

Minutes of the Town Board for April 6, 2021

TOWN OF PITTSFORD TOWN BOARD APRIL 6, 2021

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, April 6, 2021 at 6:00 P.M. local time via Zoom.

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

ABSENT: None.

ALSO PRESENT: Staff Members: Jessie Hollenbeck, Recreation Director; Cheryl Fleming, Personnel Director; Paul J. Schenkel, Commissioner of Public Works; Brian Luke, Finance Director; Robert B. Koegel, Town Attorney; Laura Beeley, Deputy Town Clerk; Hayes Wallman, Deputy Clerk; and Spencer Bernard, Chief of Staff.

ATTENDANCE: There were thirty-six (36) members of the public in attendance, as well as three (3) additional staff members and an interpreter.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M. The Deputy Town Clerk noted board members present and Supervisor Smith lead all present in the Pledge to Flag.

SUPERVISOR'S ANNOUNCEMENTS

- Interactive Zoning Map - Supervisor Smith reminded residents of the Town's Zoning Code update and encouraged public participation through the interactive Zoning Map on the website, available 24/7 through April 25th. Supervisor Smith again encouraged all residents to participate in this process and to make their views known.
- Pittsford leads in Community Solar signups – Supervisor Smith announced that he has received notification from Rocricity (the Town's administrator for the Community Solar project) that Pittsford is the leading municipality in community solar sign-ups, accounting for 52% of all enrollments in the three participating Towns.
- Spring cleanup – with the good weather upon us, Supervisor Smith thanked the operations staff for their jump-start on the spring clean-up around Pittsford.
- Bicycling – reminder to all those riding bicycles to please wear helmets.
- Library Hours extended: Monday – Thursday, 9AM – 7PM, Friday, 9AM – 6PM and Saturday's 10AM – 5PM
- The first Agenda Item, regarding Bridleridge Farms, has been withdrawn as moot, consequent to Bridleridge abandoning its proposed course of action.

MINUTES OF THE MARCH 2 AND MARCH 16, 2021 APPROVED

A Resolution to approve the March 2, 2021 and March 16, 2021 Minutes was offered by Councilmember Townsend, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Minutes of the March 2, 2021 and the March 16, 2021 meetings are approved as written.

FINANCIAL MATTERS

PUBLIC COMMENTS

No comments were offered regarding Financial Matters.

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SURPLUS INVENTORY APPROVED

A Resolution to approve the proposed inventory for the Town Board to declare surplus and to be removed from the Town's inventory was offered by Deputy Supervisor Munzinger, seconded by Councilmember Beckford, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the following equipment items be declared surplus/junk and be removed from the Town's inventory.

Asset #	Year	Description	Department	Cost	Disposition
17506	2013	FORD F-350 #338-1	Parks	25,967.00	Auction
17506B	2013	DUMP BODY FOR TRUCK # 338-1	Parks	7,389.00	Auction
16608	2010	JOHN DEERE X360 TRACTOR # 358	Parks	4,396.00	Auction
13901	2001	J.C. SMITH #80 STONE ROLLER	Highway	6,545.00	Auction
17803	2015	JACOBSEN R311T MOWER	Parks	56,302.00	Auction
12569	1994	ELIMINATOR TRAILER	Parks	2,745.00	Auction
11524	1978	OWENS TRAILER	Parks	1,550.00	Auction
14221	2005	M-SCOPE ATTACHMENT-METROCLAMP	Sewer	307.00	Auction
15902	2005	ROOT CUTTER AND CHAIN SCRAPER	Sewer	5,800.00	Auction
15943	2007	CHAIN SCRAPER & CENTERHEAD	Sewer	2,115.00	Auction
13575	1986	BLOWER, FASCO POWER CAT PORTABLE	Sewer	236.00	Auction
17267	2014	POLE PRUNER SHAFT	Sewer	485.00	Auction
17232	2011	ARTICULATING KEYBOARD PLATFORM	Sewer	236.21	Junked
18619	2018	WALL HEATERS	Bldg Maint.	166.50	Junked
20159	2020	STICK VACUUM	Bldg Maint.	113.99	Junked
12484	1988	SWIVEL DESK CHAIR	Supervisor	100.00	Junked

