

Minutes of the Town Board for January 5, 2023

**TOWN OF PITTSFORD  
TOWN BOARD  
JANUARY 5, 2023**

Proceedings of a meeting of the Pittsford Town Board held on Tuesday, January 5, 2023, 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 Katherine B. Munzinger, Kim Taylor and Stephanie M. Townsend.

**ABSENT:** Councilmember Cathy Koshykar.

**ALSO PRESENT:** Staff Members: Paul J. Schenkel, Commissioner of Public Works; Brian Luke, Finance Director; Robert Koegel, Town Attorney; Renee McQuillen, Town Clerk; Shelley O'Brien, Communications Director; Suzanne Reddick, Assistant to the Supervisor; Spencer Bernard, Chief of Staff; Doug DeRue, Director of Planning and Zoning.

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

Supervisor Smith called the Town Board meeting to order at 6:03 P.M. and invited all to join in the Pledge to Flag.

**PROCLAMATION FOR MARTIN LUTHER KING, JR. DAY**

Each board member read a paragraph of the proclamation below.

*Whereas*, Dr. Martin Luther King, Jr. was an unwavering champion for justice and understanding, whose activism shined the light on injustice and illuminated our common humanity; and

*Whereas*, Dr. King's commitment to the ideals upon which America was founded – among them liberty, equality, and opportunity for all – reflect a true and enduring patriotism that changed the course of our country's history and to this day inspires our continued efforts to bring to life his dream that our citizens and residents "will be judged not by the color of their skin but by the content of their character;" and

*Whereas*, each of us should contribute to making our community better by working to assure equal opportunity for all citizens, and as Martin Luther King, Jr. Day is the only federal holiday commemorated as a National Day of Service, it offers an opportunity for us to give back to our community on the holiday and make an ongoing commitment to service throughout the year;

*Now, Therefore, Be It Known*, on the occasion of the nation's annual celebration of **Martin Luther King, Jr. Day**, that the members of the Town Board of Pittsford recognize Dr. King's legacy of justice, non-violence, equal opportunity and brotherhood, and those aspects of our lives and experience that unite, rather than divide; and proclaim the enduring relevancy of that legacy for our nation and our community; and

*Be it Further Known* that it is with appreciation and a commitment to Dr. King's ideals that the members of the Pittsford Town Board ask our fellow residents to join us in remembering and honoring the life, work and legacy of **Rev. Dr. Martin Luther King, Jr.**, on the national holiday in his honor, **January 16, 2023**, and every day.

**SUPERVISORS ANNOUCEMENTS**

1. Supervisor Smith wished everyone a Happy New Year and best wishes for 2023.
2. CITY Newspaper announced its annual "Best of Rochester" list including several Pittsford establishments.

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3. The recent injury to Buffalo Bills player Damar Hamlin showed the importance of CPR training. The Town will be offering a training for residents, with more detail to be announced in the weeks ahead.
4. The Town Highway Department continues to pick up Christmas trees through January and will continue brush pick-up throughout the winter as conditions allow.
5. The following volunteer boards have openings, Planning Board, Environmental Board, Zoning Board, Parks and Recreation Board and Design Review Board. Any residents interested in sitting on one of these volunteer boards should forward a letter of interest with their resume to the Supervisor's office by January 17, 2023.

### **MINUTES OF THE DECEMBER 29 MEETING APPROVED**

A Resolution to approve the Minutes of the Town Board meetings of December 29, 2022, was offered by Councilmember Taylor, seconded by Deputy Supervisor Munzinger, and voted on by members as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

The Resolution was declared carried as follows:

**RESOLVED**, that the Minutes of the December 29, 2022, Town Board meetings are approved.

### **LEGAL MATTERS**

Len Parker spoke to the board on the matter of Air BnBs.

### **ADOPTION OF A DISABILITY GRIEVANCE PROCEDURE**

Town Attorney Koegel explained that a step in the Community Development Block Grant funding process is an audit conducted by the State Office of Community Renewal. Pittsford was awarded the grant for Senior Center improvement projects. Each recipient of federal funds must have Section 504 Grievance Procedure policy on file. The policy is part Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance. Deputy Supervisor Munzinger made a motion to adopt the proposed grievance procedure, seconded by Councilmember Taylor, with members voting as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

### **TOWN BOARD DISCUSSION ON RESTRICTIONS FOR SHORT TERM RENTALS**

Town Attorney Koegel outlined for the Board members considerations relevant to the discussion. He noted that we estimate between 15 and 30 AirBnBs in Pittsford. He suggested the Board consider benefits and detriments, complaints from residents and approaches by other municipalities in New York, some of which regulate AirBnBs and some of which prohibit them. He emphasized that AirBnBs are a very different concept from sporadic rentals, where some residents rent out their house for the duration of events such as major golf tournaments, noting that regulation of AirBnBs would not need to affect such sporadic rentals in any way. Following discussion, the Board suggested that the Town Attorney might offer an outline of a possible approach. Councilmember Townsend noted the desirability of having one or more public hearings on the matter. Supervisor Smith emphasized his belief that the Town should not impede or interfere with sporadic rentals such as those that occur during major golf tournaments.

