

PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES
October 27, 2020 6:30 PM

Present
Mayor: Robert Corby
Trustees: Lili Lanphear
Frank Galusha
Dan Keating (Arrived at 6:44 PM)
Renee Stetzer
Village Attorney: Jeff Turner
Building Inspector: Steven Lauth
DPW Superintendent: Zack Bleier
Recording Secretary: Dorothea M. Ciccarelli

CALL TO ORDER

Motion by **Mayor Corby**, seconded by **Trustee Galusha**, called the meeting to order at 6:35 PM.
Vote: Corby – yes, Lanphear – yes, Galusha – yes, Stetzer – yes. **Motion carried.**

BOARD MEMBER – CONFLICTS OF INTEREST DISCLOSURE

Mayor Corby asked if any of the Board members had a conflict of interest or had accepted gifts associated with any of the meeting agenda items. The Board members indicated that they had no conflicts of interest to report.

VILLAGE ATTORNEY

The Village Attorney did not have anything to report.

TREASURER’S REPORT

VOUCHERS

The Village Treasurer presented vouchers listed on Abstract #11 of 2020 / 2021 fiscal year for approval. A **motion** was made by **Mayor Corby**, seconded by **Trustee Lanphear**, to approve payment of the vouchers listed on Abstract #11, in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #11	
• General Fund (#231-#255):	\$ 27,666.58
Total Vouchers for Approval:	\$ 27,666.58

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

Employment Extension

Motion by **Mayor Corby**, seconded by **Trustee Lanphear**, to extend Mary Marowski’s temporary employment as Village Treasurer through April 2021.
Vote: Corby – yes, Lanphear – yes, Galusha – yes, Keating – no, Stetzer – yes. **Motion carried.**

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The Village Treasurer reviewed the current outstanding attorney bills and questioned if any of the bills could be released for payment. The Board decided to pay Osborn Reed & Burke invoice number, #56745, 56747, & 57175 and Hodgson Russ 1076362 & 1080533 & Zoghlin Group #723.

Motion by Mayor Corby, seconded by **Trustee Keating**, to authorize the payment of the Osborn Reed & Burke, Hodgson Russ & Zoghlin Group invoices as stated.

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

SEPTEMBER BOOKS

The Village Treasurer reviewed the September books with the Board. The general fund reserve is at \$163,682.00. She reviewed the received and anticipated revenues and expenditures regarding any deviations from the budget amounts. The current fund balance as of this time is \$791,426.59, the projected end-of-year balance at this time is \$180,541.87. The sewer fund balance is currently \$680,138.41, the projected end of-year balance is \$704,597.27.

Motion by Mayor Corby, seconded by **Trustee Galusha**, to approve the books as of September 30, 2020.

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

VILLAGE RESERVES

Motion by Mayor Corby, seconded by **Trustee Lanphear**, to move \$5,500 from Sewer Repair Reserve (5124) to Sewer Pub Reserve (3913).

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

Motion by Trustee Lanphear, seconded by **Mayor Corby**, to move \$2,200 from Municipal Choice (84753) to Sewer Pub Reserve (3913) as per 2018-2019 budget.

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

Motion by Mayor Corby, seconded by **Trustee Lanphear**, to move \$3,000 from Municipal Choice (84753) to Sewer Pub Reserve (3913) as per 2020-2021 budget and to debit fund balance (G909) and credit reserve for Repairs (G882) as designated by above entry. In addition, move \$28,500 from Municipal Choice (84753) to Sewer Repair Reserve (5123) as per 2020-2021 budget and to debit fund balance (G909) and credit reserve for repairs (G882) as designated by above entry.

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

FUND BLANCE POLICES

Motion by Mayor Corby, seconded by **Trustee Galusha**, to modify the percentage of the general fund policy.

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

Motion by Trustee Galusha, seconded by Trustee Stetzer, to establish the new sewer fund balance policy dated 10/27/2020.

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

PROCUREMENT POLICY

Motion by Trustee Galusha, seconded by Mayor Corby, to approve the revised procurement policy for professional services as presented on 10/27/2020.