BUDGET TRANSFER APPROVED

Supervisor Smith reviewed the proposed Budget Transfer to continue with the Zoning Code update and, therefore, made a motion to approve the budget transfer. Councilmember Townsend seconded the motion, and the vote was taken as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that \$44,000.00 be transferred from 2.1990.4000.1.1 (PT – Contingency) to 2.8020.4401.0018.0001 (PT – Engineers Planning & Zoning) to continue with Zoning Code update.

PURCHASE AMOUNT AUTHORIZATION

Finance Director Brian Luke spoke, explaining his recommendations to the Board that they increase the purchase amount authorizations from \$1,000 to \$2,000. This would require any purchase of \$2,000 or more to obtain three quotations, as opposed to the current requirement of \$1,000. He indicated that this is in line with inflation and will allow for more efficiencies and maintain the integrity of the policy.

After some brief discussion, a motion to approve this increase in the purchase amount authorization was offered by Councilmember Beckford, seconded by Supervisor Smith, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that purchases by the Town for less than \$2,000 shall not require a written request for goods or multiple quotes and that this be reflected in applicable departmental guidelines and policies.

Below is the revised Procurement Policy, as amended in this Resolution:

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Town of Pittsford Procurement Policy

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, §103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with the procurement; NOW, THEREFORE, be it

RESOLVED: That the Town of Pittsford does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or service shall be evaluated to determine the applicability of GML, § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchase of a) supplies or equipment, which will exceed \$20,000.00 in the fiscal year or b) public works contract over \$35,000.00, shall be formally bid pursuant to GML § 103.

Guideline 3. All estimated purchases of:

- Less than \$20,000.00 but greater than \$5,000.00 requires a written request for a proposal (RFP) and written/fax quotes from 3 vendors. To be approved by the Town Board except where purchases have been previously approved as part of the budget.
- Less than \$5,000.00 but greater than \$2,000.00 requires a written request for goods and quotes from 3 vendors.

All estimated public works contracts of:

- Less than \$35,000.00 but greater than \$5,000.00 requires a written RFP and fax/proposals from 3 contractors. To be approved by Town Board except when items have been previously approved as part of the budget.
- Less than \$5,000.00 but greater than \$2,000.00 requires a written request for goods and quotes from 3 vendors.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to the other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgement shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to procurement.

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Guideline 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situations;
- d) Goods purchased from agencies for the blind or severely handicapped;
- e) Goods purchased from correctional facilities;
- f) Goods purchased from another governmental agency;
- g) Goods purchased at auction;
- h) Goods purchased for less than \$2,000.00;
- i) Public works contracts for less than \$2,000.00.

Guideline 7. The Town Board recognizes that the use of a credit card is necessary for the purchase of goods from vendors with whom the Town of Pittsford does not have accounts, on C.O.D. items, on-line purchases or travel expenses. The Town of Pittsford will have two separate major credit card accounts. These cards will be in the possession of the Director of Finance and the Information Services Manager.

The Town Board also recognizes that certain vendors require "store credit" accounts. These store cards are the responsibility of the Department Head for the department to which the cards were issued.

Credit card expenditures will be charged to the appropriate budget codes and original receipts will be forwarded to the Finance Office for all charges. Failure to submit original receipt for charges may result in the officer/employee being personally liable for the undocumented charges.

All other procurement policy guidelines will be followed in the use of the credit card.

Guideline 8. The Town Board of the Town of Pittsford shall establish by resolution at its Organizational Meeting those employees who are responsible for making purchases and authorized to approve vouchers for payment. This will be in accordance with GML § 104-b (2) (f).

Guideline 9. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter, as is reasonably practicable.

