

Minutes of the Town Board for July 16, 2019

TOWN OF PITTSFORD TOWN BOARD JULY 16, 2019

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, July 16, 2019 at 6:00 P.M. local time in Pittsford Town Hall.

PRESENT: Supervisor William A. Smith, Jr.; Councilpersons Kevin Beckford, Katherine B. Munzinger, Matthew J. O'Connor and Stephanie Townsend.

ABSENT: There were no Town Board members absent.

ALSO PRESENT: Staff Members: Jessie Hollenbeck, Recreation Director; Paul J. Schenkel, Commissioner of Public Works; Greg Duane, Finance Director; Robert Koegel, Town Attorney; Linda Dillon, Town Clerk; Suzanne Reddick, Assistant to Supervisor; and Shelley O'Brien, Communications Director.

ATTENDANCE: There were thirteen (13) members of the public in attendance including two (2) presenters – Haylee Ferington, Planner from the Genesee/Finger Lakes Regional Planning Council and Kimberly Bawden, Pollution Control Engineer from the New York State Pollution Prevention Institute. Also present was Chuck Ryan, Joe Ryan and James Durfee, AIA (re: Tobey PUD Amendment). There were also three (3) additional staff members present and an interpreter.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M., inviting Deputy Supervisor Munzinger to lead in the Pledge to the Flag. The Town Clerk noted all members present.

SUPERVISOR'S ANNOUNCEMENTS

- Pittsford Youth Services Duck Drop/Summer Concert – this Friday, July 19th @ 6:30PM at the Port of Pittsford Park
- Outdoor Movie at Sutherland High School – Thursday, July 18 @ Dusk – The LEGO Movie 2
- East Avenue NYS Milling/Repaving Project to begin on July 22 from Brighton to Pittsford (St. John Fisher)

PUBLIC HEARING – AMENDMENT TO TOBEY PLANNED UNIT DEVELOPMENT, PARCEL 8

Supervisor Smith introduced representatives of Tobey Village Office Park to discuss their request for an amendment to the Tobey Planned Unit Development, Parcel 8. Joe Ryan and Jim Durfee, AIA explained that the proposed amendment would permit the office park to undertake necessary renovations within buildings at the site. This amendment would not change the current footprint of buildings permitted within the PUD, as all renovations and improvements to be permitted would be done within existing structures.

Thereafter, the Supervisor opened the Public Hearing for public comments.

No member of the public offered comments, whereupon Supervisor Smith declared the hearing closed.

SEQRA PROCEEDINGS FOR THE AMENDMENT TO THE TOBEY PLANNED UNIT DEVELOPMENT, PARCEL 8 APPROVED

Thereafter, Supervisor Smith moved to approve as a combined Resolution, the SEQRA findings for the Amendment to the Tobey Planned Unit Development, Parcel 8 and for the Resolution for the Amendment itself, seconded by Councilman O'Connor, and voted on by the members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

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The Resolution to approve the SEQRA findings was declared carried as follows:

WHEREAS, in a letter dated June 6, 2019, together with supporting materials, James B. Durfee, AIA, on behalf of CL Holdings LLC, requested that the Resolution controlling the Tobey Planned Unit Development be modified as to the provisions concerning Parcel 8, Section A thereof, to (1) clearly define the current building areas within the existing Tobey Village Office Park portion of the PUD, (2) adjust the allowable building area to take into account development that has been previously approved by the Town, (3) update the terms of usage to reflect current generally accepted terminology, and (4) allow for marginal additional building modifications; and

WHEREAS, after giving due consideration to the proposed modifications, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 16th day of July, 2019, at the Town Hall, 11 South Main Street, Pittsford, New York, to consider the proposed modifications; and

WHEREAS, a single agency review of the SEQRA issues for the proposed modifications by the Town Board was conducted; and

WHEREAS, a public hearing was held on July 16, 2019, at which time all interested parties wishing to speak on the proposed modifications were heard; and

WHEREAS, a Short Form EAF form has been prepared and carefully reviewed by the Town Board and attached hereto; and

WHEREAS, the completed Short Form EAF failed to identify any significant adverse environmental impacts associated with the proposed modifications;

NOW, THEREFORE, be it

RESOLVED, that the Pittsford Town Board, upon consideration of all written and oral submissions, public comment, comment from appropriate agencies, as well as the Short Form Environmental Assessment Form, and upon having given this matter due deliberation and consideration, finds that the proposed modifications to the Tobey Planned Unit Development will have no significant adverse impact on the environment; and be it further

RESOLVED, that the Town Board issues a Negative Declaration of Environmental Significance in this matter.

