

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

Tuesday, September 14, 2021, at 6:30 PM

Present:

Mayor:

Alysa Plummer
Lili Lanphear
Renee Stetzer
Dan Keating (Arrived at 8: 00 PM)
Justin Leitgeb

Village Attorney:

Jeff Turner

Recording Secretary:

Dorothea M. Ciccarelli

CALL TO ORDER

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

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb – yes. *Motion Carries.*

CONFLICTS OF INTEREST DISCLOSURE

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

The Village Clerk reviewed guidelines for public comment for all attendees.

BUILDING INSPECTOR REPORT

Board members reviewed the Building Inspector report prior to the meeting.

Trustee Leitgeb asked about the violation issued to the property behind the dairy and what motivated the issuance. The Building Inspector answered that it has been a long-standing issue. Explained that he grants leniency to property owners who show initiative to fixing the problems on their property and that the property owners in question have been approached many times about the issue.

Trustee Leitgeb cited other properties with long-standing issues that should be considered as well (barns at Schoen Place, house at 19 N. Main). The Building Inspector explained that he has previously reached out to the owners of those properties also. Discussion is had amongst Board members and the Building Inspector regarding properties with long-standing issues and how to remediate.

Dave Ferris, 27 Monroe Avenue – Suggested that the Building Inspector reach out to Commissioner Kelly Cline regarding 19 N. Main.

John Limbeck, 62 State St. – Noted that during his tenure with the Village he had worked out an agreement with Roger Powers that there would be a 5-year renovation of the entire barn property. Project was approved through the previous APRB and Board of Trustees. Suggested the Board research to documentation made at that time.

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

Tuesday, September 14, 2021, at 6:30 PM

Motion by Trustee Leitgeb, and seconded by Trustee Lanphear, to direct the Building Inspector to follow up with Schoen Place Barn and 19 N. Main property owners as discussed.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb – yes. *Motion Carries.*

DPW REPORT

Board members reviewed the DPW report prior to the meeting.

Mayor Plummer asked for an update on the lights being out on the State Street bridge. The DPW Superintendent explained that it was planned for the lights to be reconnected by RG&E at the completion of the project. Mayor Plummer asked the Superintendent to follow up with the responsible engineer. Also mentioned that she and the Superintendent were looking into solar powered lights that could be used in the event that the regular lights are out.

Trustee Stetzer asked if the Village would be getting an extra radar sign. The DPW Superintendent answered that it was a possibility.

The DPW Superintendent updated the Board regarding a Town event this weekend. The Town has requested to setup a medic station at the DPW shop parking lot. The DPW Superintendent gave them permission to do so as long as they do not block the garage doors in case of an emergency.

The Building Inspector noted that signs instructing cyclists to walk their bikes along the canal path are needed. Explained that cyclists claim to not see painted signs on the ground. The Building Inspector requested standing signs. Board members discuss potential locations for extra signage.

TREASURERS' REPORT

The Deputy Treasurer presented Vouchers listed on Abstract #10 of the 2021/2022 fiscal year for approval.

Vouchers for approval – Abstract #10

• General Fund (139-182)	\$45,541.68
• Sewer Fund (179)	\$ 78.56
Total Vouchers for approval:	\$45,620.24

Motion by Trustee Lanphear and seconded by Trustee Leitgeb, to approve payment of the Vouchers listed on Abstract #09 with the exception of the Osbourn Reed invoices and charge them to the appropriate accounts.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

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

Tuesday, September 14, 2021, at 6:30 PM

MINUTES

The Village Clerk presented meeting minutes for approval. Board members and the Village Clerk discussed several edits to the minutes.

Motion by Trustee Stetzer, and seconded by Trustee Leitgeb, to approve the minutes of July 13, 2021, with changes as proposed.

Vote: Plummer – yes; Lanphear – abstain; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

Motion by Trustee Stetzer, and seconded by Trustee Leitgeb, to approve the minutes of August 10, 2021, with changes as proposed.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

Motion by Trustee Stetzer, and seconded by Trustee Lanphear, to approve the minutes of August 26, 2021, with changes as proposed.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

Motion by Trustee Lanphear, and seconded by Trustee Stetzer, to approve the minutes of August 30, 2021, with changes as proposed.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

CLERK'S REPORT

The Village Clerk discussed the guidelines for public comment. Explained that she took elements from the Town guidelines and NYCOM guidelines. Board members noted that further revisions are needed and requested to table the matter to the next meeting.

Dave Ferris, 27 Monroe Ave – Suggested that letters submitted to the board by residents be read at the meeting and attached at the end of the minutes. Reading of letters should not exceed 3 minutes. Suggested the removal of the provision that prevents the distribution of documents at the meeting.

The Village Clerk replied that the Board had enacted that rule previously as handing out materials may distract from the meeting. The Village Attorney explained that the Board meeting should not be a forum for anyone to put forth their agenda.

Art Pires,70 State Street – Suggested moving administrative items to the end of the meeting.

The Village Clerk replied that the re-arrangement of agenda items would not affect the public comment period and is at the discretion of the Board.

Art Pires,70 State Street – Asked why the public may not provide clarification or make a correction to misinformation that might come up in a meeting.

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

Tuesday, September 14, 2021, at 6:30 PM

Trustee Stetzer stated again that further edits should be made, and the item be tabled until the next meeting.