FIXED ASSET POLICY UPDATED AND ADOPTED

Finance Director Brian Luke then reviewed with the Board his recommendation to update the Fixed Asset Policy to minimum threshold value of \$500 from the current minimum value of \$100 to increase efficiencies. Thereafter, Deputy Supervisor Munzinger made a motion to update the Fixed Asset Policy, as recommended, seconded by Councilmember Beckford, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Director of Finance is authorized to make the highlighted changes to the Fixed Asset Policy, increasing the fixed assets minimum value from \$100 to \$500; and be it further

RESOLVED, that the "Updated Fixed Asset Policy" be adopted.

The following is the Updated Fixed Asset Policy as amended and adopted:

Town of Pittsford Fixed Asset Policy

The Town Supervisor or his/her designee shall be responsible for maintaining a continuous and accurate inventory of equipment owned by the District in accordance with "The Uniform System of Accounts for Towns."

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All supplies and equipment purchased and received by the Town shall be checked, logged, and stored through an established procedure.

The Director of Finance shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for Towns and GASB Statement 34 Regulations.

These accounts will serve to:

- a) Maintain a physical inventory of assets;
- b) Establish accountability;
- c) Determine replacement costs; and
- d) Provide appropriate insurance coverage.

Fixed assets with a minimum value of \$500.00 and a useful life of one (1) year or more and physical characteristics not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis. Fixed assets shall include land, buildings, and equipment.

The Board shall establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. Such threshold shall ensure that at least eighty percent (80%) of the value of all assets is reported. However, it is recommended that such threshold shall not be greater than \$10,000 (ten thousand dollars). A standardized depreciation method and averaging convention shall also be established for depreciation calculations.

Fixed assets acquired having a value equal to or greater than the established threshold are considered depreciable assets and shall be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the New York State Comptroller's Office or the Internal Revenue Service (IRS).

Assets shall be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets shall be recorded at estimated fair value at the time of the gift. A property record will be maintained for each asset and will contain, where possible, the following information:

- a) Date of acquisition;
- b) Description;
- c) Cost or value;
- d) Location;
- e) Asset type;
- f) Estimated useful life;
- g) Current value;
- h) Salvage value;
- i) Date and method of disposition; and

The Director of Finance shall arrange for the annual inventory of Town property, equipment and material. Any discrepancies between an inventory and the Town's property records on file should be traced and explained.

PUBLIC COMMENTS

Supervisor Smith reviewed procedures for public comments at Town Board meetings, and reminded all offering comment to be respectful and civil.

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OPERATIONAL MATTERS

Public Comments

A comment was presented by Mary Moore.

DRIVE-THRU ANNUAL RABIES CLINIC APPROVED

Supervisor Smith reviewed the Animal Control Officer's proposal for the Annual Rabies Clinic with Monroe County, noting that this year it will be done as a drive-through clinic. Thereafter, a motion to approve the Annual Rabies Clinic was offered by Deputy Supervisor Munzinger, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Town Board hereby approves expenditure of up to \$500.00 for a free Drive-Thru Rabies Clinic to be held at the Town Highway Garage on Thursday, May 13, 2021 from 4:30 p.m. to 7:30 p.m.

PITTSFORD LITTLE LEAGUE VENDING PERMIT FOR HABECKER BASEBALL FIELDS AUTHORIZED

A Resolution to authorize a Food Vending Permit to Pittsford Little League was offered by Supervisor Smith, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that based on the recommendation of the Commissioner of Public Works, Town Board approves the proposed Food Vending Permit to Pittsford Little League to operate a vending unit on the Town owned Habecker Baseball Fields located at 34 East Street, from May 1, 2021 through October 31, 2021 and that the Town Supervisor is authorized to sign the permit.

Councilmember Townsend recommended that the Town create some signs to remind everyone near the fields to continue to follow safety measures regarding Covid. Supervisor Smith confirmed that this has already been discussed internally and will be happening.