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

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CCA PRESENTATION

Mayor Corby commented that in our effort to be more sustainable, the Village first talked about Community Choice Aggregation (CCA) in 2017. Several municipalities started investigating the feasibility of joining the CCA program. The Mayor requested that Susan Hughes, representing Rocktricity explain the difference between the 24-month look back with the recent bids in comparison to a 12-month look back period.

Ms. Hughes reviewed the differences and how the look back period helps give an idea if you are obtaining a good value concept. She stated that a 12-month look back period is just one tool in determining value, but there are several ways of determining value. The industry offers many ways of reviewing averages. She informed the Board that the current energy costs have been at 30-year lows, and she reviewed all the impacts that have caused the electricity rates to lower.

When they went out to bid, the benchmark for the 12-month look back was less than 4 cents per kilowatt hour. What is more typical in our area is between 5-6 cents per kilowatt hour. They knew it would be difficult but they tried to obtain a cost better than the recent 12 months. The best bid they received was 4.7 cents per kilowatt hour. This was due to the impact of the futures market on the pricing of energy.

Discussion was had that other communities have shifted the benchmark to a 24-month period and other communities chose to wait and communicate to the residents before moving forward. Having several options of what the Village would consider, and the main priorities that the Village wants to accomplish gives them better options with the bidding process to obtain the best pricing for the community. This way the municipality would be able to take advantage of a good bid, since most offerings are only good for one day.

Ms. Hughes reviewed how the Village could review all the benchmarks available to the Village to obtain the best pricing.

Discussion was had on going back out to bid, in hopes of obtaining a competitive rate and with renewable resource. When bids are received the Village would review and see if it meets all the Village's criteria.

Ms. Hughes indicated that it be tasked that one person be authorized to accept the bid since bids are only available for that day.

The Village Attorney questioned Ms. Hughes as to how much lead time can be given to the Board prior to the bid, so that they would be able to schedule a special meeting for the Board to be able to decide to accept it or not. He also stated that otherwise, the Board would have to preauthorize a member to be able to accept a bid with preset criteria.

Ms. Hughes indicated that it was possible to have the Board prepared for a special meeting, but most of the time the municipality has the bid decision preauthorized.

The Board discussed the possible parameters for the acceptance of the bid.

Motion Trustee Keating, seconded by Mayor Corby, to grant Mayor Corby permission to accept a CCA bid that 3% savings over a 12- to-24-month period and is 100% renewable, unless the Village Board is able to schedule a special meeting on the bid opening day.

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

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MINUTES

Motion by Trustee Stetzer, seconded by Mayor Corby, to approve the Village Board of Trustees regular meeting minutes from August 11, 2020, as amended.

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

Motion by Trustee Lanphear, seconded by Trustee Keating, to approve the Village Board of Trustees Village Board Special meeting minutes from August 24, 2020 as amended.

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

Motion by Mayor Corby, seconded by Trustee Stetzer, to approve the joint Village Board of Trustees and Planning and Zoning Board of Appeals minutes of September 3, 2020.

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

PUBLIC HEARING – 7:15 PM CORRECTION OF PITTSFORD VILLAGE CODE §176-25.

Motion Mayor Corby, seconded by Trustee Stetzer, to open the public hearing for the proposed local law to correct code section 176-25A.

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

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, on Tuesday, October 27, 2020 at 7:00 p.m. at 21 North Main Street, Pittsford, New York. The Board will consider the adoption of a proposed local law to correct code section 176-25A, Sidewalk Use in the Code of the Village of Pittsford. If the meeting is unable to be held due to the Coronavirus pandemic it will be held on Tuesday, October 27, 2020 at 7:15 PM per video conferencing link identified.

Pursuant to Governor Cuomo's recent Executive Orders 202.1 and due to the Coronavirus pandemic, the Village Hall will be closed to the public during the public hearing. The Members of the Board of Trustees will be present at Village Hall or participating from their respective homes for this public hearing. If a Board member is participating from home, that home will be closed to the public as well for the reasons stated above. The Public Hearing will be made available for the public to view and hear through 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 request between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday or on the Village website www.villageofpittsford.org.

