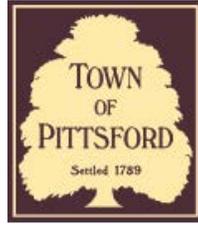


SUPERVISOR
William A. Smith, Jr.



COUNCIL MEMBERS
Kate Bohne Munzinger, Deputy Supervisor
Cathy Koshykar
Kim Taylor
Stephanie Townsend

TOWN BOARD AGENDA
Town Hall – 11 S. Main Street, Pittsford – Lower Level
Tuesday, September 6, 2022 – 6:00 PM

Call to Order

Pledge of Allegiance

Public Hearing: Local Law #3 of 2022 – Tree Ordinance

Minutes

Approval of Minutes of Meeting of August 16, 2022

Legal Matters

Public Comment

8 Lusk Farm Easement Encroachment Agreement

NYPA Easement Crossing Permit for the Bridleridge Sewer

Financial Matters

Public Comment

Budget Transfer

Personnel Matters

Public Comment

Hiring Resolution

Other Business

Public Comment

Adjournment

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; (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
- 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

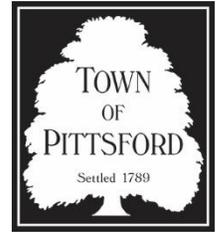
To: Town Board Members

From: Robert B. Koegel

Date: September 1, 2022

Regarding: Local Law No.3 of 2022: Designating a Community Tree Department

For Meeting On: September 6, 2022



The Town Board has previously set a public hearing for September 6, 2022 to consider the adoption of Local Law No. 3 of 2022: Adding Article XXII of Chapter 185 “Zoning” to the Code of the Town of Pittsford, to be entitled “Tree Department.”

A copy of proposed Local Law No. 3 of 2022 is submitted herewith.

Also submitted herewith is the proposed “Adoption Resolution”, enacting Local Law No. 3 of 2022.

Should the Town Board wish to approve the proposed Local Law, you may make the following resolution:

RESOLVED, that the enactment of Local Law No. 3 of 2022, adding Article XXII of Chapter 185 “Zoning” to the Code of the Town of Pittsford to be entitled “Tree Department,” is hereby approved, in accordance with the terms of the proposed written Adoption Resolution submitted herewith.

At a Regular Meeting of the Town Board of the Town of Pittsford, New York, held at the Town Hall, Pittsford, New York, on the 6th day of September, 2022.

PRESENT: William A. Smith, Jr., Supervisor
Kate Bohne Munzinger, Councilwoman
Stephanie M. Townsend, Councilwoman
Cathleen A. Koshykar, Councilwoman
Kim Taylor, Councilwoman

ABSENT: None

In the Matter

of

THE ADOPTION OF PROPOSED LOCAL LAW NO. 3 of 2022:
ADDING ARTICLE XXII OF CHAPTER 185 "ZONING" TO THE CODE
OF THE TOWN OF PITTSFORD, TO BE ENTITLED
"TREE DEPARTMENT."

Adoption Resolution

WHEREAS, true and correct copies of proposed Local Law No. 3 of 2022:
Adding Article XXII of Chapter 185 "Zoning" to the Code of the Town of Pittsford, to be
entitled "Tree Department," were placed upon the desks of all members of the Town
Board, more than seven (7) calendar days, exclusive of Sunday, prior to the 6th day of
September, 2022; and

WHEREAS, there was duly published in a newspaper previously designated as an
official newspaper for publication of public notices, and posted upon the bulletin board
maintained by the Town Clerk pursuant to § 30(6) of the Town Law, a notice of public
hearing to the effect that the Town Board would hold a public hearing on the 6th day of

September, 2022, at 6:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on Local Law No.3 of 2022; and

WHEREAS, the said public hearing was duly held on the 6th day of September, 2022, at 6:00 P.M., Local Time, at the Town Hall, Pittsford, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of Local Law No. 3 of 2022; 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 the proposed Local Law No. 3 of 2022; and

WHEREAS, it was the decision of the Town Board that Local Law No. 3 of 2022 should be adopted.

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

RESOLVED, that Local Law No. 3 of 2022: Adding Article XXII of Chapter 185 “Zoning” to the Code of the Town of Pittsford, to be entitled “Tree Department,” 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 6th day of September, 2022, there shall be filed with the Secretary of State one certified copy of said Local Law No. 3 of 2022.

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

William A. Smith, Jr.	VOTING
Kate Bohne Munzinger	VOTING

Stephanie M. Townsend VOTING

Cathleen A. Koshykar VOTING

Kim Taylor VOTING

The resolution was thereupon declared duly adopted.

DATED: September 6, 2022

Renee M. McQuillen, Clerk of the Town
Board of the Town of Pittsford,
New York.

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 September, 2022.

Renee M. McQuillen, Clerk of the Town
Board of the Town of Pittsford,
New York.

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

AS FOLLOWS:

**LOCAL LAW NO. 3 OF 2022:
THE ADOPTION OF PROPOSED LOCAL LAW NO. 3 OF 2022:
ADDING ARTICLE XXII OF CHAPTER 185 “ZONING” TO THE CODE
OF THE TOWN OF PITTSFORD, TO BE ENTITLED
“TREE DEPARTMENT”**

Sec. 1 Title

This Local Law shall be known as “Local Law No. 3 of 2022: Adding Article XXII of Chapter 185 “Zoning” to the Code of the Town of Pittsford, to be entitled “Tree Department.”

Sec. 2 Amendment #1 to Existing Law

The Code of the Town of Pittsford, Chapter 185 “Zoning, is amended by adding Article XXII, entitled “Tree Department,” to the Code of the Town of Pittsford, and it shall read as follows:

Article XXII

COMMUNITY TREES

§ 185-153. Purpose and intent.

This article is enacted to designate the Town’s Department of Public Works as the official Tree Department of the Town of Pittsford for the purpose of the Town’s application for recognition as an Arbor Day Foundation Tree City USA and for the following purposes:

- A. Clarify that the Public Works Department is responsible for management and care of the Town's community trees, through its Parks and Highway Departments.
- B. Continue efficient and cost-effective management of the Town's community trees.
- C. Continue the planting, maintenance, and preservation of the Town’s community trees in order to protect and enhance the environment and character of the Town.
- D. Continue the practice of consulting with professional arborists from time to time when necessary or desirable.

- E. In conjunction with the Town’s Communications Department, foster community support through educational outreach, and encourage good citizen tree management practices through knowledge sharing.

§ 185-154. **Applicability.**

This article is adopted pursuant to the authority granted by the Municipal Home Rule Law and shall supersede any provision of State Law which is inconsistent herewith.

§ 185-155. **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

COMMUNITY TREE - A tree on Town-owned land or within the right-of-way of a Town public street.

RIGHT-OF-WAY – The Town-owned land bordering a Town public street used for sidewalks, edge stone, planting spaces, and/or utility transmission.

TREE – A living perennial, woody plant, including all of its parts, whose trunk is greater than three inches in diameter at a height of four feet above the ground and whose full height at maturity would reach a minimum of twelve feet.

§ 185-156. **Responsibilities of the Tree Department.**

The responsibilities of the Tree Department shall be as follows:

A. Tree City Recognition and Grant Applications.

- (1) In conjunction with the Town’s Chief of Staff and its Communications Director, the Commissioner of Public Works shall advise and assist with the designation and annual renewal of the Arbor Day Foundation Tree City USA recognition and advise and coordinate the submission of future Urban Forestry Grant applications.

B. Community Tree Maintenance.

- (1) The Tree Department will be responsible for the planting, maintenance, and removal of community trees.

C. Environmental Education and Awareness.

- (1) Together with the Town’s Chief of Staff and the Communications Director, the Tree Department will coordinate and promote the Town's annual Arbor Day celebration and activities. As the Department’s time and resources allow, it may also support local schools, libraries, and community centers in offering environmental education programs and programing relating to tree planting and preservation.

D. Best Management Practices for Community Tree Care and Maintenance.

- (1) The Tree Department will have supervision over the species and variety of trees to be planted, including the size, height, and width of the trees, and expected maximum growth.
- (2) The Tree Department will supervise the management and care of the Town's community trees.
- (3) The Tree Department will have supervision over protecting and controlling the spread of invasive species affecting the Town's community trees and evaluating means to control such spread of invasive species and to mitigate damage caused by it.

Sec. 3 Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law, or the application thereof to any person 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 thereof.

Sec. 4 Effective Date

This Local Law shall take effect immediately with its filing with the Secretary of State.

