

**TOWN OF PITTSFORD
TOWN BOARD
FEBRUARY 6, 2024**

Proceedings of a meeting of the Pittsford Town Board held on Tuesday, February 6, 2024, 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 Naveen Havannavar, Cathy Koshykar, Stephanie Townsend, and Kim Taylor.

ABSENT: None.

ALSO PRESENT: Staff Members: Robert Koegel, Town Attorney; Paul Schenkel, Commissioner of Public Works; Renee McQuillen, Town Clerk; Jessie Hollenbeck, Recreation Director; Angel Martinez, Director of IT; Kelly Eldred, Assistant to the Supervisor; Shelley O'Brien, Communications Director; Spencer Bernard, Chief of Staff; Doug DeRue, Director of Planning and Zoning.

ATTENDANCE: Eleven members of the public along with an interpreter attended.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M. and invited all to join in the Pledge to Flag.

SUPERVISORS ANNOUCEMENTS

Supervisor Smith introduced Lauren Perina, the new ASL interpreter and informed the audience of her availability if needed.

Following the fatal accident Sunday evening in Perinton a reminder to motorists and bicyclists to exercise caution when traveling along heavily trafficked roads.

February is Black History Month, and all month long there will be programming at the library. More information can be found on the Town's website.

Zoning Code update meetings will be resuming starting at 12:00 PM in the basement meeting room on the following dates: February 28, March 27, April 24, May 29, and June 26.

PUBLIC HEARING FOR BRIDLERIDGE FARMS PARK DISTRICT

Supervisor Smith opened the public hearing asking for public comment. Hearing none, the hearing was declared closed.

**PUBLIC HEARING FOR BRIDLERIDGE FARMS 1-2 POLE LIGHTING DISTRICT EXTENSION
NO. 13**

Supervisor Smith opened the public hearing asking for public comment. Hearing none, the hearing was declared closed.

**PUBLIC HEARING FOR LOCAL LAW #1 OF 2024:
AMENDING ARTICLE I OF CHAPTER 133 OF THE TOWN OF PITTSFORD MUNICIPAL CODE
ENTITLED TAXATION - PARTIAL REAL PROPERTY TAX EXEMPTION**

PUBLIC HEARING FOR LOCAL LAW #2 OF 2024:

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AMENDING ARTICLE I OF CHAPTER 133 OF THE TOWN OF PITTSFORD MUNICIPAL CODE ENTITLED TAXATION - PARTIAL REAL PROPERTY TAX EXEMPTION FOR DISABLED PERSONS

Supervisor Smith opened the public hearing for both Local Laws and asked for public comments. Following comments from Benjamin Richards, Keith Wilson, Joan Lanier, and Cathy Doyle the hearing was declared closed.

MINUTES OF THE JANUARY 16 MEETING APPROVED

A Resolution to approve the minutes of the Town Board meeting of January 16, 2024, was offered by Deputy Supervisor Taylor, seconded by Councilmember Havannavar, and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Minutes of the January 16, 2024, Town Board meeting are approved.

LEGAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

APPROVAL OF BRIDLERIDGE FARMS 1-2 POLE LIGHTING DISTRICT EXTENSION NO. 13

On motion from Supervisor Smith, second by Councilmember Townsend and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, a Petition having been duly presented to the Town Board of the Town of Pittsford, Monroe County, New York, together with the necessary maps and information which requests the Extension of the above Lighting District; and

WHEREAS, the Commissioner of Public Works has submitted a Certificate, in writing, verifying that the aforesaid Petition was signed by the required percentage of owners within the proposed District; and

WHEREAS, an Order was duly adopted by the Town Board on the 16th day of January, 2024, for the hearing of all persons interested in the matter to be held on the 6th day of February, 2024, at 6:00 o'clock P.M., Local Time, at the Town Hall, 11 South Main Street, Town of Pittsford, New York; and

WHEREAS, due proof of publication and posting of the said Notice has been duly filed with the Clerk of the said Town Board; and

