

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

Thursday, February 10, 2022, at 6:30 PM

**PRESENT:**

**Mayor:** Alysa Plummer  
**Trustees:** Dan Keating  
Lili Lanphear  
Renee Stetzer  
Justin Leitgeb  
**Deputy Treasurer:** Brooklyn Thomas  
**Recording Secretary:** Dorothea M. Ciccarelli

**CALL TO ORDER**

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

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

**CONFLICTS OF INTEREST DISCLOSURE**

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

Mayor Plummer opened the meeting by thanking Mary Marowski for all her years of service to the Village of Pittsford.

**BUILDING INSPECTOR REPORT**

The Building Inspector reviewed his report with the Board. Trustee Keating questioned the Inspector on the status of the list of code updates. Mr. Lauth informed him that the code review meeting was scheduled for next Thursday. The Inspector informed the Board that he had spoken to Charles Corby on the property violations and spoken to the Power's family regarding the violations on the barns. The Power's informed him that they are in the process of trying to sell the property.

**DPW REPORT**

The Superintendent questioned the Board if they had any questions about his report. He informed the Board that the Department had been quite busy with the recent storms. He also informed the Board that the Village Safety Committee had met.

**VILLAGE ATTORNEY**

The Village Attorney had no report.

**TREASURER'S REPORT**

The Deputy Village Treasurer presented vouchers listed on Abstract #19 of the 2021 / 2022 fiscal year for approval. A motion was made by Trustee Stetzer, seconded by Trustee Lanphear, to approve payment of the vouchers listed on Abstract #19, in the amounts stated below and to charge them to the appropriate accounts.

**Vouchers for approval – Abstract #19**

• General Fund (#441-#466)	\$22,912.71
• Sewer Fund (#460):	<u>\$ 80.24</u>
	\$22,992.95

**Vote:** Plummer – yes, Lanphear – yes, Keating – yes, Stetzer – yes, Leitgeb – yes. *Motion Carried.*

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**VILLAGE MINUTES**

**Motion by Trustee Leitgeb, and seconded by Trustee Stetzer** to approve the Village Board Regular Meeting minutes of January 11, 2022.

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

**CANNABIS REFERENDUM FOLLOW UP**

Mayor Plummer thanked the Village Clerk, the Election Inspectors, and the County for all the assistance with the Election on February 8, 2022.

The Clerk informed the Board and public that she does not have any changes at this point to the numbers. She was still reviewing some affidavit votes received and anticipated certifying the official vote on February 15, 2022.

Trustee Keating read a statement regarding the Cannabis referendum that can be found attached to the minutes.

Mayor Plummer read the current vote count for the public:

Proposal 1 - Shall the Village of Pittsford allow retail cannabis dispensaries to locate and operate within the boundaries of the Village of Pittsford. Yes – 98 votes, **No – 143 votes.**

Proposal 2 – Shall the Village of Pittsford allow on-site consumption establishments to locate and operate within the boundaries of the Village of Pittsford. Yes – 75 votes, **No – 166 votes.**

Art Pires, 70 State Street commented - Correct to say, that only 17% (241 / 1400) of the Village residents voted on the cannabis referendum. How can one trustee call the referendum a tremendous success? PS: If by success what was well run, I agree, and hats off to all that had a hand in running the referendum.

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

The Clerk reviewed with the Board the application from Pittsford Food Tours, owned by Cheri Davenport. Ms. Davenport requested that the Board approve her application, in the same manner, they had in 2021. Previously the Board approved the application without the submission of insurance making it a contingency if the operation can conduct business. Ms. Davenport is uncertain if she will be able to move forward this year, given the pandemic, as it has affected her business the last year.

**Motion by Trustee Lanphear, and seconded by Trustee Keating** to approve the Non-Municipal Permit for Pittsford Food Tours with the condition that she provide her insurance, before receiving her permit to operate.

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

**DESIGNATING JUNETEENTH AS A VILLAGE HOLIDAY**

Mayor Plummer reviewed with the Board that President Biden’s administration has recognized Juneteenth as a holiday. Mayor Plummer requested that the Village recognizes the holiday as well.

