

VILLAGE OF PITTSFORD

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Village of Pittsford Board of Trustees Regular Meeting January 23, 2024, 5:30 PM

Tentative Agenda

Board Member - Conflict of Interest Disclosure & Open Meeting Compliance Certification

Public Comment

Department Reports

- Building Inspector Report
- DPW Report
- Treasurer's / Village Clerk Report

Meeting Items

1. Discussion on Conceptual Bike Path Schoen Place - Canceled
2. Review of Special Permit – 5 State Street
3. Bernie Donnegan – South and Wood Street Bond
4. DPW Bathroom Project Update
5. Short-Term Rental Update
6. Discussion on Refuse District
7. Review of Proposed General and Sewer Reserves
8. Multi-year Capital Planning RFP Update

Member Items

Minutes

*The next Scheduled Regular Meeting is February 13, 2024, and is Subject to Change Without Notice. **

Village Board Meeting

Department Reports

Building Inspector Report

Building Inspector report—Dec 08, 2023 – Jan 08, 2024

During this period 5 permits were issued for \$1295.00 in permit fees and \$54810.00 in improvements.

Worked with residents and businesses for 1 HPB application: continued 9 West Jefferson – bump out/windows. 1 Zoning board application for lot coverage and area variance for pool and accessory structure

Attended training for new stormwater permit, and completed our required submittal of the Notice of Intent (NOI) for the new MS4 Stormwater permit

I have been working on the clean energy communities' program and with the latest submittal we will become a certified clean energy community which takes us to the next level of the grant program. These are non-matching grants awarded by NYSERDA and the state. We are in line for a minimum of another \$10,000 and have already received \$5,000. I am working on scheduling a meeting with our coordinator to get to the next level in the program which can bring the Village \$50 to \$100,000 in grant money. Furnace upgrades, electric vehicle and charging stations, and benchmarking of our municipal energy usage would put us well over the top for the grant program

Numerous discussions and correspondence regarding a proposed waterline being drilled under State Street.

Have completed required fire inspections for businesses and assemblies for 2023.

Inspections – , 102 South Street – minor changes, 87 South Main –site issues, 5 Austin Park -rough plumbing/insulation inspections, 76 South main – side porch framing, 54 Sutherland – site issues, 18/20 S. Main – final, 6 Schoen place – remodeling, 46 Rand – plumbing and final, 81 South street – framing, 15 E Jefferson circle – roofing and final, 15 Austin park – addition final, 39 West Jefferson – fencing final, 15 E Jefferson circle – fencing final

Numerous meetings with residents and business owners to discuss concerns and possible projects.

Patrol the Village daily and make numerous stops at sights for activity to verify if permitting is needed.

I have read and processed over 240 emails during this time, researching and answering many questions regarding zoning and Historical preservation requirements for new property owners and tenants. I have sent many response emails.

Receive on average 10-12 phone calls per day with questions on zoning, permits, or concerns over village issues.

While touring the village I found one project this past month that was being done without permits, permitted and completed.

Village Board Meeting

Department Reports

- DPW Report

DPW Report January 2024

We had many fluorescent light bulbs at the shop that were no longer working so we replaced them with LED bulbs. Approximately 40 bulbs were replaced. The old bulbs were 110watts and new bulbs are 48watts. Just about all the DPW building is lit with LED bulbs and energy costs of lighting should be cut in half.

Along with the LED conversion, we spent some time better insulating areas of the shop that have been causing heat loss and ice damming. The garage doors have been problematic as well. 2 overhead door springs have broken. One has been replaced and the other is on order. I hire this work out to a garage door company for experience and safety reasons. Each spring replacement is around \$1,300.

Code Enforcement Officer training: Finger Lakes Building Official Association (FLBOA) conference is March 11-13 at the RIT Conference Center. In order to maintain my NYS CEO certification I have to complete 24 hours of in-service training, which this conference covers. To be eligible to go I would have to become a member of FLBOA which is \$60 and the cost of the conference is \$400. Because the conference is held in Rochester, there will not be any lodging costs. Just my time and the conference costs.

We took down all holiday decorations beside the N Main ST and State St bridge handrail lights. Those will come down in the next couple weeks. Though, the east side of the N Main St handrail lights have been problematic. If we can't keep them lit, we may have to take them down sooner.

I purchased a new nozzle for sewer flushing. The section of sanitary sewer from the Del Monte hotel/spa to the Pittsford Pub has had excessive grease build up causing flow restrictions and back-ups. We have made this section a high priority for inspections and flushing. We have had to flush and televise this section many times in the last few months. The last time, with the help of the Town's sewer crew, we were able to flush with a nozzle that we borrowed from them called a Wart Hog. While flushing, they were able to have a camera in the same spot as the nozzle to watch the nozzle work, which it did very well. So, I thought this to be a good addition for the Village's sewer needs and bought one. \$2,400. Along with removing the grease, it was also able to cut roots away. The pipe is now clear of grease and roots, and we will continue to inspect weekly and will televise again in a couple months.

Snowfall has been lacking up to this point but there have been a few salt runs and some plowing. The crew has also been doing the usual winter stuff when not plowing and salting which is: refinishing the mooring bollards, refinishing benches, vehicle and equipment maintenance, we actually went out sweeping the roads a couple weeks ago, Christmas tree and brush pick-up, cleaned out the majority of the catch basins throughout the Village. Among lots of other things.

Village Board Meeting

Department Report

Treasurers / Village Clerk Report

- Bill Pay
- Service Contract IT Services
- HSA Funding
- Tax Levy Override

TREASURER'S REPORT

*Submitted by
Dorothea Ciccarelli*

1/23/2024

- **Vouchers for approval – Abstract #18**

| | |
|--------------------------|--------------------|
| General Fund (#433-448): | \$ 15,879.40 |
| Sewer Fund (#434-446) | <u>\$ 2,967.27</u> |

Total Vouchers for Approval: \$ 18,846.67



Professional Services Agreement

The following is a listing of all Professional Services Agreements that Integrated Systems is offering for **Engineering Services and Software Development**. It includes Network and System troubleshooting, programming, end user technical support, cabling and travel. The hours may be used for any combination of services. The larger the time block purchased, the greater the savings per hour. Contract rates cover work performed by any Integrated Systems Engineer at one unit per hour, except for services requiring a Senior Engineer whose hours are billed at 1.5 units per hour; those services include Server Implementations, Network Design and Engineering, and at client request. Propagation, other studies and outside supporting material costs can be billed to the PSA at a dollar value cost of the item as it converts in units (e.g., a \$850.00 cost for census data would be billed to the PSA at 10 hours, if a 100-hour contract was purchased). Integrated Systems will not engage in any such costs, without the client's prior consent.

Professional Service Agreement Terms:

Payment in full is due before any project/support is started.

Purchase of Professional Service Agreements are non refundable.

Clients with **PSA** receive priority telephone response time over non-PSA clients.

Banked Unused Time **does not** expire

(average response time: less than 1 hour)

Clients with **PSA** receive priority on-site response time for troubleshooting & technical support over non-PSA clients.

Clients with **PSA** have the option to have updates delivered via modem; mail; or on-site delivery.

Travel time is billed as straight time

Weekend/Overtime hours will be billed at 2 X regular rate

Modem/Phone charges are the responsibility of the client and are always billable.

Engineer's time is billable when:

- Working on additions/updates to programs / integration/ research
- Travel time between office and customer's location
- Time involved in gathering information for projects
- For support covering overnight staff, lodging, meals billed at \$175.00 per day.
- Extra charges for ground travel, flight costs are billed to the customer.

Statements of time spent on this contract are available at the Client's Request

LIMITATION OF WARRANTY LIABILITY: The obligation of Integrated Systems under the warranty is limited to the repair or replacement, at Integrated Systems option, of a non-conforming product, part or component thereof, except consumable accessories, within a reasonable time after notification. The client's remedies are limited to Integrated Systems obligations stated herein, subject to the "EXCLUSIVE REMEDY" set forth in the paragraph below. This warranty extends only to the client. **THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES EXPRESSED OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS.** Integrated Systems has not made and makes no guarantee or warranty, including implied warranty or merchantability or fitness, that the system, equipment, or services supplied will avert, avoid or prevent the loss of data or information or the consequences therefrom, which the system or service is designed to provide. It is mutually understood and agreed that in executing this Agreement, client is not relying on any advice or advertisement of Integrated Systems. Client agrees that any representation, promise, condition, inducement or warranty, express or implied, including those of

merchantability and fitness, not included in writing in this Agreement shall not be binding upon any "party." The client assumes all risk for loss or damage to the client equipment and data files except as specified herein.

EXCLUSIVE REMEDY: Because of the nature of the services rendered and the system as a whole, it is impractical and extremely difficult to fix the actual damages, if any, which may result from failure on the part of Integrated Systems to perform its responsibilities under this contract. Client does not desire this contract to provide full liability for loss, damage or injury due directly or indirectly to occurrences, or consequences therefrom, which the service or system is designed to deter or avert. In the event Integrated Systems should be found liable for loss, damage or injury due to a failure of the equipment or services provided under this Agreement or the equipment in any respect, its liability shall be limited to \$250.00, as the agreed upon liquidated damages and not as a penalty. Such liquidated damages is the exclusive remedy for any failure of services or equipment, and the provisions of this paragraph shall apply if loss, damage or injury, irrespective of cause or origin, results directly or indirectly to a person or property from the performance or nonperformance of any obligation of Integrated Systems from negligence, active or otherwise, of Integrated Systems, its agents or employees. It is intended and expressly agreed that the purpose of the preceding provisions are to set an upper limit to the amount recoverable by the client and to fix liability of Integrated Systems at a specific sum of \$250.00. If client desires additional liability coverage, it shall be his responsibility to secure it from an insurance carrier or other agency of his choice, at his own expense. The client shall bring no suit against Integrated Systems more than one (1) year after the accrual of the cause of action therefore.

