

**PROCEEDINGS OF THE REGULAR MEETING OF THE
VILLAGE OF PITTSFORD BOARD OF TRUSTEES**
May 14, 2002 at 7:00 PM

PRESENT:

Mayor	Robert C. Corby
Trustees	Steven Maddox Paula Sherwood Thomas Farlow
Excused	Glenn Brown
Attorney	John C. Osborn
Treasurer	Mary Marowski
DPW Superintendent	Scott Spencer
Recording Secretary	Anne Z. Hartsig

The meeting was called to order at 7:15 PM by Trustee Sherwood.

TREASURER'S REPORT – MARY MAROWSKI

A **motion** was made by **Trustee Sherwood, seconded by Trustee Farlow** to approve the following vouchers and charge them to the proper accounts:

General Fund Vouchers	#449-#501	\$33, 534.40
Sewer Fund Vouchers	#446	<u>29.15</u>
TOTAL		\$33,563.61

Vote: Sherwood – yes, Farlow – yes, Maddox – yes. **Motion carried.**

A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to approve the total Treasurer's Report.

Vote: Sherwood – yes, Farlow – yes, Maddox – yes. **Motion carried.**

** It should be noted that Mayor Corby and Attorney Osborn joined the meeting at 7:20 PM.**

DPW REPORT – SCOTT SPENCER

Mr. Spencer reported on **routine activities**, including garbage, siphons and brush pick-up. He then reported on **projects completed** over the past month. These projects were painting of the flower baskets and chains, preparing the watering trailer for the season, servicing the loader and the International truck, unplugging the storm sewer at Washington Ave., taking down a dead tree on E. Jefferson Road, helping with clean-up at Bob Ford Field, planting shrubs and mulching the Village Hall grounds, walking with Mayor Corby to determine new tree placement. Projects that are still **in progress** are seeding next to the new sidewalks on E. Jefferson and Eastview, installing signs requested by Mayor Corby, painting the entrance posts, cleaning the catch basins, sweeping Village streets, cleaning up garbage in the Burdett lot, cleaning the old railroad bed and cleaning up Main Street. **Items of concern** discussed were the repairs on the Flush truck and the possibility that the pump cannot be fixed, and verification of the number of approved summer help employees. Approval for summer hours for the DPW employees was granted. The hours will be 6:30 AM to 3:30 PM Monday through Thursday and 6:00 AM to 10 AM on Friday. Carry-over of vacation time for Mr. Spencer was discussed. A **motion** was made by **Trustee Farlow, seconded by Mayor Corby** to allow Mr. Spencer to carry over one additional week's vacation beyond the 5 days allowed in our policy.

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

Future roadwork information was discussed. Sutherland Street will be micropaved, Eastview and Austin will be slurry sealed and Greenhill Lane will have manholes, gutters and catch basins removed and replaced. The street will be milled and paved, driveway aprons will be repaired and the areas will be seeded. Mr. Spencer said the work on Greenhill should begin as soon as the other "work in progress" projects are completed.

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Mr. Spencer reported an on going “grease in the sewers” problem in the area of the Coal Tower and Aladdin’s. He suggested that the DPW flush those sewers four times per year to prevent back-ups. He will try to determine if the grease interceptor is working properly.

Mayor Corby reported that the 30mph sign at Monroe Avenue is missing and the harp light at the corner of Monroe and Washington is burned out. He asked Trustee Farlow to schedule a meeting with the DOT possibly on May 24th to discuss Village issues.

PUBLIC HEARING – MILLER B&B – 27 NORTH MAIN STREET – SPECIAL PERMIT AND SEQR

Mayor Corby explained that the Public Hearing had been left open to comply with the SEQR requirements. The Board reviewed responses from interested and involved agencies regarding their request to be Lead Agency in this action. Responses received showed no objections. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to declare the Board of Trustees as Lead Agency in the SEQR process regarding the Bed and Breakfast at 27 North Main Street.