ASSIGNMENT OF FARM LEASE APPROVED

Commissioner Schenkel has proposed that the Town consent to assignment of the lease of the Town's 18.0 acre parcel on Hedge Wood Lane to a new tenant farmer. It is currently leased to Mike Silco, who is retiring. Jared Brush, of Hidden Springs Farms, has approached the Town to take over the farming of this property for the remainder of the lease, which will expire on December 31, 2022. Mr. Brush will be farming the other Silco farm property following the retirement of Mike and Jim Silco.

In discussion Councilmember Koshykar suggested adding some restrictions in the leases, such as no pesticide use by farmers. Commissioner Schenkel noted that agricultural districts fall under specific "right to farm/agricultural laws" that cannot be regulated by any Town law or restriction.

Thereafter, a motion to approve assignment of the lease from Silco Farms to Hidden Springs Farms was offered by Deputy Supervisor Munzinger, seconded by Supervisor Smith, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Supervisor be and hereby is authorized to approve an assignment of the lease dated March 3, 2020 between the Town of Pittsford and Mike Silco, Silco Farms LLC, to Hidden Springs Farm LLC, with all current provisions of the lease remaining unchanged except for the name of the Assignee/Lessee.

CONTINUED DISCUSSION

Councilmember Koshykar suggested that the Town create a board or committee to look at our farm leases and future conditions to include in such leases before the current leases expire at the end of 2022. She also

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suggested that we ask the Town's Environmental Board to look at this. Supervisor Smith and Councilmember Townsend strongly felt that discussion of farm practices must start with the farmers of our community themselves. Councilmember Townsend and Supervisor Smith both offered to participate in any such engagement with farmers. The Supervisor mentioned availability of advice from the County's Agricultural and Farmland Protection Board and from Dr. Robert King, Director of the Agricultural Institute at Monroe Community College. Supervisor Smith noted that in 200 years one thing farmers in Pittsford have never asked the Town Board for was advice on how to run their farms, and seconded Councilmember Townsend's observation that it will be we learning from Pittsford's farmers and not the other way around. He stated that it is the policy of the Town to support farming, that the Town wholly supports farming families and would not take steps to threaten their livelihood.

After further discussion, Spencer Bernard was asked to do the initial research on this topic.

EXECUTIVE SESSION FOR VOLUNTEER BOARD APPOINTMENTS SET FOR FRIDAY, APRIL 9 AT 4:30 PM APPROVED

Following discussion and inquiry regarding remote attendance at an Executive Session, Supervisor Smith moved to set an Executive Session for discussion of the volunteer board appointments for Friday, April 9th at 4:30 PM, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that an Executive Session be set for Friday, April 9 at 4:30 PM, at Town Hall to discuss the volunteer board appointments.

PERSONNEL MATTERS

PUBLIC COMMENTS

No public comments were offered regarding Personnel Matters.

AMENDMENT TO 457 DEFERRED COMPENSATION PLAN APPROVED

Personnel Director Cheryl Fleming reviewed the amendment to the 457 Deferred Compensation Plan as proposed by the New York State Deferred Compensation Board. Following the explanation, a motion was made by Deputy Supervisor Munzinger to approve the Amendment to the 457 Deferred Compensation Plan, seconded by Councilmember Beckford, and voted on by members as follows: Ayes: Beckford, Koshykar, Munzinger, Townsend and Smith. Nays: none.

The Resolution was declared carried as follows:

WHEREAS, the New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), had promulgated the Plan Document of the Deferred Compensation Plan for Employees of The Town of Pittsford (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS, The Town of Pittsford, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of The Town of Pittsford.