The Client agrees that, during the term of this Agreement and for a period of twenty-four (24) months thereafter, it will not actively solicit an Integrated Systems employee as a candidate or possible candidate for any position with the client or potential client, without first obtaining the written permission of Integrated Systems. Due to the difficulty of assessing damages in the event of a breach of this provision, the parties agree that Client will pay Integrated Systems, upon Integrated Systems written notice to the Client, an amount equal to three times the annual wages of any Integrated Systems employee who is referred by Client in violation of this provision. The Client will also reimburse Integrated Systems for any attorney's fees incurred by Integrated Systems in collecting amounts owed under this provision.

| Contract | Hours | Rate/Hour | Total Cost | Savings |
|----------|-------|-----------|------------|------------|
| None | | \$ 165.00 | | None |
| A | 10 | \$ 105.00 | \$1050.00 | N/A |
| B | 25 | \$ 100.00 | \$ 2500.00 | N/A |
| C | 50 | \$ 95.00 | \$ 4750.00 | N/A |
| D | 100+ | \$ 85.00 | \$ 8500.00 | \$ 6000.00 |

Contract Selected: _____

I have read the above terms and conditions of the time contracts. I understand and agree to the above conditions and terms of the contract:

Client: _____

Address: _____

Client Signature: _____

Date: _____

Integrated Systems Signature: _____

Date: _____

LOCAL LAW
VILLAGE OF PITTSFORD

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Pittsford to adopt a budget for the fiscal year commencing June 1, 2024, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Pittsford, County of Monroe, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Village Board Meeting

Meeting Items
Agenda Item 1

Discussion on Conceptual Bike Path Schoen Place - Canceled

Village Board Meeting

Meeting Items
Agenda Item 2

Review of Special Permit – 5 State Street

APPLICATION TO THE BOARD OF TRUSTEES
SPECIAL PERMIT
VILLAGE OF PITTSFORD
21 NORTH MAIN STREET PITTSFORD, N.Y. 14534

Date: 1/16/2024

Fee: \$250.00

Property Address: 5 State Street (front parcel / formerly Rachel's Mediterranean)

Tax Account Number: 164.06-2-4.2 Zoning District: VCB

Owner's Address: 2 Misty Meadow Way, Fairport NY 14450 Telephone: 585-697-4170

Applicant: 5SS Operations LLC Telephone: 585-697-4170

Applicant's Address: 2 Misty Meadow Way, Fairport NY 14450

Applicant is: Owner Lessee/Tenant Agent Other

If Other, Explain: Owner applying via operating LLC that will be the tenant/lessee

1. Provide a description of the activity that is planned for this location:

Restaurant

2. Describe how the proposed activity will affect existing parking:

No impact. We intend to start operations with the current parking configuration and expect to build outdoor seating in the future.

3. Describe how trash/refuse will be handled for the proposed activity:

Site deed maintains an easement for garbage disposal with neighbor (Village Bakery); easement

has been in use for 30+ years by prior tenants (Empire Paint, Starbucks and Rachel's)

4. Proposed Hours of Operation: Weekdays (Mon, Tues, Wed, Thurs): 10a - 12p
Weekends (Fri, Sat, Sun): 10a - 2a

Owner's Statement: I am the owner of the above property and I have read and approve this application. If the applicant is other than the owner, I authorize the applicant to proceed as agent.

Applicant's Name-Printed: Mike Reynolds / 5SS Operations LLC

Signature: Mike Reynolds Date: Jan 16, 2024

Applicant's Statement: I hereby certify that the information submitted is, to the best of my knowledge, true and correct.

Signature: Mike Reynolds Date: Jan 16, 2024

NOTE: If any additional information is required by the Board, during the meeting, it is the responsibility of the applicant to provide such information, prior to the deadline of the subsequent meeting, or it will not be heard.

SEQUENCE:

1. This application will place you on the next available Board of Trustee meeting agenda.
2. The application will be forwarded to the Planning Board and that Board will provide formal recommendations back to the Board of Trustees.
3. The applicant will be notified by the Village Clerk as to the date that the application will be placed on the Board of Trustee's meeting agenda for final disposition. The date is dependent upon providing the required notification for a Public Hearing.
4. The \$250.00 fee will be required with the filing of this application.
5. The applicant is encouraged to attach any additional information (drawings, layouts, seating plans, etc.) that will supplement this application.

§ 210-24.16 **Restaurants.**

A.

Purpose and applicability.

(1)

In accordance with the Village's Comprehensive Plan, it is the official purpose of the Village of Pittsford to protect the residential neighborhoods that are adjacent to its commercial districts. Great care was taken to implement operational controls that allow restaurants within the Village in a manner that protects quality of life for the residents.

(2)

Restaurants are allowed in specified business districts. Accordingly, restaurant uses are subject to the special use permit review process provided in this chapter.

B.

Location restrictions.

(1)

The proposed site shall be located more than 100 feet from any residentially zoned and/or used property or be situated so that it may be demonstrated that existing or proposed features of the site would mitigate any potential adverse effect or nuisance to residential property.

(2)

Where a restaurant is located within 200 linear feet of a residential use or district, the Village Board may impose restrictions to the hours of operation thereof as part of the special use permit issued to ensure the greatest level of compatibility with the adjacent neighborhood.

C.

Operational restrictions. No restaurant shall be permitted that is determined by the reviewing board to:

(1)

Create a hazard to the public, safety and general welfare.

(2)

Alter the character of the neighborhood and/or interfere with residents' normal use of their property (such as causing noise in a location where it can be heard on neighboring residential properties and/or at a time during normal sleeping hours where it would pose a nuisance to existing residents) or be detrimental to the residents thereof through the production noxious or objectionable noise,

odor, glare, refuse, vibrations, unsightliness, contamination or other similar conditions.

(3)

Include fast food service, drive-through facilities, or operate in any manner as a nightclub (a use whose business includes providing entertainment, whether live, recorded or otherwise, to patrons who may be seated or standing and who may or may not be engaged in the consumption of food or beverages).

(4)

Cause a traffic hazard or unsafe conditions for motorists and/or pedestrians and bicyclists that may not be feasibly mitigated.

(5)

Damage sensitive views, landscapes, natural features, or historic features that may not be feasibly mitigated.

(6)

Due to location and/or proximity to residence(s) would result in nuisances and/or excessive negative impacts that may not be feasibly mitigated.

(7)

Fail to provide adequate parking to support the proposed use without causing a parking shortage or other problems for nearby businesses and/or residents.

D.

Additional application requirements.

(1)

A complete copy of any application filed with and license issued by the New York State Liquor Authority shall be provided with any application subject to this chapter.

(2)

A waste management plan shall be required to provide a location that has room to accommodate refuse in accordance with Village Code requirements and that will not pose a public nuisance for neighbors. All refuse containers shall be located in the rear yard and maintain a setback of at least five feet from all property lines.

210-35.4. Special use permit considerations.

The reviewing board shall consider the following when reviewing an application for special use permit and shall include a statement of findings for such considerations in any decision rendered herein:

A.

Conformance with the Pittsford Village Comprehensive Plan and Town and Village Local Waterfront Revitalization Program, where applicable.

B.

Conformance with the district, building, use, and lot requirements of this chapter.

C.

Conformance with all applicable regulations for certain uses, as provided for by Article **24** of this chapter.

D.

Adequacy of off-street parking, access, and trash management.

E.

Adequacy of landscaping and screening.

F.

Compatibility of the proposed use with adjacent properties, uses, and structures, as defined by the potential of the specially permitted use to:

(1)

Create a hazard to the public health, safety and general welfare or create a public nuisance;

(2)

Alter the character of the neighborhood or be detrimental to the residents thereof through the production of noxious or objectionable noise, dust, glare, odor, refuse, fumes, vibrations, unsightliness, contamination or other similar conditions;

(3)

Cause significant traffic congestion, create a traffic hazard, or vehicular or pedestrian hazard;

(4)

Cause undue harm to or destroy existing sensitive natural features on the site or in the surrounding area;

(5)

Impact historic properties;

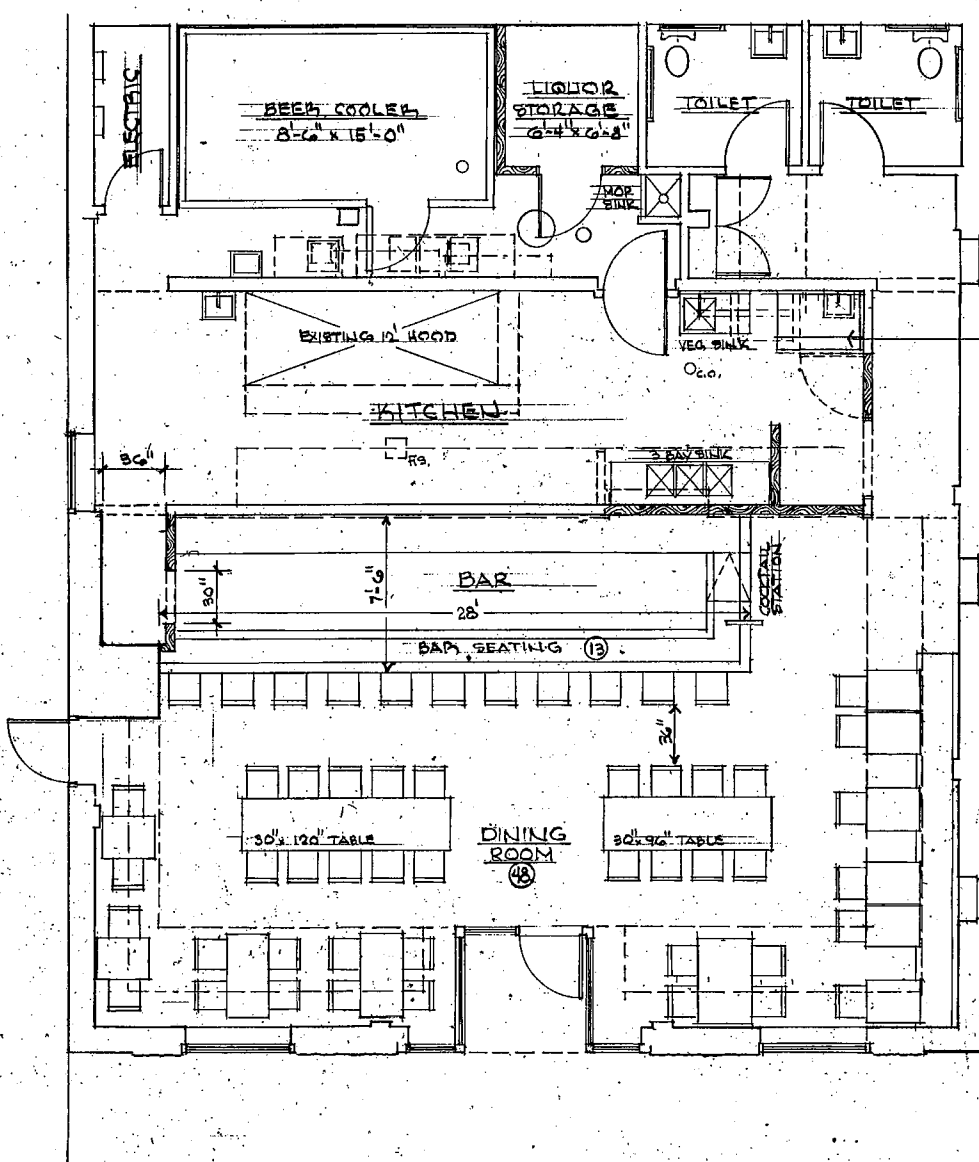
(6)