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

The Board addressed concerns of the Village Planning Board regarding the residency requirement at the B&B as well as their concern that only the front part of the property should be included in the request for a Special Permit.

There being no further comments, **Mayor Corby made a motion, seconded by Trustee Farlow** to close the Public Hearing.

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

The Board then reviewed the questions on Part II of the Long form SEQR.

A **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to declare a Negative Declaration in determining the significance of impact of the SEQR assessment form for the Miller B&B at 27 North Main Street

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

A **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to approve the Special Permit for the establishment of a Bed and Breakfast at 27 North Main Street with the following conditions:

1. the application is subject to review and approval by the APRB particularly to address the issue of the garage,
2. approval for this application is limited to the front parcel of 27 North Main Street and does not include the rear property. If there is a plan for the rear property, it will be a subsequent application.
3. This approval is subject to the memo of understanding between Skip Bailey and Bill Richardson, the Regional Engineer for the Department of State,
4. The standards for special permit application will be adhered to and they are
 - a. Access to the site and the size of the site are adequate for the proposed use,
 - b. The nature of the operation of the proposed use will be in harmony with and will not alter the essential character of the neighborhood nor be detrimental to the residents,
 - c. The proposed use will not create a hazard to health, safety, or the general welfare
 - d. Traffic and parking created by the proposed use will not be detrimental to the surrounding area.

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

The decision was filed in the office of the Village Clerk on May 14, 2002. Failure to comply with the Conditions of Approval may result in revocation of said approval.

PUBLIC HEARING – JAYA JUICERY & NATURAL FOODS – 1 NORTH MAIN STREET – SPECIAL PERMIT AND SEQR

Renee Farrell, Chris Miller and Doug Miller are proposing a business consisting of a restaurant that serves fresh juice, blended fruit drinks, teas and natural foods at 1 North Main Street. They are requesting a Special Permit to operate this business in a B1-A district. They stated that the majority of the business

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would be take-out. Containers will be recyclable. Trash will be stored in the basement and picked up several times of week. Blenders, refrigerators and freezers will be used. There will not be an oven initially. Hours of operation are planned to be 6:30 AM to 10 PM Monday through Friday, 10 AM to 10 PM Saturday and 10 AM to 7 PM on Sunday. The applicants are hoping to open in mid June.

Mayor Corby stated that the Building Inspector would review this application for code compliance. He will decide if it needs Planning Board review.

SEQR – The Board discussed the necessity for a SEQR review. Because the space is less than 4000 square feet and because the use in this space is not an intense use but rather a compatible use, the Board determined that a SEQR review is not necessary for this application. This determination is subject to the approval of this process by the Building Inspector.

Public Hearing Opened: Proof of the legal notice having been published, a **motion** was made by **Mayor Corby, seconded by Trustee Farlow** to open the Public Hearing.

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

Scott Spencer, High Street: stated it would be nice to have a restaurant open in the Village at night.

Public Hearing Closed: There being no further comment, a **motion** was made by **Mayor Corby, seconded by Trustee Farlow** to close the Public Hearing.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to approve this application for a Special Permit for a juicery at 1 North Main Street because the use is in harmony with the surrounding uses, it is a compatible use and it meets the other criteria specified in the Special Use Permit section of the B1-A code. The approval is granted with the following conditions:

1. the hours of operation comply with the Code,
2. all trash for the operation must be stored inside the building,
3. the application is subject to review and approval by the Building Inspector to insure compliance with Village Zoning and the State Building Code.

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

The decision was filed in the Office of the Village Clerk. Failure to comply with the Conditions of Approval may result in the revocation of such approval.

DISCUSSION REGARDING PARKING TICKET COLLECTION FEES

After continuing discussion about the fees for hiring an agency to collect delinquent parking tickets, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to hold a Public Hearing in June for proposed Local Law #3 to address the collection of parking ticket fees.

