

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
April 27, 2010 – 7:00 PM

Present:
Mayor Robert Corby
Trustees Tim Galli
Trip Pierson
Steve Maddox
Paula Sherwood
Treasurer Mary Marowski
DPW Superintendent John Cufari
Recording Secretary Anne Hartsig

Mayor Corby called the meeting to order at 7:00 PM.

TREASURER’S REPORT – MARY MAROWSKI

A **motion** was made by **Mayor Corby**, **seconded by Trustee Maddox** to approve the following resolution regarding the emergency canal mitigation project that was completed earlier this month.

Resolution #7 of 2010 for Canal Mitigation:

Whereas, The Board of Trustees authorizes a budget amendment to appropriate fund balance of \$23,750 to cover the unanticipated expenses for emergency canal mitigation covering costs incurred by contractor, CP Ward, \$20,400 and engineer, Scott Harter, \$3,350. (Dr. A909 fund balance \$23,750, Cr. A1440.4 Engineer, \$3,350, and Cr. A7110.4 parks, \$20,740.)

Therefore, The Board of Trustees instructs the Treasurer to increase the budget lines for A1440.4, Engineering, A7110.4, Parks and decrease A909, Fund Balance in the General Fund budget to cover the expenses incurred with the canal mitigation.

Vote: Corby – yes, Galli - yes, Maddox – yes, Sherwood – yes. **Motion carried.**

**** Trustee Pierson arrived at 7:15 PM. ****

The Treasurer presented vouchers listed on Abstract #17 for approval. A **motion** was made by **Trustee Galli**, **seconded by Trustee Maddox**, to approve payment of vouchers listed on Abstract #17 in the amount stated below, and to charge them to the appropriate accounts.

General Fund (#518-#533, #535-#543):	\$ 43,878.86
Sewer Fund (#527):	\$ 22.85
Canal Improvements-Coastal (#534)	<u>\$ 750.00</u>
Total vouchers for approval:	\$ 44,651.71

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

The Treasurer reported that \$5,400 has been received for Time Warner Franchise fees.

DPW REPORT – JOHN CUFARI

- Mr. Cufari reported that Line Street will be milled and paved next week with assistance from the Town. Residents have been notified.

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- There is a sewer line erosion issue at the end of the RG&E right of way that will be repaired.
- A South Main Street merchant requested that the Village send letters to all merchants asking them not to dump their trash into Village owned containers. A courtesy letter will be sent by the Building Inspector.
- The Board thanked Mr. Cufari for arranging for the emergency canal mitigation.

BUILDING INSPECTOR'S REPORT

A written monthly report was submitted to the Board of Trustees prior to the meeting. The Board reviewed the report noting the following:

- The Board said a more detailed description of the term “secured” as it referenced vacant buildings on Schoen Place, is needed. Members said the term was too vague and they suggested that a complete job was not carried out.
- Olives Restaurant is expanding into the space formally occupied by Pittsford Electronics. SEQR is required. It was noted that a retaining wall is being repaired with new masonry block. Members questioned whether or not approval was required and if so, whether or not it had been granted.

RAND PLACE

Trustee Galli told the Board that a letter was mailed to residents on the north section of Rand Place in which school bus activity, other traffic concerns, and possible parking changes on that section were discussed. He said he had received two phone calls as a result of the letter. Those residents expressed a strong desire to have the school buses use the bus loop.

Attorney Turner will ask the records clerk to research records to learn how busing was handled at St. Louis School in the past.

Members discussed the St. Louis application to the Planning Board that includes expansion of the driveway and parking, and the construction of a sidewalk. It was noted that residents have a great deal of anxiety about the school buses and about the application. It was mentioned that there is a concern that the Church may want to eventually move the main entrance to Rand Place.

The Village Board continued their discussion regarding the possible placement of speed bumps on the southern portion of Rand Place. Mr. Cufari said that there aren't any circumstances under which the DOT would recommend the use of speed bumps. Members said that if placed, speed bumps would be used on a trial/temporary basis. The Board would like to have them installed within two weeks. Trustee Galli said he will send a letter to Pittsford Ambulance and to the Monroe County Sheriff's office. Mayor Corby will contact Paul Schenkel from the Pittsford Fire Department. He will also consult with Steve Ferranti about the potential solution of using speed bumps. Based on what Mr. Ferranti says, the decision will be made to either use them or not to use them.

PROPOSED LOCAL LAW #3 OF 2010 – PARKING CHANGES ON RAND PLACE AND LINCOLN AVENUE – DISCUSSION

As a result of input gathered from residents in October, 2009, the Board discussed changing the Village Code to prohibit parking on Rand Place between the hours of 7:00 a.m. and 9:00 a.m. on the west side in front of the school, between Locust Street and Elmbrook Drive to allow for more orderly traffic flow.

The Board also discussed changes to the Village Code regarding parking on Lincoln Avenue.