Minutes of the Town Board for August 16, 2022

**DRAFT
TOWN OF PITTSFORD
TOWN BOARD
AUGUST 16, 2022**

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, August 16, 2022, at 6:00 P.M. local time in the Lower Level Meeting Room of Town Hall, 11 South Main Street, in person.

PRESENT: Supervisor William A. Smith, Jr.; Councilmembers Cathy Koshykar, Katherine B. Munzinger, Kim Taylor and Stephanie M. Townsend.

ABSENT:

ALSO PRESENT: Staff Members: Paul Schenkel, Commissioner of Public Works; Robert Koegel, Town Attorney; Renee McQuillen, Town Clerk; Brian Luke, Finance Director; Shelley O'Brien, Communications Director; Jessie Hollenbeck, Director of Recreation; Suzanne Reddick, Assistant to the Supervisor; Spencer Bernard, Chief of Staff.

ATTENDANCE: No members of the public attended; the ASL interpreter was present.

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

SUPERVISOR'S ANNOUNCEMENTS

1. Supervisor Smith announced that Pittsford has won a TAP Grant totaling \$540,000. The funds are designated for construction of a new concrete sidewalk connecting Mendon and Thornell Roads.
2. NYSDOT has once again declined the Supervisor's request, the subject of his recent letter to the DOT, for permission for the Town to install at its own expense Rectangular Rapid Flashing Beacons the South Main Street pedestrian crosswalk at Sunset Boulevard. They cited insufficient traffic volume and too few accidents at the location to warrant the beacons.
3. This week's Friday evening concert at Carpenter Park will feature the Pittsford Fire Department Band.

MINUTES OF THE AUGUST 2, 2022, TOWN BOARD MEETING APPROVED

A Resolution to approve the Minutes of the August 2, 2022, Town Board meeting was offered by Deputy Supervisor Munzinger, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Koshykar, Munzinger, Townsend and Smith. Nays: none. Abstain: Taylor.

The Resolution was declared carried as follows:

RESOLVED, that the Minutes of the August 2, 2022, Town Board meeting are approved.

LEGAL MATTERS

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING SET FOR SEPTEMBER 6 ON LOCAL LAW #3 OF 2022-DESIGNATION OF A COMMUNITY TREE DEPARTMENT

Supervisor Smith commented that the Town can qualify for status as a Tree City by designating a Town department as its Tree Department. In this way the Town fulfills its last remaining requirement to qualify for Tree City designation. He explained that such designation reflects the Town's tree policies, that it is

Minutes of the Town Board for August 16, 2022

worthwhile for its own sake and that it also fulfills a requirement for obtaining Climate Smart Community status from the State. Following brief discussion, Deputy Supervisor Munzinger made a motion to set a Public Hearing on September 6, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, true and correct copies of proposed Local Law No. 3 of 2022: Adding Article XXII of Chapter 185 "Zoning" to the Code of the Town of Pittsford, to be entitled "Tree Department," were delivered to each member of the Town Board; and

WHEREAS, due consideration has been given to the adoption of proposed Local Law No. 3 of 2022, 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 6th day of September 2022, 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 2022.

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 6th day of September 2022, 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 proposed Local Law No. 3 of 2022; and be it further

RESOLVED, that a Notice of Hearing and a copy of proposed Local Law No. 3 of 2022, 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 2022, or a summary thereof, on the Town website www.townofpittsford.org, and on the bulletin board, maintained by the Town Clerk pursuant to § 30(6) of the Town Law, for a period of not less than five (5) days prior to said public hearing.

FINANCIAL MATTERS

PUBLIC COMMENTS

There were no public comments.

AUTHORIZATION FOR THE CREATION OF CDBG CAPITAL PROJECT FOR SEINOR CENTER IMPROVEMENTS

Supervisor Smith made a motion to authorize the Finance Director to create the CDBG Capital Project account for Senior Center improvements, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Finance Director is authorized to create the CDBG Capital Project.

VOUCHERS APPROVED

A resolution to approve the proposed vouchers was offered by Deputy Supervisor Munzinger, seconded by Councilmember Taylor, and voted on by members as follows: Ayes: Koshykar, Munzinger, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the August vouchers from number 157228 to 157623 in the amount of \$ \$821,814.82 are approved for payment.

PERSONNEL MATTERS

Minutes of the Town Board for August 16, 2022

PUBLIC COMMENTS

There were no public comments.

HIRING/PERSONNEL ADJUSTMENTS APPROVED

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

The following employee(s) are recommended as a new hire based on the recommendation of the Functional Coordinator(s) for these areas:

Name	Dept.	Position	Rate	Date of Hire
Kathleen Laskey	Recreation	Rec Supervisor	\$28.30	08/29/2022
Kira Baran	Library	Library Aide	\$15.09	08/29/2022

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.

Name	Dept.	Position	Rate	Date of Hire
Kathleen Laskey	Recreation	Rec Supervisor	\$28.30	08/29/2022
Kira Baran	Library	Library Aide	\$15.09	08/29/2022

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

Name	Position	Reason for Change	Salary	Effective Date
Carrie Laraby	Assistant Assessor	added position	\$26.00	08/15/2022
Elijah Fleming	Finance Asst, PT	added position	\$26.00	08/15/2022
Meghan Brooks	REC Asst-After School Director	added position	\$16.43	08/15/2022

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

Name	Position	Reason for Change	Salary	Effective Date
Carrie Laraby	Assistant Assessor	added position	\$26.00	08/15/2022
Elijah Fleming	Finance Asst, PT	added position	\$26.00	08/15/2022
Meghan Brooks	REC Asst-After School Director	added position	\$16.43	08/15/2022

OTHER BUSINESS

Supervisor Smith asked Chief of Staff Spencer Bernard to update board members on grant funding. The report was as follows: the Town has received \$747,849 in grant funds since contracting with J. O'Connell and Associates in 2020. A grant received from NYS DEC for creek bank stabilization allowed for our Parks Department to plant rooted seedlings along the banks of Irondequoit Creek. An additional DEC grant helped fund the Town's annual Arbor Day Celebration. In honor of the day, the Town planted seven trees at Great Embankment Park. With the planting of these trees the Town is one step closer to becoming a certified Tree City USA and a designated Climate Smart Community.

The Town won a Community Development Block Grant for upgrades at the Spiegel Community Center (SCC.) The grant award will fully fund construction of a new outdoor pavilion at SCC; it is slated to be completed this fall. The grant also reimburses the Town for the cost of its new bus for the Seniors Program and will pay for a video conferencing system in the Senior Center allowing for remote participation in Seniors events.

Minutes of the Town Board for August 16, 2022

The Town also succeeded recently in pursuing a TAP Grant from the State Department of Transportation. This will pay for a new concrete sidewalk at the intersection of Mendon and Thornell Roads, connecting the existing sidewalk on Mendon with the existing sidewalk on Thornell. Completing this connection will increase safe neighborhood access to the schools in the area: Thornell Road Elementary School, Barker Road Middle School and Mendon High School.

The Town has also won a grant from the Erie Canalway National Heritage Corridor for promotion of the Canalside Concert Series and the Erie Canal Nature Preserve.

The Chief of Staff also reported on the Town's recent application to NYSERDA for a grant to fund 80% of the cost to purchase and install an EV charging station at Thornell Farm Park. We are still awaiting a decision on this grant.

Board members thanked Mr. Bernard for his presentation.

Supervisor Smith updated board members about mitigation of invasive species at the Erie Canal Nature Preserve. He has a meeting set with Andy Smith, an environmental scientist who recently made a public presentation on this subject to discuss steps the Town can take to mitigate invasive species.

The Supervisor noted a letter board members received about the possibility of adding a sidewalk along Calkins Rd from Clover St west, granting access to both Mendon Center Elementary and Calkins Road Middle School for residents along that stretch of road. Supervisor Smith asked board members to consider this proposal for future discussion.

Deputy Supervisor Munzinger asked when the new audio-visual equipment for the Town Board meeting room would be installed. Members of the Planning and Zoning Boards had asked her about this. Commissioner Schenkel confirmed the Town has ordered the equipment, but shipping is delayed due to supply chain issues. Deputy Supervisor Munzinger also reminded residents to slow down and avoid distractions while driving, and reminded pedestrians that drivers do not always stop, as they should, at pedestrian crossings.

