

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

Thursday, March 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.

BUILDING INSPECTOR REPORT

The Building Inspector reviewed his report with the Board. Trustee Keating questioned if the Inspector had spoken with the Powers family regarding the Barns. He was informed they were anticipating selling the property but were held up at the time due to illness. Trustee Leitgeb questioned if there had been any follow-up from the FD related to 19 North Main Street. The Inspector indicated he had not received any follow-up currently, but the mayor was in contact with the department.

Mayor Plummer commented that she is trying to connect the Fire Commissioner for the District with the Landmark Society for them to receive input on how to stabilize the property.

DPW REPORT

The Superintendent questioned the Board if they had any questions about his report. He informed the Board that the sewer flush truck was still awaiting parts for the necessary repairs. The department also had a sewer backup at the Delmonte, that they were able to resolve.

Trustee Keating also discussed a recent Safety Meeting he attended with the Department.

VILLAGE ATTORNEY

The Village Attorney had no report.

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TREASURER'S REPORT

The Deputy Village Treasurer presented vouchers listed in Abstract #21 of the 2021 / 2022 fiscal year for approval. A motion was made by Mayor Plummer, seconded by Trustee Leitgeb, to approve payment of the vouchers listed on Abstract #21, in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #21

• General Fund (#506-#533)	\$20,217.65
• Sewer Fund (#520):	<u>\$ 159.63</u>
	\$20,377.28

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

VILLAGE CLERK REPORT

Paychex Upgrade

The Clerk reviewed the proposal from Paychex regarding the new time and attendance program. The Clerk informed the Board that the net cost increase of the program would be \$18 a month.

Motion by Trustee Stetzer and seconded by Trustee Lanphear to approve the proposal from Paychex for the new time and attendance program.

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

Sewer Penalty

Requested that the Board waive a penalty for the sewer bill due to extenuating circumstances, related to the mishandling of the bill for 65 West Jefferson Road.

Motion by Trustee Keating and seconded by Trustee Stetzer to waive the penalty for the 65 West Jefferson Road Sewer bill.

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

FINANCIAL STATEMENTS

The Clerk informed the Board that she had been in touch with the Village Accountant related to closing the books for January and February 2022. The accountant informed her that she would need to enter all the numbers for the closings, and he would audit them afterward. This will require a deep dive into the numbers as well as working with the software company on the program.

VILLAGE MINUTES

Motion by Trustee Stetzer, and seconded by Trustee Lanphear, to approve the Village Board Regular Meeting minutes of January 27, 2022.

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

Motion by Trustee Keating, and seconded by Trustee Stetzer, to approve the Village Board Special Meeting minutes of February 1, 2022.

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

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Motion by Trustee Stetzer, and seconded by Trustee Keating, to approve the Village Board Special Meeting minutes of February 3, 2022.

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

Motion by Trustee Keating, and seconded by Trustee Stetzer, to approve the Village Board Special Meeting minutes of February 9, 2022.

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

NON-MUNICIPAL USE PERMIT – CORN HILL WATERFRONT & NAVIGATION FOUNDATION

Donna Fleming requested a non-municipal use permit for the operations of the Sam Patch Boat from May 12 through October 31 at the dock near Aladdin’s on the village side of the canal. The Board is in favor of approving a non-municipal use permit for Corn Hill Waterfront and Navigation Foundation with the same conditions as in previous years.

Motion by Trustee Lanphear, and seconded by Trustee Stetzer, to approve the Sam Patch to operate the 2022 summer season from May through October with the same conditions established in previous years.

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

NON-MUNICIPAL USE PERMIT – FRIENDS OF PITTSFORD COMMUNITY LIBRARY

The Clerk presented for the Pittsford Community Library their request for a non-municipal permit to conduct their book sales for March 24-26 and June 10 -11, 2022.

Motion by Mayor Plummer and seconded by Trustee Lanphear to approve the non-municipal permit and waive the 45-day notice for the Pittsford Community Library to conduct the sales of their books for March 24-26, and June 10-11, 2022, with the same conditions established in previous years.