NON-MUNICIPAL PERMIT – FRIENDS OF PITTSFORD LIBRARY BOOK SALE

The Village Clerk explained that the book sale occurs annually and noted that they applied for the permit by letter and will need to fill out the non-municipal permit form.

Motion by Trustee Stetzer, and seconded by Trustee Lanphear, to approve the non-municipal use permit of the Friends of Pittsford for their Library Book Sale with the condition that they submit the proper permit application and waiving the 45-day requirement.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

APPLICATION FOR SHORT TERM RETAIL BUSINESS – DAVID JEWETT, 44 N. MAIN STREET

The Village Clerk explained that this application is for the Christmas Tree sales that occurs annually at the Pittsford Dairy. A public hearing must be set to review his application.

John Limbeck, 62 State St. – Stated that he believes that permits should not be granted to businesses with multiple violations. Noted that the Dairy has several unresolved issues.

The Building Inspector responded that there is no stipulation under the short-term retail code that prevents a permit being granted to a business with violations.

Motion by Trustee Stetzer, and seconded by Trustee Leitgeb, to set a Public Hearing for the Short-Term Retail Business Application of David Jewett for the Christmas Tree sales on October 12, 2021, at 7:15 PM.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

PUBLIC HEARING FOR SPECIAL PERMIT: 8 STATE ST. – THIRSTY'S

Mayor Plummer explained that additional information regarding the application has come to her attention and asked the Village Attorney to speak on this application. The Village Attorney explained that a Judge decision is needed in order to move forward with the permit and suggested that the public hearing be tabled until the issue is resolved, and the application can be deemed complete. Board members discuss how to move forward.

Motion by Trustee Lanphear, and seconded by Trustee Stetzer, to cancel the Public Hearing for Thirsty's at 8 State Street due to incomplete application and to send the application back to the Building Inspector until complete.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

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

Tuesday, September 14, 2021, at 6:30 PM

Motion by Trustee Stetzer, and seconded by Trustee Lanphear, to refund the application fee to the applicant.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

PUBLIC HEARING FOR SPECIAL PERMIT: 50 STATE ST. – BONNIE JEAN HAHN

Board members previously reviewed Ms. Hahn’s application for 50 State St.

Motion by Mayor Plummer, and seconded by Trustee Leitgeb, to open the Public Hearing for Bonnie Jean Hahn at 50 State St.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

John Limbeck, 62 State St. – Voiced his support for this application.

Motion by Trustee Leitgeb, and seconded by Trustee Lanphear, to close the Public Hearing for Bonnie Jean Hahn at 50 State St.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

Motion by Trustee Stetzer, and seconded by Trustee Lanphear, to approve the Special Permit application of Bonnie Jean Hahn for a salon at 50 State St.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

PUBLIC HEARING FOR SPECIAL PERMIT: 16 N. MAIN ST. – VILLAGE BAKERY

Board members previously reviewed Mr. Kuhe’s application for 16 N. Main St.

Trustee Lanphear cited concerns about the proximity of the outdoor seating area to the parking lot. Mr. Kuhe answered that he uses large planters to delineate the space and that they are moved sometimes, stated that he will move the planters back.

Motion by Mayor Plummer, and seconded by Trustee Stetzer, to open the Public Hearing for Tucker Kuhe at 16 N. Main St.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

Peggy Caraberis, 81 South Street – Asked how many seats are being added to the patio.

Mr. Kuhe responded that he does not have the exact number, but he is looking to add 20 seats into what used to be the “bread room”. Estimated that the total number of seats will be 80 inside and 40 outside. The Building Inspector noted that he will be reviewing the occupancy tomorrow.

John Limbeck, 62 State St. – Noticed that the application lists the property as 16 N. Main and asked if it was truly about the 5 N. Main St. location.

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

Tuesday, September 14, 2021, at 6:30 PM

Mr. Kuhe confirmed that the bakery address is 5 N. Main St. Explained that there is office space at 16 N. Main St.

Motion by Stetzer, and seconded by Trustee Lanphear, to close the Public Hearing for Tucker Kuhe at 16 N. Main St.

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

Board members discussed the occupancy review and what is being requested. Board members discussed setting a condition of approval that occupancy information must be received and determined to be in compliance with code.

Motion by Trustee Keating, and seconded by Trustee Stetzer, to approve the Special Permit application of Tucker Kuhe at 16 N. Main St. with the condition that the Fie Marshall finds the occupancy proposed to be in compliance with code.

Vote: Plummer – yes; Lanphear – yes; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

CODE UPDATE COMMITTEE

Mayor Plummer explained that some aspects of the code must be re-visited. The Building Inspector agreed. The code was previously updated in 2019 but there are still issues with confusing language. Mayor Plummer explained the intention to have two members of each board meet to determine further changes needed. Trustee Lanphear suggested adding 2 members from the Comprehensive Plan Committee for the code change as well.

Board members discuss possible committee members and scope of Code Update Committee.

Trustee Leitgeb expressed that he was not in favor of a separate Code Update Committee. He thought that suggestions could be received from the PZBA and HPB related to the changes needed and the Village Board could take action on the suggestions. He was concerned with the transparency of the work of the committee and scope of the work involved.

John Limbeck, 62 State St. – Suggested including 2 members of the public on the Code Update Committee.

Trustee Keating responded that he is open to but wary of including residents as the Code is a very technical document.

Peggy Caraberis, 81 South Street – Suggested that the Board put forth some examples of what is being discussed to clarify.

