

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

Tuesday May 23, 2023

at 6:30 PM

PRESENT:

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

PITTSFORD FIRE DISTRICT—WADHAMS HOUSE

At the start of the meeting tonight, the Pittsford Fire District gives a presentation of their 2023 Facilities Master Plan. The Master Plan is available on their organizational website, with the public hearing being held May 31, 2023, at 7:00 p.m.

CALL TO ORDER

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

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

CONFLICTS OF INTEREST DISCLOSURE

NON-MUNICIPAL PERMIT- Copper Leaf Brewery

Is seeking permission for a Father's Day event with a band and food truck from 1:00 pm-5:00 pm. He states an estimated guest count through these hours to be approximately 400. It will house a 10 x 10 pop-up tent. There is still pending approval from NYS SLA for alcohol outdoors. The businesses in the area are closed on Sundays.

Motion by Trustee Leitgeb and seconded by Trustee Cove to approve the non-municipal permit as presented, waiving the 45-day notice, contingent on the Village of Pittsford Fire Marshal's review and response for crowd traffic.

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

EAGLE SCOUT PROJECTS

This item has been tabled until the next meeting.

DOG PARK DISCUSSION/LAND USE

Trustee Cove brings back the discussion of establishing a dog park in the Village. The Arboretum has the potential to develop a dog park with further consideration from the Friends of the Arboretum. Additionally, she points out an area near Monroe Avenue bridge, along Tow Path, as a potential space. Mayor Plummer clarified that this space is a Town preserve. Trustee Cove is waiting for a follow-up conversation with the Town.

Trustee Marshall would like to propose entertaining ideas with the planning board about future public amenities in the Village.

ARBORETUM LAND DEDICATION

Trustee Leitgeb brings a follow-up to the Board to present the map representing the dedication of the Arboretum as part of the July 2020 comprehensive plan. The map shows 9.5 acres. The quote from Scott Harter indicates \$240.00-\$360.00 an hour to prepare an engineered map.

Superintendent Bleier is not present during tonight's meeting.

The Building Inspector interjects to say, “As my role or charge for this building, I feel like I can’t let this go forward because of the code that we have on our books. Multiple zoning sections will not allow this dedication to occur until a plan is put into action and brought before the Planning and Zoning Board, and the approved LWRP is taken care of, and SEQR.”

Trustee Leitgeb reads a letter from Superintendent Bleier asking for a decision to be put on hold until a proper site plan is in place, and he cannot endorse the decision. The letter is on file with the Village. Trustee Leitgeb asks for Board input.

Trustee Lanphear clarifies that we are not dedicating but adjusting to the existing dedication.

Attorney Turner consulted with NYCOM and further legal advice, concluding that the existing dedication was incomplete and now needed to be completed.

Mayor Plummer understood that Trustee Leitgeb, Scott Harter, and Superintendent Bleier would have subsequent meetings to discuss deeper layers of zoning the Arboretum. She reminds the Board that a site plan would be crucial to ensure that DPW safety and security are at the forefront of this decision. Mayor Plummer wants to do this right while handling the needs of public land and the DPW in the best way possible.

Trustee Cove would like to know what reservations Trustee Leitgeb has with following a site plan. Trustee Leitgeb attempts to answer by going through the timeline of events that has gotten them to this stage of the Arboretum thus far and understanding that ‘we’ still have much to do. Additionally, for the record, he reads a letter from Chair Vlietstra of the Planning & Zoning Board, speaking at which the land dedication can be done instinctually for layout purposes of the park.

Mayor Plummer agrees with the Arboretum presentations from tonight's meeting and many preceding it, yet agrees with Trustee Cove, “Why wouldn’t we want a site plan?” As well as needing to legally get a few other pieces in place with the Canal Corporation. She would like Superintendent Bleier to be present for further discussion. She says at the time of the 2020 dedication, the Board was given incorrect information regarding the amount of land available.

Trustee Leitgeb is not asking the Board to make a legally binding decision tonight. He disagrees with doing a DPW needs assessment now as it doesn't align with the original dedication.

The Clerk reminds the Board that the DPW had not been taken into consideration by the previous Board and Administration.

Attorney Turner adds to the record that there have been no administrative effects of the 2020 dedication. His understanding of the incomplete dedication means that we are creating parkland where there was no parkland before. The Board must be very clear about the incompleteness or completeness of the dedication by finalizing it now so that all the code provisions apply when creating a major site plan review; it will be a Type I for SEQR, it will bring in the LWRP and will go to county planning.

Trustee Leitgeb says the information was left out when further legal counsel reviewed advice.

Art Pires, 70 State Street—asks if specifics have been provided by to the Board by the State governing body as to why the 2020 dedication is and who is to say whether the dedication is complete or incomplete. Attorney Turner

answers that there is no state governing body, and if there is a complete dedication, then the area will be 10 acres, as stated in the 2020 dedication. It is the Board of Trustees' decision to confirm whether it is complete or incomplete.

Trustee Marshall says that the land dedicated to the residents through a motion should be honored as closely as reasonably possible, as goes for the DPW using equitable acres, including Canal Corp land.

Motion by Trustee Leitgeb and seconded by Trustee Lanphear to approve the expense of up to \$500.00 to complete metes and bounds of the land described in the map.

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

SHORT-TERM RENTAL COMMITTEE DISCUSSION

The Board will review applicants for the Short-Term Rental Committee advisory.

Trustee Cove asks why the resolution included members of the advisory not being required to be Village residents, referring to business owners and short-term rentals. Trustee Lanphear answers that at the time of the workshop and resolution drafting, participants and candidates were limited to those residing only in the Village. The language decided upon must account for the sample size available.