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

NON-MUNICIPAL USE PERMIT – PITTSFORD CREW

The Village received a request from Jeff Wallace, Regatta Director, to request a permit for the Annual Pittsford Regatta scheduled for May 28 and 29.

Motion by Trustee Stetzer and seconded by Trustee Keating to approve the request for a non-municipal permit for the 2022 Pittsford Regatta, with the same conditions as were extended in previous years.

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

NON-MUNICIPAL USE PERMIT – PITTSFORD LITTLE LEAGUE PARADE

The Clerk reviewed the annual request for the Pittsford Little League Parade, the parade will begin at 10 am on May 7, 2022, from Sutherland High School and proceeds, left onto Sutherland Street, right onto Lincoln Avenue, left onto the South Main Street, right onto South Street and culminate at Ford Field.

Motion by Trustee Lanphear and seconded by Trustee Keating to approve the non-municipal permit for the annual Pittsford Little League Parade on May 7, 2022.

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

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COVID-19 UPDATE

The Board discussed relaxing the current COVID-19 Policies and making masking optional for the Village Hall and DPW. The Board also agreed to return to in-person meetings at the March 24, 2022, meeting.

Motion by Trustee Leitgeb and seconded by Trustee Lanphear that masking is optional for the Village Hall and DPW and a return to in-person meetings for the regular Village Board meeting on March 24, 2022.

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

MENGEL METZGER AND BARR PROPOSAL

Mayor Plummer reviewed with the Board the proposal received from the Village Accounting Service for a procedures review to be completed.

Motion by Trustee Keating, and seconded by Trustee Stetzer to approve the proposal from the Mengel Metzger and Barr.

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

75 MONROE AVENUE – ESCROW AGREEMENT

The escrow agreement for the Pittsford Canalside Properties, LLC for the 75 Monroe Avenue Project was presented to the Village Board for Approval to fund engineering and legal expenses related to the project.

Motion by Trustee Keating and seconded by Trustee Stetzer to approve the escrow agreement with Pittsford Canalside Properties.

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

The Board was requested to authorize the TYLIN International contract for engineering services for the 75 Monroe Avenue Project.

Motion by Trustee Stetzer and seconded by Trustee Lanphear to approve the TYLIN International Contract for the engineering services for the 75 Monroe Avenue Project.

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

ESTABLISHMENT OF SEWER RESERVE

Motion by Trustee Keating and seconded by Trustee Leitgeb to adopt the resolution for the creation of a catastrophic sewer system failure reconstruction capital reserve fund.

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

WHEREAS, the Village of Pittsford has an aging sewer system with uncertain longevity and reliability; and

WHEREAS, the Village of Pittsford sewer system includes 3 syphons which run under the New York State Erie Canal; and

WHEREAS, the Village of Pittsford retains a large unreserved sewer fund the purpose of which, among other things, is the reconstruction of the Village sewer system in the event of a catastrophic failure; and

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WHEREAS, best municipal practices support the establishment of a specific capital reserve fund for the purpose of reconstruction of the Village of Pittsford sewer system in the event of a catastrophic failure.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby creates the Catastrophic Sewer System Failure Reconstruction Capital Reserve Fund; and

BE IT FURTHER RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Catastrophic Sewer System Failure Reconstruction Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of reconstruction required by a catastrophic sewer system failure in the Village of Pittsford. The estimated maximum cost of such capital improvement is \$300,000.00; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the moneys consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that this resolution is subject to permissive referendum pursuant to subdivision 4 of Section 6-c of the General Municipal Law.

REVIEW OF PREEXISTING VILLAGE RESERVES

Trustee Leitgeb expressed his concerns over the reserve funds and actions taken. He also hoped in the future we could create reserves for items such as roads that are needed and that future budget meetings can start with the discussion of reserves. He also expressed concerns related to the budget process, he indicated that the budget process started late and was less collaborative. Trustee Leitgeb also would have preferred the process to start with a conversation related to the future needs of the Village and the reserves. He hoped that the Board would return to the process of updating spreadsheets related to the Village's infrastructure and focusing on the reserves required, as with the use of multi-year planning.