The Building Inspector replied that he has a full page of changes to be made in regards to text in improper sections, incorrect zoning definitions, and other inconsistencies.

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

Tuesday, September 14, 2021, at 6:30 PM

Art Pires, 70 State Street – Agreed with the comments of Trustee Lanphear and Trustee Leitgeb, suggested independent Boards submit their lists of changes to the Board of Trustees. Should the Trustees move forward with the creation of the Committee, it should be up to the PZBA and HPB to determine who they would like to place on the Committee.

Dave Ferris, 27 Monroe Avenue – Suggested that each Board focus on their areas of the code and submit a list of their changes to the Board of Trustees.

Trustee Stetzer replied that individual code Board lists will be brought before the Trustees and that the Committee is simply putting people in charge of organizing the lists.

Motion by Trustee Keating, and seconded by Trustee Stetzer, to establish the Code Update Committee.

Vote: Plummer – yes; Lanphear – no; Keating – yes; Stetzer – yes; Leitgeb - no. *Motion Carries.*

DPW STAFFING

Mayor Plummer explained that the DPW is short-staffed. One member of the crew has retired which has created an open position. Also noted that there are administrative tasks that must be done, and an Administrative Assistant would be helpful. The Village Clerk made suggestions as to who could fill the administrative position.

Board members discuss the vacancies and the need to review the minimum starting rate for DPW crew members. Mayor Plummer asked that research into the starting rates of other municipalities be done and brought back before Board.

SRF REVIEW OF THE NYSDOT VILLAGE PAVEMENT MARKING PLAN

Trustee Stetzer explained that this plan is for pavement marking for Routes, 31, 96 and 64 to be carried out in 2022. Explained that in previous meetings problem areas were discussed and that the proposal before the board was created with input from neighbors and data collected from SRF.

John Limbeck, 62 State St. – In reviewing the report, believes that there is no room for bike shoulders in the Village. Noted that the increased shoulders contribute to the higher speeds. Noted that 2005 speed data was used and believes that the proposal should reflect the most recent data collected.

Mayor Plummer replied that she is interested in the most recent data. Trustee Keating offered to send.

Peggy Caraberis 81 South Main Street – Confused as to what the Board would accept along South Main St.

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

Tuesday, September 14, 2021, at 6:30 PM

Trustee Stetzer replied that S. Main St. is one of the reasons that the Board got SRF involved because parking needed to be retained along that street. Further stated that highly utilized parking can help to calm traffic.

Motion by Trustee Stetzer, and seconded by Trustee Keating, to approve the report submitted by SRF.

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

Motion by Trustee Lanphear, and seconded by Trustee Stetzer, to authorize the Mayor to write a letter to NYSDOT on the Village's behalf to be reviewed by the Board of Trustees.

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

REFERRAL TO THE HPB REGARDING ACTIONS TAKEN AT VILLAGE HALL

Trustee Leitgeb presented a Resolution and explained that the Village Hall is a shared historic resource and that the HPB has previously been consulted regarding exterior changes to the building. Further explained that there is not a defined consultant or procedure for dealing with changes to the interior of Village Hall and suggested that proposed changes with a long-term impact at Village Hall be sent to the HPB first for an advisory opinion.

The Village Attorney responded that the HPB does not have expertise or training in the preservation of building interiors. Suggested that there may be another entity better equipped to provide that advice. Mayor Plummer suggested utilizing the Landmark Society.

Board members and the Village Attorney discussed purview of the HPB and other possible advisory entities.

Peggy Caraberis, 81 South Main Street – Believes that it would be helpful for the HPB to consult with the Landmark Society on these issues. Believes that the HPB does have purview over interiors when it comes to major historic resources.

The Village Attorney responded that the jurisdiction of the HPB does not extend to interiors.

Gabe Diaz, 81 South Street – Asked what motivated this discussion and why the issue is being raised now.

Trustee Leitgeb replied that the focus of the discussion is not what has been done wrongly, instead it is about how to protect historic assets in the long term.

Trustee Leitgeb identified the action item of following up with the HPB to see if they would be interested in advising on these matters.

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

Tuesday, September 14, 2021, at 6:30 PM

Motion by Trustee Leitgeb, and seconded by Trustee Stetzer, to reach out to the HPB and determine their opinion on advising on issues regarding Village owned historic resources.

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

ETHICS BOARD COMPLAINT AND PROCESSES

Trustee Leitgeb explained that the Village Code has always had a provision for an Ethics Board and that he had previously submitted a Complaint to which he has had no response and does not know the status of it. Further stated that the Board was seated earlier this year and asked that the Board provide some transparency in regards to Ethics Board processes and procedures.

The Village Clerk replied that she has been working with the Ethics Board and provided an update on their docket. Board Members discuss the operation and processes of the Ethics Board.

ROBERT C. CORBY ARBORETUM

Trustee Leitgeb explained that the Arboretum has been an on-going issue. Trustee Lanphear explained that the Village Treasurer has been receiving donations for the Arboretum and that a line item must be created in the budget in order to accept the donations. The Village Attorney added that a special account would need to be created for the donations as well. Board members discussed how to handle incoming donations.

Motion by Trustee Lanphear, and seconded by Trustee Leitgeb, to create line items in the budget to accept donations for the general Arboretum fund and the Arboretum sign fund.