Motion Mayor Corby, seconded by Trustee Lanphear, to close the public hearing for the proposed local law to correct code section 176-25A.

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

Motion Mayor Corby, seconded by Trustee Stetzer, to adopt the local law correcting code section 176-25A.

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

NON-MUNICIPAL APPLICATION – CANDLELIGHT NIGHT

Mayor Corby reviewed with the Board the request from the Chamber of Commerce to hold a Christmas Tree Lighting event on Friday, November 27, 2020. They are looking to light two trees, the first one would be on Main Street at 5 PM, and the other would be at the Port of Pittsford at 6 PM. They will have

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carolers at the tree lightings and shopping and dining events at local establishments. They are requiring people who attend the event to wear a mask and to social distance.

Discussion was had on the Board concerning the committee providing crossing guards at the four corners for pedestrian safety for the event.

Motion Trustee Lanphear, seconded by Trustee Stetzer, to approve the non-municipal use permit and waive the 45-day notice for the Chamber of Commerce on November 27, 2020 with the following standard conditions and amendment of the application:

- The applicant will provide the Village of Pittsford with a certificate of liability insurance, naming the Village of Pittsford as additionally insured, on a primary and non-contributory basis. The certificate must reflect a single limit of liability for personal injury and property damage in the amount of \$1,000,000. The certificate must also name the event being covered.
- The applicant will notify, in writing, the Monroe County Sheriff's Office, the Pittsford Volunteer Fire Department, the Pittsford Volunteer Ambulance and the Town of Pittsford Fire Marshal to notify them of the event and all of the details.
- The Chamber will also provide a minimum of two trained crossing guards at the 4 corners to assist pedestrians.

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

SPECIAL PERMIT APPLICATION – ALADDIN'S

The owner of Aladdin's, John Crawford, reviewed with the Board his intention to turn 9 Schoen Place into a commissary kitchen for the Aladdin's Natural Eatery located at 8 Schoen Place.

Motion Mayor Corby, seconded by Trustee Keating, to set a public hearing to amend the special permit for Aladdin's on December 8, 2020 at 7 PM.

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

RESIDENT COMMENTS FROM VILLAGE BOARD SPEED FORUM MEETING

Trustee Keating reviewed the status of the action items from the Village Board Speed Forum meeting with the Board.

THE ACTIVE TRANSPORTATION PLAN

Trustee Stetzer reminded everyone that on Thursday, October 29, there will be a meeting of the Planning & Zoning Board to review the feedback with them. In addition, the updated supplement for the plan was forwarded on to Supervisor Smith.

MMBER ITEMS

Trustee Stetzer reviewed with the Board the status of the Speed Limit legislation. She indicated that she had spoken with Assemblywoman Burns, who stated that she had spoken with the NYSDOT regarding the 25-mph speed limit, and that she planned to meet with Mayor Corby and Supervisor Smith on next steps and getting specific intersections that we want the lower speed limit on. Trustee Stetzer indicated that we want every road and intersection in our Village to be at the lower speed limit. The good news is the Assemblywoman is very supportive of the Village's request to lower the speed limit.

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Trustee Stetzer commented that we are currently up to 73 people having signed the citizen's petition in support of the speed limit change. She is hopeful to gain more signatures. She requested if anyone has any ideas on how to gain additional support to contact her.

Trustee Stetzer updated the Board on Hopper, the bike share program. Currently she has a meeting with them on Friday, they will be meeting and walking the high-density spaces that are potential locations for the bike share stations. The company is anticipating launching the program in the spring. She will update the Board at the next meeting.

Trustee Lanphear sent the Board information regarding backless benches that are in the same style as the donated benches. She would like to put on the wish list to purchase for placement somewhere between the Village line and 50 State Street as a part of the neighborhood branding program. The benches will cost about \$1,200 along with shipping.

