

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

Tuesday, February 23, 2021 at 6:30 PM

**Present:**

**Mayor:** Robert Corby  
Lili Lanphear  
Frank Galusha  
Renee Stetzer  
Dan Keating

**Village Attorney:** Jeff Turner

**Recording Secretary:** Dorothea M. Ciccarelli

**Deputy Treasurer:** Brooklyn Thomas

**Deputy Clerk:** Marina Pacheco

**CALL TO ORDER**

**Motion by Mayor Corby, and seconded by Trustee Lanphear,** to call the meeting to order at 6:30 PM.  
**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

Mayor Corby presented an apology regarding an incident involving Trustee Keating.

**CONFLICTS OF INTEREST DISCLOSURE**

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

**TREASURERS' REPORT**

**VOUCHERS**

The Village Treasurer presented vouchers listed on Abstract #17 of 2020 / 2021 fiscal year for approval. A motion was made by Mayor Corby, seconded by Trustee Galusha, to approve payment of the vouchers listed on Abstract #17, in the amounts stated below and to charge them to the appropriate accounts.

**Vouchers for approval – Abstract #17**

• General Fund (#450-462):	<u>\$ 9,677.23</u>
Total Vouchers for Approval:	\$ 9,677.23

**Vote:** Corby – yes, Lanphear – yes, Galusha – yes, Keating – yes, Stetzer – yes. Motion carried.

The Village Deputy Treasurer presented outstanding Attorney Bills. Trustee Keating explained that per the last meeting, certain bills had to go to PZBA Chairperson Vlietstra for approval prior to payment.

**Motion by Trustee Galusha, and seconded by Mayor Corby,** to approve for payment voucher numbers 450-462 in the amount of \$9677.22.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

## MINUTES

The Board reviewed meeting minutes from February 3, 2021. No further comments or corrections.

**Motion by Mayor Corby, and seconded by Trustee Stetzer**, to approve the minutes from February 3, 2021.

**Vote:** Corby – yes; Lanphear – yes; Galusha – Abstain; Keating – Abstain; Stetzer – yes. *Motion Carries.*

### **Non-Municipal Use Permit – Friends of the Pittsford Library**

Mayor Corby opened the floor to questions and comments from the Board, there were none.

**Motion by Mayor Corby, and seconded by Trustee Galusha**, to approve the non-municipal use permit for 3 “book sale” events by the Friends of the Pittsford Library in accordance with the same conditions that were established last year and to include the 45-day waiver.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

### **Non-Municipal Use Permit – Pittsford Food Tours**

Village Clerk updated the Trustees regarding Ms. Davenport’s insurance status. Explained that Ms. Davenport does not yet have insurance for the events and is waiting for board approval to determine if she is able to hold the event due to the Pandemic. Ms. Davenport will provide proof of insurance if the Board approves her to move forward.

Mayor Corby opened the floor to questions and comments from the Board, there were none.

**Motion by Trustee Lanphear, and seconded by Mayor Corby**, to approve the non-municipal use permit for the Pittsford Food Tours with the condition that necessary insurance is provided.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

## MEMBER ITEMS

### **Trustee Stetzer**

Trustee Stetzer provided an update on the 25 MPH speed limit legislation. Trustee Stetzer spoke with Senator Brouk’s Legislative Director who confirmed that the Home Rule paperwork was received on February 9<sup>th</sup>. Central Staff reviewed the bill and advised that it will likely receive push back from NYSDOT. Brouk’s team asked if there were any compromises that could be reached regarding the affected state-owned roads. Trustee Stetzer explained to them that the sections of state-owned roads that run through the Village are very short and that the speed limit reduction will have minimal impact on drive times. Trustee Stetzer further explained that the Village has a small budget and most of the drivers who utilize these roads are not Village residents, but travelers passing through the Village, and that bearing the maintenance cost would be an unfair burden. Further explains that proposed legislation aligns with Complete Streets Policy, Active Transportation Plan (ATP), Comprehensive Plan, and The Local Waterfront Revitalization Plan (LWRP). Aligns with other Village models across the nation. Trustee Stetzer explained that legislation had the full support of the Town and School District. Discussed the statistics related to how speed affects accident survivability and reaction times. Explained that

Assemblywoman Byrnes staff had not yet received the paperwork, but the Assembly may be behind as the paperwork was sent to both parties on the same date.

Trustee Stetzer opened the floor to questions and comments from other members of the Board, there were none.