### **FINANCIAL MATTERS**

### **PUBLIC COMMENTS**

No comments were submitted.

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**2023 FINANCIAL AUTHORIZATIONS APPROVED**

Councilmember Townsend recommended that the meeting reimbursement rate for lunches for staff be increased from \$15 a day. Following brief discussion Board members in attendance agreed to change it to \$25. A Resolution to approve the 2023 Financial Authorizations as amended was offered by Supervisor Smith, seconded by Councilmember Townsend, and voted on by the members as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

The Resolution was declared carried as follows:

**RESOLVED**, that the following financial authorizations are approved for 2023 as per adopted Town policy:

Petty Cash Funds (in accordance with adopted policy)

<u>Account</u>	<u>Amount</u>	<u>Custodian</u>
Library	\$500.00	Library Director
Recreation Department	\$230.00	Recreation Director
Senior Citizens	\$ 90.00	Recreation Supervisor – Seniors
Sewer Districts	\$150.00	Sewer District General Foreman
Town Clerk/Tax Receiver	\$650.00	Town Clerk/Tax Receiver
Town Justice	\$150.00	Court Clerk
Public Works	\$100.00	Commissioner of Public Works

Voucher Approval - the following people are authorized to approve vouchers:

Town Supervisor, Deputy Supervisor, Town Clerk, Director of Finance, Personnel Director, Assessor, Commissioner of Public Works, Library Director, Secretary to Commissioner of Public Works, Historian, Court Clerk, Recreation Director, Recreation Account Clerk, Deputy Commissioner of Public Works, Technology Manager, Recreation Supervisor – Senior Services, Communication Director, and Town Attorney

Pay Period - bi-weekly

Work Week – will be 40 hours for the Highway Department, Sewer Department, Building Maintenance, Animal Control and Parks Departments, 35 hours for all other Departments.

Mileage Reimbursement Rate - will be the IRS rate for 2023 (\$0.655 per mile)

Health Insurance Reimbursement Rate – will be a maximum of \$4,000 per section 5.4 of the Personnel Rules

Meeting Schedule – Regular Town Board meetings will be scheduled for the 1st and 3rd Tuesday of each month at 6:00 PM at Town Hall, subject to the meeting calendar adopted by the Town Board for 2023 and rescheduling from time to time.

Meeting Reimbursement - Staff members attending Association meetings will be reimbursed up to \$25.00 per meeting for lunch expenses

Per Diem Rate – will be the higher of \$40.00 per day, or the applicable Federal per diem rate

Bank Depository - The following banks are approved as depositories for Town funds in 2023.

J.P. Morgan Chase, M&T, Canandaigua National Bank, and NY Class Local Government Investment Pool

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Designated Newspapers - the Daily Record is designated as the official Town newspaper for 2023, with additional alternative newspaper the Rochester Business Journal.

### PERSONNEL MATTERS

#### PUBLIC COMMENTS

No comments were made.

#### STAFF CONFERENCE ATTENDANCE APPROVALS FOR 2023

The Town provides for and encourages continuing professional education for members of its staff. Based on advice and requests of the various department heads, the following Resolution was made by Deputy Supervisor Munzinger, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

The Resolution was declared carried as follows:

**RESOLVED**, that the following personnel be and hereby are authorized to attend the regular meetings of their professional organizations, as stated below, during 2023:

Conference Attendance Authorized - the following personnel are authorized to attend the regular meetings of their professional organizations:

Renee McQuillen, Town Clerk & Receiver of Taxes  
Monroe County Town Clerks, Tax Receivers & Collectors Association  
New York State Town Clerks Association  
New York State Association of Tax Receivers & Collectors  
New York State Association of Local Government Records Officer

Karen Ward, Deputy Tax Receiver  
New York State Tax Receivers and Collectors Association  
Monroe County Town Clerks, Tax Receivers & Collectors Association

Laura Beeley, Deputy Town Clerk  
Monroe County Town Clerks, Tax Receivers & Collectors Association

Paul Schenkel  
American Public Works Association – State and Local Branch  
Monroe County Highway Superintendents Association  
GIS/SIG Regional Committee  
Monroe County Stormwater Coalition

James Gagnier  
Monroe County Highway Superintendents Association  
PERMA – Safety Council for Western Region  
Irondequoit Creek Watershed Collaborative (IWC)  
Monroe County Stormwater Coalition (MCSC)

Michelle Debyah  
GIS/SIG Regional Committee  
NYS GIS Association

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Rob Fromberger, Town Engineer  
National Society of Professional Engineers – Monroe Chapter  
American Society of Civil Engineers  
American Public Works Association

Scott Wallman  
Monroe County Highway Superintendents Association

Bill Zink/Future Building Inspector  
Finger Lakes Building Officials Assoc. (FLBOA) or  
Niagara Frontier Building Officials  
Monroe County Fire Marshal Association