Trustee Lanphear informed the Board that we will be putting up lights shortly for the holiday in the Village. She had hoped to add more, but we do not have the capability with the light poles. Another area she would like to add lights is the two trees near the Phoenix Building, but we would need to add additional power there as well. She is looking to add extra lighting at Remembrance Park, since there are extra outlets on site. The overriding theme is to uplift people's spirits with additional lighting. She informed the Board that we have the lights, but don't currently have all the electricity for the endeavor. She would like ideas for additional spots for lights, but keep in mind the electricity.

DPW Superintendent Bleier reviewed with the Board that in the past he did get quotes for adding the electric to the poles but it ran around \$188 a pole. Mayor Corby indicated it should be added to the budget.

Trustee Stetzer commented that she added winter lighting to the agenda, because a couple of years ago she did a project with Reconnect Rochester about winter cities and what they do to make them more attractive. During a pandemic, like Trustee Lanphear had spoken about being outdoors, it helps to bring business to our Village and to highlight our historical assets. Having Schoen Place updated throughout the winter would be terrific. She is in support of lighting up the Village. Discussion was had on what could be lighted in the Village in the future.

SPECIAL PERMIT APPLICATION – CHABAD LUBAVITCH OF PITTSFORD INC.

Rabbi Hein requested that The Chabad of Lubavitch be allowed to create a pre-school program for their congregation membership to further the educational offerings to their families. The program would be small in size with 5-14 children between 3-5 years old.

Motion Mayor Corby, seconded by Trustee Lanphear, to set a public hearing to amend the special permit for the Chabad of Lubavitch to operate a pre-school program on December 8, 2020 at 7 PM.

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

DPW REPORT – CONTINUED

Superintendent Zack Bleier reviewed with the Board the request to have Villager Construction repair and install two catch basins at 26 Locust Street.

Motion Trustee Galusha, seconded by Mayor Corby, to authorize the Village Construction to repair and install the catch basins at 26 Locust Street for a cost of \$13,925.00.

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

VILLAGE CLERK REPORT

The Village Clerk reviewed with the Board and requested approval of the 2021 Health Care Program.

Motion Mayor Corby, seconded by Trustee Stetzer, to authorize the renewal of the Simply Blue Silver 19 HDHP, Dental Blue Options, and the Medicare Blue Choice Small Group Plan 2.

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

ADOPTION OF THE LGS-1

Motion Mayor Corby, seconded by Trustee Galusha, to make the following adoption of the model resolution for the Retention and Disposition Schedule for the New York Local Government Records (LGS-1).

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

RESOLVED, By the Village Board of Trustees of the Village of Pittsford that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

The Village Clerk requested the Village Board approve the 2021 meeting schedule.

Motion Trustee Lanphear, seconded by Mayor Corby, to approve the proposed Village Board Meeting schedule for 2021.

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

MEMBER ITEMS - CONTINUED

Trustee Keating liked the bench idea for State Street, but questioned if we could accept donations for those benches. Trustee Lanphear thought if the Village purchased one, we might be able to get more donated.

Trustee Keating indicated that he does have ideas for Trustee Stetzer on the petition, He will speak to her after the meeting.

Trustee Keating also stated that he is still in favor of negotiating with Mark IV. The last time we spoke of this was in the winter, and the idea was to have Mayor Corby, himself, Susan Lhota and Bill McBride sit down with Mark IV. He would still like to make that happen. Otherwise, we are awaiting the legal system to solve this, which we have seen no sign of, and it is incredibly expensive. Again, as you recall, the negotiations would be non-binding, and the sub-boards are the ones with approval.

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EXECUTIVE SESSION

Motion Trustee Keating, and seconded by Trustee Lanphear to enter into an executive session to discuss a personnel issue.

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

Motion Mayor Corby, and seconded by Trustee Galusha to leave executive session at 9:45 PM

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

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Keating, to adjourn the meeting at 9:47 PM.

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

Dorothea M. Ciccarelli, Recording Secretary