

**PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**October 9, 2012 – 7:00 PM**

**Present**

**Mayor:** Robert Corby  
**Trustees:** Tim Galli  
Paula Sherwood  
Lorie Boehlert  
Trip Pierson  
**DPW Superintendent:** Doug Yaeger  
**Building Inspector:** Kelly Cline  
**Attorneys:** David Lippitt  
**Recording Secretary:** Anne Hartsig

**CALL TO ORDER**

A **motion** was made by **Mayor Corby, seconded by Trustee Pierson** to call the meeting to order at 7:10 PM.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**TEMPORARY EVENT SIGN REQUESTS**

**Boy Scout Troop 341**

Nathaniel Topham, Tree Sale Leader from BSA Troop 341 requested temporary signs for the annual Christmas tree sale. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve the request as follows:

- One sign on the southeast corner of the Four Corners (Phoenix Building corner)
- One sign on the northwest corner of Jefferson Road and Sutherland Street (high school corner)
- Signs may be erected on 11/23/12 and removed on 12/2/12.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**PTSA Super Sale**

A **motion** was made by **Trustee Pierson, seconded by Mayor Corby**, to approve the request as follows:

- One A-frame may be placed at the following two locations:
- One sign on the northeast corner of the Jefferson Road and South Street intersection
- One sign on the northwest corner (Embrasse Moi corner) of the Four Corners
- The sign may be erected the on October 19<sup>th</sup> and removed on October 27<sup>th</sup>, 2012.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**Junior League of Rochester Home Tour**

A **motion** was made by **Trustee Pierson, seconded by Mayor Corby**, to approve the request as follows:

- One A-frame sign may be placed on the northeast corner of the Jefferson Road and South Street intersection
- One A-frame sign may be placed on the northwest corner (Embrasse Moi corner) of the Four Corners
- The signs may be erected on October 28<sup>th</sup> and removed on November 3<sup>rd</sup>, 2012.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**First Presbyterian Church**

A **motion** was made by **Trustee Pierson, seconded by Mayor Corby**, to approve the request as follows:

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- One sign may be placed on the northwest corner (Little League Field corner) of Route 96 and South Street intersection.
- One sign may be placed on the southeast corner of the Four Corners (Phoenix Building corner)
- Signs may be placed in those locations during the following dates:
  - 11/11/12-11/16/12
  - 2/19/13-2/24/12
  - 4/2/13-4/7/13
  - 4/30/13-5/5/13

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

#### **Pittsford Rotary**

A **motion** was made **by Trustee Pierson, seconded by Mayor Corby**, to approve the request as follows:

- One sign may be erected on the northwest corner of the Four Corners (Embrasse Moi corner)
- One sign may be erected on the southwest corner (bank corner) of the intersection of State Street and South Street
- Signs may be displayed on November 1<sup>st</sup> and removed on November 6<sup>th</sup> at the conclusion of the event.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

#### **DPW REPORT – DOUG YAEGER**

- Mr. Yaeger presented a pavement marking plan map for Schoen Place. Members said there should not be a center stripe on Schoen Place. The Village needs to give the DOT approval for the markings on the map. Members also asked for the “Walk Your Bike” markings to be re-stenciled.
- There will be four Hawthorn trees and one pear tree planted in front of Victor Furniture on Schoen Place. Mayor Corby said to plant a Little Leaf Linden tree in front of the library and a Sweet Gum tree at 24 South Street.
- The storm drain pipe near South Street and Elmbrook was replaced and the catch basin was repaired.
- A section of sidewalk on State Street was replaced for a second time after a bicyclist rode through the wet concrete when it was first poured. As a preventative measure, resident Jef Mason volunteered to sit near the sidewalk until it dried the second time the concrete was poured.
- Members discussed resurfacing options for Schoen Place. It was decided that a slurry seal treatment would last longer, be less dusty and will look better. This should be a priority for spring 2013.
- A subsurface drain is needed at the west end of Schoen Place. A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to authorize a change order for \$1000.00 to pay for a storm drain at the new public sidewalk and the Woodbridge building on the corner of Schoen Place and North Main Street.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