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A **motion** was made by **Trustee Galli, seconded by Trustee Maddox**, to hold a public hearing on May 25, 2010 at 8 PM to consider changes to the Village Code regarding parking on Rand Place and on Lincoln Avenue as discussed.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

8:00 PM CONTINUATION OF PUBLIC HEARING – TENTATIVE BUDGET

Trustee Galli stated that since the Trustees meeting on April 13th, the Board has been meeting to continue to discuss the budget. He said there have been essentially no changes other than attorney fees, items being addressed in the 09/10 budget (75 Monroe Avenue, Jefferson Road project), gross receipts, franchise fees, and other miscellaneous revenue categories.

For the record, Mayor Corby said he would like to make a cautionary reminder to Board members that a larger tax increase is needed to boost the amount of the revenue side of the Village budget so that there will be funds to take care of non-predictable things, such as the canal mitigation, maintenance of the infrastructure and buildings, and so that there are funds for investment in future capital projects that should be taking place every three to four years. Mayor Corby said that the current budget does not include enough revenue to do even minor projects such as updating the Comprehensive Plan, normal maintenance on buildings and streets, or to pay for emergency and unanticipated repairs. He said that at some point, the Board will be forced into a large tax increase in order to continue to operate because reserve funds are being depleted and are not being replenished.

Trustee Maddox responded by saying that the Village Board should “turn over every rock” to find every penny and to make an effort at saving money. He said he needed to see data to prove that the Village’s tax rate is too low. Mayor Corby said he has previously supplied some data to support that theory and will continue to research and find additional data. He said the way forward has been stalled because the Village does not have enough money. He said the Village needs to do a thorough analysis of expenses and revenues to determine what is needed to be sustainable as a village.

Trustee Galli said the Village must be diligent and mindful of expenses. Trustee Pierson said the Board needs to have a plan for future capital projects so that the public can understand where their tax dollars will be going.

There being no one further wishing to speak for or against the adoption of the tentative budget, a **motion** was made by **Mayor Corby, seconded by Trustee Galli** to close the public hearing.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

EXECUTIVE SESSION

A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox**, to enter executive session to discuss the employment history of specific employees.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

Having taken no action, a **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox**, to leave executive session and reenter the regular session of the meeting.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

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ADOPTION OF THE BUDGET

A **motion** was made by **Trustee Galli, seconded by Trustee Maddox** to adopt the tentative budget as the final budget, with the adjustments as discussed by the Board of Trustees and the Treasurer.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

PUBLIC HEARING – PROPOSED LOCAL LAW #2 OF 2010

Proof of the legal notice below having been published, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to open the public hearing to consider the adoption of proposed local law #2 of 2010, §210-60. Duties and powers of APRB.

**NOTICE OF PUBLIC HEARING
VILLAGE OF PITTSFORD**

Please take notice that a public hearing will be held before the Village of Pittsford Board of Trustees, April 27, 2010 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of Proposed Local Law #2 of 2010, which local law would amend § 210-60. Duties and powers of APRB. A complete copy of the proposed local law is available for review Monday through Friday during the hours of 8:00 AM to 3:30 PM in the Village Office, 21 North Main Street, Pittsford, NY.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

There being no one wishing to speak for or against the adoption of proposed local law #2 of 2010, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to close the public hearing.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve the adoption of proposed local law #2 of 2010 to amend §210-60. Duties and powers of APRB, of the Code of the Village of Pittsford.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

NON-MUNICIPAL USE PERMIT REQUEST – ARTHRITIS FOUNDATION MARATHON

The Board received a request for a non-municipal use permit from the Upstate New York Chapter of the Arthritis Foundation to hold the MVP Health Care Rochester Marathon event scheduled for Sunday, September 12, 2010 on the canal path along Schoen Place as indicated in an informational letter received and date stamped April 22, 2010. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve this request with the understanding that all safety measures included in the request letter will take place, with the condition that prior to the event, the Pittsford Fire Department and the Pittsford Volunteer Ambulance Corp will be notified, and with the condition that prior to the event, the USA Track & Field will provide the Village with a copy of a current Certificate of Insurance naming the Village of Pittsford as additional insured, which certificate shall reflect a \$1,000,000 single limit of liability for bodily injury and property damage.

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VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

SCHOEN PLACE GRANT DISCUSSION

A discussion was held regarding the grant funding for Phase 3 of the Schoen Place improvements. Since the village was unable to secure matching funds for the entire amount of the grant, it was decided that the Town of Pittsford might use some of the funding for Port of Pittsford Park. Trustee Galli stated that the Village is unable to front any of the money for the Town's portion of the project. He asked if legal counsel is needed and if an intermunicipal agreement should be drawn up for this project. Mayor Corby said the Village portion should not exceed a total of \$100,000. The question was raised whether the two projects should be bid as one or as separate projects. There will be a meeting with Town and Village representatives on April 29th to discuss this grant.