Fail to provide adequate parking to support the proposed use without causing a parking shortage or other problems for nearby businesses and/or residents;

(7)

Fail to provide a location and/or property that has room to accommodate refuse in accordance with Village Code requirements and that will not pose a nuisance for neighbors;

(8)



ICE MACHINE & BIN
700 LB. 32 1/2" x 44" W

SEATING

| | | |
|-------------|----|------|
| DINING ROOM | 46 | 78% |
| BAR | 13 | 22% |
| TOTAL | 59 | 100% |

OCCUPANCY

| | |
|--------------------------------|----|
| DINING ROOM SEATS | 46 |
| BAR SEATS | 13 |
| BARTENDERS | 2 |
| KITCHEN 32.5 sq ft ÷ 200 SF/PP | 4 |
| TOTAL OCCUPANCY | 65 |

FLOOR PLAN
SCALE = 1/4" = 1'-0"

RANDALL F. PEACOCK
ARCHITECT
545 Spring Meadow Lane
Webster, New York 14580
585-746-5984
randallfpeacock@gmail.com

INTERIOR ALTERATIONS
RESTAURANT
5 STATE STREET
PITTSFORD, NEW YORK

PROJECT NUMBER
2023-40
DATE
JANUARY 16, 2024
DRAWN BY
PEACOCK
SHEET TITLE
FLOOR PLAN

SHEET NUMBER
A1

Will not be adequately served by existing and/or proposed water and sanitary sewer systems and other public facilities and services, such as sufficient roadway capacity, police and fire protection, drainage structures, refuse disposal, and schools;

(9)

Create a public nuisance. For the purpose of this subsection, the term "public nuisance" shall mean noise, light, traffic, and/or odors which under the time, place, and manner which they occur would annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of a reasonable person of normal sensitivities; or

(10)

Otherwise result in an excessive or significant negative impact on the community that cannot be mitigated.

G.

Any other proposed or existing building, use, or site condition that in the opinion of the reviewing board may have an impact on the public health, safety, and general welfare of the community.

Village Board Meeting

Meeting Items
Agenda Item 3

Bernie Donnegan – South and Wood Street Bond

Village Board Meeting

Meeting Items
Agenda Item 4

DPW Bathroom Project Update

Village Board Meeting

Meeting Items
Agenda Item 5

Short-Term Rental Update

Village Board Meeting

Meeting Items
Agenda Item 6

Discussion on Refuse District

[HISTORY: Adopted by the Board of Trustees of the Village of Pittsford as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 76.

Open burning — See Ch. 83.

Article I Garbage, Rubbish and Refuse

[Adopted 3-14-1989 by L.L. No. 2-1989]

§ 173-1 Intent.

This article is adopted for the protection and promotion of the public health, safety and general welfare of the community by regulating the storage of garbage and other waste materials as well as the use and maintenance and operation of bulk garbage containers referred to as "dumpsters."

§ 173-2 Definitions.

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

ASHES

The residue from the burning of wood, coal, coke or other combustible materials.

DUMPSTER

A bulk refuse storage container that is designed to be mechanically emptied into a larger compactor-type truck for disposal.

[Amended 11-20-2007 by L.L. No. 6-2007]

GARBAGE

Wastes from the preparation, cooking and serving of food; market wastes; and wastes from handling, storage and sale of produce.

HOLIDAYS

Commemorations recognized by law, which include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

[Added 11-20-2007 by L.L. No. 6-2007]

PORTABLE REFUSE CONTAINER

A waste receptacle such as a garbage can or refuse tote designed to be moved to the point of collection.

[Added 11-20-2007 by L.L. No. 6-2007]

RUBBISH

A. COMBUSTIBLE RUBBISH

Paper, cartons, boxes, barrels, wood, excelsior, wood furniture, shipping and packaging materials.

B. NONCOMBUSTIBLE RUBBISH

Metals, tin cans, metal furniture, dirt, glass, crockery and minerals.

C. YARD RUBBISH

Miscellaneous waste material, such as tree branches, brush, twigs, grass and shrub clippings, weeds, leaves and general yard and garden waste materials, but does not include earth or building materials.

WASTE MATERIALS

Includes all categories of materials to be disposed of, excluding garbage.

§ 173-3 Accumulation; responsibility of owner or lessee.

The owner, lessee, contractor, tenant or other person having management or control of or occupying any lot or plot of land in the Village shall keep such land, at all times, free and clear of any accumulation of garbage, refuse, rubbish, litter and waste or discarded matter of any type, including partially dismantled motor vehicles, except such as may be deposited for collection and disposal purposes. Upon due notice, in writing by the Village Clerk or his/her designee, given to such owner, lessee, contractor, tenant or other person to remove said accumulation of garbage, refuse, rubbish, litter and waste or discarded matter from said lot or parcel of land and upon failure to comply within a period of five days after the service of said notice, said owner, lessee, contractor, tenant or other person shall be deemed to have violated the provisions of this article. Notice shall be served by regular mail or in person.

§ 173-3.1 Storage of refuse.

[Added 11-20-2007 by L.L. No. 6-2007]

- A. No person shall accumulate or permit the accumulation of refuse upon any premises owned or occupied by such person except for the purpose of collection, which shall normally occur at intervals of not less than seven days, except for holidays, Sundays, vacations or extraordinary weather or except where caused by or arising out of the construction or remodeling of a dwelling or other building on the premises or customary agricultural operations thereon, in which cases due care shall be taken that such accumulation shall not create an unsightly appearance or unreasonably disturb the comfort and repose of the neighborhood, and shall be removed within a reasonable time or immediately upon completion of the work causing such accumulation. The determination of violations related to this provision shall be at the sole discretion of the Code Enforcement Officer.
- B. Every owner, tenant or occupant of a building, premises (except vacant land), or place of business must be able to demonstrate that they are serviced by a refuse collector licensed by the Village of Pittsford. Every owner, tenant or occupant of any building, premises or place of business shall provide or cause to be provided and at all times keep suitable and sufficient receptacles for receiving and containing garbage or refuse that may accumulate or be used upon said premises. No such receptacles shall be kept near any public place longer than may be necessary for the removal of the contents thereof. Such receptacle shall be a container of sufficient capacity, and said container shall have handles and a tight-fitting cover and shall be watertight. All receptacles shall be closed at all times. Lawn carts, wheel barrows, fifty-five-gallon drums, fiber barrels and wastebaskets are not considered suitable and sufficient containers.
- C. Refuse containers shall be placed at the curb no earlier than the afternoon before the day of collection, and shall be removed no later than the day of collection.
- D. No person shall throw or deposit or cause to be thrown or deposited any refuse, hazardous waste or recyclable materials in or upon any portion of a public right-of-way, street or place or on any property not owned or occupied by said person, nor in any refuse container not owned, leased or rented by said person within the Village of Pittsford.
- E. Any location containing more than three portable refuse containers shall be subject to the screening and maintenance requirements for a dumpster as provided in § 173-6B of this article.

§ 173-4 Dumping.

No person shall dump, deposit, throw, place, cast or bury ashes, rubbish, yard rubbish, garbage, waste matter, offal or discarded matter of any type on any lot or plot of land in the Village, other than compost heaps such as may be utilized by a home gardener when stored on his own property and appropriately screened from view, provided that such compost heaps do not develop obnoxious odors, attract rodents or otherwise create a hazard to the health and enjoyment of neighboring property owners. Discarded matter shall include any junked or abandoned vehicle which is without a currently valid license plate and is in either a rusted, wrecked, discarded, dismantled, partly dismantled, inoperative or abandoned condition.

§ 173-5 Vehicle contents to be secure.

No person being the owner, driver or operator of any car or other vehicle, including construction vehicles, and no owner of any receptacle shall scatter, drop or spill or permit to be scattered, dropped or spilled any dirt, gravel, sand, clay, loam, stone or building rubbish or hay, straw, oats, sawdust, shavings or other light materials of any sort or manufacturing, trade or household waste, refuse or rubbish of any sort or ashes, manure, garbage or other organic refuse or other offensive matter therefrom or permit the same to be blown off therefrom by the wind upon any street or sidewalk or right-of-way or public place in the Village of Pittsford.

§ 173-6 Dumpsters; permit required.

[Amended 5-12-1998 by L.L. No. 2-1998; 1-11-2000 by L.L. No. 1-2000; 4-12-2005 by L.L. No. 1-2005; 11-20-2007 by L.L. No. 6-2007; 8-11-2009 by L.L. No. 15-2009; 5-25-2010 by L.L. No. 3-2010]

Dumpsters are permitted in Zones B-1, B-1A, B-2, B-3, B-4 and M-1. Dumpsters are not permitted in any residential district in the Village of Pittsford.

A. Collection schedule.

- (1) The property owner, lessee or the user of the dumpster shall make provisions that all garbage and other waste materials be completely contained within the dumpster. No accumulation of garbage and/or waste materials will be permitted outside the confines of the dumpster, nor will it be permitted to accumulate garbage or other waste materials so that the dumpster cover cannot be firmly closed.
- (2) No dumpster shall be delivered, removed or emptied between the hours of 6:00 p.m. and 6:00 a.m.

B. Location, use, condition and appearance requirements.

(1) Enclosures.

