

Minutes of the Town Board for November 9, 2022

**TOWN OF PITTSFORD  
TOWN BOARD  
NOVEMBER 9, 2022**

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, November 9, 2022, 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: Paul Schenkel, Commissioner of Public Works; Robert Koegel, Town Attorney; Renee McQuillen, Town Clerk; Brian Luke, Finance Director; Jessie Hollenbeck, Recreation Director; Cheryl Flemming, Director of Personnel; Shelley O'Brien, Communications Director; Suzanne Reddick, Assistant to the Supervisor; Spencer Bernard, Chief of Staff.

**ATTENDANCE:** Ten members of the public and an ASL interpreter were present.

Supervisor Smith called the Town Board meeting to order at 6:05 P.M. and invited all to join in the Pledge to Flag.

**SUPERVISOR'S ANNOUCEMENTS**

1. The Supervisor recognized our region as the ancestral homeland of the people of the Seneca Nation, and noted the upcoming commemoration of the Treaty of Canandaigua, signed in 1794 among the Seneca, the other peoples of the Haudenosaunee Confederation and the United States.
2. The Town will honor Veteran's Day this Friday, November 11 at 11:00 A.M. with a ceremony at Carpenter Park near the Port of Pittsford.
3. Supervisor Smith acknowledged the recent retirement of Julie Donnelly, Facilities Clerk for the Recreation Department. He then read a Town Board proclamation in recognition of Joy Brown's retirement as Director of Information Technology. It highlighted her many accomplishments and contributions to the Town during her 20+ year tenure. Director Brown thanked everyone for the recognition.

*A brief recess followed.*

**PUBLIC HEARING FOR LOCAL LAW #4 - REDUCING TOWN SPEED LIMIT TO 25 MPH**

In this continuation of the Public Hearing opened on November 1, Supervisor Smith asked if any members of the public wished to comment. Hearing none, he closed the Public Hearing.

Councilmember Townsend expressed the consistent support among residents for this proposal. Deputy Supervisor Munzinger thanked the Supervisor for holding over the Public Hearing so that she and Councilmember Townsend could offer their comments. She noted that passing this speed limit reduction for Town roads is just one step in dealing with a larger issue.

The Supervisor made the motion to approve Local Law #4 of 2022; a Resolution amending Chapter 145 'Vehicles and Traffic,' Article II 'Speed Regulations' of the Code of the Town of Pittsford to set a Town-Wide 25 MPH Speed Limit with Exceptions, seconded by Deputy Supervisor Munzinger and

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voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

**WHEREAS**, true and correct copies of proposed Local Law No. 4 of 2022: Amending Chapter 145 "Vehicles and Traffic," Article II "Speed Regulations" of the Code of the Town of Pittsford to set a Town-wide 25 mph speed limit with exceptions, were placed upon the desks of all members of the Town Board of the Town of Pittsford, New York, more than seven (7) calendar days, exclusive of Sunday, prior to the 1st day of November, 2022; and

**WHEREAS**, there was duly published in a newspaper previously designated as an official newspaper for publication of public notices, and posted upon the bulletin board maintained by the Town Clerk pursuant to § 40(6) of the Town Law, a notice of public hearing to the effect that the Town Board would hold a public hearing on the 1st day of November, 2022, at 6:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on said Local Law No. 4 of 2022; and

**WHEREAS**, the said public hearing was duly held on the 1st day of November, 2022, and again on the 9<sup>th</sup> day of November, both at 6:00 P.M., Local Time, at the Town Hall, Pittsford, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of said Local Law No. 4 of 2022; and

**WHEREAS**, the proposed action is a Type II Action in accordance with 6 NYCRR §617.5(c)(22) and (33) of the SEQRA Regulations; and

**WHEREAS**, subsequent to the closing of said public hearing, and after all persons interested had been heard, the Town Board considered the adoption of said Local Law No. 4 of 2022; and

