

**PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES
December 8, 2020 6:30 PM**

Present

Mayor:	Robert Corby
Trustees:	Lili Lanphear Frank Galusha (arrived 6:49 PM) Dan Keating 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 Lanphear, called the meeting to order at 6:30 PM.

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

BOARD MEMBER – CONFLICTS OF INTEREST DISCLOSURE

Mayor Corby informed the Board that today he had a meeting with the New York State Conference of Mayors, and one of the points attorney Wade Beltramo made is that since it appears we are going to be using the digital format for some time into the future, we must be mindful that if you have any communication, such as mail, text message, or verbal conversation with someone that is in a room with you, it needs to be disclosed to the group. Otherwise, you are in violation of the open meetings law.

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.

Trustee Keating stated that he wanted to go on the record that he maintains that it is not necessary for Board members of the Board of Trustees to make video conference calls from the Village Hall in a time of pandemic and serious health problems in Monroe County when we have laptops and an iPad that we can make work from a remote location. He stated that from a safety standpoint for our staff and everybody involved, he maintains that nobody should be in the office except for the Village Clerk.

Mayor Corby in response stated that as the executive for the Village, like all executives in municipal government, he is considered an essential worker. He arrived in the office today at 9 AM, and his presence in the building was required because the Records Clerk was working on three separate document searches on various issues we are dealing with in the office. Due to the Mayor's extensive knowledge of the history of the evolution of projects that have happened in the Village, it was essential that he work with the Records Clerk to sort through the documents and determine which ones were relevant to the various things the Buildings Inspector, Village Attorney, and others were looking for. So his computer has been in the office all day. He conducted his NYCOM meeting and fielded phone calls at the same time. He does not believe that there is any risk since he follows the same protocols that the other employees working in the office do. Generally, he is in the office every day of the week, because there are a variety of timely issues regarding personnel, staff, and policy that require his presence in the building.

KUSTOM SIGNALS

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Mr. Hayes, with Kustom Signals, did a brief presentation. He presented a portable pole-mount speed display, which weighed about 20 pounds and offered several options for providing power. The unit includes a traffic data analysis and offers interchangeable message signs, such as: School Zone, Work Zone and Your Speed. The sign can be mounted on a utility pole or a sign pole and offers a secure vandal resistant lock. The Board asked Mr. Hayes several questions about the unit, which included the following:

1. Charging the unit. This could be done by solar or by battery charge, a battery charge can last 6-7 days. The unit takes 6-7 hours to charge.
2. Did the company offer a trial program for the unit? The company offers up to a 90-day trial program.
3. Training on the unit. They would be able to train personnel remotely.
4. Pricing. They offer New York State Contracting pricing and a volume discount. Pricing ran between \$2,700 - \$4,200, depending on options.
5. What is the lead time on an order? Orders can take up to 30days but often arrive earlier.
6. The Board questioned what options Mr. Hayes recommended. He suggested ordering the 8-inch tablet that can be paired with the displays to make it seamless.

The Board thanked Mr. Hayes for attending the meeting.

MEETING RECESS

Motion by Mayor Corby, seconded by Trustee Galusha, to enter into a recess.

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

PUBLIC HEARING – SPECIAL PERMIT, 21 LINCOLN AVENUE, CHABAD LUBAVITCH

Ricci Hein is proposing running a pre-school that can accommodate 10-12 children. The organization thought the community could use a progressive, high-quality pre-school program. Mrs. Hein also indicated that they thought the area would provide many opportunities for the program. With the location of the Chabad, and speaking with the neighbors, it will not be an issue for the dropping off and picking up of the children. The pickups and drop-offs will be scheduled throughout the day, and they will also have the use of their parking lot, and they have planned as well for other parking if needed.

Mayor Corby questioned what the schedule would be along with the hours of operation. Mrs. Hein stated that drop-offs would start around 8-8:30 AM, with options for families to bring the children for either a ½ day to 5:30 – 6 PM.

Village Attorney clarified with the applicant that the pre-school program would only be opened to members of their organization and offered a religious component to the operation. Mrs. Hein agreed and stated it would be run as a Jewish pre-school program.

Motion Mayor Corby, seconded by Trustee Stetzer, to open the public hearing for a special permit for 21 Lincoln Avenue to consider an application for a special permit to operate a day care facility for members of the Chabad Lubavitch.

