

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

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

Present:

Mayor: Alysa Plummer
Lili Lanphear
Renee Stetzer
Justin Leitgeb
Dan Keating
Village Attorney: Jeff Turner
Recording Secretary: Dorothea Ciccarelli

CALL TO ORDER

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

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

Mayor Plummer asked for a moment of silence to acknowledge the recent tornado devastation in 5 states, and to remember the victims and their families.

CONFLICTS OF INTEREST DISCLOSURE

Board members indicated that they had nothing to disclose in regard to this meeting’s agenda.

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

Village Clerk read the Open Meeting Compliance Certification.

Building Inspector Report

Report reviewed by trustees prior to the meeting.

Building Inspector to follow up special permit status with a salon owner.

Resident Caraberis provided written correspondence.

DPW Report

Report reviewed by Trustees prior to the meeting

- Trustee Stetzer inquired about setting out Speed Sentries; DPW Supervisor noted plan to station them within the next month.

Treasurer’s Report

Report reviewed by trustees prior to the meeting.

Voucher for approval – Abstract #16

General Fund (326-344, 346-374) \$86,938.51

Sewer Fund (345,351) \$1,672.70

Total vouchers for approval: \$88,611.21

Motion by Trustee Keating, second by Trustee Lanphear to approve annual \$100.00 donation to the Pittsford Food Cupboard.

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

Motion by Trustee Keating, second by Trustee Stetzer to approve vouchers as presented, with the exception of the Zoghlin Group invoice.

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

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

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

Village Clerk Report

Village Clerk noted receipt of a notice by Marianne Warfel for a liquor license.

Village Clerk requested approval for HSA funding.

Motion by Trustee Lanphear, second by Trustee Stetzer to approve funding for HSA.

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

Public Hearing

Motion by Trustee Keating, second by Trustee Stetzer to open the public hearing on:

- Proposed Local Law Adopted Pursuant to Cannabis Law 131 Opting Out of Licensing and establishing Retail Cannabis Dispensaries within the Village of Pittsford.

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

Public Comments

- Resident Gabe Diaz – in favor of opting in
- Peggy Caraberis – in favor of opting out
- Art Piers – inquired re: percentage of revenue to the village

Motion by Trustee Lanphear, second by Trustee Leitgeb to close the public hearing.

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

Motion by Trustee Stetzer, second by Trustee Lanphear to open the public meeting on:

- Proposed Local Law Adopted Pursuant to Cannabis Law 131 Opting Out of Licensing and Establishing On-Site Cannabis Consumption Establishments Within the Village of Pittsford

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

There were no comments from the public

Motion by Trustee Lanphear, second by Trustee Leitgeb to close the public hearing.

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

Motion by Trustee Keating, second by Trustee Stetzer to pass proposed Local Law Adopted Pursuant to Cannabis Law 131 Opting Out of Licensing and establishing Retail Cannabis Dispensaries within the Village of Pittsford.

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

Motion by Trustee Keating, second by Trustee Lanphear to pass proposed Local Law Adopted Pursuant to Cannabis Law 131 Opting Out of Licensing and Establishing On-Site Retail Cannabis Consumption Establishments within the Village of Pittsford.

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

Setting Permissive Referendum Vote on Cannabis Laws

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

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

Motion by Trustee Keating, second by Trustee Stetzer to hold a public referendum, on or before February 1st or the Village Clerk's discretion by February 11th, on whether to allow Retail Cannabis Dispensaries within the Village of Pittsford.

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

Motion by Trustee Keating, second by Trustee Stetzer to hold a public referendum, on or before February 1st or the Village Clerk's discretion by February 11th, on whether to allow On-Site Retail Cannabis Consumption Establishments within the Village of Pittsford.

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

Setting of Public Hearing for NYS Stretch Energy Code for January 11th.

A motion by Trustee Lanphear, second by Trustee Stetzer to set the date on January 11th, for the Public Hearing for NYS Stretch Energy Code

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

Resolution Adopting the NYS Unified Solar Permit

A motion by Trustee Stetzer, second by Trustee Keating, to pass the resolution adopting the NYS Unified Solar permit.