[Amended 2-25-2014 by L.L. No. 5-2014]

- (a) No dumpster may be placed, and no existing dumpster shall remain, in any location, unless the dumpster is screened by an enclosure consisting of a solid fence or other approved screening material. The enclosure shall exceed the height of the dumpster so that the dumpster is entirely screened from view. The enclosure shall at all times be kept closed and in good repair, so as not to create an unsightly condition.
 - (b) Where dumpsters are less than three (3) cubic yards in size, or where an accumulation of three or more totes, that will contain materials other than restaurant and/or food-related garbage, are maintained with securely closed and watertight openings, are structurally sound, are free of rust, are odor-free, are properly painted, and where the site may not be suitable for an enclosure, the Building Inspector may waive the enclosure requirement. If such a waiver is granted, the property owner, lessee or user of the dumpster or totes will be responsible for maintaining them as described herein. If these conditions are not met, the Building Inspector will revoke the waiver and the dumpster and/or totes will be immediately removed. It will be the responsibility of the property owner to make an application to the appropriate Board(s) to erect an enclosure to facilitate the dumpster or totes.
- (2) Dumpsters and their enclosures shall be set back a minimum of 20 feet from a public right-of-way or a residential property line, and a minimum of 50 feet from a residential structure. The location of dumpsters on sites with constraints or conditions which do not allow the minimum setbacks shall be subject to the approval of the Village of Pittsford Planning Board.
 - (3) All dumpsters shall be kept in good repair, be structurally sound and leakproof. All dumpsters shall have watertight doors or covers that securely close all openings, and that are easily opened and closed. Dumpsters shall be painted as required to prevent the show of rust and deterioration and be so constructed to stand firmly and safely upright.
 - (4) All dumpsters shall be clearly identified with the name of the owner of the dumpster.
 - (5) The dumpster lessee shall be responsible for removing any litter, debris or other matter related to the use of the dumpster, including in the immediate vicinity of the dumpster and the surrounding area. The ground or pavement in the area of the dumpster shall be kept clean and sanitary. Foul odors emanating from the dumpster or the surrounding area shall be eliminated. Vermin shall be exterminated.
 - (6) All dumpster doors and covers shall remain securely closed except when being filled or emptied. Overflowing conditions are prohibited.
 - (7) Food waste that is placed in a dumpster shall be in securely sealed plastic bags. Loose refuse other than food waste that may become windblown shall be bagged.
 - (8) No dumpster may exceed seven feet in height above grade.
 - (9) No dumpster may be placed in any location without a permit and the approval of the Building Inspector. Unauthorized dumpsters shall be removed by the owner of the dumpster upon the order of the Building Inspector.

- (10) The design, materials and location of a required dumpster enclosure shall be subject to the approval of the Building Inspector. No enclosure may be constructed without such approval.
 - (11) On properties with multiple commercial uses, the sharing of dumpsters shall be encouraged and preferred when practical.
 - (12) The provisions of this article shall apply to the owner of the dumpster as well as to the user or lessee of the container. The Building Inspector may revoke the permit for any dumpster that is in violation of this article, and any such dumpster shall be removed by the owner upon the order of the Building Inspector.
- C. Application for permit. An application for a permit pursuant to the provisions of this article shall be made on forms approved and made available by the Village Clerk of the Village of Pittsford. Such application shall include but not be limited to the following information:
- (1) The name and address of the applicant and, if applicable, the name and address of the lessor of the dumpster.
- D. Issuance of permit.
- (1) All permits required by this article shall be in writing and issued by the Village Clerk or the Village Building Inspector of the Village of Pittsford. The Village Clerk or the Village Building Inspector shall issue said permit if it appears that the applicant has a reasonable need to use a dumpster. No permits shall be issued until the fee, hereinafter described, shall be paid to the Village.
 - (2) Such permit will be issued for a period of one year. Any permit issued shall be revoked in the event that the maintenance of the dumpster violates any of the terms and provisions of this article.
- E. Permit fee. The fee payable for a permit pursuant to this article shall be established yearly at the Annual Organizational Meeting.
- F. Penalties for offenses.
- (1) Any person who violates any provision of this article shall be notified by the Village Clerk, Building Inspector or Fire Marshal of said violation.
 - (2) Fine schedule.
 - (a) Notice of violation: warning.
 - (b) First offense: \$100 (14 days from notice of violation).
 - (c) Second offense: \$250.
 - (d) Third offense: \$500.
 - (e) Fifth offense: revoke permit.

§ 173-7 Permit required for temporary dumpster.

[Amended 5-12-1998 by L.L. No. 2-1998]

Temporary dumpsters placed/used in conjunction with demolition, remodeling or repairs require a permit from the Village of Pittsford Code Enforcement Officer or his or her designee.

§ 173-8 Penalties for offenses.

- A. Criminal penalty. Any person who violates any provision of this article shall, upon conviction thereof, be subject to a fine not to exceed \$250 or to imprisonment for a term not to exceed 15 days, or both.
- B. Civil penalties; construal.
- (1) Obedience to the provisions set forth herein may be enforced by criminal information for the penalties herein prescribed, as well as by prosecution of the offender as provided in Subsection A of this section, or by civil action for a

penalty or by civil remedy at law or equity by way of injunction or otherwise to abate or prevent a violation of the provisions of this article.

- (2) Neither judgment in nor the pendency of a criminal prosecution for an alleged violation of the provisions of this article nor a judgment in or the pendency of a civil action of law or in equity shall be a bar to the other form of proceeding.
- (3) The imposition of a penalty for a violation of this article shall not excuse the violation or permit it to continue, and the remedies herein provided for penalties and civil action to enjoin or abate a violation shall be cumulative.

Article II Recycling and Solid Waste Haulers

[Adopted 2-11-1992 by L.L. No. 2-1992]

§ 173-9 Short title.

This article shall be known as the "Solid Waste Management Local Law."

§ 173-10 Findings.

The Village of Pittsford, New York, finds that:

- A. Removal of certain materials from the solid waste stream will decrease the flow of solid waste to landfills, aid in the conservation of valuable resources and reduce the required capacity of existing and proposed resource facilities.
- B. The New York Solid Waste Management Act of 1988 requires that municipalities adopt a local law or ordinance by September 1, 1992, to require that solid waste which has been left for collection or which is delivered by the generator of such waste to a solid waste management facility shall be separated into recyclable, reusable or other components for which economic markets for alternate uses exist.

§ 173-11 Purpose.

This article is adopted pursuant to Chapter 541 of the Laws of 1976, as amended,^[1] and Chapter 552 of the Laws of 1980 of the State of New York, as amended,^[2] in order to:

- A. Institute a plan for the management of recyclable materials generated or originated in the Village of Pittsford, New York, to promote the safety, health and well-being of persons and property within said Village; and
- B. Implement the express policy of the State of New York encouraging solid waste reduction through recycling.

[1] *Editor's Note: See General Municipal Law § 120-w.*

[2] *Editor's Note: See Environmental Conservation Law § 27-0101 et seq.; General Municipal Law §§ 120-w, 120-aa and 401(a); Public Authorities Law § 1287, Subdivisions 1 and 2; County Law § 226-b; Town Law § 221; Local Finance Law § 11.00, Subdivision a6; and Public Service Law § 141, Subdivision 4(e).*

§ 173-12 Definitions.

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

ADMINISTRATOR

The Solid Waste Administrator of Monroe County.

AUTHORIZED HAULER

Any person licensed by the municipality or under contract with the county to collect and transport recyclable materials generated or originated within the county.

AUTHORIZED RECYCLING FACILITY OR FACILITIES

A permitted facility or facilities for processing recyclable materials specified in the rules and regulations promulgated pursuant to the County of Monroe Solid Waste Reuse and Recycling Local Law of 1991 and any amendments thereto. This term shall exclude incinerating facilities, waste-to-energy facilities and landfills.

CONTAINER

A county-provided blue box container with a county logo for recyclable materials or any other durable container for recyclable materials readily identifiable by the hauler as a container for recycling materials.

COUNTY

The County of Monroe.

EXECUTIVE

The County Executive of Monroe County.

FACILITY

Any solid waste management - resource recovery facility employed beyond the initial solid waste collection process which is to be used, occupied or employed for or is incidental to the receiving, transporting, storage, processing, or disposal of solid waste or the recovery by any means of any material or energy product or resource therefrom, including recycling centers, transfer stations, processing systems, resource recovery facilities, sanitary landfills, plants and facilities for composting or landspreading of solid wastes, secure land burial facilities, reprocessing and recycling facilities, surface impoundments and waste oil storage, incinerators and other solid waste disposal, reduction or conversion facilities.

HAZARDOUS WASTE

Any hazardous waste as defined under the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq., or hazardous substance as defined under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq., or hazardous waste as defined under New York Environmental Conservation Law § 27-0901 et seq., as each such law may be amended from time to time, and the regulations promulgated thereunder, and any analogous or succeeding federal, state or local law, rule or regulation and any regulations promulgated thereunder and any other material which any governmental agency or unit having appropriate jurisdiction shall determine from time to time cannot be processed at the facility because it is harmful, toxic or dangerous.

OTHER RECOVERABLE MATERIALS

Any material, substance, by-product, compound or any other item generated or originated within the county and separated from solid waste at the point of generation for separate collection, sale, external reuse or reprocessing and/or disposition other than by disposal in landfills, sewage treatment plants or incinerators. "Other recoverable materials" do not include recyclable materials as defined herein.

PERSON

Any natural person, partnership, association, joint venture, corporation, estate, trust, association, county, city, town, Village, improvement district, governmental entity or other legal entity.

RECYCLABLE MATERIALS

Include but are not limited to the following:

A. ALUMINUM

Aluminum products and containers fabricated primarily of aluminum and commonly used for soda, beer, beverages or other food or drink products and other aluminum products.

B. BOXBOARD

Wood-pulp-based material which is usually smooth on both sides but with no corrugated center. Excludes material with wax coating.

C. CORRUGATED

Wood-pulp-based material which is usually smooth on both sides with a corrugated center. Commonly used for boxes. Excludes material with wax coating.

D. CONSTRUCTION AND DEMOLITION DEBRIS

Material resulting from the construction, renovation, equipping, remodeling, repair and demolition of structures and roads; and material consisting of vegetation resulting from land clearing and grubbing, utility line maintenance and seasonal and storm-related cleanup. Such material includes, but is not limited to, bricks, concrete and other masonry materials, soil, rock, wood, wall coverings, plaster, drywall, plumbing fixtures, nonasbestos insulation, roofing shingles, asphaltic pavement, glass, plastics, electrical wiring and components, carpeting, foam padding, linoleum and metals that are incidental to any of the above.

E. GLASS BOTTLES

New and used glass food and beverage containers which have been rinsed and are free of food contamination, including clear (flint), green and brown (amber) colored glass bottles. Glass shall not include ceramics, plate glass, auto glass, Pyrex, leaded glass, mirrored glass or flat glass.

F. MAGAZINES

Magazines, glossy catalogs and other glossy paper.

G. HIGH-GRADE PAPER

White and colored office bond, duplicating paper, computer paper and other high-quality paper.

H. LARGE APPLIANCES

Stoves, refrigerators, dishwashers, dryers, washing machines, water heaters and other large appliances and scrap metal and excluding air conditioners, microwaves and televisions.

I. METAL CANS

Containers fabricated primarily of steel or tin, or bimetal cans of steel, tin and/or aluminum, but not including aluminum cans.

