

VILLAGE OF PITTSFORD

SETTLED 1789 • INCORPORATED 1827



Village of Pittsford Board of Trustees Regular Meeting January 12, 6:30 PM

Tentative Agenda

Board Member - Conflict of Interest Disclosure & Open Meeting Compliance Certification

Department Reports

- Building Inspector Report
- DPW Report
- Treasurer's / Village Clerk Report
- Minutes

Meeting Items

1. Grant Award from NYS Office of Parks and Recreation and Historic Preservation
2. Video Conferencing Law
3. Review of Signage and Ordinance Updates regarding the NYSDOT project.
4. Local Law for Tax Cap Override
5. Resolution for Short-Term Rental Review Committee
6. Approval of RFP / RFQ
 - RFP for Landscape Consultant
 - RFP for South, Wood, and Sutherland Street
 - RFQ for Architecture and Building Code Services – 75 Monroe Avenue
 - RFQ for Green Infrastructure
7. DPW Hiring

Member Items

Public Comment

Next Scheduled Regular Meeting is January 26, 2023, and is Subject to Change Without Notice

Village Board Meeting

Department Reports

Building Inspector Report

Building Inspector report--12/07/2022 – 01/062023

During period issued 5 permits for \$992.50.00 in permit fees and \$226,800 in improvements

Worked with residents and businesses for 2 HPB applications: 41 Boughton – addition/garage, 18 Greenhill – fencing

1 Greenhill is finally being cleaned up after going through foreclosure

Worked with one applicant for a variance and site plan 41 Monroe

94 permits finalized/completed, 81 issued for \$10,556.83 in fees and \$1,470,143.00 in improvements in calendar year 2022

Working on approvals from fire department personnel for access/entry road to 75 Monroe

Inspections - 72 State st – garage final, 19 Boughton – steps and rails final, 18 Green Hill – roofing final, 6 South Main – roofing final, 46 S. Main – remodeling final, 107 S. Main – roofing final, 44 Lincoln – windows final, 3 Stonegate – roofing final, 37/41 S. Main – roofing final, 50 State street – window final, 24 Washington – remodeling final (waiting on electric final), 11 State street – exterior remodeling final, 58 State street – driveway final, 23 Boughton – fencing final, 6 Green Hill – roofing final, 50 State street – signage final, 4 North Main – sign final, 50 State street – signage final, 26 Boughton - insulation

Went to court on 11/10 for 44 N. Main Street and a plan was created and case adjourned as long as timeline was followed, first item on the list has not been accomplished, followed up the owner has not done anything as of 12/30/2022. I spoke to him, and he requested more time, I spoke to J. Turner and we will discuss this with the board at the next meeting

Numerous meetings with residents and business owners to discuss concerns and possible projects

Work has been completed on the Village Hall flat roofing

Patrol the Village daily and make numerous stops at sights for activity to verify if permitting is needed

Conducted 49 fire safety inspections with a failure rate of around 50% with many businesses saying they can never remember having a fire safety inspection. Found one establishment with fire Extinguishers from 1987, another 2002, and another 2005

I have read and processed many emails during this time, researching and answering many questions regarding zoning and Historical preservation requirements to new property owners and tenants. I have sent many response emails.

Receive on average 10-12 phone calls per day with questions on zoning, permits, or concerns over village issues

While touring the village I found zero projects this past month that were being done without the proper permitting

Call list requested by Trustee

12/14/2022 – call from resident regarding fencing regulations

12/16/2022 – call from potential resident regarding a paver patio

12/21/2022 – call from realtor regarding property and regulations on replacing windows (gave list)

12/22/2022 – call from resident regarding a possible addition

12/23/2022 – call from resident regarding possible fencing installation

12/27/2022 – call from potential resident for driveway expansion and garage

12/28/2022 – call from potential business owner regarding signage and exterior changes

12/30/2022 – call from resident regarding generator installation

Three calls last month regarding 25 S. Main and zoning to utilize back building for medical/dental

Four calls last month regarding uses/possible changes to 57 Monroe Ave.

1/4/2023 – call from resident for remodeling questions, interior and exterior

1/4/2023 – call from architect regarding roofing changes at St. Louis church

1/5/2023 – call for window changes on Rand Place

1/5/2023 – call for signage changes on State Street and possible cobblestone seating area

1/5/2023 – call regarding windows at Thirty's and possible pergola

Village Board Meeting

Department Reports

- DPW Report

Village Board Meeting

Department Report

Treasurers / Village Clerk Report

- Bill Pay
- November Financial Report
- CLG Report Update
- Village Hall Back Entrance BID
- BPD Addendum for Services
- Toshiba Copier Lease



MUNICIPAL FINANCE

September 12, 2022

Ms. Dorothea M. Ciccarelli
Village Clerk/Deputy Treasurer
Pittsford Village
21 North Main Street
Pittsford, NY 14534

Re: Pittsford Village
Addendum to Letter of Services Dated 1/20/2022
Our File #1524

Dear Dorothea :

Under current regulations, we are required to provide you with Securities and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB) disclosure language contained in our Letter of Services to provide greater transparency to our Municipal Clients. A review of our records indicates that we need to submit a formal updated addendum to the Letter of Services we have on file with you as noted above. Enclosed you will find a copy of this updated addendum language for your review and records.