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

Donation Guidelines/Tree Donation Application

A motion by Trustee Lanphear, second by Trustee Stetzer to adopt the Donation Guidelines/Tree Donation Application as submitted.

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

Tree Donation Acceptance

A motion by Trustee Lanphear, second by Trustee Stetzer to accept the tree donation made by Ms. Backer in remembrance of her family.

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

Season of Lights

Terese Manfredi-Hill, representing the United Pittsford Community Group, proposed what could become a new tradition of light - centered displays representing Diwali, Hanukkah, Christmas, Kwanzaa and the Lunar New Year, and requests permission to place a sign at 4 corners, on Village property in front of the Phoenix building.

A motion by Mayor Plummer, second by Trustee Stetzer to accept donation of Season of Lights display items to be located at the 4 corners on village property, through the end of the Lunar New Year.

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

Motion by Trustee Keating, second by Trustee Stetzer to take a 5-minute break before proceeding with the rest of the agenda.

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

A motion by Trustee Keating, second by Trustee Stetzer to re-open the meeting.

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

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

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

Code of Conduct for all Village Boards

A draft Code of Conduct was prepared by the Village Board Attorney together with the Board's Labor Attorney. It was included in the meeting packet and posted online.

After discussion and comments by Board members, consensus was reached that additional research is needed before the document can be accepted and forwarded on to the other Village boards (HPB and PBZA).

Public Comment came from Art Piers and Peggy Brizee Caraberis. Both inquired as to impetus for the document and source materials.

South Street & Wood Street Project Engineering & Grant Funding for Village Hall Back Entrance

The Village was awarded a \$100,000 grant from Senator Samra Brouk's office. The grant is for sidewalk repair and ADA compliance improvement on South Street. Similar work on Wood Street may be included, along with gabion work along Rand Creek. Once the entire scope of the project is determined, the Village Engineer will be asked to produce an estimate of his expenses for assistance in following procurement policy guidelines for the required 3 competitive bid requests.

An additional grant of \$100,000 was received in prior years for reconstruction of the back entrance to Village Hall. The work was never done. Since both grants are for reimbursement funding, actual work expenses are first borne by the Village, which will then be reimbursed by the NYS funding agency for completed work.

In order to finance both projects, the Mayor and Village Clerk met with Village financial advisors to explore how to finance both projects with a short-term bond, or BAN. Early in 2022, the financial advisors will present to the full Board a proposal explaining the process involved in procuring a BAN, and the impact, if any, on the Village finances.

Naming of the DPW Equipment

Trustee Keating has proposed a contest for children to name DPW equipment, especially the smaller scale sidewalk plows, and will add details at a future meeting.

Municipal Composting

A result of the recent composting workshop is a proposal described by Trustee Leitgeb to station a composting tote, provided by Impact Earth, at Village Hall. This measure would contribute toward the Village's efforts to secure a Climate Smart Community designation. The cost is expected not to exceed \$20.00 per month.

A motion by Trustee Leitgeb, second by Trustee Stetzer to commence municipal composting at Village Hall by procuring a tote from Impact Earth, to be swapped out at a cost of \$10.00 month.

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

Project Plan for Treasurer Training

Treasurer and Deputy Treasurer continue to prepare for work on the budget. The Village Clerk and Deputy Treasurer trained on financial software. Deputy Treasurer reported that a Treasurer's guide is being prepared as a blueprint for Treasurer responsibilities and duties.

Update on non-vaccinated office staff compliance with covid testing

Weekly testing proceeds as planned. Test kits have been ordered from NYS, which have not yet arrived.

Member Items

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

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

The Mayor reported on progress being made on the new “User’s Manual” expected early 2022.

Trustee Keating reiterated his request for Village Boards to work directly with PCP on the 75 Monroe Project. He also passed along information on resident participation on the proposed Traffic Committee.

There were no additional comments from the public.

A motion by Mayor Plummer, second by Trustee Keating to enter into executive session.

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

A motion by Mayor Plummer, second by Trustee Stetzer to leave executive session.

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

A motion by Trustee Keating, second by Trustee Leitgeb to terminate employment of the probationary employee 1535, effective immediately.

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

A motion by Trustee Keating, second by Trustee Stetzer to raise the salary of the Deputy Treasurer Brooklyn Thomas to \$20.50/hour, effective 12/15, for a job well done.