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

LWRP REVIEW OF PROPOSAL

Several years ago, the Village joined with the Town to adopt a Local Waterfront Revitalization Plan. The plan was written by Behan Associates. The state has been reviewing this plan for approximately two years. The State notified Behan that revisions were needed. Behan made the revisions. In order to conclude the process, Behan is asking for a \$5000.00 fee. This has not been accounted for in the new budget. Mayor Corby will talk to Tom Elliott at the Town to see how the Town is handling this. A Public Hearing will be needed for the final adoption of this plan.

FIBER TECHNOLOGIES DOCUMENT OVERVIEW – ATTORNEY OSBORN

Attorney Osborn explained that Fiber Technologies Networks LLC is asking for a loan from M&T Bank. The bank is asking for the consent of the Village to take a conditional assignment of all agreements executed by this company. Since we have not received any money from this company, Attorney Osborn said we would not be giving up rights to anything. Mayor Corby signed the agreement and the Clerk will mail it back.

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RAND CREEK DRAINAGE LETTER FROM SCOTT HARTER

Trustee Maddox explained that the Village has withheld some of the payment for the Rand Creek project until the anticipated topsoil/seeding has been completed this spring. Mr. Harter's letter to the Ramsey Construction Company addresses this issue and states that the company will be paid once these issues are addressed and the maintenance bond is presented.

TOWN/SCHOOL PROPOSAL TO PURCHASE THE VERAMARK PROPERTY

The Town and School District announced a possible plan to purchase property on Monroe Avenue for a joint community center, library and school. At the present time, they are reviewing the feasibility of this plan. Testing is being conducted to ensure that a former chemical spill has been thoroughly cleaned up. As a school site, this would be central to the area the District serves. Board members have concerns about the impact to the Village if the Library should be moved to this site. The location of the library has not been decided. Mayor Corby wished the School and Town well in this venture. The Town is still looking into the purchase of the Veconi property.

SIGN REQUESTS

A "Yield to Pedestrian" sign for Monroe Avenue/Washington Avenue intersection has been requested. This topic will be discussed at a future meeting with the DOT and Trustee Farlow and Mayor Corby.

175th ANNIVERSARY CELEBRATION

Mayor Corby reviewed the first committee meeting. The committee coordinator is Audrey Johnson. There were 12 people in attendance at the first meeting. The committee will meet every other Monday until July 4th. Mayor Corby stated that this would be a modest celebration. He described some of the events that are being planned. Trustee Farlow will check with the Fire Department to see about having the carriage barn open on July 4th.

NON-MUNICIPAL USE PERMIT – PITTSFORD CHAMBER OF COMMERCE 5K RACE

The Pittsford Chamber will be conducting their annual 5K race on some Village streets on the weekend of the June 8 & 9. They have requested a permit for this race.

A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to issue a non-municipal use permit to the Pittsford Chamber of Commerce to allow them to hold a 5K race on Village streets on June 8, 2002 at 9:00 AM.

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

PITTSFORD COMMUNITY FORUM

Mayor Corby told the Board that there would be a meeting of the Pittsford Community Forum at Pittsford Mendon High School on Thursday, May 16th. He will give a presentation.

NON-MUNICIPAL USE PERMIT FOR TOWN OF PITTSFORD EVENTS

The Board received a request from the Town of Pittsford for a "blanket" non-municipal use permit for events to be held in the 2002 season. A **motion** was made by **Trustee Farlow, seconded by Mayor Corby** to grant a "blanket" non-municipal use permit to the Town of Pittsford for the various events listed on the Schedule of Events postcard. All events listed on the card that will be held entirely or partly within the Village limits in 2002 will be covered under this permit.

