

PROCEEDINGS OF A REGULAR MEETING  
OF THE VILLAGE BOARD OF TRUSTEES  
Thursday, March 23, 2023 at 6:30 PM

**PRESENT:**

**Mayor:** Alysa Plummer  
**Trustees:** Justin Leitgeb  
Lili Lanphear  
Rene Stetzer  
Dan Keating  
**Treasurer/ Village Clerk:** Dorothea M. Ciccarelli

**CALL TO ORDER**

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

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

**CONFLICTS OF INTEREST DISCLOSURE**

The Board members indicated that they had no conflicts of interest to report.

**DEPARTING TRUSTEES**

Trustee Stetzer and Trustee Keating are in attendance for their last meeting on the Board of Trustees. Mayor Plummer shares departing remarks for both. Trustee Keating makes a final statement of collective accomplishments during his time on the board; see attached for the full speech.

**VILLAGE HANDICAP CHAIR- AMERICAN LEGION**

The Clerk requested that the Board expand the budget to obtain get three quotes for a new handicap lift chair, anticipating the money will come from the fund balance. The original installation is over 8 years old and beyond repair. The quote will be brought to the board before purchasing. Legion members were in attendance to speak on behalf of the frustrations and difficulties with the current lift chair.

Legion attendees also noted an incident outside of the lift chair topic regarding a recent fall due to the entry stairs not having a handrail. Mayor Plummer will have the Village Building Inspector take a look and present a recommendation to the Board.

**Motion by Trustee Lanphear, and seconded by Trustee Stetzer,** to direct the Village Clerk to send obtain quotes for the replacement of the access chair and to expand the budget to allow procurement of a replacement chair.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb– yes, Keating- yes, Stetzer – yes, *Motion passed.*

**SPECIAL PERMIT APPLICATION - CYCLE CAFE**

Chuck Mancini is seeking a special permit application to open a business at 5 State. St. The business of record is *La Fabrica Pittsford Cycle Café*, with the licensed parent company being La Fabrica Cycling Café based in Girona, Spain. Brief remarks include a request to schedule a public hearing at one of next month's Board of Trustees meetings. He added that meetings and preliminary approvals have already begun with the Planning and Zoning Board (PZBA) and the Historic Preservation Board (HPB). Further public and board background information packets are presented to the clerk.

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Mr. Mancini shares an overview of the licensing agreement with specifics to character, location, and access to the intended consumer. 5 State St. meets some aspects outside of the existing 5-space parking lot, which would need to be removed. A request for approval from various boards would be to convert the lot into a courtyard. In addition, he asks for secure parking for bikes, a bike wash, and a water refill station.

Trustee Lanphear referenced the Villages guide to special use permits and pointed out that 3 of the eight tests required for the special permit are not being met on Mancini's application. She requested the applicant address the trash plan and ADA-compliance plan. Trustee Lanphear and Mayor Plummer ask for a floor plan and a determining site for where employees will park. The current instrument survey is questioned regarding the property lines and if they have been correctly assessed. Trustee Lanphear recommends a new instrument survey agreed upon by the property.

Trustee Leitgeb agrees with the concerns of Trustee Lanphear. He also requested that they take another look at the property line as a portion of the development likely falls onto municipal boundaries. Attorney Jeff Turner is currently reviewing the same boundary in question and says there isn't yet sufficient evidence to determine whether the line is Village property, and a valid survey or deed reference is necessary. Trustee Leitgeb proposed that Attorney Turner review the agreement once reached, as well as a review of the terms of the deed. He also requested \ attention to be given to accordance with the variance parking so that the issue is resolved before the Board reviews the special permit again and this is taken to a public hearing.

Mr. Maninci answered Trustee Lanphear's question about the trash, referencing an original easement agreement with the Village Bakery of a shared trash bin as well as the shared existing handicap space. Additionally, in the current renderings, handicap access will be provided by way of a ramp to the establishment. Mr. Mancini takes the position in agreement with the Board for the public hearing postponing until the PZBA and all-party lawyers get variance items settled.

