

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

Wednesday, July 11, 2023, at 5:30 PM

PRESENT:

Mayor: Alysa Plummer
Trustees: Justin Leitgeb
Lili Lanphear
Lisa Cove
David Marshall
Village Clerk: Dorothea M. Ciccarelli

CALL TO ORDER

Motion by Mayor Plummer, seconded by Trustee Cove, to call the meeting to order.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

CONFLICTS OF INTEREST DISCLOSURE

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

PUBLIC COMMENT

Mayor Plummer then asked the public if anyone wished to speak or comment. The Treasurer confirmed that there were no comments.

BUILDING INSPECTOR REPORT

Trustee Marshall wanted to discuss 66 Monroe site possibilities. Building Inspector Lauth stated that a potential buyer was inquiring as to the possible zoning option of the property. Mayor Plummer wanted to add an action item regarding multi-family dwellings and whether the code's wording needs to be adjusted. The Village Hall back exit was discussed next, and it would only be considered an emergency exit/third exit, and there would be no justification for using grant money to remodel it. The mayor planned to meet with a state legislator in the next few weeks to reappropriate the grant funds for other repairs within Village Hall. Trustee Leitgeb wanted Building Inspector Lauth to work with the Village Lawyer to draft a letter to the American Legion regarding the use of the emergency exit stating that the village will have no liability, considering there are two other exits to be used. A sign would be posted on the exit.

DPW REPORT

Regarding the arboretum funds, Mayor Plummer clarified that the board would have to approve using them each time they were used from here on out.

Motion by Trustee Lanphear, seconded by Trustee Leitgeb, to approve using ARPA funds of \$ 4,000 for trees in the Village.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

The Superintendent of DPW stated that mowing the meadow in the arboretum is significantly damaging equipment—another method to maintain the meadow area needed to be found. Mayor Plummer wanted to take the next few months to develop a plan, and the Treasurer reminded the board that there is currently no money in the arboretum line of the budget, so that would have to be addressed. Trustee Marshall referenced that the Village Lawyer would need to address the ability to move funds from the reserves. Superintendent Bleier requested to attend

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the “Low Volume Roads Pavement Design” workshop with Cornell. The treasurer stated the cost was \$75 per person, \$20 for 7 PDH credit hours, and the mileage to Penn Yan.

Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the cost for the training and the associated expenses discussed for the Superintendent of the DPW.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

TREASURER’S REPORT

The Village Clerk presented vouchers listed in Abstract #27 of the 2022/2023 fiscal year and Abstract #4 for the 2023/2024 fiscal year for approval.

Vouchers for approval Abstract #27

• General Fund (#703-#708):	\$2,104.13
• Sewer Fund():	\$ 0
<hr/>	
	\$ 2,104.13

Vouchers for approval Abstract #4

• General Fund (#65-#63):	\$23,344.04
• Sewer Fund (#39, #50):	\$ 2,465.90
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	\$25,809.94

Motion by Trustee Leitgeb, and seconded by Trustee Cove, to approve payment of the vouchers listed in Abstract #27 and Abstract #4 in the amounts stated and to charge them to the appropriate accounts. Motion amended to correct the vendor’s name on line 55 of the General Funds.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

The Village Clerk then presented the May financials, budget transfers, and engagement letter with the Village’s accountant for the Annual Financial Update documents.

Motion by Trustee Leitgeb, and seconded by Trustee Marshall, to approve May financials as submitted.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Trustee Marshall asked for clarification from the Village Clerk about how to limit budget transfers in the future.

Motion by Trustee Marshall and seconded by Trustee Leitgeb to approve the budget transfers.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Leitgeb, and Seconded by Trustee Cove, to approve the signature of authorization for the engagement letter to be at most \$2,950.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

NON-MUNICIPAL APPLICATION- TURN THE TOWN TEAL

Trustee Cove questioned whose responsibility it is to remove the teal ribbons and then requested that the Village Clerk ask that they all be taken down before the annual breast cancer walk at the end of the month. The Village Supervisor also ordered that the organizers walk through once a week and maintain any needed ribbons.

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Motion by Trustee Cove, and seconded by Trustee Leitgeb, to approve “Turn the Town Teal” with the amendments that the ribbons be maintained weekly and fully removed on September 23, 2023.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

NON-MUNICIPAL APPLICATION- EMBRACE YOU SISTERS WALK

Motion by Trustee Cove, and seconded by Trustee Leitgeb, to approve the “Embrace Your Sisters” walk.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

NON-MUNICIPAL APPLICATION- HARVEST MOON FESTIVAL

Representatives from The Asian Pacific Islander American Public Affairs Association came forward to discuss their community outreach through the Harvest Moon Festival.

