

Minutes of the Town Board for April 18, 2023

**TOWN OF PITTSFORD
TOWN BOARD
APRIL 18, 2023**

Proceedings of a meeting of the Pittsford Town Board held on Tuesday, April 18, 2023, at 6:00 P.M. local time in the Lower-Level Meeting Room of Town Hall, 11 South Main Street, in person.

PRESENT: Supervisor William A. Smith, Jr.; Councilmembers Cathy Koshykar, Katherine B. Munzinger, Kim Taylor and Stephanie M. Townsend.

ABSENT:

ALSO PRESENT: Staff Members: Brian Luke, Finance Director; Robert Koegel, Town Attorney; Renee McQuillen, Town Clerk; Shelley O'Brien, Communications Director; Spencer Bernard, Chief of Staff; Hayes Wallman, Deputy Town Clerk; Jessie Hollenbeck, Recreation Director.

ATTENDANCE: Thirty-seven members of the public along with an interpreter attended.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M. and invited all to join in the Pledge to Flag.

SUPERVISORS ANNOUCEMENTS

1. The Town has won grant funding to install two 2 EV chargers at Thornell Farm Park.
2. The Toxic Free Lawn Challenge is back for 2023. You can pick up your yard signs on the front steps of Town Hall.
3. There will be a PGA Family Night on Wednesday, May 17, 2023. It will include live music, a putting competition, a beer tasting, activities for kids and will conclude with fireworks.
4. The Town and Village are staging this year's Earth Day activities at the Community Center on Saturday, April 22. A full schedule appears on the Town website.

MINUTES OF THE APRIL 4 MEETING APPROVED

A correction to one commenter's name was noted and then a Resolution to approve the minutes as amended of the Town Board meeting of April 4, 2023, was offered by Deputy Supervisor Munzinger, seconded by Councilmember Taylor, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Minutes of the April 4, 2023, Town Board meeting are approved as amended.

LEGAL MATTERS

PUBLIC COMMENT

No comments were submitted.

RESOLUTION ON THE GOVERNORS HOUSING PROPOSAL

The Supervisor noted that last week the State Association of Towns had asked its members to contact our local representatives in Albany to support the Legislature's incentive-based proposals for additional housing that reject the State override of local zoning proposed by the Governor. Following additional comments by the Supervisor, Councilmember Townsend proposed two amendments for discussion. The first was to add the following language: "Whereas, the Town of Pittsford is working to increase and diversify its housing stock in accordance with its Comprehensive Plan; the second was to end the final paragraph at the words "home rule." Following discussion, Councilmember Townsend withdrew the

Minutes of the Town Board for April 18, 2023

proposed second amendment and then moved to add the first. This was seconded by Deputy Supervisor Munzinger, with members voting as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, That the resolution in opposition to the governors housing proposal be amended to add a third whereas with the following language "Whereas, the Town of Pittsford is working to increase and diversify its housing stock in accordance with its Comprehensive Plan;

Deputy Supervisor Munzinger then made a motion to approve the proposed resolution on the governors housing proposal, seconded by Councilmember Townsend, with members voting as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, the Home Rule Law of the State of New York and other relevant State law guarantees to the people of the State the right of Home Rule for their respective municipalities, including the power of adopting and administering zoning law, in order to allow local government to act in the best interests of the community's residents, who know their community best; and

WHEREAS, in recognition of this principle, the State Assembly and State Senate have proposed legislation that would replace the proposed State override of local zoning in the Executive Budget with significant incentives to municipalities to pursue the goal of building more housing; and

WHEREAS, the Town of Pittsford is working to increase and diversify its housing stock in accordance with its Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pittsford, on behalf of the people of Pittsford, supports the incentive-based housing proposals included in the Assembly and Senate bills and strongly opposes the proposed State override of local control of zoning and land use; and

FURTHER RESOLVED, that the Town Board calls upon State Senator Samra Brouk and State Assembly Member Jen Lunsford to support their respective chambers' incentive-based alternative to the proposed State override; and to vote against any legislation that would enact the override proposal or that otherwise would authorize the State to override local zoning; and

FURTHER RESOLVED, that the Town Board offers to work constructively with the Governor, her staff and our State representatives to help achieve shared goals for housing in a manner consistent with Home Rule, consistent with the choices of our residents and consistent with the character of our community.

FINANCIAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

Minutes of the Town Board for April 18, 2023

APPROVAL OF DISPOSITION OF SURPLUS INVENTORY

A resolution to approve the surplus inventory listed was made by Deputy Supervisor Munzinger and seconded by Councilmember Taylor and voted on by members as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

The Resolution was declared carried as follows:

RESOLVED, that the attached list of equipment be declared surplus and be removed from the Town's inventory.

Asset #	Year	Description	Department	Cost	Disposition
18305	2017	CAT 420FT BACKHOE / LOADER	PSD	\$96,313.00	SALE

APRIL VOUCHERS APPROVED

Board members acknowledged review of the vouchers proposed for payment and a resolution to approve the proposed vouchers was offered by Supervisor Smith, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the February vouchers from numbers 160520 - 160868, totaling \$1,241,485.98 were approved for payment.