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

Mayor Plummer provided an update regarding the Seneca Park Zoo Society and explained that the Board will be receiving their report shortly.

The DPW Superintendent provided an update on the status of the trails at the Arboretum.

June Reeves, Pittsford Garden Club – Thanked Trustee Leitgeb for the resolution. Pittsford Garden Club has 2 proposals to put forth tonight. The first being that the Pittsford Garden Club would like to donate \$200 towards erecting permanent signage at the Arboretum. The second proposal is regarding the establishment of an “Adopt-A-Tree” program.

Peggy Caraberis, 81 South Main Street – Would like to see Board endorsement on the “Adopt-A-Tree” program and allow the Garden Club to begin the leg work for the program.

Mayor Plummer urged the Pittsford Garden Club to partner with the Seneca Park Zoo Society as there is synergy and an overlap in the goals of both entities.

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

Tuesday, September 14, 2021, at 6:30 PM

Gabe Diaz, 81 South Street – Happy to hear that Villagers came together to work on the Arboretum. Voiced concerns that there were “knee-jerk reactions” and asked what wasn’t done. Asked if site plans, LWRP reviews and the like were completed before the Arboretum project began and if not why weren’t they.

The DPW Superintendent responded that he had never seen plans on paper, so he was not equipped to answer. The Building Inspector explained that in the final days of the previous administration the actions taken at the Arboretum were questionable. The Building Inspector and DPW took further actions to remediate what had occurred. Stated that the actions taken now are to protect the Village from liability and to protect the residents from potential harm.

Art Pires, 70 State Street – Stated that he is appreciative of the volunteers’ work and asked why the Board would be against having 2 resolutions. Stated that Village employees are recognized for their work on a regular basis and asked why recognition of the public would be an issue with certain Trustees.

Emily Diaz, 81 South Street – Stated that it seems like no site plan review had been done and asked if one would be completed going forward before further action is taken.

The Building Inspector explained that there are numerous aspects of the code that must be adhered to prior to working on the Arboretum any further. Stated that there should be no more action taken at that area until due diligence is complete. Board members discuss remediation of the area and how to move forward.

Jeremy Stein, 36 Lincoln Ave. – Stated that the site has been a dump for decades and asked for confirmation that the area is safe.

Trustee Leitgeb explained that it was his understanding that the area was used to dump lawn debris and nothing harmful or toxic. The DPW Superintendent noted that construction debris was put there as well.

Gabe Diaz, 81 South Street – Asked if Trustee Lanphear was still liaison to the Arboretum and if so what responsibilities that entails.

Mayor Plummer stated that she is not aware of a liaison to the project.

Motion by Trustee Leitgeb, and seconded by Trustee Lanphear, to adopt the Proclamation of Appreciation and Gratitude for Residents who cared for Trees at the Robert C. Corby Arboretum and Wildlife Sanctuary.

Vote: Plummer – yes; Lanphear – yes; Keating – no; Stetzer – yes; Leitgeb - yes. *Motion Carries.*

Motion by Trustee Keating, and seconded by Trustee Lanphear, to create a Proclamation of Appreciation for the Village Staff, DPW and Village Engineer.

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

Tuesday, September 14, 2021, at 6:30 PM

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

VILLAGE COMPOSTING OPTIONS

Trustee Leitgeb explained that the board had previously discussed composting options for Village residents. Stated that he has included some pricing in the packet on possible programs and is bringing this back to the Board for discussion.

The DPW Superintendent asked about the logistics of the program and Board members discussed.

Trustee Leitgeb identified the action item of gathering more information about available programs and following up.

MARIJUANA LEGALIZATION

Board members discussed the logistics of opting out of lounges and dispensaries and the holding of a Referendum with the Village Attorney. The Village Attorney explained that the zoning process must be determined after the fact because of the focused use of the lounges and dispensaries.

David Ferris, 27 Monroe Avenue – Suggested postponing marijuana law discussion to the next meeting so that the public may weigh in and asked that the letter that he submitted be read into the record at the next meeting.

Mayor Plummer identified the action item of having the Village Attorney draft the legislation. Trustee Keating suggested the creation of a bulleted timeline to keep everyone on track.

VILLAGE CLERK REPORT (Cont'd.)

The Village Clerk explained that there are two proposals for the Village Vaccination policy and noted that the new policy includes required weekly testing at employee expense for those who opt out of vaccination.

Board members discuss the differences in the policies and the logistics of its implementation.

Jeremy Stein, 36 Lincoln Ave. – Agreed with Trustee Keating's comments.

The Village Clerk outlined the current masking and distancing policies for the office.

Gabe Diaz, 81 South Street – Stated that what Trustee Keating is proposing is enforced at U of R and RIT. Provided information from the CDC.

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

Tuesday, September 14, 2021, at 6:30 PM

Motion by Trustee Keating, and seconded by Trustee Leitgeb, to require that all unvaccinated employees wear a mask at all times while in Village Hall or in Village owned vehicles unless they are eating/drinking and are socially distanced.

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

The Village Clerk provided updates regarding NYS Deferred Comp.

The Village Clerk provided updates regarding legal postings and the need to determine a new newspaper for publication.

MEMBER ITEMS

Trustee Keating – Noted a suggested edit that was left out of the public hearing rules for comment. Also stated that he is in favor of furthering the conversation with Mark IV regarding 75 Monroe.