Trustee Lanphear questioned how it would impact the staff and holiday calendar. Mayor Plummer commented that the Village would need to look at that in greater detail. She requested that it just be recognized at this time as a holiday. Trustee Leitgeb also thought further review before it was made a paid holiday, but agreed with the recognizing of the Holiday. Trustee Keating offered his support on recognizing the holiday as well.

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**Motion by Trustee Lanphear, and seconded by Trustee Stetzer** that the Village of Pittsford recognizes Juneteenth.

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

**PUBLIC HEARING – SPECIAL PERMIT – 18 S. MAIN STREET**

Mayor Plummer reviewed with the Board the application received by Jessica Weiland to operate a hair salon at 18 South Main Street.

Trustee Lanphear questioned if the salon was being operated as two separate businesses. The Building Inspector commented that the wall would not be opened and that it would be operated as two separate businesses with different functions.

**Motion by Trustee Stetzer, and seconded by Trustee Lanphear,** to open the public hearing on 18 South Main Street for the purpose of operating a hair salon.

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

**Motion by Trustee Stetzer, and seconded by Trustee Keating,** to close the public hearing on 18 South Main Street for the purpose of operating a hair salon.

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

**Motion by Trustee Lanphear, and seconded by Trustee Stetzer,** to approve the special permit for 18 S. Main Street for a hair salon.

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

**PUBLIC HEARING – LOCAL LAW EXEMPTION FOR VOLUNTEER FIRE AND AMBULANCE WORKERS**

**Motion by Trustee Lanphear, and seconded by Trustee Stetzer,** to open the public hearing to consider amending Chapter 184 of the Code of the Village of Pittsford to allow an exemption for Volunteer Fire and Ambulance Workers.

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

The Pittsford Fire Department representatives discussed the proposed local law and thanked the Village for recognizing the Department.

**Motion by Trustee Stetzer, and seconded by Trustee Lanphear,** to close the public hearing to consider amending Chapter 184 of the Code of the Village of Pittsford to allow an exemption for Volunteer Fire and Ambulance Workers.

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

**Motion by Trustee Lanphear, and seconded by Trustee Keating,** to approve amending chapter 184 of the Code of the Village of Pittsford to allow an exemption for Volunteer Fire and Ambulance Workers.

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

**PUBLIC HEARING – LOCAL LAW ADOPTION OF TAX LEVY OVERRIDE**

Mayor Plummer commented that this has been a past practice by the Village Board and has been recommended by NYCOM as best practice and strongly recommended whether it be used or not.

**Motion by Trustee Lanphear, and seconded by Trustee Stetzer,** to open the public hearing to consider the adoption of proposed local law to override the tax levy limit established by General Municipal law 3C.

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

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**Motion by Trustee Lanphear, and seconded by Trustee Stetzer**, to close the public hearing to consider the adoption of proposed local law to override the tax levy limit established by General Municipal law 3C.

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

**Motion by Trustee Lanphear, and seconded by Trustee Leitgeb**, to approve the adoption of the proposed local law to override the tax levy limit established by General Municipal law 3C.

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

**SRF – MEDIAN DESIGN FOR STATE STREET**

Mayor Plummer reviewed with the Board the proposal received from SRF for the median design for State Street. The suggestion was a part of the original Active Transportation Plan. Mayor Plummer met with the Town Supervisor who agreed to the funding the median at the Town Line if the Village provides the design. The cost of the proposal would be \$6,700.

Trustee Lanphear questioned what budget line the funds for the project would be expended from. The Clerk commented that the budget line involved is the engineering line.

Trustee Stetzer commented that the Village was on a short time frame to complete the median along with the NYDOT project.

Trustee Leitgeb expressed concern that the proposed budget line is currently overspent. The Clerk informed the Board that she would be proposing budget transfers at the next meeting.

Trustee Leitgeb questioned the legality of spending budget money, without having transferred the funds required to the budget line. Trustee Lanphear commented that you could make the motion contingent on the Budget Transfer.