ADDENDUM:

The referenced agreement shall be effective as of the dated date and shall remain in effect until terminated by either party upon 30 days written notice. If the services under any portion of this contract are commenced, but are not completed for any reason, or are completed without our firm performing the entire role contemplated herein, an invoice will be rendered for the actual hours completed at the firm's normal hourly rate, plus actual disbursements incurred.

Bernard P. Donegan, Inc. is registered with the U.S. Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The MSRB website is <http://msrb.org/>. A municipal advisory client brochure is available to you describing protections that may be provided by the Municipal Securities Rulemaking Board rules and how to file a complaint with an appropriate regulatory authority.

BERNARD P. DONEGAN, INC.

345 WOODCLIFF DRIVE, 2ND FLOOR

FAIRPORT, NY 14450

585 • 924-2145 • FAX 585 • 924-4636

E-MAIL: team@bpdinc.net

VILLAGE OF PITTSFORD
DEC 27 '22 10:03



MUNICIPAL FINANCE

Ms. Dorothea M. Ciccarelli

September 12, 2022

Page 2 of 2

Pursuant to SEC MSRB Rule G-42, this letter of services should be in place prior to municipal advice being given. The firm has not been subject to any legal or disciplinary proceedings under SEC regulations. The Company's SEC Forms MA and MA-I can be found at www.sec.gov/edgar/searchedgar/webusers.htm.

Bernard P. Donegan, Inc. represents that in connection with the issuance of municipal securities, we may receive compensation from the Municipality for services rendered which is contingent on the successful closing and/or is based on the size of a transaction. Consistent with the requirements of MSRB Rule G-42, we hereby represent that such fee structure may represent a potential conflict of interest regarding our ability to provide unbiased advice on such transaction. We manage and mitigate this potential conflict of interest by adherence to our fiduciary duty to all of our municipal entities.

If we become aware of any additional potential conflicts of interest after this disclosure, we will notify the Municipality in writing in a timely manner.

After your review of this updated addendum language, please **sign and date both copies**, retaining one signed copy for the official Municipality records, and **returning a signed copy to our office**.

If you have any questions concerning this Addendum, please feel free to contact us.

Very truly yours,

Charles A. Bastian
President

CAB/jam
Enclosures

(Signed) _____

(Print Name / Title) _____

(Dated) _____



VILLAGE OF
PITTSFORD NEW YORK



Award-Winning
Products



Encompass
Managed Print



Document &
Device Security



Eco-Innovation



Ellumina Digital
Signage Services



Professional Services
& Software Solutions



Date:

December 29, 2022

Prepared By:

Shane T. Partiss

Phone:

(585) 721-5003

Special Toshiba Current Client Color Promotion

36 Month Re-Lease:

\$284.84/month

Includes 3,000 B&W and 1,500 Color images/month
Fair Market Value Buyout at Lease End

Service Agreement:

Covers all service calls, preventative maintenance calls, all labor, travel, parts, and supplies including **toner, color toner, developer, and drums**. Includes the Toshiba Commitment to Quality Guarantee.

Excludes staples and paper.

B&W Overages to be billed quarterly at:

\$0.00794/image

Color Overages to be billed quarterly at:

\$0.05269/image

Options:

Remote Network Connectivity:

Included

Unlimited Training:

Included



Special Toshiba Current Client Color Pricing is in effect through January 15th, 2023

Cost Comparison**Current Solution – 36 Month Lease:****Current Monthly Investment – e-Studio 4515AC: \$342.32/month*****Includes 3,000 B&W images/month and 1,500 color images/month**

Average Monthly Volume for B&W:	2,487 copies
Average Monthly Volume for Color:	1,915 copies
Average Monthly Overage for B&W:	0 copies x \$0.00794
Average Monthly Overage for Color:	415 copies x \$0.05269 = \$21.87
Average Monthly Overage:	\$21.87

Total Average Monthly Investment: \$364.19/month**Proposed Solution – Re-Lease – 36 Month Lease:****Proposed Monthly Investment – e-Studio 4515AC: \$284.84/month*****Includes 3,000 B&W images/month and 1,500 color images/month**

Average Monthly Volume for B&W:	2,487 copies
Average Monthly Volume for Color:	1,915 copies
Average Monthly Overage for B&W:	0 copies x \$0.00794
Average Monthly Overage for Color:	415 copies x \$0.05269 = \$21.87
Average Monthly Overage:	\$21.87

Proposed Average Monthly Investment: \$306.71/month**Total Monthly Investment Savings: \$57.48/month**

Village Board Meeting

Department Reports

Minutes

Village Board Regular Meeting, October 13, 2022

Village Board Regular Meeting, October 27, 2022

Village Board Workshop Meeting, November 3, 2022

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

Thursday, November 3, 2022, at 5:30 PM

PRESENT:

Mayor: Alysa Plummer
Trustees: Justin Leitgeb
Lili Lanphear
Renee Stetzer
Village Attorney: Jeffrey L. Turner
Recording Secretary: Dorothea M. Ciccarelli

CALL TO ORDER

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

Vote: Plummer – yes, Leitgeb – yes, Lanphear—yes, Stetzer—yes. *Motion passed.*

CONFLICTS OF INTEREST DISCLOSURE

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

CODE UPDATES

This is a workshop. The below sixteen codes were discussed before reaching the stopping point. No codes were updated during this workshop. Updated codes will be voted into local law at a later date. The discussed codes no longer exist due to being redistricted or removed (non-existing zoning reference).