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

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

Dorothea M. Ciccarelli, Village Clerk

September 13, 2021

Members of the Village Board:

Robert C. Corby Arboretum is a park and an environmental asset of our community enjoyed by many residents and visitors to our Village. I believe that we have shared goals in terms of maintaining this common recreational space. On recent visits I have noticed several issues in the Arboretum that I believe should be addressed, most of which have straight-forward solutions:

- There is a trail on Village land going from the popular Auburn trail to the rear of the DPW. This trail needs basic maintenance to cut back weeds (fig. 1) and address issues caused by erosion (fig. 2) to prevent liability issues.
- There is a silt fence in a line that runs approximately 90% of the way across the field at the top of the hill (fig. 3a). It is terminated in a “posted” sign (fig. 3b). However, it is not clear what area is being posted (no area is geometrically contained or clearly indicated by the signs or barriers). The Building inspector cited “holes, concrete, tires, asphalt, brush piles” in his June 24th email (below) in this area. On multiple visits to this site I have not observed uneven terrain or other debris that would cause any sort of injury. If the Building Inspector believes that these issues remain, I request that they be marked with traffic cones or flags prior to the meeting Tuesday so that Board members can evaluate the risk they pose and we can make a collective decision about whether or not the area can be opened, or alternatively what measures should be taken so that risk to the public and staff can be effectively mitigated.
- There are three entrances to the top of the arboretum - while they don't line up exactly with compass directions I will refer to them as East, South and West:
 - The East entrance is blocked by a silt fence, hay bales and there is no posted sign present (fig. 4). As the area has reached final stabilization due to vegetative growth, and there is no area clearly delineated on the top as a safety issue, these should have been removed in June. They should be removed now.
 - The South entrance is open, which is fine.
 - The West entrance is at the top of an inclined trail. It is blocked by hay bales, silt fence and no posted sign. As the area that it leads to is stabilized and has no delineated safety issues these barriers should have been removed in June. They should be removed now (fig. 5a). The trail on the flat area to this barrier is obstructed by weeds and should be cleared so that trees can be maintained and the public can walk the trails (fig 5b).
- The inclined segment of the trail leading to the blocked West entrance, I believe, was always open, even though this was cited as being a safety issue due to having too much gravel. The DPW told the Board in a report months ago that the excess stone was removed, but on a recent visit, this trail is currently overgrown by weeds (fig 6). The weeds should be cleared so that the public can use this trail.

- The Board voted for a program through the Seneca Zoo program for identification and mapping of invasives. I have heard nothing about it since it was brought up by the Mayor in the Spring, and our plans for maintenance of the Arboretum over the summer were partly contingent on this program occurring (see email from Steve Lauth and Mayor Plummer on June 24th). Specifically, plans for maintenance of the newly-planted trees were dependent on the mulching and weeding that we thought would happen with Seneca Park Zoo. Board members should have been updated if this did not happen, and alternative plans should have been made. I would like to hear what happened to this program, and if it has been delayed and/or cancelled.
- While the Board received an update from the DPW in June that they had worked on removing weeds around trees, it does not seem that basic maintenance of trails nor trees has been provided by the DPW. Has the DPW received any direction from Village Hall about maintenance that should be performed or not performed in the Arboretum? I would like to hear an update at the September 14th meeting.

In the spring, low-cost or no-cost opportunities for improving the native ecosystem in the Arboretum were blocked by the Village, and large parts of the Arboretum were closed to the public on grounds that were presented as being administratively essential. As I expressed in meetings and emails during that time, the justifications for these actions in most cases were not compelling to me. Throughout the summer, municipal plans for weeding and mulching by nonprofits, and even basic maintenance by the DPW in the Arboretum has continued to languish - parts of the Arboretum that should have been opened in June still remain closed in September, and previously maintained trails are now overrun with weeds.

Members of the Board, Village staff and the public may hold different opinions as to why efforts to improve and maintain the newly-designated Robert C. Corby Arboretum and Wildlife Sanctuary have repeatedly and consistently been held back since April. Instead of speculating about the root causes of these unfortunate setbacks, I hope that we can find common ground in addressing the issues above so that we can reduce our liability, take care of common assets, and return all areas of the Robert C. Corby Arboretum to public use and enjoyment as soon as possible.

Finally, I am writing this email in advance of the meeting in part because I would like to save time at the meeting on Tuesday. If the DPW could review these matters and provide solutions and/or timelines for resolution please let me know as soon as possible, and I hope that we can save valuable time for matters that require deliberation by the full Board.

Thank you for your attention to these matters,

Trustee Justin Leitgeb

PS: Clerk, please add this email to the meeting packet for Tuesday if possible, or if the packet has been published in final form, please add to the record of the public meeting.

Fig 1: Trail from Auburn Line to DPW



Fig. 2 - issues caused by erosion, tripping hazard on Village trail just off of Auburn line trail



Fig 3a - silt barrier incompletely bisecting the top of the plateau. What is considered dangerous on the right side, if anything?



Fig. 3b - "posted" sign at end of barrier.



Fig 4.- East entrance



Fig 5a. West entrance



Fig 5b - Trail obstructed by weeds from top of area leading towards West entrance.