Salvatore Tantalo, Fire Marshal  
Monroe County Fire Marshal Association  
Finger Lakes Building Officials Association (FLBOA)

Town Supervisor, Town Attorney, one Board Member  
New York State Association of Towns

Stephen Robson, Assessor  
Monroe County Assessors' Association  
NYS Department of Tax & Finance – Office of Real Property Services  
NYS Assessors Association

Brian Luke, Finance Officer  
Monroe County Town Finance Officers Association  
Government Finance Officers Association – State and Local  
FLMHIT Meetings

Cheryl Fleming, Personnel Director  
Monroe County Town Finance Officers Association  
FLMHIT Meetings  
Monroe County HR Meetings  
PERMA Annual Conference – Spring/Fall Seminars  
SHRM Conference

Shelley O'Brien, Communication Director  
Causewave Community Partners (formerly Ad Council of Rochester)  
Public Relations Society of America  
Association for Women in Communications  
National Association of Government Communicators

Angel Martinez, Director of Information Services  
Rochester Security Summit

Jessie Hollenbeck  
Genesee Valley Recreation and Parks Society  
New York State Recreation and Parks Society

Alison Burchett  
Genesee Valley Recreation and Parks Society  
New York State Recreation and Parks Society

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Katelyn Disbrow

Genesee Valley Recreation and Parks Society  
New York State Recreation and Parks Society  
FLMHIT Wellness Committee

Kathleen Laskey

Genesee Valley Recreation and Parks Society  
New York State Recreation and Parks Society

Anthony Brott

Genesee Valley Recreation and Parks Society  
New York State Recreation and Parks Society

Amanda Poulin

Genesee Valley Recreation and Parks Society  
New York State Recreation and Parks Society

Judge John Bernacki

Monroe County Magistrates Association  
New York State Magistrates Association

Judge Michael Ansaldi

Monroe County Magistrates Association  
New York State Magistrates Association

Vi Memmott

Monroe County Clerks Association  
New York State Clerks Association

### **ASSOCIATION OF TOWNS DELEGATES DESIGNATED**

A Resolution to designate Supervisor Smith as the delegate and Councilmember Townsend as the alternate delegate to represent the Town of Pittsford at the Association of Towns Annual Business Meeting was offered by Councilmember Taylor, seconded by Councilmember Taylor, and was voted on by members as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

The Resolution was declared carried as follows:

**RESOLVED**, that Supervisor Smith be designated as the delegate to represent and vote on behalf of the Town of Pittsford at the Annual Business Meeting of the Association of Towns on February 22, 2023, and that Town Councilmember, Stephanie Townsend, be designated the alternate delegate to represent the Town of Pittsford.

### **HIRING/PERSONNEL ADJUSTMENTS APPROVED**

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

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

<b>Name</b>	<b>Dept</b>	<b>Position</b>	<b>Rate</b>	<b>Date of Hire</b>
Colleen Carberry	Library	Circulation Aide	\$15.98	01/05/2023
Adam Ranney	Recreation	REC ASST PT	\$15.98	01/06/2023

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

<b>Name</b>	<b>Dept</b>	<b>Position</b>	<b>Rate</b>	<b>Date of Hire</b>
Colleen Carberry	Library	Circulation Aide	\$15.98	01/05/2023
Adam Ranney	Recreation	REC ASST PT	\$15.98	01/06/2023

### **OTHER BUSINESS**

Supervisor Smith commented that there needed to be a change to the Town Board meeting schedule for the February 21 meeting as the Association of Towns meeting is scheduled for the same dates. Supervisor Smith proposed and made a motion to move the meeting out a week to Tuesday, February 28, 2023, seconded by Councilmember Townsend and voted on by members as follows: Ayes: Munzinger, Taylor, Townsend, and Smith. Nays: none. Absent: Koshykar.

The Resolution was declared carried as follows:

**RESOLVED**, that the Tuesday, February 21, 2023, meeting be rescheduled to Tuesday, February 28, 2023, due to scheduling conflicts with the Association of Towns meeting.

Councilmember Townsend shared that the changes to the meeting schedule for tonight caused some confusion; that schedule changes should not be based on what personnel will be able to attend on a particular date and that the Town has followed that principle, including the rescheduling for tonight. The Supervisor agreed, noting that this meeting date was originally proposed, that a member who had a conflict asked at the last meeting to change it, which the Board then did. Following that change it became clear that on the new date, two Board members would not be able to attend, and that given the choice between a meeting missing one member and a meeting missing two, it appeared better to limit the absences to one, whereupon the meeting was changed back to this, its original proposed date. Noting that the member requesting the change from the original date had the proposed schedule since the Friday before the meeting where the change was requested, and that contacting the others before the meeting would have allowed everyone to check their schedules for conflicts, he urged Board members not to wait to the last minute to request such changes at a meeting, but to give prior notice of a conflict so all have a fair chance to check their schedules.

### **PUBLIC COMMENTS**

There were no public comments.

With no further business, the meeting adjourned at 7:19 p.m.

Respectfully submitted,

Renee McQuillen  
Town Clerk