**WHEREAS**, it was the decision of the Town Board that said Local Law No. 4 of 2022 should be adopted.

NOW, on a motion duly made and seconded, it was

**RESOLVED**, that Local Law No. 4 of 2022: Amending Chapter 145 "Vehicles and Traffic," Article II "Speed Regulations" of the Code of the Town of Pittsford to set a Town-wide 25 MPH speed limit with exceptions, be provisionally adopted by the Town Board of the Town of Pittsford, New York, to read as annexed hereto; and it was further **RESOLVED**, that said Local Law No. 4 of 2022 shall be deemed finally adopted by the Town Board upon certification by a licensed professional engineer who specializes in

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traffic operations that the speed limits established by said Local Law are in accordance with the engineering considerations and factors for speed limits set forth in the manual and specifications for a uniform system of traffic control devices maintained by the NYS DOT, as required by Vehicle and Traffic Law § 1662-a; and it was further

**RESOLVED**, that within twenty (20) days subsequent to the final adoption of said Local Law No. 4 of 2022, there shall be filed with the Secretary of State one certified copy of said Local Law No. 4 of 2022, in accordance with Municipal Home Rule Law § 27.

### **PUBLIC HEARING FOR SUPERVISOR'S PROPOSED BUDGET FOR 2023 AND SPECIAL DISTRICTS**

Supervisor Smith reviewed his proposed 2023 budget for those in attendance at the meeting. The Town's tax rate will remain flat, at \$3.13 per \$1,000 of assessed property value, with no increase. All current Town services will continue at current levels or better. He noted that no ARPA funds are used in this budget; that ARPA funds are independent of the budget and are not counted toward revenue.

Following this presentation, the Supervisor opened the public hearing on the proposed Budget for 2023, asking if any members of the public wished to comment. The Town Clerk read a comment submitted by resident from Pat Maxwell. With no further public comments, the Supervisor closed the Public Hearing and asked for comments and questions from the Town Board.

Councilmember Townsend asked about Public Works budget lines inquiring if the amount budgeted for road repairs will be sufficient with rising costs. Commissioner Schenkel responded that the several budget lines that together comprise the budget for road work provide funding sufficient for road work and maintenance scheduled for next year. Councilmember Townsend also noted that if the budget allows as the year proceeds, the Board should consider adding more crossing guards in the spring or fall. Deputy Supervisor Munzinger agreed. Councilmember Taylor asked about funding proposed for elections. Town Clerk McQuillen acknowledged a decrease, consequent to the County taking over direct compensation of election inspectors. Previously the Town paid the inspectors and the County compensated the Town, requiring a funding line in the Town budget. Councilmember Taylor also asked about a bonded sewer extension project. Commissioner Schenkel explained that this is the final year for payment on the bond. Deputy Supervisor Munzinger thanked the department heads, Finance Director Brian Luke, and Supervisor Smith for their work in preparing the 2023 budget. She appreciates being able to keep the tax rate flat in a time when costs seem to be continually rising. Councilmember Koshykar remarked she would like to know the purpose of the special project line under Personnel. Brian Luke, Finance Director explained that it covers safety training and other training for employees and volunteer board members. Staff answered additional questions about funding lines for traffic, recreation programming and town wide events.

Thereafter, Supervisor Smith moved that the 2023 proposed Budget, Sewer Rents, Special Districts, and Debt Service budgets be approved as the 2023 adopted budget. This was seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

### **MINUTES OF THE NOVEMBER 1, 2022, TOWN BOARD MEETING APPROVED**

A Resolution to approve the minutes of the November 1, 2022, Town Board meeting was offered by Councilmember Taylor, seconded by Councilmember Koshykar, and voted on by members as follows: Ayes: Koshykar, Taylor and Smith. Nays: none. Abstain: Munzinger, Townsend

The Resolution was declared carried as follows:

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**RESOLVED**, that the Minutes of the November 9, 2022, Town Board meeting are approved.

**LEGAL MATTERS**

**PUBLIC COMMENT**

No comments made.

**AMENDMENT TO INCENTIVE ZONING RESOLUTION AND A RELEASE OF A SEWER EASEMENT FOR KILBOURN PLACE**

Following a brief explanation by Supervisor Smith of the purpose of the resolution, Councilmember Townsend made a motion to approve the amended condition 4 of the Town Board resolution approving Incentive Zoning for Kilbourn Place Luxury Apartments, 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 Condition 4 of the Town Board resolution approving Incentive Zoning for the 110-unit rental Kilbourn Place Luxury Apartments project be amended to read that a maximum of 33 units (instead of 34 units) be located on the Back Nine Parcel and 77 units (instead of 76 units) be located on the former Kilbourn Place Townhouse properties, and that certified copies of this resolution be filed in the offices of the Town Clerk, the Tax Assessor, and the Department of Public Works.

