

## Minutes of the Town Board for April 16, 2019

### **TOWN OF PITTSFORD TOWN BOARD APRIL 16, 2019**

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

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

**ABSENT:** None.

**ALSO PRESENT:** Staff Members: Jessie Hollenbeck, Recreation Director; Robert B. Koegel, Town Attorney; Linda M. Dillon, Town Clerk, Suzanne Reddick, Assistant to Supervisor and Shelley O'Brien, Communications Director.

**ATTENDANCE:** There were twenty-nine (29) members of the public in attendance, as well as four (4) additional staff members and a sign language interpreter.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M. Thereafter, the Town Clerk noted all members present and the Supervisor invited Councilman Beckford to lead all in the Pledge to the Flag.

#### **SUPERVISOR'S ANNOUNCEMENTS**

##### **Arbor Day and Environmental Awareness Celebration – April 27, 11AM – 1PM**

Supervisor Smith invited the community to participate in a joint Town/Village celebration of Arbor Day and Environmental Awareness being held at the Village Hall, 21 North Main Street. The event is free to the public and will have activities and landscaping information available, as well as a free tree seedling.

Supervisor Smith also encouraged participation in the annual Canal Cleanup, which will take place immediately following the Arbor Day event. Additionally, he acknowledged and recognized the last day of April as "Save the Frogs Day". The Town and Village acknowledge this day in concert with the efforts they are achieving with the development of the Town and Village's Nature Preserve along the Erie Canal.

#### **CONTINUATION OF HEARING ON PROPOSED KILBOURN PLACE DEVELOPMENT**

Supervisor Smith opened by noting that the presentation about to be given is a revision of the proposal that was originally presented to the Town Board for consideration of Incentive Zoning for Kilbourn Place off East Avenue. A public hearing on this matter was opened in September of 2018, and the hearing remained open at that time. The developer has since made revisions to the original plan based on comments made at the September meeting and will be presenting those revisions for the Town Board's consideration. Supervisor Smith indicated that no vote will be taken tonight and that the public hearing will remain open. Residents will be given an opportunity to speak tonight and the Town will notify by first class U.S. mail, eNews and website those residents on East Avenue and adjoining streets of any additional meetings. He reviewed the steps that are required and necessary for progression of this proposal to the Town as follows: The applicant must file an Amendment to the Kilbourn Place Incentive Zoning Proposal. The Town Board will thereafter review and provide an initial response, and refer the application to the Planning Board for their review and report back to Town Board. The applicant will then need to provide an Environmental Assessment to the Town Board. Thereafter, a public hearing will be set and appropriate notifications will be made, including a published Legal Notice in the local newspaper. In addition, the Town will notify affected properties surrounding the development by letter, eNews, and on the website.

## Minutes of the Town Board for April 16, 2019

### PRESENTATION

Thereafter, David Riedman, President of Riedman Companies, presented the revised plan to the Town Board. The following revisions, in response to comments and concerns noted at the September hearing were outlined and reviewed as follows:

- Project Scale - reduced
- Community Amenities – added amenities
- Affordability – reduced
- Rental to St. John Fisher students – income thresholds apply to individual renters, no co-signed applications will be accepted
- Traffic – reviewed and analyzed
- Sound – contiguous sound wall and glass laminated windows inside units for noise reduction
- Phasing & Zoning Incentives – \$200,000

Following the presentation, the following initial comments were made by Town Board:

Deputy Supervisor Munzinger questioned whether the applicant had reached out to residents. Mr. Riedman indicated that they had sent an invitation to many of the residents in the surrounding location of the proposed development, inviting them to a meeting at Riedman Company offices to review and discuss the proposed revisions. Councilman Beckford thanked Mr. Riedman for listening and responding to the comments given in September, and noted that he was happy with rental prices being lowered and the addition of amenities. Councilwoman Townsend indicated that she would hold her comments and questions until after the public had an opportunity to speak.