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

Minutes

A motion by Trustee Stetzer, second by Trustee Lanphear to approve minutes from September 28, as corrected.

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

A motion by Trustee Stetzer, second by Trustee Lanphear to approve the minutes from October 12th, as corrected.

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

A motion by Trustee Stetzer, second by Trustee Leitgeb to approve the minutes from October 26th, as corrected.

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

A motion by Trustee Stetzer, second by Trustee Leitgeb to approve the minutes from November 9th, as corrected.

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

A motion by Trustee Stetzer, second by Trustee Leitgeb to approve the minutes from November 22nd, as corrected.

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

A motion by Trustee Stetzer, second by Trustee Leitgeb to adjourn the meeting.

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

To: Village Clerk

From: Margaret Caraberis
81 South Main Street

Re: Village Board Agenda Items for December 14 Meeting

Dear Dorothea,

I may not be able to attend the Village Board meeting tonight due to a schedule conflict; but have some comments and questions I'd like presented to the Board as it discusses the various agenda items. Hopefully you will be able to read my questions/comments into the record include my thoughts and questions.

1. Building inspector report:

NYS Stretch Energy Code: What are the implications for the Village as an Historic District? (Other questions later regarding a resolution)

What are the "landmark seminars" that the building inspector attended?

Regarding FIO requests: Does a building inspector prepare and respond to FIO? Please clarify.

What business is going into 18 South Main Street where a sign has been requested? Store, restaurant, salon, other?

2. DPW Report:

I see there is no written report in the packet but wonder if Zack can enumerate how many trees have been cut down due to the Greenlight "trimming", where these trees are located and how many will be replaced? I understand that the contractor has offered to replace some of them...

3. Clerk / Treasurer's Report:

Vouchers:

What was the total cost for Candlelight Night and did the Village have to pay for security? How does this compare to the budget?

360 Zoghlin Group - \$498.50 Canal Corp. Is this in addition to the \$2000 approved by the Board of Trustees for work on the canal clear cut issue? What was the product generated by this allocation?

Budget:

Is there available a YTD Report on Budget vs Expenses. Has the Board of Trustees seen this report and when will it be published?

What is the proposed process for budget development for the coming cycle and how will the public be involved under COVID-19 restrictions?

4. Regular Agenda Items

For many of these items there is no background information and therefore no way to know the content.

Code of Conduct Policy - Please provide some background for the public on the reasons for it being created, the authorship and input from the Board. Would suggest that the Board treat this as a draft and make it less punitive...

Proposed Cannabis Laws and Referendum - As I have testified in previous meetings, I support the Board of Trustees resolution to Opt Out of both alternatives. There are many reasons for this action which have been discussed by the Board at workshops and other meetings. There are so many unknowns as to the roll out of this law that the Board has made the right decision for our community by opting out. When we know more, perhaps this could be revisited.

With the Town Board's decision to Opt Out, I hope that the Board will re-evaluate an action to go to referendum at the time. I don't know Opting out and then 'passing the buck' to village residents in February is a non-decision on the part of the Board. The Town's opting out makes it even more critical that the Village carefully evaluate the options, impact and implementation of the law with unknown regulations. Hold off on a referendum please

Public Hearing Stretch Energy Laws - What is the relationship between this and the resolution to Adopt the NYS Unified Solar Permit? What is the urgency? What are the implications for the local Historic Preservation code which is not part of the Zoning Code. What does the HPB think about this and has SHPO been consulted on the implications. Please take care in understanding the implications..Is there a rush to approve this?

Ran out of time...Sorry this is so late.

From: [David Ferris \(davidferris27@gmail.com\)](mailto:davidferris27@gmail.com)
To: [Village Clerk](#)
Subject: Marijuana laws
Date: Tuesday, December 14, 2021 7:41:18 PM

Dorothea, I would like the below memo included in the minutes as a comment on the marijuana laws discussion. Thank yo

THE CANNABIS LAW FINANCIAL IMPACT ON THE VILLAGE OF PITTSFORD: THERE IS NO FINANCIAL 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 the Town of Pittsford initially opts out, they can always opt back in in the future and receive a portion of any tax revenue.