Alys Plummer

FW: Arboretum/nature preserve

To: Renee Stetzer, Justin Leitgeb, Dan Keating, Lili Lanphear, Cc: Dorothea Ciccarelli

Inbox - Villageofpittsford June 24, 2021 at 12:47 PM

[Details](#)

From: Alys Plummer <mayorplummer@villageofpittsford.com>
Sent: Thursday, June 24, 2021 12:45 PM
To: Building Inspector <buildinginspector@villageofpittsford.com>
Cc: zack bleier <zbleier@villageofpittsford.com>
Subject: RE: Arboretum/nature preserve

Thank you for your report Steve, and for your continued oversight and diligence in this matter. I have copied Zack on this email, so we are all clear about these next steps. Zack, my thanks to you and the crew for this ongoing work with the stabilization and remediation. Also, knocking back the weeds will be helpful prior to the Seneca Park Zoo (SPZ) team implementing the community weeding and mulching program.

Alys Subtelny Plummer

Mayor

Village of Pittsford

21 N. Main Street

Pittsford, NY 14534

Ph: 585-586-4332

mayorplummer@villageofpittsford.com

From: Building Inspector <buildinginspector@villageofpittsford.com>
Sent: Thursday, June 24, 2021 11:21 AM
To: 'Mayor Plummer' <mayorplummer@villageofpittsford.com>
Subject: Arboritum/nature preserve

Alys, I have walked the area that was disturbed and determined that the planting of the rye grass has achieved 80% coverage on the left half of the disturbed area, this will allow the DPW to remove the silt fencing around the area but utilize part of it to still prohibit the public from gaining access to the upper right area as it still is a safety issue based on the condition of the area (holes/concrete/asphalt/tires/brush piles). Prior to public access to the stabilized area the stone must be removed from the sloped trail leading from the new Town created trail system to the future arboretum. I am recommending that the DPW knock down all the weeds in the upper right area to prevent any damage to the newly planted trees.

Steven Lauth

Building Inspector/CEO/Fire Marshall

Village of Pittsford – (585) 586-4332

Pittsford Garden Club (PGC)
Comments for Village Board September 14, 2021

Thank you for the opportunity to speak tonight.

Related to a past request, we were under the impression we would be on this evening's formal agenda. In lieu of that, thank you for allowing us to speak before the meeting. We are here representing the Pittsford Garden Club and have two proposals to put before the board tonight.

Before describing the proposals, however, we want to share some background information. On August 16, members of the Pittsford Garden Club met privately with Mayor Plummer; and she clarified a couple of concepts related to the Arboretum as follows:

1. The title of the committee charged with maintenance and development of the Arboretum is the *Robert C Corby Arboretum and Wildlife Sanctuary Stewardship Committee*.
2. Permanent public signage designating the Arboretum will be proposed by the Mayor to the Board of Trustees.

Given the above clarifications, Pittsford Garden Club would like to make the following proposals for Board support tonight:

1. The Pittsford Garden Club proposes to donate \$200 to start a fund dedicated to erecting permanent signage for the Arboretum. We ask that the Village create an account for this purpose and suggest that initially the majority of the fund be donor-driven. The PGC will participate with others in obtaining signage quotes.
2. First proposed to the Board three months ago (see June 22 Board meeting packet), the Pittsford Garden Club wishes to launch the project entitled 'Adopt-a-Tree' that will encourage villagers to visit the Arboretum and participate in sustaining it for the future. The project would involve the following steps:
 - a) The PGC will identify all new trees and shrubs and attach labels to the wire cages protecting them..
 - b) The interior of the cages will be weeded and mulched as needed

- c) Village residents will be invited to participate in the Adopt-a-Tree program by simply writing their name on the back of the tree label. It will be explained that adopting a tree will involve helping to maintain their tree in a healthy condition. Instructions will be written up to ensure proper care and that no resident uses chemical weed killer.

There is an urgency to commence this project as soon as possible as the new trees and shrubs are in need identification, labeling and regular attention..

The PGC looks forward to the Board of Trustees' endorsement of our two proposals and to a continued close working relationship with the Village.

The Pittsford Garden Club's September meeting will take place in the Arboretum

Thank you for the opportunity to speak.

Respectfully submitted,

Susan Julien, PGC President
Margaret Caraberis, PGC Vice President
June Reeves, PGC Board Member

THE CANNABIS LAW FINANCIAL IMPACT ON THE VILLAGE OF PITTSFORD: THERE IS NO FINACIAL WINDFALL!

The New York State controller budget estimates that the tax for 2024 (the first year of anticipated cannabis revenue) will be \$250 million. The tax to the state is a 9% tax. This is a realistic estimate considering Massachusetts received \$100 million a year for two years. The New York State population is approximately 2 1/2 times the population of Massachusetts. Based on the state tax rate of 9% revenue estimate, the 4% county, town and village tax sales tax rate would equate to \$111 million approximately. 25% of that goes to the county and 75% to towns and villages. On a per capita basis, the 4% tax is about \$5.70 per person per year.

The New York State population is approximately 19,500,000. Monroe County's population is 760,000. Based on that, the gross Monroe County share would be approximately \$4,330,000.

Monroe County gets 25% and that leaves the remaining \$3,247,000 for the towns and villages. The village is 5% of the Pittsford town population of approximately 30,000. The town of Pittsford's population is 3.94% of the county. The combined town and village share would be approximately \$128,000.

If the town and village are combined and the \$128,000 is allocated between the two based on population, the village would receive approximately \$6400.

If an allocation agreement cannot be reached between the town and village, the revenue is split 50-50. It would be foolish for the village to not agree to some different allocation since the town provides numerous services and equipment to the village without cost to the village. To not reach an equitable agreement would be terrible ill will between the village and the town.