Then Councilmember Taylor moved to approve the release of the amended sewer easement, seconded by Deputy Supervisor Munzinger, 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 an amended release of the Kilbourn Place sewer easement be executed and recorded in substantial conformance with the form submitted herewith.

WHEREAS, Releasee granted Releasor a 20' wide Sanitary Sewer Easement, dated February 19, 2013, and recorded in the Monroe County Clerk's Office on March 6, 2013, in Liber 11227 of Deeds, at Page 236 (the "Easement"); and

WHEREAS, Releasee amended the legal description of the Easement by an Amended and Restated Sewer Easement, dated May 14, 2013, and recorded in the Monroe County Clerk's Office on May 23, 2013, in Liber 11256 of Deeds, at Page 89 (the "Amended Easement"); and

WHEREAS, Releasor released the Easement, as described in the Amended Easement but without reference to recording of the Amended Easement, by a Release of Sewer Easement, dated September 8, 2022, and recorded in the Monroe County Clerk's Office on September 15, 2022, in Liber 12720 of Deeds, at Page 659; and

WHEREAS, to avert any ambiguity or defect in title, the record of this Easement, Amended Easement, Release of Easement, and Amended Release of Easement should be clarified;

NOW, THEREFORE, in consideration of the facts and circumstances as set forth above, the Releasor herein does hereby Release the aforesaid Easement and Amended Easement, as described in Schedule A of the Amended Easement.

**AGREEMENT TO GRANT LICENSE TO MALVERN HILLS HOMEOWNERS' ASSOCIATION FOR LANDSCAPE ENHANCEMENTS**

Deputy Supervisor Munzinger made a motion to grant a license to the Malvern Hills HOA granting the right to install and maintain landscaping enhancements, seconded by Councilmember Townsend, and

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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 authorize the Town Supervisor to sign the proposed License Agreement by and among the Town, the Monroe County Water Authority, and the Malvern Hills Homeowners Association for the installation of landscape enhancements at or near the intersection of Mendon Road and Bromsgrove Hill.

### **ACCEPT DEDICATON OF ROAD IN ALPINE RIDGE SUBDIVISION**

Councilmember Townsend moved to accept the Offer of Dedication for Skylight Trail in the Alpine Ridge Subdivision, Section 2, 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 Offer of Dedication for “Skylight Trail” in the Alpine Ridge Subdivision, Section 2, be accepted and consent be given to the Highway Superintendent to issue an Order to Lay Out the road.

### **ACCEPT DEDICATION OF OPEN SPACE IN ALPINE RIDGE SUBDIVISION**

Supervisor Smith moved to accept the Offer of Dedication for two parcels of land in the Alpine Ridge Subdivision, Section 2, Councilmember Taylor seconded, 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 Offer of Dedication of two (2) parcels of land totaling approximately 6.78 acres of land in the Alpine Ridge Subdivision, Section 2, to be used as open space, be accepted.

### **ACCEPT DEDICATION OF OPEN SPACE IN COUNTRY POINTE SUBDIVISION**

Supervisor Smith moved to accept the Offer of Dedication for four parcels of land in the Country Pointe Subdivision, second made 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 Offer of Dedication of four (4) parcels of land totaling approximately 12.834 acres of land in the Country Pointe Subdivision, to be used as open space, be accepted.

### **RELEASE OF UNNECESSARY SEWER EASEMENT ON WOOD HILL RD & SKYTOP LN**

Supervisor Smith offered the motion to approve the release of the remaining Sewer Easement, seconded by Deputy Supervisor Munzinger, 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 authorize the Town Supervisor to sign the attached proposed “Release of Remaining Sewer Easement” involving the Town’s easement located on 26, 28, 32, 36, 38, 40 & 42 Wood Hill Road and 12 & 15 Skytop Lane. This resolution is subject to permissive referendum, and the Town Clerk is directed to post and publish the required notice of such permissive referendum.