Councilmember Townsend shared that a new State law allows municipalities to lower speed limits to 25 mph. Before the new law, the lowest limit for most purposes has been 30mph. She asked Board members to consider lowering the limit on all Town roads. Studies indicate that making this change can significantly reduce accident fatalities. Supervisor Smith asked staff members to report on the cost of making such a town-wide change. Councilmember Townsend also offered to share information gathered by the County panel on which she serves regarding broadband speed and service in Monroe County. Board members expressed interest in this information.

PUBLIC COMMENT

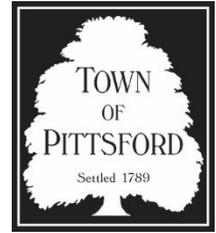
Loren Martin and Carol Ainsworth commented.

With no further business, the Supervisor adjourned the meeting at 6:36 P.M.

Respectfully submitted,

Renee McQuillen
Town Clerk

MEMORANDUM



To: Town Board Members

From: Robert B. Koegel

Date: September 1, 2022

Regarding: 8 Lusk Farm Circle (Kheyfits) – Easement Encroachment Agreement

For Meeting On: September 6, 2022

The owners of the above property are proposing to install a 4-foot high aluminum fence partially within the 20-foot wide Storm Sewer Easement that runs along the easterly and northerly boundary lines of the property, for the protection of their pool.

Attached is a proposed “Easement Encroachment and Hold Harmless Agreement” that would allow the fence, and provide for its removal or relocation in the event that the Town needs to access the Easement area.

The Agreement has been prepared by the Town Engineer, Rob Fromberger, who has inserted a provision that the fence posts for the fence and any vegetative embellishment are to be hand-dug, within the easement area, for the protection of the underground pipe.

In the event that the Board supports the request, I suggest the following Resolution:

RESOLUTION

I move that the proposed “Easement Encroachment and Hold Harmless Agreement” involving 8 Lusk Farm Circle be approved and that the Town Supervisor be authorized to execute the Agreement

EASEMENT ENCROACHMENT AND
HOLD HARMLESS AGREEMENT

THIS AGREEMENT made the ____ day of _____, 2022, between Valeriy and Amy Kheyfits, having an address of 8 Lusk Farm Circle, Pittsford NY, "Owners" AND the Town of Pittsford, a municipal corporation with their principal office at 11 South Main Street, Pittsford, NY, "Town"

WITNESSETH

WHEREAS, the Owners' predecessor in title previously granted to the Town a Permanent Easement as set forth hereafter; and

WHEREAS, the Owners desire to encroach upon the Easement for the purpose set forth hereafter; and

WHEREAS, the Town has determined that the proposed encroachment is allowable, in accordance with the terms and conditions within Agreement, including the indemnities contained herein;

NOW, THEREFORE, in consideration of the mutual promises and understandings contained herein, and for other good and valuable consideration (less than \$2.00 of monetary consideration), the parties do hereby agree as follows:

1. The Easement which is the subject of this Agreement is a 20' wide Storm Sewer Easement running in a North/South direction, along the East boundary line and an East/West direction along the North boundary line of the lot herein, given to the Town as part of the "Stone Town - Phase 6" subdivision as recorded in Liber Book 9718, Page 398, on December 16, 2002.
2. The encroachment on the foregoing Easement by the Owners will be limited to the placement of a 4' high aluminum picket fence along the property line within the Easement area, generally located along the North and East boundary line of the property. The fence and any vegetative embellishments must be removed and replaced, at the Owners' expense, in the event access to the Easement improvements are ever required by the Town. The fence posts for the fence and any vegetative embellishments are to be hand dug, within the Easement area, for protection of the underground pipe.
3. The Owners specifically indemnify and hold the Town harmless for any damage, disturbance or other impact to the property of the Owners resulting from the encroachment.
4. The Town retains all rights granted to it under the Easement and, therefore, in the event that any improvement in the Easement encroachment area is disturbed, at any time, as a result of the reasonable exercise of the easement by the Town, the Owners hereby indemnify and hold the Town, its agents, servants, successors, assigns and/or employees harmless from any and all claims or causes of action which may arise for any damages to any improvement located in the Easement encroachment area Which is disturbed, damaged or destroyed, in the course of performing any reasonable and or necessary work or activity in said Easement area.

5. The Town will use reasonable care in its sole judgment to avoid damage or destruction to any improvement of the Owners allowed by this Agreement.
6. The Owners may maintain and/or repair the improvement allowed by this Agreement.
7. In the event that, at any time, the improvement of the Owners that is allowed by this Agreement is removed from the Easement area, this Agreement will be null and void, without any further liability on the part of any of the parties.
8. This Agreement is binding upon and is for the benefit of the parties hereto, as well as the respective distributees, legal representatives, successors in office, and assigns of the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed as of the date set forth below.

Valeriy Kheyfits
Owner

Amy Kheyfits
Owner

Town of Pittsford, Grantee

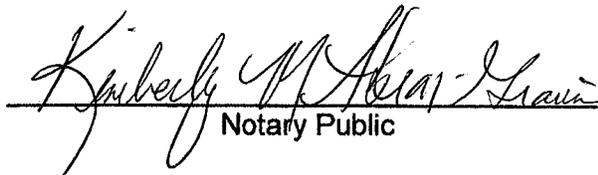
By: _____
William A. Smith, Jr. Supervisor

Property Address: 8 Lusk Farm Circle, Pittsford NY

Tax Account Number: 164.15-1-82

STATE OF NEW YORK)
COUNTY OF MONROE) SS:

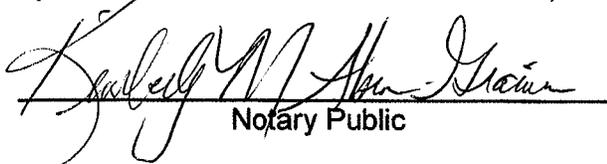
On the 10th day of August, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Amy J. Kraits, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

KIMBERLY M. ABRON-GRANISON
Notary Public, State of New York
No. 01AB6146362
Qualified in Monroe County
Commission Expires May 15, 2026

STATE OF NEW YORK)
COUNTY OF MONROE) SS:

On the 10th day of August, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Valery Kraits, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

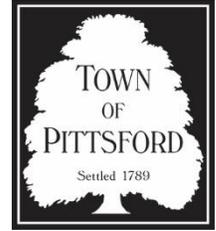
KIMBERLY M. ABRON-GRANISON
Notary Public, State of New York
No. 01AB6146362
Qualified in Monroe County
Commission Expires May 15, 2026

STATE OF NEW YORK)
COUNTY OF MONROE) SS:

On the _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared William A. Smith, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

MEMORANDUM



To: Town Board Members

From: Robert B. Koegel

Date: September 1, 2022

Regarding: NYPA Easement Crossing Permit for the Bridleridge Sewer

For Meeting On: September 6, 2022

As you will recall, part of the design for the Reeves Road sewer extension and the Bridlewood Farms subdivision on Clover Street south of the thruway is to install a sanitary sewer force main crossing below the thruway and the power lines of the New York Power Authority (NYPA).

In order for the Town, which will eventually own the sewer main to be built by the developer, to have the right to cross NYPA's power line easement, NYPA requires the Town to execute a permit setting forth the terms of the Town's use of NYPA's easement.

Submitted herewith is the proposed permit from NYPA to the Town for the Bridlewood Farms sanitary sewer crossing NYPA's easement. The terms of the permit are largely dictated by NYPA, but have nevertheless been carefully negotiated over many months by the Town Engineer, with assistance from the Town Attorney, to make the permit workable as possible for the Town.

Should you find the proposed permit to be acceptable, I propose that you adopt the following resolution:

RESOLUTION

I move that the Town Board authorize the Supervisor to execute NYPA Permit No. NATL-21-4P granting permission to the Town to construct and maintain a sanitary sewer force main crossing NYPA's power line easement in the area of Reeves Road and the Bridlewood Farms subdivision on Clover Street.

