

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

Tuesday, July 13, 2021 at 6:30 PM

PRESENT:

Mayor: Alysa Plummer
Trustees: Dan Keating
Renee Stetzer
Justin Leitgeb
Deputy Treasurer: Brooklyn Thomas
Deputy Clerk: Marina Pacheco
Recording Secretary: Dorothea M. Ciccarelli

CALL TO ORDER

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

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

CONFLICTS OF INTEREST DISCLOSURE

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

DPW REPORT

Brush/Lawn Debris Pick-up:

- Approx. 120 cubic yards

Mowing/trimming lawns weekly

Hot Patch Asphalt:

- Milled and patched approx. 200 cubic feet of asphalt (15 tons)

Kubota RTV110X:

- Delivery was on Wednesday July 7.
- Working on getting it insured and registered
- Should be ready to be put to work on the week of July 12

Swept roads and parking lots every other week

Trimmed trees

Drinking fountains are up and running

Watered flowers daily

Weeded gardens

Catch Basins:

- Rebuilt 3 basins
- Replaced 16' of storm sewer pipe that failed causing a sink hole on Rand at St Louis

Trying to coordinate repairs to the canal bank and asphalt path that is eroding into the canal with the Canal Corp

Installed new catch basin at 19 Boughton Ave to alleviate storm water ponding on the road.

Flushed out storm sewer system at shop

Arboretum:

- Spread grass seed and straw mulch on the majority of the bare areas.
- Trimmed back weeds around the newly planted trees
- Removed the bulk of the loose stone on the sloped sections of trails

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Trustee Keating questioned the status of the erosion on the trail along the canal on Schoen Place, the Superintendent informed him that the Canal Corporation was looking into solutions to the issue. They are worried about cutting off pedestrian traffic through that part of the canal path, they are trying to find a solution that can be approached from the canal. Trustee Stetzer commented that usually work on the canal is completed when the canal is emptied, then the pedestrian traffic would be lower. Mayor Plummer commented the Village was looking at solutions possibly putting up some type of barrier for safety. The Superintendent suggested methods to separate the area from pedestrians. The area was previously painted with bright orange paint, the Board continued the discussion on the public safety issue and an additional indicator to the public. The Village Attorney advised the Board that they place something that is very clear of the hazard. The Board directed the Board to place a barricade along the area.

Trustee Leitgeb discussed the installation of a catch basin at 19 Boughton Avenue. His concern addressed the cost of the installation. The Superintendent discussed what is involved and the cost related to installing a new or rehabbing an older catch basin. An average rebuild of a catch basin in \$470 not included the DPW laborer. The full install could be more if equipment is needed to be rented. Trustee Leitgeb questioned if a catch basin was not planned to be worked on and suddenly is moved up for repair, does the Board issue approval. The Superintendent stated it depends on the nature of the emergency on the repair that often it is not possible to await a time when the Board is meeting.

Mayor Plummer commented that the DPW Department will be working to put together an Infrastructure report for the Board and public information.

The Superintendent updated the Board on the 150-year-old Oak Tree located on Boughton Avenue. Since the last discussion Terry Tree who is under contract from Monroe County reviewed the Tree and stated that the cost of remove would be \$2,900 to cut the tree and removal. The Village reached out to the Jessie Phelps that worked with the Town of Pittsford when they removed the Copper Beach Tree. His assessment of the tree is that it is compromised and should be removed. Mayor Plummer stated that the Village is hoping to work with artisan to preserve as much of the tree for the future. Mr. Phelps works with Eastern Tree Climbers was \$3,000, he would work with them on the removal to preserve as much of the tree for projects for the Village.

Motion by Trustee Keating, and seconded by Trustee Leitgeb, to accept the bid from Jessie Phelps and Eastern Tree Climbers to remove the Oak Tree located on Boughton Avenue as soon as possible.