WHEREAS, effective December 11, 2020, the New York State Deferred Compensation Board amended the Model Plan to adopt the following provisions:

- Including provisions related to the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019; which extends the required start date for Required Minimum Distributions (*RMD*) to begin at the age of 72, changes the RMD rules for beneficiaries, creates new categories of beneficiaries, includes ability for plan sponsors to reduce the in-service distribution age from 70 ½ to as low as 59 ½, allows for in-service withdrawals for the birth or adoption of a child up to \$5,000;
- Including provisions related to the Coronavirus Aid, Relief, and Economic Security (*CARES*) act of 2020; which waived RMDs for the calendar year of 2020, allowed for in service distributions of up to \$100,000 to

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qualified individuals no later than December 31, 2020, allowed for loans up to \$100,000 to qualified individuals (up to 100% of the account value), and allowed for deferment of plan loan repayments for one year for qualified individuals.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, The Town of Pittsford has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of The Town of Pittsford by adopting the amended Model Plan;

NOW, THEREFORE, BE IT

RESOLVED, that The Town of Pittsford hereby amends the Deferred Compensation Plan for Employees of The Town of Pittsford by adopting the amended Model Plan effective January 1, 2021, including the optional provisions selected in Schedules A and B, in the form attached hereto as Exhibit A.

HIRING RESOLUTION APPROVED

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

The Resolution was declared carried as follows:

RESOLVED, that the following personnel be and hereby is approved for the date of hire as recommended.

Name	Dept	Position	Salary	Effective Date
Kahlil Robinson	Highway	Laborer – FT	\$18.35/hr	04/12/2021
Devon Kaspar	Highway	Laborer – FT	\$18.35/hr	04/12/2021
Zachary Condello	Highway	Laborer – FT	\$18.35/hr	04/12/2021
Zachary Valletta	Highway	Laborer – FT	\$18.35/hr	04/12/2021
Brett Wilby	Parks	Laborer – Seasonal	\$14.50/hr	04/05/2021
Grant Turner	Parks	Laborer – Seasonal	\$13.25/hr	04/12/2021

Be it further

RESOLVED, that the Town Board approves the status change for the following employee:

Name	Position	Reason for Change	Salary	Effective Date
Dylan Selden	MEO III	Promotion	\$20.89/hr	04/12/2021

OTHER BUSINESS

Barton and Loguidice, consultants for the Zoning Code update, have agreed to begin meeting regularly with the Town Board on the Zoning code update: They will be doing this on the 2nd and 4th Wednesdays of every month at 12 Noon.

Ice skating rink proposal – Commissioner Schenkel discussed the history of skating rinks in Pittsford, noting that the town had one a few decades ago at what is Mendon Center Elementary School and, later at Thornell Farm Park. He indicated the loss in interest, as hockey was not permitted as recommended by insurance companies. He noted the possibilities of creating one now, with the most ideal location as Thornell Farm Park and the reviewed staffing and the construction of such a rink. He indicated the materials cost to be approximately \$15 – 18,000 and then staffing costs would be approximately 14 - \$15,000. Overall, it appears that, although possible, he is not sure the cost outweighs the benefits. Councilwoman Townsend suggested that there may be other less expensive “outdoor” activities that the Parks and Recreation Department could pursue, such as purchasing of snowshoes for trail hikes in the winter.

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The Board will discuss the Town's response to the State's legalization of marijuana at the next Town Board meeting.

Councilmember Townsend noted that the Environmental Board reviewing the Comprehensive Plan to provide input to the mapping survey for the Zoning Code update. She suggested that in future requests by landowners for to modify conservation easements might be reviewed by the Environmental Board before being put forward for Town Board action, noting the agenda item withdrawn tonight. Councilmember Townsend encouraged board members and the public to review the report of the County's Race and Structural Equity Commission, on which she served. She further noted her recent appointment to a broadband advisory task force created by the county, to on making broadband more available; she would welcome any thoughts, resources or suggestions. She asked for an update on the 2021 road maintenance schedule and an update on demolition of 80 Mitchell Road.

PUBLIC COMMENTS

Comments were offered by Laurie Konte, Mary Moore, Tharaha Thavakumar, Pearl Brunt and Annalise Johnson-Smith.

With no further business, the meeting adjourned at 7:51 p.m.

Respectfully submitted,

Laura Beeley
Deputy Town Clerk