Operations LLC—presents an application for a special permit restaurant. Trustee Lanphear asks the applicant how the refuse will be decided. Mr. Reynolds provides a three-part overview of an easement that has existed for the last 30 years with the sharing business at 5 State St. It includes a trash agreement, handicapped parking access, and a shared waterline. The Village Attorney states that the rear owner of the easement has renounced its existence. He asserts that an affidavit must be filed stating that the rear owner declares that the easement still exists. Tonight, Mr. Reynolds presents a second option, where the space on the side of the building would be a garbage tote area. The garbage space will be positioned in the existing shared accessible parking space, given that the rear owner may not uphold the easement or present a re-affirmation after the existing lawsuit has commenced. It is recommended that the applicant be present in front of the Historic Preservation Board and the Planning and Zoning Board; therefore, the special permit for tonight could be granted if the other Boards approve. The applicant asks for confirmation that the special permit application is complete. Attorney Turner confirms that the application is completed administratively, and if the Board may have other concerns relating to the refuse plan.

Trustee Marshall requests specificity in the restaurant's description and hours and consistency with other restaurants in the Village. He also requests details regarding dumpster pickup and the type of waste for those totes. Mr. Reynolds answers accordingly.

REVIEW AND DISCUSSION OF THE SHORT-TERM RENTAL REPORT

Trustee Marshall begins by reading a prepared statement of opening remarks.

Trustee Leitgeb adds remarks such as how short-term rental housing stocks affect the Village market and how they could increase the density of commercial properties. He says the Village should have broader restrictions, such as changing the tax rates for short-term rentals compared to the commercial rates.

Trustee Lanphear addresses impacts such as commercialism and renter behaviors. Additionally, she notes the advantages of using a short-term rental special permit.

Trustee Cove focuses on allowing short-term rentals in one area of the Village versus others. She advocates for regulations overall, and now the Board is working to prevent future disruption if the number of short-term rentals increases.

Mayor Plummer contributed to the discussion by re-iterating ideas from Trustees Cove and Leitgeb and adding that she too is not concerned primarily about short-term renters' disruptions, as much as the Board getting a handle on the current next steps and not changing the fabric of the Village. She sees us headed towards a workshop.

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Attorney Turner told the Board that there are legal precautions to take if the number of short-term rentals in one area is limited versus randomization versus a set percentage of the total Village.

Trustee Marshall explains how short-term rentals can be allocated by capping the number of non-occupied homes or requiring them to be turned over as long-term rentals. His final comment is to address the issue as a plan to be made well in advance rather than putting out a fire later.

DPW BATHROOM PROJECT UPDATE

The Board reviews the latest plan for the DPW bathroom. Communications with the Village Engineer have concluded. The current plan presents enough unisex bathrooms built, such as one with disabled access and one without, so there wouldn't be any limit on ADA code compliance.

BERNIE DONEGAN—SOUTH AND WOOD STREET BOND

The Board discusses documents that would authorize and establish the Village's right to bond.

Trustee Leitgeb asks the Board to enact the multi-year capital plan before revisiting the bond discussion.

Mayor Plummer stated to the Board that the current discussion concerns long-deferred capital projects that are overdue as an investment back into the Village.

The Village Clerk insists that the bond discussions be kept separate from the multi-year capital plan and budget meetings.

Trustee Marshall motioned, seconded by Trustee Cove, to approve the SEQR as presented, classifying it as a type II action.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

Trustee Cove moved, and Mayor Plummer seconded to authorize the bond document as stated by the Village Clerk.

Vote: Plummer—yes, Lanphear—abstain, Leitgeb—no, Cove—yes, Marshall—yes. *The motion passed.*

PUBLIC HEARING —PROPOSED LOCAL LAW TO OVER-RIDE THE TAX LEVY LIMIT

Attorney Turner reviews options for the Board to process at tonight's public hearing.

Motion by Trustee Cove and seconded by Trustee Leitgeb to open the public hearing.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

Trustee Leitgeb requests the Board to keep the public hearing open.

Trustee Marshall motioned, seconded by Trustee Cove, to keep the public hearing open until the next regular Village Board meeting on February 27, 2024, at 6:00 pm.

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REVIEW OF PROPOSED RENTAL REGISTRY LAW

Trustee Cove begins the discussion by questioning a definition for the ‘immediate family,’ noted in the local law draft. Trustee Marshall read a definition according to New York State Consolidated Law—PBH § 238 as a reference to further define ‘immediate family’ in the local law. Board members remove how long the owner will specify confidential information for residents in the rental property. Section 154-7 is edited to 90 days to apply. The organizational fee schedule will address section 154-10. Section 154-13 will hold with the Zoning Board of Appeals. Trustee Leitgeb proposes a maximum day stay to be considered a short-term rental. Thus, the Board decided on 15 days.

PROPOSED LAW FOR THE EXEMPTION OF VOLUNTEER FIRE AND AMBULANCE WORKERS

The action by the Board is to match the passed law already in place in New York State.

Trustee Marshall motioned, seconded by Trustee Leitgeb, to advance a local law establishing the exemption of volunteer firefighters and paramedics from a 10% property tax for those who have lived in the Village for two years or more.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

PROPOSED LOCAL LAW TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR

The item has been moved to the next agenda.

MULTI-YOUR CAPITAL PLANNING RFP RESULTS

Trustee Marshall motioned, seconded by Trustee Lanphear, to approve the RFP and start consulting with the staff on the multi-year plan.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

MONROE COUNTY HAZARDOUS MITIGATION RESOLUTION

Motion by Trustee Marshall and seconded by Trustee Cove to classify the Mitigation Resolution as a type II SEQR per the Village Attorney.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

Motion by Trustee Cove and seconded by Trustee Marshall to adopt the Monroe County Hazardous Mitigation Plan 2023 with updates.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

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MEMBER ITEMS

Trustee Leitgeb draws attention to a communication from the PZBA and proposes that another layer of Village Staff review a thorough application checklist. Mayor Plummer confirms this will occur with the Deputy Clerk.

Motion by Trustee Leitgeb and seconded by Trustee Marshall to approve minutes as presented.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

ADJOURNMENT

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to adjourn the meeting at 9:05 pm.

Vote: Plummer—yes, Lanphear—yes, Leitgeb—yes, Cove—yes, Marshall—yes. *The motion passed.*

Alexandria Torres Vaughn, Recording Secretary