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

7 PM – PUBLIC HEARING – BUKU FOOD TRUCK

Motion Mayor Plummer, seconded by Trustee Stetzer, to open the public hearing for a short-term business permit to be located a 10 North Main Street to consider an application to operate a food truck.

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

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, at a meeting on Tuesday, July 13, 2021, at 7:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY, to consider an application for a short-term business permit to be located 10 N. Main Street by Ronald Jurincic, owner of Buku Food Truck. for a food truck. If the meeting is unable to be held due to the Coronavirus pandemic it will be held on Tuesday, July 13, 2021, at 7:15 PM per video conferencing link identified.

Pursuant to Governor Cuomo's recent Executive Orders 202.1 and due to the Coronavirus pandemic, the Village Hall will be closed to the public during the public hearing. The Members of the Board of Trustees will be present at Village Hall or participating from their respective homes for this public hearing. If a Board member is participating from home, that home will be closed to the public as well for the reasons stated above. The Public Hearing will be made available for the public to view and hear thru video conferencing link. The public will be able to participate in the public hearing via comments submitted through the video conferencing link identified on the Village website and Facebook page.

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Ronald Jurincie, owner of Buku Food Truck reviewed with the Board the steps he has taken for approval of his business which included working with the Town of Pittsford for site approval and location of power for the operation. The Building Inspector stated that the owner would still need to provide him with the Monroe County Health Permit. Mayor Plummer questioned if the Building Inspector has received the final approval paperwork from the Town of Pittsford. Mr. Lauth informed the Board that the initial approval was obtained but the permit, and they still needed to be reviewed by the Town Board.

Charles Clottin – 12 Brimsdown Circle, Fairport NY, Owner of Harlday Hot expressed concern related to his time period on the property proposed for the Food Truck. He wanted to make sure that he had the location until 3 PM. He also stated that with his permit, that if there is a special event in the Village that he is allowed to setup. His concern is if the event is after 3 PM who get priority.

The owner stated that they be setting up for the day at 3:30 and if Mr. Clottin was not finished, they would wait for him before they setup and if there is a special event, they would give Mr. Clottin first right to any events.

Patricia Wilson, 61 North Main Street – She stated that she is very excited to have a variety of options for food offered to the Village. Ms. Wilson stated that she has tasted food in the past and it was very good. She thought that both vendors for the site would be able to work out the space.

Motion Mayor Plummer, seconded by Trustee Keating, to close the public hearing for a short-term business permit to be located a 10 North Main Street to consider an application to operate a food truck. Vote: Plummer– yes, Keating – yes, Stetzer – yes, Leitgeb - yes. Motion passed.

Motion Trustee Keating, seconded by Trustee Stetzer, to approve the application for a short-term business permit to be located a 10 North Main Street to operate a food truck, with the following conditions:

1. Town Permit
2. Monroe County Health Permit
3. The deferral to Charlie Clottin for all special events.

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

BUILDING INSPECTOR REPORT

- During period issued 9 permits for \$1322.50 in permit fees and \$200.900 in improvements
- Worked with residents and businesses for 11HPB applications. 66 State St. – fencing, 29 Washington Ave. – fencing, 52 Heatherhurst – windows, 50 State St. – new garage doors, 20 Boughton (caught while patrolling) – new window, 7 Schoen/Alladins – ramp for entry, 10 South St. – new front light pole, 28-32 ½ South Main – new signage, 12 West Jefferson (caught while patrolling) – new installed window, 81 South St. – chicken coop, and 26 Boughton – addition.
- Worked with owner of 31 Courtenay circle to get him to choose utilizing existing siding by taking from the back of the home to match look on the front of the home and install new on non-visible area to avoid changing siding to vinyl.
- Attended monthly coalition stormwater meeting
- Inspections completed at 49 Monroe – back stairs and railings, 36 Monroe – porch footers and framing, 57 South Main for more framing and insulation, 9 Grove final for egress, 36 Sutherland for back porch framing, 9 Jackson park – framing. Fire inspections for Delmonte, Alladins commissary, Rachels, and Pickle Factory. Also make rounds through the village almost daily.