WHEREAS, the hearing required by the said Order has been duly held, and it appears from the said Petition that the creation of the Extension does not require any expenditure of money for the construction or acquisition of the improvement therein, and does not require the financing of the cost thereof by the issuance of any bonds, notes, certificates of any indebtedness of said Town; and

WHEREAS, the permission of the Comptroller of the State of New York is not required for the creation of the District;

NOW, ON MOTION duly made and seconded, it is

RESOLVED AND ORDERED, that

- (a) The Petition is signed and acknowledged or approved as required by law and is otherwise sufficient;

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- (b) All the property and future property owners within the Extension are benefited thereby;
- (c) All the property and future property owners benefited are included within the limits of the Extension;
- (d) The expenses of the entire District, including the within Extension, are to be paid by the property owners of the District, annually, on a benefit basis; and
- (e) It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND ORDERED, that "Extension No. 13 "Bridleridge Farms Subdivision", be and the same hereby is created, as part of the "Pittsford Consolidated Lighting District 1-2 Pole" and that the boundaries of the said Extension, as hereby created, are described in "Exhibit A" and depicted on a map in "Schedule A" annexed hereto.

APPROVAL OF BRIDLERIDGE FARMS PARK DISTRICT

On motion from Supervisor Smith, second by Deputy Supervisor Taylor and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, a Petition having been duly presented to the Town Board of the Town of Pittsford, Monroe County, New York, together with the necessary maps and information which requests the establishment of the "Bridleridge Farms Park District"; and

WHEREAS, the Town Assessor has submitted a Certificate, in writing, verifying that the aforesaid Petition was signed by the required percentage of owners within the proposed District; and

WHEREAS, an Order was duly adopted by the Town Board on the 16th day of January, 2024, for the hearing of all persons interested in the matter to be held on the 6th day of February, 2024, at 6:00 o'clock P.M., Local Time, at the Town Hall, 11 South Main Street, Town of Pittsford, New York; and

WHEREAS, due proof of publication and posting of the said Notice has been duly filed with the Clerk of the said Town Board; and

WHEREAS, the hearing required by the said Order has been duly held, and it appears from the said Petition that the creation of the Park District does not require any expenditure of money for the construction or acquisition of the improvement therein, and does not require the financing of the cost thereof by the issuance of any bonds, notes, certificates of any indebtedness of said Town; and

WHEREAS, the permission of the Comptroller of the State of New York is not required for the creation of the District;

NOW, ON MOTION duly made and seconded, it is

RESOLVED AND ORDERED, that

- (a) The Petition is signed and acknowledged or approved as required by law and is otherwise sufficient;
- (b) All the property and future property owners within the District are benefited thereby;
- (c) All the property and future property owners benefited are included within the limits of the District;
- (d) The expenses of Maintenance of the District are to be paid by the property owners annually on an ad valorem basis; and
- (e) It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND ORDERED, that the "Bridleridge Farms Park District", be and the same hereby is created, and that the boundaries of the Park District, as hereby created, are as set forth in "Exhibit A" annexed hereto, and as further set forth on the map annexed hereto as "Schedule A," with the

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maintenance of such Park District, by the Town, to be in accordance with the Maintenance Schedule annexed hereto as "Exhibit B"; and it is further

APPROVAL OF LOCAL LAW #1 OF 2024

Following a review of Local Laws #1 and #2 and brief discussion among board members voicing their support for the legislation, Councilmember Townsend made a motion that the enactment of Local Law No. 1 of 2024, amending Chapter 133 of the Pittsford Town Code to increase the real property tax exemptions for senior citizens, is hereby approved, in accordance with the terms of the proposed written adoption resolution submitted herewith., seconded by Supervisor Smith and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, true and correct copies of proposed Local Law No. 1 of 2024: Amending Article I of Chapter 133 Of The Town Of Pittsford Municipal Code Entitled Taxation – Partial Real Property Tax Exemption, 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 6th day of February, 2024; 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 6th day of February, 2024, at 6:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on said Local Law No. 1 of 2024.

WHEREAS, the said public hearing was duly held on the 6th day of February, 2024, at 6:00 P.M., Local Time, at the Town Hall, Pittsford, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of said Local Law No. 1 of 2024; 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. 1 of 2024; and

WHEREAS, it was the decision of the Town Board that said Local Law No. 1 of 2024 should be adopted.