ACKNOWLEDGMENT OF AUDITOR'S FINANCIAL REVIEW OF JUSTICE COURT RECORDS FOR 2022

A Resolution acknowledging the required Justice Court financial review, pursuant to Section 2019-a of the Uniform Justice Court Act, that has been filed with the Town Clerk. was made by Councilmember Taylor, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Town Board acknowledges that the required Justice Court financial review, pursuant to Section 2019-a of the Uniform Justice Court Act, has been conducted and filed with the Town Clerk.

APPROVAL FOR THE CREATION AND FUNDING OF EAST STREET SIDEWALK CAPITAL PROJECT ACCOUNT

After discussion, Councilmember Taylor made a motion authorizing the Town Finance Director to create and fund a capital project account for the East Street sidewalk project, seconded by Deputy Supervisor Munzinger, and voted on by councilmembers as follows:

The Resolution was declared carried as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared passed as follows:

RESOLVED, that the Finance Director is authorized to create the East Street Sidewalk Capital Project.

FURTHER RESOLVED, that the Finance Director is authorized to fund this Capital Project with \$400,000 from the General Fund.

FURTHER RESOLVED, that the Finance Director is authorized to do all necessary budget amendments and transfers associated with the funding of this Capital Project.

Minutes of the Town Board for April 18, 2023

OPERATIONAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

AWARD BID FOR ENGINEERING SERVICES FOR EAST STREET SIDEWALK PROJECT

A Request for Proposals was sent to eighteen local engineering firms for the design and construction of a concrete sidewalk along East Street from Carriage Court south to Arbor Creek Drive. Also considered the option of replacement of the existing non-ADA compliant asphalt sidewalk from Thornell Road to Carriage Court. The results were as follows:

Firm	Base Bid
Hunt Engineers, Architect, and Land Surveyors	\$56,500
MRB Group	\$65,000

Commissioner Schenkel made a recommendation for the board to award the contract to Hunt EAS for a not to exceed amount of \$65,000. Supervisor Smith made the motion to award the contract for East Avenue Sidewalk engineering services to Hunt EAS, seconded by Deputy Supervisor Munzinger, and voted on as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, the Town Board award the bid for engineering services for the East Street Sidewalk Project to Hunt EAS for an amount not to exceed \$65,000.

SET BID OPENING DATE FOR REFUSE DISTRICTS

After board discussions about the success of the Refuse District Program and the bid specifications, Supervisor Smith made a motion to set a bid opening date for Contracted Refuse District Services of May 11, 2023, Councilmember Taylor seconded, and members voted as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that bids received for Contracted Refuse District Services shall be opened on May 11, 2023, at 11:00 A.M.

Z BEST FOODZ VENDING PERMIT FOR THORNELL FARM PARK FIELD AUTHORIZED

A Resolution to authorize a Food Vending Permit to Z-Best Foodz was offered by Councilmember Townsend, seconded by Councilmember Taylor, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Town Board approves the proposed Food Vending Permit to Z-Best Foodz to operate a vending unit located at Thornell Farm Park, from April 18, 2023, through October 31, 2023, 12:00 PM- 9:00 PM, and that the Town Supervisor is authorized to issue the permit.

Minutes of the Town Board for April 18, 2023

OTHER BUSINESS

Deputy Supervisor Munzinger read resolutions recognizing Pittsford Community Library staff member, Laura Richardson and Pittsford Recreation staff member, Scarlett Webb for their outstanding performance and the most recent recipients of the Town Board funded Employee Recognition Program.

Deputy Supervisor Munzinger also inquired about the proximity of AEDs at Town Parks. Commissioner Schenkel stated that parks with them have them located near the women's bathrooms. He will also investigate pricing for parks that do not have an AED on site.

PUBLIC COMMENTS

Comments were offered by Donna Kay, Lindsay Mercado, Catherine Doyle, Michelle Reif, Elizabeth and Michael Roth, Elizabeth Devaney, Clayton J. Baker, M.D., Lauren Caruso, and Eric Kooman.

The Town Board entered executive session at 7:10 P.M. for the purpose of discussing a real estate matter following a motion by Supervisor Smith, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Town Board returned from the executive session at 7:46 P.M and the general meeting resumed.

Supervisor Smith made the motion to approve cancellation of a purchase contract of Real Property located at 57 Monroe Avenue. This was seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Town cancel the purchase and sale contract between the Town of Pittsford and Merle L. Whitehead for the purchase of 57 Monroe on the basis of contingencies number three, the Environmental Audit and; number four, the Inspection and Report; which gives the Town the right up to a certain point to make a determination as to whether or not the building is suitable for the Town's purposes at an estimated cost that acceptable to the Town in its sole discretion.

With no further business, the meeting adjourned at 7:48 p.m.

Respectfully submitted,

Renee McQuillen
Town Clerk