1. 168-6-B – remove first sentence
2. 210 – typo “Door to Doors”
3. 210-23.6 – charts within code need to be corrected
4. 210.23.6 – update language to allow recorded music to play in village restaurants. Rewrite section 3.
5. 210-20.4 – No change
6. 168-6 - Duplicate of item 1 – crossed out
7. 168-9 – reference to non-existing zoning reference, should reflect LOR
8. 98-1F– anything higher than 4 feet needs to be subject to use variance pursuant to NYS Village law
9. 117-13C – Jeffrey to draft whole new phrase
10. 117-10A – reference points no longer exist, an old zoning code – needs to be updated to 210 Article 39
11. 150-3 – same issue as 98.1F – go to zoning board of appeals - variance pursuant to NYS Village law
12. 173-6 – should all be changed to the business district (VCB, TDD, MU-OF, MU-EC)
13. 210-15.7 and 16.7 - Update language to reflect “must be present 80% percent of the time”
14. 176-16 and 18 – to be discussed at a later date, needs further review
15. 210-115 should be changed to 210-15
16. 210-114 should be changed to 210-16

LWRP CODE DISCUSSION

Trustee Leitgeb discussed the input received from the Planning Board. The Planning Board suggested the following: 121-5 E, second option and adding the term “all the applicable”. 121-5 F, second option. 121-5 H – first option.

The Village Attorney will draft a specific change for 121-5 H (1) where the last time “Planning Board” is used to add (or agency in a case when the Planning Board determination is not forth coming within the time period specified in subdivision E).

And words “or agency” will be removed from where they appear after the final time the words “Planning Board” are used in the subsection.

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

Thursday, November 3, 2022, at 5:30 PM

Motion by Trustee Keating, and seconded by Trustee Stetzer, to edit chapter 12-5 of the Pittsford Village Code

Vote: Plummer – yes, Leitgeb – yes, Lanphear —yes, Stetzer —yes. *Motion passed.*

ADJOURNMENT

Motion by Mayor Plummer, and seconded by Trustee Leitgeb, to adjourn the meeting at 6:56 PM.

Vote: Plummer – yes, Leitgeb—yes, Lanphear – yes, Stetzer—yes. *Motion passed.*

Dorothea M. Ciccarelli, Recording Secretary

Village Board Meeting

Meeting Items

Agenda Item 1

- Grant Award from NYS Office of Parks, Recreation, and Historic Preservation



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

DEC 27 22 AM 8:53
VILLAGE OF PITTSFORD

December 16, 2022

Alyssa Plummer
Mayor
Village of Pittsford
21 North Main Street
Pittsford, New York 14534

Dear Mayor Plummer:

Thank you for your application under the Environmental Protection Fund Grant Program for Parks, Preservation and Heritage (EPF) through the Regional Economic Development Councils (REDC) and the Consolidated Funding Application (CFA) Round 12 Initiative.

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) is proud to have contributed over \$20 million to this year's CFA. I am pleased to inform you that a matching grant of up to \$300,000 has been reserved from the EPF for the Canalway Improvements project.

OPRHP recognizes the vital role that this project will play in enhancing the parks, environment, character, quality of life, and economic vitality of your community, and we are delighted to be able to provide a grant award for the project. OPRHP is grateful to the Governor and state legislators for their commitment to funding this program year after year.

Our agency will contact you shortly to clarify the specifics about the project, including those elements of the proposed scope and budget that have been accepted for funding, next steps, reimbursement terms, minority and women-owned business hiring goals, employment requirements, environmental and historic preservation review requirements, and other terms and conditions. I urge you to work closely with our program staff and not to begin work on your project until appropriate contract conditions have been satisfied.

If you applied for funding from other programs or other State agencies, you will receive information from those programs/agencies separately.

Our Grants Office looks forward to working in partnership with you to expeditiously advance your project.

Congratulations,

Mindy Scott
Deputy Commissioner for Finance and Administration

Village Board Meeting

Meeting Items
Agenda Item 2

Video Conferencing Law

Resolution No. _____

[PUBLIC BODY]

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the [PUBLIC BODY] to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the [PUBLIC BODY] to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the [PUBLIC BODY] webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, that the [PUBLIC BODY] authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the [PUBLIC BODY] shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.

**MODEL Procedures for Member Videoconferencing
Pursuant to Public Officers Law § 103-a**

In compliance with Public Officers Law (POL) § 103-a(2)(a), the [PUBLIC BODY], following a public hearing, authorized by resolution on [insert date] the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. [PUBLIC BODY] members shall be physically present at any meeting of the [PUBLIC BODY] unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify [REPRESENTATIVE OR CHAIR OF PUBLIC BODY] no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the [PUBLIC BODY] shall update its notice as soon as practicable to include that information. If it is not practicable for the [PUBLIC BODY] to update its notice, the [PUBLIC BODY] may reschedule its meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, the [PUBLIC BODY] may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public *shall not* count toward a quorum of the [PUBLIC BODY] but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
5. Except in the case of executive sessions conducted pursuant to POL § 105, the [PUBLIC BODY] shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.