J. NEWSPRINT

Common, inexpensive machine-finished paper made chiefly from wood pulp and used for newspapers. This term excludes magazines.

K. PLASTICS

Includes high-density polyethylene (HDPE), low-density polyethylene (LDPE), polystyrene and polyethylene terephthalate (PET) commonly used for soda, milk and other containers.

L. WOOD WASTE

Includes logs, pallets and other wood materials.

M. YARD WASTE

Grass clippings, leaves, branches up to four inches in diameter and other like vegetative garden materials.

RECYCLING or RECYCLED

Any method, technique or process utilized to separate, process, modify, convert, treat or otherwise prepare solid waste so that its component materials or substances may be beneficially used or reused as raw materials.

SOLID WASTE

All putrescible and nonputrescible solid wastes generated or originated within the county, including but not limited to materials or substances discarded or rejected, whether as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection or for any other reason, or which are being accumulated, stored or physically, chemically or biologically treated prior to being discarded, have served their intended use or are a manufacturing by-product, including but not limited to garbage, refuse and other discarded solid materials, including solid waste materials, resulting from industrial, commercial and agricultural operations and from community activities, sludge from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in this article.

SOURCE SEPARATION

The segregation of recyclable materials and other recoverable materials from solid waste at the point of generation for separate collection, sale or other disposition.

WASTE STREAM REDUCTION PROGRAM

Includes source separation, recycling programs, changes to the packaging portion of the waste stream to reduce solid waste generated, the activities and enterprises of scrap dealers, processors and consumers and other programs designed to reduce the volume of solid waste or enhance reclamation and recovery of solid waste or recyclable materials otherwise destined for the municipal waste stream. For purposes of this definition, such reduction programs shall not include the processing of waste for incineration or disposal by other means.

§ 173-13 Waste delivery and disposal; source separation.

- A. Solid waste generated or originated within the Village of Pittsford which has been left for collection or which is delivered by the generator of such waste to a solid waste management facility shall be disposed of as follows:
- (1) Prior to initial collection or transport, such solid waste shall be source-separated into recyclable, reusable or other components for which economic markets exist as provided in the rules and regulations promulgated hereunder.
 - (2) Recyclable materials shall not be commingled with other solid waste during collection, transportation or storage following collection. The Village Board of Trustees may order such exceptions as it determines are in the public interest.
 - (3) All recyclable materials generated or originated within the Village of Pittsford must be delivered to an authorized recycling facility or handled through a waste stream reduction program.
 - (4) No authorized recycling facility or waste stream reduction program shall receive recyclable materials generated or originated within the Village of Pittsford except as permitted by law.
- B. Disposal of solid waste which is barred from all authorized facilities by rules, regulations or orders promulgated pursuant to the County of Monroe Solid Waste Reuse and Recycling Local Law of 1991 and any amendments thereto, or by any other law, regulation or ordinance shall not otherwise be regulated by this article.
- C. No hazardous waste may be delivered to an authorized recycling facility.

§ 173-14 Collection of recyclables placed at curbside.

- A. Only persons who are acting under authority of the county or an authorized hauler shall collect, pick up, remove or cause to be collected, picked up or removed any solid waste recyclable materials so placed for collection; each such unauthorized collection, pickup or removal shall constitute a separate violation of this law; provided, however, that where the county or any authorized hauler has refused to collect certain recyclable materials because they have not been separated, placed or treated in accord with the provisions of this article, the person responsible for initially placing those materials for collection may and shall remove those materials from any curb, sidewalk or street side.
- B. Nothing herein shall prevent any person from making arrangements for the private collection, sale or donation of recyclable materials; provided, however, that recyclable materials to be privately collected, sold or donated shall not be placed curbside on or immediately preceding the day for collection of such recyclable materials. Any and all recyclable materials placed in a county-supplied container at curbside or at any designated collection place shall immediately become the property of the county.

§ 173-15 Licensing of haulers; conditions of refuse collection.

[Amended 11-20-2007by L.L. No. 6-2007]

- A. Licensing of haulers.
- (1) All persons or companies engaged in the business of receiving or collecting garbage/rubbish or recyclable materials, except for construction and demolition waste, must apply for and be issued annually a license by the Village of Pittsford Board of Trustees. Refuse haulers shall submit an application for an annual license by March 31 of each year. Licenses shall be issued by the Board of Trustees at the yearly organizational meeting. New license applications submitted at other times during the year will be considered by the Board of Trustees within 30 days of the date of application.
 - (2) Authorized haulers shall comply with all provisions of the Monroe County Solid Waste Management Law regarding the collection of recyclable materials.
 - (3) Applications for an authorized hauler license may be denied if the applicant or licensee has been adjudged or administratively determined to have committed one or more violations of this article during the preceding calendar year, or if the applicant is determined to be unfit or undesirable to provide the service of refuse collection.
 - (4) All authorized haulers shall, in writing, defend, indemnify and hold harmless the Village of Pittsford for any pending, threatened or actual claims, liability or expenses arising from waste disposal by the authorized hauler in violation of this article.

- (5) No license issued under the provisions of this article shall be transferable. Changes in ownership of an authorized hauler shall be reported to the Village Clerk within five days. Said changes must be approved by the Village of Pittsford Board of Trustees.
 - (6) Authorized haulers shall submit proof(s) of insurance in an amount determined to be sufficient by the Village of Pittsford Board of Trustees. Insurance shall include, but not be limited to, general liability, automobile liability, workers compensation, and disability. All insurance certificates shall name the Village of Pittsford as an additional insured.
 - (7) The fee for a license shall be determined by the Village of Pittsford Board of Trustees by resolution, and may be adjusted from time to time.
 - (8) Any conditions of refuse collection contained in this chapter, both residential and commercial, shall be also conditions of the authorized hauler license.
- B. Conditions of refuse collection.**
- (1) The Village of Pittsford Board of Trustees shall, by resolution, regulate the day(s) of the week on which residential refuse collection may take place within the Village. In addition, the Board of Trustees may designate areas within the Village and impose collection regulations within said areas. Authorized haulers shall be notified of any such regulations upon issuance of a license, and shall be notified by mail of any changes to the regulations that may be made from time to time.
 - (2) There shall be no residential collection of refuse between the hours of 6:00 p.m. and 6:00 a.m.
 - (3) There shall be no residential collection of refuse on Sundays or holidays.
 - (4) All authorized haulers must offer an optional residential low-volume rate, and must make available to their customers special bags or stickers which may be purchased in advance.
 - (5) The level of service provided to residential customers by an authorized hauler for yard waste, bulky refuse, appliances, or other waste shall be determined annually by the Village of Pittsford Board of Trustees, with input from the authorized haulers, by resolution.
 - (6) The regulations for the collection of residential yard waste by the Village shall be issued by the Superintendent of Public Works, and may be amended from time to time.

§ 173-16 Approval, denial, suspension or revocation of solid waste license.

- A.** When the Public Works Foreman or his designee determines that a failure to comply with this article may have occurred, he shall recommend to the Village Board of Trustees that he be authorized to carry out the notice and hearing provisions set forth in Subsections B and C of this section. Notice and an opportunity to be heard shall be provided prior to the suspension or revocation of a solid waste license or contract or the issuance of a reprimand, fine or penalty.
- B.** The designated public official shall notify the affected generator, contractor or licensee of the alleged failure, in writing.
- (1) The notice shall include:
 - (a) A statement of the time, place and nature of the hearing;
 - (b) A statement of the condition allegedly violated, referring to the pertinent ordinance, law, rule or regulation; and
 - (c) A short and plain statement of the alleged misconduct.
 - (2) The notice shall be personally served or sent by certified mail to the generator's, contractor's or licensee's last known address at least 10 days before the hearing date, with a copy to the Administrator.
- C. Hearing.**
- (1) Hearings shall be held before the Town of Pittsford Justice within a reasonable period, which shall be at least 10 days after service of notice.
 - (2) The generator, contractor or licensee may be represented by counsel at the hearing and may offer evidence and cross-examine witnesses.

- (3) Within 20 days after the close of the hearing, said Town Justice shall:
 - (a) Determine whether the alleged failure to comply with this article has occurred; and
 - (b) If said Town Justice determines that such a failure has occurred, decide whether the generator, contractor or licensee shall be subject to fine or penalty or an existing solid waste license or contract or authorized hauler status shall be suspended or revoked or its holder subjected to a reprimand and issue an order carrying out this decision.

D. Determinations, decisions and orders.

- (1) Disposition may be made by stipulation, agreed settlement, consent order, default or other informal method.
- (2) Said Town Justice shall promptly notify the applicant or licensee, in writing, of the final determination, decision or order.

§ 173-17 Enforcement.

A. Inspections and appearance tickets.

- (1) All portions of vehicles and containers used to haul, transport or dispose of recyclable materials, including such containers placed outside of residences, shall be subject to inspection to ascertain compliance with this article, the Monroe County Solid Waste Management Local Law and the rules, regulations or orders promulgated pursuant to the County Law, by any police officer, peace officer, code enforcement officer and any other public official designated by the county or Village of Pittsford.
- (2) Police officers, peace officers, code enforcement officers and the specified public servants are hereby authorized and directed to issue appearance tickets for violations of this article.

B. Penalties.

- (1) Civil sanctions. The Village of Pittsford may commence a civil action to enjoin or otherwise remedy any failure to comply with this article.
- (2) Criminal penalties. In addition to the civil sanctions provided herein, failure to comply with this article or the rules and regulations promulgated hereunder shall be a violation as defined in § 55.10 of the Penal Law, and penalties may be imposed thereunder.
- (3) Any penalties or damages recovered or imposed under this article are in addition to any other remedies available at law or equity.
- (4) No penalties, fines, civil sanctions or other enforcement actions will be commenced prior to June 1, 1992, in order to permit persons regulated hereunder to come into compliance with this article.

§ 173-18 When effective.

The provisions of this article shall be effective on the same date as the Monroe County Solid Waste Management Local Law becomes effective.

Village of Pittsford
Local Law No. _____ of 2024

**A Local Law Amending Sections 173-10., 173-11., 173-12.,
173-14., 173-15. and 173-17.
of the Code of the Village of Pittsford.**

Be it enacted, that the Village of Pittsford Board of Trustees hereby:

Amends Section 173-10. to add paragraph C. as follows:

Section 173-10.C.

C. The creation of a residential refuse benefit assessment district in the Village of Pittsford will be an economic benefit to the residents of the Village as well as contributing to the health, safety and welfare of such residents by reducing the number of days per week that garbage collection will adversely affect the peace and enjoyment of such residents.