RESOLUTION #8 OF 2010

The Board of Trustees passed the following resolution.

Whereas, the Village Board anticipates declining revenue and increasing expenses in the fiscal year beginning June 1, 2010 and,

Whereas, Board members have determined that the Village expenses will be reduced approximately \$14,000 per year by changing the Building Inspector position to a 24 hours per week part-time position and employing a second individual to perform part-time Fire Marshall duties working up to 8 hours per week and,

Whereas, the Board has determined the Village expenses will be reduced approximately \$25,000 per year by reducing DPW non-supervisory labor by roughly 10%,

Now therefore be it resolved, on a **motion by Mayor Corby, seconded by Trustee Galli**, that the Board of Trustees will:

1. Eliminate the full time position of Building Inspector effective 6/1/10;
2. Create the part time position of Building Inspector 24 hours per week effective 6/1/10;
3. Create the part time position of Fire Marshall 8 hours per week effective 6/1/10; and
4. Authorize Bob Corby to take the necessary steps to reduce DPW labor expenses by 10%, effective immediately.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

****Trustee Maddox left the meeting at 9:35 PM****

DUMPSTER USAGE

The Board of Trustees received a memo from Attorney Turner following his research of the Village Code as it pertains to the use of dumpsters within the village and more specifically, within Northfield Common. Mr. Turner noted that the current code does not permit dumpsters in Northfield Common, which is zoned B-4. Dumpsters are permitted in B-1, B-1A, B-2, B-3 and the M-1 district only. Board members agreed that the enforcement of dumpster permits is inconsistent with the language in the Code. Also, the Village Code needs to be amended to include the B-4 district. The Clerk will type up a draft amendment of the change for the next meeting.

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Mr. Turner's memo suggested that all dumpsters in the village be identified with the name of the hauler, the landlord, and the businesses using each dumpster. Following that, a letter should be written and mailed requiring a permit for these dumpsters so that there is compliance with § 173-6 of the Village Code.

Mr. Turner pointed out that the dumpsters in Northfield Common that are located on the RG&E right-of-way were approved by a special permit granted to Jeffrey Mason in May of 2009. That permit expires and must be renewed by April 28, 2010. As of that date, the Board of Trustees would have the opportunity to address the location of Northfield Common dumpsters with the new owner.

TRAFFIC CONCERN

The Village Board received an email from a concerned citizen who is opposed to the 30 minute parking place located within the turning lane in front of 5 Monroe Avenue. The writer stated that parked cars in that space create a hazard for motorists who have to swerve into the next lane. Mayor Corby will email the writer to discuss the reason for this designated parking spot.

STORM WATER PLANNING

Mayor Corby said that follow-up is needed with the Building Inspector for more information on this topic.

SEQR – OLIVES RESTAURANT

The owners of Olives Restaurant, who are applying for a modification of their special permit, completed Part 1 of the long form SEQR. A **motion** was made by **Mayor Corby, seconded by Trustee Pierson**, to authorize the Village Clerk to send a letter to the interested and involved agencies on behalf of the Board of Trustees to request lead agency status in regards to the SEQR process.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried**

LYTLE CONTRACT

Attorney Turner looked into the matter of having the Village of Pittsford named as additional insured on Paul Lytle's liability insurance for the work he will be doing for the Village regarding 75 Monroe Avenue. The Board decided that Mr. Turner should inform Mr. Lytle that the Village of Pittsford should be named as additional insured on his liability insurance policy.

MINUTES

2/12/10 Budget: A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood** to approve these minutes as written.

VOTE: Corby – abstain, Galli – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

3/5/10 Budget: A **motion** was made by **Trustee Sherwood, seconded by Trustee Galli** to approve these minutes as written.

VOTE: Corby – abstain, Galli – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

3/26/10 Budget: A **motion** was made by **Trustee Sherwood, seconded by Trustee Galli** to approve these minutes as written.

VOTE: Corby – abstain, Galli – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

4/13/10 Regular Meeting: A **motion** was made by **Trustee Galli, seconded by Trustee Pierson** to approve these minutes as written.

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VOTE: Corby – yes, Galli – yes, Sherwood – abstain, Pierson – yes. **Motion carried.**

4/16/10 Budget: A **motion** was made by **Mayor Corby**, seconded by **Trustee Galli** to approve these minutes as written.

VOTE: Corby – yes, Galli – yes, Sherwood – abstain, Pierson – yes. **Motion carried.**

MEMBER ITEMS

Newsletter: Mayor Corby will contact Trustee Sherwood when his newsletter article is complete.

Pittsford Wines and Via Girasole: Mayor Corby talked to the owner of this business regarding her email questions about open houses in which they would like to hold food and wine tastings and provide music. Mayor Corby told the owner that a special permit would be required.

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 10 PM.

Anne Z. Hartsig, Recording Secretary