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- He has been working with the management at the pickle factory to remove two unregistered vehicles from the property, one is gone the other will be removed shortly.
- Inspected setup for the Pittsford Panthers fundraiser on June 26th. Inspected the tent for the youth functions at the rec center.
- He read and processed over 350 emails during this time period, researching and answering many questions regarding zoning and Historical preservation requirements to new property owners and tenants. I have sent over 160 response emails
- Receive on average 10-12 phone calls per day with questions on zoning, permits, or concerns over village issues
- Attended final set of classes and two extra for my required annual in-service training
- While touring the village I found six projects this month that were being done without the proper permitting and paperwork and all are now compliant
- He has inspected the cleared area near the DPW and found the stabilization of a major portion of the area to be sufficient to allow the moving of the silt fences and opening up of a large area to the public
- Numerous business owners have cleaned up areas in and around Schoen place and are continuing to perform maintenance to alleviate concerns.
- He received numerous requests and emails regarding outdoor seating and Copper Leaf is wondering why they are being left out.
- Have been working with the new tenant for building K at 50 State Street for upgrades and structure changes, special permit has been approved and work is being conducted
- Chris Williams has painted the barn behind 26 South Main St. Spoke to the owner of 21 Maple street in regard to non-approved flooring and the proper flooring has been installed.
- He spoke to the owner of 31 North Main to have the front door issue resolved based on the approvals of the HPB. This item is on the Town court agenda for August 18th
- He has spoken again to the organizers of the proposed farmers market to adjust the location of several vendors to keep them out of proximity of the residential areas and readjust the location of the music based on last year's locations and their success.
- Continued working with the owner of the Buku food truck to find a viable location for him to conduct business.

The Building Inspector informed the Board that he keeps receiving questions from Copper Leaf Brewing on whether they can have outdoor seating. He would like to have a final answer for the owner. Village Attorney, Jeff Turner stated that the owners options are pretty limited since they are a pre-existing non-conforming use that cannot be expanded. Mayor Plummer questioned what would be the remedy for the owners. Mr. Turner indicated that the allowing the use where they are or apply to ZBA for a variance for the use. The Board discussed how the original approval was given under the previous code and the various options available to the owner.

The Board discussed reviewing the current Tavern Overlay District and if an expansion of the district is necessary and all the steps necessary in the process. The Board after lengthy discussion decided to hold a workshop meeting on August 2, 2021, to discuss the Tavern Overlay District and the Outdoor Seating Legislation.

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TREASURER'S REPORT

The Deputy Village Treasurer presented vouchers listed on Abstract #08 of 2021 / 2022 fiscal year for approval. A motion was made by Trustee Keating, seconded by Trustee Stetzer, to approve payment of the vouchers listed on Abstract #08, in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #08

• General Fund (#63-#98)	\$43,310.69
• Sewer Fund (#87):	<u>\$ 113.42</u>
	\$43,424.11

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

Motion by Trustee Keating, and seconded by Trustee Stetzer, to approve the books through March 31st.

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

BUDGET TRANSFERS

The Deputy Treasurer reviewed the Budget Transfers as needed for the finalizing of the previous Fiscal year.

Motion by Mayor Plummer, and seconded by Trustee Leitgeb, to authorize the budget transfers as presented.

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

ARPA FUNDS

The Deputy Treasurer informed the Board that the Village had received \$136,059 from the ARPA Coronavirus Local Fiscal Recovery Fund. The funds would be received in two payments with the first payment being this Summer and the second being received Summer 2022. Discussion was had on how the money can be used and the necessary reports when used that would need to be filed with NYS Comptrollers.

VILLAGE CLERK REPORT

The Clerk reviewed with the Board that it was necessary to postpone the meeting on 75 Monroe Avenue, due to issues with locating a meeting space to accommodate the public.

