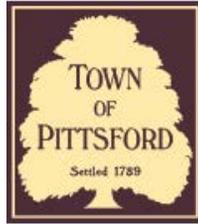


**SUPERVISOR**  
William A. Smith, Jr.



**COUNCIL MEMBERS**  
Kate Bohne Munzinger, Deputy  
Supervisor  
Kevin Beckford  
Cathy Koshykar  
Stephanie Townsend

## **TOWN BOARD AGENDA**

**Wednesday, December 8, 2021 – 6:00 pm**

**Town Hall – 11 S. Main Street, Pittsford – Lower Level**

**Page 1 of 2**

### **Call to Order**

### **Pledge of Allegiance**

### **Public Hearing**

Local Law No. 3 of 2021: Opting Out of Marijuana Legalization

### **Minutes**

Approval of Minutes of Meeting of November 16, 2021

### **Legal Matters**

Public Comment

Bergmann Contract for Zoning Code Update

### **Financial Matters**

Public Comment

Surplus

Creation of Community Solar Project Fund

Grant Consulting Services Agreement

### **Operational Matters**

Public Comment

Adoption of Climate Smart Community Resolutions

### **Personnel Matters**

Public Comment

Hiring Resolution

### **Other Business**

### **Public Comment**

### **Adjournment**

**Instructions for attending and offering comments on attached page 2**

## **PUBLIC MEETINGS OF THE TOWN BOARD are IN-PERSON at TOWN HALL**

### **Attending in Person**

Per State requirements, those who are not fully vaccinated must wear a mask and stay 6 feet away from other people.

### **Comments:**

As always, comments are open to Pittsford residents, owners of property in the Town who pay Town taxes, owners of a businesses in the Town, attorneys or agents designated by a resident to speak on the resident's behalf. To comment you must sign in at the sign-in desk.

### **Viewing from Home**

#### **1. Live**

The Town Board meeting will stream live through our cable access station's streaming portal. Please use the following link:

<https://videoplayer.telvue.com/player/FcqTLOOYMCGU6WlccUApyUL3twz4dm9V/stream/819?fullscreen=false&showtabssearch=true&autostart=true>

You can watch on any computer, tablet, smart phone or web capable TV. If you log in before the meeting starts and see an error message, refresh your screen at 6:00pm when the board meeting starts and you can view the meeting live while it is happening.

### **Comments:**

Comments are open to Pittsford residents, owners of property in the Town who pay Town taxes, owners of a businesses in the Town, attorneys or agents designated by a resident to speak on the resident's behalf.

- at any time before 2:30pm on the day of the meeting (a) by email to [comments@townofpittsford.org](mailto:comments@townofpittsford.org); (b) by submitting it in writing, through the drop slot to the right of the front door at Town Hall (11 South Main Street); or (c) by U.S. Mail to the Town Clerk, for receipt no later than 2:30pm on the day of the meeting;

***and, in addition,***

- at any time ***during*** the meeting by email to [comments@townofpittsford.org](mailto:comments@townofpittsford.org)
- All comments submitted should include the name and street address of the commenter. Comments from residents will be read by the Town Clerk at the appropriate point of the meeting.

#### **2. On-Demand Video**

As always, video will be uploaded to our cable access station's streaming portal within 48 hours of the meeting. It is available on demand. You can see it here:

<https://videoplayer.telvue.com/player/FcqTLOOYMCGU6WlccUApyUL3twz4dm9V/stream/690?fullscreen=false&showtabssearch=true&autostart=true>

# MEMORANDUM

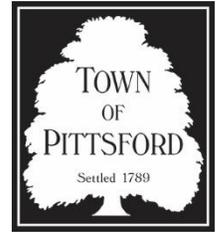
To: Town Board Members

From: Robert B. Koegel

Date: December 2, 2021

Regarding: Local Law No. 3 of 2021: Cannabis Opt-Out

For Meeting On: December 8, 2021



Ladies and Gentlemen:

The Town Board has previously received proposed Local Law #3 of 2021, which would have the Town opt out of allowing adult-use cannabis retail dispensaries and on-site consumption sites from being established and operated within the Town's jurisdiction. A public hearing on the proposed local law is being held on December 8, 2021.

You are reminded that if the Town opts out in 2021 and wants to opt in some time in the future, it may do so by passing a new local law repealing the opt-out local law, but if the Town fails to opt out in 2021, it can never opt out in the future.

Submitted with this memo is a copy of the proposed local law, together with the proposed adoption resolution.

Recommendation is hereby made that the Town Board adopt the proposed local law.

## **RESOLUTION**

I move the adoption of Local Law #3 of 2021: Local Opt-Out of Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Sites within the Town of Pittsford," in accordance with the written adoption resolution submitted herewith.

**BE IT ENACTED BY THE  
TOWN BOARD OF THE  
TOWN OF PITTSFORD  
NEW YORK  
AS FOLLOWS:**

**LOCAL LAW NO. 3 OF 2021:  
THE ADOPTION OF PROPOSED LOCAL LAW NO. 3 OF 2021:  
LOCAL OPT-OUT OF ADULT-USE CANNABIS RETAIL  
DISPENSARIES AND ON-SITE CONSUMPTION SITES  
WITHIN THE TOWN OF PITTSFORD**

Sec. 1 Title

This local law shall be known as Local Law No. 3 of 2021: Local Opt-Out of Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Sites within the Town of Pittsford.

Sec. 2 Legislative Intent

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Pittsford that would otherwise be allowed under Cannabis Law Article 4.

Sec. 3 Authority

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

Sec. 4 Local Opt-Out

The Town Board of the Town of Pittsford hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.

Sec. 5 Severability

If any clause, sentence, paragraph, section, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, paragraph, section, or part thereof, or in its application to the person, firm, or corporation or circumstance, directly involved in the controversy or action in which such order or judgment shall have been rendered.

Sec. 6 Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home Rule Law §24.

Sec. 7 Operative and Effective Dates

This local law shall be operative immediately upon its adoption and take effect immediately upon filing with the Secretary of State.

At a Regular Meeting of the Town Board of the Town of Pittsford, New York, held at Town Hall, 11 South Main Street, Pittsford, New York, on the 8th day of December, 2021.

PRESENT: William A. Smith, Jr., Supervisor  
Katherine Bohne Munzinger, Deputy Supervisor  
Kevin S. Beckford, Councilmember  
Cathleen A. Koshykar, Councilmember  
Stephanie M. Townsend, Councilmember

ABSENT: None

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In the Matter

of

THE ADOPTION OF PROPOSED LOCAL LAW NO. 3 OF 2021:  
LOCAL OPT-OUT OF ADULT-USE CANNABIS RETAIL  
DISPENSARIES AND ON-SITE CONSUMPTION SITES  
WITHIN THE TOWN OF PITTSFORD.

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**Adoption Resolution**

WHEREAS, true and correct copies of proposed Local Law No. 3 of 2021: Local Opt-Out of Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Sites within the Town of Pittsford, were placed upon the desks of all members of the Town Board of the Town Board, New York, more than seven (7) calendar days, exclusive of Sunday, prior to the 8th day of December, 2021; 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 8th day of December, 2021, at 6:00 P.M., Local Time, on said Local Law No. 3 of 2021; and

WHEREAS, the said public hearing was duly held on the 8th day of December, 2021, at 6:00 P.M., Local Time, at Town Hall, 11 South Main Street, 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. 3 of 2021; 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. 3 of 2021; and

WHEREAS, it was the decision of the Town Board that said Local Law No. 3 of 2021 should be adopted.

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

RESOLVED, that Local Law No. 3 of 2021: Local Opt-Out of Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Sites within the Town of Pittsford, be adopted by the Town Board of the Town of Pittsford, New York, to read as annexed hereto; and it was further

RESOLVED, that within twenty (20) days subsequent to the expiration of the period of forty-five (45) days to file a referendum petition under Municipal Home Law Rule § 24, there shall be filed with the Secretary of State one certified copy of said Local Law No. 3 of 2021.

Said matter having been put to a vote, the following votes were recorded:

William A. Smith, Jr.	VOTING
Katherine Bohne Munzinger	VOTING
Kevin S. Beckford	VOTING
Cathleen A. Koshykar	VOTING
Stephanie M. Townsend	VOTING

The resolution was thereupon declared duly adopted.

DATED: December 8, 2021

\_\_\_\_\_  
Renee M. McQuillen, Town Clerk

I, RENEE M. McQUILLEN, Clerk of the Town Board of the Town of Pittsford, New York, DO HEREBY CERTIFY that I have compared a copy of the resolution as herein specified with the original in the minutes of the meeting of the Town Board of the Town of Pittsford and that the same is a correct transcript thereof and the whole of the said original.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of December, 2021.

\_\_\_\_\_  
Renee M. McQuillen, Town Clerk

Minutes of the Town Board for November 16, 2021

**TOWN OF PITTSFORD  
TOWN BOARD  
NOVEMBER 16, 2021**

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, November 16, 2021 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 Kevin S. Beckford, Cathy Koshykar, Katherine B. Munzinger and Stephanie M. Townsend.

**ABSENT:** None.

**ALSO PRESENT:** Staff Members: Jessie Hollenbeck, Director of Recreation; Paul J. Schenkel, Commissioner of Public Works; Brian Luke, Finance Director; Robert Koegel, Town Attorney; Renee McQuillen, Town Clerk; Shelley O'Brien, Communications Director; Amanda Madigan, Library Director; Joy Brown, Director of IT; Cheryl Fleming, Director of Personnel and Spencer Bernard, Chief of Staff; Suzanne Reddick, Assistant to the Supervisor.

**ATTENDANCE:** There was 1 additional staff member and 25 members of the public in attendance.

Supervisor Smith called the Town Board meeting to order at 6:02 P.M. and invited all to join in the Pledge to Flag.

**PUBLIC FORUM ON MARIJUANA LEGALIZATION**

Town Attorney, Robert Koegel was asked by Supervisor Smith to give a briefing on the matter. The State legislation known as the Marijuana Regulation and Taxation Act ("MRTA") adopted in March 2021 legalizes marijuana sales and use and imposes a licensing system and regulations around the use of medicinal and adult use cannabis and hemp.

Under Cannabis Law § 131, any town, city, or village may adopt a local law, no later than December 31, 2021, opting out of allowing the establishment of adult-use cannabis retail dispensaries and/or on-site consumption sites within the jurisdiction of such town, city, or village.

Failure by a municipality to opt out by the end of 2021 means that both marijuana retail sales and marijuana lounges become legal in the municipality by automatic operation of State law, and the municipality may never opt out in the future. However, any municipality that opts out before December 31, 2021 can opt in at any future date.

