

Minutes of the Town Board for October 1, 2019

TOWN OF PITTSFORD TOWN BOARD OCTOBER 1, 2019

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, October 1, 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: None.

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

ATTENDANCE: There were approximately eighty (80) members of the public in attendance. There were also four (4) additional staff members present and an interpreter. The room reached capacity (95) and some people were unable to enter.

Supervisor Smith called the Town Board meeting to order at 6:10 P.M., inviting Deputy Supervisor Munzinger to lead in the Pledge to the Flag. The Town Clerk noted all members present.

SUPERVISOR'S ANNOUNCEMENTS

- 1) Supervisor Smith announced and welcomed the public to attend the opening of the Town of Pittsford Dog Park on Tuesday, October 8 at 3:30 p.m. on East Street, adjacent to the Habecker Baseball Fields. The park will be a part of the Monroe County Dog Park system. Registration can be done through the Monroe County Parks Department and can also be done on October 8 at the Dog Park from 3:00 – 7:00 P.M.
- 2) Supervisor Saturday will be this Saturday, October 5 at 9AM at the Pittsford Community Library. Anyone wishing to meet, ask questions, offer comments or discuss any matter with the Supervisor regarding the Town are welcome to attend.

PRESENTATION – NATURE PARK AND PRESERVE BY SUE STEELE, LANDSCAPE ARCHITECT

Sue Steele, Landscape Architect for the Town's Nature Park and Preserve project, made a presentation to the Board, describing the plans for the 15 acre park along the Erie Canal in Pittsford, following the receipt of a grant award from New York State. The presentation reviewed the following items: Project Overview, Master Plan, Trail Alignment and Key Features, Historic Barn reconstruction plans and a schedule to complete the project.

Sue Steele noted that adding an elevated trail to plans for the project would require additional funding, but that grant money may be available for this purpose.

MINUTES PUBLIC COMMENTS

A resident whose comments were included in the draft minutes requested an amendment to her comments.

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AMENDMENTS TO SEPTEMBER 17, 2019 MINUTES APPROVED

At the request of the resident who requested the revision, Supervisor Smith moved to amend the minutes accordingly. This was seconded by Councilman Beckford. The board voted as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

Thereafter, Councilman O'Connor requested an amendment, under the section entitled "Public Hearing on Local Law No. 3 of 2019". The Town Clerk read the proposed amendment, which was an addition to the comment offered by Councilman O'Connor. The amendment would be added to the last sentence in paragraph 2 under Public Hearing on Local Law No. 3. Councilman O'Connor made a motion to amend the Minutes as stated, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Amendment was approved and carried as follows:

RESOLVED, that the September 17, 2019 Minutes be amended as follows:

The last sentence in Paragraph 2, under Public Hearing on Local Law No. 3 of 2019, read as follows:

"Councilman O'Connor and Deputy Supervisor Munzinger confirmed that they are in agreement with the proposed Resolution, though Councilman O'Connor did point out that the local law does not address the real underlying root issue, deer overpopulation that cannot be solved with signage and enforcement of firearm discharge prohibitions. He challenged future Boards to look to the Cornell College of Agriculture and Life Sciences for solutions based on research on the Ithaca campus, which could involve periodic controlled hunts and use of contraception to thin the herd."

MINUTES OF THE SEPTEMBER 17, 2019 MINUTES APPROVED AS AMENDED

Thereafter, a Resolution to approve the Meeting Minutes of the September 17, 2019 meeting as amended 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 Meeting Minutes of the September 17, 2019 Town Board meeting is approved as amended.

ADOPTION OF COMPREHENSIVE PLAN UPDATE

Supervisor Smith noted that that the Town had completed, at its last meeting, the second of two successive public hearings on the Comprehensive Plan (on September 3 and September 17), which followed more than 4 years of open public comment on the process and the plan, including three public workshops promoted in all media other than television and radio, including direct mailings to every household in Pittsford for each meeting. He noted that the Board may now consider adopting the Plan, beginning by considering amendments proposed by Board members. All such amendments had been published on the Town website the previous week.

PUBLIC COMMENTS

- 1) Michelle Crane stated that there is plenty of housing stock available for income levels between \$45,000-\$90,000 and therefore disapproves of Councilmen Beckford's proposed amendment. However, she supports the amendments related to housing options for residents age 55 and older.
- 2) Ginger Sacco – spoke against the idea of multiple-dwelling units for reasons including noise levels, parking (more possibility of damage to vehicles), pet limitations, handicap accessibility and quality of housing.
- 3) Kendra Evans – spoke in support of Councilman Beckford's amendment, to make it possible for young families to live in Pittsford.
- 4) Mary Moore – spoke in support of Councilman Beckford's amendment, favoring housing incentives for those who currently cannot afford to live in Pittsford.
- 5) Susan Gould – noted a correction (typo) that is needed on Page 17 with reference to Future Land Use Planning and also commented that she was in favor of exploring more affordable housing.
- 6) Hau Jin – spoke in support of the Comprehensive Plan's provision for broader housing options for seniors and the proposed amendments supporting that provision. She noted that Pittsford is very diverse community