The Clerk reviewed with the Board that she had received questions from the Ethics Board and had referred some of the questions to the Village Attorney for his direction for the Ethics Board.

MINUTES

Motion by Trustee Stetzer, and seconded by Trustee Leitgeb to approve the Village Board Special Meeting Minutes of April 21, 2021 as amended.

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

Motion by Trustee Stetzer, and seconded by Trustee Leitgeb to approve the Village Board Meeting Minutes of April 27, 2021 as amended.

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

Motion by Trustee Stetzer, and seconded by Trustee Leitgeb to approve the Village Board Meeting Minutes of May 11, 2021 as amended.

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

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NON-MUNICIPAL APPLICATION – HISTORIC PITTSFORD – QR CODES

Lori Leitgeb representing Historic Pittsford informed the Board that they would to post QR Codes to provide a Self-guided walking tour along Schoen Place and the canal path to learn more about the history of our village. They has previously done this last fall, and would like to post again this year thru November. The group anticipated currently has ten laminated signs, two of the signs will be affixed to the pavilions on either end of Schoen place with zip ties that will leave no damage to posts. The others are on wooden garden stakes next to trees and along the bushes by the canal path. The group indicated they would like to look at something permanent in the future. It was a great way to engage the public.

Trustee Leitgeb recused himself since his spouse was representing the group.

Motion by Trustee Stetzer, and seconded by Trustee Keating to approve the non-municipal application for Historic Pittsford and to waive the 45-day notice and the insurance requirement.

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

RESOLUTION FOR STEWARDSHIP COMMITTEE

Motion by Trustee Keating, and seconded by Trustee Stetzer, to approve the resolution below for the stewardship committee.

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

WHEREAS, by Resolution dated July 14, 2020, the Board of Trustees of the Village of Pittsford (hereinafter "the Board of Trustees") created a 10-acre parcel of park land located on land owned by the Village in the northwest quadrant of the Village; and

WHEREAS, by Resolution dated March 23, 2021, the Board of Trustees designated and named such 10-acre parcel of park land the Robert C. Corby Arboretum and Wildlife Sanctuary (hereinafter "the Arboretum"); and

WHEREAS, to provide for the health, safety and welfare of the residents of the Village of Pittsford, it is the intention of the Board of Trustees to adopt a short, medium and long-term development and management plan (hereinafter "the plan") for the Arboretum including any and all appropriate and required environmental, Monroe County planning, site plan, and any and all other reviews which may be required; and

WHEREAS the Board of Trustees intends to create a Committee to assist the Board of Trustees with regard to the adoption of the plan and any and all required modifications thereof; and

WHEREAS, the Board of Trustees intends that such Committee shall engage with Village residents to obtain resident input with regard to such plan and any modifications thereto; and

WHEREAS, the Board of Trustees intends that such Committee will engage with any and all entities qualified to give input and advice with regard to the development of such plan and any modifications thereto, including but not limited to NYSDEC Forestry Management, the Village Engineer, the Village Stormwater Officer, the Seneca Park Zoo Society, Cornell Cooperative Extension, Partnership for Invasive Species Management (PRISM), and the Golisano Institute for Sustainability at RIT; and

WHEREAS, the Board of Trustees intends that such Committee shall provide the Board of Trustees with a written proposal for the plan; and

WHEREAS, the Board of Trustees intends that such Committee shall continue to provide reports and recommendations to the Board of Trustees with regard to any and all modifications, if any, of such above-mentioned plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby creates the Village of Pittsford Park Land Stewardship Committee (hereinafter, "the Committee"); and

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BE IT FURTHER RESOLVED, that the Committee shall be composed of 7 members appointed by the Mayor of the Village of Pittsford with the approval of the Board of Trustees; and

BE IT FURTHER RESOLVED, that the Members of the Committee shall be made up of at least five members from Village residents who have a demonstrated knowledge, interest and commitment to the environment, conservation and best practices regarding sustainability; and

BE IT FURTHER RESOLVED, that the Committee shall meet at a minimum of 6 times per year or with such greater frequency as may be required to fulfill the obligations and duties of the Committee; and

BE IT FURTHER RESOLVED, that the Committee shall provide regular reports and minutes of its meetings to the Board of Trustees along with its recommendations for the plan and any subsequent amendments thereto; and

BE IT FURTHER RESOLVED, that the Committee shall provide the Board of Trustees within months of the creation of such Committee, a written proposal for the plan.