The Town Attorney noted that the State's Public Health Law regulates where marijuana could be smoked in public, noting that the rules would be substantially the same as for tobacco smoking.

Following the Town Attorney's comments, Supervisor Smith invited members of the public who wished to speak to do so. Catherine Doyle and Lance Brown supported opting in. Bernard Binbaum supported opting in for retail sales only. Madeleine Cucini, Beth Smythe, Lin Zhu, Joan Sperandio and Tim Rath supported opting out.

The Town Clerk then advised the Board that she had received emailed comments. She stated that 7 supported opting in; these were Tom DeCory, Clayton Oliver, Philip Szrama, Sadie Szrama, Dorothy Bauch-Barker, Geoff Silkey and Peter Gregory. She noted that 30 supported opting out of both

## Minutes of the Town Board for November 16, 2021

marijuana sales and marijuana lounges; these were Lana Pinchman, Julie Frisk, Kathleen McMahon, Jeff Gold, Stacy Gold, Donna Roberts, Maureen Killeen, Marty Martina, Clayton Baker, Kevin Kenny, Lu Wang, William Lueck, Richard Wien, Karl Fleischmann, Renee Ricco, Eric Rathfelder, Laurie Karr, Shubing Cai, Natalie Maley, Amy Ord, David Hoppe, Carol Hoppe, Carolyn Gauvin, Kevin Walter, Eleanor Carson-Walter, Sarah Gibson, Brenda Myers, Patricia Damon, Bill Wood and James Brown. She continued that 1 resident, Jay Doyle, supported opting in to retail sales only, making a total, together with the in-person comments, of 9 for opting in completely, 35 for opting out completely and 2 for opting in only to retail sales. E-mailed comments are included as exhibits to these minutes.

Councilmember Townsend observed that any decision made by the Town does not include the Village. They will be making their own decision. She listed all the locations that the State's Public Health Law would prohibit smoking marijuana, which includes no smoking within a certain number of feet of a school or a place of worship, among other restrictions.

Councilmember Beckford thanked those who commented in person and via email indicating the importance of their comments on influencing the decisions made by the board. He feels that given the structure of the law it would be problematic for the Town if we did not pass the proposed Local Law #3. He understands resident's hesitancy towards opting in right now and agrees that by passing this local law, we are preserving the Town's right to change its mind.

Deputy Supervisor Munzinger commented she was in favor of adopting Local Law #3 and opting out at this time was the right decision.

Councilmember Koshykar added that she too felt it was in the Town's best interests to opt out at this time and shares the concerns expressed this evening. She commented even though we are opting out of retail and dispensing options the Town should explore other options to regulate the time, place and manner for use of recreational marijuana if we later decide to opt-in. Similar to zoning guidelines for other commercial businesses.

Councilmember Townsend expressed the view that the Board has time to enact time, place and manner regulations of marijuana before December 31, that currently the State is estimating that the regulations for dispensaries are at least twelve months out, if not longer. This would allow the Town enough time to incorporate changes into the Town Zoning Code update. She further clarified that she agrees with opting out on consumption lounges but is inclined to opt in for dispensaries. She looks forward to reading the comments submitted by residents.

Supervisor Smith said he had shaped his opinion over time as he has heard comments from residents and learned more about the industry and the impacts it can have. He stated that to him the most important thing is to be as sure as possible that, whatever decision the Board makes, it can be confident that decision has public support. He said that to be as sure as we can be about public support, and in order to preserve our rights while learning from the experiences of other Towns who opt in, opting out of both dispensaries and lounges before the end of the year makes the most sense.

**LEGAL MATTERS**

**SETTING PUBLIC HEARING ON LOCAL LAW NO. 3 OF 2021: LOCAL OPT-OUT OF ADULT-USE CANNABIS RETAIL DISPENSARIES AND ON-SITE COMSUMPTION SITES WITHIN THE TOWN OF PITTSFORD**

Supervisor Smith proposed a motion to set a Public Hearing for Local Law No. 3 of 2021, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The resolution was declared carried as follows:

WHEREAS, true and correct copies of proposed Local Law No. 3 of 2021: Local Opt-Out of Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Sites within the Town of Pittsford, were delivered to each member of the Town Board; and

WHEREAS, due consideration has been given to the adoption of said proposed Local Law No. 3 of 2021, by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 8th day of December, 2021, at 6:00 p.m. at the Town Hall, 11 South Main Street, Pittsford, New York, to consider the adoption of said proposed Local Law No. 3 of 2021;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 8th day of December, 2021, at 6:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on the question of the adoption of said proposed Local Law No. 3 of 2021; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law 3 of 2021, or a summary thereof, be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said hearing; and be it further

RESOLVED, that the Town Clerk shall post certified copies of both this resolution and said proposed Local Law No. 3 of 2021, or a summary thereof, on the Town website [www.townofpittsford.org](http://www.townofpittsford.org), and on the bulletin board, maintained by the Town Clerk pursuant to § 40(6) of the Town Law, for a period of not less than five (5) days prior to said public hearing.

After the vote, Supervisor Smith reminded the public that the vote tonight was only to set the date for a formal Public Hearing on the matter at the next Town Board meeting on December 8.

**BE IT ENACTED BY THE**

**TOWN BOARD OF THE**

**TOWN OF PITTSFORD**

**NEW YORK**

**AS FOLLOWS:**

**LOCAL LAW NO. 3 OF 2021:  
THE ADOPTION OF PROPOSED LOCAL LAW NO. 3 of 2021:  
LOCAL OPT-OUT OF ADULT-USE CANNABIS RETAIL  
DISPENSARIES AND ON-SITE CONSUMPTION SITES  
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Sec. 1 Title

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Sec. 2 Legislative Intent

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Sec. 3 Authority

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

Sec. 4 Local Opt-Out

The Town Board of the Town of Pittsford hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.

Sec. 5 Severability

If any clause, sentence, paragraph, section, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, paragraph, section, or part thereof, or in its application to the person, firm, or corporation or circumstance, directly involved in the controversy or action in which such order or judgment shall have been rendered.

Sec. 6 Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home Rule Law §24.

Sec. 7 Operative and Effective Dates

## Minutes of the Town Board for November 16, 2021

This local law shall be operative immediately upon its adoption and take effect immediately upon filing with the Secretary of State.

### **WILLIAM JOHNSON CONSULTING AGREEMENT**

Supervisor Smith commented on the proposed agreement for the professional services of Dr. William Johnson as a radio frequency consultant, to work with the Planning Board on applications for cell towers and other facilities. The agreement is proposed in anticipation of a Verizon application for construction of telecommunications towers and utility poles within Pittsford.

Following discussion among Board members, a Resolution to authorize the Town Supervisor to sign the proposed agreement, was offered by Councilmember Townsend, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, that the Town Supervisor is authorized to sign the proposed "Agreement for Professional Services" with William P. Johnson for technical review of the impending application for wireless telecommunications facilities within the Town.

### **MINUTES OF THE NOVEMBER 4 TOWN BOARD MEETING AND NOVEMBER 10 SPECIAL TOWN BOARD MEETING APPROVED**

A Resolution to approve the Minutes of the Town Board meetings of November 4, 2021 and November 10, 2021 was offered by Councilmember Townsend, seconded by Supervisor Smith, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, that the Minutes of the November 4, 2021 and November 10, 2021 Town Board meetings are approved.

### **FINANCIAL MATTERS**

#### **PUBLIC COMMENTS**

No public comments were offered.

#### **BUDGET TRANSFERS APPROVED**

Finance Director, Brian Luke, gave the board a brief overview of the proposed transfers and then a Resolution to approved the proposed Budget Transfers was offered by Deputy Supervisor Munzinger, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, that the proposed Budget transfers are approved:

- That \$5,000 be transferred to 1.7110.4003.10.39 (WT – Parks Trail Maint.), \$4,000 be transferred to 1.7110.4003.10.7 (WT – Parks Shop Maint.), \$1,500 be transferred to 1.7110.4107.2.7111 (WT – Parks Unleaded Gas), and \$1,000 be transferred to 1.7110.4108.2.7111 (WT – Parks Diesel Gas). The source of the funds will be 1.7110.1000.1.7110 (WT – Parks Salaries).

## Minutes of the Town Board for November 16, 2021

- That \$13,000 be transferred from 1.9950.9000.1.1 (WT – Transfer to Capital) to 1.2620.2007.10.3 (Bldg. Capital Improvements – Library) to purchase Roof Top HVAC Unit for the Library per the 2021 budget.
- That \$1,800 be transferred from 1.1990.4000.1.1 (WT – Contingency) to 1.2620.4118.10.11 (WT – Repairs / Maint. Jefferson Road Barns) to replace glass resulting from vandalism.
- That \$5,200 be transferred from 1.1990.4000.1.1 (WT – Contingency) to 1.5132.4118.10.4 (WT – Repairs / Maint. Highway

### NOVEMBER VOUCHERS APPROVED

Following brief discussion regarding specific vouchers, a Resolution to approve the vouchers for November was offered by Deputy Supervisor Munzinger, seconded by Councilmember Beckford, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, that the November 2021 vouchers No. 153494 - 153926, totaling \$ 2,409,761.22 are approved for payment.

### PERSONNEL MATTERS

#### PUBLIC COMMENTS

No comments were made.

### HIRING/PERSONNEL ADJUSTMENTS APPROVED

A Resolution to approve the recommendations for new hires and status and/or salary changes was offered for approval by Councilmember Townsend, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The following employee(s) are recommended as a new hire 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>
Angel Martinez	IT	Network Administrator-RFT	\$28.46	11/22/2021
Aidan Berdy	Hwy	Laborer-RFT	\$18.35	11/22/2021
Grace Young	REC	Rec Assistant-PT	\$12.50	11/29/2021
Sophie Sheehan	REC	Rec Assistant-PT	\$12.50	11/29/2021
Madeline Fernandez	REC	Rec Assistant-PT	\$12.50	11/30/2021
Patricia Dromgoole	Court	Clerk to Town Justice -Seasonal	\$35.57	12/06/2021

All the proper reviews and background checks have been completed for these candidate(s) and have received 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>
Angel Martinez	IT	Network Administrator-RFT	\$28.46	11/22/2021
Aidan Berdy	Hwy	Laborer-RFT	\$18.35	11/22/2021
Grace Young	REC	Rec Assistant-PT	\$12.50	11/29/2021
Sophie Sheehan	REC	Rec Assistant-PT	\$12.50	11/29/2021
Madeline Fernandez	REC	Rec Assistant-PT	\$12.50	11/30/2021
Patricia Dromgoole	Court	Clerk to Town Justice -Seasonal	\$35.57	12/06/2021

## Minutes of the Town Board for November 16, 2021

The following employee(s) is recommended for a status change and/or salary change due to a change in status.

