

**PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES
JUNE 16, 2020 3:00 PM**

Present

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

CALL TO ORDER

Motion by Mayor Corby, seconded by Trustee Lanphear, called the meeting to order at 3:00 PM.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Keating – 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.

ACTIVE TRANSPORTATION PLAN

Mayor Corby informed the Board that he had spoken to Justin Vleitstra, Chairman for the Planning and Zoning Board of Appeals, regarding the Active Transportation Plan. Mayor Corby was going to request that the Board forward the Plan to the Planning Board for a consistency review for the LWRP, but the Chairman requested that the Board wait until the PZBA had completed reading of the Plan before making the request.

The Chairman also informed the Board that they were reviewing the temporary permit section of the code and would be making recommendations to the Village Board for changes to be considered.

MEMBER ITEMS

Trustee Keating had a question from a resident regarding work that is needed on Rand Creek and when the Board anticipated starting the project. Mayor Corby commented that the gabions in place at the creek were looked at by Scott Harter, and he indicated that they are not in immediate danger of collapsing. The Board decided to wait until next budget year to initiate the repairs. The Village will go out a few times during the year to take another look at them to make sure that is still the case, but that was the plan that was decided in the spring. Mr. Palumbo was informed of the Village's intentions. Mayor Corby will follow up with a phone call to the resident to clear up any confusion.

Trustee Stetzer asked the Mayor if he had any luck scheduling a meeting with Department of Transportation. Mayor Corby will try to schedule a meeting with them tomorrow, if needed, he will look to schedule that meeting in July.

Trustee Stetzer discussed the detailed plan for the reconstruction for the State Street bridge. She expressed concerns for some missing items that were not included in the plan that the Village had

**PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES
JUNE 16, 2020**

requested. She requested the Board review the documents to see if there are other items that are missing that should be addressed. Mayor Corby stated that the Board should provide feedback on the missing items to the DOT. Mayor Corby indicated he will review the plans and send his comments to Trustee Stetzer.

Mayor Corby informed the Board that he had spoken to the new account representative for RG&E, and over the next six months they will be working on a plan for all the RG&E lights to transfer to LED. It would reduce the Village's lighting expenses and we will have options in the lighting level and color of the lights. The first phase will be Cobra lights and they will be providing options to update the RG&E Acorn lights as well. All the RG&E-owned lights in the Village will be LED.

Trustee Keating questioned whether the Village should post information on the Bridge reconstructions. Trustee Stetzer indicated that the Village will be looking to do something similar to what Fairport did on their website at the time of their bridge construction. That process will start once all the plans are finalized to make sure everything is clear for all parties involved, and there might be a delay due to the pandemic.

CCA AGREEMENT

Attorney Jeff Turner informed the Board that the CCA Resolution that is being considered includes a contract and authorizing the Mayor to sign that contract if a bid is received in the specifications that the Village is expecting. These specifications are for renewable energy with average rate beating the RG&E rate for twelve months. The bidder will be vetted by Joule Energy. The bid will be at their recommendation.

The Board reviewed the contract and what actions will be required by the Village and Staff if the contract goes into effect.

RESOLUTION AUTHORIZING JOULE ASSETS, INC. TO SOLICIT BIDS FOR SUPPLY OF ELECTRICITY FROM RENEWABLE SOURCES AND APPROVING ELECTRICITY SUPPLY AGREEMENT

Motion Trustee Keating, seconded by Trustee Lanphear, to make the following amended Resolution Authorizing Joule Assets, Inc. to Solicit Bids for Supply of Electricity from Renewable Sources and Approving Electricity Supply Agreement.

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

WHEREAS, effective April 21, 2016, the New York State Public Service Commission ("Commission") issued an "Order Authorizing Framework for Community Choice Aggregation Opt-Out Program" in Case #14-M-0224, which authorized the establishment of Community Choice Aggregation programs by municipalities statewide; and

WHEREAS, effective March 16, 2018, the Commission issued an "Order Approving Joule Assets' Community Choice Aggregation Program with Modifications" in Case #14- M-0224 that authorized Joule Assets, Inc. ("Joule" or "Program Administrator") to serve as a Community Choice Aggregation Program Administrator on behalf of Cities, Villages, and Towns in New York State; and

WHEREAS, by Local Law No. 6-2018, the Village authorizes the creation of a Community Choice Aggregation Program ("Program") pursuant to § 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law and consistent with State of New York Public Service Commission Case No. 14-M-0224; and

WHEREAS, the Village, by Resolution, resolved to engage Joule to, among other things, act as Program

**PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES
JUNE 16, 2020**

Administrator on behalf of the Village for the Program, and thereafter entered into a municipal energy services agreement with Joule for performance of such services; and