AMENDMENT TO TOBEY PLANNED UNIT DEVELOPMENT, PARCEL 8 APPROVED

Offered as a combined Resolution to approve SEQRA findings and to Amend the Tobey Planned Unit Development, Parcel 8 (see Resolution immediately prior to this), the Resolution to approve the proposed Amendment to the Tobey Planned Unit Development, Parcel 8, was offered by Supervisor Smith, seconded by Councilman O'Connor, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The following Resolution was declared carried as follows:

WHEREAS, in a letter dated June 6, 2019, together with supporting materials, James B. Durfee, AIA, on behalf of CL Holdings LLC, requested that the Resolution controlling the Tobey Planned Unit Development be modified as to the provisions concerning Parcel 8, Section A thereof, to (1) clearly define the current building areas within the existing Tobey Village Office Park portion of the PUD, (2) adjust the allowable building area to take into account development that has been previously approved by the Town, (3) update the terms of usage to reflect current generally accepted terminology, and (4) allow for marginal additional building modifications; and

WHEREAS, after giving due consideration to the request of CL Holdings LLC, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 16th day of July, 2019, at the Town Hall, 11 South Main Street, Pittsford, New York, to consider the proposed modification of the Tobey Planned Unit Development.

WHEREAS, prior to setting the public hearing, the request was referred to the Monroe County Planning

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Department for review and comment; and

WHEREAS, on July 16, 2019, a public hearing was opened and all those wishing to comment on the proposed re-zoning were heard; and

WHEREAS, the Town Board determined that the action proposed herein was an "Unlisted Action" under SEQRA and, accordingly, a single agency review of the SEQRA issues for the re-zoning by the Town Board was conducted and a Negative Declaration of Environmental Significance was issued on July 16, 2019;

NOW, THEREFORE, BE IT

RESOLVED, that the Resolution of the Town Board controlling the Tobey Planned Unit Development for Parcel 8, Section A is amended, as follows:

- A. **Tobey Village Office Park (Including Pittsford Federal Credit Union)**. This 14.79 acre portion of the parcel includes 155,640 square feet of existing building usable area* (refer to Exhibit "B": Tobey Village Office Park-Building Layout and Parking Map and Exhibit "C": Tobey Village Office Park- Area Calculations dated 6/6/19). There are 696 parking spaces directly associated with the Office Park inclusive of handicapped accessible spaces.

Further development of loft/second floor spaces within the footprint of existing buildings is allowable, not to exceed 15,000 usable square feet, reasonably consistent with Exhibit "C", and subject to NYS building code compliance. No further development within basement areas, beyond that which currently exists, is allowed. No further buildings or expansion of footprints shall be allowed on this portion of Parcel 8, except for minor building entrance modifications to update and improve existing individual buildings. (These modifications shall not result in additional usable area.) Expansion of usable area or changes in use within the Office Park area, shall be dependent on evaluation of the parking conditions at that time.

As part of the Building Permit application, a current parking survey of the area shall be provided to the Building Inspector for expansion of usable area or changes in use within the Office Park. At the Building Inspector's discretion, the parking survey may be referred to the Planning Board for review to ensure adequate parking is maintained to ensure safety and security of the Office Park.

Uses within Tobey Village Office Park shall be limited to general offices, business services and professional/medical offices.