<b>Name</b>	<b>Position</b>	<b>Reason for Change</b>	<b>Salary</b>	<b>Effective Date</b>
Marissa Polizzi	Rec – Asst 3	Additional Rate	\$14.15/hr	10/28/2021

Should the Board approve the above recommendation and personnel adjustment, the following resolution is being proposed, RESOLVED, that the Town Board approves the appointment for the following employee(s):

<b>Name</b>	<b>Position</b>	<b>Reason for Change</b>	<b>Salary</b>	<b>Effective Date</b>
Marissa Polizzi	Rec – Asst 3	Additional Rate	\$14.15/hr	10/28/2021

### **OTHER BUSINESS**

Board members reviewed the current draft of the letter to the Public Service Commission. All agreed to sign it, for submission to the Commission. Councilmember Beckford suggested that because of the anticipated increase in heating costs this winter it might be wise to obtain another bid for electricity under the CCA program. Councilmember Townsend mentioned that further informing the public about Community Solar options under the Town's Community Solar Program might be beneficial, discussing opportunities for outreach along these lines at Town events planned for next year. Councilmember Koshykar inquired about plans for thanking volunteer board members; Supervisor Smith confirmed that a letter will be drafted thanking them for their service this year. She also commented about requests from residents in the Tobey Road area regarding hauling household junk away offered as a Town service. Commissioner Schenkel commented that he would need some further clarification on what resident means by junk, but he understands it to mean large items. He then stated the area in question, Tobey Ct., is a private drive that has a homeowners association and would need to work out concerns with the HOA first. He is not aware of any municipality that offers municipal junk collection of this kind, other than the periodic hazardous waste collection and old electronics collection that the Town offers jointly with Perinton. He noted that the Town would incur the same costs as a private hauler or property owner when disposing of items including additional liabilities possibly depending on items picked up. Most residents use their current garbage hauler if they need to do a large pick up or have an appliance that needs recycling. He further cited Monroe County resources available for recycling and disposal of household waste.

### **PUBLIC COMMENTS**

Mary Moore submitted a comment.

With no further business, the meeting adjourned at 7:31 p.m.

Respectfully submitted,

Renee McQuillen  
Town Clerk

Suzanne Reddick

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**From:** [REDACTED]  
**Sent:** Wednesday, November 10, 2021 5:32 PM  
**To:** William Smith  
**Subject:** Greetings, Bill

*In between*

[EXTERNAL]

and congratulations on the election result. I'm delighted that control of the town board is (apparently) back where it belongs. Hoping that the absentee votes, including mine, will confirm the outcome. And I thought that your campaign efforts, and those of your co-nominees, were more effective than in prior years. Lesson learned.

I have a couple opinions about the marijuana "referendum".

First, if the dispensaries would generate useful tax revenue for the Town it should be taken advantage of. Why let all things mercantile migrate to Henrietta as usual? I would favor restrictive zoning, confine it to Linden Avenue, a dispensary does not belong in the village. Speaking of which, what would the tax revenue benefits be to each of the town and village? If they are negligible, I'd say let Henrietta have it.

Second, absolutely NO on "lounges" or whatever they're called. Very simply, people use motor vehicles to get to and from all their destinations, including bars and would-be cannabis lounges. So if you have a "lounge" it's axiomatic that there will be people driving impaired when leaving them.

I'd be interested in your views, which are no doubt more informed than mine.

Best, Jay Doyle

**CAUTION: THIS EMAIL CAME FROM AN EXTERNAL SENDER.** Don't click links or open attachments unless you recognize the sender and know the content is safe.

**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 3:56 PM  
**To:** Town Board Comments  
**Subject:** Marijuana Sales: Town Board Comment Submission

Opt - In

[EXTERNAL]

My name is Peter Gregory, and I reside [REDACTED]. I believe that approval of marijuana sales in Pittsford is no-brainer. Medical marijuana is already here and has not created any problems for our town. Whether you like it or not, legal recreational marijuana is now coming to Pittsford. That is because the new state legislation allows all residents to grow and possess up to three ounces of marijuana in their homes, regardless of the town's decision. It also allows marijuana deliveries to Pittsford from companies in other towns, even if we opt out.

By opting in, at least we can collect the 3% tax revenue from local sales and receive some financial benefit from the marijuana that will be grown, sold and delivered in Pittsford, regardless of the board's decision. Furthermore, if we decide to opt in, there may not be additional applications in our area, and we might miss future tax growth and funding opportunities.

It should also be noted that black market sales of recreational marijuana are already occurring in Pittsford. Drug dealers cannot recall laced or defective products. The legal and regulated marijuana market has lab-testing and recalls, if need be, to help keep Pittsford residents safer. Thank you.

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 11:23 PM  
**To:** Town Board Comments  
**Subject:** Comment on: Marijuana Sales and Lounges for 11/16 meeting

opt-IN

[EXTERNAL]

Scientifically and medically marijuana has vastly greater potential benefit to individuals when compared to alcohol or nicotine. At the same time there is substantial documentation demonstrating fewer potential downsides, particularly when compared to the social and medical negatives that are well documented to be associated with alcohol and nicotine.

On the upside for the town, there is the potential tax revenue, as well as the social capital that comes with embracing a societal evolution with overwhelming nationwide and local public support. Alternatively the town could loose out on tax revenue and be seen as backward and curmudgeonly.

I am strongly in favor of an expeditious process to amend the town code and/or applicable policies & procedures in such a way as to encourage the establishment of legal marijuana sales and lounges (and corresponding clientele) to compliment the Pittsford we have today and encourage the Pittsford we want for the future. I feel that marijuana sales should be no more or less restrictive when compared to alcohol and nicotine.

Thanks for your consideration,  
Geoffrey Silkey

[REDACTED]

Sent from a mobile device.

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Renee McQuillen

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 9:21 AM  
**To:** Town Board Comments  
**Subject:** Town Board Meeting Comment

*Opt - IN*

[EXTERNAL]

I support marijuana legalization. The Town of Pittsford should not opt out of having dispensaries locally. Effort should be made to confirm that businesses are reputable. Pittsford is not a dry town and should opt in to marijuana dispensaries.

Dorothy Bauch-Barker  
[REDACTED]

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 10:53 AM  
**To:** Town Board Comments  
**Subject:** Comment for 11/16 mtg

Opt - DN

[EXTERNAL]

Hello this comment is for the public forum on marijuana sales this evening. My name is Sadie Szrama (Shrama) and I live on [REDACTED]

I am writing to express my support of allowing marijuana sales and lounges in Pittsford. The failed war on drugs has caused incredible harm to our country and the legalization of marijuana has been long overdue. It's great that it is finally here and Pittsford should jump on board as an early adopter of sales and lounges as I'm sure our neighboring towns will do. I also believe that as we move forward with these businesses that preference should be given to people of color whose communities have been harmed the most by the policing of marijuana use.

Marijuana has always been in Pittsford. Marijuana will continue to be in Pittsford. So it only makes sense for Pittsford to get on board and benefit from the tax revenue that will come in from selling it here.

Thank you,  
Sadie

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 11:02 AM  
**To:** Town Board Comments  
**Subject:** Public Forum on Marijuana dispensaries & lounges

*QAT - IN*

**[EXTERNAL]**

I am for the legalization of marijuana retail dispensaries and consumption lounges in the Town of Pittsford. From an economic stance alone we would be foolish to not benefit from the tax revenue that this will generate. If we do not allow this, other towns will attract customers and benefit. From a social standpoint these dispensaries and lounges are no different than a bar or coffee shop in the sense that they provide a product and service that is legal in the state of New York. --

**Philip Szrama**

[REDACTED]

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 4:10 PM  
**To:** Town Board Comments  
**Subject:** Comment for Public Forum on Marijuana dispensaries & lounges

*opt-in*

**[EXTERNAL]**

Good evening. I would like to see marijuana dispensaries approved for Pittsford. Presently, one can drive an hour to the west and find dispensaries already operating on native lands following sovereign nation laws. The town of Irondequoit has recently approved dispensaries for their town. In the future, it will be legal to grow a limited number of cannabis plants in our Pittsford gardens. The result of a dispensary ban in Pittsford would be nothing more than an inconvenience for Pittsford residents who would then have to drive to a neighboring town. I would be against consumption lounges if we could have one (dispensaries) without the other. Thank you.

Tom DeCory  
[REDACTED]

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**Suzanne Reddick**

---

**From:** noreply@townofpittsford.org on behalf of Town of Pittsford  
<noreply@townofpittsford.org>  
**Sent:** Tuesday, November 16, 2021 5:23 PM  
**To:** Suzanne Reddick  
**Subject:** tonights meeting - marijuana sales

*opt-in*

[EXTERNAL]

Submitted on Tue, 11/16/2021 - 5:23pm

Submitted by: Anonymous

Submitted values are:

**Your Name**  
Clayton Oliver

**Your Email**  
[REDACTED]

**Phone Number**  
[REDACTED]

**Who would you like to contact?**  
Suzanne Reddick - Administrative Assistant

**Subject**  
tonights meeting - marijuana sales

**Message**  
Property values have increased in areas around dispensaries in other states like Colorado. Therefore, I support a Pittsford marijuana dispensary. Over time, I believe the initial dispensary success will succumb to home grown marijuana.

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**Renee McQuillen**

---

**From:**

**Sent:**

**To:**

**Subject:**

[REDACTED]  
Tuesday, November 16, 2021 10:57 AM

Town Board Comments

Opt out marijuana local law 3

*opt-out*

[EXTERNAL]

Dear Board Members:

My name is Carolyn Gauvin at [REDACTED]

The town should opt out of both the dispensaries and lounges until the state marijuana commission establishes their rules and procedures. It will then give the town the opportunity to craft the zoning laws in relation to the dispensaries and/ or lounges before deciding whether or not to opt in.

sincerely

Carolyn Gauvin

**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 4:56 PM  
**To:** Town Board Comments  
**Subject:** Opt out recreational marijuana usage and shops

*Opt-out*

[EXTERNAL]

Hello,

Our family votes to opt out legalization of sales and lounges of marijuana in town of Pittsford, and village of Pittsford. We hope our voices will count.