Motion by Trustee Leitgeb, seconded by Trustee Lanphear, to approve the non-municipal use permit application as submitted.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

NON-MUNICIPAL APPLICATION- COPPER LEAF BREWING

The Village Clerk notified the board that she spoke with Steve Lauth, Building Inspector, about discussing with businesses that apply for multiple permits to plan and submit one application for all events. Trustee Lanphear also raised concerns about businesses needing to provide all the intentions when presenting their original proposals. Her concern was disruptions to State Street residents. The Village Building Inspector confirmed that there have been no complainant calls to this point. Jeff Turner, Village Lawyer, also confirmed that they do not need to apply for special use permits.

Motion by Trustee Marshall, and seconded by Trustee Cove, to approve the non-municipal use permit and to waive the 45-day notice.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

PUBLIC HEARING: SHORT-TERM RETAIL BUSINESS- BUFFALO BILLS

Motion by Trustee Leitgeb, and seconded by Trustee Cove, to open the public hearing.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Mayor Plummer asked for any questions from the public.

Art Pierce, 70 State Street, came forward online wishing to discuss Copper Leaf Brewing and possible complaints about drinking occurring outside the barriers and that the business is now working outside the original code. He was informed that the meeting had moved on to a Public Hearing regarding the Buffalo Bills, and if he would like to call the mayor directly at another time, she would welcome discussion about it then.

The Village Attorney, Jeff Turner, also reminded the board that they were in a public hearing and should not be addressing previous agendas at that time. Mayor Plummer also asked the board to table further comments until the Public Hearing was closed.

Mayor Plummer asked for any questions from the public.

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Gene Cardamone, 5 Silver Pines Drive, came forward to express that as a resident and business owner, he welcomes the Buffalo Bills to come to the village in any way possible.

Motion by Trustee Marshall, and seconded by Trustee Cove, to close the public hearing.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Cove, and seconded by Trustee Leitgeb, to approve the Buffalo Bills' short-term retail business application.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Building Inspector Lauth addressed Trustee Leitgeb's question, stating that there has never been a written complaint regarding Copper Leaf Brewing events. Trustee Lanphear wondered if the complaints were being sent to the Monroe County Sheriff's Office instead. Mayor Plummer stated that she meets weekly with the Sheriff's Office, and they have never brought complaints to her attention, which is required. Mayor Plummer would confirm. Trustee Cove reminded the public to email any concerns or complaints to the Village Clerk to be on record and addressed.

PUBLIC HEARING: SPECIAL PERMIT APPLICATION FOR 14 SOUTH MAIN STREET

The Village Clerk issued an apology; due to an error, the notice for this agenda item was not publicly posted with the correct date. Since it had not been legally posted, this public hearing must be rescheduled for a special meeting on July 17, 2023 meeting at 5:00 p.m.

Building Inspector Lauth asked the owners to present their proposed application so the board could address any issues that might arise before the July meeting. Representative Andrea Pedroso came forward to answer questions about the proposed coffee and gelato shop. Trustee Cove inquired about operating hours. Mr. Pedroso stated 9 am-8 pm Monday-Sunday. Building Inspector Lauth asked Mr. Pedroso to come up with a seating plan by next week so that he could confirm parking capacity.

Art Pierce publicly commented that he wholeheartedly supported this unique and exciting business.

PUBLIC HEARING: LOCAL LAW FOR MORATORIUM ON SHORT-TERM RENTAL

Motion by Trustee Leitgeb, and seconded by Trustee Cove, to open the public hearing.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

The mayor asked for any public comments.

Gene Cardamone, 5 Silver Pines Drive, asked how the board selected the advisory board. Mayor Plummer guided him to the resolution on file and informed him that the Board of Trustees appointed the members. Mr. Cardamone voiced concern that many residents needed to be made aware of the availability of positions. Mayor Plummer commented that it was posted on the village website and Facebook page. The board took Mr. Cardamone's email so he could receive the link to the Village website and all future notices.

Dave Ferris, 27 Monroe Avenue, asked if the advisory board would meet publicly. Mayor Plummer confirmed that they might, though they are not subject to open meeting laws as they are not passing legislation. All information will be brought back before the public.