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

POSITIVELY PITTSFORD WEEKEND

In a letter from the Supervisor's office, the Town Events Committee asked the Village to be responsible for providing staff for waste management as well as financial support for six people from Intercept Security for Positively Pittsford Weekend. The Board stated they are willing to offer financial support. It is the Board's understanding that the Town will make all arrangements with Intercept Security. A **motion** was made by **Trustee Farlow, seconded by Mayor Corby** to limit a financial contribution to the Town of Pittsford for security at the Positively Pittsford Weekend to \$1000.00.

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

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The Events Committee has asked for Village participation at their meetings. It has been difficult for Village Board members to attend due to the time of the meetings. Trustee Sherwood said she would attend the meetings in Trustee Farlow's place once her school commitment concludes in June. DPW Superintendent Scott Spencer attends the meetings when his schedule permits.

QUOTE FOR POLE LIGHTS ON THE TOWPATH

Tambe Electric provided a quote for four new pole lights to be purchased and installed along the towpath west of the North Main Street bridge. The quoted amount is \$15,336.79. During a discussion, board members commented on the significant cost of these lights compared to the regular streetlights purchased through the RG&E. Board members agreed that Mr. Spencer should obtain another quote from McConnell Electric.

SUMMER HOURS FOR CLERK AND TREASURER

Board members agreed to allow the Clerk and Treasurer to alternate Friday afternoons off. The hours will be made up during the week.

CDBG BLOCK GRANT

The Village of Pittsford has been a member of the Monroe County Consolidated Plan Consortium, which will expire soon. The membership allows the Village to participate in grants for community development and home investment. To renew the membership for the next three years, a written response is necessary. Board members decided to renew the membership via a resolution.

BE IT RESOLVED, on a motion made by Mayor Corby, seconded by Trustee Sherwood, the Board of Trustees, having reviewed the Cooperation Agreement between Monroe County and the Village of Pittsford, agrees to continue the Village of Pittsford's membership in the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Grant of the Monroe County Consolidated Plan Consortium for the next three years from the period of October 1, 2002 through September 30, 2005.

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

GRANT UPDATE – TRUSTEE MADDOX

Trustee Maddox reported that Senator Alessi would like to have lunch with Mayor Corby to discuss ways he may be able to help the Village. Trustee Maddox will arrange the lunch.

Trustee Maddox spoke to Stu Brown regarding the grant the Village applied for to further improvements along the canal. Mr. Brown estimates we will hear something by June 14th.

Trustee Maddox verbally arranged for the Trustees to have a meeting with Mr. Brown every couple of months to be more aggressive in seeking grant money.

DPW COMP TIME FOR MEMORIAL DAY PARADE

Trustee Maddox suggested the crew be offered straight comp time (hour for hour) for the time they spend driving a truck in the parade. The Board discussed this proposal. They agreed that the crew has been doing a good job and deserves to receive comp time for working on the holiday.

MINUTES

April 9, 2002 – A motion was made by Trustee Maddox, seconded by Mayor Corby to approve these minutes as amended.

Vote: Sherwood – yes, Farlow – abstain, Maddox – yes, Corby – yes. **Motion carried.**

April 15, 2002 Organizational Meeting Minutes - A motion was made by Trustee Maddox, seconded by Mayor Corby to approve these minutes as amended.

Vote: Sherwood – yes, Farlow – abstain, Maddox – yes, Corby – yes. **Motion carried.**

April 15, 2002 - A motion was made by Trustee Maddox, seconded by Mayor Corby to approve these minutes as written.

Vote: Sherwood – yes, Farlow – abstain, Maddox – yes, Corby – yes. **Motion carried.**

April 29, 2002 - A motion was made by Trustee Maddox, seconded by Mayor Corby to approve these minutes as written.

Vote: Sherwood – yes, Farlow – abstain, Maddox – yes, Corby – yes. **Motion carried.**

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EXECUTIVE SESSION

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to enter executive session to discuss a personnel issue.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to leave executive session and re-enter the regular session of the meeting.

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

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 10:00 PM.

Anne Z. Hartsig, Recording Secretary