Thank you

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**Suzanne Reddick**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 5:25 PM  
**To:** Suzanne Reddick  
**Subject:** Please opt out

Opt-out

[EXTERNAL]

In regard to the marijuana question I ask that the town of Pittsford opt out and not allow marijuana sales.

Thank you

Julie Frisk  
[REDACTED]

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**Suzanne Reddick**

---

**From:** noreply@townofpittsford.org on behalf of Town of Pittsford  
<noreply@townofpittsford.org>  
**Sent:** Tuesday, November 16, 2021 4:44 PM  
**To:** William Smith  
**Subject:** Allowing marijuana sales in Pittsford

*OP+GJA*

[EXTERNAL]

Submitted on Tue, 11/16/2021 - 4:43pm

Submitted by: Anonymous

Submitted values are:

**Your Name**

Kathleen McMahon

**Your Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Who would you like to contact?**

William A. Smith - Town Supervisor

**Subject**

Allowing marijuana sales in Pittsford

**Message**

Please do not allow the sale of marijuana in the town of Pittsford . Marijuana is an addictive substance for many people, is linked to schizophrenia and other psychotic disorders, it has permanent effects on cognition and many other negative health effects. It also affects how people react when driving and is involved in many car accident fatalities. All of this is documented in NIH information, as well as SAMSA statistics. Please do not allow this to happen in our town.

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 4:43 PM  
**To:** Town Board Comments  
**Subject:** Marijuana forum vote

*opt-out*

**[EXTERNAL]**

Hi,  
My husband and I vote NO on allowing businesses selling marijuana products and providing smoking lounges in Pittsford. So please opt out.

Thank you,  
Jeff and Stacy Gold  
[REDACTED]

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Renee McQuillen

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 5:13 PM  
**To:** Town Board Comments  
**Subject:** Marijuana Dispensaries and Lounges

Opt-out

[EXTERNAL]

Dear Sir or Madam,

I would like to submit my comments regarding marijuana dispensaries and/or lounges in the Village and Town of Pittsford.

My name is Donna Roberts, and I live with my family at [REDACTED]. The main reason my family moved to Pittsford was its family-friendly community that values a strong school system and civic values. I believe that opening marijuana-related businesses in Pittsford does not align with what the town represents for so many families: a safe and beautiful place.

My family often walks through the village, along the canal, visits the library and many parks. My concern is that the purchase and use of recreational drugs are activities that are inappropriate for children to witness. Areas that open up to marijuana-related businesses will no longer be places for children and their families, and neighboring business will suffer as residents like me will choose to not frequent these areas.

Additionally, the consumption of marijuana may threaten the safety of residents, as those under the influence of marijuana, when driving, are impaired and put the greater community at risk. What happens when an individual leaving a marijuana lounge or dispensary drives impaired? How will law enforcement keep residents safe?

For these reasons, I hope we "opt out" as a community, and find better options to preserve and enhance the Town of Pittsford.

Thank you for considering my comments.

Kindly,

Donna Roberts

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opt out

# MESSAGE

FOR Bill  
DATE 10/14 TIME \_\_\_\_\_ A.M.  
M Maurice Killen P.M.  
OF opt - at comment  
PHONE \_\_\_\_\_ FAX/  
CELL \_\_\_\_\_

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE Please do not  
let marijuana come  
to Pittsford

SIGNED \_\_\_\_\_

**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 3:39 PM  
**To:** Town Board Comments  
**Subject:** Marijuana sales discussion \_town Board Meeting

*[Handwritten signature]*  
*opt-out*

[EXTERNAL]

To the Pittsford Town Board.

Due to lack of upfront administration within the State of NY in regards to the rollout of dispensaries and consumption lounges, I feel the prudent thing to do right now, is to "opt-out."

Once NY State has set guidelines, rules and systems in place, the option to "opt-In" can be reconsidered.

At this point, the cart is before the ox and moving forward is potentially fraught with issues that the town can't possibly comprehend at this time. Therefore it is better to stay away for the time being.

Marty Martina

[REDACTED]

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 2:04 PM  
**To:** Town Board Comments  
**Subject:** Marijuana legalization in Pittsford

*Opt Out*

[EXTERNAL]

Dear Supervisor Smith and Town Board Members:

I am a practicing physician who cares for literally hundreds of patients with mental health and substance abuse issues. I feel compelled to speak out to urge the Town to **opt out** of the legalization of marijuana retail dispensaries and consumption lounges in the Town of Pittsford.

Every day that I see patients in my clinic, I witness the cost of drug abuse in terms of the damage it does to individual lives.

Additionally, I wish to make you aware that there is extensive medical research literature that conclusively shows that marijuana use in adolescents and young adults is strongly associated with onset of psychotic disorders, especially in vulnerable individuals.

Children and adolescents who are prone to psychotic mental illness, due to family history or other predispositions, are especially vulnerable to this potentially catastrophic effect of marijuana use.

I strongly believe that we as adults must do everything in our power to decrease this risk to our childrens' mental health. I believe keeping their immediate surroundings free from such easy access is central to this effort, as is avoiding an appearance of tacit consent.

It is also my understanding that the Town can opt in in the future if they so decide. While I am unlikely to support such a decision, I believe this option gives the Town all the more reason to opt out for the present.

The prudent course of action is clearly to opt out, at least for the present. I urge the Town to choose that option.

Should anyone wish to speak to me to get more information about the available research on the topic, please contact me.

Sincerely yours,

Clayton Baker, MD

PS My wife, who is also a practicing physician, agrees with the above.

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 3:10 PM  
**To:** Town Board Comments  
**Subject:** Comments on consideration of Marijuana

Opt-out

[EXTERNAL]

Good afternoon,

I will not be in attendance but want to make sure my voice is heard on this topic. I do NOT support in any form or fashion the opening of a lounge or dispensary for marijuana in the Town of Pittsford. While I believe that people should make their own decisions on its use, I have concerns on two key areas.

First, the viewpoint for children on the acceptability of use in general and as a minor by including it in the general public. I dont want my children seeing a storefront, and equating it to simple retail acceptance. It is akin to the same reason i dont want a strip club in the town.

Secondarily, I dont believe that there is an effective gauge for impairment that allows our police to assess someone. In turn there is little deterrent to driving impaired, I dont want someone stoned driving the streets that my family and friends traverse

Thanks for keeping Pittsford a safe, strong community.

Kevin Kenny  
[REDACTED]

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Saturday, November 13, 2021 3:13 PM  
**To:** Town Board Comments  
**Cc:** Lu Wang  
**Subject:** Marijuana dispensaries and consumption

opt-out

[EXTERNAL]

Dear Pittsford Town Admin Team,

Hello! This is Lu Wang, a resident of Pittsford. I hope this email finds you well.

I recently found a Facebook post in Pittsford Concerns & Happenings group, which was about our Town Board is looking for comments from residents about opt-in or opt-out of allowing marijuana dispensaries/consumption lounges in Pittsford. As a parent of two children, I hope our town board could choose to opt-out at this time.

Allowing marijuana may open a door bringing harm to our young children and adults. Marijuana is one of those psychoactive drugs, which alter senses, cause problems with balance and coordination, trouble thinking and memory loss. It gives people hallucinations and delusions. Marijuana affects the skills required for safe driving. Our human brain continues to develop into the early 20s, exposure to marijuana and other addictive substances cause changes in developing brains. The National Institutes of Health webpage gives comprehensive facts about Marijuana and what it does to human bodies. <https://teens.drugabuse.gov/drug-facts/marijuana>.

For the sake of our Pittsford kids, please consider opting-out of Marijuana dispensaries and consumption in Pittsford. Thank you so much for reading my email.

All my best,  
Lu Wang [REDACTED]

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 3:46 PM  
**To:** Town Board Comments  
**Subject:** Not a good Idea

Opt-out

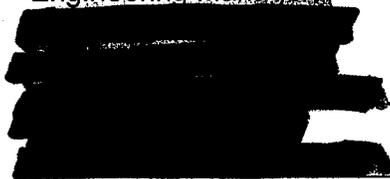
[EXTERNAL]

I have been a resident of Pittsford for 53 years. I don't see the need for the tax money collected for the sale and use of a substance that has questionable benefit. There is some evidence that the substance is dangerous to overall health and certainly an indication that it is as bad or worse than alcohol when it comes to operating a motor vehicle.

I think it sets a bad example.

Rochester  
**Automated!**  
S Y S T E M S

William ( Bill ) Lueck  
Engineering Manager



DESIGNING AND BUILDING WITH INGENUITY

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Saturday, November 13, 2021 9:32 AM  
**To:** Town Board Comments  
**Subject:** marijuana dispensaries and longes

*Opt-out*

**[EXTERNAL]**

I recommend opting out and waiting to see how this legislation has impacts in other towns and villages.

I have opposed to the legislation because of my experience of adverse consequences of the use of marijuana. I do understand that a large portion of the public approves marijuana use. What control does the town have regarding location? are zoning law changes appropriate. Although not a resident of the village I believe approval of a location in close proximity to a high school and grade school is not prudent

Dr. Richard Wien      Pittsford, NY

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 5:42 PM  
**To:** Town Board Comments  
**Subject:** Marijuana Opt-in/out

*Opt-out*

**[EXTERNAL]**

Hello-

Please opt-out at this time and allow us the ability to opt-in at a later date. It only makes sense to be in control of our options and our town.

Karl Fleischmann

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 8:49 PM  
**To:** Town Board Comments  
**Subject:** Marijuana dispensers

*Opt - OJA*

[EXTERNAL]

Dear Board,

My name is Renee Ricco

I reside at [REDACTED]

[REDACTED] We pay PITTSFORD taxes both school and town for years and years .

With all due respect, it is truly astounding that this issue is even being brought to fore.

PITTSFORD is a lovely and quaint community. People who love her worked hard to get to live in PITTSFORD and pay handsome to live in it.

Why would any fair minded reasonable person want to put marijuana dispensers in the town ??

Why do you want to invite and encourage addiction when it is already running rampant in society and destroying lives???

Why ?? Do you willing want to enable more addiction and want to bring more crime to PITTSFORD ? What is your true motive ?

Why are you continually trying to bring societal destruction to PITTSFORD ??

Anyone I talked to is outraged by this destruction and reckless idea.

What causes you to think this way?

I want to know.

Do you want to invite people who are high to be on the roads and endangering the citizens of PITTSFORD ?

What is the root cause of this obscene idea? Why would you bring a failed policy to PITTSFORD that will intentionally harm people ?

Do you want to punish the residents of PITTSFORD because many of them are successful?

Why ?