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

RESOLVED, that Local Law No. 1 of 2024: Amending Article I of Chapter 133 Of The Town Of Pittsford Municipal Code Entitled Taxation – Partial Real Property Tax Exemption, 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 February, 2024, there shall be filed with the Secretary of State one certified copy of said Local Law No. 1 of 2024.

**LOCAL LAW NO. 1 OF 2024:
THE ADOPTION OF PROPOSED LOCAL LAW
NO. 1 OF 2024: AMENDING ARTICLE I OF CHAPTER 133
OF THE TOWN OF PITTSFORD MUNICIPAL CODE
ENTITLED TAXATION – PARTIAL
REAL PROPERTY TAX EXEMPTION**

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Sec. 1 _____ Title

This Local Law shall be known as “Local Law No. 1 of 2024: Amending Article I of Chapter 133 Of The Town Of Pittsford Municipal Code Entitled Taxation – Partial Real Property Tax Exemption.”

Sec. 2 _____ Amendment to Existing Law

The Pittsford Town Code, Chapter 133, Article I, shall be amended to revise § 133-2 “Definitions,” §133-3 “Exemptions granted,” and §133-4 “Conditions upon exemption,” so as to redefine qualifying income and to increase the income levels of exemptions, consistent with recent state law revisions, as follows:

§ 133-2. Definitions.

This article is adopted pursuant to the authority of New York State Real Property Law § 467. All definitions, terms and conditions of such statute shall apply to this article. Additionally, as used in this article, the following terms shall have the meanings indicated:

INCOME OF OWNER OR OWNERS

The income of the owner or the combined income of the owners of the property for the second-latest calendar year immediately preceding the date of making application for the partial tax exemption shall be determinative of eligibility. Where title is vested in a married person, the combined income of such person and such person’s spouse shall be determinative of eligibility, except where one spouse or ex-spouse is absent from the property due to divorce, legal separation, or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered. The term “income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions, plus any social security benefits not included in such federal adjusted gross income and any tax-exempt interest or dividends that were excluded from the applicant’s federal adjusted gross income. Income shall not mean distributions received from an individual retirement account or individual retirement annuity that were included in the applicant’s federal adjusted gross income, and any losses that were applied to reduce the applicant’s federal adjusted gross income shall be subject to the following limitations: 1) the net amount of loss reported on federal Schedule C, D, E, or F shall not exceed \$3,000 per schedule; 2) the net amount of any other separate category of loss shall not exceed \$3,000; and 3) the aggregate amount of all losses shall not exceed \$15,000. The applicant’s income shall not be offset by all medical and prescription drug expenses actually paid that were not reimbursed or paid by insurance.

§ 133-3. Exemptions granted.

Real property owned by one or more persons, each of whom is 65 years of age or older, or real property owned by a married couple or by siblings, one of whom is 65 years of age or older, shall be partially exempt from Town real property taxes in accordance with the following schedule:

<u>Annual Income</u>	<u>Percentage of Exemption</u>
Less than \$50,000	50%
\$50,000 to \$50,999.99	45%
\$51,000 to \$51,999.99	40%

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\$52,000 to \$52,999.99	35%
\$53,000 to \$53,899.99	30%
\$53,900 to \$54,799.99	25%
\$54,800 to \$55,699.99	20%
\$55,700 to \$56,599.99	15%
\$56,600 to \$57,499.99	10%
\$57,500 to \$58,399.99	5%
\$58,400 or more	0%

§ 133-4. Conditions upon exemption.

No exemption shall be granted:

- A. If the income of the owner or the combined income of the owners of the property for the applicable income tax year equals or exceeds the sum of \$58,400.
- B. Unless the title of the property shall have been vested in the owner or one of the owners of the property for at least 12 consecutive months prior to the date of making application for exemption; provided, however, that in the event of the death of a married person in whose name title to the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased spouse, the time of ownership of the property by the deceased spouse shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of 12 consecutive months, and provided, further, that in the event of a transfer by either a married person to the other spouse of all of part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purpose of computing such period of 12 consecutive months, and provided, further, that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such period of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one year and both residences are within New York State, the period of ownership of both properties shall be deemed consecutive for purposes of the partial exemption from taxation by the Town.
- C. Unless the property is used exclusively for residential purposes.
- D. Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all the owners of the property.