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- 7) Patricia Fazio – spoke in support of Councilman Beckford's amendment. As a single Mom living in Pittsford, she hopes her son can move back after college
- 8) Elizabeth Webb – stated support for Councilman Beckford's amendment. She added that although she lives in the Highlands of Pittsford, it is not affordable for many, and therefore providing for more affordable housing for seniors is desirable.
- 9) Mark Harrington – spoke in support of Councilman Beckford's amendments, impressed with the community's political involvement.
- 10) Dani Polito – spoke in support of Councilman Beckford's amendment. As a two-time immigrant, she felt that we could not restrict efforts for broader affordability of housing to those 55 and older.
- 11) Sandra Corsetti – a longtime resident (since 1986) of Pittsford, spoke, noting that she lives in a very affordable neighborhood that it is very diverse and inclusive, having even a group home in her neighborhood. She knows that there is a larger amount of affordable housing available here in Pittsford than some of the proposed amendments suggest.
- 12) Brenda Myers – concurred with the previous comment, noting that there is plenty of very affordable housing for young families available here in Pittsford.
- 13) Michael Simpson – spoke in support of Councilman Beckford's amendment, applauding affordable housing efforts for seniors, and encouraging development on the other end of the age spectrum.
- 14) Laura-Jean Diekmann – questioned the validity of Councilman Beckford's amendment.
- 15) Alaina Malley – a resident and Nursing Home administrator, spoke regarding the 55 and older communities, noting that they are not necessarily successful, as many would like to stay in their own home. She encouraged efforts to help seniors to stay in their own home.
- 16) Barbara Jablonski – a 31 year resident, expressed her gratitude for the Community Survey and for the Town Board listening to, and responding to, the survey results, which indicated a desire to address affordable housing for seniors and recreational needs along the canal for seniors and children. She asked that the Town Board honor the opinions of residents as expressed in the Community Survey opinions, and not approve amendments to the comprehensive Plan based on personal agendas.
- 17) Paul Knipper – a 43 year resident, spoke, supporting affordable housing regardless of age. He is in support of limiting lot sizes, for more homes and direct incentives to residents.
- 18) Jin Lian – a 7 year resident, spoke, supporting the community and indicating her happiness with the Pittsford community, with its welcoming nature and its diversity. She stated that she is happy living here in Pittsford.
- 19) Jessie Keating – spoke in support of Councilman Beckford's amendments and requested that no vote be taken, giving additional opportunity for comments.
- 20) Jeff Luellen – a 50+ year resident, spoke, against Councilman Beckford's amendments, as unnecessary and damaging, and contrary to the wishes of the community.

ADOPTION OF THE COMPREHENSIVE PLAN

Councilman Beckford asked the Town Attorney if another public hearing could be opened. The Town Attorney responded that it is possible, subject to the same procedure used for the two previous public hearings, with notice published in a newspaper of record at least five days prior to the next hearing.

Thereafter, Councilman Beckford moved to set another public hearing the Public Hearing. There was no second to this motion, and the motion failed.

Councilwoman Townsend then moved to delay a vote on the Comprehensive Plan, as this could give time for more review and public comment. The motion was seconded by Councilman Beckford and voted on by members as follows: Ayes: Beckford and Townsend. Nays: Munzinger, O'Connor and Smith. The motion failed.

Supervisor Smith reviewed the procedure in considering the proposed Amendments. For purposes of avoiding confusion, they would be considered in the same format as they were publicly published, considering in turn each set of amendments proposed by Board members.

The first set of amendments for consideration were entitled Part A (Supervisor Smith's Proposed Amendments). Councilwoman Townsend asked about references in the amendment to particular types of zoning districts for residents of 55 and older; specifically, would the 55-plus requirement apply just to the original purchaser of a property under such zoning or to subsequent purchasers as well. Supervisor Smith confirmed that the age provision would apply to all subsequent purchasers as well.

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COMPREHENSIVE PLAN UPDATE AMENDMENTS AMENDMENTS PART A

Following discussion and Supervisor Smith's review of his proposed amendments, a motion was made by Supervisor Smith, seconded by Deputy Supervisor Munzinger, to approve Part A of the proposed amendments to the Comprehensive Plan, and voted on by members as follows: Ayes: Munzinger, O'Connor, Townsend and Smith. Nays: Beckford.