We DO NOT want this in PITTSFORD. And quite frankly if you don't like PITTSFORD , you and that kind of destructive thinking are free to leave .

Feel free to contact me for further discussion.

Renee Ricco

**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 10:03 PM  
**To:** Town Board Comments  
**Subject:** Comments - Marijuana Public Forum

Opt-out

[EXTERNAL]

Please accept my comments on this topic via email as I will be unavailable to attend the public forum in person due to work. Thank you,

Eric Rathfelder  
-----

The Town of Pittsford is known as an excellent place to raise a family. With great schools, parks, convenient commuting, quality retail, and responsible governance it is not a town that requires gimmicks, trends, or fads to attract residents or visitors. And, it is not a town that would see any benefit (other than, perhaps, a small amount of revenue) from becoming a host for marijuana dispensaries or lounges.

The Town of Pittsford is financially stable and does not require a quick and risky infusion of cash that comes with a large potential downside. Even if you are not concerned about the impact of marijuana on people or communities, isn't it worth taking a "wait-and-see" approach rather than jumping into this venture feet first? Based on how this law is structured - with this as our singular opportunity to opt-out, but the opportunity to opt-in at any point, there is no advantage to embracing this questionable scheme immediately.

We have been given the chance to act as a control group for this social experiment, allowing us to control our own destiny without a downside. Let other local communities leap feet first to test the depth of the waters and we can make a decision at any point in the future to change course if the data shows the benefit outweighs the risk.

Thank you.

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Monday, November 15, 2021 11:55 PM  
**To:** Town Board Comments  
**Subject:** Forgot to add my address! Marijuana sales and Lounges

Opt-out

[EXTERNAL]

To Whom it concerns,

I am unable to attend the Tuesday night meeting of The Pittsford Town Board because I am at another meeting- a recovery group meeting where some of the attendees struggle with issues stemming from drug abuse.

I've seen first hand what drugs do to a family. Much of it begins with Marijuana. I am against legalization, and I certainly don't want to see sales or lounges in Pittsford. This would be a huge mistake and I appeal to you to vote against it.

Thank you for your time,

Laurie Karr



Sent from my iPhone

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 12:13 AM  
**To:** Town Board Comments  
**Subject:** marijuana legalization

*Opt-out*

[EXTERNAL]

Hi,  
My name is Shubing Cai, and my address is [REDACTED]. I strongly object to the permission of marijuana sales and lounges in Pittsford. I believe the permission of marijuana will be especially harmful for teenagers, who are the future of our society. For adults, it may be their personal choices and they are mature enough to bear the risk of it. If they want it, they can travel to get it. However, teenagers may not be mature enough to fully understand the potentially harmful consequences of using marijuana. They might be attempted to use it and consider it safe if it is available everywhere. Anyway, i hope the our beautiful town can vote to opt out.

Thank you very much for your consideration!

Shubing Cai

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 12:19 PM  
**To:** Town Board Comments  
**Subject:** Public Forum Comment

*opt-out*

**[EXTERNAL]**

As a resident of Pittsford for over 30 years, I am requesting that the board OPT OUT of the legalization of marijuana retail dispensaries and consumption lounges in the Town of Pittsford.

It is of great concern that these establishments would invite and encourage crime and lawless behaviors that will negatively impact the quality of life in Pittsford by endangering the safety and well-being of residents, properties, schools, businesses, and streets. In addition, the presence of these establishments will also negatively impact property values.

It would be reckless of the board to allow this, especially in combination with the negative effects of the NYS Bail Reform law passed in 2020 that has already caused a marked increase in crime in Pittsford. Serious crimes that have endangered the lives and safety of residents in homes, businesses, and streets, such as the home invasion and burglary on Sandpiper Lane committed by repeat criminal offenders released on bail reform.

It is the obligation of the board to protect Pittsford by opting out now.

Thank you,  
Natalie Maley  
[REDACTED]

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 9:56 AM  
**To:** Town Board Comments  
**Subject:** Marijuana sales & lounges

*Opt-out*

[EXTERNAL]

To Whom It May Concern,

My name is Amy Ord, [REDACTED] am writing to comment AGAINST marijuana sales & lounges in Pittsford. I am a parent and do not want this in my child's hometown. I grew up in a town with heavy drug use & "marijuana houses" were a known thing before they were legal. Growing up, I learned as a young child which houses to cross the street away from as many individuals who had recently been released from the local prisons, were not employed, were accused sex offenders (no registry was available at the time), and other individuals frequented these areas at all hours of the day. Saying at one point in my youth that I zigzagged while walking the streets home from school as a kid would be the truth. You always saw a lot more than you bargained for in front of these houses and got heckled at -even as young girls of 12 my friends and I would sometimes get offered rides home by people when passing these places & other unwanted attention.

My hometown has had beaten up and killed deaths in front of these houses-often starting w/marijuana that had led to other higher drug uses. Being close to the Erie Canal, we have had falling off bridges and drowning deaths as a result of senseless behavior involving marijuana. Someone has "fallen asleep" on train tracks, some have driven their cars over a closed & condemned railroad bridge while under the influence, others have wandered high into convenience stores and stolen hot dogs & chips that have led into a high speed police chase or to the home of someone who actually did have a warrant that thought they were there for them thus creating a shoot-out.

These are just a few examples that I remember from growing up in a small town where marijuana was often the gateway drug of choice. I don't want my child to have to be exposed to what I was if possible.

I moved to Pittsford because of the community. I invest in my home and pay these taxes due to the community feel that Pittsford excels at. I am quite certain any sales or lounges would be a stain on the community & hurt it- by a child's innocence, by criminal activity (be it intended or unintended), & by hurting the value of real estate in the town.

Thank you for your time!  
Amy Ord

Sent from my iPhone

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 10:49 AM  
**To:** Town Board Comments  
**Subject:** Comment on Marijuana Dispensaries/Consumption Lounge

*opt-out*

[EXTERNAL]

Good morning,

We believe the prudent thing to do would be for the Town of Pittsford to opt out of the New York State Cannabis Law. This provides flexibility. It is always good to have flexibility.

Thanks.  
David & Carol Hoppe  
[REDACTED]

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**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 11:38 AM  
**To:** Town Board Comments  
**Subject:** Marijuana sales and lounges

*opt-out*

**[EXTERNAL]**

To Whom It May Concern,

We are writing to share our utter and complete opposition to allowing marijuana sales and/or lounges in Pittsford, NY. We value the livability of our town, with its scenic streets, canal, and fresh air, and want our community to be enjoyed by safe, sober residents, visitors, and families. Visit a larger city, like San Francisco. Smaller communities, like Bend, OR. Frankly, some of the "legal smoking areas" around Strong Hospital. In each of these places, the pollution alone is appalling - it is nearly impossible to avoid the stench and second hand smoke of marijuana, and it has only gotten worse as legalization has spread. Let's make sure that the people who live here or visit our community can enjoy everything Pittsford has to offer safely and for all the right reasons. As medical professionals and parents, as a Democrat and a Republican, we urge you to OPT OUT and keep Pittsford clean and healthy.

Sincerely,

Dr. Kevin A. Walter, MD  
Dr. Eleanor Carson-Walter, Ph.D.

[REDACTED]

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**Suzanne Reddick**

---

**From:** noreply@townofpittsford.org on behalf of Town of Pittsford  
<noreply@townofpittsford.org>  
**Sent:** Tuesday, November 16, 2021 1:56 PM  
**To:** William Smith  
**Subject:** OPT OUT/Cannabis

OPT OUT

[EXTERNAL]

Submitted on Tue, 11/16/2021 - 1:55pm

Submitted by: Anonymous

Submitted values are:

**Your Name**

[REDACTED]

**Your Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Who would you like to contact?**

William A. Smith, Jr. - Town Supervisor

**Subject**

OPT OUT/Cannabis

**Message**

Dear Supervisor Smith and Town Board members,

I urge you to OPT OUT of New York State's cannabis law allowing for the sale of marijuana products and smoking lounges. Pittsford is a family community where children and parents are able to enjoy the beauty of our town without worry of crime or harmful elements. I strongly believe the introduction of these retail establishments will bring a criminal element to our community that does not exist today. With these types of retail establishments there will be people selling unlicensed marijuana products at a lower price than available in the dispensaries. While I am certain that these unlicensed drugs are currently available in our community now, to what gain would our community have by promote the use of these gateway drugs?

Additionally we have a state law allowing for the consumption of products, but no effective tool to determine if the person who has consumed cannabis is able to drive safely. There is no equivalent of the breathalyzer for cannabis at this time. The Monroe Avenue corridor already is a very congested area with frequent accidents. Imagine the situation after people start driving under the influence of these products.

Lastly, due to the effective management of our town, Pittsford does not need the tax revenue. But if the cannabis dispensaries and lounges are brought to our community, there may very well be the need for public

11/16/21

safety officers employed by the Town.

Please OPT OUT for the safety and security of our beautiful community.

Sincerely,

Sarah Gibson

**CAUTION: THIS EMAIL CAME FROM AN EXTERNAL SENDER.** Don't click links or open attachments unless you recognize the sender and know the content is safe.

**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 2:38 PM  
**To:** Town Board Comments  
**Cc:** brendamyers@rochester.rr.com  
**Subject:** Marajuana

*opt-out*

[EXTERNAL]

To The Town Board,

I am asking Town of Pittsford to opt out of marijuana retail dispensaries and consumption lounges.

Marajuana in the town puts residents at risk because the persons who visit consumption lounges become impaired. We have many residents, young children to elderly who walk in the village. Having people drive after consuming marijuana puts the walkers and other drivers in jeopardy.

In addition, having a dispensary near our village high school makes it much easier for our school age students to get the marajuana drug.

Please vote opt out on the cannabis.

Sincerely,  
Brenda Myers

Sent from my iPhone

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**Renee McQuillen**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 2:32 PM  
**To:** Town Board Comments  
**Subject:** Marijuana sales and lounges

*Opt-out*

[EXTERNAL]

Please do not allow this in our beautiful town. As a retired Probation Officer I can clearly see that marijuana is extremely detrimental to all people ( except as medically indicated) especially our young people. In my experience , both with my former clients as well as the few peers that I know that used marijuana, those that quit using marijuana reported having a new lease on life without carrying that monkey on their back. Marijuana is absolutely psychologically addictive. It's expensive, harmful to your health, and very demotivating. Marijuana has been around forever it seems , but the marijuana of today is much stronger than years ago in the late 70s and 80s when it was popular amongst my peers. There is no positive side to allowing this. Oh yes the government money. We can't put a price on the wellness of our community and what makes Pittsford such a wonderful place to live and raise a family. Opt out is the only choice at this time. It leaves the option to allow it in the future but once you commit we are stuck and will probably regret that decision. Thank you.