Robert Corby, 7 Washington Avenue - So glad you are moving forward with the proposal we developed as part of the Active Transportation Plan. As we previously discussed there are many examples where similar treatments have been successful.

Art Pires, 70 State Street - Very much appreciate the Village and Town advancing the development of study and plans for the construction of a median at the eastern gateway to the Village.

Dave Marshall, 67 S. Main Street – Of the total funds spent to complete the project, what % is paid by the village vs. the town? Is there a standard % paid by the town for shared interest projects such as this?

Robert Corby, 7 Washington Avenue – Based on previous estimates and discussions with SRF the median will cost between 400,00 and 200,000 dollars.

**Motion by Trustee Stetzer, and seconded by Trustee Keating**, to accept the contract from SRF to study the State Street median and direct the Mayor to sign Schedule A, contingent on the transfer from the contingency account to the engineer A1440.4 for the expense.

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

**UPDATE ON NYSDOT PROJECTS**

Trustee Stetzer stated that the Mayor and I had met with the Village's Emergency Services regarding the Pedestrian median on N. Main Street. Concessions were made between the parties; the Village will be getting a hardy median with signage. The Village will be sacrificing some parking for the fire department to allow a 20-foot clearance. The Village will be

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touching base with NYSDOT and The Fire Department prior to February 25, 2022. This will be a part of the upcoming NYDOT resurfacing / restriping project this year.

**CUSTOMER SERVICE SURVEY**

Mayor Plummer discussed with the Board putting in place a customer service survey, for applicants that have appeared in front of the three Village Boards. As a way to follow up, on their experience. To help the Village with ways we can improve. This survey should be limited to no more than 5 questions. She requested that Trustee Stetzer and Trustee Keating work on the project.

Trustee Lanphear requested that one of the questions be; are you willing to serve on a Board. The Mayor thought it was a good idea.

Trustee Keating and Stetzer both agreed to work on the project. The liaisons will reach out to the other Village boards for their opinions.

**VILLAGE REVENUES**

The Village Clerk reviewed with the Board; the sales tax revenue as anticipated for this year's budget. The Village has budgeted to receive \$516, 357. To date, we have received \$338,795.76. The Clerk anticipates that we will have additional funds in this budget line if things stay as expected. Trustee Keating questioned ARPA funding. The Clerk commented that the funds currently are showing in our revenues, but they are not available for use until they are budgeted to be used. A discussion was had on how the funds can be used. The Clerk reviewed other budget lines that might have additional funds at the end of the year which included: Gross Receipts, Franchise Fees, and Mortgage Tax.

The Clerk commented that the line for the parking monitor currently shows no revenue, the village has collected about \$4,100 in fines. This amount must be reported to the State before being received as revenue.

The Clerk reviewed the quarterly revenues and expenditures for the General and Sewer funds with the Board. The Clerk informed the Board that she would be presenting budget transfers for the Board's consideration at the next meeting.

**Motion by Trustee Keating, and seconded by Trustee Leitgeb,** to approve the December 2021 financial report as provided.

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

**BUDGET MEETING SCHEDULE**

The Board discussed the upcoming budget meeting scheduled. It was agreed the first budget meeting would be held on February 28, 2022, at 5 PM, and every following Monday. The Clerk would finalize the schedule and provide it to the Board at the meeting on February 28, 2022.

Peggy Caraberis, 81 South Main Street - Will the budget meetings be in person or virtual?

**COVID UPDATE**

The Board agreed to keep the current pandemic policies in place and to revisit the policies after March 1, 2022.

Mike Reynolds, 35 Church Street – Questioned if the meetings can be hybrid so villagers can avoid sitting in the room.

