

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
September 14, 2010 – 7:00 PM

Present:

Mayor	Robert Corby
Trustees	Paula Sherwood
	Tim Galli
	Trip Pierson
Absent	Steve Maddox
Attorney	Jeffrey Turner
DPW Superintendent	John Cufari
Building Inspector	Skip Bailey
Recording Secretary	Anne Hartsig

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

DPW REPORT - JOHN CUFARI

Mr. Cufari said he ordered the equipment to repair the DPW pump station. The approximate cost is \$4283.

The Village has received complaints about the excessive dust on the RG&E right of way. Mr. Cufari told Board members about treating the surface with liquid calcium. He told them the approximate cost. Alternative treatment methods were discussed. Funds have not been budgeted for this project. Therefore, no decision was made. The topic will be part of budget discussions for the 2011/12 fiscal year.

Mr. Cufari said he has talked to potential candidates regarding a DPW position. He noted that the Village may have to advertise to find someone to fill this position.

Mr. Cufari reported that the Town of Pittsford made some signs for the Village. The Town has the capability to make all kinds of signs. He said the Village will begin to use the Town's service. The Town will bill the Village for the signs.

The temporary speed hump has been installed on Rand Place. Comments have been mostly favorable.

There is a tree on Boughton Ave. and Wood Street that caught fire and damaged RG&E wires. Mr. Cufari has a quote from Terry Tree for \$876 to remove the tree.

Mr. Cufari noted that the flowers in the hanging baskets are beginning to die out. Mr. Cufari would like to have them down prior to leaf season. Members prefer not to have the coleus plants in the baskets next year. Mr. Cufari complimented DPW crew member Mike Gulnac on the great job he did taking care of the flower baskets and landscaping this summer. Mr. Gulnac also helped out with mowing, brush and wherever needed after he finished watering the plants.

It is believed that a Village tree was removed on Schoen Place by the new owner of Northfield Common. The owner may have a map showing that the tree was not on Village property. That will need to be verified. Since the transfer of ownership, the Village has maintained that tree. Mr. Cufari had a quote of \$5,150 to replace the tree. Mr. Turner will send a letter to the owner about the unauthorized tree removal.

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The Village clock is being painted.

Mr. Cufari gave the Board an extensive list of collaboration efforts between the Town, School and Village. The list will be on the website.

BUILDING INSPECTOR'S REPORT – SKIP BAILEY

Mr. Bailey discussed violations at Northfield Common. A Final Notice and Order was issued on September 10th. Mr. Bailey has had two phone conversations with the owner and believes that proper applications will be made.

Mr. Bailey reported on the following:

- Mr. Bailey met with the owner of 15 State Street about exterior lighting violations and violations of the APRB code for changes to the exterior.
- An addition at 9 East Jefferson Road requires a minor variance from the ZBA and site plan approval. The building will be fully sprinklered which will allow habitable space on all three floors.
- Pittsford Farms Dairy is applying for a variance from the State for fire separation between the processing area and the store because the door that is required by code does not suit their purposes.
- The owner of 21 Lincoln Avenue is applying for subdivision of the lot.
- A vacant house at 16 Sutherland Street was sold.

Trustee Sherwood mentioned violations at the frame shop and shoe store on South Main Street, and at Fido's on State Street. She said Dolce Cupcakery is still using a temporary sign. Mayor Corby said there are signs at Jojo's that do not follow the code. There was a discussion about the size of signs in some store windows. Mr. Bailey will check on this.

The Board discussed the CSX Railroad right of way. Mr. Turner said that CSX has to be the one to enforce no parking on their property. He added that the Village can site CSX if the cars are not removed. Mr. Turner will write a letter to CSX.

Mayor Corby mentioned that CSX sprays pesticides on the right of way. He is concerned that pesticides may drift over and harm Village trees. Mr. Turner said the Village does not have jurisdiction over pesticide treatments on the CSX right of way. He advised that this would be a private property issue unless pesticides harm Village trees or property.

NORTHFIELD COMMON ISSUE

A State Street resident spoke to Board members regarding the situation at Northfield Common. He said his concerns began in March of 2010 and he is still unclear about the owner's intentions with regard to a transitional landscape design between his property, Northfield Common and the RG&E right of way. He provided photos that were taken beginning in May, to the present. Photos include dumpsters, storage of equipment, fuel tanks and landscaping plants. He would like to know what the permitted uses are for that property. Mayor Corby stated that storage of gas and oil tanks is not permitted. There is a question about whether the landscape business is a retail business and if it is a permitted use. Attorney Turner will discuss this with the Code Enforcement Officer.