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, December 8, 2020 at 7:00 p.m. at 21 North Main Street, Pittsford, New York. The Board consider the to an application made by Chabad Lubavitch of Pittsford Inc. 21 Lincoln Avenue, Pittsford, NY 14534 for a Special Permit to create a pre-school program. If the meeting is unable to be held due to the Coronavirus pandemic it will be held on Tuesday, December 8, 2020 at 7:15 PM per video conferencing link identified.

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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.

Mathew Lennarz, 27 Lincoln Avenue – Informed the Board that they live across the street from the Chabad, and he stated that they had spoken to Mrs. Hein regarding the operation. They are in full support of the application. The only request that they had for the operation was making sure the families are aware of the parking limitations and that they are legally parked in their lot, or street, and at the alternate parking.

Stacey Filbridata, 30 Washington Avenue – Commented that they are also a neighbor of the Chabad and are strongly in support, as the Heins have been wonderful neighbors. Their program is an asset to the whole neighborhood. She was impressed how they managed the flow of people for the holiday services with no disruption to the neighborhood. She is very confident that this will be okay for the neighborhood.

Motion Mayor Corby, seconded by Trustee Galusha, to close the public hearing for a special permit for Chabad Lubavitch, 21 Lincoln Avenue.

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

Motion Trustee Keating, seconded by Trustee Stetzer, to approve the application for the Chabad Lubavitch, 21 Lincoln Avenue, with the following additional findings:

1. The use is permitted since it is an accessory to the religious mission of the Chabad, because it offers a Jewish daycare service for members of the Chabad and possibly others.
2. The application conforms with all the regulations for certain uses as provided for by Article 24 of Chapter 35 of the Village Code.
3. The Chabad provides adequate off-street parking for the use.
4. The parking lot is screened by landscaping and has been previously approved.
5. The proposed use is compatible with the neighborhood because it does not provide any exterior changes to the outside of the facility and it is a small-scale use providing a service for the maximum of 14 children.
6. Screening and closure of the exterior daycare is included in the proposal to the satisfaction of the Building Inspector.

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

PUBLIC HEARING – SPECIAL PERMIT, 7 SCHOEN PLACE – ALADDIN'S

John Crawford, representing Aladdin's, is looking to open a commissary, where previously, Mostly Clay operated. It would be a small operation; in the summertime, he anticipated using the kitchen Monday, Wednesday, and Friday from 7:00 AM to 11:30 AM. In the wintertime when it is slower, he would be using it on Monday and Fridays 7:00 AM to 11:30 AM for the most part. He employs 4 people in the summertime and 3 people in the wintertime.

Trustee Lanphear questioned if there will be any exterior changes to the building to accommodate the commissary. She questioned if they will be blocking the window at the location.

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Mr. Crawford informed her they will not be making any changes to the outside of the location and will not block the window.

Trustee Galusha questioned the address of the business, 9 Schoen Place. Mr. Crawford commented that the location address he provided is what is on the lease and the RGE Bill. The property address was determined to be number 7 Schoen Place.

Motion Mayor Corby, seconded by Trustee Lanphear, to open the public hearing for a special permit for 7 Schoen Place to consider an application for a special permit.

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, December 8, 2020 at 7:00 p.m. at 21 North Main Street, Pittsford, New York. The Board consider the to an application made by Aladdin's for 9 Schoen Place, Pittsford, NY 14534 to amend their Special Permit. If the meeting is unable to be held due to the Coronavirus pandemic it will be held on Tuesday, December 8, 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 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.

Motion Mayor Corby, seconded by Trustee Lanphear, to close the public hearing for a special permit for Aladdin's at 7 Schoen Place.

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

Motion Mayor Corby, seconded by Trustee Galusha, to approve the commissary application for Aladdin's at 7 Schoen Place, with the following findings:

1. This is an existing commercial space.
2. The number of employees is approximately the same as the previous use of the space.
3. There are no apparent environmental effects, trash will be handled in the same arrangement that handles trash from Aladdin's. There will be no additional dumpster or screening requirements.
4. The application appears to conform with requirements of Section A-F of 210-35 of the Village Code.

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

BUILDING INSPECTOR REPORT

- During period issued 6 permits for \$705.00 in permit fees and \$76,000 in improvements.
- Worked with residents and businesses for 4 HPB applications: 9 Green Hill Lane – windows, 22 Boughton Ave – basement windows, 44 Lincoln Ave – Pillars, 2 Monroe Ave – A/C-dumpster enclosure.
- Attended monthly coalition stormwater meeting.
- Annual fire inspection for St. Louis Church, did not pass, so he created and sent list for repair.
- Final inspections: 50 State Street – Copper Leaf – failed several small items, 39 South Main St.– new salon, 30 Lincoln Ave – roof, 83 South Street – ground solar array, 50 State St. – Notions/sign.
- Have spent a bit of time in regard to a multiple variance application for 29 Maple St. for an addition, researching code and discussing the issues with board members.