Trustee Keating stated the action taken by the Board was to review the current state of the reserves. He also thought the process was more collaborative and productive.

Mayor Plummer commented that the process was not delayed and followed the suggested timeline from NYCOM for best practices. The existing reserves go back as far as the 1970s with language that was not clear enough, as to how to access the money. Which could trigger a Comptroller review as to how we accessed the money and what it was being used for. This action is about clearing up the language, so the tax dollars are available to the taxpayers when needed. This is a very prudent action by the Village Board and very proud of the Board for acting.

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The Board continued the discussion on the number, the amounts in the reserves, and the clarity involved with the reserves. Mayor Plummer and Trustee Keating stated there is no intent at this time to use the reserves but to clarify the reserves so that they are available when needed.

HPB APPLICATION

Mayor Plummer informed the Board that the updated application for the Historic Preservation Board would be presented at the next meeting. The application has been reviewed by the HPB Board and well as the Building Inspector. The application should make the process clearer for the residents.

HPB FEE ENFORCEMENT SCHEDULE

The Village Attorney informed the Board that the current enforcement language in the Village Code allowed for a fine of 2,000 dollars per incident and possible imprisonment of 15 days. He thought the penalties were a little out of line and lacks a floor. He suggested that a gradual fine schedule be adopted, that provides the Judge with the lowest he can go. The intent of the law is compliance, not the money. This change allows the Building Inspector to handle the prosecution of the cases. He requested this be redrafted sooner than later, which will require a Local Law.

Motion by Trustee Stetzer and seconded by Trustee Keating to direct the Village Attorney to update the code related to our fines and penalties.

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

MEMBER ITEMS

Mayor Plummer commented that the NYSDOT awarded the contract for the projects in the Village, and we anticipate projects to start shortly. The Village will update the public as information becomes available.

Trustee Keating informed the Board that he received a phone call from a resident related to the new bulbs installed by RGE on Jefferson Road. The resident's concerns were related to how strong the light is shining in his bedroom that cannot be blocked out. A resident is hoping the Village will be able to work with RGE to diffuse the light. The Superintendent will reach out to RGE to see about shielding the light.

Trustee Keating commented that he was looking for updates from the other Liaisons for actions from the other Boards. He commented that there was nothing of consequence that happen at the recent Chamber of Commerce Meeting. He also expressed he is in favor of direct work in resolving the 75 Monroe Project in a meaningful way.

Trustee Lanphear informed the Board that she spoke to the Chairperson of the HPB on an exit survey. Her response has once the committee has formed the questions involved, would be reviewed. She offered another option for anyone to comment on anything related to the Village on the website.

Trustee Letigeb also commented that he informed the Chairperson for the PZBA and will inform the Board of his comments once received.

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Trustee Stetzer confirmed with the mayor that updates for NYSDOT will be passed on to the residents. The Mayor and Trustee Stetzer would be meeting with NYSDOT in the future and will provide updates on possible community meetings related to the projects.

Trustee Lanphear questioned if the reserve funds will be a part of the Budget adoption or would that be a separate matter. Trustee Keating commented that there should be discussed during the Budget discussion and will be going after the budget process. The mayor commented that we are in a holding pattern until we have a solid plan for the utilization of the reserves properly, which will be separate from the Budget process.

Mayor Plummer discussed the Canal Symposium she attended at St. John Fisher College. Several speakers from the Canal Authority, it was a very informative conference. The mayor discussed with the engineer as to the repair along the Canal. As soon as we have definitive dates on the repair, we will inform the public. The only concern is the project is facing supply chain issues.

ADJOURNMENT

Motion by Trustee Keating, and seconded by Trustee Stetzer, to adjourn the meeting at 8:25 PM.

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

Dorothea M. Ciccarelli, Recording Secretary