PERMIT NO. NATL-21-4P

POWER AUTHORITY OF THE STATE OF NEW YORK
PERMIT REQUIRING INSURANCE

PROJECT(S): **Niagara-Adirondack Transmission Line**

MAP NO(s): MPI-0416, MPI-0415

PARCEL NO(s): 0146, 0145

COUNTY OF MONROE

TOWN OF PITTSFORD

POWER AUTHORITY OF THE STATE OF NEW YORK (hereinafter referred to as "Authority") with its principal office and place of business at 30 South Pearl Street, Albany, New York 12207, insofar as it lawfully may, and without covenant or warranty of any kind, express or implied, hereby grants permission (hereinafter referred to as the "Permit") to the Town of Pittsford (hereinafter referred to as "Permittee"), with offices at 11 South Main Street, Pittsford, New York 14534, to construct, install, operate and maintain a sanitary sewer force main, together with necessary accessories and appurtenances thereto (hereinafter referred to as the "Facilities") on or across land under easement to Authority located in the Town of Pittsford, Monroe County, State of New York, as shown and described on the above designated map(s) (hereinafter referred to as the "Premises"). All work and activities carried out hereunder shall be in accordance with New York State Regulations, New York State Executive Law, Title 19, Part 1204 and related applicable Authority procedure, and pursuant to the conditions hereinafter set forth, to wit:

CONDITIONS

1. SCOPE: The Work shall be carried out substantially as set forth in the attached drawing "MAD EXHIBIT A" dated April 20,2022, hereinafter referred to as Exhibit "A" and the "Bridleridge Farms Offsite Sewer NYPA Easement Crossing- Scope of Work Description" dated May 20, 2022, hereinafter referred to as Exhibit "B".

2. CONDUCT OF THE WORK:

(a) Permittee will provide the Authority a minimum of 72 hours' notice, via email and telephone call, prior to carrying out any permitted Work on Authority's property. Such notice shall be given to Karen Cline, (716) 286-6923, Karen.Cline@nypa.gov, or designee. Authority, at its election, may have an inspector present at the time such work is being executed and such inspector shall have the right and the authority to require modification or cessation of any or all work hereunder when in the inspector's judgment such work is contrary to the provisions of this permit or is or may become a source of danger to person's or Authority facilities.

(b) All operations hereunder shall be carried on in such a manner so as not to interfere with the operation, use and maintenance of Authority facilities or property.

(c) Work authorized under this Permit shall be performed in a workmanlike manner and there shall be provided suitable safeguards so as to reduce to an absolute minimum any dangerous conditions which may be hazardous to life, limb or property. Any Facility constructed under this Permit shall thereafter be maintained and operated in a safe condition.

(d) All heavy equipment or heavy material shall be kept at all times at least fifty (50) feet away from the nearest Authority poles, tower structures or their foundations.

(e) There shall be no excavation or boring/drilling by any means within fifty (50) feet of the foundation of any Authority structure.

(f) The Facilities shall be constructed, operated, maintained and repaired without the aid of cranes, backhoes, bulldozers or other mechanical equipment having extensions whose highest point reaches (or which is capable of reaching) within 20'-6" of the lowest electrical conductor on the Premises or adjacent thereto.

(g) Permittee will not store or allow to remain any equipment or filling underneath the electric lines of the Authority or upon the Premises. The Premises shall be restored to their original condition as soon as the work has been completed, at the sole expense of the Permittee.

3. PROHIBITION OF USE OF HAZARDOUS MATERIAL: The Permittee shall not use or bring on the property covered by this Permit any material listed as hazardous, toxic, or dangerous or of restricted use, as classified or defined by any federal or New York State law,

regulation or agency policy, without prior written permission from the Authority's Transmission Superintendent. If Permittee generates hazardous waste on the Authority's property, Permittee will promptly remove such waste to an Authority approved licensed hazardous waste disposal facility. The Permittee shall take title to any and all hazardous waste generated by its activities.

4. INDEMNIFICATION: To the extent permitted by law, Permittee, its contractors, subcontractors, agents, employees, subtenants, licensees and concessionaires or invitees, assume all risk of and indemnify, defend, protect and save harmless the Authority, its officers, trustees, employees, successors and assigns, and the State of New York from all loss, damage or injury to persons (including personal injuries resulting in death) or property (including property of the Authority) and from all claims, demands, suits, liabilities, obligations and expenses arising therefrom, including legal fees and expenses, caused by or in any way connected with the exercise of the rights granted hereunder including, but not limited to, costs associated with the generation and disposal of hazardous wastes and any environmental contamination response and cleanup, and all loss, damage or injury to property or persons resulting from or arising out of strict liability or intentional conduct, regardless of the active or passive negligence of the Authority or the State of New York and notwithstanding any review or approval by the Authority of Permittee's actions or its exercise of the rights granted hereunder

5. INSURANCE: Permittee and each of its contractors and subcontractors will procure and maintain throughout the time this permit or any extension thereof remains in force, at their own cost and expense, insurance in the kinds and amounts listed below and shall not commence work until the Authority has been furnished a completed Certificate or Certificates of Insurance. Failure to maintain the required insurance throughout the term of the Permit, including any Permit term modifications, is a material breach of the Permit and may result in a stop work order or termination of the Permit for cause. All coverages, except Workers' Compensation (see 5.a. below), should be evidenced on an Acord form accompanied by the following two (2) endorsements: **Additional Insured** with the identifying policy number, specifically naming the New York Power Authority and the State of New York as additional insureds to the policy and **Waiver of Subrogation** endorsement. The insurance afforded to the additional insureds shall be at least as broad as that afforded the first named insured.

The form and sufficiency of each insurance policy required to be obtained herein will be subject to the Authority's approval and obtained from insurance companies acceptable to the Authority. The Permittee shall notify the Authority no later than 30 days prior to the effective date of a change to or cancellation of insurance policies required herein. The Permittee will deliver or cause to be delivered to the Authority, upon request, a copy of each such policy of insurance.

The kinds and amounts of insurance required including responsibility for any and all deductibles or self-insured retentions, in or relating to the below described insurance policies shall be assumed by and be for the account of, and at the sole risk of the Permittee, are as follows:

- a) Workers' Compensation Insurance for statutory obligations imposed by Workers' Compensation/Occupational Disease Laws, including Employer's Liability Insurance with a minimum limit of \$1,000,000. When applicable, coverage shall include The United States Longshoreman's and Harbor Workers' Compensation Act (44 U.S.Stat 1424) and the Jones Act (41 U.S. Stat 988). Under Sections 57 & 220 Subd. 8 of the New York State Workers' Compensation Law, it is required that Permittee's doing business with a Municipal or State entity evidence proof of workers' compensation coverage on approved forms as listed below:
 - i.) If coverage is with a private insurance carrier, the entity must provide evidence of coverage on form C105.2. The C105.2 form is supplied and completed by the insurance carrier or its authorized agent.
 - ii.) If coverage is with the State Insurance Fund, the entity must provide a completed U-26.3 form provided by the Fund.
 - iii.) If the business entity has been approved by the Workers' Compensation Board's Office of Self Insurance as a qualified self insurer, a completed SI-12 form is required. The SI-12 form is provided by the Board's Office of Self Insurance.
 - iv.) Or Form CE-200, Certificate of Attestation of Exemption, if the business is not required to carry NYS specific workers' compensation insurance.
- b) Commercial General Liability Insurance, including Contractual Liability coverage covering all operations and where applicable coverage for damage caused by any

explosion or collapse with minimum limits of \$2,000,000 per occurrence for bodily injury and \$2,000,000 per occurrence for property damage liability.

Umbrella/Excess Liability insurance in an umbrella form and on an occurrence basis, with limits of at least \$3,000,000 per occurrence. This insurance shall follow form to the underlying insurance and “drop down” for defense and indemnity in the event of the exhaustion of the underlying insurance.

1. The limits contained on the Insurance Policies Declaration page must be equal to or greater than the limits stated herein.
 2. The Authority and the State of New York must be named and scheduled as additional insureds to the Permittee’s policy and, if applicable, each subcontractor’s policy, including cross-liability coverage evidenced on the certificate(s) furnished to the Authority. The policy must contain an endorsement stating that the insurer will have no right of recovery or subrogation against the Authority or the State of New York. The Permittee must submit evidence satisfactory to the Authority of its compliance with this requirement. It is the intent of the parties that the insurance placed in accordance with the provisions of this paragraph will be primary and non-contributory insurance and will protect the Permittee, the Authority and the State of New York for all losses arising from all operations, activities, work, services, items or performance relating to the Permit. The insurance afforded to the additional insureds shall be at least as broad as that afforded the first named insured.
 3. The Contractual Liability Insurance coverage will insure the performance of the contractual obligations of the Permittee contained in this Permit including, without limitation, all contractual indemnity obligations.
- c) A Business Automobile Policy protecting the Permittee, its contractor and each subcontractor for automobile bodily injury and property damage liability, including coverage for liability arising out of owned, hired or non-owned vehicles. Such insurance

will cover all vehicles bearing or, required to bear by the motor vehicle laws of the state of registry, licenses or registration plates in limits of at least \$1,000,000 each accident.