Trustee Stetzer provided an update regarding HOPR. Attorney Turner and Village insurance company provided feedback on the agreement that HOPR sent. Trustee Stetzer to send suggestions back to HOPR tomorrow (2/24) along with final location decisions. Trustee Stetzer spoke with Towpath Bike and confirmed that they would prefer not to have a HOPR bike station on Schoen Place as it may negatively impact their rental model. It was previously decided by the Board that Towpath's wishes regarding this would be upheld.

Trustee Stetzer asked the Board if it was still preferable to have a HOPR bike station at the Town Hall and Village Hall. Trustee Keating asked if there was another HOPR bike station somewhere on the canal that was not on Schoen Place. Trustee Stetzer explained that it would be possible to suggest putting a HOPR bike station at Lock 32 in the Town with the hopes that it would be utilized at approximately the same rate as if it were in Schoen Place. Further explained that there will be stations at Pittsford Plaza, East and New England across from Nazareth, Village Hall, and Town Hall.

Mayor Corby asked if the Schoen Place location was the only one that Towpath objected to. Trustee Stetzer explained that Towpath is amenable to this plan in order to further the bike culture in the Village.

Mayor Corby asked if HOPR bike stations at both Town and Village hall would be make sense as they are not far apart. Trustee Stetzer explained that the original plan was to only have one; either at Town Hall or Village Hall, however, the Town expressed the desire to have one in front of their hall so HOPR agreed to "split" the bike station. Trustee Stetzer stated that she is unsure how both stations will be utilized at this time and that the first year will largely be used to determine which stations are popular and which are not. Trustee Stetzer stated that the Library was also suggested as a possible location, however, a viable spot could not be determined without removing parking or the pre-existing bike "fix-it" station.

Trustee Lanphear asked if the total number of bikes in the program had been previously determined. Trustee Stetzer answered that there will be 6 at each station.

Trustee Lanphear asked if HOPR will be maintaining the stations. Trustee Stetzer confirmed that that is the case.

The Village Clerk presented Public Comments from chat to the Board:

First comment by Alysa Plummer was asking if a bike share location could be placed at the library, Trustee Stetzer previously explained that the library was determined not to be suitable.

"Will Towpath be allowed to have a rental stand along the canal like their bike sharing would have?" – Dave Ferris

Trustee Stetzer explained that Towpath will continue to have their rental program, which was suspended last year due to COVID-19, their stand is in front of their store, and they have no intentions of changing that model.

“I agree that in front of both Town and Village Hall seems like a lot.” – Cathy Kolshkar

Trustee Stetzer explained that she must still have a discussion with Supervisor Smith for his comments on the separate agreement for the Town of Pittsford. Further explains that a bike station by the canal is ideal, but a bike station at the center of the Town is ideal from a PR perspective as well. It is agreed that the 2 bike stations will be installed and monitored to determine which is more utilized. Lock 32 in the Town will also be suggested to HOPR as a tentative location.

Trustee Stetzer asked if there would need to be 2 separate agreements for the Town and the Village. Attorney Turner explained that the agreement could be joint between the Town and Village. Making the agreements separate would have the benefit of utilizing our own insurance coverage, provisions would need to be doubled up in the agreement.

The Board agrees to pause member items to hold the Public Hearing.

## **LOCAL LAW: TAX CAP OVERRIDE**

**Motion by Mayor Corby, seconded by Trustee Galusha**, to open the Public Hearing at 7:00 PM to consider a local law to override the tax levy limit.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

*Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, on Tuesday, February 23, 2021 at 7 p.m. at 21 North Main Street, Pittsford, New York. The Board consider the adoption of a proposed local law to override the tax levy limit established by General Municipal Law § 3-c. If the meeting is unable to be held due to the Coronavirus pandemic it will be held on Tuesday, February 23, 2021 at 7 p.m. 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.*

*A copy of the proposed local law is on file in the Office of the Village Clerk, where interested parties may inspect between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday or on the Village website [www.villageofpittsford.org](http://www.villageofpittsford.org).*

Mayor Corby opens the floor to Public comment regarding the tax cap override, there were none.

**Motion by Mayor Corby, seconded by Trustee Lanphear**, to close the Public Hearing.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

**Motion by Trustee Lanphear, seconded by Trustee Galusha**, to approve the tax cap override law.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes; Stetzer – yes. *Motion Carries.*

Trustee Keating made the comment that he is voting to override the tax cap as a procedural standpoint but has no intention to vote in favor of legislation to raise taxes.