Amends the opening paragraph of Section 173-11. to read:

Section 173-11. Purpose

This article is adopted pursuant to Chapter 541 of the Laws of 1976 as amended, and Chapter 552 of the Laws of 1980 of the State of New York, as amended, *and Article 22 of the Village Law of the State of New York in order to:*

Amends Section 173-11. to add paragraph C. to read:

Section 173-11.C.

C. Maintain and provide for the orderly and economic collection of residential recyclable materials and solid waste in the Village of Pittsford by creating a Residential Recyclable Materials and Solid Waste Collection Benefit Assessment District in the Village of Pittsford.

Amends Section 173-12. to add and amend the following definitions:

Section 173-12. Definitions.

AUTHORIZED HAULER

Any person or entity licensed by ~~municipality~~ or under contract with the ~~county~~ Village of Pittsford to collect and transport recyclable materials and solid waste generated or originated within the ~~county~~ Village of Pittsford.

CONTAINER

A county-provided blue box container with a county logo for recyclable materials, or any other durable container for recyclable materials *or solid waste readily identifiable designated* by the hauler as a container for ~~recycling~~ *recyclable materials or solid waste*.

RESIDENTIAL UNIT

A dwelling unit which is used, or which may be lawfully used, for residential purposes as designated by the Assessor of the Village of Pittsford or the Code Enforcement Officer of the Village of Pittsford, including dwelling units on properties which are primarily devoted to non-residential uses or accessory or incidental residential dwelling units used in connection with principal institutional or non-residential uses. Each dwelling unit in a multi dwelling unit building shall be considered a separate dwelling unit for the purposes of this Chapter.

RESIDENTIAL UNIT COST

The cost assessed on a benefit basis to each residential unit on a no less than annual basis for the collection of recyclable materials and solid waste from or at such residential unit.

VILLAGE OF PITTSFORD RESIDENTIAL RECYCLABLE MATERIALS AND SOLID WASTE COLLECTION BENEFIT ASSESSMENT DISTRICT

All properties in the Village of Pittsford in or on which there is located a residential unit or units.

Amends Section 173-14. to read:

Section 173-14. Collection of *solid waste or recyclables materials* placed at curbside.

- A. Only persons *or entities* who are acting under authority of *or contract with the Village of Pittsford* ~~the county or~~ *as an authorized hauler* shall collect, pick up, remove or cause to be collected, picked up or removed any solid waste *or recyclable materials* so placed for collection; each ~~such~~ unauthorized collection, pickup or removal shall constitute a separate violation of this law; provided, however, that where ~~the county~~ ~~or~~ any authorized hauler has refused to collect certain recyclable materials because they have not been separated, placed or treated in accord with the provisions of this article, the person responsible for initially placing those materials for collection may and shall remove those materials from any curb, sidewalk or street side.
- B. Nothing herein shall prevent any person from making arrangements for the private collection, sale or donation of recyclable materials; provided, however, that recyclable materials to be privately collected, sold or donated shall not be placed curbside ~~on or immediately preceding the day for collection of such recyclable materials~~. Any and all *solid waste or recyclable materials* placed in a ~~county-supplied~~ *designated* container at curbside or at any designated collection place shall immediately become the property of the ~~county~~ *authorized or contracted hauler*.

Amends Section 173-15. as follows including the addition of a new paragraph A., re-lettering the current subparagraph A. as amended to subparagraph B. and re-lettering the current subparagraph B., as amended to paragraph C. as follows:

Section 173-15. Village of Pittsford Residential Recyclable Materials and Solid Waste Benefit Assessment District; Licensing of Non-Residential Haulers; Conditions of Refuse Collection.

A. Pursuant to Village Law Article 22, the Village of Pittsford Residential Recyclable Materials and Solid Waste Benefit Assessment District is hereby established.

- (1) Such district shall consist of every residential unit located within the Village of Pittsford, County of Monroe, State of New York.*
- (2) The residential unit cost for such benefit assessment district shall be determined by the amount, calculated on an annual basis, of the total cost to the Village of Pittsford of creating and administering such district, the bidding process required to bid for the collection service required by such district, the legal services required to create such benefit district and to enter into the contract required for the services to be provided by such benefit district, and the annual cost to the Village of Pittsford of providing for the collection of recyclable materials and solid waste for each residential unit located in such district and dividing that amount by the number of residential units located in the district.*
- (3) The annual cost to the Village of Pittsford of providing for the collection of recyclable materials and solid waste for the benefit assessment district as referenced in the preceding paragraph shall be as set forth in the contract with the recyclable materials and solid waste hauler, the identity of such hauler and the terms of the contract with such hauler shall be as determined by the Board of Trustees pursuant to the competitive bidding process established by the State of New York and the Local Laws, Resolutions, Policies and/or Rules of the Village of Pittsford.*
- (4) The residential unit cost as defined by the preceding paragraphs shall be assessed, levied and collected as a local special benefit assessment against real property in such district pursuant to Section 5-518 of the Village Law of the State of New York.*
- (5) It shall be unlawful for any person to accept or allow for collection at such person's residential unit, whether owned or occupied, the recyclable materials or solid waste of another.*
- (6) All recyclable materials and/or solid waste generated through the ownership or occupancy of a residential unit must be disposed of with the person or company with whom the Village of Pittsford contracts for Village-wide residential recyclable materials and solid waste collection.*

A B. Licensing of *non-residential* haulers.

- (1) All persons or companies engaged in the business of receiving or collecting *non-residential* ~~garbage/rubbish~~ *solid waste* or recyclable materials, except for construction and demolition waste, must apply for and be issued annually a license by the Village of Pittsford Board of Trustees. *Non-residential unit* ~~R~~ *refuse* haulers shall submit an application for an annual license by March 31 of each year. Licenses shall be issued by the Board of Trustees at the yearly organizational meeting. New license applications submitted at other times during the year will be considered by the Board of Trustees within 30 days of the date of application.
- (2) Authorized haulers shall comply with all provisions of the Monroe County Solid Waste Management Law regarding the collection of recyclable materials *and solid waste*.
- (3) Applications for an authorized *non-residential* hauler license may be denied if the applicant or licensee has been adjudged or administratively determined to have committed one or more violations of this article during the preceding calendar year, or if the applicant ~~is~~ *has been* determined to be unfit or undesirable to provide the service of refuse collection.
- (4) All authorized *non-residential* haulers shall, in writing, defend, indemnify and hold harmless the Village of Pittsford for any pending, threatened or actual claims, liability or expenses arising from *solid waste and recyclable materials* disposal by the authorized *non-residential* hauler in violation of this article.
- (5) No license issued under the provisions of this article shall be transferable. Changes in ownership of an authorized *non-residential* hauler shall be reported to the Village Clerk within five days. Said changes must be approved by the Village of Pittsford Board of Trustees.
- (6) Authorized *non-residential* haulers shall submit proof(s) of insurance in an amount determined to be sufficient by the Village of Pittsford Board of Trustees. Insurance shall include, but not be limited to, general liability, automobile liability, workers compensation and disability. All insurance certificates shall name the Village of Pittsford as an additional insured.
- (7) The fee for a license shall be determined by the Village of Pittsford Board of Trustees by resolution and may be adjusted from time to time.
- (8) Any conditions of refuse collection contained in this chapter, ~~both residential and commercial,~~ shall be also *be* conditions of the authorized *non-residential* hauler license.

B- C. Conditions of refuse collection.

- (1) The Village of Pittsford Board of Trustees shall, ~~by resolution,~~ regulate the days of the week on which residential refuse collection may take place within the Village. ~~In addition, the Board of Trustees may designate areas within the Village and impose collection regulations within said areas. Authorized haulers shall be notified of any such regulations upon issuance of a license, and shall be notified by mail of any changes to the regulations that may be made from time to time.~~
- (2) There shall be no residential collection of refuse between the hours of 6:00 p.m. and 6:00 a.m. (?)
- (3) There shall be no residential collection of refuse on Sundays or holidays.
- (4) ~~All authorized haulers must offer an optional residential low volume rate, and must make available to their customers special bags or stickers which may be purchased in advance.~~
- (5) ~~The level of service provided to residential customers by an authorized hauler for yard waste, bulky refuse, appliances or other waste shall be determined annually by the Village of Pittsford Board of Trustees, with input from the authorized haulers, by resolution.~~
- (4) The regulations for the collection of residential yard waste by the Village shall be issued by the Superintendent of Public Works and may be amended from time to time.
- (5) *No unauthorized person or entity as hereinafter defined shall deposit solid waste in a bulk refuse container within the Village of Pittsford. No person or entity shall deposit solid waste in a container utilized for recycling purposes in any location within the Village of Pittsford. The finding of solid waste in these such containers, which solid waste in part contains material bearing the name or other identifying mark of a person or entity as addressee, shall create a rebuttable presumption that the person or entity to whom such material was found to be addressed, deposited such and continued depositing such solid waste without authorization and in violation of this chapter. "Unauthorized person or entity", as used herein, shall mean a person or entity utilizing a bulk refuse container owned, leased or contracted for or by another person or entity.*

Amends Section 173-16.C.(1) to read:

Section 173-16.C.(1)

C. Hearing.

- (1) Hearings shall be held before ~~Town of Pittsford Justice~~ *the Board of Trustees* within a reasonable period, which shall be at least 10 days after service of notice.

Amends Section 173-16.C.(3) and Section 173-16.C.(3)(b) to read:

Section 173-16.C.(3)(b)

C. Hearing.

(3) Within 20 days after the close of the hearing, said ~~Town Justice Board of Trustees~~ shall:

(b) If said ~~Town Justice Board of Trustees~~ determines that such a failure has occurred, decide whether the generator, contractor or licensee shall be subject to fine or penalty or an existing solid waste license or contract or authorized hauler status shall be suspended or revoked, or its holder subjected to a reprimand and issue an order carrying out this decision.

Amends Section 173-16.D.(2) to read:

Section 173-16.D.(2)

D. Determinations, decisions and orders.

(2) Said ~~Town Justice Board of Trustees~~ shall promptly notify the applicant or licensee, in writing, of the final determination, decision or order.