**MODEL Procedures for Member Videoconferencing
Pursuant to Public Officers Law § 103-a**

7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.
8. The [PUBLIC BODY] shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the [PUBLIC BODY] website within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
9. If members of the [PUBLIC BODY] are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the [PUBLIC BODY] shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The [PUBLIC BODY] shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.
10. Choice 1:

Open meetings of the [STATE PUBLIC BODY OR AUTHORITY] conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall be broadcast pursuant to the requirements of POL § 103(f) and shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, "disability" shall have the meaning defined in Executive Law § 292.

Choice 2:

Open meetings of the [ALL OTHER PUBLIC BODIES] conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, "disability" shall have the meaning defined in Executive Law § 292.
11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a [state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to § 24 of the Executive Law] if the [PUBLIC BODY] determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the [PUBLIC BODY] to hold an in-person meeting.
12. These procedures shall be conspicuously posted on the [PUBLIC BODY] website.

Village Board Meeting

Meeting Items Agenda Item 3

Review of Signage and Ordinance Updates regarding the
NYSDOT project

Village Board Meeting

Meeting Items
Agenda Item 4

Local Law for Tax Cap Override

LOCAL LAW
VILLAGE OF PITTSFORD

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Pittsford to adopt a budget for the fiscal year commencing June 1, 2023, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Pittsford, County of Monroe, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2023, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Village Board Meeting

Meeting Items
Agenda Item 5

Resolution for Short-Term Review Committee

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING THE SHORT-TERM RENTAL REVIEW COMMITTEE**

WHEREAS, Short-Term Rentals (“STR”) have become an issue of national and local interest; and

WHEREAS, residents of the Village of Pittsford have requested that the Board of Trustees of the Village of Pittsford (hereinafter “Board of Trustees”) consider the adoption of legislation, the purpose of which is to impose some level of control and oversight over STRs; and

WHEREAS, the Board of Trustees held a public workshop on the _____ day of _____, 2022; and

WHEREAS, the Board of Trustees decided, as a result of that workshop, that it would be in the public’s interest to appoint a committee to report and make recommendations to the Board of Trustees regarding the type of controls, if any, that should be applied to STRs in the Village of Pittsford.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby creates the Village of Pittsford Short-Term Rental Review Committee (hereinafter “Committee”); and be it further

RESOLVED, that the Committee shall be composed of 7 members appointed by the Mayor of the Village of Pittsford with the approval of the Board of Trustees; and be it further

RESOLVED, that 5 members of the Committee shall be Village residents, 1 member of the Committee will be an owner of a business in the Village of Pittsford who is not required to be a Village resident, and 1 member of the Committee will be the owner of an STR in the Village of Pittsford who is also not required to be a resident of the Village of Pittsford; and be it further

RESOLVED, that the Committee shall report to the Board of Trustees and make recommendations to the Board of Trustees as to what type of STR controls, if any, would serve the best interests of the residents of the Village of Pittsford; and be it further

RESOLVED, that the Committee shall survey existing legislation, review the Village of Pittsford Comprehensive Plan and such other resources as it deems appropriate in order to prepare the above-mentioned report and recommendation; and be it further

RESOLVED, that the Committee may make such additional requests for resources as it may deem appropriate to the Board of Trustees for the Board's consideration; and be it further

RESOLVED, that the Committee shall make its written report and recommendation to the Board of Trustees by the _____ day of _____, 2023 unless such date is extended by mutual agreement ^{of} by the Board of Trustees and the Committee.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

Mayor Plummer	Yay_____	Nay_____
Trustee Stetzer	Yay_____	Nay_____
Trustee Lanphear	Yay_____	Nay_____
Trustee Keating	Yay_____	Nay_____
Trustee Leitgeb	Yay_____	Nay_____

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the _____ day of _____, 2023, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

Village Board Meeting

Meeting Items Agenda Item 6

Approval of RFP / RFQ

- RFP for Landscape Consultant
- RFP for South, Wood, and Sutherland Street
- RFQ for Architecture and Building Code Services – 75 Monroe Avenue
- RFQ for Green Infrastructure

Village of Pittsford

Request for Proposals

Consulting Technical and Administrative Services

Issued: XXXXXXXXXXXX

Proposals to be received by XXXXXXXXXXXX.

Submit Proposals to:

Village Clerk

Village of Pittsford

21 North Main Street

Pittsford, NY 14534

villageclerk@villageofpittsford.com

(585) 586-4332

REQUEST FOR QUALIFICATIONS- 75 MONROE AVENUE PROJECT - CONSTRUCTION PHASE QUALITY CONTROL/ASSURANCE

The Village of Pittsford is currently seeking a qualified consulting firms (Consultants) to provide supporting technical and administrative services that will enable the Village to confirm the quality of construction for a site development project proposed to go to construction in the Spring of 2023. The project is located at 75 Monroe Avenue and is known as Westport Crossing. Generally speaking, services being sought for the duration of the construction process include confirmation of construction to the approved architectural and engineering plans. It is anticipated that the associated services will be provided on an hourly "as needed" basis and invoiced accordingly. The consultant's work would conclude with the consultant's certification to the village as to the project quality achieved.

