

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

Monday, March 29, 2021 at 4:00 PM

PRESENT:

Mayor: Robert Corby
Trustees: Dan Keating
Lili Lanphear
Frank Galusha
Renee Stetzer
Treasurer: Mary Marowski
Recording Secretary: Dorothea M. Ciccarelli

CALL TO ORDER

Motion by Mayor Corby, and seconded by Trustee Galusha, to call meeting to order at 4:00 PM.

Vote: Corby - yes; Lanphear - yes; Galusha - yes; Keating - yes; Stetzer - yes. *Motion passed.*

CONFLICTS OF INTEREST DISCLOSURE

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

ROCTRICITY, CCA RESOLUTION

Motion by Mayor Corby, and seconded by Trustee Lanphear, to adopt revised resolution appointing the Mayor and Trustee Keating authority to review and accept or decline bids submitted by the CCA on behalf of the Board.

Vote: Corby - yes; Lanphear - yes; Galusha - yes; Keating - yes; Stetzer - yes. *Motion passed.*

Motion by Trustee Keating, and seconded by Trustee Stetzer, to recess for 15-minutes due to technical issues.

Vote: Lanphear - yes; Galusha - yes; Keating - yes; Stetzer - yes. *Motion passed.*

VILLAGE OF PITTSFORD ARBORETUM

Mayor Corby explained that he had met with native horticulturist Jim Engel on Monday and per his draft development plan for the arboretum the removal of invasive species in the area is already underway. The next steps will be to establish seedlings and a habitat for monarch butterflies. The Village has received \$1,600 from the Community Solar Program for funds specifically allocated to the Arboretum. Mayor Corby proposed using \$1,000 from unspent monies in the Village's forestry fund. Explained that the urgency of this proposal is due to being at a crucial point seasonally to remove invasive plants and establish seedlings. Proposal is to spend an overall total of \$2,600 and appoint Trustee Lanphear as liaison to the project.

Trustee Keating stated that the above-described is not a valid reason to call a special meeting.

Trustee Keating asked if any “Round-Up” or chemical agents will be used in the removal of the invasive species. Mayor Corby confirmed that there will not be. Trustee Stetzer pointed out that in the packet it is mentioned that “glyphosate” would be used. Mayor Corby explained that he had since spoken with the contractor and determined an alternate method of mechanical removal that does not utilize any chemical agents.

Trustee Lanphear asked for a list of the invasive plants being removed. Mayor Corby answered that they are Japanese Knotweed and Ailanthus trees. Further explained that the Japanese Knotweed would require repeated removal treatments for the next few years.

The Board opened the floor to public comment.

Kendra Evans, 66 Meadow Cove Road – “I would like to echo the concerns about the use of the pesticides to remove the invasive species that is troubling to those of us who have supported A Frog House for as long as we have and for all of the, all of the life that forms both in the Village side of the land but throughout Pittsford it matters to all of us. I don’t understand why we need to have a special meeting now. These invasive species have been there, probably for the bulk of your term, and given that the new Mayor takes office on April 5th at noon. It seems rather rushed that we’re voting on it at this moment in time. If we had cared about the invasive species, they could have been removed at any point before now so to do it at this point feels like there are other motives. So, I agree that making certain that the round up equivalent that is proposed and what was shared with the public that it should be in writing that it will not be used as it is harmful to the biodiversity of our entire community. So, I would ask that this either be tabled or voted down so that it can be evaluated by the duly elected members of the Board as Justin and Alysa take over in just under a week actually, past noon. Thank you.”

Mayor Corby responded that the urgency is due to the invasive removal already being underway and the desire to complete it in order to move onto the planting stage. Mayor Corby noted that Ms. Evans is Mayor-Elect Plummer’s campaign manager and may have an interest in the outcome.

Trustee Keating stated that he believes the response by Mayor Corby is conjecture.

Trustee Lanphear asked if the specification of mechanical removal can be added to the motion and if it would carry the same weight as if it were in the proposal because the Board may approve motions with conditions. Mayor Corby confirmed that is the correct. Trustee Lanphear also stated that the area was designated as parkland last June and that due to the contractor suggesting that work be done urgently, the urgency of the meeting makes sense.