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 residents 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

Report Generated:

Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Question
Village of Pittsford Regular Board Meeting	815 4079 4183	12/14/2021 18:21		27
Question Details #	Question	Asker Name	Asker Email	Answer(s)
1	Could Zack could confirm if the two sentries on State St will be permanent or not ? For Zack Grinding stump in front our house at 27 Monroe is not highest priority and we reconize that there are many other important items on your plate. Spring is fine. We are pleased that the tree was taken down. Dave Ferris 27 Monroe Ave	art pires	art.pires@wegmans.com	live answered
2		DAVID FERRIS	davidferris27@gmail.com	live answered
3	Is there a way to put the board members in gallery view?	Christina Mulé	christina_mule@urmc.rochester.edu	You need to change the view on your screen, that is not anything I can change on the Village end.
4	What percentage of the state, county, and/or town revenue from the sale of cannabis would be received by Pittsford Village ? What is the projected total and percentage share of the total which would come to the Village ?	art pires	art.pires@wegmans.com	live answered
5	Projected total \$s?	art pires	art.pires@wegmans.com	live answered
6	Dan had made mentioned that there is a lot of information out there.	art pires	art.pires@wegmans.com	live answered

	Thank you Justin and Lili for your comments and questions regarding the process of Petition by the residents or the Trustees to initiate. Transparency and full disclosure is greatly appreciated.	art pires	art.pires@wegmans.com	live answered
7				
8	It is a complex process and all information is appreciated.	art pires	art.pires@wegmans.com	live answered
9	Would each of the Trustees and the mayor please state publicly how you vote for each of the proposed ballot questions	John	j@j.com	john can I have you address for the record please
10	yes, 5 stonegate. Happy to ask it via audio too	John	j@j.com	live answered
11	if yuou can unmute me	John	j@j.com	raise your hand, please so I can locate you
12	Dorothea I have emailed a comment for the record regarding the marijuana laws which I did not want to take the time to read with the long agenda. Can you please attac this comment with the minutes. Thanks	DAVID FERRIS	davidferris27@gmail.com	okay will do, I will let the Board know I received your comments
13	Why does the board seem clueless?	Paul	pcswenson1@gmail.com	Can I have your address for the record please
14	Why not wait until spring when we don't have to deal with harsh winter conditions?	Paul	pcswenson1@gmail.com	live answered
15	What is Village code regarding solar panels; residential and commercial structures ? What Board(s) review and approve ? PB ? HPB ?	art pires	art.pires@wegmans.com	live answered
16	How does this change the current approval process of the building inspector?	DAVID FERRIS	davidferris27@gmail.com	live answered
17	Technically sign permits would be required by code for each sign on each property by each property owner if beyond on public lands - correct ?	art pires	art.pires@wegmans.com	live answered

18	Correct, Dorothea.	art pires	art.pires@wegmans.com	live answered
19	Could you again provide a brief of the matter at hand, as I had been cut off. Also believe the public should also have a right to see the supporting documents behind this matter ?	art pires	art.pires@wegmans.com	live answered
20	Can specifics be provided to what speech is being limited or denied ?	art pires	art.pires@wegmans.com	live answered
21	Why cannot there be more detailed discussion during public meeting on an item listed on the published Agenda ?	art pires	art.pires@wegmans.com	live answered
22	Woud appreciate a response at this time	art pires	art.pires@wegmans.com	live answered
23	Can we see the referenced policy on line / on screen ?	art pires	art.pires@wegmans.com	live answered
24	The questions are right there .	art pires	art.pires@wegmans.com	live answered

25	The village is receiving two federal payments and how can these monies be used? What interest rate do we get on our cash reserves compared to the borrowing costs? Did I understand that the back entracne would not meet ADA	DAVID FERRIS	davidferris27@gmail.com	Sorry missed your comment, the grants are not federal. One grant is for Sidewalks on South and Wood Street. I am not sure are interest rate, that would be put out to bid for the ban. To meet the ADA requirements would be very difficult with back entrance. But the entry way would be made much safer.
26	it can wait	DAVID FERRIS	davidferris27@gmail.com	live answered
27	thanks for yiur reply	DAVID FERRIS	davidferris27@gmail.com	no problem