Charlie Fitzsimmons, 5 State Street - Commented on an old deed to the property recognizing shared services but no current easement. The deed indicates his Bakery will have access to the handicapped parking lot in return for 5 State St. to have access to the Village Bakery's garbage. Adding to that is a shared water line with a new split water line under current construction. By way of information from legal counsel, Mr. Fitzsimmons states that if the parking lot is made into a courtyard, then his current handicapped spot would be repaved. Thus, the original deed will be nullified. Additionally, a walkway in Cycle Café's plan is not a public walkway and belongs to Village Bakery as extended seating.

Ryan Kelly, Landscape Architect for the project, speaks to courtyard details in terms of accessibility and private spacing.

Chris Dublin, 23 Washington St., Spoke as an advocate for the plan of *La Fabrica Pittsford Café*.

Mike Reynolds, Manager representative of 5 State Street Holdings LLC, offers to provide relevance to concerns of boundaries and deeds.

Mayor Plummer reminds all speakers of the use of the meeting and Board is special use permit. Any commentary outside of these guidelines may be brought to the public hearing. She asks for a tentative date for a public hearing.

Robert Corby, 7 Washington Ave – Provided input as to the history of boundaries in this same area.

Attorney Jeff Turner will execute a review of variances for the parking and property lines before the public hearing. The variance work will require the PZBA to review and approve, which cannot be overridden by the Board. *La Fabrica* will go before the PZBA on April 9, 2023. His research into the variances will be presented at the April 13, 2023, Board meeting for further review; before setting the public hearing date.

The Board agreed to hear *La Fabrica Pittsford Café* updates to the variance items on the agenda for 04/13/2023.

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**NON-MUNICIPAL USE PERMIT - PITTSFORD FOOD TOURS**

The Clerk represented an application for Cheri Davenport. The event has been approved by the Board yearly with the year's stipulation asking if she can have approval to open and provide insurance if she can operate the business.

**Motion by Trustee Lanphear, Trustee Stetzer seconded** to approve a non-municipal use permit for Pittsford Food Tours, with the same conditions as previously approved.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb- yes, Keating- yes, Stetzer – yes, *Motion passed.*

**TOWN OF PITTSFORD: PADDLE AND POUR**

Mayor Plummer shares that the request is an amendment to the existing permit to use the parking lot of the Village for additional activities during the event.

**Motion by Trustee Stetzer, Trustee Leitgeb seconded** to approve an amendment of the non-municipal use permit for the Town of Pittsford Paddle and Pour 2023.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb- yes, Keating- yes, Stetzer – yes, *Motion passed.*

**BID RESULTS - SOUTH, WOOD & SUTHERLAND STREET ENGINEERING**

Superintendent Bleier and Village Engineer Scott Harter met with the bidder for engineering South Street, Wood Street, & Sutherland Street improvements: Greenman-Pedersen, Inc (GPI). Bleier asked GPI to separate the cost results by way of defining them according to road-to-road projects for this year and into next year. The quoted amount is \$860,000 with a 20% variance. Completing the aforementioned all at once will mobilize costs for the Village. In terms of the timing, there is no cutoff for an answer, but we could lose the GPI bid. He will keep in touch with GPI relaying the discussions with the Board will continue until May or June.

The Clerk asks the Board for a directive to get in contact with Bernie Donegan for a BAN. In regard to forecasting, she feels we are in a good position with a fund balance, and the request for bond evaluation and engineering costs can be worked. Affordability cannot be confirmed at this point in the budget cycle.

Trustee Leitgeb speaks about the BAN in order to get projects completed. Given the Village's current place in the budget cycle incurring costs, concerns would be around a re-work if forecasting for the bond changes.

The Clerk reads a question from the chat: "For Sutherland St., how would this road be coordinated with the removal of street trees for Mark IV to lay the new water lines for 75 Monroe?"