## **FINANCIAL MATTERS**

### **PUBLIC COMMENT**

There were no public comments.

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**NOVEMBER VOUCHERS APPROVED**

Deputy Supervisor Munzinger offered a resolution to approve the proposed vouchers, 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 November vouchers from number 158485 – 158858 total \$ 645,320.28 are approved for payment.

**BUDGET TRANSFER APPROVED**

A motion to approve the proposed budget transfer 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:

Be it resolved that the following are approved:

That \$15,700.00 be transferred from 0001.9040.8000.0000.0000 (General Fund W.T. – Workers Comp) to 0001.2620.1000.0001.2620 (General Fund W.T. – Custodial Services) to cover costs.

That \$5,000.00 be transferred from 0001.1990.4000.0001.0001 (General Fund W.T. –Contingency) to 0001.2620.4107.0002.2620 (General Fund W.T. – Unleaded Gas) to cover costs.

**PERSONNEL MATTERS**

**PUBLIC COMMENTS**

There were no public comments.

**HIRING/PERSONNEL ADJUSTMENTS APPROVED**

A motion to approve the recommendations for new hires, status and/or salary changes was made 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 following employee(s) are recommended as a new hire, subject to successful completion of drug and background checks, based on the recommendation of the Functional Coordinator(s) for these areas:

<b>Name</b>	<b>Dept</b>	<b>Position</b>	<b>Rate</b>	<b>Date of Hire</b>
Justin Zelter	Highway	Laborer – FT	\$18.35	11/07/2022
Kirsten Fleming	Recreation	Rec Assistant	\$15.00	11/09/2022
Ella Devaney	Recreation	Rec Attendant	\$13.20	11/10/2022

This is subject to completion of the proper reviews and background checks for these candidates and appropriate sign off by the Town Board representative.

<b>Name</b>	<b>Dept</b>	<b>Position</b>	<b>Rate</b>	<b>Date of Hire</b>
Justin Zelter	Highway	Laborer – FT	\$18.35	11/07/2022
Kirsten Fleming	Recreation	Rec Assistant	\$15.00	11/09/2022
Ella Devaney	Recreation	Rec Attendant	\$13.20	11/10/2022

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### **2023 HOLIDAY SCHEDULE APPROVED**

Supervisor Smith offered a Resolution to approve the proposed 2023 Holiday Schedule, seconded by Deputy Supervisor Munzinger, 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 2023 Holiday Schedule for the Town of Pittsford full time and part-time staff be approved, respectively, as follows:

### **2023 Schedule of Holidays**

New Year's Day	Monday, January 1st
Martin Luther King Day*	Monday, January 16th
Presidents' Day*	Monday, February 20th
Memorial Day	Monday, May 29th
Juneteenth	Monday, June 19th
Independence Day	Tuesday, July 4th
Labor Day	Monday, September 4th
Columbus Day	Monday, October 9th
Veterans' Day*	Friday, November 10th
Thanksgiving Day	Thursday, November 23rd
Day after Thanksgiving	Friday, November 24th
Christmas Day	Monday, December 25th
Employee's Birthday*	
Additional Floating Holiday*	

\*Floating holidays, taken with Department Head's approval; Town offices remain open on these days.

### **APPROVAL FOR GVRPS ANNUAL CONFERENCE ATTENDANCE**

Director of Recreation, Jessie Hollenbeck, requested approval for three recreation department employees to attend the Genesee Valley Recreation and Parks Society Annual Conference. Councilmember Townsend moved for the approval of attendance for three recreation department employees at the GVRPS Annual Conference, seconded by Deputy Supervisor Munzinger, 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 Amanda Poulin, Kathleen Laskey and Anthony Brott are approved to attend the Genesee Valley Recreation and Parks Society Annual Conference on November 18, 2022, at Bill Gray's Regional Iceplex.

### **OTHER BUSINESS**

Councilmember Koshykar commented she supports professional development for staff.

### **PUBLIC COMMENT**

There were no public comments made.

With no further business, the Supervisor adjourned the meeting at 6:30 P.M.

Respectfully submitted,

Renee McQuillen  
Town Clerk