- d) At the execution of this Permit and on an annual basis during the term of this agreement and any extended period for during which insurance must be maintained, each insuring party will deliver to the Authority the aforementioned forms required for all coverage required hereunder. The Authority has no obligation either to review the forms or policies or to inform any insuring party if the forms and or underlying policies do not comply with the requirements of this permit. The Authority will be given at least 30 days' notice of cancelation, material modification or expiration of the aforementioned insurance.

If the Permittee or any other insuring party fails to furnish the forms or maintain the coverage required under this section or if any of the insurance is canceled, the Authority may (1) immediately terminate this permit and Permittee will reimburse the Authority for any and all losses resulting from Permittee's failure to have the insurance required hereunder, or (2) the Authority may procure such insurance and the insuring party which failed to maintain the required insurance shall reimburse the Authority for all associated costs including insurance premiums. In the event any insuring party's failure to comply with any aspect of this Insurance Section results in payment for defense or indemnity by any indemnitee's insurance, such indemnitee's remedy against such insuring party shall include the amount of coverage (payment of defense, indemnity, etc.) that would have been available to such indemnitee had the insuring party complied with this Insurance Section.

- e) The Authority may from time to time, but not more frequently than once every three (3) years, require that the amount of comprehensive general liability insurance to be maintained by the Permittee under section 5 (b) be reasonably increased.
- f) Permittee shall furnish Authority's Senior Director of Enterprise Risk Management, Thomas Spencer, or his successor, at 123 Main Street, White Plains, New York 10601-3170 with copies of any accident or incident report(s) sent to Permittee's insurance carriers covering accidents or incidents occurring in connection with or as a result of the performance of the work under this Permit. In addition, if required, Permittee shall promptly provide copies of all insurance policies relevant to any accident or incident.

The requirements are in addition to any which may be required elsewhere in the Permit. Permittee shall comply with any governmental and/or site specific insurance requirements even if not stated herein.

6. RELOCATION OF FACILITIES: In the event that at any time Authority in its sole discretion deems it necessary or convenient, in connection with the exercise of the rights acquired by it affecting the Premises, that the facilities or any part or parts thereof should be removed as located pursuant to this permit, Permittee will, at its sole cost and expense, remove the facilities or part or parts thereof as so located within ninety (90) days of written notice from Authority to Permittee so to do. Authority will use its best efforts to limit such removal to a location on the Premises. However, Authority shall not be obligated to limit such removal to a location on the Premises. In the event of such removal or relocation, Permittee will, at its sole cost and expense, if so directed by Authority, restore the Premises and any structures located thereon disturbed by such removal or relocation to the condition existing before such Facilities were installed.

7. TERM: This Permit shall run from the date it is accepted by the Permittee, and shall be for the life of the Facility unless cancelled or terminated under the conditions outlined below. Notwithstanding the foregoing or Paragraph 8, all rights granted herein shall terminate in the event that the construction of the Facilities does not commence, within one (1) year of the execution of this permit by the Permittee. The terms of this permit shall be subject to renegotiation upon any renewal or extension.

8. CANCELLATION OR TERMINATION:

(a) This Permit may be canceled by Authority on thirty (30) days written notice (1) for default by the Permittee in the performance or observance of any of the conditions herein, or (2) if the Authority in its sole discretion shall determine that activities and/or facilities authorized herein are no longer consistent with Authority's use of the Premises.

(b) No cancellation or termination of this Permit shall affect a liability herein assumed or any indemnity herein given in respect of acts or things which shall have been done or have happened before the date fixed for such cancellation or termination.

(c) In the event the property affected by this Permit ceases to be owned by or to be under the jurisdiction of Power Authority of the State of New York, this permit shall thereupon terminate and the Permittee will be required to obtain any permits, license or consents which may be required by law to accomplish or continue the purposes set forth herein as though this permit had not been granted.

9. REMOVAL OF FACILITIES: In the event that the Permit terminates pursuant to Paragraph 7 or Permittee ceases to operate the Facilities constructed and installed pursuant to this Permit or in the event that Authority cancels this Permit in accordance with Paragraph 8(a) hereof, Permittee shall, within sixty (60) days thereafter or within sixty (60) days of receipt of notice from Authority for cause other than expiration of term, at its sole cost and expense remove said Facilities and restore in a manner satisfactory to Authority the Premises and all structures located thereon disturbed by such removal to the condition existing before such Facilities were installed. If Permittee fails to effect such removal within the sixty (60) day period, the Authority shall have the right to proceed with removal of such Facilities subsequent to thirty (30) days from the date of written demand to the Permittee to proceed therewith. Permittee hereby agrees that in the event of such removal by Authority, all of the equipment of Permittee located on the property of Authority may be retained by Authority as its property without accounting therefor to Permittee and the expense of such removal and restoration of the premises shall be charged to Permittee and paid by it without credit for the value, if any, of the equipment removed by Authority.

10. NOTICES: All notices provided for hereunder or permitted to be given hereunder, and claims of default hereunder, or otherwise, shall be delivered to the party affected or sent by certified mail to the party affected at the address stated in the first paragraph of this Permit or at such other address as such party may designate by notice as herein provided, and, if mailed by first class mail, shall be deemed given on the date of mailing thereof.

11. NO ASSIGNMENT: This Permit shall not be assigned without the prior written consent of the Authority. Any assignment in contravention of the foregoing sentence shall be null and void and without legal effects on the rights, interests, obligations, or remedies hereunder.

12. AUTHORITY'S RIGHTS: This Permit shall be subject and subordinate to the paramount right of Authority now and hereafter to occupy and use the whole or any part or parts of the premises in accordance with such rights, privileges or easements therein as have been heretofore or are hereafter acquired by Authority.

13. COMPLIANCE: Permittee assumes responsibility for compliance with all applicable federal, state and local laws, codes and regulations, including but not limited to the New York State Building Code, the National Electrical Safety Code (NESC) and Operational Health and Safety Administration (OSHA) regulations and for obtaining all other permits and consents required by others including governments and the owner(s) of any other interest(s) in the property.

14. SPECIAL CONDITIONS:

- a) Any excavation activity near an underground facility can potentially cause damage to that facility. Permittee shall make sure the underground infrastructure has been marked and make the required "call before you dig" phone calls pursuant to New York State law.
- b) Permittee shall provide unimpeded access to Power Authority structures, conductors, and related facilities at all times.
- c) The work to be performed hereunder shall be limited to, and shall affect only, those areas of the Right of Way shown on the attached Exhibit "B". Permittee shall not block access to the right-of-way or the Authority's access road.
- d) Any placement of fill shall not affect the grade within the ROW.
- e) Pipes, conduits, and associated components such as valves and fittings that are installed on NYPA property, or cross or run adjacent to the NYPA Transmission line, shall be either non-metallic or properly grounded per the applicable regulations.
- f) NYPA must be immediately notified of any Safety Incidents or Worker injuries and an Incident/Accident investigation report must be provided to NYPA within 24 hours of occurrence.

- g) Material dug from the trench must be kept at least two feet away from the edge of the trench. A designated person must inspect the trenches daily and as conditions change so as to eliminate any excavation hazards.
- h) Permittee, its agents, contractors, employees, and invitees shall comply with current New York State COVID-19 Executive Orders, New York State Department of Health Covid-19 protocols and guidelines and applicable NYPA-specific COVID-19 protocols as amended or modified during the term hereof.

Signatures on Following Page

POWER AUTHORITY OF THE STATE OF NY

By: _____

Title: _____

Dated at _____, New York, this ____ day of _____, 20____.

In consideration of the granting of the within permit, the undersigned hereby accepts the same subject to the conditions herein described.