Patricia Damon

Sent from my iPhone

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**Renee McQuillen**

---

**From:**  
**Sent:**  
**To:**

[REDACTED]  
Tuesday, November 16, 2021 1:46 PM  
Town Board Comments

*Opt-out*

**[EXTERNAL]**

Regarding the forum on Pittsford town marijuana legislation I request that the board opt out at this time. My reason for this is that it may increase the possibility of criminal activity in the town.

Bill Wood

Sent from Mail for Windows

**CAUTION: THIS EMAIL CAME FROM AN EXTERNAL SENDER.** Don't click links or open attachments unless you recognize the sender and know the content is safe.

**Renee McQuillen**

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 16, 2021 1:12 PM  
**To:** Town Board Comments  
**Subject:** Fwd: Opt out sale of marijuana

*Opt-out*

[EXTERNAL]

Sent from my iPhone

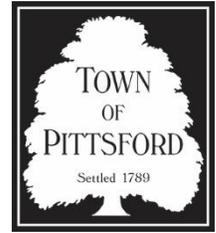
Begin forwarded message:

**From:** [REDACTED]  
**Date:** November 16, 2021 at 1:08:02 PM EST  
**To:** comments@townofpittsford.org  
**Subject:** Opt out sale of marijuana

Dear Pittsford board, please consider carefully NOT to allow the sale of marijuana in Pittsford. I'm a city bus driver with RTS recognizing the danger of those under the influence of alcohol or narcotics is prevalent in Rochester. The former ,DWI can be tested by police,But NO testing is available for police to those drivers under the influence of marijuana . The town of Pittsford prides itself on a proactive school district projecting its students. Marijuana is a gateway drug that will harm the ability of our students to succeed in their studies not to mention their health. The sale of marijuana should only be through a prescription from a doctor. Thanks for your attention, James Brown [REDACTED]

**CAUTION: THIS EMAIL CAME FROM AN EXTERNAL SENDER.** Don't click links or open attachments unless you recognize the sender and know the content is safe.

# MEMORANDUM



To: Town Board Members

From: Robert B. Koegel

Date: December 2, 2021

Regarding: Bergmann Contract for Town Zoning Code Update

For Meeting On: December 8, 2021

Ladies and Gentlemen:

You may recall that in July 2020, the Town Board authorized the Supervisor to enter into a contract with the planning firm of Barton & Loguidice to coordinate the Town's Zoning Code Update. The contract was for a not-to-exceed amount of \$69,000, and to date the firm has incurred labor costs and expenses of \$41,652.10.

Earlier this year, John Steinmetz and Molly Gaudio, the two individual B&L planners assigned on this project, advised the Town that they were leaving B&L and joining the Bergmann firm of architects, engineers and planners. In order to maintain the continuity of exemplary service provided by John and Molly, the Town worked with them and Bergmann to derive a new, expanded scope of work to finish the job. The result is a proposed professional services agreement between the Town and Bergmann for the fixed fee of \$72,347.90.

The new total amount to be spent on both firms is now \$114,000. This increased sum is, for the most part, the result of more work items added to the original scope of work. It should be noted that this increased amount is not out-of-line with the cost of conducting a municipal code update in a sophisticated town such as ours.

Submitted herewith is the proposed professional services agreement between the Town as Owner and Bergman as Consultant for completing the update of the Town's Zoning Code. Should you find the agreement sufficient, you may use the following resolution:

## **RESOLUTION**

I move that the Town Supervisor be authorized to sign the proposed "Standard Form Agreement Between Owner and Consultant for Professional Services" between the Town and Bergmann for completing the Town's Zoning Code Update.

STANDARD FORM OF AGREEMENT  
BETWEEN  
OWNER AND CONSULTANT  
FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT made as of November , 2021 between the Town of Pittsford (hereinafter OWNER) and Bergmann Associates Architects, Engineers, Landscape Architects and Surveyors, D.P.C. (hereinafter CONSULTANT). OWNER intends to engage the CONSULTANT in time sensitive professional services pertaining to completing an update of the Town's Zoning Code in order to achieve the goals and objectives of the OWNER in cost-effective and timely manner (hereinafter called the Project). The contract amount for these services is \$72,347.90 and shall be executed as a fixed fee agreement, for the remaining Scope of Services detailed in Exhibit A and using the Rate and Expense Table in Exhibit B.

OWNER and CONSULTANT, in consideration of their mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 - BASIC SERVICES OF CONSULTANT

1.1 CONSULTANT shall provide basic professional services for OWNER as specified in Exhibit A, Scope of Work, of this Agreement.

ARTICLE 2 - ADDITIONAL SERVICES OF CONSULTANT

2.1 Services in connection with work directive changes and change orders to reflect changes requested by OWNER.

2.2 This Agreement may be extended at the request of the OWNER for additional professional planning services with an amended scope of work and fee approved by the OWNER and CONSULTANT in writing.

ARTICLE 3 - OWNER'S RESPONSIBILITIES

OWNER shall do the following in a timely manner so as not to delay the services of CONSULTANT:

3.1 Designate a person to act as OWNER's representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define OWNER's policies and decisions with respect to CONSULTANT's services for the Project.

3.2 Provide all criteria and full information as to OWNER's requirements for the Project.

3.3 Assist CONSULTANT by placing at CONSULTANT's disposal all available information pertinent to the Project including previous reports and any other data relative to the Project.

3.4 Give prompt notice to CONSULTANT whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of CONSULTANT's services.

#### ARTICLE 4 - PERIODS OF SERVICE

4.1 CONSULTANT shall complete all of the Basic Services, as defined in Exhibit A, within a period not to exceed 12 months from the date of this Agreement.

4.2 If significant changes in the scope or detail of the Project occur, or if the Project is delayed for reasons beyond CONSULTANT's control, an equitable extension of the period of service shall be made.

4.3 If CONSULTANT's services for planning and design are delayed or suspended in whole or in part by OWNER for more than three months for reasons beyond CONSULTANT's control, CONSULTANT shall have the right to terminate the Agreement in accordance with paragraph 6.1.

#### ARTICLE 5 - PAYMENT PROVISIONS TO CONSULTANT

5.1 CONSULTANT shall submit statements each month for Basic and Additional Services rendered and for Reimbursable Expenses incurred. OWNER shall pay CONSULTANT within 30 days of receipt of CONSULTANT's statement.

5.2 If OWNER fails to make full payment due CONSULTANT for services and expenses within thirty days of CONSULTANT's statement therefore, the amounts due CONSULTANT may be increased at the rate of 1-1/2 percent per month from said thirtieth day. If OWNER fails to make full payment due CONSULTANT for services and expenses within forty-five days of CONSULTANT's statement therefore, CONSULTANT may, after giving seven days' written notice to OWNER, suspend services under this Agreement until CONSULTANT has been paid in full all amounts due for services, expenses, and interest charges.

5.3 In the event of termination by OWNER under paragraph 6.1 upon the completion of any phase of the Basic Services, progress payments due CONSULTANT for services rendered through such phase shall constitute total payment for such services. In the event of such termination by OWNER during any phase of the Basic Services, CONSULTANT shall be paid for services rendered during that phase to date of termination. In the event of any such termination, CONSULTANT also will be reimbursed for all unpaid Additional Services and unpaid Reimbursable Expenses.

5.4 Reimbursable Expenses mean the actual out-of-pocket direct expenses incurred by CONSULTANT in connection with the Project.

ARTICLE 6 - GENERAL CONSIDERATION

6.1 Termination

The obligation to provide further services under this Agreement may be terminated by either party upon thirty days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

6.2 Reuse of Documents

All documents prepared or furnished by CONSULTANT pursuant to this Agreement are instruments of service in respect of the Project and CONSULTANT shall retain an ownership and property interest therein whether or not the Project is completed.

6.3 Insurance/Liability

6.3.1 CONSULTANT shall procure, maintain, and provide Owner with proof of the following insurance coverage for the duration of this Agreement:

- |  |   |
|--|---|
| • Worker's Compensation  | Statutory Coverage                            |
| • Comprehensive General Liability;<br>Bodily Injury and Property Damage    | \$1 million per occurrence per aggregate year |
| • Comprehensive Automobile Liability;<br>Bodily Injury and Property Damage | \$1 million per occurrence per aggregate year |
| • Professional Liability Insurance   | \$1 million per occurrence per aggregate year |

6.3.2 Severability and Reformation. Any provision or part thereof of this Agreement held to be void or unenforceable under any law shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties. The parties agree that this Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

6.4 Controlling Law

This Agreement is to be governed by the law of the State of New York.

6.5 Dispute Resolution

In the event of a dispute between the parties arising out of the terms of this Agreement or any services provided pursuant to its terms, the parties agree to participate in a mediated settlement conference before a mutually acceptable mediator whose fees will be shared equally by the parties. In the event that the parties are unable to agree upon a mediator they will ask the American Arbitration Association to appoint one. Participation in a mediated settlement conference shall be required before either party may pursue its claim in any other form of dispute resolution.

ARTICLE 7 - SPECIAL PROVISIONS AND EXHIBITS

7.1 The following Exhibit is attached to and made a part of this Agreement:

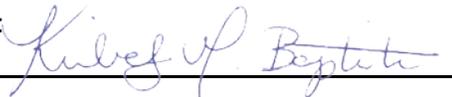
7.1.1 Exhibit A – Scope of Services, consisting of 3 pages.

7.1.1 Exhibit B – Rate and Expense Table, consisting of 1 page.

7.2 This Agreement together with the Exhibits and schedules identified above constitute the entire Agreement between OWNER and CONSULTANT and supersede all prior written or oral understandings. This Agreement and said Exhibits may only be amended, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first above written.

BERGMANN:

Signature: 

Name: Kimberly Baptiste, AICP

Title: Vice President

Date: November 22, 2021

Address for giving notices:  
Bergmann Associates Architects, Engineers,  
Landscape Architects, & Surveyors, D.P.C.

280 East Broad Street, Suite 200

Rochester, NY 14606

OWNER:

Signature: \_\_\_\_\_

Name: William A. Smith, Jr

Title: Supervisor

Date: \_\_\_\_\_

Address for giving notices:  
Town of Pittsford

Town Hall

11 South Main Street

Pittsford, NY 14534

## EXHIBIT A: SCOPE OF SERVICES

Bergmann is pleased to provide this proposal for Professional Services to assist the Town of Pittsford with the update to the Town's Zoning Code (Chapter 185). The primary objective of this update is to align the code with the recently adopted Comprehensive Plan. It is also an opportunity to create a more user-friendly code through better organization and to ensure your regulations are consistent with New York State and Federal Law.