REFERRAL TO PZBA

Mayor Plummer commented that this was included for discussion to inform the PZBA that the Village Board would be forming the Stewardship Committee for the Arboretum and that items related to the Arboretum would be referred to the PZBA for the site in the future.

MARIJUANA LEGALIZATION

The Board discussed the options the Village Board has related to the new legalization of Marijuana. The Board has the option of doing nothing or opting out of marijuana sales and onsite use or opting out for one and not the other. To complete the opt out option the Village Board would need to pass a local law. The public has the option of petition for a referendum on the matter, but the Board could direct as part of the local law that a referendum be held. If the Board wanted to reserve the right to opt out they would need to pass the local law by December 31, 2021.

Discussion was had by the Boards on the options and it was decided to move the discussion to the Village Workshop meeting on August 2, 2021.

MEMBER ITEMS

Trustee Keating informed the Board that the Mayor and himself had met with John Reddington who conducted a tour of a public works project that the Village of Fairport received a grant to revitalize unused portions of the canal. The projects included a handicap khaki launch boat launch and reconstructed landscaped path with historical markers. Trustee Keating stated these were projects that we would like to have done around the Village and suggested that if any of the Trustees were interested in a tour it could be arranged.

Trustee Keating stated to follow-up with the 75 Monroe. He stated that we are trying to get a meeting schedule and location. He questions what is happening with the documentation that has been provided by the Developer. Mayor Plummer stated that she believed that the other Village Board our having independent discussions with Mr. DiMarzo. Mr. Keating stated that outside the public meeting there was nothing left for the Village Board to complete. Trustee Stetzer questioned if the plans or drawings presented were available to the public. The Clerk stated the video is on the website and she can provide paper copies of the presentation.

Trustee Stetzer informed the Board that they had met with NYSDOT on a striping meeting. There are a couple areas that the Village should obtain professional consultation from SRF. Trustee Stetzer spoke to the Treasurer and indicated we have \$7,800 budgeted for the expense and she would be presenting a quote from SRF at our next meeting.

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Mayor Plummer commented that the Board was sent material from the Canal Authority related to the public comment regarding the clear cutting along the canal embankment. The comment period is shorter than typically occurs for SEQR. The Mayor stated that the Town of Brighton, Town Pittsford, and Village of Fairport formed coalition related to the clear cutting and have draft a letter to the Canal Authority requesting an extension of the comment period, so it matches the typical length of comments to be received. The current period ends on August 5, she requested that the Board also send a letter in support of extending the comment period. The Town will be forwarding a copy of the letter they will be using for us to use as a template. The Mayor will be sending out a copy to the Board for their review.

33 BOUGHTON AVENUE AND 44 RAND CREEK

Village Engineer, Scott Harter reviewed with the Board options for 44 Rand Creek as well as SEQR documentation for the project, which was anticipated to be heavy stone treatment in the Creek. Discussion was held on the necessary easements needed to be obtained both 33 Boughton and to review the easements for 44 Rand Creek before the work moves forward. Scott Harter would put together a bid for the project.

Motion by Trustee Keating and seconded by Trustee Leitgeb to complete the engineering for 33 Boughton Avenue.

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

ADJOURNMENT

Motion by Mayor Plummer, and seconded by Trustee Stetzer, to adjourn the meeting.

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

Dorothea M. Ciccarelli, Recording Secretary