Margot Fass, A Frog House – “Kendra thank you for recognizing that A Frog House has been crazy, crazy about eliminating pesticides and chemicals and when I heard that Jim Engel had any inkling of that, some people can attest who were there that I got pretty excited and I said no, no, no, no, no. So that is a certainty, but on the timeliness is that we’ve had a promise or an indication that we can get this thing funded even up to \$20 to \$30,000 from a private source as long as it is used for trees in the arboretum. Now if it’s turned down now, that money is not likely to be available and so why the Village would want to say ‘no we don’t want money for trees’ is a little strange to me but, as A Frog House we are about advocacy, education and collaboration. And I’m also about good will. So, Rob has worked really, really hard ever since I met him in 2018, he has been talking about the arboretum nonstop. And there were lots

of other things to take care of and this is now the time when he is in a position to be able to lend some support and Alyssa is a master gardener and I appreciate that. She's got a lot of things to do and about why she would want to have this money and this opportunity to have the area that is universally called a mess right now, I wouldn't understand. But if this isn't passed today, then, so be it. You can say now you don't want 20 or 30 thousand dollars."

Trustee Keating thanked Ms. Fass for her comments. Stated that it is in support of the Arboretum, but that pushing through proposals for it in a last-minute way is not indicative of good governance. Further asked Ms. Fass if the funding that she mentioned would not be available if the Board were to not vote on the matter tonight. Ms. Fass stated that the loss of funding was a possibility. Cited concern that funding to the Arboretum may not be a priority of the incoming Mayor and is hoping to secure the approval under the current Mayor as he is very passionate about the project.

Mark Harrington made comment that he feels that the meeting today is appropriate and that politics should be put aside to allow Mayor Corby to initiate the Arboretum project as he has sought after the project for much of his career.

Gabriel Diaz, on behalf of Ms. Dalski, ADDRESS – "Ms. Dalski asked me to type some things into chat a few minutes ago because of no interpreter. The conversation has moved on so sorry if this is no longer quite as relevant. She was saying that knotweed has to be physically removed repeatedly to see any on-going success and I suspect that less than a quarter acre worth. It has to be physically removed repeatedly, sorry – and she said that this can take quite a long time. I'm sorry because so much time has passed, I think I lost the second part of her comment but, okay, that was her comment."

Mayor Corby explained that they are aware of the issue and that the knotweed that was present has been cleared as part of seasonal work. Further explained that it is not the area that is proposed in the plan because it was determined that knotweed areas will need repeated removal for 3-4 years before.

Gabriel Diaz, 81 South Street – "Margot thank you for making a comment about the \$20-30,000. Margot, I just think that this surprise mentioning of \$20-30,000 that's coming from an unknown source that may arrive depending on how quickly we act and this is the impetus for having a special meeting during work hours without an interpreter so that certain people cannot participate, it's all very troubling from the perspective of a concerned Villager. That really does, I understand this may be critical in terms of invasive species but it sounds like these invasive species take years to remove? And so, I just do not understand why a few days will make a difference unless this is about a large amount of money in which case we should really know more. I'm just really concerned and this sounds very rushed."

Mayor Corby explained that on behalf of the Village, there is no outside money or outside funding and that the proposal is strictly regarding the \$2,000 that he is proposing to allocate.

Margot Fass explained that planting certain plants where the knotweed was removed can help to improve the overall removal process. Ms. Fass further explained that the additional \$20-30,000 funding was brought up in a private conversation and that it does not have anything to do with this meeting, however, use of that money is also contingent upon approval to proceed with the Arboretum plans.

Tharaha Davakumar, 3 Water Drive – "I'm confused as to the money, you know, a thousand dollars coming out, \$1,600 was coming out, and then there was a comment about \$30,000, so what's the exact

money? Where is it coming from? And then where, like is there contingent money in case we don't pass this? And like what is the deadline? Like is it really something that needs to happen today, can it be done next week? I'm just, I'm not sure where the rush is because there's clearly a lot of confusion, it sounds like, from many people who have commented."