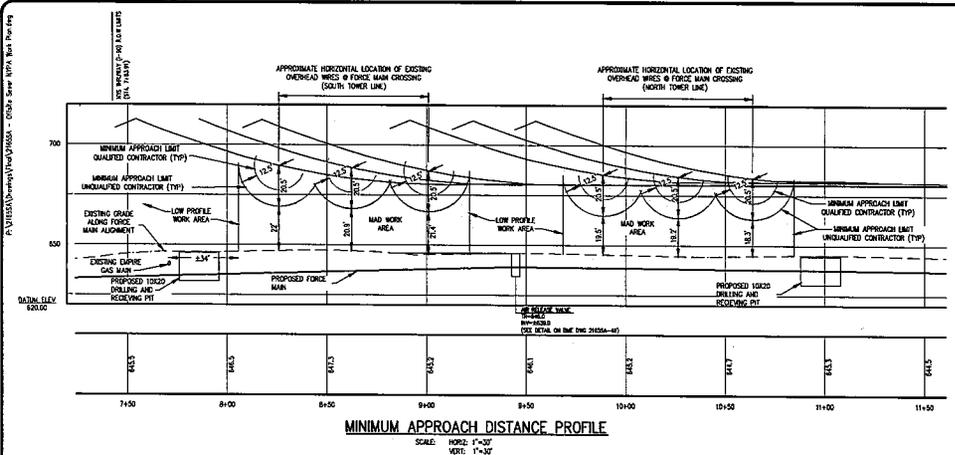
Town of Pittsford

By: _____

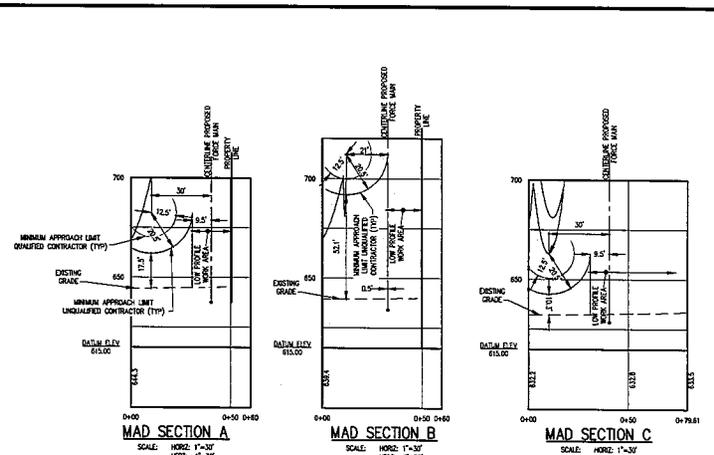
Title: _____

Attest:

Dated at _____, New York, this ____ day
of _____, 20__.



MINIMUM APPROACH DISTANCE PROFILE
SCALE: HORIZ: 1"=30'
VERT: 1"=30'



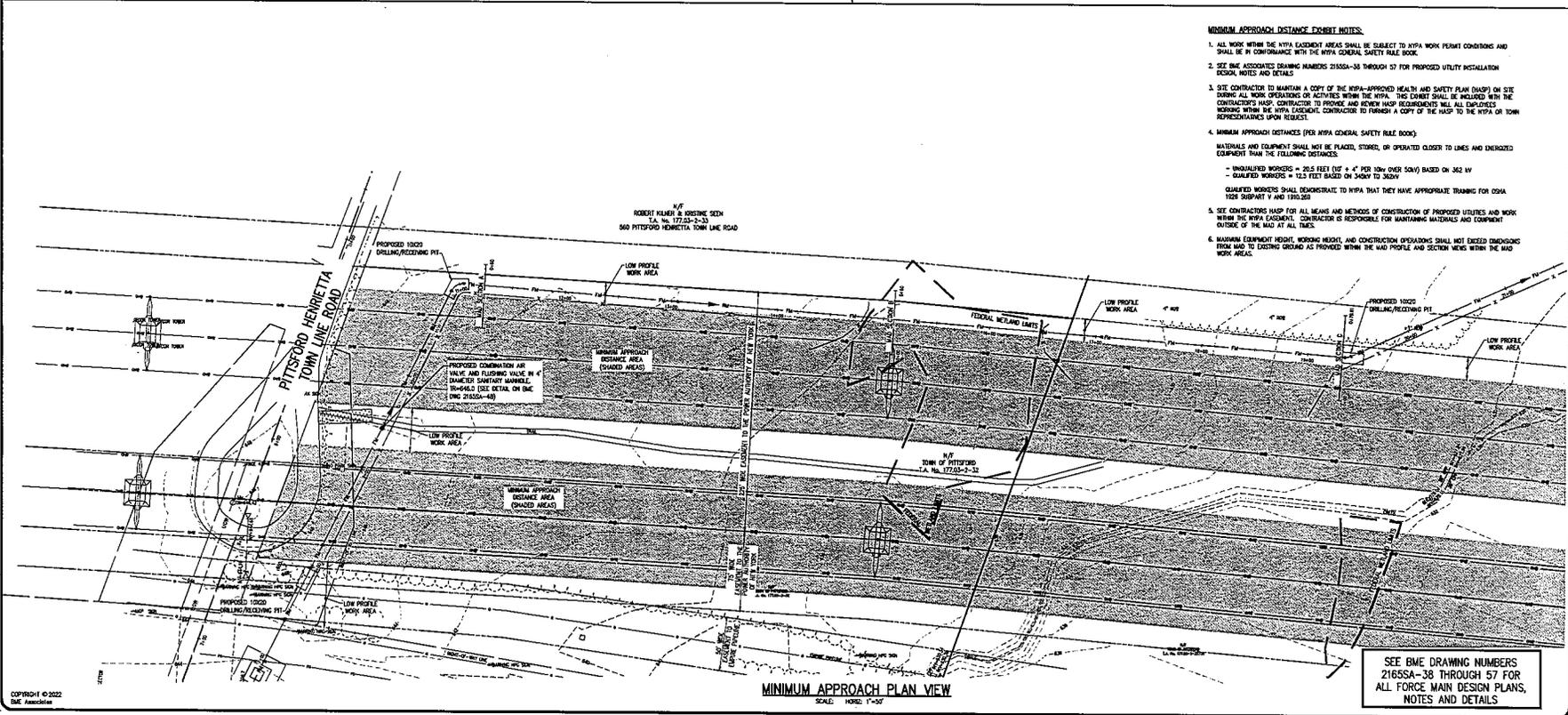
MAD SECTION A
SCALE: HORIZ: 1"=30'
VERT: 1"=30'

MAD SECTION B
SCALE: HORIZ: 1"=30'
VERT: 1"=30'

MAD SECTION C
SCALE: HORIZ: 1"=30'
VERT: 1"=30'

MINIMUM APPROACH DISTANCE EXHIBIT NOTES:

- ALL WORK WITHIN THE NYPA EASEMENT AREAS SHALL BE SUBJECT TO NYPA WORK PERMIT CONDITIONS AND SHALL BE IN CONFORMANCE WITH THE NYPA GENERAL SAFETY RULE BOOK.
- SEE BME ASSOCIATES DRAWING MEMBERS 21655A-33 THROUGH 37 FOR PROPOSED UTILITY INSTALLATION DESIGN NOTES AND DETAILS.
- THE CONTRACTOR TO MAINTAIN A COPY OF THE NYPA-APPROVED HEALTH AND SAFETY PLAN (HASP) ON SITE DURING ALL WORK OPERATIONS OR ACTIVITIES WITHIN THE NYPA. THE EXHIBIT SHALL BE INCLUDED WITH THE CONTRACTOR'S HASP. CONTRACTOR TO PROVIDE AND REVIEW HASP REQUIREMENTS WITH ALL EMPLOYEES WORKING WITHIN THE NYPA EASEMENT. CONTRACTOR TO FURNISH A COPY OF THE HASP TO THE NYPA OR TOWN REPRESENTATIVES UPON REQUEST.
- MINIMUM APPROACH DISTANCES (PER NYPA GENERAL SAFETY RULE BOOK):
MATERIALS AND EQUIPMENT SHALL NOT BE PLACED, STORED, OR OPERATED CLOSER TO LINES AND ENERGIZED EQUIPMENT THAN THE FOLLOWING DISTANCES:
- UNQUALIFIED WORKERS = 20.5 FEET OUT A 4" PER 1000 OVER 500V BASED ON 362 BY
- QUALIFIED WORKERS = 12.5 FEET BASED ON 340V TO 360V
QUALIFIED WORKERS SHALL DEMONSTRATE TO NYPA THAT THEY HAVE APPROPRIATE TRAINING FOR OSHA 1025 SUBPART V AND 1910.105.
- SEE CONTRACTOR'S HASP FOR ALL MEANS AND METHODS OF CONSTRUCTION OF PROPOSED UTILITIES AND WORK WITHIN THE NYPA EASEMENT. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING MATERIALS AND EQUIPMENT OUTSIDE OF THE MAD AT ALL TIMES.
- MAXIMUM EQUIPMENT HEIGHT, WORKING HEIGHT, AND CONSTRUCTION OPERATIONS SHALL NOT EXCEED DIMENSIONS FROM MAD TO EXISTING GROUND AS PROVIDED WITHIN THE MAD PROFILE AND SECTION VIEWS WITHIN THE MAD WORK AREA.