Sec. 3 Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local law, but shall be confined in its operation and effect to

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the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

Sec. 4 Effective Date

This Article shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2024.

APPROVAL OF LOCAL LAW #2 OF 2024

Councilmember Townsend made a motion that the enactment of Local Law No. 2 of 2024, amending Chapter 133 of the Pittsford Town Code to increase the real property tax exemptions for disabled persons, is hereby approved, in accordance with the terms of the proposed written adoption resolution submitted herewith, seconded by Supervisor Smith, and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, true and correct copies of proposed Local Law No. 2 of 2024: Amending Article VII of Chapter 133 Of The Town Of Pittsford Municipal Code Entitled Taxation – Real Property Tax Exemption for Disabled Persons, 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 6th day of February, 2024; 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 6th day of February, 2024, at 6:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on said Local Law No. 2 of 2024; and

WHEREAS, the said public hearing was duly held on the 6th day of February, 2024, at 6:00 P.M., Local Time, at the Town Hall, Pittsford, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of said Local Law No. 2 of 2024; 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. 2 of 2024; and

WHEREAS, it was the decision of the Town Board that said Local Law No. 2 of 2024 should be adopted.

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

RESOLVED, that Local Law No. 2 of 2024: Amending Article VII of Chapter 133 Of The Town Of Pittsford Municipal Code Entitled Taxation – Real Property Tax Exemption for Disabled Persons, 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 February, 2024, there shall be filed with the Secretary of State one certified copy of said Local Law No. 2 of 2024.

**LOCAL LAW NO. 2 OF 2024:
THE ADOPTION OF PROPOSED LOCAL LAW
NO. 2 of 2024: AMENDING ARTICLE VII OF CHAPTER 133
OF THE TOWN OF PITTSFORD MUNICIPAL CODE**

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**ENTITLED TAXATION – REAL PROPERTY TAX
EXEMPTION FOR DISABLED PERSONS**

Sec. 1 _____ Title

This Local Law shall be known as “Local Law No. 2 of 2024: Amending Article VII of Chapter 133 Of The Town Of Pittsford Municipal Code Entitled Taxation – Real Property Tax Exemption for Disabled Persons”

Sec. 2 _____ Amendment to Existing Law

The Pittsford Town Code, Chapter 133, Article VII, shall be amended to revise § 133-25 “Definitions,” §133-26 “Exemptions granted,” and § 133-27 “Conditions upon exemption,” so as to redefine qualifying income and to increase the income levels of exemptions, consistent with recent state law revisions, as follows:

§ 133-25 Definitions.

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

A PERSON WITH A DISABILITY

An individual who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person’s ability to engage in one or more major life activities, such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who is certified to receive social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal Social Security Act, or is certified to receive railroad retirement disability benefits under the federal Railroad Retirement Act, or has received a certificate from the State Commission for the Blind stating that such person is legally blind, or is certified to receive a United States Postal Service disability pension, or is certified to receive a United States Department of Veteran Affairs disability pension pursuant to 38 U.S.C. §1521.

INCOME OF OWNER OR OWNERS

The income of the owner or the combined income of the owners of the property for the second-latest calendar year immediately preceding the date of making application for the partial tax exemption shall be determinative of eligibility. Where title is vested in a married person, the combined income of such person and such person’s spouse shall be determinative of eligibility, except where one spouse or ex-spouse is absent from the property due to divorce, legal separation, or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered. The term “income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions, plus any social security benefits not included in such federal adjusted gross income and any tax-exempt interest or dividends that were excluded from the applicant’s federal adjusted gross income. Income shall not mean distributions received from an individual retirement account or individual retirement annuity that were included in the applicant’s federal adjusted gross income, and any losses that were applied to reduce the applicant’s federal adjusted gross income shall be subject to the following limitations: 1) the net amount of loss reported on federal Schedule C, D, E, or F shall not exceed \$3,000 per schedule; 2) the net amount of any other separate category of loss shall not exceed \$3,000; and 3) the aggregate amount of all losses shall not exceed \$15,000. The applicant’s income shall not be offset by all medical and prescription drug expenses actually paid that were not reimbursed or paid by insurance.