The Resolution was carried as follows:

RESOLVED, that Part A of the proposed Amendments by Supervisor Smith be approved as follows:

Part A (Supervisor Smith's Amendments)

1. Update, p. 34, under "Policies," third bullet, add to the end of the bullet: "including housing options specifically suited for residents of age 55 and older."
2. Update, p. 36, change point 15 to read as follows: "Consider providing incentives to developers to develop more affordable housing in the Town of Pittsford for residents aged 55 and older."
3. Update, following p. 36, add additional page to read as follows:

Aging-in-Place

The policy recommendations for residential development in this Comprehensive Plan (p. 34) contemplate diversification of housing stock to accommodate shifting preferences. Many Pittsford residents have expressed interest in more housing options suited specifically for people in their retirement years, and at a broader range of price points than may be available currently.

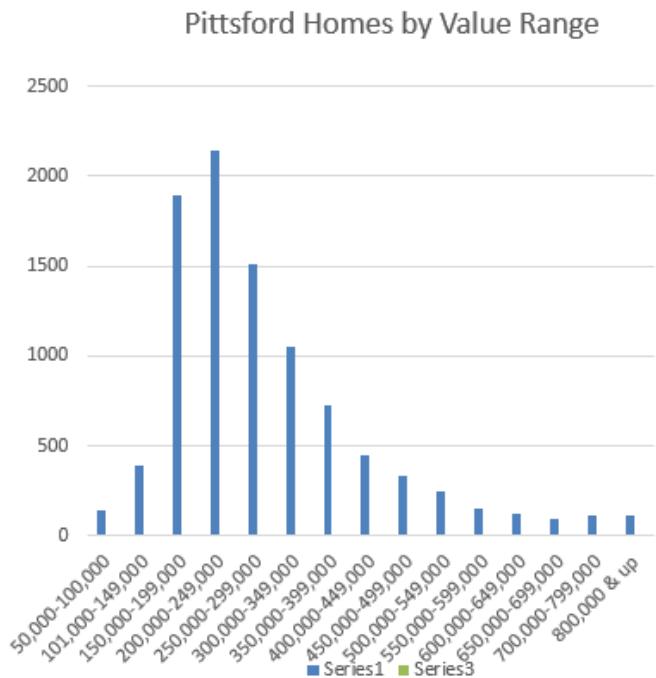
The Plan's recommended actions regarding residential development specifically include (p.36) considering incentives for developers to provide more housing options for residents of age 55 and older at lower cost than typically available in Pittsford.

New York Law makes specific provision for action by towns along these lines. In accordance with it, the following actions are recommended.

1. Consider creating a retirement community zoning district for occupancy by people 55 years old and older.
2. Consider creating a senior citizen residence district "floating zone" specifically for multi-family dwellings arranged as individual units for people 55 and older.
4. Update, p. 55, under "Policies," first bullet, third line, delete the phrase ", with the Active Transportation Plan," and add to end of the bullet ", and reviewing pertinent provisions of the Active Transportation Plan."
5. Appendices, p. 8, replace the chart at Figure 9, which shows 2015 data, with the 2019 data, as shown on the chart set forth below:

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Value Range Homes in Town	Number Parcels	% of Total Homes
Pittsford Residential		
50,000-100,000	144	1.52%
101,000-149,000	395	4.16%
150,000-199,000	1895	19.96%
200,000-249,000	2143	22.57%
250,000-299,000	1507	15.87%
300,000-349,000	1052	11.08%
350,000-399,000	723	7.61%
400,000-449,000	450	4.74%
450,000-499,000	337	3.55%
500,000-549,000	252	2.65%
550,000-599,000	152	1.60%
600,000-649,000	120	1.26%
650,000-699,000	96	1.01%
700,000-799,000	113	1.19%
800,000 & up	116	1.22%
	9495	100.00%



AMENDMENTS PART B

Prior to a motion or vote on Councilwoman Townsend's amendments, she proposed changes to them, based on her further research:

1. Remains the same
2. a) Remains the same
 - b) Change to: "Evaluate public support for and efficacy of additional means of encouraging senior housing at lower cost, including public-private partnerships."
 - c) Withdraw completely
- 3-6: Remains the same

Councilwoman Townsend offered a motion to approve Amendments Part B as currently amended, 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 carried as follows:

RESOLVED, that Part B of the proposed Amendments by Councilwoman Townsend be approved as re-amended as follows:

Part B (Councilwoman Townsend's Proposed Amendments)

1. Update, p. 34, under "Policies," add "Enact a policy for review and public notice of demolition applications."
2. To Supervisor Smith's "Aging-in-Place" proposed amendment, add the following recommendations:
 - (a) "Review current codes pertaining to suites in single-family homes for their effectiveness at providing suites for elderly family members that promote maximum independence."
 - (b) "Evaluate public support for and efficacy of additional means of encouraging senior housing at lower cost, including public-private partnerships."