Communications

All communications by parties who have indicated an intent to submit or have submitted a proposal in response to this RFQ ("Respondents or Consultants"), including any questions or requests for clarifications, submission of the proposal, requests for status updates about the proposal selection process and any other inquiries whatsoever concerning this RFQ shall be sent by email, to the Village Clerk, Dorothea Ciccarelli, at the above identified email address.

No contact is permitted with any other village staff, personnel or board members regarding this RFQ during the this qualification process unless specifically authorized in writing. Prohibited contact may be grounds for disqualification. To ensure that all Respondents have a clear understanding of the scope and requirements of this RFQ, the Village will respond to all timely questions submitted via e-mail to the Village Contact by the question deadline of **XXXXXXXXXXXXXXXXXXXXXXXXXX**. Questions and the responding answers will be sent via e-mail to all Respondents who have provided an e-mail address to the Village Clerk and will be posted

on the Village's web page for this RFQ. The Village's failure to timely respond or provide responses to any questions shall not delay or invalidate the Village's right to make a decision to award an agreement pursuant to this RFQ.

The Village will make every reasonable effort to keep Respondents informed about the RFQ process. Notifications about Timeline date changes, amendments to the RFQ and other information about the RFQ will be sent by e-mail to Respondents who have provided an e-mail address to the Village Clerk and will be posted on the Village's website for this RFQ. The Village's failure to provide such information shall not delay or invalidate the Village's right to make a decision to award an agreement pursuant to this RFQ.

SCOPE OF SERVICES

The Consultant will review the approved plans, conditions and project background (history) to gain a complete understanding of the project as approved and the quality expectations of the village. It is understood that the consultant should meet with the involved boards at least once to assist in this understanding. Additionally, the Consultant's work will involve contact and communication with the developer's design professionals to address needs potentially requiring additional information or explanations as various situations arise. The consultant shall conduct or participate in project related meetings such as a pre-construction meeting. Village staff may also attend and participate in those meetings.

CONSULTANT'S REPLY/RESPONSE

The response to this request should include the following information:

- A. Project statement: A narrative that describes the Consultant's understanding of the Village's needs and the unique value the Consultant brings to the process.
- B. Methodology the Respondent will use to perform the identified services.
- C. Respondent's Qualifications: Information about the Consultant and sub-consultants if appropriate with qualifications related to the needs identified. Include information about prior projects that may be similar to the proposed project described. Include photos of past work, projects and other visual tools.
- D. Fee: Provide hourly rates for the individuals performing the associated tasks using the methodology presented in item B above.
- E. Project personnel: The name and resume of the Consultant's lead person. Also provide names, resumes, and roles of others who will be involved in the Project.

EVALUATION

The Consultant's responses to items A through E above, as considered by the village, will serve as the basis by which the Consultant is selected.

Village of XXXX

GENERAL INFORMATION AND REQUEST FOR QUALIFICATIONS

Village of XXXX is issuing this Request for Qualifications (RFQ) for the selection of a project management and energy service company. You are invited to submit a proposal in accordance with this RFQ.

Proposals must be received no later than “_____”, 2022

An original and one (4) copies of the proposal are required. To prevent opening by unauthorized individuals, your proposal should be identified on the envelope or other wrapper as follows:

Village of XXXX

Proposals should be addressed to:

**“NAME OF PERSON, TITLE, DEPARTMENT”
Village of XXXX**

If you have any questions concerning this Request for Qualifications, please contact the **above representative**.

Enclosures: PROPOSAL INSTRUCTIONS AND CONDITIONS
APPENDICES

Late proposals will be returned unopened.

SPECIFICATIONS

PROPOSAL INSTRUCTIONS AND CONDITIONS

I. INTRODUCTION AND BACKGROUND

This Request for Qualifications (RFQ) is to solicit qualification proposals for energy services at Village of XXXX. The selected company will assist Village of XXXX to become as energy efficient as possible through the installation of energy efficiency measures and shall provide project management services for the construction of other facility improvements at Village of XXXX. Village of XXXX wishes to implement energy conservation measures on an energy performance contract basis. (See State Energy Law, Article 9, attached as Appendix C). All other construction measures shall be in accordance with the requirements of General Municipal Law and other applicable requirements of Law.

Under this solicitation, only one company will be selected to perform all of the work for Village of XXXX. Village of XXXX will consider energy performance contract proposals based on a guaranteed savings agreement. For this form of agreement, Section 9-103(2) of the Energy Law requires an executory clause under which payments are subject to annual appropriations.

II. GENERAL INFORMATION

Proposals are requested for the provision of services for the reduction of energy consumption and for maintenance and operational services on an energy performance contract basis at facilities owned by Village of XXXX. Specifically, the Energy Service Company (ESCO) selected, as a result of the RFQ will be expected to:

- A. Provide comprehensive energy and project management services for buildings and facilities serving Village of XXXX, including but not limited to:
 1. The performance of an investment quality energy analysis.
 2. The design and specification of equipment and systems to be used in providing energy efficiency services and other facility improvements requested by.
 3. Services associated with the procurement and installation of facility improvements approved by Village of XXXX under a guaranteed maximum price contract.
 4. Commissioning of the equipment.
 5. Preventive and emergency maintenance and servicing of the equipment installed.
 6. Staff training.
 7. Other services in connection with arrangement of financing (depending upon financing approach) for the entire transaction in such manner that title to the equipment ultimately passes to Village of XXXX.
 8. Energy savings performance guarantees.
 9. Complete all paperwork necessary for obtaining all necessary approvals as required by Law.
 10. Investigate other financial incentives (i.e. grants, rebates, etc.).