## **MEMBER ITEMS (Cont'd.)**

### **Trustee Stetzer**

Trustee Stetzer continued with her update on the HOPR bike share. Explained that Peggy Caraberis made the suggestion of a bike rack at the Spiegel Center, which was not previously considered. Trustee Stetzer commented that bike racks at Village Hall, Town Hall and the Spiegel Center will be suggested.

Trustee Stetzer presented a member item regarding the Active Transportation Plan. Explained that it was previously discussed that the original document and the supplement would be merged and to create a Village version once it has been adopted. Deputy Clerk Pacheco has agreed to update the document as needed. Trustee Stetzer further explained that there should be no issues with the creation of a Village version as long as it is permitted by the Town and that the next step would be to discuss it with the Town. Trustee Stetzer commented that when compared to other priorities, it may not be a wise use of municipal employee time to update the document at this time and asked the Board what their thoughts were.

Attorney Turner commented that there should be a Master Source document at each office to reflect what was adopted at the hearing. A secondary copy for distribution should be available as well.

Mayor Corby commented that he does not believe that the Town will take issue with the Village amending our part of it. Believes that the supplement should be adopted as an amendment and that it should not use a great deal of municipal employee time to complete. Mayor Corby further comments that the Board made a commitment to the PZBA to synthesize the ATP into one document expeditiously and that it makes sense to have a usable document.

Attorney Turner clarified that the integrated version would not need to be adopted. It is already adopted. We are creating a unified document for ourselves and distribution. Attorney Turner further commented that we should stay in line with what was adopted at the Town/Village Public Hearing.

Mayor Corby commented that if the Village were to amend it, another Public Hearing would be needed, but only for the Village.

Attorney Turner confirmed that is the case and stated that if the Board is not concerned with appearing “out-of-step” with the Town then it will be fine.

Mayor Corby stated that he believes that as long as the Village shares what their intentions are with the Town that there should not be any issue. Mayor Corby noted that conversations regarding this have been held before and Town Supervisor Bill Smith did not seem to object.

Trustee Stetzer commented that the Board is looking to consolidate the information into a single document, not necessarily making amendments or updates to it.

Mayor Corby stated that if the Board decides to merge and re-format the document that they might as well re-adopt it. Does not want multiple documents circulating as it may create confusion.

Trustee Stetzer asked if the document will need to go through SEQR and LWRP review to be re-adopted. Mayor Corby answered that the Board would have to review the criteria, might not be needed as only the format is being changed, not the content. Mayor Corby referred to Attorney Turner for his opinion.

Attorney Turner stated that he would want to review the document carefully and that SEQR and LWRP review may be necessary. Attorney Turner to review SEQR/LWRP regulations and follow up with the Board.

Trustee Stetzer asked if she should hold off following up with the Town until Attorney Turner has provided his update. Mayor Corby and Attorney Turner suggested that the Town does not need to be involved with portions of the ATP that only pertain to the Village. Mayor Corby stated that there is no harm in re-visiting the conversation and asking.

Village Clerk presented a public comment:

“Bill Smith had reviewed the supplement comments and attended a Village meeting indicating his approval.” – Alysa Plummer

Mayor Corby commented that he believes that Supervisor Smith did attend the meeting but that he did not necessarily believe that the Town document, or parts pertaining to the Town, would be re-formatted. Stated that Supervisor Smith is aware of the changes being proposed.

### **Trustee Keating**

Trustee Keating provided an update on last night’s PZBA meeting. The PZBA approved an application for an addition at 4 Courtenay Circle as well as the Schoen Place pavilion plans. Trustee Keating commented that the PZBA’s discussion, supplemented with information by Building Inspector Lauth, was thorough and positive. Next step for the Schoen Place pavilion plans will be to present to the HPB on 3/8/21. No issues with HPB approval are expected.

Trustee Keating stated that he is in favor of negotiating directly with Mark 4, the last that the Board spoke of this was Winter 2019. Trustee Keating explained that the intention was to have himself, Mayor Corby, Susan Lhota and Bill McBride (Lisa Cove is now Chair for the HPB and would meet in Bill McBride’s place) meet with Mark 4. Trustee Keating explained that the idea had been stalled, but he would like to make this happen, otherwise the Board is waiting on the legal system to resolve the issues, which has proven to be time consuming and costly to the Village. Trustee Keating explained that the negotiations would be non-binding.