Trustee Leitgeb would like more time to review applicants for the advisory and the Mayor's intended appointments, as well as everyone who's applied, to be sent to the Board.

The Clerk will distribute all letters of interest to the committee.

Trustee Lanphear requests that an applicant of the previous discussion be considered for the advisory. He previously brought a petition to the Board, which was rejected.

Trustee Marshall would also like evidence of applicant contributions to the committee.

SHORT-TERM RENTAL MORATORIUM

Trustee Marshall asks us to communicate to potential Village buyers what the Village is moving toward short-term rental review and potential regulations. The basis would be to identify things coming down the line upholding the Village code and informing the Board before we enact a moratorium violation on a property.

Attorney Turner states that the fine-tuning of the legislation will take time amongst the Board; in the meantime, the language of a moratorium could state that “starting X date, no property that’s not currently being utilized as a short-term rental may after that be used for a short-term rental.” The suggestion is for a moratorium of less than one year and to be definitive about what constitutes “non-owner occupied.” As well as properly defining terms of the market.

Board discussion further entails the costs of potential violations once the moratorium is enacted and how enforcement is implemented.

Art Pires, 70 State Street—comments on the moratorium having a sooner start date to potentially account for mortgage closings. He asks, what are the processes similar communities have successfully put in place? The Board should provide more informational opportunities for short-term rentals so residents near short-term rentals understand the codes.

Len Parker, 46 Rand Place—comments on his experience with short-term rentals. The problem statement must be reviewed rather than discussing punitive measures, given the business of short-term rentals is a legal business. If action must be taken, then look at the lens of rental behaviors.

LOCAL LAW 195-31, 32, 33

The Superintendent sent Attorney Turner parking information so he could draft the local law for two areas of concern on South Main Street. Additionally, the Board would like to review a space for a new handicap parking.

Trustee Leitgeb brought up another lane concern on behalf of a resident, which applies to Monroe Avenue going west from four corners.

Mayor Plummer adds that the NYSDOT has changed the requirements for arrows in turning lanes.

LONG-TERM CAPITAL PLAN

Mayor Plummer proposes a workshop on this item, and the Clerk will poll the Board for dates.

CONTROL BOX ART DESIGN

Trustee Cove has previously proposed wrapping the control boxes in the Village with a design from local artists. The requirement is to settle on a design and submit it, so with our application, there is no option to do a rotation of art.

Trustee Lanphear raises concerns of vandalism to the art, possibly having the colors disappear visually, and how long the designs will hold up over time.

The Board would like to see designs reflecting the Village community.

BOUGHTON AVENUE SPEED BUMPS

One resident reported issues with the height of the speed bumps. Mayor Plummer will speak with this resident about their trouble driving over the bumps. This is the 1st time a complaint has been reported since the speed bumps have been installed.

MEMBER ITEMS

Trustee Leitgeb asks the Board if there are any concerns with Attorney emails regarding the Arboretum and NYCOM being shared with inquiring persons. The Board approves sharing specified emails upon request but must include the Clerk in the dispersed records.

Trustee Marshall would like to consider the following, “if we have granted authority with the Ethics Board for with it, the best authority, this adds a degree of cost risk for legal representation and or the defense thereof, and he’d rather it be given to Monroe County, and suggest it happen.” Mayor Plummer responds that this is something to contemplate by contacting our legislature.

Motion by Mayor Plummer and seconded by Trustee Leitgeb to enter the attorney-client session.

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

Motion by Mayor Plummer and seconded by Trustee Lanphear to exit the attorney-client session.

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

Trustee Marshall inquired about the Bills training camp transportation coming out of Sutherland and if the Trustees approved that. Mayor Plummer responds that it was approved as part of a short-term retail permit.

Trustee Leitgeb brings attention to the rules of procedure shared with the board. He asks we update the rules as part of the new meeting schedule. Further action will be put on the next agenda. As part of the procedures, Trustee Lanphear requires Trustees to state their reasons for abstaining on a vote.

Trustee Leitgeb is interested in motions being part of the agenda to better guide the Board discussions and their work.

TREASURER’S/ VILLAGE CLERK REPORT

The Clerk presents the bill pay and asks if there are any questions or concerns from the Board.

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

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

DEPARTMENT REPORTS

The Clerk requests approval regarding the HSA Funding presented for June 1, 2023.

Motion by Trustee Leitgeb and seconded by Trustee Cove to approve the HSA funding.

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

The Clerk received notice from the County of Monroe regarding sales tax ahead of schedule. The final sales tax distribution for the budget year was \$171 647.69, putting the Village at \$51,415.25 over in sales tax collection. Revenue goals for the year have been met.

MINUTES

Motion by Trustee Leitgeb and seconded by Trustee Lanphear to approve the minutes with amendments for March 09, 2023.

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

Motion by Trustee Leitgeb and seconded by Trustee Lanphear to accept the minutes as presented for March 13, 2023.

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

Motion by Trustee Leitgeb and seconded by Trustee Lanphear to accept the minutes as presented for March 20, 2023.

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

Motion by Trustee Leitgeb and seconded by Trustee Lanphear to accept the minutes as presented for March 30, 2023.

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

Motion by Trustee Marshall and seconded by Trustee Lanphear to accept the minutes as presented for April 19, 2023.

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

PUBLIC COMMENT

Mike Reynolds—regarding the speed bumps, it is offensive that going at a legal speed slows people down.

Jason Cernis—the speed bumps on Boughton are the same ones used on Rand Place.

Motion by Mayor Marshall, Trustee Cove seconded a motion to adjourn.

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

ADJOURNMENT

Alexandria Torres-Vaughn, Village Deputy Clerk