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**RECESS**

**Motion by Trustee Keating, and seconded by Trustee Stetzer,** to take a 5-minute recess.

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

**Motion by Mayor Plummer, and seconded by Trustee Leitgeb,** to take a return to the meeting.

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

**VILLAGE TREASURER POSITION**

Trustee Lanphear had questions related to how the Village would be structuring the positions. She was not in favor of filing for a new title with Monroe County. She was also not in favor of having one position with two responsibilities and was concerned with oversight. Trustee Keating questioned the Village Attorney if the Village needed to have a Village Treasurer named. The Village Attorney stated that the Village does need to have a person assigned to the Village Treasurer position. A discussion was had on creating the position of Village Clerk / Treasurer and the oversight of checks and balances.

Robert Corby, 7 Washington Avenue - Talking about the merits of a staff position, is not an allowable topic to discuss in an executive session. This violates the Open Meetings Law.

Art Pires, 70 State Street -Could you please explain once again the reason/justification for the proposed change in the structure of Treasurer and Deputy Treasurer? As well as Treasurer and Clerk. Has there been an issue with the existing structure?

Christine Mule, 5 Stonegate Lane - In review of yesterday's meeting, I want to thank Trustee Stetzer for voting on the issue of Clerk/Treasurer in a way that was aligned with her own values and appreciate that she was not influenced to vote in accordance with other voting members. I was concerned that the Mayor expressed "disappointment" after Trustee Stetzer's vote, and that Trustee Stetzer felt it necessary to explain her position as if she had somehow betrayed an alliance. In my humble opinion, the trustees should not be burdened with a fear of offending anyone with their vote. The Trustees were elected by villagers and are here to serve the people and respectfully, not the Mayor.

**EXECUTIVE SESSION**

**Motion by Trustee Lanphear and seconded by Trustee Leitgeb,** to enter executive session to discuss the performance of a specific employee.

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

**Motion by Trustee Keating, and seconded by Trustee Stetzer** to exit executive session with no action taken.

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

**VILLAGE TREASURER POSITION - CONTINUED**

**Motion by Trustee Leitgeb, and seconded by Trustee Lanphear** to post the position of Village Treasurer.

**Vote:** Plummer – no, Lanphear – yes, Keating – no, Stetzer – no, Leitgeb - yes. *Motion fails.*

Trustee Leitgeb is concerned with the process involved and is not in favor of moving forward at this time.

**Motion by Trustee Keating and seconded by Trustee Stetzer** to create the role of Clerk/Treasurer for the Village of Pittsford with Monroe County to appoint Dorothea Ciccarelli pending the receipt of the Civil Service title and performance review in six months.

**Vote:** Plummer – yes, Lanphear – abstain, Keating – yes, Stetzer – yes, Leitgeb - no. *Motion passed.*

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Robert Corby, 7 Washington Avenue - Mary was still the Treasurer on Friday. She quit because a meeting was scheduled to take away her title without telling her. She was also upset about documents being taken off her computer without her knowledge. Mary called me and told me this. I am deeply saddened that she was treated this way.

Art Pires, 70 State Street – The reason that my request for clarification, as to why a change in the existing Clerk-Treasurer is being proposed and is there any existing issue with the current structure has not been answered? What is the purpose of a public Q&A if the Board does not respond?

Robert Corby, 7 Washington Avenue - Dorothea is a wonderful clerk and she will do a great job. However, I share the concerns expressed by Justin and Lili.

**NAME THE VILLAGE PLOWS**

Trustee Keating provided a copy to the Board for their review. Trustee Lanphear was happy with the copy that was sent around. The Board has until Tuesday to provide comments.

**MEMBER ITEMS**

Trustee Keating commented he still looking to receive liaison reports from PZBA and HPB Boards. Would like the Board to discuss term limits for Board members. He is in favor of direct discussion with the relevant parties related to the 75 Monroe Avenue project to move this forward.

Art Pires, 70 State Street - Why does a resident have to review records for an answer to questions of the Trustees, while one Trustee cannot read minutes of other Boards for updates on 75 Monroe?

**ADJOURNMENT**

**Motion by Trustee Stetzer, and seconded by Trustee Lanphear**, to adjourn the meeting at 10:32 PM.

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

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Dorothea M. Ciccarelli, Recording Secretary