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3. Update, p. 36, add a new Action as follows: "Conduct a town-wide traffic safety assessment to identify priority areas and subsequent actions to increase safety."
4. Update, p. 57, under "Policy," add to the end of the sentence: ", including solar, wind, and geothermal energy technologies."
5. Update, p. 57, under "Policy," add the following new policy: "Review the existing incentive zoning rules to encourage environmentally sustainable building designs, materials, and technologies."
6. Update, p. 57, under "Actions," add the following new action: "Review the Design Guidelines to ensure that they allow for non-traditional building designs and materials that are more energy efficient and environmentally sustainable."

AMENDMENTS PART C

Deputy Supervisor Munzinger reviewed her proposed Amendments and thereafter made a motion to approve them, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was carried as follows:

RESOLVED, that Part C of the proposed Amendments by Deputy Supervisor Munzinger be approved as follows:

Part C (Deputy Supervisor Munzinger's Proposed Amendments)

1. Update, p.4, second paragraph, delete reference to "Appendix B" and change third sentence and beginning of fourth sentence to read: "Means of promotion included:"
2. Update, p. 4, first bullet, make "postcard mailing" plural; second bullet, add at the end the words "for each meeting;" fifth bullet, make "Story" plural; eighth bullet, make "article" plural; and add an additional bullet stating: "Pittsford Messenger, Town newsletter sent to every home."
3. Update, p.19, remove photograph identified as "Country Village Plaza" (not located in Pittsford).
4. Update, p. 21, change the designation of three "Representative Images" to "Concept Images Only," and remove reference to "KKK Steel," or alternatively, remove concept images and add photographs of Town of Pittsford buildings.
5. Update, p. 25, remove photograph of "Powers Farm Market" (as it is located in Perinton), and, if available, add photograph of farm market in Town of Pittsford.
6. Update, p. 40, Action 4, fourth line, insert the word "discernible" between the words "no" and "detriment."
7. Update, p. 56, Action 8, add to end of sentence "and those with disabilities."
8. Update, p. 57, replace photograph of a "local home with a roof-mounted solar array" with a photograph of a home in the Town of Pittsford with a solar array, or alternatively, label the photograph as a concept photograph.

AMENDMENTS PART D

Councilman Beckford reviewed his proposed Amendments some discussion among Town Board members followed. Councilwoman Townsend noted that she did not see a clear mechanism to achieve the objectives stated in No. 1 and No. 3 of Councilman Beckford's proposed Amendments. Following an inquiry from Councilman Beckford, Town Attorney clarified that the Comprehensive Plan can be as specific as it wants to be. However, what really matters is the Town's Zoning Law.

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Following the discussion, a motion was made by Councilwoman Townsend to sever each individual component of the Part D Amendments, to consider each separately, 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:

RESOLVED, that Part D – Councilman Beckford's Proposed Amendments be severed into five (5) separate parts, as listed 1 – 5 in his proposed amendments, to be considered individually by the Board.

Discussion followed.

Councilman Beckford stated statistics about demographics and ethnic composition of the population of Pittsford. He noted that the purpose of his amendment was to change these demographics. He noted a history of intentional racial segregation in the United States, given effect by zoning laws among other means. He recommended the book *The Color of Law*, by Richard Rothstein as an excellent resource for understanding this phenomenon and as a guide for making changes to overcome it. The Councilman stated that the purpose of his proposal for special efforts for housing affordability for households with incomes from \$53,000 to \$90,000 was to change Pittsford's ethnic composition and demographics. He stated that the concept described by his amendment is necessary in order to allow young families to move into Pittsford, and children to move back to the Town after college.

Deputy Supervisor Munzinger noted that her family is a young family with young children who moved to Pittsford, that in her experience there is available housing at affordable prices in the Town, and that the breakdown of housing values in Pittsford supports that.

Supervisor Smith recited data. He noted that 26% of all houses in Pittsford are valued at below \$199,000, that about half of all housing in Pittsford is valued at less than \$249,000. He stated that in the Town outside the Village, there are nearly 1,000 apartments and condo units available, and that, within the Village itself, 26% of all housing is rental housing. He continued, that the Town's current zoning law already in place provides specifically for multi-dwelling units, both the B-Residential zoning areas and the C-2 zoning, and that the Town code provides for "Planned Unit Developments" that allow multi dwelling units and which were expressly created for, among other things, allowing the use of a variety of housing types and densities. The Town Code provides also for Incentive Zoning and one of the express purposes stated in the Code for Incentive Zoning is to "provide a sound mix of housing projects." Right now the Town has one homebuilder who's been in front of the Board with a project for apartments by St. John Fisher College, and it's well known that one builder has been trying to put up apartments by the canal in the Village, though that project is solely within the jurisdiction of the Village government. He continued, that in the past 4 or 5 years alone, families with young children moving in is one of the major factors in neighborhoods across Pittsford. It is seen especially in the long-established neighborhoods, where the existing housing stock is far less expensive than new construction. As the older residents downsize, young families not only can move in, they're actually moving in.