Amends Section 173-17.B.(2) to read:

Section 173-17.B.(2)

B. Penalties.

(2) Criminal penalties. In addition to the civil sanctions provided herein, ~~failure to comply with this article or the rules and regulations promulgated hereunder shall be a violation as defined in §55.10 of the Penal Law and penalties shall be imposed hereunder~~ any person or entity committing a violation of this chapter shall, upon conviction, be guilty of a violation and shall be subject to a fine of not more than \$500.00 for a first offense and \$750.00 for each subsequent offense . Any law enforcement officer or the Village Code Enforcement Officer shall be empowered under this section to issue an appearance ticket and file any information or complaint in the Pittsford Justice Court in furtherance of the enforcement of this section.

Effective Date: This local law shall take effect immediately upon its adoption by the Board of Trustees of the Village of Pittsford and the filing thereof with the New York Secretary of State.

MEMO

To: Board of Trustees of the Village of Pittsford

From: Jeffrey L. Turner, Esq.

Date: January 9, 2024

Re: Timeline for Adoption of Assessment District
and Assessment of Tax for Such District

January 23, 2024 – Move local law to Public Hearing

February 13, 2024 – Public Hearing on local refuse district local law,
Adoption of local law,
Bids prepared in advance and forwarded to appropriate
entities following adoption

March 1, 2024 – Bids Opened

March 12, 2024 – Bid review and approval by Board of Trustees,
Board of Trustees to set the assessment for each residential unit

March 13, 2024 – Send assessment list out for publication

April 9, 2024 – Public Hearing on proposed assessments,
Adoption of proposed assessments

April 12, 2024 – Publication of adopted assessment list

Respectfully submitted,



Jeffrey L. Turner, Esq.
Pittsford Village Attorney

cc: Dorothea Ciccarelli, Pittsford Village Clerk

Village Board Meeting

Meeting Items
Agenda Item 7

Review of Proposed General and Sewer Reserves

MEMO

To: Board of Trustees of the Village of Pittsford

From: Jeffrey L. Turner, Esq.

Date: January 19, 2024

Re: Reserve Fund Resolutions

Dear Board of Trustees:

Attached are proposed resolutions creating reserve funds both within the general fund and the sewer fund. The fund descriptions and uses are based upon categories and descriptions provided to the Clerk by the previous Board with the exception of the 2 replacement and alteration reserve funds which I added based upon the changes and improvements that are contemplated in the Village Hall and the DPW Building.

As will become evident as you read through the resolutions, there are 3 types of reserve funds that would be created by the proposed resolutions as follows:

- A type capital reserve fund. Type capital reserve funds may be created by resolution, but expenditures from them require a permissive referendum. Examples of type capital reserve funds would be those having to do with capital improvements to purchase land, buildings and building alterations. No monetary amounts need to be stated.
- Specific capital improvements. Specific capital improvements are created by resolution, subject to permissive referendum and can be expended by a simple resolution of the Board of Trustees. An example of a specific capital fund is the sewer replacement reserve fund which you will find among the other proposed reserve funds included with this memorandum. An estimate of the total cost of the improvement must be stated.
- Repair reserve funds. Repair reserve funds are for the purpose of funding repairs to existing Village infrastructure, buildings and equipment. Repair reserve funds may be created by resolution, however, expenditures from those repair reserve funds are by an additional resolution which requires a Public Hearing on 5-days notice. No monetary amount needs to be stated.

One point that should be made is that debt service for an item covered by any of these reserve funds may not be paid out of that reserve fund. It must come from a separate debt reserve fund.

There are 4 current existing sewer fund reserve funds: G232P, G232R, G232VR, and G232WC.

G232P is a sewer repair fund specifically related to the sewer line adjacent to the Pittsford Pub. That fund was properly constituted and may be used pursuant to a resolution of the Board of Trustees subject to a Public Hearing on 5-days notice.

G232R is the existing sewer repair fund. Again, the money may be used for sewer repairs by resolution of the Board of Trustees subject to a Public Hearing on 5 days notice.

G232VR exists but the money in that fund, approximately \$250,000, cannot be utilized until the money is properly transferred to a capital fund within the sewer fund. That transfer must be by resolution of the Board of Trustees, subject to a permissive referendum.


G232WC is the Wood Creek repair reserve fund for replacement of lift station pumps. If the replacement of pumps can be categorized as a repair to the Wood Creek Lift Station, then this fund was properly constituted and may be used for pump replacement by resolution of the Board of Trustees, subject to a Public Hearing on 5-days notice.

Currently, the only reserve fund in the general fund is A232R. This fund again appears to have not been properly created. The solution to this is to transfer these funds to an appropriate capital fund in the general fund by resolution of the Board of Trustees, subject to a permissive referendum.

There are so many proposed reserve funds because most of the funds are for repairs or capital improvements which are utilized for both general municipal services and sewer services, so there must be a general fund and a sewer fund for each.

Obviously, as with any other resolution or local law, there is no pride in authorship and the Board can and should make whatever changes it feels appropriate.

Respectfully submitted,



Jeffrey L. Turner, Esq.
Pittsford Village Attorney

cc: Dorothea Ciccarelli, Pittsford Village Clerk

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A SEWER FUND
EQUIPMENT AND VEHICLE REPAIR RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of an equipment and vehicle repair reserve fund for the equipment and vehicles utilized in order to provide sewer service to the residents of the Village of Pittsford as well as other properties as determined by the Board of Trustees of the Village of Pittsford.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates a Sewer Fund Equipment and Vehicle Repair Reserve Fund (hereinafter "Reserve Fund"); and

BE IT FURTHER RESOLVED, that this Repair Reserve Fund is hereby established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of vehicles and equipment utilized to provide sewer service to the residents of the Village of Pittsford and such other properties as may be determined by the Board of Trustees of the Village of Pittsford. The term "equipment" includes any equipment, machinery or appurtenances not included in the definition of capital improvement and for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that the monies in this reserve fund may not be used for repairs which recur annually or at shorter intervals; and

BE IT FURTHER RESOLVED, that vehicle and equipment repairs financed with monies in this fund shall, to the extent practicable, satisfy the Village of Pittsford's green and sustainability goals and initiatives; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund require a resolution of the Board of Trustees of the Village of Pittsford, subject to a Public Hearing on 5-days' notice.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A GENERAL FUND
EQUIPMENT AND VEHICLE REPAIR RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of an equipment and vehicle repair reserve fund for the equipment and vehicles utilized in order to provide general municipal services to the residents of the Village of Pittsford as well as other properties as determined by the Board of Trustees of the Village of Pittsford.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates a General Fund Equipment and Vehicle Repair Reserve Fund (hereinafter “Reserve Fund”); and

BE IT FURTHER RESOLVED, that this Repair Reserve Fund is hereby established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of vehicles and equipment utilized to provide general municipal services to the residents of the Village of Pittsford and such other properties as may be determined by the Board of Trustees of the Village of Pittsford. The term “equipment” includes any equipment, machinery or appurtenances not included in the definition of capital improvement and for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that the monies in this reserve fund may not be used for repairs which recur annually or at shorter intervals; and

BE IT FURTHER RESOLVED, that vehicle and equipment repairs financed with monies in this fund shall, to the extent practicable, satisfy the Village of Pittsford’s green and sustainability goals and initiatives; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund require a resolution of the Board of Trustees of the Village of Pittsford, subject to a Public Hearing on 5-days' notice.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|----------|----------|
| Mayor Plummer | Yay_____ | Nay_____ |
| Trustee Lanphear | Yay_____ | Nay_____ |
| Trustee Leitgeb | Yay_____ | Nay_____ |
| Trustee Cove | Yay_____ | Nay_____ |
| Trustee Marshall | Yay_____ | Nay_____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A SEWER FUND
EQUIPMENT AND VEHICLE RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a type capital reserve fund for the purpose of purchasing equipment and vehicles utilized for the purpose of providing sewer service to the residents of the Village of Pittsford as well as other properties as determined by the Board of Trustees of the Village of Pittsford.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates a Sewer Fund Equipment and Vehicle Reserve Fund (hereinafter “Reserve Fund”); and

BE IT FURTHER RESOLVED, that this type Reserve Fund is hereby established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of the purchase of the equipment and vehicles necessary to provide sewer service to the residents of the Village of Pittsford and such other properties as may be determined by the Board of Trustees of the Village of Pittsford. The term “equipment” includes any equipment, machinery or appurtenances not included in the definition of capital improvement and for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that vehicles and equipment financed with monies in this fund shall, to the extent practicable, satisfy the Village of Pittsford’s green and sustainability goals and initiatives; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund are by resolution of the Board of Trustees of the Village of Pittsford, subject to a permissive referendum, pursuant to sub-division 8 of Section 6-c of the General Municipal Law unless the period of probable usefulness of the type capital improvement is less than 5 years.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A GENERAL FUND
EQUIPMENT AND VEHICLE RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a type capital reserve fund for the purpose of purchasing equipment and vehicles utilized for the purpose of providing general municipal services to the residents of the Village of Pittsford as well as other properties as determined by the Board of Trustees of the Village of Pittsford.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates a General Fund Equipment and Vehicle Reserve Fund (hereinafter "Reserve Fund"); and

BE IT FURTHER RESOLVED, that the reserve fund is hereby established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of the purchase of the equipment and vehicles necessary to provide general municipal services to the residents of the Village of Pittsford and such other properties as may be determined by the Board of Trustees of the Village of Pittsford. The term "equipment" includes any equipment, machinery or appurtenances not included in the definition of capital improvement and for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that vehicles and equipment financed with monies in this fund shall, to the extent practicable, satisfy the Village of Pittsford's green and sustainability goals and initiatives; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund are by resolution of the Board of Trustees of the Village of Pittsford, subject to a permissive referendum, pursuant to sub-division 8 of Section 6-c of the General Municipal Law unless the period of probable usefulness of the type capital improvement is less than 5 years.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A SEWER FUND
SEWER REPLACEMENT RESERVE FUND**

WHEREAS, the Village of Pittsford has an aging sewer system with uncertain longevity and reliability; and

WHEREAS, best municipal planning practices support the establishment of a specific capital reserve fund for the purpose of replacing the Village of Pittsford's sewer system.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates a Sewer Fund Sewer Replacement Reserve Fund (hereinafter the "Reserve Fund"); and

BE IT FURTHER RESOLVED, that this reserve fund is a type capital reserve fund established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost required to replace the sewer system of the Village of Pittsford. The term "sewer system" means the system provided by the Village of Pittsford to provide sewer service to its inhabitants by the collection of sewage arising within its corporate limits and elsewhere to the extent determined by the Board of Trustees of the Village of Pittsford. The estimated cost of such capital improvement is \$500,000; and

BE IT FURTHER RESOLVED, that such sewer replacement shall utilize, to the extent practicable, green construction and sustainable building; andp