These quick calculations show that the revenue gain to the village from the cannabis tax of \$6400 is insignificant. Determining whether to opt out of the cannabis law retail dispensary in the village should be put before the resident voters who bear the burdens and benefits of any such dispensaries or lounges. The Board of Trustees should not put the non-residents' perceptions of Pittsford ahead of listening to the residence who are the persons the board of trustees is supposed to serve. If the Board believes in communication with the village residents, let the villagers speak with a referendum.

David Ferris
27 Monroe Ave, Pittsford

Question Report

Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Question
Village of Pittsford Regular Board Meeting	814 6067 3669	9/14/2021 18:15	309	74

Question Details

#	Question	Asker Name	Asker Email	Answer(s)
1	hearing fine	John Limbeck	jplimbeck@gmail.com	thank you
2	june reeves here . I wish to speak representing Pittsofrd GArden Club regarding the Corby Arboretum. when is the public comment period?	june reeves	jbrncm@rit.edu	You will be able to speak to it when the agenda item is discussed. Which is 9th on the agenda
3	I suggest you talk with Commissioner Kelly Cline who I beleive is the fire department member looking into the building. matter	DAVID FERRIS	davidferris27@gmail.com	live answered
4	I have info on the barns	John Limbeck	jplimbeck@gmail.com	wish to talk
5	I have no further comment	DAVID FERRIS	davidferris27@gmail.com	Okay
6	have a couple of questions	art pires	art.pires@wemans.com	live answered
7	letters not read and included	DAVID FERRIS	davidferris27@gmail.com	live answered
8	Check the chat comments.	Marti Eggers	mceggers@gmail.com	too difficult to monitor chat and the Q&A
9	printed materials no allowed	DAVID FERRIS	davidferris27@gmail.com	live answered
10	unmuted'	DAVID FERRIS	davidferris27@gmail.com	live answered
11	my hand is up	DAVID FERRIS	davidferris27@gmail.com	live answered
12	Are not my requests coming thru ?????	art pires	art.pires@wemans.com	we are seeing your comments, and trying to allow you to speak
13	sure why you cannot hear me.	art pires	art.pires@wemans.com	live answered
14	What about moving adm items to end of meeting ?	art pires	art.pires@wemans.com	live answered

15	the screen gives you a box to check	DAVID FERRIS	davidferris27@gmail.com	live answered
16	clarification or correction to board member comments, when board members can request clarifications or corrections.	art pires	art.pires@wemans.com	live answered
17	Can you not hear me ?????? I am unmuted !!!	art pires	art.pires@wemans.com	We cannot hear you, I am sorry
18	i would like to address the jewett application after it is presented please	John Limbeck	jplimbeck@gmail.com	live answered
19	be scheduled dependent on applicant completing application	DAVID FERRIS	davidferris27@gmail.com	live answered
20	i would like to support the Hahn special permit please.	John Limbeck	jplimbeck@gmail.com	live answered
21	disregard dorothea	DAVID FERRIS	davidferris27@gmail.com	thank you
22	Tucker Kuhe is here	tkuhe	tucker@twoforseven.com	live answered
23	I have a question please.	John Limbeck	jplimbeck@gmail.com	live answered
24	cam is on, and perhaps accidentally.	Gabriel Diaz	gjdpci@rit.edu	thank you
25	application for short-term retail license on tonight's agenda?	Ronald Jurincie	Ronjurincie@gmail.com	I have not received an application, it is not on the agenda
26	can't you go back to the treasurer's / clerk's report	MEC	mecbriz@aol.com	They will circle back to Clerks report at some point
27	How about 2 members of the public?	John Limbeck	jplimbeck@gmail.com	live answered
28	I presented application weeks ago, and checked with you and Steve?	Ronald Jurincie	Ronjurincie@gmail.com	I will follow up with Steve tomorrow. I will not be able to add you until 9/28
29	Could you ask Steve?	Ronald Jurincie	Ronjurincie@gmail.com	It was not advertised

Okay..

30	See you tomorrow	Ronald Jurincie	Ronjurincie@gmail.com	Okay	
31	I have a question / comment of two.	art pires	art.pires@wemans.com	live answered	
32	understand I guess. Thanks for asking.	John Limbeck	jplimbeck@gmail.com	no problem	
	----- to create a list pertinent to the code sections that impact them. Why should HPB be reviewing zoning? Why should PZBA be reviewing the historic preservation issues? have each board				
33	focus on their area and come	DAVID FERRIS	davidferris27@gmail.com	live answered	
34	I have a question / comment or two, please	art pires	art.pires@wemans.com	live answered	
35	it doesnt require a committee to do my suggestion	DAVID FERRIS	davidferris27@gmail.com		
36	I have a public comment that I'd like to make.	David Marshall	davemarshall_99@yahoo.com		
37	Dan, I am in attendees, can you promote me	Dorothea Ciccarelli	villageclerk@villageofpittsford.com		
	the meeting, I'm sorry that we're taking so much of				
38	Trustee Keating's valuable time.	John Limbeck	jplimbeck@gmail.com	live answered	
	several questions to pages 5 and 6 of the SRF report				
39	please.	John Limbeck	jplimbeck@gmail.com	live answered	I will call on you, when I can
40	Able for the public to see SRF's draft report ?	art pires	art.pires@wemans.com	to you tomorrow	packet. If you are unable to obtain, I will be happy to email it
41	Thank you.	John Limbeck	jplimbeck@gmail.com	live answered	