### PUBLIC COMMENTS

The following public comments were offered:

- 1) Bruce Blackman, 3466 East Avenue: He noted that he was never contacted by the developer; does not believe East Avenue is an appropriate location for apartments; does not believe it will be successful and is concerned with the elevation of the project being able to view his back yard from the higher levels.
- 2) Terri Bobry, 16 Bretton Woods: Mrs. Bobry stated that she wants more than a few trees for buffering – was pleased with the response from St. John Fisher during their expansion, with the plantings of evergreen – a good buffer, both summer and winter – would like the same or similar year-round privacy for this development; concerned with lights of cars and amount of cars going in and out and possibly shining their lights into her home; believes volume (number of cars) is not accurately described.
- 3) Pamela Cooper-Vince, 435 Kilbourn Road: Mrs. Cooper-Vince was not satisfied with amenities offered; believed the project will change character of neighborhood; traffic remains a concern and believes project will reduce home values in this area; also noted that she did not receive a letter from Riedman.
- 4) Sue Eisinger, 3735 East Avenue: Ms. Eisinger noted that she was concerned about the number of units in this project, as well as the traffic it will generate.
- 5) Joe Hanna, 14 Old Landmark Drive: Mr. Hanna indicated that he believed the notification process was not accurate; he was concerned with the restaurant being grandfathered in under the zoning; he also believed that the applicant's rental amounts were not out of line with similar units along East Avenue in Brighton and the city and finally, had no objections to the revised plan presented.
- 6) Stanley Stone, 3615 East Avenue: Ms. Stone noted that she felt this development would change the appearance of the area; is concerned about speed and traffic; noise emanating from community activities; she also did not receive an invite from developer.
- 7) Roger Vince, 435 Kilbourn Road: Mr. Vince initially thanked the Town for the addition of stop signs and reduced speed in his neighborhood. With regard to the project, he inquired and was shown that sidewalks are being proposed for this plan along East Avenue, in front of the development, to allow residents to cross East Avenue and access the Town's East Avenue Sidewalk at the Kilbourn traffic light.
- 8) Amy Bowen, 3491 East Avenue: Ms. Bowen inquired and developer indicated the traffic pattern throughout the development as well as where the specific three (3) entrances and exits were located.
- 9) George Schwartz, 3575 East Avenue: Mr. Schwartz indicated that he was invited and attended the meeting with Riedman and gave them credit for listening and making modifications; he suggested that they plan another meeting with residents, since some have indicated that they did not get notification.
- 10) Virginia Blackman, 3466 East Avenue: Mrs. Blackman indicated that it is currently very difficult for her to exit her property due to traffic and believes this development will worsen that reality.

## Minutes of the Town Board for April 16, 2019

### TOWN BOARD COMMENTS

The developer answered questions from the Board, and in doing so, offered the following remarks:

- Riedman was not the applicant for the original Incentive Zoning that was approved in the mid-2000's
- The primary reason for the change from owner occupied units (the previously approved plan) to rental units was the unsuccessful marketing efforts following the 2008 economic downturn
- All the questions raised by the Planning Board regarding set back requirements have been answered.
- The landscaping behind the Wright House can be examined for buffering and screening
- The architect for the developer responded to an inquiry regarding one of the building's transition from a 2-story to 3-story in the back of the building.

*As Amended at the 05-07-19 meeting:*

*Councilwoman Townsend indicated that she appreciated the changes that were made to the plan and she reserved her questions regarding whether the proposal meets the requirements of zoning law for a later meeting.*

Councilman O'Connor reconfirmed with the applicant the current plan to complete the entire sound wall adjacent to I-490 in Phase I of the project. He also confirmed that a detailed landscaping plan would be created in the future and preliminary sanitary sewer extension discussions with Town personnel had started.

Supervisor Smith reviewed again the process that needs to take place for the applicant to proceed. He noted that the public hearing remains open; that there will continue to be opportunities for public comment and considerations; and that residents of East Avenue and adjoining streets will be furnished with prior notice by the Town, by mail, eNews, and the Town website for any future meetings where this application is considered.

### MEETING MINUTES OF APRIL 2, 2019

#### PUBLIC COMMENT

Mary Moore requested that her comments in the public comment session, as reported in the draft minutes, be amended. The Town Board agreed and Ms. Moore subsequently provided the Town Clerk with the text of her comments for inclusion in the April 2<sup>nd</sup> Meeting Minutes.

### MEETING MINUTES OF APRIL 2, 2019 APPROVED AS AMENDED

Thereafter a Resolution to approve the Meeting Minutes of the April 2, 2019 meeting, as amended was offered by Deputy Supervisor Munzinger, seconded by Councilman O'Connor, 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 the April 2, 2019 meeting are approved as amended.

### FINANCIAL MATTERS

#### TOWN OF PITTSFORD EMPLOYEE ANNUAL MEETING APPROVED

The Department Communication Committee has begun planning for the Town employee's Annual Meeting and is proposing the date of October 16, 2019 that will include a breakfast brunch at the Burgundy Basin Inn. Therefore, they are requesting Town Board approval for the contract with Burgundy Basin Inn for this annual meeting.

