

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

July 16th, 2024, 5:00 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

Mayor Plummer asked the board if they had anything to disclose. The trustees stated that they did not have a conflict of interest.

GUIDELINES FOR PUBLIC COMMENT

Mayor Plummer asked the Village Clerk to read an overview of the open meeting compliance certification.

PLEDGE OF ALLEGIANCE

The room then stood and recited the Pledge.

PUBLIC COMMENT

Robert Corby, 7 Washington Avenue, expressed his gratitude to the board for implementing the invasive mitigation on behalf of the Friends of the Arboretum. He also wondered if the Bradford Pear trees would be addressed. Mayor Plummer said that it was already on her agenda.

FROG HOUSE- VERNAL PONDS

The Board asked how this project would be funded. It was stated that the funding would be acquired through donations to the Frog House and done in phases. The village would only need to create the site plan, accept the funds when they are available, and have the DPW dig out the very shallow ponds. The Friends of the Arboretum also stated that they help support/co-sponsor the project. Trustee Leitgeb stated he wanted a time limit set to institute the plan. It was also discussed that since vernal ponds are ephemeral, they are considered unregulated wetlands.

The board then went through the nine points of Governmental Immunity from Zoning regarding the vernal pond project proposed for village land.

Trustee Lanphear wanted the Board of Trustees to write a letter to the Planning and Zoning Board of Appeals explaining what was happening.

Motion by Trustee Leitgeb, seconded by Trustee Marshall, *after going through the nine factors, the Village of Pittsford is immune from the zoning requirements for the project that has been proposed to the board for up to three vernal ponds that will be constructed within two years from the current date in the Robert C. Corby Arboretum.*

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SETTING PUBLIC HEARING- 28 LINCOLN AVENUE

Motion by Trustee Lanphear, seconded by Trustee Cove, *to move the special permit application for a preschool at Saint Paul's Lutheran Church at 28 Lincoln Avenue to a public hearing on August 13th, 2024, at 6 PM.*

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

MANAGEMENT OF GEESE ALONG THE CANAL PATH

Residents have made numerous complaints regarding goose excrement along the canal path.

Mayor Plummer set an action item to have the Code Enforcement Officer and the Village Attorney talk with the DEC and investigate the ability to prohibit businesses from selling wildlife food using the village code.

Trustee Lanphear also recalled a rehoming effort that occurred in the past, so the board would follow up on that possibility.

Motion by Trustee Cove, seconded by Trustee Leitgeb, *to have Village Attorney Turner investigate the current code or possibly develop a new code that would prevent the sale of food and/or feeding of wildlife.*

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

REVIEW OF MONROE COUNTY WATER AUTHORITY AGREEMENT

Motion by Trustee Marshall, seconded by Trustee Cove, *to define the mayoral approval and signing of the agreement with the Water Authority to be a Type II action by SEQR according to 617.5.C.26.*

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

Motion by Trustee Marshall, seconded by Trustee Cove, *to approve the mayor to sign the agreement with the Monroe County Water Authority for the long-term lease.*

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

REVIEW OF RENTAL REGISTRY APPLICATION

The board tabled this until the next meeting to review the additional information provided by Trustee Cove.

UPDATED TREE AND BENCH DONATION PROGRAM APPLICATIONS

Motion by Trustee Lanphear, seconded by Trustee Leitgeb, *to accept the new tree donation form as presented.*

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

Motion by Trustee Cove, seconded by Trustee Leitgeb, *to approve the bench donation program application with the amendment to add a 10-year retirement time frame.*

Vote: Mayor Plummer – yes, Lanphear – No, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

PUBLIC HEARING- SPECIAL PERMIT APPLICATION 15 SOUTH MAIN STREET

Motion by Trustee Cove, seconded by Trustee Marshall, *to open the public hearing regarding the special permit application for 15 South Main Street.*

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

There was no one from the public wishing to speak.

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Motion by Trustee Cove, seconded by Trustee Marshall, to close the public hearing.

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

Trustee Lanphear stated the board reviewed the special use permit considerations and found that the application complied.

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to declare the application for 15 South Main Street to be a Type II action by SEQR 617.5.C.18.

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

Motion by Trustee Lanphear, seconded by Trustee Cove, to accept and approve the special use permit for 15 South Main Street in the Village of Pittsford.

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

PUBLIC HEARING FOR AMENDMENT TO A SHORT-TERM RETAIL PERMIT- HARLADAY HOTS

Harladay Hots must move across the street to the Fire Department's driveway while the Town of Pittsford constructs a pocket park.

Motion by Trustee Cove, seconded by Trustee Leitgeb, to open the public hearing regarding the short-term retail permit application amendment for Harladay Hots.

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

There were no public comments.

Motion by Trustee Cove, seconded by Trustee Leitgeb, to close the public hearing.

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

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to declare the Harladay Hots short-term retail application a Type II SEQR according to 617.5.C.21.

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

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to approve the Harladay Hots short-term retail application amendment.

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

PUBLIC HEARING FOR SHORT TERM RETAIL APPLICATION- SUTHERLAND HIGH SCHOOL, BUFFALO BILLS

Motion by Trustee Marshall, seconded by Trustee Cove, to open the public hearing for the short-term retail permit application for 43 West Jefferson Road for the Buffalo Bills to use it as parking for training camp.

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

There were no public comments.

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to close the public hearing.

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

Motion by Trustee Marshall, seconded by Trustee Cove, to declare Buffalo Bill's short-term retail application a Type II SEQR according to 617.5.C.21.