42	Thank you. Will track it down.	art pires	art.pires@wemans.com	no problem if you can't locate again, let me know.
43	the link to packets on some meeting notice; however, did not see on the invite to this meeting.	art pires	art.pires@wemans.com	We do our best sometime technology fights us, but we will try to make sure it is on there in the future
44	some context, please? Why is this resolution being proposed now? Without context / transparency, this sounds like trying to solve a problem that doesn't exist and, quite frankly, not a good use of time. AGain, egregious mistep that motivated this resolution, and that the public should know about?	Gabriel Diaz	gjdpci@rit.edu	live answered
45	Dorothea - I will ask my question, if you don't mind.	Gabriel Diaz	gjdpci@rit.edu	live answered
46	me)	Gabriel Diaz	gjdpci@rit.edu	will do
47	Justin - as well as the explanation of the Ethic Committee' s review process. That is in fact an example of transparency, which is being requested of the Board.	Gabriel Diaz	gjdpci@rit.edu	live answered
48		art pires	art.pires@wemans.com	Were you looking for this to be stated the Board, they have moved on but they will see it in the record if that is okay

	larger context the budget for this arboretum/wildlife refuge? All I recall is a few thousands being allocated for the purchase of some trees back in March. Is there a larger site plan/budget allocated for such a large	Emily & Gabe Diaz	ecsmallwood@gmail.com	live answered
49	And this question is coming from Emily at 81 South St.	Emily & Gabe Diaz	ecsmallwood@gmail.com	live answered
50	Trustees' comments regarding the Proclamation regarding a special recognition of the residents work. Why are other Board members against two	art pires	art.pires@wemans.com	live answered
51	Why is Trustee Keating "dying " on this issue ?	art pires	art.pires@wemans.com	live answered
52	was/is there a site plan. I find it surprising that the head of the DPW didn't know about this project/tree planting. This is concerning	Emily & Gabe Diaz	ecsmallwood@gmail.com	live answered
53	appropriately recognized by the public on a regular basis. Why is a directed appreciation public volunteers an issue with a couple of the Trustees ?	art pires	art.pires@wemans.com	live answered
54				Yes, Mr. Pires working on getting your comments heard
55	Dorothea	art pires	art.pires@wemans.com	
56	Dorothea	art pires	art.pires@wemans.com	live answered

57	your question regarding my comment on the Ethic Committee. Yes - please see that the Board sees my comment. Thank you.	art pires	art.pires@wemans.com	Yes will do
58	and Steve, too. I thanked the volunteers, but wnat to make sure they are also appreciated.	Gabriel Diaz	gjdpci@rit.edu	live answered
59	Dorthea	Emily & Gabe Diaz	ecsmallwood@gmail.com	live answered
60	Emily said she typed in a few comments... can you not see them?	Gabriel Diaz	gjdpci@rit.edu	nope did not see the commetns, sorry
61	Thanks :)	Gabriel Diaz	gjdpci@rit.edu	live answered
62	If this has been a dump for decades, can we confirm that it is safe for everyone? lili still the liason to the arboretum? If so, what responsibilities does that entail?	Jeremy Stein	jeremy.j.stein@gmail.com	live answered
63		Gabriel Diaz	gjdpci@rit.edu	live answered
64	I remember Bob COrby appointed her liason ... so perhaps no longer. Thanks.	Gabriel Diaz	gjdpci@rit.edu	comment with the minutes, if that is okay. I will be happy to research your question and provide an answer off line.

65	<p>I would like the management law discussion put off to the next meeting when the public can participate and put it at the beginning of the meeting items. I would ask for my letter to be read at that meeting. This is in the interest of time and when the board members and public are fresh.</p>	DAVID FERRIS	davidferris27@gmail.com	I will pass your comments on, I am hoping we are just setting workshop meeting times to continue the discussion
66	<p>that one of Bob's last actions was to designate Lili as a liason to the arboretum. I can try and dig that up, if it helps... I have just always wondered what that meant, and whether it is a standing designation with any</p>	Gabriel Diaz	gjdpci@rit.edu	My memory agrees with you that action took place, but it would have expired as of Organizational meeting when Liason assignments are assigned.
67	<p>For what its worth, I 100% agree wth Trustee Keating regarding masks is already the adopted policy at both UR and RIT.</p>	Jeremy Stein	jeremy.j.stein@gmail.com	live answered
68	<p>from the CDC website. "Unvaccinated people remain the greatest concern: The greatest risk of transmission is among unvaccinated people who are much more likely to get infected, and therefore transmit the virus. "</p>	Gabriel Diaz	gjdpci@rit.edu	live answered
69	<p>https://www.cdc.gov/coronavirus/2019-</p>	Gabriel Diaz	gjdpci@rit.edu	live answered

70	They provide scientific references at that link. try Rochester Business	Gabriel Diaz	gjdpci@rit.edu	live answered
71	Journal and City Newspaper wxxxi owns City and send s	DAVID FERRIS	davidferris27@gmail.com	thank you
72	to members	DAVID FERRIS	davidferris27@gmail.com	thank you
73	you don	DAVID FERRIS	davidferris27@gmail.com	
74	dont want to make it a two day meeting?	DAVID FERRIS	davidferris27@gmail.com	