* Total Usable Area

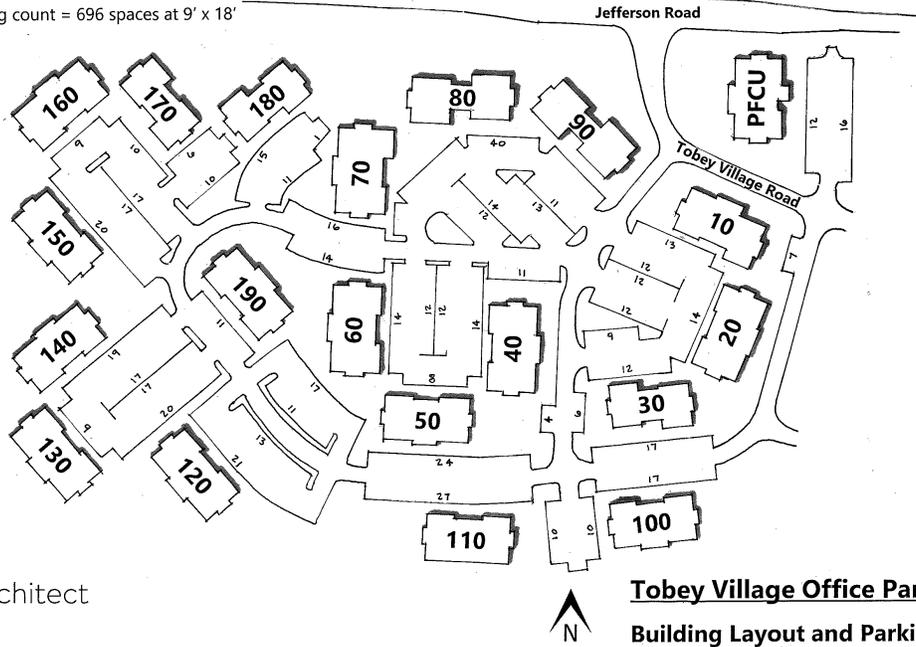
BOMA (ANSI/BOMA Z65.1-2010) defines usable area as occupant area plus building amenity areas that are convertible to Occupant Area. Shared conference rooms, exercise areas/fitness centers, childcare centers, and vending areas are classified as Building Amenity Areas. Usable area does not include Building Service Areas, such as building lobby and corridors; fire control center and equipment; restrooms and janitors' closets; mechanical, electrical and communications rooms and closets; truck loading, receiving and trash; or building management and maintenance.

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Exhibit "B"

Notes:

- Refer to Exhibit "C" (Tobey Village Office Park Area Calculations) for building square footages
- Total existing parking count = 696 spaces at 9' x 18'



JDurfee, Architect

435 Williams Road
Henrietta, New York
14467

**Tobey Village Office Park
Building Layout and Parking Map**

6/6/19

EXHIBIT "C"

TOBEY VILLAGE OFFICE PARK AREA CALCULATIONS 6/6/19

	A	B	C	D	E	F	G	H	I
	BLDG.	First Floor Usable Area (SF)	First Floor Interior Gross Area (SF)	Basement Type	Potential Basement Net Usable SF (Finished Area)	Existing Basement Usable SF (Finished Area)	Potential Loft/Second Floor Usable SF	Existing Loft/Second Floor Usable SF	Existing First Floor, Existing Basement and Potential Loft/Second Floor Usable SF (Combined Total)
2	10	6753	7,674	None	-	-	-	-	6,753
3	20	6836	7,736	None	-	-	1,015	1,015	7,851
4	30	5280	6,000	Full	5,080	-	-	-	5,280
5	40	6836	7,736	None	-	-	1,800	-	8,636
6	50	6836	7,736	None	-	-	1,800	-	8,636
7	60	6836	7,736	None	-	-	1,800	-	8,636
8	70	7155	8,131	None	-	-	1,800	-	8,955
9	80	6836	7,736	Full - Daylight	6,632	5,110	1,800	-	13,746
10	90	6836	7,736	Full - Daylight	6,632	4,093	1,800	-	12,729
11	100	6836	7,736	None	-	-	1,800	-	8,636
12	110	7133	8,106	None	-	-	1,015	800	8,148
13	120	6836	7,736	None	-	-	1,100	-	7,936
14	130	6836	7,736	None	-	-	750	-	7,586
15	140	7088	8,054	None	-	-	-	-	7,088
16	150	6836	7,736	None	-	-	1,800	-	8,636
17	160	5280	6,000	Full - Daylight	5,080	-	1,524	-	6,804
18	170	5839	6,635	Full - Walkout	5,649	5,649	1,524	-	13,012
19	180	5280	6,000	Full - Walkout	5,080	4,290	1,524	-	11,094
20	190	6836	7,736	None	-	-	1,800	-	8,636
21	20 TV RD (PFCU)	4230	5,134	Full - Walkout	3,896	3,896	1,553	1,553	9,679
22	Totals	129,234	146,830		38,049	23,038	26,205	3,368	178,477
23									
24	Revised 6/6/2019								
25		Notes:							
26		1) Existing Parking = 696 spaces (at assumed 4/1000 SF yields 174,000 SF allowable area)							
27		2) Existing Usable = 155,640 SF (Total all levels)							