A Resolution to authorize the Town Supervisor to enter into and sign a contract with Burgundy Basin for the Town's annual employee meeting for October 16, 2019, was offered by Councilman O'Connor, seconded by Councilman Beckford, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

## Minutes of the Town Board for April 16, 2019

**RESOLVED**, that the Town Board authorizes the Town Supervisor to enter into and sign the contract with Burgundy Basin Inn for the Town's Employee Annual Meeting on October 16, 2019.

### **BUDGET TRANSFERS APPROVED**

Councilman O'Connor confirmed with Town Attorney Koegel that permissive referendum was necessary under State law because the transfers under consideration were coming from capital reserves. Thereafter, a Resolution to approve the proposed Budget Transfers were offered by Deputy Supervisor Munzinger, seconded by Councilman O'Connor, 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 following budget transfers are approved:

- That line item 4.1989.2003.2.4 (Fleet Schedule – Highway Equipment) be increased by \$130,636.00, and item 1.1989.2029.1.1 (Fleet Schedule – WT Admin) be increased by \$62,027.00 and that item 1.1989.2025.1.1 (Fleet Schedule – Parks) be increased by \$28,787.00 and that the source of these funds will be an appropriation from the Whole Town Equipment Capital Reserve; and
- That line item 2.1989.2003.602.4 (Fleet Schedule – PT Yard Debris) be increased by \$23,197.00 and that the source of these funds will be an appropriation from the Part Town Equipment Capital Reserve; and
- That line item 6.1989.2029.2.6 (Fleet Schedule – Sewer) be increased by \$348,358.00 and that the source of these funds will be an appropriation from the Sewer Equipment Capital Reserve.

Be it further

**RESOLVED**, that this Resolution is subject to permissive referendum.

### **APRIL VOUCHERS APPROVED**

A Resolution to approve the April 2019 vouchers was moved 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 April 2019 vouchers No. 141102 through No. 141460, in the amount of \$389,396.91 are approved for payment.

### **OPERATIONAL MATTERS**

#### **PITTSFORD LITTLE LEAGUE FOOD VENDOR PERMIT APPROVED**

A Resolution to approve the Food Vending Permit to Pittsford Little League to operate a vending unit on the Town owned Habecker Fields was offered by Councilwoman Townsend, seconded by Councilman O'Connor, 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 based on the recommendation of the Commissioner of Public Works, Town Board approves the proposed Food Vending Permit to Pittsford Little League to operate a vending unit on the Town owned Habecker Fields located at 34 East St., from April 27, 2019 through October 31, 2019 and that the Town Supervisor is authorized to sign the permit.

### **OTHER BUSINESS**

Councilman Beckford requested that the Town look into replacement of the faucets in the restrooms at the Library when budget items are discussed and reviewed during the next budget workshops for 2020.

## Minutes of the Town Board for April 16, 2019

### **Library – Temporary close in late May**

Supervisor Smith notified residents that the Library will be closed for a necessary maintenance project in May, over the Memorial Day weekend, including Friday, May 24th and Tuesday, May 28th. The Library will resume its regular hours on Wednesday, May 29th.

### **Community Choice Aggregation (CCA) Administration Bids Received**

Supervisor Smith indicated that bids have been received for the administration of the CCA program for the Town of Pittsford, Pittsford Village, and Towns of Brighton and Irondequoit. A conference call will be set in the near future for the representatives from each of the government agencies to meet to discuss future action in awarding the bid. Bids were received from Joule Assets/Roctricity, Good Energy and Pilot.

Councilwoman Townsend requested an update on the emails that were generated regarding an injury that occurred on a Town baseball field. After some discussion, it was determined that the incident in question was due to a baseball that bounced from an infield location and hit a Little League player. Supervisor Smith confirmed that the Recreation Director and Commissioner of Public Works had advised that an initial suggestion to have a committee evaluate the field would be superfluous, given the more than four years of detailed and public planning of the fields from 2012-2017 with all community sports groups, citizen participants and the school district. Recreation Director Jessie Hollenbeck noted that none of those groups involved have requested changing the multi-use surfacing of the ball fields or believe that they should be changed. He continued, that all players and/or parents of players are required to sign-off on any potential injuries that may occur on the fields and reconfirmed that the fields are maintained properly and are configured properly for their intended use.

As there was no further business, the Supervisor adjourned the meeting at 7:24 P.M.

Respectfully submitted,

Linda M. Dillon  
Town Clerk