- B. Identify the most effective measures that can be taken to reduce consumption and costs for heating, cooling, ventilation, lighting, water heating, and other energy uses in each facility. The proposal should identify technical strategies utilized in past experiences and those strategies most likely to be implemented at properties. Measures may involve controlling, modifying, adding or replacing equipment and systems.
- C. Structure the terms of obligation to pay for the services provided on a guaranteed maximum price basis with savings guarantees. The ESCO will submit sample energy services agreement ("Agreement") and if necessary, ancillary agreements that specifically meet the needs of. ESCOs may substitute an example of an executed energy service agreement that would be the basis for negotiation of an agreement with Village of XXXX.

ESCO's attention is directed to Article 9 of the New York State Energy Law governing energy performance contracting in connection with public buildings and facilities. All proposed energy performance contracts and other financing arrangements proposed must be capable of being implemented under the laws and regulations of the State of New York.

Village of XXXX will not provide building specific data (copies of gas, electric, oil or other utility bills, drawings, etc.) at this time. There will not be any site visits scheduled until after the selection process. ESCOs are expected to prepare a proposal that outlines their qualifications and experience only and will not be required to submit technical or financial information specific to properties. The technical and financial abilities of the ESCO should be highlighted in the experiences and reference section of the RFQ. It is understood that Village of XXXX will be able to contact any or all references provided in response to this RFQ.

Upon review of proposals received in response to the RFQ, Village of XXXX will select a single contractor to provide all services.

III. THE SELECTION PROCESS

A. Proposal Submission

The deadline for submitting proposals is "Deadline for submitting proposals (Day/Date)".

B. Proposal Evaluation Criteria

Proposals will be evaluated and scored on the basis of the following criteria:

1. Experience and Qualifications of the ESCO

Consideration will be given to ESCOs demonstrating strong capabilities, experience, and reputation in undertakings similar to those described in this RFQ, and providing authoritative documentation of their financial soundness and stability. Similar experience will be understood to include development of performance contracts in public facilities.

2. Project Approach

Proposals will be evaluated on the technical strategies proposed and successfully implemented in other facilities. Strong emphasis will be put on the ability of the ESCO to commission and service any installed equipment. It is understood that Village of XXXX may contact any or all references and schedule site visits to assess the technical merit and construction abilities of the contractor.

3. Financial Terms

A financial representative should be listed with each reference provided. It is understood that Village of XXXX may contact any or all references for discussion of the ESCO's ability to meet the financial expectations of the customer. Consideration will be given to proposals that responsibly maximize the net economic benefit to Village of XXXX over the term of the proposed energy services agreement and that responsibly minimize the risk to Village of XXXX in connection with the proposed transaction.

4. Ability to Implement Project Promptly

Preference will be given to proposals demonstrating an ability to carry out the tasks and responsibilities outlined in the proposal, including the procurement of any necessary financing, and the performance of all contract obligations throughout the contract term in a prompt and efficient manner.

IV. RFQ PROCEDURES

A. Submission of Proposals

Respondents should submit an original and one (4) copies of their proposal. Proposals must be received by "Date and Time proposals are due".

B. Proprietary Information

The New York State Freedom of Information Law, Public Officers Law, Article 6, provides for public access to information. Public Officers Law, Section 87(d)(2) provides for exceptions to disclosure for records or portions thereof that are "trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information that the ESCO wishes to have treated as proprietary and confidential trade information should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted.

C. Modification or Withdrawal of Proposals

Any proposal may be withdrawn or modified by written request of the ESCO, provided such request is received by at the above address prior to the date and time set for receipt of proposals.

D. Right to Reject Proposals

This RFQ does not commit to award a contract, pay any cost incurred in the preparation of a proposal in response to the RFQ or to procure or contract for services. Village of XXXX intends to award a contract on the basis of the best interest and advantage to Village of XXXX, and reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified ESCOs, or to cancel this RFQ in part or in its entirety, if it is in the best interest of Village of XXXX to do so.

V. PROPOSAL FORMAT AND CONTENTS

Proposals must be submitted in the format outlined in this section. Each of the described parts and sections must be completed in full (except those sections described as optional). Each proposal will be reviewed to determine if it is complete prior to actual evaluation. Village of XXXX reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially non-responsive to the requests for information contained herein.

Each of the parts and sections described below should begin on a separate page, and each page should clearly state the name of the ESCO in the upper right corner.

A. Contractor Background and Qualifications

Section A-1 of the proposal must contain information about the ESCO including the make-up of the project team and the proposed assignment of responsibility for the major tasks involved in the total project. The ESCO will have single source responsibility for all portions of the project. Describe the overall make-up of the project team and each member's areas of responsibility with address, telephone numbers, and names of contact persons and of lead personnel. Describe the process to be followed in selecting subcontractors, if any.

In a Section to be labeled **Section A-2**, include the most recent annual reports, financial statements, or other financial information sufficient to permit to evaluate the financial strength of the ESCO. If the ESCO is a joint venture or other entity with no prior financial history, submit information with respect to constituent or parent entities, as appropriate.