Art Pierce, 70 State Street, commented online, "Wholly support the moratorium considering the monumental impact that the village board's ultimate decision will have on the future of the historic residential character in the Village of

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Pittsford. Furthermore, with consideration, this overriding fact of the referendum may be in the most appropriate and responsible action.”

Motion by Trustee Marshall, and seconded by Trustee Cove, to close the public hearing.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Cove, and seconded by Trustee Leitgeb, to approve the moratorium for short-term rental as submitted.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Mayor Plummer stated there would be a statement about the moratorium on the village website and a letter sent to the Greater Rochester Realtors Association.

DPW SECURITY AND SAFETY PLAN

Trustee Leitgeb asked if there was any public comment.

Robert Corby, 7 Washington Road, President of Friends of the Arboretum, presented a written statement. It was then read aloud in its entirety.

Mayor Plummer wanted to have a public workshop to include the entire community in the decisions regarding the plans moving forward. Trustee Lanphear also suggested that the Village hire a consultant.

Mr. Corby stated that the trail extensions should bypass the DPW and help alleviate security and safety concerns. He then requested to walk the site and flag it for use to come back and meet with the board about the findings.

Mayor Plummer brought to attention that the DPW has never been entirely secure and needed to be a priority, as well as getting all of the proposed changes to the public to be completely transparent. Steven Lauth, Building Inspector, reminded everyone that the proposed arboretum signs must be brought before the Historic Preservation Board before being erected. Trustee Cove wanted The Friends of the Arboretum to give the board a walkthrough of the site plan.

Motion by Trustee Leitgeb, and seconded by Trustee Lanphear, to allow The Friends of the Arboretum to place temporary markers, effective immediately, and to be removed within 60 days, indicating where the proposed trails would be placed.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Leitgeb, and seconded by Trustee Marshall, to prepare the RFP and present the RFP to the board regarding mitigating invasive species with a focus on Ailanthus trees.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

APPOINTMENT TO HISTORIC PRESERVATION BOARD

Mayor Plummer read Carolina Torres’ letter of interest in joining the Historic Preservation Board aloud.

Trustee Leitgeb asked what seat she was being appointed to. Mayor Plummer stated that it was Kendra Evans’ term that has been completed, which was taken on after Mark Harrington passed away.

Motion by Trustee Cove, and seconded by Trustee Marshall, to approve Carolina Torres for appointment to take over Kendra Evans’ seat on the Historic Preservation Board.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

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REVIEW OF THE PROPOSAL FOR PLANTING AT THE 4 CORNERS

Trustee Cove wanted to wrap the metal box in green, adding a memorial bench and bushes to stay green year-round. Trustee Lanphear suggested applications going to the DOT be made in stages to avoid denial of multiple additions. Supervisor Bleier asked how they would like the bench to be installed. Trustee Cove wanted to focus more on camouflaging the metal on the corner and keep the bench secondary. Mayor Plummer directed Trustee Cove to Mike Anthony, who had old photographs of the Phoenix building so that the plantings could be historically accurate and frame the entrance, as opposed to planting hedges that could block the view of the building. Mayor Plummer also suggested consulting with Historic Pittsford and the town historian about moving the plaque.

Motion by Trustee Cove, and seconded by Trustee Leitgeb, to phase one of sending into the state for wrapping of the control box in green and the addition of a 5-foot bench that is parallel to the sidewalk and then meeting with Historic Pittsford about phase two- plantings.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Trustee Lanphear brought up rolling the State Street bench into the order with four corners bench. She and Trustee Cove will visit the site, take pictures, and report to the board.

REVIEW OF THE GPI CONTRACT

The board decided to move the discussion to the following week’s special meeting so that Scott Harter, Village Engineer, could attend to answer questions. Jeff Turner, Village Lawyer, encouraged the board to address the contract sooner rather than later as there is a 10-day window to accept.

REVIEW OF PROPOSED TREE ORDINANCE

Trustee Cove wanted to move this to a later date as she hadn’t been able to review the ordinance.

REVIEW OF THE PROPOSED TREE REPLACEMENT LIST

David Ferris, 29 Monroe Avenue, shared some articles on what trees are best to plant and that there should be a diversity of trees to encourage healthy growth.

UPDATING APPLICANT CRITERIA FOR HPB AND PZBA BOARDS

Trustee Lanphear sent the board and the Village Lawyer a proposal to add language to the existing code regarding the criteria for selecting applicants for village boards when they are not village residents.