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SIBLING

A brother or a sister, whether related through half blood, whole blood, or adoption.

§ 133-26. Exemptions granted.

Real property owned by one or more persons with disabilities, or real property owned by a married couple or by siblings, at least one of whom has a disability, and whose income, as herein defined, is limited by reason of such disability, shall be partially exempt from Town real property taxes in accordance with the following schedule:

<u>Annual Income</u>	<u>Percentage of Exemption</u>
Less than \$50,000	50%
\$50,000 to \$50,999.99	45%
\$51,000 to \$51,999.99	40%
\$52,000 to \$52,999.99	35%
\$53,000 to \$53,899.99	30%
\$53,900 to \$54,799.99	25%
\$54,800 to \$55,699.99	20%
\$55,700 to \$56,599.99	15%
\$56,600 to \$57,499.99	10%
\$57,500 to \$58,399.99	5%
\$58,400 or more	0%

§ 133-27. Conditions upon exemption.

No exemption shall be granted:

- A. If the income of the owner or the combined income of the owners of the property for the applicable income tax year equals or exceeds the sum of \$58,400.
- B. Unless the property is used exclusively for residential purposes: provided, however, that in the event that any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this chapter.
- C. Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an in-patient of a residential health care facility, as defined in § 2801 of the New York State Public Health Law, provided that any income accruing to that person shall be considered income for

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purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

Sec. 3 Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such 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, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

Sec. 4 Effective Date

This Article shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2024.

SETTING A PUBLIC HEARING FOR LOCAL LAW #3 of 2024

Supervisor Smith explained proposed Local Law #3 will allow for expansion of the Environmental Advisory Board up to eleven members, making it consistent with the Parks and Recreation Advisory Board. Deputy Supervisor Taylor moved for the public hearing of Local Law #3 to be set for the February 22 Town Board meeting, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Havannavar, Koshykar, 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 2024, amending §185-162 of the Code of the Town of Pittsford to increase the maximum number of members on the Environmental Board, 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 2024, 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 22nd day of February, 2024, 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 2024;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 22nd day of February, 2024, 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 2024; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law No. 3 of 2024, 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 2024, or a summary thereof, 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.

DISUSSION OF PITTSFORD OAKS, TOBEY PUD PARCELS 8 & 12

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Anthony Daniele; Developer, Andrew Burns; Passero Associates, and Jerry Goldman; Attorney, appeared before the board as the applicant team of the proposed Pittsford Oaks project.

Supervisor Smith noted the purpose for the discussion is to review the current proposal in relation to potential amendments to the current Tobey PUD (Planned Unit Development) and to gain a clear understanding of information and actions needed in order for the Board to set a public hearing for amending the PUD. If the PUD is amended, the Planning Board then could consider the application. Following discussion among the applicant, Board members and Town staff, the Supervisor summarized the points requiring resolution in order to set a public hearing to amend the PUD:

1. Change in use from Senior housing to market rate housing.
2. Maximum number of units to be no greater than 175
3. Number of parking spaces to be determined by ratio of 1.75 spaces per dwelling unit, with some willingness of the Board to accept fewer spaces if developer provides precise height measurements showing same elevations as approved in 2018 PUD revision.
4. Resolution of setbacks insofar as related to Fire Department issues: fire lane restrictions/guidelines, access to the building by firefighting vehicles and ladders.
5. Landscaping plan to be part of application
6. Consideration of building height to including impact on the historic home on Clover Street adjacent to Parcel 12
7. Parcel 12 – since nothing is intended for this parcel other than a lane for fire and emergency, Board to change permitted uses for Parcel 12.