The Supervisor noted that the Comprehensive Plan calls for allowing greater density and "cluster" zoning, to allow smaller homes to be built closer by each other, including the patio homes that are popular. This can help a builders to offer homes that cost less, and also leaves more green space open. He noted that the Comprehensive Plan also calls specifically for Mixed Use Development that includes apartments, with living units above shops and next to them.

Councilman O'Connor discussed what he described as market realities that mean that home builders cannot build new homes for sale in Pittsford for less than about \$375,000 unless the builder would be willing to build houses to sell at a loss. The underlying cost of land in Pittsford is the driving force, because of the demand caused by people wanting to move here. Looking at existing housing stock, he considered the 26% of housing in Town valued at less than \$199,000. He demonstrated that, for a house priced within that range, for \$180,000, at the current mortgage rate of 3.75%, with a 10% down payment and factoring in all applicable taxes, mortgage insurance and home insurance, the monthly payment would be \$1,545 per month, or \$18,546 per year. He continued that, using generally accepted rules-of-thumb about housing cost in relation to gross income, whether a third of income or one- fourth of income, such a house is well within the financial ability of a family within the income range specified in Councilman Beckford's amendment.

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Supervisor Smith said that the information about home values and pricing out a mortgage payment, discussed earlier in this meeting, would have come out in the Comprehensive Planning process. That was a public process that involved more than 4 years of careful and deliberate study and public scrutiny and public participation. The Town Attorney intervened to say it had been closer to 5 years. The Supervisor continued that all of the other proposed amendments seek to clarify or add detail to provisions already in the Comprehensive Plan that went through that public review. Councilman Beckford's amendment is something totally new, out of the blue. Other than a very few comments at the last of the public workshops not sufficient to suggest public support, the concept had never been brought up at any stage of the public planning process over 5 years. No one brought it up at either of the two public hearings that the Board held last month. To bring it up now, after having had 5 years of opportunity to do so, bypasses the entire public process.

By bypassing the public process, he continued, this amendment was subject to no review by the Comprehensive Plan citizens committee, or by the Town's consultants or, most importantly, by the public. The Supervisor recalled the observation of the Comprehensive Plan consultant at the beginning of her presentation at the public hearings that a comprehensive plan is supposed to represent the vision and choices of the community. He stated that is very different from imposing on the community something never brought up for their consideration in the planning process.

The Supervisor noted that Town held off on finalizing the Comprehensive Plan until after the Community Survey, because the Town Board said it would consider results of the survey in finalizing the Comprehensive Plan. The Survey showed strong public support for ways of enabling builders to be able to offer housing desired by seniors at lower price points, but not anything beyond that. He observed that we need to respect both what our residents have said, and respect the Town Board's own commitment to take into account the results of the Survey.

He noted that the Comprehensive Plan includes strengthening two things important to Pittsford: historic preservation and preserving more open space, and historic preservation and preserving open space both have the effect of not just supporting the values of all homes in a community, but increasing them.

AMENDMENT PART D – NO. 1: FAILED

Following discussion, Councilman Beckford offered a modification to No. 1 of his amendments, requesting that it read as follows:

(additional modifications in italics)

1. Update, p. 34, Action 3, add to the end: “Allow for socioeconomic diversification (suited for annual income levels of \$53,000 - \$93,000) *to consider providing incentives to developers to allow for socio-economic diversity.*

Councilman Beckford thereby made a motion to approve #1 of his amendment, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford and Townsend. Nays: Munzinger, O'Connor and Smith. The motion failed.

AMENDMENT PART D – NO. 2: FAILED

Councilman Beckford requested the modification to No. 2 of his amendments to read as follows:
(see additional modification in italics)

2. Update, p. 36, change point 15 to read: “Consider providing incentives to developers to develop more affordable homes (suited for annual income levels of *\$53,000 - \$93,000*), home types, and prices within each development project; i.e., apartments, condominiums, town homes, and patio homes.”

Councilman Beckford then made a motion to approve No. 2 of his amendments. No member of the Town Board seconded the motion, which consequently failed.

AMENDMENT PART D – NO. 3, AS PROPOSED APPROVED

Councilman Beckford then made a motion to approve No. 3 of his amendments, seconded by Supervisor Smith, 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 No. 3, of Amendments Part D, proposed by Councilman Beckford be approved as follows:

Part D (Councilman Beckford's Proposed Amendment)

1. Update, p. 36, change point 14 to read: "Provide neighborhood amenities like Grills, Playgrounds and Pavilions (in new and existing neighborhoods) where possible and supported by the neighborhood, to bring communities together and provide social connectedness among residents."