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum pursuant to subdivision 4 of Section 6-c of the General Municipal Law.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|----------|----------|
| Mayor Plummer | Yay_____ | Nay_____ |
| Trustee Lanphear | Yay_____ | Nay_____ |
| Trustee Leitgeb | Yay_____ | Nay_____ |
| Trustee Cove | Yay_____ | Nay_____ |
| Trustee Marshall | Yay_____ | Nay_____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the _____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A GENERAL FUND
INFRASTRUCTURE RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a type capital reserve fund for the purpose of replacing infrastructure in the Village of Pittsford which, to the extent practicable, will be utilized in a manner consistent with green construction and sustainable building.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates a General Fund Infrastructure Reserve Fund (hereinafter “Reserve Fund”); and

BE IT FURTHER RESOLVED, that this type capital reserve fund is established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of infrastructure in the Village of Pittsford. The term “infrastructure” means the roadbed and road area, street and sidewalk paving, curbing, associated drainage facilities, bike paths, and other construction or improvements pertaining to public travel. It further includes municipal utility facilities except sewer facilities as well as municipal traffic signals, street lighting, and communication facilities in the right-of-way or other areas or easements open for municipal use. It further includes skywalks, street trees, plants, scrubs, lawns and other ornamental or beautification insulations owned by the Village of Pittsford in the right-of-way or other ways open to public travel or municipal use and accepted for municipal management or control as such. “Infrastructure” is intended to encompass any municipal physical plant, fixtures, appurtenances or other facilities located in or near the right-of-way or areas or easements open and accepted for municipal use for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that all infrastructure purchased with monies from this fund shall, to the extent practicable, satisfy the green and sustainability goals and practices of the Village of Pittsford; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund are by resolution of the Board of Trustees of the Village of Pittsford, subject to a permissive referendum, pursuant to sub-division 4 of Section 6-c of the General Municipal Law unless the period of probable usefulness of the type capital improvement is less than 5 years.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the _____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A SEWER FUND
INFRASTRUCTURE REPAIR RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a repair reserve fund for the purpose of repairing infrastructure in the Village of Pittsford which, to the extent practicable, will be utilized in a manner consistent with green construction and sustainable building.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates the Sewer Fund Infrastructure Repair Reserve Fund (hereinafter “Reserve Fund”); and

BE IT FURTHER RESOLVED, that this repair reserve fund is established pursuant to Section 6-d of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of reconstruction of infrastructure required by activities in support of the sewer system of the Village of Pittsford. The term “infrastructure” means the roadbed and road area, street and sidewalk paving, curbing, associated drainage facilities, bike paths, and other construction or improvements pertaining to public travel. It further includes municipal utility facilities except sewer facilities as well as municipal traffic signals, street lighting, and communication facilities in the right-of-way or other areas or easements open for municipal use. It further includes skywalks, street trees, plants, scrubs, lawns and other ornamental or beautification installations owned by the Village of Pittsford in the right-of-way or other ways open to public travel or municipal use and accepted for municipal management or control as such. “Infrastructure” is intended to encompass any municipal physical plant, fixtures, appurtenances or other facilities located in or near the right-of-way or areas or easements open and accepted for municipal use for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that the monies in this reserve fund may not be used for repairs which recur annually or at shorter intervals; and

BE IT FURTHER RESOLVED, that all repairs or reconstruction financed by this fund shall be, to the extent practicable, consistent with green construction and sustainable building practices.

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount

and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund require a resolution of the Board of Trustees of the Village of Pittsford, subject to a Public Hearing on 5-days' notice.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the _____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A GENERAL FUND
INFRASTRUCTURE REPAIR RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a repair reserve fund for the purpose of repairing infrastructure in the Village of Pittsford which, to the extent practicable, will be utilized in a manner consistent with green construction and sustainable building.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates the General Fund Infrastructure Repair Reserve Fund (hereinafter “Reserve Fund”); and

BE IT FURTHER RESOLVED, that this repair reserve fund is established pursuant to Section 6-d of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of repairs required to the infrastructure of the Village of Pittsford. The term “infrastructure” means the roadbed and road area, street and sidewalk paving, curbing, associated drainage facilities, bike paths, and other construction or improvements pertaining to public travel. It further includes municipal utility facilities except sewer facilities as well as municipal traffic signals, street lighting, and communication facilities in the right-of-way or other areas or easements open for municipal use. It further includes skywalks, street trees, plants, scrubs, lawns and other ornamental or beautification insulations owned by the Village of Pittsford in the right-of-way or other ways open to public travel or municipal use and accepted for municipal management or control as such. “Infrastructure” is intended to encompass any municipal physical plant, fixtures, appurtenances or other facilities located in or near the right-of-way or areas or easements open and accepted for municipal use for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that the monies in this reserve fund may not be used for repairs which recur annually or at shorter intervals; and

BE IT FURTHER RESOLVED, that all repairs or reconstruction financed by this fund shall be, to the extent practicable, consistent with green construction and sustainable building practices.

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash

balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund require a resolution of the Board of Trustees of the Village of Pittsford, subject to a Public Hearing on 5-days' notice.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A SEWER FUND
BUILDING REPAIR RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a repair reserve fund for the purpose of the repair of any and all buildings and structures owned by the Village of Pittsford which are utilized by the sewer system.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates the Sewer Fund Building Repair Reserve Fund (hereinafter "Reserve Fund"); and

BE IT FURTHER RESOLVED, that this repair reserve fund is established pursuant to Section 6-d of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of any and all repairs required to be made to all buildings and structures owned by the Village of Pittsford; and

BE IT FURTHER RESOLVED, that the type of repairs must not recur annually or at shorter intervals; and

BE IT FURTHER RESOLVED, that all repairs or reconstruction financed by this fund shall be, to the extent practicable, consistent with green construction and sustainable building practices; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund require a resolution of the Board of Trustees of the Village of Pittsford, subject to a Public Hearing on 5-days' notice.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A GENERAL FUND
BUILDING REPAIR RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a repair reserve fund for the purpose of the repair of any and all buildings and structures owned by the Village of Pittsford which, to the extent practicable, will be utilized in a manner consistent with green construction and sustainable building practices.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates the General Fund Building Repair Reserve Fund (hereinafter "Reserve Fund"); and

BE IT FURTHER RESOLVED, that this repair reserve fund is established pursuant to Section 6-d of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of any and all repairs required to be made to all buildings and structures owned by the Village of Pittsford; and

BE IT FURTHER RESOLVED, that the type of repairs must not recur annually or at shorter intervals; and

BE IT FURTHER RESOLVED, that all repairs or reconstruction financed by this fund shall be, to the extent practicable, consistent with green construction and sustainable building practices; and

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund require a resolution of the Board of Trustees of the Village of Pittsford, subject to a Public Hearing on 5-days' notice.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the _____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A SEWER FUND
BUILDING REPLACEMENT, IMPROVEMENT
AND ALTERATION RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a type capital reserve fund for the purpose of providing for the replacement, improvement and/or alteration of buildings and structures in the Village of Pittsford which, to the extent practicable, will be utilized in a manner consistent with green construction and sustainable building practices.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates the Sewer Fund Building Replacement, Improvement and Alteration Reserve Fund (hereinafter "Reserve Fund"); and

BE IT FURTHER RESOLVED, that this type reserve fund is established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of the replacement, improvement and/or alteration required to be made to buildings and structures owned by the Village of Pittsford and utilized by the sewer system, and for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that all replacement, improvement and/or alteration financed by this fund shall be, to the extent practicable, consistent with green construction and sustainable building practices.

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund are by resolution of the Board of Trustees of the Village of Pittsford, subject to a permissive referendum, pursuant to sub-division 4 of Section 6-c of the General Municipal Law unless the period of probable usefulness of the type capital improvement is less than 5 years.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

**RESOLUTION OF THE VILLAGE OF PITTSFORD
BOARD OF TRUSTEES
CREATING A GENERAL FUND
BUILDING REPLACEMENT, IMPROVEMENT
AND ALTERATION RESERVE FUND**

WHEREAS, best municipal planning practices support the establishment of a type capital reserve fund for the purpose of providing for the replacement, improvement and/or alteration of buildings and structures in the Village of Pittsford which, to the extent practicable, will be utilized in a manner consistent with green construction and sustainable building practices.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford hereby creates the General Fund Building Replacement, Improvement and Alteration Reserve Fund (hereinafter “Reserve Fund”); and

BE IT FURTHER RESOLVED, that this type reserve fund is established pursuant to Section 6-c of the General Municipal Law of the State of New York, as amended. The purpose of this reserve fund is to accumulate monies to finance the cost of the replacement, improvement and/or alteration required to be made to buildings and structures owned by the Village of Pittsford and for which a period of probable usefulness has been provided by law; and

BE IT FURTHER RESOLVED, that all replacement, improvement and/or alteration financed by this fund shall be, to the extent practicable, consistent with green construction and sustainable building practices.

BE IT FURTHER RESOLVED, that the chief fiscal officer is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village of Pittsford may invest the monies consistent with the investment policy of the Village of Pittsford. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law; and

BE IT FURTHER RESOLVED, that expenditures from this reserve fund are by resolution of the Board of Trustees of the Village of Pittsford, subject to a permissive referendum, pursuant to sub-division 4 of Section 6-c of the General Municipal Law unless the period of probable usefulness of the type capital improvement is less than 5 years.

A motion to adopt the foregoing was made by _____ and seconded by _____, and upon a roll call vote of the Board was duly adopted as follows:

| | | |
|------------------|-----------|-----------|
| Mayor Plummer | Yay _____ | Nay _____ |
| Trustee Lanphear | Yay _____ | Nay _____ |
| Trustee Leitgeb | Yay _____ | Nay _____ |
| Trustee Cove | Yay _____ | Nay _____ |
| Trustee Marshall | Yay _____ | Nay _____ |

Certification:

I, Dorothea M. Ciccarelli, the duly qualified and acting Clerk of the Village of Pittsford, New York, do hereby certify that the following motion was made on the ____ day of _____, 2024, has not been altered, amended or revoked and is in full force and effect.

Dorothea M. Ciccarelli, RMC, CMFO
Village Clerk
Village of Pittsford, New York

Village Board Meeting

Meeting Items
Agenda Item 8

Multi-Year Capital Planning RFP Update

Village Board Meeting

Meeting Items
Agenda Item

Member Items

Village Board Meeting

Department Reports

Minutes

Village Board Special Meeting Minutes, November 20, 2023

Village Board Regular Meeting Minutes, December 12, 2023