Superintendent Bleier answers that the removal of street trees is not expected to happen. There is a possibility of re-paving Sutherland in 2024 which would change the direction of the waterline on the Eastside rather than the Westside. Options are still being explored.

**Motion by Trustee Leitgeb, Trustee Stetzer seconded** to approve outreach to Bernie Donegan, with a maximum of \$2,000, to provide the Board with information on a BAN based on reasonable usage of fund balances.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb- yes, Keating- yes, Stetzer – yes, *Motion passed.*

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**EVALUATION, PLANNING, AND DESIGN OF IMPROVEMENTS FOR THE ARBORETUM  
AND DPW LAND PARCEL**

Scott Harter presents a new bid from *LaBella Associates, DPC*. Harter briefly weighs out the differences between *La Bella* and *Fisher Associates Landscape Architecture Studio*. Statements include a differing estimate of \$30,000, deciding whether the project will be taken to the Board and seek approvals, and who will be responsible for the survey. With these variables in mind, both bids come in about the same number. The proposals are helpful in establishing a baseline for the project, but it is still unclear to both bidders what is to be done as the Village has yet to define specifics.

Trustee Leitgeb brings up zoning of the parcels is still an ongoing discussion with the board, and this particular discussion does not correspond to previous dialogue. The Village does not have the flexibility for both bids in the budget right now.

Mayor Plummer and the Board agree to respectfully reject the bid by *LaBella Associates*.

**PEDESTRIAN SAFETY ON MONROE AVENUE**

Ben Richards, 55 Monroe Ave Pittsford, NY—wrote to Trustee Keating asking for the Board to “push for a lighted crosswalk indicator like the one crossing State St. By Schoen place after the bridge...” as the current crosswalk at Sutherland and Monroe is dangerous.

Trustee Stetzer speaks of previous interrogations, plans, and minor adjustments regarding this crosswalk amongst past Board members and the preceding Mayor. Quotes for the rapid flashing beacon had been taken into consideration. Adding to Bleier’s point, the Department of Transportation (DOT) has rejected similar proposals from the Town of Pittsford. She calls to the board to keep the item on the forefront of planning with 75 Monroe.

Superintendent Bleier proposes this action be brought to the (DOT) and with their approval it can be done through the Village DPW. He encourages residents to speak up and write letters to the DOT.

Trustee Lanphear mentions there is potential to revisit the traffic patterns with the construction of 75 Monroe, and the ingress and egress pedestrian plan of this crosswalk should be included.

Clerk Ciccarelli reads a public comment: “Peggy Caribesie 1 S. Main—the new town port building is another impact to the potential of re-working this crosswalk.

Mayor Plummer adds eagerness to include the town about Peggy’s comment as the pressure from both municipalities would have a greater impact with the DOT.

Trustee Leitgeb thanks Trustee Stetzer for being so well-informed of pedestrian safety issues and being an advocate for active transportation throughout her time on the Board.

**VILLAGE PARKING CODE UPDATE**

Superintendent Bleier has spent comprehensive time measuring streets and blocks for new striping. He and Attorney Turner have gone through discrepancies in the Village parking code to uphold the required laws so that DOT will replace the signage for the Village. There could pose an issue of signage being placed before the amended DOT law is approved. He asks if the parking restrictions discussed will be submitted to the DOT. Bleier asks the Board to clarify what will be painted on N. Main, Eastside, due to looking at adding parking North of the entrance of the dairy and will the spots be defined.

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Trustee Stetzer notably adds that DOT has loosened some of the previous stipulations regarding parking. The downside is that signage for no parking/parking must be every 200 feet which the Village did not already have. An example to avoid 'sign pollution' is to open parking the entirety of Monroe.

Mayor Plummer mentions progress has already been made with additions to parking from the Bank of America building. She adds in consideration to expanding parking allotments on Monroe Ave, that people won't park where they don't think it's safe. Car sizes will be taken into consideration when defining spots. Asks the Board for a date to set the public hearing after the amendment of local law is completed.