AMENDMENT PART D – NO. 4, AS RE-AMENDED: FAILED

Councilman Beckford requested the modification to No. 4 of his amendments to read as follows:
(see additional modifications in italics below)

4. Update, following p. 36, add additional page to read as follows:

Three Generations Program

National trends show a desire for neighborhoods to reflect a level of diversification in ages, incomes and ethnic groups. Pittsford average household income is 2X of the surrounding areas. In the last 10 years, most housing stock added had entry points of well over \$300K, making it impossible for our seniors to downsize and young families to move to Pittsford.

PROBLEM TODAY: (1) Seniors unable to downsize to affordable apartments, townhomes or condos are leaving Pittsford; moving to neighboring towns who have more affordable housing stock. (2) Young people and young families making \$53K – \$93K are unable to find enough housing stock they can afford.

The (per my suggested amendment) policy recommendations for residential development in this Comprehensive Plan (p. 34) contemplate diversification of housing stock to accommodate shifting needs. Many Pittsford residents have expressed interest in more affordable housing options that would allow their kids to live here after college and to allow seniors to downsize. This suggest we encourage and incentivize developers to provide a broader range of price points than may be available currently.

The Plan's recommended actions regarding residential development specifically include (p.36) considering (per my suggested amendment) incentives for developers to provide more affordable homes (suited for incomes levels \$53K – \$93K), home types and prices within each development project; i.e. apartment, condo, town homes and patio homes.

Thereafter, Councilman Beckford made a motion to approve No. 4 of his proposed amendments. No member of the Town Board seconded the motion, which consequently failed.

AMENDMENT PART D – NO. 5, AS RE-AMENDED: FAILED

Councilman Beckford offered a modification to No. 5 of his amendments, requesting that it read as follows:
(additional modifications in italics)

5. Update, p. 20, add to the list of "Potential Future Land Uses" the word "*Condominiums*".

Councilman Beckford then offered a motion to approve No. 5 of his proposed amendments, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford and Townsend. Nays: Munzinger, O'Connor and Smith. The motion failed.

AMENDMENT PART E – PROPOSED BY COUNCILMAN O'CONNOR APPROVED

Councilman O'Connor reviewed his one proposed Amendment and thereafter made a motion to approve, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was carried as follows:

RESOLVED, that Part E of the proposed Amendment by Councilman O'Connor be approved as follows:

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Part E (Councilman O'Connor's Proposed Amendment)

1. Update, p. 57, Goal #3, "Healthy Living," fourth line, insert the phrase "and resiliency" after the word "sustainability."

COMPREHENSIVE PLAN UPDATE SEQRA APPROVED

Supervisor Smith offered a motion that a Negative Declaration of environmental significance be made, seconded by Councilwoman Townsend, and voted on by members as follows: Ayes: Beckford, Munzinger, O'Connor, Townsend and Smith. Nays: none.

The Resolution was carried as follows:

WHEREAS, through a series of meetings with residents and business owners of the area, the Town, with assistance from its Town Planner, Bergman Associates, developed a draft Update to the Town's Comprehensive Plan, with Appendices, which outlines a shared vision of the future for the Town; and

WHEREAS, following receipt and review of the draft Update and Appendices to the Town's Comprehensive Plan, a public hearing was held on the 3rd day of September, 2019 and continued through the 17th day of September, 2019, at which time it was closed, to review the proposed changes to the Town's Comprehensive Plan, receive public comments and determine whether such changes should be adopted by the Town Board; and

WHEREAS, following the closure of the public hearing, the Town published proposed amendments to the Update and Appendices, which amendments were duly considered by the Town Board at its meeting on October 1, 2019; and

WHEREAS, the proposed action being considered is adoption of the Update as amended by the votes taken this evening with Appendices to the Town's Comprehensive Plan which identifies the important attributes and components that define the community, provides a vision for the future, and focuses on the current and long-range protection, enhancement and development of the Town; and

WHEREAS, updating the Comprehensive Plan has consisted of the three following major analyses: 1) understanding existing conditions in the Town; 2) defining and articulating the Town's goals and vision for the future; and 3) determining the means to accomplish those goals and give life to that vision; and

WHEREAS, the Town Board obtained public input through various outreach efforts, and consulted with local officials, departments and committees, representatives of the Town Planning Board, and other municipal representatives, businesses and property owners, together with the multi-meeting Public Hearing; and

WHEREAS, the Town Board is responsible for preparation and adoption of the amendments to the Town's Comprehensive Plan, pursuant to [Town Law § 272-a](#); and

WHEREAS, the proposed action of adopting the proposed amendment to the Town Comprehensive Plan is a Type I SEQRA action pursuant to [6 NYCRR § 617.4\(b\)\(1\)](#); and

WHEREAS, a Full Environmental Assessment Form has been prepared for the proposed action;