- The Locust Street storm drain between Rand Place and South Street needs repairs along with minor catch basin repairs. Water has been backing up into Church Street. The pipe, which is a clay tile pipe, is about fifty years old and one section is falling apart. Mr. Yaeger said at least the section needs to be replaced. He received three quotes for the repair work. Mason Trenching submitted the lowest quote. This company has done good quality work for the Village in the past. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood**, to enter into an agreement with Mason Trenching to repair the storm drain pipe between Rand Place and South Street for a cost of \$9,850.00 as quoted.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

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- This year's leaf season begins on October 15, 2012.

**BUILDING INSPECTOR'S REPORT – KELLY CLINE**

- Ms. Cline has been sorting through documents and messages on the former building inspector's desk to determine the status of various outstanding issues.
- A written report of the tasks Ms. Cline has been working on from 9/27 to 10/4 was presented to Board members.
- Concerns expressed by Board members were as follows:
  - Label 7 has new mechanical equipment on the back of the building that needs to be screened. Screening will need APRB approval. Any banners at that location are prohibited.
  - Gelato has new lights that require APRB approval. A-frame signs should be removed.
  - Signs at the new children's store have been in place 2-3 weeks.
  - Jojo's has a free standing sign that is prohibited.
  - The POD on Boughton Avenue has been in place for weeks and needs to be removed.
  - There is a car for sale on a lawn on Boughton Avenue. Parking on the lawn is prohibited.
  - A complaint has been received about dogs possibly being boarded at Fido's. Kennels are prohibited. Ms. Cline will stop by the business to speak to the owner.
  - There has been an inquiry about a veterinarian business at 21 State Street. That is not a permitted use in that location.

Ms. Cline asked Board members to contact her with any questions or concerns.

**EXECUTIVE SESSION**

A **motion** was made by **Trustee Pierson, seconded by Mayor Corby**, to enter executive session to discuss a matter of union negotiations.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

Having taken no action, a **motion** was made by **Trustee Boehlert, seconded by Trustee Pierson**, to leave executive session and resume the regular portion of the meeting.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**CIVIL SERVICE SECTION 42 (2) - DISCUSSION**

Having discussed this law with colleagues who are knowledgeable, Attorney David Lippitt reported on this section of the Civil Service law to the Board. He explained that the State Civil Service Commission may allow when practical and appropriate, municipalities with a population of less than 5000 to recruit or hire employees without going through the normal testing process for competitive positions. He suggested that the Village Clerk contact the Monroe County Civil Service Office to see if they have ever applied this section of the law and if so, what the process would be to use it. The Clerk will make this inquiry and report back to the Board.

**SECTION 41 J – NYS RETIREMENT BENEFIT**

This section of the law allows participating employers to elect to provide additional service credit toward retirement for its employees who are entitled to accumulated sick leave. The maximum number of additional service credit is 165 days for Tiers 1-5. Tier 6 employees are granted a maximum of 100 days. In order for employers to provide this benefit, a resolution must be passed. If the Board decides to provide this benefit, there would be an estimated annual cost of \$694.00, valid through March 31, 2013. A survey of the ten Monroe County villages determined that seven of them currently offer this benefit. Board members were in favor of offering this benefit to employees.

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Resolution #16 of 2012

At a meeting of the Board of Trustees of the Village of Pittsford, NY held at 21 North Main Street, Pittsford New York, on October 9, 2012, Trustee Pierson, seconded by Mayor Corby, offered the following resolution:

**BE IT RESOLVED:** that the Board of Trustees of the Village of Pittsford does hereby elect to provide the additional pension benefits of Section 41-j of the Retirement and Social Security Law, as presently or hereafter amended.