Trustee Keating presented a member item that he does not accept the apology presented by Mayor Corby.

### **STATE STREET BRIDGE CLOSING**

Trustee Stetzer asked if further discussion regarding the State St. bridge closure was needed by the Board.

Trustee Keating commented that due to the closure there is more traffic on S. Main and asked the Board if there is anything that can be done in terms of extra signage or extra radar guns.

Mayor Corby commented that there may be speed enforcement issues and that he has already heard from residents that drivers are doing higher speeds because of the lessened traffic.

Trustee Lanphear asked for clarification on where the current speed camera is located. Trustee Keating explained that it is on East Jefferson coming in from Bushnell's Basin.

Deputy Clerk Pacheco informed the Board that the Village office had received a call from Elayna Bittner with a comment about the length of the traffic light at the State and S. Main intersection. Ms. Bittner asked if that light could be shortened as the traffic there is now affected by the bridge closure. Mayor Corby agreed and stated that he would contact the engineer of the bridge restoration project to see if the duration of the light could be changed.

**Motion by Trustee Galusha, seconded by Trustee Stetzer**, to enter into an Executive Session to discuss an employee matter.

**Vote:** Lanphear – yes; Stetzer – yes; Galusha – yes.

Trustee Keating stated that the Board did not open the floor to Public Comment before beginning the vote to enter into Executive Session.

Trustee Galusha rescinds his “yes” vote.

Trustee Stetzer rescinds her “yes” vote.

Mayor Corby votes no.

Trustee Keating votes no.

Motion does not pass, session resumes.

Mayor Corby opens the floor to any comments from the public:

Gabe Diaz: Stated that in the past he had raised questions about traffic mitigation on South Street. Mr. Diaz stated that he finds it frustrating the Board is taking a reactive stance, rather than a proactive stance to traffic mitigation with the bridge closure. Mr. Diaz asked if the Board could provide insight into what the decision process was regarding traffic mitigation leading up to the bridge closure.

Mayor Corby answered that there is imminent re-construction, milling, paving, and storm sewer work to be done on South Street. Mayor Corby explained that a study was conducted with a traffic consultant and due to South Street being a route for emergency services, the fire department was also made to be a part of the discussion. The solution that was decided upon was one or more speed cushions. Mayor Corby further explained that the project was delayed due to budget constraints.

Mayor Corby explained that speed cushions are the preferred course of action and that money to cover the project was added into the projected budget for this year.

Mr. Diaz asked why the short-term solutions suggested by Trustee Lanphear had not been pursued. Mr. Diaz also asked if there was at one point a large sum of money for roadwork involving a potential grant and matching funds.

Mayor Corby explained that he created the Pedestrian Safety plan and along with Alys Plummer, went to Richard Funke's office and obtained a \$240,000 grant. Funding disappeared when the Senate majority changed. Mayor Corby further explained that the project is able to be done this year due to a collaborative plan with NYS DOT to add in that road work into the re-construction work that is taking place on South Main and Route 31 over the next 3 years.

Mayor Corby explained that the Village will save money this way as the original \$240,000 grant was not enough to cover the cost of the project and the Village would have needed to make up the difference with our own funds and that it would have been bonded. By working with NYSDOT the Village saved approximately \$300,000.

Trustee Keating also stated that the speed limit was dropped to 20 MPH and a stop sign was installed at Maple and South in order to prepare for the bridge closure.

Mr. Diaz commented in chat: "Thanks. Can you elaborate on why the money disappeared? That sounds unusual. Was there a reason it was not spent before it was sucked back up?"

Trustee Keating answered that he believes Village would have had to front the money and then be paid back and that the Village did not have enough money to front it but is unsure if that was actually the case.

Trustee Lanphear explained that the original plan was only in tentative stages when the funding was pulled. Explained that the plan was never approved by Senator Funke, therefore, when he retired and new officials took office the funding was pulled.

Mayor Corby also added that formulation of the plan was time consuming because the Village wished to consider the opinions of Emergency Services, the Fire Department and Ambulance District and utilize them to identify possible solutions.

## **EXECUTIVE SESSION**

**Motion by Trustee Galusha, seconded by Trustee Keating**, to enter into an Executive Session to discuss an employee matter.

**Vote:** Corby – yes; Lanphear – yes; Galusha – yes; Keating – yes. *Motion Carries.*

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Recording Secretary, Dorothea M. Ciccarelli