There were many questions about the new patio at Olives Restaurant including whether or not the number of seats exceeds what is permitted. It was decided that Mr. Turner should meet with Mr. Bailey and Mayor Corby to determine what violations exist at 50 State Street.

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TEMPORARY EVENT SIGN REQUESTS

St. Louis Church and First Presbyterian Church requested temporary event signs. Upon review of the sign tracking chart, approvals were given.

St. Louis Church: A **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to approve two A-frame signs to advertise the Sunday Stroll for Haiti Event with these conditions:

- One sign shall be placed on the sw corner of the Four Corners
- One sign shall be placed on the ne corner of the Four Corners
- Signs may be placed on September 26th and removed on October 3rd.

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

First Presbyterian Church: A **motion** was made by **Mayor Corby, seconded by Trustee Pierson**, to approve two A-frame signs to advertise the Church’s 2010/11concert series as follows:

- One sign shall be placed on the se corner of the Four Corners for the concert to be held on 10/15/10. For all other concerts, the sign may be placed on the sw corner of the Four Corners
- One sign shall be placed on the corner of South Street and Route 96 for all concerts.
- Signs may be placed 5 days prior to the event date and removed at the conclusion of the concert.

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

SEQR DISCUSSION

Members discussed steps involved in the SEQR process. SEQR for 75 Monroe Avenue will be on the agenda for the October 12th Board of Trustees meeting.

ARTICLE VA DISCUSSION

Board members discussed the R-5 Residential District section of the Code.

CLG GRANT

The following resolution was passed in regards to the Certified Local Government Grant Award for regional training:

**Resolution #9 of 2010
CLG Grant Agreement**

Whereas: On August 11, 2009, the Village Board of Trustees passed a resolution to partner in a grant application to secure funding for the creation and delivery of training to members of Certified Local Government Boards and,

Whereas: On July 2, 2010, a letter from NYS Office of Parks, Recreation and Historic Preservation was received advising that the Village of Pittsford will be awarded \$15,150.00 for Regional training for CLG’s and Commissions and,

Whereas: The Village of Pittsford will act as the Contractor for the administration of this grant and,

Whereas: The Village Attorney has reviewed the proposed contract,

Now therefore be it resolved on a **motion** made by **Trustee Pierson, seconded by Trustee Sherwood** that the Village of Pittsford agrees to accept the award of \$15,150.00, authorize Mayor Corby to execute the agreement, and to authorize the Village Treasurer to distribute the awarded funds to the other partnering CLG entities and to contracted providers for the provision of

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services for the creation and delivery of training to members of Certified Local Government Boards according to Appendix B-Project Budget.

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

The need for an Intermunicipal Agreement that specifies the project budget for all of the CLG entities participating in this grant was discussed. A **motion** was made **by Mayor Corby, seconded by Trustee Pierson**, authorizing Attorney Turner prepare an Intermunicipal agreement/contract specifying the responsibilities of all involved parties, including the Landmark Society of Western New York, according to Appendix B - Project Budget, found in the Grant Agreement.

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

The Village Clerk will contact Maranne McDade-Clay from the Landmark Society to obtain specific descriptions of the obligations of each entity, to assist Mr. Turner in preparing the Intermunicipal Agreement.

RG&E RIGHT OF WAY

Mr. Turner said he has emailed Debbie Wegman every other week to try to obtain a written easement for the RG&E right of way. He has not heard back from her. He said the Village has used and maintained the right of way for over 10 years. He will increase his efforts to reach Ms. Wegman and will report back to the Board at the November meeting.

VILLAGE TREE DISPUTE

Village Officials have been contacted by a State Street resident who is concerned that her tree may be damaged during the construction of her neighbor's garage. It has been determined that the PZBA acted properly when making their decision regarding the proposed garage. Mayor Corby met with the concerned resident and also spoke with the neighbor. He will call the resident to summarize the conversation he had with the neighbor. The Board of Trustees agreed that the dispute is not a Village issue.

TIME WARNER CONTRACT RENEWAL

Trustee Galli reported that Computel is reviewing the contract that the Town has with Time Warner. It appears that the Town is getting the maximum revenue. The Clerk has requested a proposed contract agreement from Time Warner. It is possible that Time Warner will have to request an extension of the current contract if negotiations are not complete by the expiration date in November.

NON MUNICIPAL USE PERMIT – SUTHERLAND HOMECOMING PARADE

The Village Board received a request from the Student Council Advisor at Sutherland High School to ask permission to hold the Homecoming Parade on Village Streets on October 2nd.