### SCOPE OF SERVICES

We propose the following Scope of Service to complete the code update for the Town of Pittsford:

Task #1: Project Kick-Off Meeting — B&L staff facilitated a Project Kick-Off Meeting with Town representatives and the Project Advisory Committee (PAC). This meeting included a review of the project scope, schedule, and deliverables. B&L staff will provide an educational primer on zoning techniques and facilitate a key issue brainstorming session with the PAC to identify the current issues and opportunities associated with the code update. It should be noted that this task was completed under the Town's previous contract with Barton & Loguidice.

Task #2: Zoning Workshop: Stakeholder Interviews — B&L facilitated a Community Zoning Workshop to introduce the process to the public, establish expectations, and identify issues and opportunities that business and property owners have experienced with the existing regulations. The results of the Zoning Workshop and Stakeholder interviews will be summarized and provided to the Town. It should be noted that the Zoning Workshop and four (4) stakeholder interviews were completed under the Town's previous contract with Barton & Loguidice.

Task #3: Code Review & Assessment Memo — B&L has completed its review of the existing code and drafted a Zoning Code Assessment Memo. This memo provides an analysis of the problems and opportunities associated with specific elements in the existing code structure and requirements. Our findings are based upon the recommendations of the Town's Comprehensive Plan, the input received in the previous tasks, and our experience working in other communities. The memo was reviewed at with the PAC. It should be noted that this task was completed under the Town's previous contract with Barton & Loguidice.

Task #4: District Framework — Utilizing the information received in the first two tasks and the recommendations of the code assessment memo, Bergmann will update the Town's existing zoning districts to create a new draft district framework. The proposed amendments to the zoning districts and map will be dependent on the information obtained and assessment memo; however, code elements typically reviewed and revised as part of the district framework include:

- District Purpose Statements;
- Permitted and Specially Permitted Uses;
- Bulk and Dimensional Regulations;
- Specified Use Requirements;
- Historic District Provisions; and

- District Boundary Adjustments.

A Draft Zoning Map will be prepared as part of this task to reflect any proposed amendments to the boundaries of the zoning districts. The products of this task will be reviewed by the PAC over multiple meetings.

Task #5: Development Regulations — Bergmann will provide updated development regulations for the Committee's review. It is unclear at this time which code sections may be impacted, as the proposed amendments will be based upon the input of the public, PAC, and recommendations of the code assessment memo. Based upon our experience and a preliminary review of the Town's existing code, we anticipate the following topics will be addressed as part of the development regulations:

- Nonresidential Design Standards;
- Parking and Site Design Requirements;
- Landscaping and Screening Standards; and
- Sign Regulations.

The Draft Development Regulations will be discussed over multiple PAC Meetings and edited based upon the feedback provided by the PAC.

Task #6: Administration & Review Procedures — Bergmann will review and modify the Town's application and review procedures to:

- Eliminate any internal conflicts that may exist with local review processes;
- Clarify and strengthen development review criteria;
- Align procedures and time-frames with New York State law; and
- Increase the efficiency and user-friendliness of application procedures.

The products of this task will be reviewed by the PAC over multiple meetings.

Task #7: Community Open House — The exact format of the second public input meeting will be determined with input from the PAC. However, it has been our experience that an Open House style meeting allows for an exchange of ideas and opinions in a non-confrontational environment. In the event that the pandemic is still limiting public gatherings, we will work with the Town to develop another means of presenting the preliminary code material to the community and soliciting their comments.

Task #8: Draft Code Update & Map — The final edits to the Zoning Update will be made based upon input received at the Open House in Task Seven. The revised draft code update will be provided to the PAC for its review.

Task #9: SEQR, County Referral & Local Law Preparation — Bergmann will assist the Town with the completion of forms and correspondence required as part of compliance with the State

Environmental Quality Review Act (SEQRA). Bergmann will also assist the Town with the required referral to Monroe County Planning.

The adoption of the zoning code amendment is anticipated to be made through the passage of a local law repealing and replacing the Town's existing Chapter 185. Bergmann will work with the Town's attorney to prepare this local law in accordance with NYS Town Law and requirements for Town Code amendments.

Task #10: Public Hearing & Code Adoption — The Town is required to hold at least one public hearing prior to the adoption of the zoning code amendment. It is recommended that a public hearing be held at this time to review the code, its contents, and the SEQR documentation. Bergmann will prepare all meeting materials and facilitate the public hearing. The format of the hearing will be determined with input from the Town Board. The preparation of all notices and advertising of the hearing will be the responsibility of the Town. The final edits to the proposed zoning code will be made based upon input received at the Public Hearing. The final code will be provided to the Town Board for its adoption.

#### TECHNICAL ASSUMPTIONS

In summary, the scope of service for the Town of Pittsford Code Update assumes the following:

- Preparation for and participation in up to eight (8) additional Stakeholder Interviews;
- Preparation for and attendance at up to twelve (12) additional Project Advisory Committee (PAC) Meetings;
- Preparation for and attendance at up to two (2) Public Meetings (Open House and Public Hearing);
- SEQRA does not include an Environmental Impact Statement (EIS);
- The Town will be responsible for distributing meeting notices and any advertising that is deemed appropriate or necessary.
- The Town will designate a single point of contact to communicate project related information to Bergmann team members.
- The Town will provide a single set of comments on all draft materials. Bergmann will make one (1) round of edits as appropriate for each deliverable.
- Bergmann will provide the Town with one (1) digital and up to three (3) paper copies of the final Zoning Code.

## EXHIBIT B: RATE AND EXPENSE TABLE

All services provided for this project will be billed at the following rates:

- Principal Planner, John Steinmetz = \$210
- Project Manager, Molly Gaudio = \$130
- Technical Specialists (landscape architects, engineers, etc) = \$130
- Project Planner, Kiernan Playford, Grace DeSantis or others = \$95

All expenses to be billed include travel (using current federal rate for mileage), meals while in the Town of Pittsford, and any copying and mailing services.

# MEMORANDUM

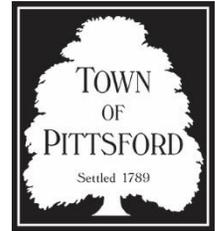
To: Pittsford Town Board

From: Brian Luke, Director of Finance

Date: November 30, 2021

Regarding: Surplus Inventory

For Meeting On: December 8, 2021



Attached is a list of surplus inventory for the Town Board to declare surplus in order for it to be removed from the Town's inventory.

**Be it resolved, that the attached list of equipment be declared surplus and be removed from the Town's inventory.**

<b>Asset #</b>	<b>Year</b>	<b>Description</b>	<b>Department</b>	<b>Cost</b>	<b>Disposition</b>
16613	2011	Lift Gate for Pickup Truck	Parks	2,749.00	Auction
17795	2015	Ford F-250 Pickup Truck	Parks	24,243.00	Auction
17259	2013	Ford F-150 Pickup Truck	Parks	24,200.00	Auction

# MEMORANDUM

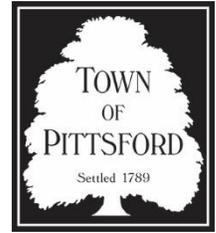
To: Pittsford Town Board

From: Brian Luke, Director of Finance

Date: November 30, 2021

Regarding: Creation of Community Solar Project Fund

For Meeting On: December 8, 2021



The Town has received \$30,200 to date from Joule Assets Inc. as part of the Community Solar Sustainability Program. Funds received will ultimately go towards a Town Sustainability Project. I am proposing the creation of a Community Solar Project Fund. This project will occur over multiple fiscal years. The creation of a separate fund allows for the proper and clear tracking of all revenues and expenses associated with the project.

Therefore I suggest the Board adopt the following resolution:

**RESOLVED, that the Finance Director is authorized to create the Community Solar Project Fund.**

# MEMORANDUM

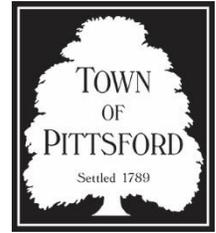
To: Pittsford Town Board

From: Brian Luke, Director of Finance

Date: December 2, 2021

Regarding: Grant Consultant Services Agreement

For Meeting On: December 8, 2021



J. O'Connell & Associates, Inc. is currently engaged by the Town of Pittsford for grant consultant services. The current agreement with J. O'Connell expires 12/31/21. This partnership has allowed us to discover and apply for several grants. We believe that another year of this agreement will allow us to make even more progress. Grant revenue received is a way to reduce the burden on taxpayers while still accomplishing key projects. I am requesting that the Town sign an agreement dated January 1, 2022 through December 31, 2022 with J. O'Connell & Associates, Inc. for the continuation of grant consultant services.

**Resolved, that the Supervisor is authorized to sign an agreement with J. O'Connell & Associates, Inc. for grant consultant services.**

**J. O'Connell & Associates, Inc.**   
**GRANTS CONSULTANTS**  
**10646 Main Street**  
**Clarence, New York 14031**  
**(716) 759-8580**

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between **J. O'CONNELL & ASSOCIATES, INC., GRANTS CONSULTANTS**, having its principal place of business at 10646 Main Street, Clarence, New York 14031, hereinafter referred to as "J. O'CONNELL & ASSOCIATES, INC.," and the **TOWN OF PITTSFORD**, having its principal place of business at 11 South Main Street, Pittsford, New York 14534, hereinafter referred to as "THE ORGANIZATION."

**WITNESSETH:**

**WHEREAS**, J. O'CONNELL & ASSOCIATES, INC., is engaged in the business of grants consultation; and

**WHEREAS**, THE ORGANIZATION is desirous of retaining the professional services of J. O'CONNELL & ASSOCIATES, INC.;

NOW, in consideration of the mutual promises and covenants contained herein, it is agreed between the parties hereto as follows:

1. That THE ORGANIZATION retains the professional services of J. O'CONNELL & ASSOCIATES, INC. commencing January 1, 2022 and ending on December 31, 2022.

2. That THE ORGANIZATION agrees to pay J. O'CONNELL & ASSOCIATES, INC. for **two** professional services **(A) GRANTS CONSULTING & PROPOSAL WRITING** rendered hereunder, the sum of Three Thousand Six Hundred (\$3,600.00) Dollars per month, payable at the first of each month upon receipt of invoice **(B) GRANTS ADMINISTRATION** and an additional fee of \$75 per hour for grants administration per submitted monthly time sheet with a cost not to exceed \$2,550 for (34 hours) of professional services performed by J. O'CONNELL & ASSOCIATES, INC. At such time as the fee reaches \$2,550, THE ORGANIZATION is free to extend or re-negotiate a new Grants Administration contract.

