

**PROCEEDINGS OF THE REGULAR MEETING OF THE
VILLAGE OF PITTSFORD BOARD OF TRUSTEES**
May 13, 2003 at 7:00 PM

PRESENT:

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

Mayor Corby called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited.

TREASURER'S REPORT – MARY MAROWSKI

The monthly abstract was reviewed. A **motion** was made **by Trustee Maddox, seconded by Mayor Corby** to approve the following vouchers and charge them to the proper account.

General Fund Vouchers	#453-#502	\$43,512.70
Sewer Fund Voucher	#473	<u>27.79</u>
		\$43,540.49
add Robert Corby		<u>24.84</u>
		\$43,565.33

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

BUILDING INSPECTOR'S REPORT – SKIP BAILEY

Mr. Bailey reported the following as upcoming applications to the Planning and Zoning Board: Talbot's for signage, Pittsford Pub for a patio roof, Ciao for a rear patio.

He told the Board that property maintenance and the new stormwater regulations would be the subjects of his article for the spring newsletter.

He reported that Suzanne's expansion renovations are complete and that a health food store will be the new tenant at 13 South Main Street.

Mr. Bailey reminded the Board that he would attend the Code Enforcement Disaster Assistance Response training on 5/22/03.

Board members asked about the following issues:

Boathouse at the Canal Lamp Inn – is being constructed as approved.

St. Louis landscaping – Mr. Bailey said it should be going in now. There are plans to replace steps but Mr. Bailey will see that the proper channels are followed.

Simply Crepes – a second architect is attempting to prepare plans but there are code issues regarding cooking. Mr. Bailey will monitor the progress.

Sam Patch – the Village has not received the requested copy of the parking lease that the Sam Patch has with the RG&E. Mr. Bailey will enforce this request.

Dumpster Permits – Mr. Bailey and Trustee Farlow will review this issue and report to the Board at the June meeting.

Morgan Vidal salon – Mr. Bailey was asked to check on the chimney at this salon.

DPW REPORT – SCOTT SPENCER

Mr. Spencer reported on some items that were auctioned in April. A partial list of the items includes a motor for a pump, paint striping machine and an anvil.

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He reported that the Town of Gates used the Village chipper for approximately five weeks during the ice storm. This is an expense that can be charged to FEMA by either Town of Gates or the Village but not both. Board members decided to claim any repair expense that occurred.

Regarding a report for the month of May, Mr. Spencer said his department picked up brush from the recent ice storm for five weeks in addition to conducting routine activities. They also tilled and seeded the islands on Washington Road and placed the bollards on Schoen Place.

Informational items presented included an estimate of \$387.18 for the County to paint lines on South Street and Schoen Place. Mr. Spencer will ask them to do the curve area of South Street also. He informed the Board that new manholes are needed for Jefferson Road when the milling and paving takes place on that road. Mr. Cufari, Town of Pittsford, told Mr. Spencer that the Village is still on the schedule for the Town to help with the road resurfacing for Courtenay Circle.

Mr. Spencer presented a list of **summer projects** that includes the amount of time needed to complete each job and the number of men needed for each job. This list prompted a discussion regarding the number of people Mr. Spencer will need to complete this list. Mayor Corby suggested Mr. Spencer work with Trustee Maddox to determine how many additional people would be needed for the summer.

Crosswalks were discussed. There are two street print crosswalks in the budget for next year. Each costs about \$2000 but they are cheaper if more are scheduled. Mr. Spencer reminded the Board that the crosswalks would need to be painted at least once a year, preferably twice a year. The Board instructed Mr. Spencer to arrange for the crosswalks in the following areas to be installed as soon as possible: the Four Corners area, in front of Hicks & McCarthy and in front of the Library. Mr. Spencer will contact the Village of Webster to determine who installed their crosswalks, the actual cost and who is on the State bid.

Mr. Spencer will check to make sure that Tambe Electric has completed work on the **South Main Street poles** for use by vendors during special events. The work must be completed by June 14th, the first event of the season.

Flower baskets will be installed when the weather is warm enough. There will be 133 baskets plus planters to be maintained. A flower "care-taker" will need to be hired to water and deadhead the flower containers this summer.

Pedestrian crossing signs have not been installed because the State changed the law. New faces with the correct wording are needed for the signs. The Board decided the Village should use the signs we currently have until the new faces come in.

Dog-waste receptacles were installed along the towpath. The "mutt mitts" were stolen from the receptacle within the first few days.

A **glass cabinet** for community event announcements has been built and given to the Village for mounting on the Port of Pittsford building on Schoen Place.

The cost for **slurry sealing Sutherland Street** has increased from \$9000 to \$15,000.

PUBLIC HEARING – SPECIAL USE PERMIT – CIAO – 60 NORTH MAIN STREET

Charlie Fitzsimmons and Dave Fox presented the request for a Special Use Permit to allow a seasonal outdoor dining area in the rear of the building known as Ciao. They told the Board they would like the proposed patio to occupy space that is currently a vacant rock garden. The purpose of the patio is to add something to attract more diners. The reopened restaurant will have an American/French Country theme and will be fine dining at an affordable price. The restaurant will be family friendly and will offer a Sunday brunch. Additional parking won't be needed because the new restaurant will have 15 less seats than it currently has. Mr. Fox stated that with customers seated on the patio, the back of the building would be kept in attractive and appealing condition. Dumpsters will eventually be moved farther back on the lot and will be screened.