The parties agreed that these are the open points. Once resolved, the applicant will supply revised plans and color renderings similar to those provided for the project previously approved for the site. Further discussion clarified that additional dumpsters would not be situated on parcel 12.

OPERATIONAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

BID DATE SET FOR BAGGED, BUNDLED AND CONTAINERIZED YARD DEBRIS

The Town's contract for bagged, bundled, and containerized yard debris collection expired at the end of 2023, and so we need to set a bid date for the next contract term. Supervisor Smith moved a bid opening date be set for March 13, 2024, at 11:00 A.M., Deputy Supervisor Taylor seconded, and it was voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that Town Board authorizes a bid date be set for Wednesday, March 13, 2024, at 11:00 A.M. for the Bagged, Bundled, and Containerized Yard Debris Pickup.

RECREATIONAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

2024 COMMUNITY EVENTS SCHEDULE APPROVED

Deputy Supervisor Taylor made a motion to approve the proposed 2024 Community Events Schedule, Councilmember Townsend seconded, and members voted as follows: Ayes: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

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The Resolution was declared passed as follows:

RESOLVED, that the Town Board approve the proposed 2024 Community Events schedule.

APPOVAL OF THE SPRING 2024 RECREATION PROGRAMS

Director Hollenbeck reviewed the listing of new and returning programs proposed for the upcoming spring session. He observed that the spring schedule includes registration for summer camp programs and reminded residents that available places for summer camp typically are reserved quickly. Board members thanked the recreation staff for their work in offering new programs of interest to Town residents. Deputy Supervisor Taylor moved that the Town Board approve the Recreation Department’s 2024 Spring programs and authorize the Town Supervisor to sign instructor contracts as required, Councilmember Havannavar seconded, and members voted as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared passed as follows:

RESOLVED, that the Town Board approve the Recreation Department’s 2024 Spring programs and authorize the Town Supervisor to sign instructor contracts as required.

PERSONNAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

HIRING/PERSONNEL ADJUSTMENTS APPROVED

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

The Resolution was declared passed as follows:

RESOLVED, that the Town Board approves the appointment for the following employee(s):

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
Luke DesRosiers	Recreation	Rec Assistant	\$15.00	01/25/2024

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

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

Name	Position	Reason	Rate	Effective Date
Melanie Davison	Sec to Comm PW	temporary–training	\$31.38	01/31/2024
Tyler Love	Laborer	Seasonal to FT	\$20.50	02/05/2024
Mark Schrom	MEO I	promo from MEO II	\$30.06	02/05/2024
Nicholas Schrom	MEO II	Promo from MEO III	\$27.32	02/05/2024

OTHER BUSINESS

PUBLIC COMMENT

There were no comments.

EXECUTIVE SESSION

Minutes of the Pittsford Town Board for FEBRUARY 6, 2024

Supervisor Smith then made a motion for the board to go into executive session to discuss both a real estate matter and Volunteer Board appointments, seconded by Deputy Supervisor Taylor, and voted on as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Town Board entered executive session at 7:52 P.M.

The Board returned from executive session at 8:49 P.M. and the general meeting reconvened.

On motion from Supervisor Smith, seconded by Councilmember Townsend, was a resolution to approve Volunteer Board appointments. Board members voted as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Town Board's appointments of January 16, 2024, to the Planning Board, Assessment Review Board and Zoning Board of Appeals be and hereby are vacated, in recognition that the current term of the January 16 appointee to each such board has not yet expired and their terms continue in full force and effect pursuant to their original appointments to their current terms; and

FURTHER RESOLVED, that Hali Buckley be and hereby is appointed to the Planning Board for a term beginning January 1, 2024 and ending December 31, 2030; and

FURTHER RESOLVED, that Patti Borshoff be and hereby is appointed to the Assessment Review Board for a term beginning October 1, 2023 and ending September 30, 2028; and

FURTHER RESOLVED, that Phil Castleberry be and hereby is appointed to the Zoning Board of Appeals for a term beginning January 1, 2024 and ending December 31, 2030.

With no further business, the meeting adjourned at 8:52 P.M.

Respectfully submitted,

Renee McQuillen
Town Clerk