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- Insulation inspection at 40 Sutherland St. and final framing inspection for remainder of construction area.
- Footer inspection at 36 Sutherland St. for patio area.
- Found two roofing projects being conducted without permits, contacted contractors, and issued permits for 11 Washington and 31 Locust St.
- Worked with homeowner for addition to 9 Grove Street which was approved by HPB in the fall of 2018 as a “phased” project. Had to research and go through recordings of meetings to find exactly what was approved.
- 29 Rand Place – deck final – worked with homeowner to achieve satisfactory railing configuration.
- Continued to work with 21 Lincoln Ave for possible small daycare operation and have spoken to several residents in regard to the upcoming public hearing.
- Received determination letters for 36/38 and 40 State St. to Monroe County for approvals, contacted owner to discuss findings and spoke with Health Department for final approvals.
- Contacted owner of Tequilaria and had meeting for discussion of pass-through between the “Kitchen” and the Blue Horn. Informed him that this cannot be accomplished due to the Fire Code.
- He has read and processed over 340 emails during this time period, researching and answering many questions regarding zoning and Historical Preservation requirements to new property owners and tenants. He has sent over 75 response emails.
- He has received an average 15 phone calls per day with questions or concerns over village issues.
- Have been working with the Collin’s and their Architect to get a final location for the Pavilion. I have put them in contact with the Canal authority to discuss the location. I have also researched the original agreement between the Canal Corp, Mr. Collins, and the Village to see what the Village’s involvement was in the building of the current pavilion.
- Met with owner of Towpath to go over current changes and possible future changes to new location.

DPW REPORT

Leaves and Brush:

- Removed approximately 1,300 cubic yards in the last month
- All caught up with leaves that have made it to the curb

Flush Truck:

- Total for repairs- \$12,437.27
- Truck seems to be working as it should. Will hopefully hold up for a while

Sanitary Sewer Backup at 5 Elm St:

- Tuesday, December 1
- Approximately 90' downstream of first manhole hit blockage
- Was able to punch through and flush out that section of sewer main

Holiday Decoration:

- All decorations have been put up
- Jim Edwards helped hang the N Main St bridge wreaths with his lift
- Was quoted \$200 to help remove them. Much safer than doing from a ladder as we typically do

Streetlight Repairs:

- Repaired 4 Village owned streetlights
- Converted 2 to LED
- 11 LED conversions done this year
- At about 40 converted out of 73

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UFPO Stakeouts

Trees planted:

- 2 Stella Cherry trees planted at 9 Boughton Ave
- Trees removed:
- Maple tree at 63 S Main St
- Maple at 27 Monroe Ave

DOT RT 31/96 project:

- Scott Harter and I have been working with the DOT to sort out a storm sewer design conflict with the sanitary sewer at the proposed bump-outs in front of Pontillo's on State St. With the addition of the bump-outs for the crosswalk, the storm sewer drainage inlets will have to be relocated. The new 0.1. locations would put the structures right on top of the sanitary sewers.
- One idea that the DOT had to address this would be to extend the bump-out on the north side of the road to the west side of the driveway that goes between Pontillo's and CNB. This would eliminate an on-street parking spot in front of CNB but also may help with visibility for vehicles turning onto State St from the driveway.
- Scott and I mentioned an alternative to extending the bump-out would be to use a 0.1. that would be under the curb of the bump-out rather than a typical frame and grate, which would move the drainage structure a few feet away from the sanitary sewer.

VILLAGE ATTORNEY

The Village Attorney informed the Board that he had nothing major to report. He has only been working with the Board and Staff with current phone calls.

TREASURER'S REPORT

VOUCHERS

The Village Treasurer presented vouchers listed on Abstract #13 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 #13, in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #13

• General Fund (#293-301, 303,305-314, 316-326,328-343):	\$ 103,894.33
• Sewer Fund (#304, 315, 327, 329):	\$ 13,280.08
• Capital Improvements 2015(302):	<u>\$ 370.50</u>
Total Vouchers for Approval:	\$ 117,544.91

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

ATTORNEY BILLS

The Treasurer reviewed with the Board the current outstanding Village Attorney Bills.

Motion Trustee Keating, seconded by Mayor Corby, to approve the payment of Zoghlin Group invoice #679 \$2,169 and Hodgson Russ invoice #1084871 for \$1,921.50.