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

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Motion by Trustee Marshall, seconded by Trustee Leitgeb, to approve the short-term retail application for 43 West Jefferson Road for the Buffalo Bills to use it as a parking for training camp.

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

The board thanked the Buffalo Bills for coming back again this year and wished them luck in the upcoming season.

APPROVAL OF PROPOSED PLANTING PROJECT DONATION FROM PITTSFORD GARDEN CLUB

Motion by Trustee Lanphear, seconded by Trustee Leitgeb, to declare the plantings at 25 South Main Street by the Pittsford Garden Club as a Type II SEQR according to 617.5.C.21 and 617.5.C.26.

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

Motion by Trustee Lanphear, seconded by Trustee Leitgeb, to approve the donation from the Pittsford Garden Club for plantings at 25 South Main Street in the new pedestrian crosswalk with the condition that the DPW will do the planting and ongoing maintenance under the supervision of a representative from the club.

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

The mayor thanked the Pittsford Garden Club.

ZONING CODE REVIEW –TDD PERSONAL SERVICES 210.24.11

Trustee Marshall voiced concern that adding more salons may cause oversaturation in the village. He would have preferred that those first-floor properties should be kept for true retail.

The board left this on the agenda to discuss the issue in depth at a future meeting and make a final decision.

FIRE DISTRICT DISCUSSION

The Planning and Zoning Board met with the fire district a week ago about proposals. The information can be reviewed online.

BURDETT PARKING LOT LEASE EXTENSION

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to identify mayoral approval of the Burdett Lot lease extension as a Type II SEQR according to 617.5.C.26.

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

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to approve the mayoral signing of the extension with the Burdett Lot lease number 4.

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

DPW REPORT

Trustee Marshall inquired how many employees the DPW used to have five years ago versus now. Considering time, the board decided that information would be gathered and shared offline.

Motion by Trustee Marshall, seconded by Trustee Cove, to approve the mayor to sign the letter of intent for the lease of the Case loader through Monroe Tractor.

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

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Trustee Leitgeb asked for an updated vehicle inventory after the lease was finalized.

Trustee Lanphear would like the board to brainstorm how to get the public to walk their bikes on the bike path since the signage is apparently ineffective.

Trustee Cove said Mr. Newcomb wants to move the location of his sponsored bench; she will contact Superintendent Bleier to review the details.

Trustee Lanphear would like the board to consider coming up with funds to replace the gateway sign on Jefferson Road that was hit. It was decided that this issue would be added to the agenda for the next meeting.

BUILDING INSPECTOR REPORT

Trustee Lanphear asked if there was an issue with the property manager on the corner of Schoen Place and Main Street. Building Inspector Lauth stated that it is not a property manager but an owner and that, yes, there is currently an issue. He said he would issue a second violation and that the next step would be a court appearance.

TREASURERS REPORT

The Village Clerk presented vouchers listed in Abstract #3 of the 2024/2025 fiscal year for approval.

Vouchers for approval Abstract #3

• General Fund (#731-#765):	\$ 42,757.51
• Sewer Fund (#733-#747):	\$ 633.24
	<hr/> \$ 43,390.75

Motion by Trustee Marshall, seconded by Trustee Cove, to accept the bill pay as presented.

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

Motion by Trustee Marshall, seconded by Trustee Leitgeb, to approve the budget transfers for General and Sewer.

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

Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the mayor to sign the agreement for MMB to compile information for the Annual Financial Report.

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

Motion by Trustee Cove, seconded by Trustee Marshall, to accept the bench donation from Leslie Kersun.

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

Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the mayor to sign the Zoghlin Retainer Agreement for 2024-2025.

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

Motion by Trustee Leitgeb, seconded by Trustee Lanphear, to waive the late fee of \$64.82 for a resident on their tax bill.

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

MINUTES

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Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the April 9th, 2024, meeting minutes.

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

MEMBER ITEMS

Trustee Lanphear inquired about an action item set back in April, asking for someone to see if the Village Engineer Scott Harter had a boundary map delineating the RG&E boundaries at Northfield Commons. Mayor Plummer asked to have Scott Harter resend the map for Trustee Lanphear. She also informed the board that a letter would be coming from the Historic Preservation Board asking the trustees to look at the code regarding signage.

Trustee Cove updated the board that the Department of Transportation stated that only hostas could be planted at the Four Corners. The board then discussed wrapping the metal box since plantings that would provide coverage were denied.

Trustee Marshall would like to approach the DOT about returning the parking on South Main Street. He also stated that he wanted to keep the R5 zoning moving forward. The board decided to schedule an attorney client session to discuss this further.

EXECUTIVE SESSION

Motion by Mayor Plummer, seconded by Trustee Cove, to enter executive session to discuss an employee matter.

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

Motion by Mayor Marshall, seconded by Trustee Cove, to leave executive session.

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

Motion by Trustee Leitgeb, seconded by Trustee Cove, to hire Nathaniel Evangelista as a groundskeeper/laborer in the DPW at the rate of \$22 per hour at the earliest availability and subject to references, physical, and background checks.

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

Motion by Trustee Marshall, seconded by Trustee Cove, to approve the village clerk and the DPW superintendent to work together to create an interim on call position and other leadership responsibilities within the DPW for a one-week term at \$150 per week to be assigned at the superintendent's discretion and a memorandum of understanding to create the position with the union including a list of responsibilities.

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

ADJOURNMENT

Motion by Mayor Plummer, seconded by Trustee Cove, to adjourn the meeting at 7:43 PM.

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

Laura Donk, Recording Secretary