3. In consideration of the sums to be paid by THE ORGANIZATION for **(A) GRANTS CONSULTING & PROPOSAL WRITING**, J. O'CONNELL & ASSOCIATES, INC. agrees to:

- (1) Conduct a needs assessment of THE ORGANIZATION, to identify potentially fundable programs;
- (2) Present identified programs into a form that becomes acceptable to the grant reviewer;
- (3) Conduct an on-going review of available funding sources that allows THE ORGANIZATION immediate knowledge of multiple sources;
- (4) Prepare organizational background statements, formal letters of intent, and applications to submit to the granting agencies;
- (5) Develop COMPLETE proposals into written form that keeps them in compliance with the grant guidelines;
- (6) Follow-up on all grant applications that have been submitted on THE ORGANIZATION'S behalf;

- (7) Attend meetings with THE ORGANIZATION, ORGANIZATION staff, ORGANIZATION board members, government officials as needed for grant development; and,
- (8) Prepare monthly status reports that keep THE ORGANIZATION informed as to the progress of the grant activities.

4. In consideration of the sums to be paid by THE ORGANIZATION for **(B) GRANTS ADMINISTRATION, J. O'CONNELL & ASSOCIATES, INC.** agrees to:

- (1) Assist in obtaining all required information needed for successful administration;
- (2) Communicating with, or meeting with the Funder Representative as THE ORGANIZATION administrative representative on the project;
- (3) Conduct a review of existing submittal documents, and a review and monitoring of the program in order for THE ORGANIZATION to gain a thorough knowledge of the grant program requirements;
- (4) Submitting project activity status reports to the Funder Representative; and,
- (5) Meeting and communicating with THE ORGANIZATION, and THE ORGANIZATION staff, in order to gather information that is needed for submission of the grant reimbursement requests;
- (6) Follow-up on the grant reimbursement requests that have been submitted on THE ORGANIZATION's behalf; and provide any additional information, in consultation with THE ORGANIZATION that is requested by the funding agency reviewers; and,
- (7) Providing close out documentation as required to the Funder Representative.

5. If THE ORGANIZATION requests the presence of J. O'CONNELL & ASSOCIATES, INC. at an out-of-town meeting, travel is billable at the IRS rate or coach class air fare (whichever is less). Out of town travel would be 50 miles round trip from the offices of J. O'CONNELL & ASSOCIATES, INC; provided, however, all trips to the Town of Pittsford do not constitute a charge for travel.

6. This Agreement may not be changed, modified, or altered except upon the express written consent of the parties hereto.

7. J. O'CONNELL & ASSOCIATES, INC. is a professional grant consulting firm, and as such is an independent contractor, and in no way shall be deemed as an employee of THE ORGANIZATION.

8. The ORGANIZATION may terminate this Agreement, with or without cause, at any time, upon ten (10) days written notice to J. O'CONNELL & ASSOCIATES, INC., and thereafter shall have no liability for payment of services to J. O'CONNELL & ASSOCIATES, INC., except for payment of any duly-issued and agreed-upon invoices for services rendered up to the time of said termination of this Agreement.

Date: 12-2-2021

J. O'CONNELL & ASSOCIATES, INC.,  
GRANTS CONSULTANTS

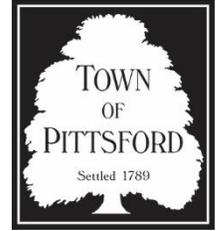
BY Jean K. O'Connell  
JEAN K. O'CONNELL, PRESIDENT

Date: \_\_\_\_\_

TOWN OF PITTSFORD

BY \_\_\_\_\_  
WILLIAM A. SMITH, JR., SUPERVISOR

# MEMORANDUM



To: Town Board

From: Robert B. Koegel

Date: December 3, 2021

Regarding: Climate Smart Communities (CSC) program – Passing the Pledge

For Meeting On: December 8, 2021

The Climate Smart Communities (CSC) program is an interagency initiative of New York State jointly sponsored by the Department of Environmental Conservation (DEC), the Energy Research and Development Authority (NYSERDA), the Department of Public Service, the Department of State, the Department of Transportation (NYSDOT), the Department of Health (NYSDOH), and the Power Authority (NYPA), with DEC at the helm.

The purpose of the CSC certification program is to support local governments in building a sustainable, balanced climate action program, one step at a time.

The first step is for municipalities such as the Town to pass a resolution adopting the CSC pledge of ten specific elements. The proposed town board resolution included in this agenda packet is based on a model State CSC resolution, and the ten specific elements contained therein must be adopted verbatim. After the resolution is adopted, the next step for the Town is to become a registered CSC by uploading the enacted resolution and completed registration form to a State CSC certification portal account. After that, the Town may commence the process of selecting and completing specific actions in order to become a certified Climate Smart Community.

If you would like to move forward with this program, you may recite the following oral resolution:

## **RESOLUTION**

I move that the Town Board adopt the New York State Climate Smart Communities pledge, in accordance with the terms of the proposed written resolution submitted herewith.

At a Regular Meeting of the Town Board of the Town of Pittsford, New York, held at the Pittsford Town Hall, Pittsford, New York, on the 8th day of December, 2021.

PRESENT: William A. Smith, Jr., Supervisor  
Katherine Bohne Munzinger, Deputy Supervisor  
Kevin S. Beckford, Councilmember  
Cathleen A. Koshykar, Councilmember  
Stephanie M. Townsend, Councilmember

ABSENT: None

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In the Matter

Of

THE TOWN OF PITTSFORD ADOPTING THE NEW YORK STATE CLIMATE SMART COMMUNITY RESOLUTIONS.

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The **TOWN BOARD OF THE TOWN OF PITTSFORD**, in the County of Monroe, State of New York, met in regular session at the Town Hall, located at 11 South Main Street, in the Town of Pittsford, County of Monroe, State of New York, on the 8th day of December, 2021, at 6:00 pm.

The meeting was called to order by Supervisor William A. Smith, Jr., and the following were present, namely:

William A. Smith, Jr., Supervisor  
Katherine Bohne Munzinger, Deputy Supervisor  
Kevin S. Beckford, Councilmember  
Cathleen A. Koshykar, Councilmember  
Stephanie M. Townsend, Councilmember.

The following resolutions were moved, seconded, and adopted:

WHEREAS, the Town of Pittsford has a decades-long commitment to environmental stewardship and healthy living for all of our residents; and

WHEREAS, the Town has put this commitment into effect by taking concrete and

tangible actions in pursuit of the goals of preserving open space, of clean air, of clean water and a sustainable environment, including earning certification by the State in 2017 as a Clean Energy Community; and

WHEREAS, the Town desires to continue these efforts by participating in the State of New York's Climate Smart Communities program, recognizing that the Town already has completed elements of what is required to be certified by the State as a Climate-Smart Community under the program; and

WHEREAS, we believe that the goals required to obtain Climate Smart certification stand on their own merits, irrespective of qualification for certification, and reflect the values and policy choices of the Town of Pittsford over many years; now therefore,

**BE IT RESOLVED**, that Town of Pittsford, in order to reduce greenhouse gas emissions and adapt to a changing climate, hereby *adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:*

- 1) **Build a climate-smart community.**
- 2) **Inventory emissions, set goals, and plan for climate action.**
- 3) **Decrease energy use.**
- 4) **Shift to clean, renewable energy.**
- 5) **Use climate-smart materials management.**
- 6) **Implement climate-smart land use.**
- 7) **Enhance community resilience to climate change.**
- 8) **Support a green innovation economy.**
- 9) **Inform and inspire the public.**
- 10) **Engage in an evolving process of climate action; and**

**BE IT FURTHER RESOLVED**, that the Town's Environmental Advisory Board be and hereby is designated as the Town's Climate Smart Communities Task Force for purposes of the Climate Smart Communities Program; and

**BE IT FURTHER RESOLVED**, that Councilmember Stephanie T. Townsend be and hereby is designated as the Town's Climate Smart Communities Coordinator for purposes of the Climate Smart Communities Program; and

**BE IT FURTHER RESOLVED**, that Town Attorney Robert Koegel be and hereby is designated as the Town's primary contact person to be responsible for registering the Town with the State as a Climate Smart Community.

The adoption of the foregoing Resolution was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly put to vote, which resulted as follows:

William A. Smith, Jr. \_\_\_\_\_  
Katherine Bohne Munzinger \_\_\_\_\_  
Kevin S. Beckford \_\_\_\_\_  
Cathleen A. Koshykar \_\_\_\_\_  
Stephanie M. Townsend \_\_\_\_\_

**THESE RESOLUTIONS WERE ADOPTED.**

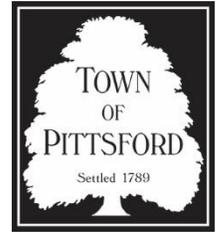
DATED: December 8, 2021

I, RENEE M. McQUILLEN, Town Clerk of the Town of Pittsford, New York, DO HEREBY CERTIFY that I have compared a copy of the Resolutions as herein specified with the original in the minutes of the meeting of the Town Board of the Town of Pittsford and that the same is a correct transcript thereof and the whole of the said original.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of December, 2021.

\_\_\_\_\_  
Renee M. McQuillen, Town Clerk

# MEMORANDUM



To: Pittsford Town Board

From: Cheryl Fleming, Personnel Director

Date: December 2, 2021

Regarding: Recommendations for Hiring/Personnel Adjustments

For Meeting On: December 8, 2021

1. 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:

Name	Dept	Position	Rate	Date of Hire
Robert Sweet	IT	Micro Computer Support Tech-RFT	\$23.79	12/09/2021

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

Name	Dept	Position	Rate	Date of Hire
Robert Sweet	IT	Micro Computer Support	\$23.79	12/09/2021

2. The following employee is recommended for a status change and/or salary change due to a change in status.

Name	Position	Reason for Change	Salary	Effective Date
John Young	GEO II	Promotion - replacement	\$24.74/hr	12/06/2021

Should the Board approve the above recommendation and personnel adjustment, the following resolution is being proposed, RESOLVED, that the Town Board approves the appointment for the following employee(s):

Name	Position	Reason for Change	Salary	Effective Date
John Young	GEO II	Promotion - replacement	\$24.74/hr	12/06/2021