NOW, THEREFORE, be it

RESOLVED, that the Town Board finds that based upon the information included in the Full Environmental Assessment Form and the criteria contained in [6 NYCRR § 617.7](#), the Town Board is the Lead Agency for SEQRA review of the proposed action; and be it further

RESOLVED, that copies of the Comprehensive Plan materials were provided to the Interested Agencies and the public during the review process for the proposed Update to Town's Comprehensive Plan; and be it further

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RESOLVED, that the Town Board, having reviewed the full environmental assessment form, and the Town Board having taken a "hard look" at potential adverse environmental impacts of the proposed Update to the Town's Comprehensive Plan, with Appendices and amendments, and having given this matter due deliberation and consideration, finds that the proposed Update to the Town's Comprehensive Plan, with Appendices and amendments, will not have a significant adverse impact on the environment; and be it further

RESOLVED, that the Town Board hereby issues a Negative Declaration for the project.

COMPREHENSIVE PLAN UPDATE APPROVED AS AMENDED

Following the approval of the SEQRA Resolution, Supervisor Smith offered a Resolution to approve the Comprehensive Plan Update as Amended, seconded by Councilman O'Connor, and voted on by members as follows: Ayes: Munzinger, O'Connor, Townsend and Smith. Nays: Beckford.

The Resolution was declared carried as follows:

WHEREAS, through a series of meetings with residents and business owners of the area and other community outreach efforts, the Town, with assistance from its Town Planner, Bergmann Associates, developed a draft Update, with Appendices, to the Town's Comprehensive Plan, which outlines a shared vision of the future for the Town; and

WHEREAS, the proposed action being considered is adoption of an Update, with Appendices, to the Town's Comprehensive Plan which identifies the important attributes and components that define the community, provides a vision for the future, and focuses on the current and long-range protection, enhancement and development of the Town; and

WHEREAS, the Town Board obtained public input through various outreach efforts, and consulted with local officials, departments and committees, representatives of the Town Planning Board, and other municipal representatives, businesses and property owners, together with a multi-meeting Public Hearing; and

WHEREAS, the Town Board is responsible for preparation and adoption of the amendments to the Town's Comprehensive Plan, pursuant to [Town Law § 272-a](#); and

WHEREAS, updating the Comprehensive Plan has consisted of the three following major analyses: 1) understanding existing conditions in the Town; 2) defining and articulating the Town's goals and vision for the future; and 3) determining the means to accomplish those goals and give life to that vision; 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 § 30(6) of the Town Law, a notice of public hearing to the effect that the Town Board would hold a public hearing on 3rd day of September and the 17th day of September, 2019 on the proposed Update to the Town's Comprehensive Plan; and

WHEREAS, the said public hearing was duly held on the 3rd day of September, 2019 and continued through the 17th day of September, 2019, at which time it was closed, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of the proposed Update to the Town's Comprehensive Plan; and

WHEREAS, following the closure of the public hearing, the Town published proposed amendments to the Update and Appendices, which amendments were duly considered by the Town Board at its meeting on October 1, 2019; and

WHEREAS, the Town Board has determined that proposed Update, with Appendices and amendments, to the Town's Comprehensive Plan is a Type I action pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act, and has previously determined that the proposed action will not have a significant adverse impact on the environment; and

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WHEREAS, subsequent to the closing of said public hearing, and after all persons interested had been heard, the Town Board considered the adoption of the Update, with Appendices, to the Town's Comprehensive Plan, along with amendments to the Update that were proposed by the Town Board and made available to the public; and

WHEREAS, it was the decision of the Town Board that the proposed Update to the Town's Comprehensive Plan, with Appendices and the amendments accepted by the Town Board, should be adopted.

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

RESOLVED, that the proposed Update to the Town's Comprehensive Plan, with Appendices and the amendments accepted by the Town Board, be adopted by the Town Board of the Town of Pittsford, New York.

RECESS

Supervisor Smith called for a brief Recess at 9:00 P.M. The Town Board reconvened and continued with the meeting at 9:05 P.M.

FINANCIAL MATTERS

PUBLIC COMMENTS

No public comments were offered.

BUDGET TRANSFERS APPROVED

A motion to approve the proposed Budget Transfer for building repairs and updates at Kings Bend Park lodges was offered by Deputy Supervisor Munzinger, 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:

RESOLVED, that \$16,350.00 be transferred from 1.9950.9000.1.1 (WT – Transfer to Capital) to 1.2620.2007.10.19 (Bldg. Maint. – Building Improvements) for building repairs and updates at the Kings Bend Park lodges.

PERSONNEL MATTERS

PUBLIC COMMENTS

No public comments were offered.

NEW YORK STATE LOCAL RETIREMENT SYSTEM STANDARD WORK DAY AND REPORTING RESOLUTION APPROVED

A motion to approve the Standard Work Day and Reporting Resolution for Elected Official and Town Justice, John E. Bernacki, Jr., 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.