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PRESENTATION – LED STREETLAMP CONVERSIONS BY GENESEE/FINGER LAKES REGIONAL PLANNING REPRESENTATIVE, HAYLEE FERINGTON

Councilman O'Connor introduced guest speakers Haylee Ferington from the Genesee/Finger Lakes Regional Planning Council (GFL RPC) and Kimberly Bawden of the New York State Pollution Prevention Institute.

Ms. Ferington discussed the various collaborative efforts of the last several years between the Town and the GFL RPC, several of which resulted in the Town attaining NYSERDA Clean Energy Community (CEC) status in 2017.

On behalf of the GFL RPC, Ms. Ferington recommended that the Town participate in the RGE "Cobra Head to LED Streetlight Conversion" Program. Details of the RG&E conversion program were reviewed for the Board by Ms. Ferington and Councilman O'Connor.

The GFL RPC also recommended that the Town collaborate with the New York State Pollution Prevention Institute at Rochester Institute of Technology to identify energy savings potential and relevant payback periods in Town facilities. Based on EPA Portfolio Manager software-calculated energy consumption metrics and benchmarks, facilities can be prioritized for energy walkthroughs and audits by energy conservation experts. The initiative is a natural outcome of the town's Clean Energy Community "Energy Benchmarking" High Impact Practice. Ms. Ferington then introduced Ms. Bawden to discuss this initiative.

PRESENTATION – ENERGY AUDITS OF TOWN FACILITIES BY NEW YORK STATE POLLUTION PREVENTION REPRESENTATIVE, KIMBERLY BAWDEN

Kim Bawden, Pollution Prevention Engineer, addressed the Town Board, describing the background, history and role of the Pollution Prevention Institute funded by the New York State Department of Environmental Conservation and headquartered at RIT. Additionally, she reviewed the proposed collaborative efforts that are planned for the G/FL RPC and the Town in the facility energy usage auditing arena. A meeting with Town staff has been organized to review EPA Portfolio Manager data, which suggests, pending further analysis, that Town Hall and the home of the Sewer Department could be candidates for energy usage studies.

The presentations are on file with the Town Clerk.

AGREEMENT WITH RG&E FOR LIGHT EMITTING DIODE (LED) COBRA HEAD STREET LIGHT CONVERSION APPROVED

Following the two (2) presentations, a Letter of Agreement between RGE and the Town of Pittsford for streetlamp conversion was submitted by the Supervisor for consideration by the Board.

PUBLIC COMMENT

Village resident, Sue Emmel, thanked the Town Board for their efforts toward clean energy and encouraged them to consider solar-powered light for any additional street lights in the Town. She warned about what she has read about potential toxicity of material contained within LED lights if they break.

Councilman O'Connor, noted LED lights are robust, damage resistant solid-state devices that contain no hazardous mercury, unlike compact fluorescent bulbs. In addition, he noted that these bulbs are high up, at the top of the cobra light fixtures, out of the way of access to anyone other than personnel assigned to attend to them.