WHEREAS, *the Village seeks to obtain competitive bids from electricity suppliers (each a "Supplier") pursuant to a request for proposal that shall include provision of a 100% renewable supply of electricity at a net savings, compared to the 12-month historic average measured from the bid issuance date, of the Rochester Gas & Electric residential rate for electricity charged to residential customers (the "Supply RFP"), that is intended to result in a three-party Electricity Supply Agreement between the selected Supplier, the Village and the Program Administrator that, among other things, will govern the terms of provision of the electricity supply by Supplier for the Program; and*

WHEREAS, *the Program Administrator has prequalified prospective bidders based on creditworthiness and competence; has executed the public outreach campaign in the Village as required by the New York State Department of Public Service, and has obtained or will be obtaining utility data from the local distribution utility, all of which is necessary to solicit bids through the Supply RFP; and*

WHEREAS, *the "Electricity Supply Agreement" (in the form attached hereto), has been reviewed and approved by the Attorney for the Village, and has been deemed to provide benefits, adequate protections, and minimize risk to Village.*

NOW, THEREFORE, BE IT RESOLVED, *that the Village Board of the Village of Pittsford, New York, authorizes the Program Manager to issue a Supply RFP consistent with the provisions of this Resolution, with bids to be evaluated based upon compliance with the specifications of the Supply RFP including, without limitation, price and tenor parameters, and Supplier's acceptance of all material terms of the Electricity Supply Agreement.*

AND, THEREFORE, BE IT FURTHER RESOLVED, *that the Village Board of the Village of Pittsford, New York, approves the Electricity Supply Agreement in substantially the form attached to this Resolution as Exhibit A, such form to be included in the Supply RFP.*

AND, THEREFORE, BE IT FURTHER RESOLVED, *that Joule in its role as Program Administrator for the Program shall, among other things, manage the energy procurement process, prepare and issue the Supply RFP, and make recommendations for award to the Village; provided however, that the Village will, through the Mayor, make the final award decision.*

AND, THEREFORE, BE IT FURTHER RESOLVED, *that subject to the conditions that the awarded Supplier has been prequalified as required by Program Administrator and that the awarded bid meets the specifications established in the Supply RFP, the Mayor shall execute an Electricity Supply Agreement on behalf of Village in substantially the form attached hereto with the awarded Supplier and Program Administrator in a timely fashion; provided, however, that the Village is under no obligation to award the Supply RFP should these conditions not be met.*

This resolution shall take effect immediately upon its adoption.

PUBLIC HEARING – PROPOSED LOCAL LAW ELIMINATING CHAPTER 189

Motion Mayor Corby, seconded by Trustee Galusha, to open the Public Hearing on the proposed local law eliminating Chapter 189 in its entirety from the Code of the Village of Pittsford.

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, June 16, 2020 at 6:00 p.m. at 21 North Main Street, Pittsford, New York, for the Board to consider the adoption of a proposed local law eliminating Chapter 189 in its entirety from the code of the Village of Pittsford. For those who wish to attend the meeting social distancing requirements, facial coverings will be required, and temperature checking will be administered.

**PROCEEDINGS OF A REGULAR MEETING
OF THE VILLAGE BOARD OF TRUSTEES
JUNE 16, 2020**

In the event Governor Cuomo's executive order 202.1 is extended beyond June 16, 2020, the above-mentioned public hearing will be held at 6:30 PM on June 16, 2020 and 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. Notice of such change to the Public Hearing will be affixed to both entrances of the Village Hall and posted on the Village Website and Facebook pages. The Members of the Board of Trustees will be present at Village Hall or participating from their respective homes for this public hearing via video conference. 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. Comments and concerns can also be mailed, emailed or phone to the Village offices ahead of the Public Hearing on June 16, 2020.

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.com.

Trustee Stetzer questioned the Board whether removing this section of code would hinder the Village with any of the temporary seasonal permits.

The Village Attorney indicated that he thought the current temporary permit code is workable. He expressed that the chapter should be removed.

Motion Mayor Corby, seconded by Trustee Galusha, to close the Public Hearing on the proposed local law eliminating Chapter 189 in its entirety from the Code of the Village of Pittsford. **Vote:** Corby – yes, Lanphear – yes, Galusha – yes, Keating – yes, Stetzer – yes. Motion carried.

Motion Mayor Corby, seconded by Trustee Lanphear, to adopt the local law eliminating Chapter 189 in its entirety from the Code of the Village of Pittsford.
Vote: Corby – yes, Lanphear – yes, Galusha – yes, Keating – yes, Stetzer – yes. Motion carried.

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Galusha, to adjourn the meeting at 7:45 PM.
Vote: Corby – yes, Lanphear – yes, Galusha – yes, Keating – yes, Stetzer – yes. Motion carried.

Dorothea M. Ciccarelli, Recording Secretary