A **motion** was made **by Trustee Galli, seconded by Mayor Corby** to approve the request for a non municipal use permit from Sutherland High School to hold their Homecoming Parade on village streets on October 2nd with the following conditions:

- The applicant will obtain permission from NYSDOT for the use of State roads.
- The applicant will contact the Monroe County Sheriff's Department, Pittsford Fire Department, Pittsford Ambulance and the media (to suggest that alternate routes are used during the time of the parade).
- A Certificate of Insurance naming the Village of Pittsford as additional insured is required. The certificate must reflect a \$1,000,000 single limit of liability for bodily

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injury and property damage. The certificate must be current and on file in the Office of the Village Clerk prior to the event.

- All North and South Main Street merchants must be notified. Confirmation that the notification has taken place must be submitted to the Village Clerk's Office no later than two weeks prior to the event.

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

LINCOLN AVENUE PARKING

Members discussed proposed parking changes on Lincoln Avenue in May of 2010. At that time, several residents attended the meeting and expressed opposition to the proposed changes. It was agreed that the subject would be revisited.

Members decided that although the logic for the changes is sound, residents were strongly opposed. Therefore, no changes will be proposed at this time.

LIGHTING AUDIT

Mayor Corby reported that he met with the representative of a company that offered to do a lighting audit regarding more efficient lights for Village buildings, in particular, the DPW. He has not heard back from the representative with an estimate.

BUSINESS DIRECTORY SIGNS

Trustee Sherwood met with some Northfield Common merchants regarding their request for business directory signs through out the village. She explained that the Village budget does not allow for funding of these signs. The estimate for four signs was \$4500. The merchants suggested a partnership whereby they would raise some of the money for the signs. The Trustees discussed the proposed size, locations, and design of the signs. Businesses change on a regular basis so merchants would have to consider how they would change the names on the directory signs. Trustee Sherwood will meet again with the merchants to discuss comments and concerns brought forth by the Board of Trustees.

MEMBER ITEMS

NIMS: Mayor Corby reported that the Village is now NIMS compliant thanks to the efforts of Town employee, Kelly Cline. Kelly will notify the Village when training requirements should be completed. The Village Board is grateful to her for her assistance.

Candlelight Night: Board members have not heard anything about the 2010 Candlelight Night event. They briefly discussed what roll the Village might play in this year's event.

2011/12 fiscal year budget discussion: Trustee Galli mentioned that the Board should develop a plan for the next year's budget process. He said there have been pluses and minuses to the current budget. The Board needs to know how these additions and subtractions have affected the budget. He stated that the Board needs to understand the trends from the last five years.

NON MUNICIPAL USE PERMIT REQUEST- PAMELA HINES

Jackson & Hines will be celebrating their first anniversary in business. Pamela Hines requested a non municipal use permit to hold a celebration including horse and carriage rides on village streets, music, and the installation of a tent in the parking lot. Trustee Sherwood expressed safety concerns surrounding the horse and carriage rides. Vehicular traffic, pedestrians, and horses could all be at risk. She asked about traffic cones and potential problems for the horses due to vehicle parking on State Street. She had concerns about clean-up after the horses have been on the village streets. She said safety concerns are intensified because the event will take place on a Saturday. Members discussed the issues. A **motion** was made by **Trustee Sherwood, seconded by Mayor Corby** to approve the issuance of a non municipal use permit to Jackson and Hines for

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purposes of holding an anniversary celebration in the village on September 25, 2010 with the following conditions:

- The route for the horse and carriage ride will be as specified in the request letter.
- The applicant will agree to notify New York State DOT regarding the proposed use of Route 96 and Route 31.
- The applicant will contact the Sheriff's Department for this event and will notify the Pittsford Fire Department, and Pittsford Ambulance.
- The applicant is required to provide the Village with a copy of a Certificate of Insurance naming the **Village of Pittsford** (as opposed to the Town of Pittsford) as additional insured on a primary and noncontributory basis. The certificate must reflect a \$1,000,000 single limit of liability for bodily injury and property damage. **This certificate must be current and on file in the Office of Village Clerk prior to the event.**

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

MINUTES

July 13, 2010: A **motion** was made by **Trustee Sherwood**, seconded by **Mayor Corby** to approve these minutes as presented.

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

August 10, 2010: A **motion** was made by **Trustee Galli**, seconded by **Mayor Corby** to approve these minutes as amended.

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

August 27, 2010: A **motion** was made by **Mayor Corby**, seconded by **Trustee Pierson** to approve these minutes as written.

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

September 10, 2010: A **motion** was made by **Mayor Corby**, seconded by **Trustee Pierson** to approve these minutes as written.

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

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 11 PM.

Anne Z. Hartsig, Recording Secretary