In a Section to be labeled **Section A-3**, describe the prior relevant experience of the ESCO. References that were installed or are being serviced by the local/regional office submitting this proposal will receive added consideration. For each organization, include the information listed below. (If more than ten projects are relevant to this RFQ, remaining examples of experience may be briefly summarized):

- (a) Customer's name.
- (b) Total project capital cost.
- (c) Type of contract (e.g., sale, lease, shared savings, guaranteed maximum price, etc.).
- (d) Name and telephone number of reference for the project (financial and technical).
- (e) Brief description of the project's scope of services and status. (Include type of facility at which project was implemented, whether the project was timely completed, and whether significant problems occurred that affected project performance. As appropriate, identify all prime contractors or subcontractors and their role in each project.)
- (f) Level of projected energy cost savings and the level actually achieved.

The right to call the reference and/or visit the project sites provided by the ESCO will be presumed by Village of XXXX.

In a Section to be labeled **Section A-4**, (optional) include any additional information about the project team, its personnel, financial condition, or qualifications regarded as being pertinent.

B. Technical Aspects of the Proposal

In a Section to be labeled **Section B-1**, describe the energy audit(s) that will be conducted for this project after selection of an ESCO on the basis of this RFQ. The proposal must include provisions for the performance and presentation of energy audit results for each building. Each audit must include the following:

- (a) Allocation of total energy use among end uses. Allocation must be reconciled with actual usage and should be based on bin calculations or other methods acceptable to Village of XXXX.
- (b) A list of recommended energy efficiency measures covering improvements to the physical plant and operating procedures. For each item on the list, the ESCO must be willing to provide estimates of initial costs for installation, ongoing maintenance costs, annual energy savings, and the useful life of the measures.
- (c) A calculation of baseline energy use, showing how baseline is derived and how it will be adjusted for changes in outdoor temperature, occupancy, and if appropriate, equipment usage.

Your proposal must include information on the type of systems to be covered, the personnel to be involved, and the general method to be used. Attach a sample audit performed by your firm for a similar facility.

In a Section to be labeled **Section B-2**, describe in detail the method you will use to compute the energy baseline. Attach a sample computation done by your firm, with full documentation of methods, assumptions and input data.

In a Section to be labeled **Section B-3**, describe the services your company will provide in designing, specifying, and overseeing the installation of energy efficiency and other measures. How will these operations be coordinated with the daily operations of the facility?

In a Section to be labeled **Section B-4**, describe the ongoing project monitoring and maintenance services your company will provide. Specifically, describe how the following services will be delivered and describe the personnel who will be providing these services (i.e. in-house or sub-contract):

- (a) Scheduled preventative maintenance
- (b) Emergency service
- (c) Training of on-site staff
- (d) Monitoring of energy use
- (e) Equipment warranty

Identify who will have supervisory responsibility for your firm's maintenance and monitoring operations in this project. Indicate how this work will be coordinated with the daily operations of the facility.

C. Financial Aspects of the Proposal

Village of XXXX seeks to enter into a project arrangement under which Village of of XXXX will assume ownership of all equipment and facilities installed or modified under this agreement. Village of of XXXX also seeks to structure compensation to the contractor such that payments to finance equipment and public works services plus payments for ongoing project management services will be paid in full or in part by the value of measured energy savings resulting from the project.

The ESCO may propose any underlying project financing mechanism so long as it meets the objectives above and complies with New York State laws, rules and regulations.

In a Section to be labeled **Section C-1**, outline the proposed terms of the contract with covering:

- (a) Recommended duration of the contract.
- (b) Methods by which the level of payments to the contractor will be determined including: Level of guarantees, methods by which energy savings will be evaluated.
- (c) The nature and operation of any guarantee provisions, including conditions under which the guarantee can be invoked and the methods for adjusting payments to the contractor.
- (d) Ownership of the equipment (specify if alternative financing and ownership is proposed).
- (e) Conditions for the early termination of the contract by and the contractor.

D. Schedule for Construction and Completion

In a Section to be labeled **Section D**, the ESCO must provide a complete schedule for achievement of all major project milestones including:

- (a) Commencement and completion of energy audits.
- (b) Preparation of list of proposed improvements, baseline calculations, and final contract proposal.
- (c) Obtaining all required permits and government approvals.
- (d) Procurement of all major equipment.
- (e) Commencement and completion of construction.

- (f) Training of personnel.
- (g) Commencement of normal operation.

E. Official Statement of ESCO

In a Section to be labeled **Section E**, the ESCO must provide statements to the following effect signed by an individual authorized to bind the ESCO:

1. The ESCO shall include a statement to the effect that the proposal is a firm offer for a minimum 120-day period. The proposal shall also provide the following information: Name, title, address, and telephone number of individual(s) with authority to negotiate and contractually bind the company and also who may be contacted during the period of proposal evaluation.
2. The ESCO shall specifically state acceptance of the minimum standard clauses intended to be used by. The standard clauses are included here as Appendix B. If unable or unwilling to indicate such acceptance, the proposal shall identify and explain any exceptions or deviations.