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

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REVIEW OF NOVEMBER BOOKS

The Village Treasurer reviewed the November books with the Board, she informed the Board that the books were not ready for approval but wanted to give them an update on the current budget.

HEALTH SAVINGS ACCOUNT FUNDING

The Village Clerk reviewed with the Board the anticipated health savings account funding for the upcoming year and requested permission to fund the provided list for January 1, 2021.

Motion Mayor Corby, seconded by Trustee Galusha, to approve the funding of the health savings accounts as presented.

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

TRAFFIC CALMING / SPEED MITIGATION

Mayor Corby informed the Board that Assemblywoman Marge Burns had contacted him, and she was eager to assist us in moving forward with the 25-mph speed limit. Mayor Corby and Trustee Stetzer met with her on December 7, 2020. Assemblywoman Burns' office will be providing a timeline for the submittal of the 25-mph legislation to be completed. The Village will have to complete the home rule resolution again, when the legislation is introduced.

Mayor Corby also commented that he spoke to Supervisor Smith, Mike Pero, and Bill Maffucci about their support for the 25-mph speed limit and the transition zones on the perimeter of the Village. Once we have the bill drawn up again for approval, Mayor Corby will meet with everyone again. Ms. Burns also suggested reaching out to other representatives seeking their support.

MEMBER ITEMS

Mayor Corby

Mayor Corby informed the Board that he had a discussion with the owner of Chandeliers Boutique. They have experienced problems due to the pandemic with deliveries that they need to make. They need a space that their employees can park or do deliveries. Mayor Corby discussed the possibility of changing the parking requirements on Monroe Avenue that are limited to 30 minutes to unrestricted. This way they could use the parking space that goes unused. This would fulfill an action item of the Active Transportation Plan. The Village Code sections affected would be section 195-33. Trustee Stetzer questioned if there would be any coordinating with NYSDOT with this code change.

The Village Attorney says currently, we have cleared that area for parking spaces, and he does not think it matters if it is 30 minutes or unlimited. Mayor Corby informed him that in the past, we have changed the parking requirements on Main Street. NYSDOT does not care about the parking requirements but the location. There would still be a prohibition for parking in the spot during the evening rush hour. The discussion was held that this would be a better utilization of the parking spaces. Mayor Corby requested the Village Attorney draw up the necessary law for the change to the Code.

The Mayor informed the Board that he did meet with Margo Fass and Patty Love, a permaculture expert to walk around the DPW Village property. They talked about several steps that would be required to accelerate the transition from existing secondary growth to mature North Eastern United States hardwood wood lot, including the possibility of starting a nursery onsite, eliminating invasive species and selecting areas that are suitable for cultivating as meadow versus hardwood wood lot. She is going to draw up a

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suggested planting to start that transition and there would be no cost to the Village because it is part of the mission of the Frog House Group that is very interested in both Erie Canal Park and Preserve and the Village Arboretum as community projects.

TRUSTEE LANPHEAR

Trustee Lanphear informed the Board that she is in contact with a member of the garden club and they are interested in working with the Arboretum. Once they have a plan, she will review with the Board.

TRUSTEE STETZER

Trustee Stetzer informed the Board that she met with Captain Delyser, of Monroe County Sheriff's Department, to get an update on the traffic enforcement. He wanted to let us know that the speed trailers have to shut down for winter because they are not made to handle snow. They will redeploy them in the Spring and will move them around in the Zone A. He stated that every day they have been putting a decoy car out in the Village and have been moving it around to all the special attention routes that we have been providing them. Currently, they are not handing out a lot of tickets due to push-back from the public and people they have pulled over, because of the concerns around the pandemic. She reviewed the areas that the Sheriff has been giving the additional attention.

TRUSTEE KEATING

Trustee Keating informed the Board the only outstanding item not spoken about from the Speed forum, was questions regarding the twenty mph speed limit signs on South and Maple Street. The superintendent indicated that there is not a good location to place a sign there due to the spacing needed for the speed limit sign and the stop sign. Discussion was had on solutions for the area and he will continue to review for possible solutions.

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 of 2019, 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 75 Monroe, 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.

Mayor Corby commented that there is a settlement process underway, and the attorneys for all three Boards have met. The correspondence has been shared with the Court, and we gave a report on that at our last meeting. We are making a good-faith effort to pursue the settlement that has been proposed by the court.

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Stetzer, to adjourn the meeting at 8:38 PM.

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

Dorothea M. Ciccarelli, Recording Secretary