Councilman Beckford asked about installation of solar powered lights. Councilman O'Connor noted that the program the Town is taking advantage of to do the conversion involves using existing RG&E lightposts, replacing sodium bulbs with LED bulbs. It will conserve energy and provide immediate cost savings to residents.

Councilwoman Townsend noted that solar power and LED conversion are not mutually exclusive. LEDs can be powered by solar panels and she noted that solar powered lighting would be the right choice for further street lighting installations in residential neighborhoods, with which Supervisor Smith agreed.

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A motion to approve the Letter of Agreement was offered by Councilman O'Connor, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Supervisor be authorized to execute the Letter of Agreement with RG&E as proposed, accepting the terms of the Agreement as written and submitted to the Town by Ronald E. Foster, Customer Services of Programs and Products for RG&E.

MINUTES

PUBLIC COMMENTS

No public comments were offered.

MEETING MINUTES OF JULY 2, 2019 APPROVED

A Resolution to approve the Meeting Minutes of the July 2, 2019 was offered by Councilwoman Townsend, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Meeting Minutes of July 2, 2019 are approved as written.

OPERATIONAL MATTERS

PUBLIC COMMENTS

No public comments were offered.

RENEWAL OF COMPREHENSIVE INSURANCE COVERAGE APPROVED

Andre Valente, from Brown and Brown, the Town's insurance consultant, reviewed the proposal for the 2019-2020 insurance coverage and Brown and Brown recommendations. Following some brief questions by the Board and answers by Mr. Valente, a Resolution to approve the recommendation of Brown & Brown, the Town of Pittsford's Insurance Consultant, that the 2019-2020 insurance coverages to be placed with USI as Broker, Allied Public Risk as Program Manager and Zurich North America as carrier was offered by Supervisor Smith, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that based on the recommendation of Brown & Brown, the Town of Pittsford's Insurance Consultant, the 2019-2020 insurance coverages are placed with USI as Broker, Allied Public Risk as Program Manager and Zurich North America as Carrier.

FINANCIAL MATTERS

PUBLIC COMMENTS

No public comments were offered.

HIGHWAY CAPITAL IMPROVEMENT FUNDS APPROVED

A Resolution was offered to appropriate \$237,000.00 from the Highway Capital Reserve fund, as noted in the 2019 budget, to offset road improvement costs scheduled for FY2019, by Supervisor Smith, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

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The Resolution was carried as follows:

RESOLVED, that \$237,000.00 be appropriated from the Highway Improvement Capital Reserve Fund and transferred to the Part Town Highway Repair Fund per the Adopted 2019 Budget. Be it further,

RESOLVED, that this Resolution is subject to permissive referendum.

APPOINTMENT OF DEPUTY RECEIVER OF TAXES

Following a brief description and explanation of the proposed appointment by Town Clerk Linda Dillon, a Resolution to appoint Jessica Bullen, Service Manager at the Pittsford Branch of Canandaigua National Bank and Trust as Deputy Receiver of Taxes was offered by Deputy Supervisor Munzinger, seconded by Councilwoman Townsend. This permits the Bank to collect taxes on the Town's behalf and deposit them directly into the Town's Tax Account. Board members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that Jessica Bullen, Service Manager at the Pittsford Branch of Canandaigua National Bank and Trust is appointed Deputy Receiver of Taxes for the Town of Pittsford for 2019-2020 and is authorized to collect the 2019-2020 School Taxes and the 2020 Town and County Taxes during the interest-free collection periods.

TAX BONDING FOR 2019-2020 TAX COLLECTION APPROVED

A Resolution to authorize insurance coverage for the 2019-2020 Tax Collections was offered by Supervisor Smith, seconded by Councilman O'Connor, and voted on by the members as follows: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Town Board hereby guarantees the surety, form and amount of the official undertaking for the faithful performance of the duties of Town Clerk and Receiver of Taxes, as follows:

Section 1.