Attorney Turner has evaluated the number of current spaces and signage and suggests there is still an opportunity to appropriate the amount of signage with the DOT. It poses the question of how we want to approach the Westside of N. Main, having the potential to be a permanent no-parking zone. Turner concludes the Board is asking to amend the no parking code to have only no parking zones for (x) distance of feet on Monroe Ave West of Main St.

The Clerk summarizes if the Board would like to amend the local law with the suggested changes from Trustee Stessor, Mayor Plummer, Superintendent Bleier, and Attorney Turner to set the public hearing with the amendment, then Turner can change the local law, which will be sent to DOT. Mayor Plummer agrees to proceed optimally, avoiding "sign pollution."

**Motion by Mayor Plummer, Trustee Keating seconded** to set the public hearing for 05/11/2023, 7:00 pm.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb- yes, Keating- yes, Stetzer – yes, *Motion passed.*

### **RAILROAD SAFETY ACT 2023**

Mayor Plummer presents a letter from the Town of Pittsford which they are sending to State and Federal representatives regarding the Railroad Safety Act of 2023. The Village residents have also expressed concerns in advocacy for the Act. She asks the Board to participate in sending a legislative letter on behalf of the Village of Pittsford using the Town's letter as a template.

**Motion by Trustee Leitgeb, Trustee Stetzer seconded** to draft a letter to legislators advocating the Railroad Safety Act of 2023 from the Village of Pittsford.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb- yes, Keating- yes, Stetzer – yes, *Motion passed.*

### **PARKER BEACH PUBLIC INPUT**

Trustee Leitgeb responds to the forum held the previous night from tonight's Board meeting. The forum brought a reminder that the Town's initiatives routinely do not uphold the Village Board processes and in turn, oppose Village resident opinions. Leitgeb references a past process of "9 Factors," deciding the forwardness of a project to the Village zoning authority. The factors should be brought to a public hearing for which he provides an article as backup reading relating to this discussion. (attachment ?)

Trustee Lanphear adds about changes on Monroe Ave; the park is setting a precedent to avoid the Town defaulting use of the grass space as a 'parking lot.'

**Motion by Trustee Leitgeb, Trustee Lanphear seconded** to consider the nine factors at a public hearing on April 13, 2023.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb- yes, Keating- yes, Stetzer – yes, *Motion passed.*

### **TREASURER'S/VILLAGE CLERK REPORT**

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**Motion by Trustee Lanphear, Trustee Stetzer seconded** approving payment for a monthly HSA cost, a payout for another HSA, and bill pay.

**Vote:** Mayor Plummer- yes, Lanphear- yes, Leitgeb– yes, Keating- yes, Stetzer – yes, *Motion passed.*

**ADJOURNMENT**

**Motion by Trustee Keating, and seconded by Trustee Stetzer,** to adjourn the meeting at 9:40 PM.

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

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Dorothea M. Ciccarelli, Treasurer/Village Clerk

Topic	Webinar ID	Actual Start Time	# Question		
Village of Pittsford Regular Board Meeting	881 0788 3535	3/23/2023 18:18	5		
Question Details					
#	Question	Asker Name	Answer	Question Time	Answered Time
1	What is the variance from the ZBA?	Peggy 81 South Main	there is a three different, one I believe is for parking	3/23/2023 19:28	3/23/2023 19:32
2	what are the other ones?	Peggy 81 South Main	I am not sure, I can email you tomorrow if you like	3/23/2023 19:33	3/23/2023 19:34
3	Can you please ask? For Sutherland Street, how will this road work be coordinated with the removal of street trees in order for Mark IV to lay the	Peggy 81 South Main	Does that answer your quesiton, or would you like me to check the full legal notice for you	3/23/2023 19:34	3/23/2023 19:37
4	new water lines for 75 Monroe?	Peggy 81 South Main	live answered	3/23/2023 19:49	3/23/2023 20:06
5	The new town court buidinnng on Monroe is another impact.	Peggy 81 South Main	live answered	3/23/2023 20:16	3/23/2023 20:17