Current Language: *Historic Preservation chapter 112-4- two members of the APRB (HPB) may reside outside of the village if the person is a resident of the town and county where the village is located.*

Proposed additions: *Such members who do not reside within the village shall be required to possess both a demonstrated interest in historic preservation as well as professional experience and education in architectural history, historic preservation, and architecture.*

It is also suggested to include fulfilling the requirement of federal register guidelines 36CFR61 requirement set for the National Park Service description. Mayor Plummer asked what prompted the need for the new language. Trustee Lanphear said that the criteria needed to be clearly laid out. Trustee Marshall would like to change the HPB board only to allow one non-village member. Mayor Plummer asked for public comment.

Christopher Dabrowski, 11 Washington Road, *“First and foremost, who does this benefit? How does having more stringent criteria benefit the Village? Currently, the board has not even filled the existing open positions. Not only would stricter criteria make it more difficult, but in my opinion, it would harm The Village. Secondly, as it stands today, we’ve barely been able to function as a board due to the inaction of The Village board. I would encourage you to appoint the applicants presented to the board rather than looking for ways to make it harder to appoint members. Best regards, Christopher Dabrowski.”*

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Art Pierce, 70 State Street, *“I believe that all village board seats should only be held by village residents, residents who have a direct vested interest in the village, respect the historic cultural village that is and pay taxes versus those outside who do not. It is better to have less than an entire board than a board member who is not 100 percent vested in the village. As village residents cannot vote for town representatives, town residents cannot vote for village representatives. The same logic applies to the discussion of board membership. I agree with the points very well presented by Trustee Marshall.*

Motion by Trustee Marshall, and seconded by Trustee Leitgeb, to change the HPB membership requirements to only one member living outside the village.

Vote: Plummer – abstain, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Lanphear, and seconded by Trustee Leitgeb, to have Jeff Turner draft language for the board to consider regarding non-village applicants to the Historic Preservation Board and the board sending email suggestions regarding non-village applicants to the Planning and Zoning Board of Appeals.

Vote: Plummer – abstain, Lanphear – yes, Leitgeb – yes, Marshall – no, Cove – yes, *Motion passed.*

DISCUSSION OF REFUSE DISTRICT

The residents would need to request the board to consider doing a special benefit district. It’s at the board’s discretion to take it under advisement whether a petition is presented or not. Mayor Plummer asked to look at the administrative component for the village to implement and possible models for the districting. Trustee Leitgeb asked Jeff Turner, the Village Attorney, to confirm that the Village can create special districts. Trustee Marshall preferred to divide the whole Village rather than subdivide it. Mayor Plummer reminded the board that research still needs to be done. Trustee Marshall wanted to focus on how commercial and residential would differ.

SPEEDING NEAR ST. LOUIS CHURCH

Mayor Plummer updated the board on the speeding issue near St. Louis Church. Residents would prefer not to have speed humps added, but the previous board decreased the speed limit nine years ago, so the Village needed to update signage to reflect that. The residents are satisfied with that as a good place to start.

MINUTES

Motion by Trustee Leitgeb, and seconded by Trustee Lanphear, to approve the March 23rd, 2023, minutes.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Leitgeb, and seconded by Trustee Lanphear, to approve the April 13th, 2023, minutes.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

MEMBER ITEMS

Trustee Marshall wanted to discuss the cost of using dog-friendly salt versus non-dog-friendly salt for the Village sidewalks. Mayor Plummer reminded the board that sidewalks are not salted by the Village but by property owners.

Trustee Marshall then asked for clarification as to why speed humps require a driver to decrease speed to 5 miles/hour and why the speed limit isn’t just set at 5 miles/hour. Mayor Plummer and the Village Attorney stated that according to New York State law, the minimum speed limit to be set is 25 miles/hour. Trustee Marshall asked if a speed hump could be set to allow for a bike lane. Supervisor Beiler and Trustee Marshall agreed to discuss this further later.

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Art Pierce, 70 State Street, asked for the opportunity to speak. He wanted to thank the DPW for their commitment and hard work. He also wanted to comment about the budget. He asked that the board move the facilities of the DPW to top priority well before the site design of the arboretum.

EXECUTIVE SESSION

Motion by Mayor Plummer, and seconded by Trustee Marshall, to enter into an Executive Session for purposes of discussing an employee.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Motion by Trustee Cove, and seconded by Trustee Leitgeb, to exit the Executive Session.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

ADJOURNMENT

Motion by Mayor Plummer, and seconded by Trustee Cove, to adjourn the meeting at 9:19 PM.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Marshall – yes, Cove – yes, *Motion passed.*

Laura Donk, Recording Secretary