F. Outline of Proposal Contents

The following is an outline of the required proposal contents as detailed above:

Section A – Contractor Background and Qualifications

- Section A-1 Project team information
- Section A-2 Annual reports or financial statements
- Section A-3 Work experience
- Section A-4 Additional information from ESCO (Optional)

Section B – Technical Aspects of the Proposal

- Section B-1 Energy Audit: Methodology (Attach sample)
- Section B-2 Description baseline calculation methodology (Attach sample)
- Section B-3 Description of design and installation services
- Section B-4 Description of maintenance services

Section C – Financial Aspects of the Proposal

- Section C-1 Describe contract terms and calculation methodologies

Section D – Schedule for Completion of the Project

Section E – Official Statement by the ESCO

APPENDIX A

FACILITIES TO BE EVALUATED

All Village of XXXX owned or operated facilities or equipment as directed by Village of XXXX

APPENDIX B

MINIMUM STANDARD CONTRACT CLAUSES

Titles to typical Standard Clauses in the proposed Agreement to be supplied by Counsel and attached as Appendix B.

- A. Labor Law, Transfer of Title, Affirmative Action, Prevailing Wage Law, Workers Compensation and Executory Clause
- B. Right-of-Way
- C. Indemnification
Hold Harmless
- D. Bonds
- E. Standards of Services
- F. Licenses and Permits
- G. Contract Modifications
- H. Assignment or Sub-letting of Contract
- I. Conflict of Interest
- J. Independent Contractor
- K. Certificate of Insurance
- L. Cancellation of Insurance
- M. Severability

APPENDIX C

NEW YORK STATE ENERGY LAW ARTICLE 9 - ENERGY PERFORMANCE CONTRACTS IN CONNECTION WITH PUBLIC BUILDINGS AND FACILITIES

Sections

- 9-101. Purpose
- 9-102. Definitions
- 9-103. Energy performance contracts

9-101. Purpose

The purpose of this article is to obtain long-term energy and cost savings for agencies and municipalities by facilitating prompt incorporation of energy conservation improvements or energy production equipment, or both, in connection with buildings or facilities owned, operated or under the supervision and control of agencies or municipalities, in cooperation with providers of such services and associated materials from the private sector. Such arrangements will improve and protect the health, safety, security, and welfare of the people of the state by promoting energy conservation and independence, developing alternate sources of energy, and fostering business activity.

9-102. Definitions

For the purposes of this article, the following words and phrases shall have the following meanings unless a different meaning is plainly required by the context.

1. "Agency" means any state department, agency, board, commission, office, or division.
2. "Municipality" means a municipal corporation, as defined in section two of the general municipal law, school district, board of cooperative educational services, fire district, district corporation or special improvement district governed by a separate board of commissioners.
3. "Public authority" means any public authority, public benefit corporation, or the port authority of New York and New Jersey, to the extent its facilities are located within the state of New York.
4. "Energy performance contract" means an agreement for the provision of energy services, including but not limited to electric, heating, ventilation, cooling, steam, or hot water, in which a person agrees to install, maintain or manage energy systems or equipment to improve the energy efficiency of, or produce energy in connection with, a building or facility in exchange for a portion of the energy savings or revenues.

9-103. Energy performance contracts

1. Notwithstanding any other provision of law, any agency, municipality, or public authority, in addition to existing powers, is authorized to enter into energy performance contracts of up to thirty-five years duration, provided, that the duration of any such contract shall not exceed the reasonably expected useful life of the energy facilities or equipment subject to such contract.
2. Any energy performance contract entered into by any agency or municipality shall contain the following clause: "This contract shall be deemed executory only to the extent of the monies appropriated and available for the purpose of the contract, and no liability on account therefor shall be incurred beyond the amount of such monies. It is understood that neither this contract nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purpose of the contract."

3. In the case of a school district or a board of cooperative educational services, an energy performance contract shall be an ordinary contingent expense, and shall in no event be construed as or deemed a lease or lease-purchase of a building or facility, for purposes of the education law.
4. Agencies, municipalities, and public authorities are encouraged to consult with and seek advice and assistance from the state energy office and the New York State energy research and development authority concerning energy performance contracts.
5. Notwithstanding any other provision of law, in order to convey an interest in real property necessary for the construction of facilities or the operation of equipment provided for in an energy performance contract, any agency, municipality or public authority may enter into a lease of such real property to which it holds title or which is under its administrative jurisdiction as is necessary for such construction or operation, with an energy performance contractor, for the same length of time as the term of such energy performance contract, and on such terms and conditions as may be agreeable to the parties thereto and are not otherwise inconsistent with law, and notwithstanding that such real property may remain useful to such agency, municipality or public authority for the purpose for which such real property was originally acquired or devoted for which such real property is being used.
6. In lieu of any other competitive procurement or acquisition process that may apply pursuant to any other provision of law, an agency, municipality, or public authority may procure an energy performance contractor by issuing and advertising a written request for qualifications in accordance with procurement or internal control policies, procedures, or guidelines that the agency, municipality, or public authority has adopted pursuant to applicable provisions of the state finance law, the executive law, the general municipal law, or the public authorities law, as the case may be.
7. Sections one hundred three and one hundred nine-b of the general municipal law shall not apply to an energy performance contract for which a written request for qualifications is issued pursuant to subdivision six of the section.

Added L.1985, c. 733, section 2; amended L.1989, c.638, subsection 1,2,L.1994, C.368, subsection 1,2.

Village Board Meeting

Meeting Items
Agenda Item 7

DPW Hiring