Type of undertaking: Insurance coverage for Town Clerk and Receiver of Taxes

Amount: \$100,000.00 per employee Public Employee Dishonesty Coverage with additional indemnity of \$200,000.00, including Faithful Performance of Duty, for the Receiver of Taxes.

Section 2.

A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law §25.

BUDGET TRANSFER AND AMENDMENT APPROVED

A Resolution to approve the proposed Transfer and Amendment was offered by Deputy Supervisor Munzinger, seconded by Councilman O'Connor, and voted on by the members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the following budget transfer is approved:

- That \$200.00 be transferred from 1.1990.4000.1.1 (Contingency – Expense) to 1.1930.4000.1.1 (Judgement & Claims – Expense) to cover the cost of an insurance settlement, and be it further

RESOLVED, that line item 5.5112.2010.55.4 (Part Town Highway – CHIPs) be increased by \$31,359.00. The source of these funds will be from New York State's – Extreme Winter Recovery Program.

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JULY VOUCHERS APPROVED

PUBLIC COMMENTS

Supervisor Smith asked for any public comments regarding the proposed vouchers for approval. There were none.

Thereafter, a Resolution to approve the July 2019 vouchers was moved by Deputy Supervisor Munzinger, seconded by Councilwoman Townsend, and voted on by the members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the July 2019 vouchers No. 142347 through No. 142770 in the amount of \$863,623.12 are approved for payment.

PERSONNEL MATTERS

PUBLIC COMMENTS

No public comments were offered.

HIRING AND STATUS/SALARY CHANGES APPROVED

Councilman O'Connor confirmed that he has audited the records for the proposed part-time and/or seasonal hires and that all the documents were in order. Thereafter, a Resolution to approve the proposed new hires and rehires and recommended status and/or salary change was offered by Councilman O'Connor, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: None.

The Resolution was declared carried as follows:

RESOLVED, that the Town Board approve the following persons for employment as new and rehires and confirm as the date of hire as indicated hereto:

Name	Department	Position	Rate	Date of Hire
Anne Ritter	Rec	REC Asst III Lifeguard PT (Aquatics)	\$14.00	07/08/2019
James Creighton	Rec	REC Asst III Comm Cntr Supv PT	\$12.71	07/01/2019
Peter Hidley	Rec	REC Asst III Comm Cntr Supv PT	\$12.71	07/09/2019
Carolyn Hughes	Rec	REC Asst III Comm Cntr Supv PT	\$12.71	07/15/2019
Stephanie Totin	Rec	REC Asst III Comm Cntr Supv PT	\$12.71	07/15/2019

and be it further

RESOLVED, that the Town Board approves the status and salary change for the following employee:

Name	Position	Reason for Change	Rate	Effective Date
William Jabs	Bus Driver Rec Srs.	Perm PT Bus Driver	\$13.50	07/11/2019

OTHER BUSINESS

Transportation Concerns for Disabled

Councilwoman Townsend reported that she has identified additional information on the number of residents that have disabilities in our community. The information indicates that of the adults 18 – 64 years in Pittsford, 594 adults have physical disabilities and 403 adults have cognitive disabilities. Of the 594 adults with physical disabilities, 324 are hearing impaired. Supervisor Smith suggested a meeting with Elderberry Express to see if the Elderberry service could be used to accommodate the other 79 other disabled residents once the RTS bus service changes.

Speed Enforcement near Construction Zones in south Pittsford

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Councilwoman Townsend recounted requests from residents for stepped-up speed enforcement on Mill Road and Mendon Center Road near the road construction on each.

PUBLIC COMMENTS

Resident, John Limbeck, 62 State Street, objected to receiving advertising posts on his Facebook account from persons he has not accepted as friends, noting that the comments are purely political in nature and contain little truth about Pittsford and nothing of relevance to the upcoming election. He noted that he would prefer to talk face-to-face with candidates.

ADJOURNMENT

As there was no further business, the Supervisor adjourned the meeting at 7:05 P.M.

Respectfully submitted,

Linda M. Dillon
Town Clerk

OFFICIAL BOARD MINUTES ARE ON FILE IN THE OFFICE OF THE TOWN CLERK