Mayor Corby responded that there should be no confusion. His proposal is to allocate \$2,600 from this year's budget including \$1,600 from the Community Solar Program. It was previously decided by the Board that extra monies from that program would be used for the Arboretum. The other included \$1,000 is already in the Village budget. It was previously discussed to use some monies from tree planting to plant trees in the Arboretum.

Tharaha Davakumar, 3 Water Drive – "So it that's already in the budget why must it be approved today and can't wait until next week?"

Mayor Corby responded that time restraints are due to coordinating with contractors and vendors to purchase the plants and have them planted and established within the planting season. Further stated that the Board was previously aware of this.

Trustee Galusha stated that the Arboretum topic is not new, has been discussed and evaluated for several months. Explained that there is a proposal from Jim Engel and his proposal recommends this work be completed before the season ends. The proposal cannot wait 2-3 weeks. Trustee Galusha further commented that we are currently in the busy season for contractors who do this type of work, so it is best to choose while a contractor is still available. Trustee Galusha also stated that this is also the busy season for the DPW, they are a small staff and also currently working on this project, and it is best to have them complete the work so that they can move on. Trustee Galusha stated that the funds are available now, and the plans have been discussed several times over the past months, he is unsure why the Board would want to table it now when the DPW is actively working on the area and contractors are waiting for a response.

Trustee Keating asked that if the proposal that was presented includes "Round-Up" and that is no longer being utilized, does the price of the proposal change. Also stated that per the Village's procurement policy the Board is supposed to obtain more than one bid and asked if that had been done. Mayor Corby answered that invasive plant removal is the part of the proposal that will not be accepted as it will be handled by the DPW, so the Village will not be charged for it. The money being allocated today will go towards plants and planting. Regarding the procurement policy, Mayor Corby explained that he believes that the proposal does not meet the monetary amount specified in the policy to require multiple bids. Also mentioned that Jim Engel is a regional expert in the field and has one of the only nurseries in the area that specializes in native plants on the necessary scale to assist in development of the Arboretum.

Trustee Keating stated that the proposal is over \$2,000 and asked Trustee Galusha if he knew what the procurement policy stated. Trustee Galusha answered that 2 bids are needed but there is an exception based on the expertise of the contractor.

Mayor Corby explained that this is a special case in that there is a professional expertise needed and that it is highly likely that there are no other contractors in the area to receive an equivalent proposal from.

Sue Engel, 6 South Main Street – "I just tuned in and personally I absolutely treasure that green space, it's priceless, and any money to be spent on developing it to remain undeveloped essentially is to me just

also it's priceless. My other observation is the unfortunate and very sad personal vitriol that exists between some Board members and the Mayor, and I'm appealing to the professional potential that when Board members make their vote, they can put their personal feelings aside and vote with a professional sense of duty to the Village, to posterity, to history, to the residents, to the future really. It's very little money. And I hope that personal feelings will be put aside. Thank you."

Trustee Stetzer stated that her one concern was regarding the use of the "Round-Up" and that the proposal received was not formal, it was in the form of an e-mail, and asked how removal of that part of the proposal will affect the price. Mayor Corby answered that language forbidding the use of glyphosate/"Round-Up" would be added to the motion and that the removal of invasive species is not being funded here, that work is being completed by the DPW. Reflection of the amendment in the motion and the minutes serves as a binding condition.

Motion by Mayor Corby, and seconded by Trustee Galusha, to allocate additional \$2,000 to the Village Arboretum project including the condition that no chemical or glyphosate-based removals will be used.

Vote: Corby - yes; Lanphear - yes; Galusha - yes; Keating - no; Stetzer - yes. *Motion passed.*

Trustee Keating stated for the record that he was voting no on the motion on procedural grounds.

Motion by Mayor Corby, and seconded by Trustee Keating, to adjourn the meeting.

Vote: Corby - yes; Lanphear - yes; Galusha - yes; Keating - yes; Stetzer - yes. *Motion passed.*

Dorothea M. Ciccarelli, Recording Secretary