The Resolution was declared carried as follows:

RESOLVED, that based on the Recertification of the Record of Activities for Town Justice John E. Bernacki, Jr., the NYS Retirement will be credited for service time worked as follows:

Name	Title	Term	Days/Month
John E. Bernacki, Jr.	Town Justice	01/01/2018-12/31/2021	14.93

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Employer Location Code
 3 | 0 | 0 | 4 | 9

Received Date

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A

(Rev.09/18)

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

BE IT RESOLVED, that the Town of Pittsford / 30049 hereby established the following standard work days for these titles and will

(Name of Employer) (Location Code)
 report the officials to the New York State and Local Retirement based on their record of activities:

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy-mm/dd/yy)	Record of Activities Result: [*]	Not Submitted: (Check only if official did not submit their Record of Activities)
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Elected Officials:

Town Justice	6/day	John E. Bernacki, Jr.		40809378	<input type="checkbox"/>	01/01/2018-12/31/2021	14.93	<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

Appointed Officials:

					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

I, Linda M. Dillon, secretary/clerk of the governing board of the Town of Pittsford, of the State of New York,

(Name of Secretary or Clerk)

(Circle one)

(Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 1st day of October, 2019 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Pittsford on this 1st day of October, 2019.

Linda M. Dillon
 (Signature of Secretary or Clerk)

Affidavit of Posting: I, Linda M. Dillon, being duly sworn, deposes and says that the posting of the Resolution began on

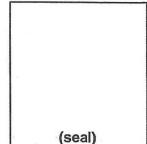
(Name of Secretary or Clerk)

(Date)

Employer's website at: www.townofpittsford.org

Official sign board at: Pittsford Town Hall, 11 South Main Street, Pittsford, NY 14534

Main entrance Secretary or Clerk's office at: _____



(seal)

Page 1 of 1 (for additional rows, attach a RS 2417-B form.)

HIRING AND STATUS/SALARY CHANGES APPROVED

A Resolution to approve the recommended hiring and status and/or salary change 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:

RESOLVED, that the Town Board approve the following persons are approved for new hires:

Name	Dept	Position	Rate	Date of Hire
Meghan Brooks	Rec	Asst II – Aquatics Instructor Asst PT	\$12.00	09/23/2019
Wonje (Jay) Han	Rec	Asst I – counselor PT	\$11.10	09/25/2019
Lindsay Layer	Rec	Asst I – Child Watch PT	\$11.10	09/27/2019
Thomas Joerger	Rec	Asst I – counselor PT	\$11.10	09/30/2019

And, be it further

RESOLVED, that the recommended status and/or salary change for the following employees are approved:

Name	Position	Reason for Change	Rate	Effective Date
Elijah Fleming	Town Courier PT	Replacing Resignation	\$13.50	09/23/2019
Kathleen Leonard	Sr Office Clerk FT	Promotion for Civil Service	\$19.46	09/23/2019
Richard Surowiec	Rec Asst II PT	Promotion from Rec Asst I	\$12.00	10/02/2019

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OTHER BUSINESS

Councilman Beckford spoke with regard and respect for the process, but was deeply disappointed in the outcome, noting that the Comprehensive Plan Update reflects racism and segregation. He stated that he had hopes to change the direction of the Town and believes that this change is necessary.

PUBLIC COMMENTS

Cathy Koshycar, spoke, noting that she respects the work completed on the Comprehensive Plan Update, but felt it was unfair that some people could not enter the room once the Fire Marshall declared it had reached capacity, and they should have a chance to speak, she said the observation that people who supported this had had 5 years to do so amounted to "scolding".

Supervisor Smith noted that the public was given numerous opportunities and invitations to speak, comment and participate in the Comprehensive Plan Update over the past 5 years, including the 3 public workshops promoted by direct mailings to every home for each, as well as at the two recent Public Hearings on September 3rd and September 17th Town Board meetings. That there has been a dedicated website, well publicized, for most of that 5 year period that has provided for continuous submission of public comment on the Comprehensive Plan. He therefore considered that there was more than ample time for the public to comment and that the Town Board also delayed its completion of this Plan until after the Community Survey results were received, intentionally for the purpose of having a Comprehensive Plan consistent with the consensus of Pittsford residents. That delay allowed for even more time for public comment. The Plan reflects and is inclusive of the survey results.

Councilman Beckford stated that he had brought up the subject of his amendment before, in his written comment at the January 2019 public workshop, but that it was not considered.

Councilwoman Townsend noted that she had been present at the Comprehensive Plan Steering Committee meetings subsequent to the January Public workshop, and that Councilman Beckford's written comment at that meeting had been considered by the Comprehensive Plan Committee.

ADJOURNMENT

As there was no further business, the Supervisor adjourned the meeting at 9:13 P.M.

Respectfully submitted,

Linda M. Dillon
Town Clerk