**BE IT FURTHER RESOLVED:** that the effective date of such shall be the 9<sup>th</sup> day of October, 2012.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**TREASURER’S REPORT – ANNE HARTSIG**

In the absence of the Treasurer, the Village Clerk presented a Treasurer’s report which included current bank balances. A **motion** was made **by Mayor Corby, seconded by Trustee Pierson**, to approve payment of the bills reviewed by Trustee Galli in the amount of \$4,134.27.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

Members noted that the Treasurer, upon her return, should submit the Ientilucci invoice dated 8/19/12 to Mark IV for payment.

**NON-MUNICIPAL USE PERMIT – CANDLELIGHT NIGHT**

A **motion** was made **by Trustee Pierson, seconded by Mayor Corby** to approve the request received from the Pittsford Chamber of Commerce for a non-municipal use permit for the 2012 Candlelight Night event with the following conditions:

1. Prior to December 4<sup>th</sup>, the applicant must contact the Monroe County Sheriff’s Department, the Pittsford Fire Department and the Pittsford Volunteer Ambulance to notify them that the event will be taking place.
2. As stated in your application letter, the Pittsford Chamber of Commerce, will provide insurance documents. The requirements are as follows:

The applicant must provide the Village with a copy of a Certificate of Liability Insurance naming the Village of Pittsford as additional insured on a primary and noncontributory basis. It must reflect a \$1,000,000 single limit of liability for bodily injury and property damage.

The applicant is required to submit a copy of the actual endorsement of the insurance policy. The endorsement document must list the policy number and set forth the Village of Pittsford as an additional named insured.

These certificates must be current and on file in the Office of the Village Clerk prior to December 4<sup>th</sup>.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**PITTSFORD ALLIANCE REQUEST**

The Board received a request from the Pittsford Alliance for Substance-Free Youth to place red ribbons on the light posts throughout the village during the week of October 23-October 31. They would also like to set up an information table outside the Town Hall during the Sutherland Homecoming Parade. A **motion** was made **by Trustee Sherwood, seconded by Trustee Pierson**, to permit Pittsford Alliance to place red ribbons on light poles in the village during the week of October 23-31 and to have an information table in front of the Town Hall during the Sutherland Homecoming Parade with the condition that the table will not be in the right of way.

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**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**SIGN CODE DISCUSSION**

Additional language for the event section of the village code §168-12 (2) was proposed and discussed by the Village Board. A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to hold a public hearing to consider amending §168-12 (2) of the Village Code at the November 13<sup>th</sup> meeting.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**MEMORIAL BENCH REQUEST**

The Village Board has received a request from Robert Maves of Nothnagle Realtors to purchase and place a bench in front of their office at 33 South Main Street in memory of a colleague who died unexpectedly in August of 2012. Members discussed the benches that had been ordered for the Village's former commemorative bench program and noted that they are no longer available. Mayor Corby suggested that a metal bench such as the one in the east pavilion on Schoen Place would be appropriate and would require less maintenance than the wooden benches. He will provide the cost and manufacturer's name to Mr. Maves for consideration.

**GROVE STREET PARKING**

Mayor Corby has received complaints about people parking for long periods of time on Grove Street. Members discussed changing the parking configuration in front of the Pickle Factory. Mayor Corby will discuss this possibility with the Fire Marshal Kelly Cline.

**TAX CAP LOCAL LAW DISCUSSION**

As a precautionary measure, a **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to hold a public hearing at the November 13, 2012 meeting to consider the adoption of a local law which would allow the Village Board to adopt a budget for the 2013/14 fiscal year that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**MEMBER ITEMS**

Trustee Sherwood presented a proposed plan for landscaping submitted by Bristol's Garden Center. It was noted that Bristol's employees will do the actual planting. A plant maintenance plan will be discussed at a later meeting.

**MINUTES**

**September 11, 2012:** A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to approve these minutes as presented.

**Vote:** Corby – yes, Galli – yes, Sherwood – yes, Boehlert – yes, Pierson – yes. **Motion carried.**

**September 14, 2012 – Special Meeting:** A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert** to approve these minutes as presented.

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

**ADJOURNMENT**

There being no further business, a motion was made by Trustee Boehlert, seconded by Mayor Corby, to adjourn the meeting at 9:15 PM.

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Anne Z. Hartsig

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