MINIMUM APPROACH PLAN VIEW
SCALE: HORIZ: 1"=50'

SEE BME DRAWING NUMBERS
21655A-38 THROUGH 57 FOR
ALL FORCE MAIN DESIGN PLANS,
NOTES AND DETAILS

Drawing created by the author or derived from the New York State Easement Law with the Easement Tool as applied to the NYPA. It is a condition of the use of the tool that the user agrees to indemnify and hold the author harmless from and against all claims, damages, losses and expenses, including reasonable attorneys' fees, arising out of or from the use of the tool, whether or not such claims, damages, losses and expenses are caused in whole or in part by the negligence of the author. The author makes no warranty, express or implied, as to the accuracy, completeness, or reliability of the tool or the results thereof.

1	REVISIONS	DATE
2		
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9		
10		

BME ASSOCIATES
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
11111 BRIDLE RIDGE FARMS OFFICE
SEWER
PITTSFORD, NY 14884
PHONE: 516.337.7378
FAX: 516.337.7379
WWW.BMEASSOCIATES.COM

BRIDLE RIDGE FARMS OFFICE
SEWER
TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK
BRIDLE RIDGE FARMS LLC
PITTSFORD, NY 14884

NYPA MINIMUM APPROACH DISTANCE (MAD) EXHIBIT

PROJECT NO. 21655A
DRAWING NO. MAD EXHIBIT A
PROJECT MANAGER: P. VASS
PROJECT ENGINEER: J. SHELLEY
DRAWN BY: J. SHELLEY
SCALE: AS SHOWN
DATE ISSUED: JANUARY 2022
PROJECT NO. 21655A
DRAWING NO. MAD EXHIBIT A

BME ASSOCIATES
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

May 20, 2022

New York Power Authority
Western Region
Niagara Power Project
5777 Lewiston Road
Lewiston, NY 14092-2121

Attn: Karen Cline, Real Estate Administrator

**Re: Bridleridge Farms Offsite Sewer
NYPA Easement Crossing—Scope of Work Description**

2165SA

Dear Ms. Cline:

On behalf of Bridleridge Farms LLC, we provide electronic copies of the materials listed below for the NYPA review and consideration of approval for an underground utility crossing of the NYPA easements.

The proposal includes the installation of a Town-dedicated, five-inch (5") HDPE DR-11 sanitary sewer force main installed within the New York Power Authority easement areas, located within the Town of Pittsford, east of the Henrietta-Pittsford Town Line, and north of the NYS Thruway right-of-way.

The proposed force main will originate at a proposed sanitary sewer pump station in the Town of Pittsford on Reeves Road, near the Henrietta/Pittsford town line. From this point, the force main will extend northerly along the Town line, through the NYSTA right-of-way and then to lands of the Town of Pittsford to a connection point adjacent to the private driveway serving 40 Woodgreen Drive.

The proposal includes the installation of approximately ±1,160 lineal feet of 5" sanitary sewer force main within the NYPA easements. The force main installation is anticipated to include a five (5) foot minimum burial of the force main within the NYPA easement area, and we do not anticipate any appreciable change to the existing surface grades in this area. Aside from the HDPE force main pipe, a subgrade, precast concrete air/vacuum release manhole, and fiberglass/plastic location placards, we do not anticipate the installation of any other above or below grade structures within the NYPA easements. The force main will be installed by the developer of Bridleridge Farms subdivision, being a 122-lot residential subdivision, and dedicated to the Town of Pittsford upon completion of the installation and acceptance by the Town.

The proposed force main design and installation has been subject to the review, comment, and approval from the following agencies, and has been submitted to each agency as of the date of this letter:

- The Town of Pittsford Department of Public Works – approval received
- The Town of Pittsford Sewer Department – approval received
- The Monroe County Department of Public Health – approval received
- The New York State Thruway Authority – Right of Way work permit approval received
- The Empire Pipeline Right-of-Way Department – approval received

The following information has been provided under previous submission as digital attachments for the NYPA review and consideration of approval for the issuance of a NYPA Land Use Permit:

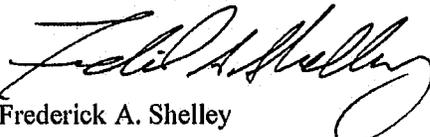
- NYPA Land Use Permit application
- A full set of stamped construction drawings (BME Drawing Numbers 2165SA-44 through 48)
- An aerial photograph exhibit depicting the intended area of use
- Required Town of Pittsford insurance certifications and endorsements
- Required Contractor (104 Contractors) insurance certifications and endorsements
- Grounding Scope of Work letter and grounding details, prepared by IBC Engineering P.C.

The site contractor, 104 Contractors, has provided the following list of equipment anticipated to be utilized during the force main installation. Maximum working heights provided below are from the listed equipment manufacturer specifications. No equipment with a working height capable of encroaching within the minimum approach distance (MAD) shall be operated within the MAD aside from transiting under/through the MAD:

- CAT 315 Excavator – Maximum cutting height / working height = ±31.7'
- CAT 420E Backhoe – Maximum Working Height = ±20.7'
- CAT 305C CR Mini Excavator – Maximum cutting height / working height = ±31.7'
- Ditch Witch JT30 Horizontal Directional Drill – Maximum working height = ±9.9'

If you have any comments or require any additional information, please contact our office.

Sincerely,
BME ASSOCIATES


Frederick A. Shelley

/FAS

Encl.

c: Jim Connaughton; Bridleridge Farms LLC

Signature:

Email: rfromberger@townofpittsford.org

Title:

Company:

Signature:

Email: daniella.piper@nypa.gov

Title:

Company:

9/6/22

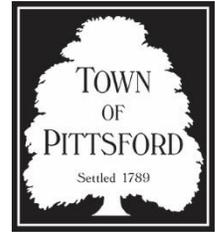
Budget Transfers

Be it resolved that the following are approved:

That \$20,000.00 be transferred from 1.7110.1009.1.7110 (Parks Seasonal Laborers) to 1.7110.4107.2.7111 (Parks Unleaded Gas) to cover increased costs.

That \$6,000.00 be transferred from 1.7110.1009.1.7110 (Parks Seasonal Laborers) to 1.7110.4108.2.7111 (Parks Diesel Gas) to cover increased costs.

MEMORANDUM



To: **Pittsford Town Board**

From: **Cheryl Fleming, Personnel Director**

Date: **August 29, 2022**

Regarding: **Recommendations for Hiring/Personnel Adjustments**

For Meeting On: **September 6, 2022**

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

Name	Position	Reason for Change	Rate	Effective Date
Julia Leonard	REC – CC Sup	added position	\$15.00	09/02/2022
Rose Diekmann	REC-AS Group Lead	added position	\$13.73	09/07/2022
Katherine Vicks	REC-AS Group Lead	added position	\$13.73	09/07/2022
Vicki Profitt	Secretary, PT	added position	\$20.00	09/09/2022

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	Rate	Effective Date
Julia Leonard	REC – CC Sup	added position	\$15.00	09/02/2022
Rose Diekmann	REC-AS Group Lead	added position	\$13.73	09/07/2022
Katherine Vicks	REC-AS Group Lead	added position	\$13.73	09/07/2022
Vicki Profitt	Secretary, PT	added position	\$20.00	09/09/2022

Survey Metrics

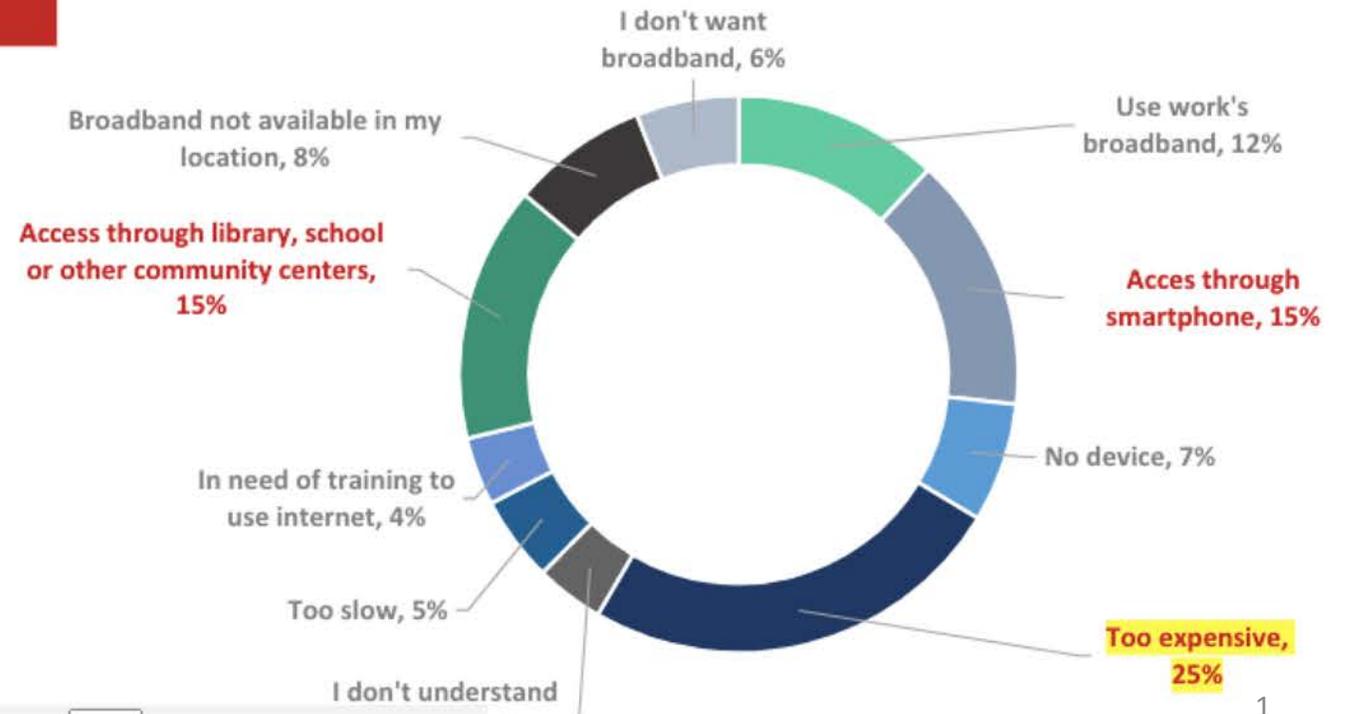
1,233
Total Participants

88% have broadband

12% have no broadband access

61% said that their bandwidth needs have increased since the COVID-19 pandemic

94% said that broadband is as essential as other utilities such as water and electricity



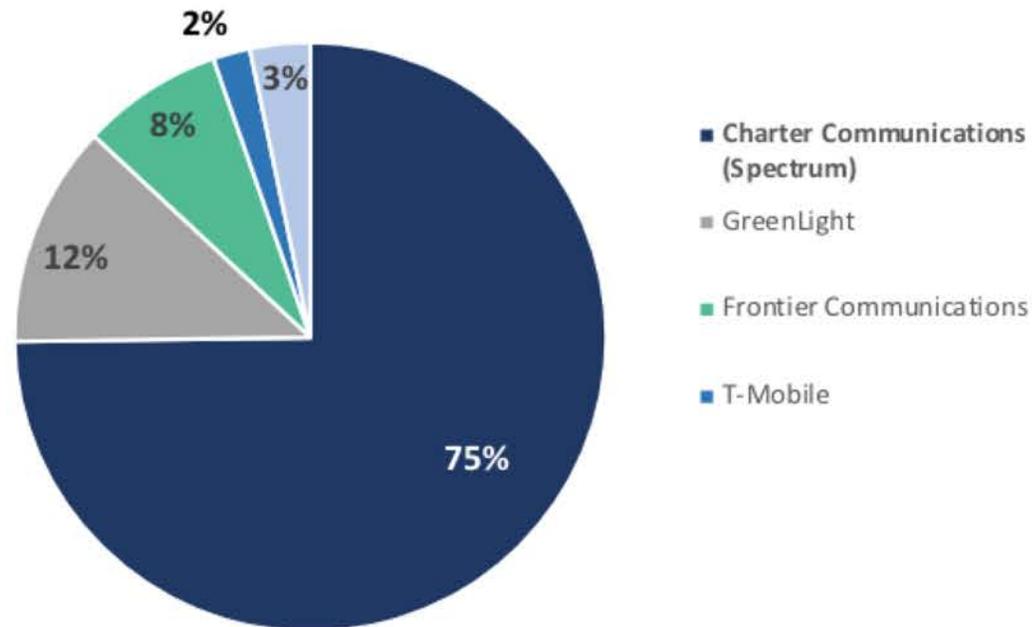
Survey Results

MEDIAN SPEEDS

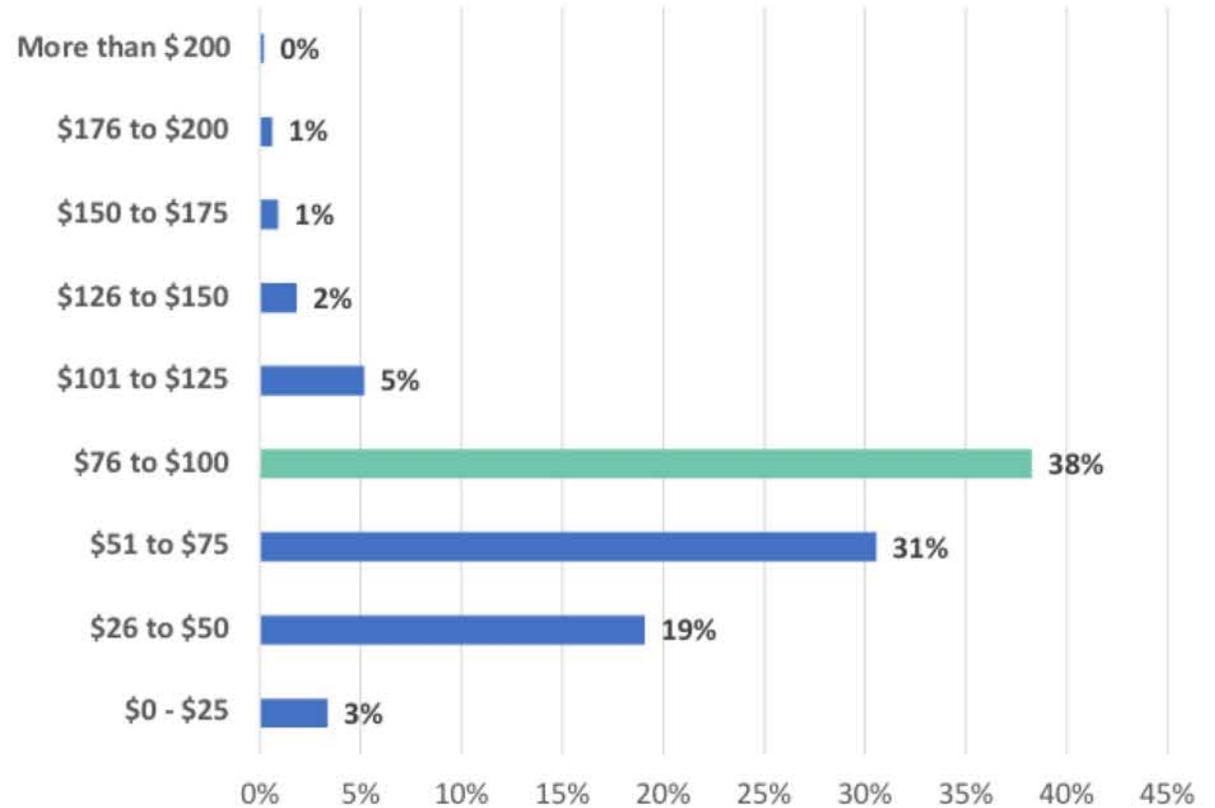
Download: 83.99 Mbps

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SERVICE PROVIDERS



MONTHLY COST



Public Opinion

	Yes	No	No Opinion
... the County building broadband infrastructure using taxpayer	69.98% [834]	17.6% [210]	12.6% [151]
... the County operating broadband infrastructure using taxpayer funds?	61.8% [737]	22.5% [269]	15.7% [187]
... the County offering public wi-fi using taxpayer funds?	64.4% [767]	22.2% [264]	13.4% [160]
... the County pursuing a public-private partnership to improve access to high-speed internet?	79% [941]	10.7% [128]	10.2% [122]
... only private companies providing access to high-speed internet?	18.8% [221]	59.6% [701]	21.7% [255]

	% Pittsford Households
Own computing device	95%
Desktop or laptop	92%
Smartphone	86%
Tablet	76%
Have internet subscription	91%
Broadband	85%
Cell phone plan	83%
Cell phone plan only	6%
No internet	9%
Own Computer + Have Internet	
Children 2 or younger	100%
Age 3 – Grade 4	99%
Grade 5 - 8	99%
Grade 9 - 12	100%
College	97%
Not in School	93%