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Proof of the legal notice having been furnished, a **motion** was made by **Trustee Brown, seconded by Trustee Farlow** to open the public hearing.

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

Robert Corby, 7 Washington Avenue: Mr. Corby stated he would recuse himself from the voting and Board discussion regarding this application. He spoke on behalf of his parents who live next door to the restaurant property. He said this application does not meet the standards for a special use permit because it is less than a hundred feet from a residential property. He said concerns are that conditions from an earlier 1992 site plan approval for the Village Station Complex were never addressed and they are hoping that this would be an opportunity to bring the complex into compliance. The issues are minor but they have been consistent. Parking was not permitted in R-1 so an agreement was made with former owner, David Zabkar to allow a use variance in the R-1 district. A condition of that approval was that the 9 parking places that are next to the tenant house be removed because that is where noise from late night activity is a problem. Curbing or bollards are needed to keep cars from parking in those spots. Secondly, he said a six-foot high solid fence along the property line was not completed as agreed along the south boundary line. The fence that was installed is not solid so headlights shine through at night. Also, several sections of the fence are damaged and need to be repaired. Third, the rear section of the property lacks screening for most of the year. The view of a parking lot is not attractive but also, trash comes through. The light on the back of the wine shop was put up without Village approval and needs shielding and there is a pole light that was installed in 1992 without a permit. The code requires shielded lighting. Mr. Corby stated that his parents would like to have the violations corrected and feel the 1992 site plan should be in compliance.

Roger Powers, 91 Golf Avenue: Mr. Powers said that the light, trash, and noise are sometimes a bother to his property. If the berm could be higher, it would help with the noise. He said parking lot screening would be beneficial to preserve the aesthetic beauty of the farm.

There being no one further to speak for or against this application, a **motion** was made by **Trustee Brown, seconded by Trustee Farlow** to close the public hearing.

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

A **motion** was made by **Trustee Brown, seconded by Trustee Sherwood** to approve this application for a Special Permit Use to allow a seasonal outdoor dining area consisting of twenty seats in the rear of the building currently known as Ciao at 60 North Main Street with the condition that compliance with the 1992 approved site plan, in conjunction with the review and approval by the Planning Board, be a consideration of the review by the Planning and Zoning Board for this project and that the requirement for a hundred foot separation from a residential zone be waived in this case because other mitigations including permanent removal of the nine parking spaces and additional screening would compensate.

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

FIBERTECH: REQUEST TO AMEND OCTOBER, 2001 RIGHT-OF-WAY USE AGREEMENT

Mr. Charles Stockdale presented a request to amend the October, 2001 Right-of-Way Use Agreement to include all streets in the Village as listed on a letter received April 29, 2003. Mr. Stockdale explained that Fibertech received a request from Sutherland High School to attach to their telecommunications services. The October, 2001 agreement did not include Sutherland Street. At this time, the cables are for commercial use only. However, Mr. Stockdale is requesting permission to include all Village streets so they may be used for residential purposes in the future. The cable is very small and will be installed 12 inches away from the telephone wire to reduce the visual impact.

Resolution 5 of 2003:

Be it resolved on a **motion** made by **Trustee Brown, seconded by Trustee Sherwood** to approve the request for an amendment to the October 9, 2001 Agreement per ARTICLE 19. Entire Agreement so that Fibertech Networks will be able to fulfill current customer demand with local schools and businesses. This amendment is to encompass ARTICLE #2 Grant of Streets; Cut Permits and Other Permissions to include the streets listed on the April 25, 2003 letter of request received in the Village Office, date stamped April 29, 2003 and filed in the Office of the Village Clerk.

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

BEAUTIFICATION COMMITTEE TASK FORCE REPORT – REMEGIA MITCHELL

Ms. Mitchell reported that her committee has prepared four proposals for the Rotary project based on land use beautification. They are a cast iron water fountain, a second canal pavilion on Schoen Place, a bandstand at the Port of Pittsford park and painting the railroad trestle at the gateway on North Main Street. Mayor Corby thanked Ms. Mitchell for her effort. He said a visible project in a central area of the Village would provide greater recognition for the Rotary. Supplementary funds and avenues for fund raising will be explored.

SPECIAL EXCEPTION USES IN THE R DISTRICTS

The Board discussed elements of the Code that should possibly be amended in regards to granting special exception uses for multi-family dwellings. In general, residents are in favor of limiting multi-family dwellings. The Board asked Mr. Bailey to review ordinances from other municipalities and present a proposal to the Board of Trustees. Mayor Corby said the Implementation Task Force and the Planning and Zoning Board would also like input on possible changes to our Code. He asked Mr. Bailey to set up a joint meeting of these Boards.

MAY 13, 2003 MEETING WITH SUPERVISOR CARPENTER

Mayor Corby and Trustee Farlow met with Supervisor Carpenter this morning. Possible uses for the Monoco Oil property were discussed. The Board agreed that the best uses would be mixed uses, a park or a residential area consisting of townhouse or condominiums. Mayor Corby said there are site limitations and that the level and intensity of development needs to be determined. Members decided that the DOT should be contacted. Mayor Corby will contact a DOT representative.

DUMPSTER PERMIT RENEWALS

Board members discussed the renewal of permits for dumpsters within the Village. It was decided that Mr. Bailey would make a photo inventory of all dumpsters. The inventory shall include date of renewal, and either a written location or an indication shown on a map identifying each dumpster and its owner. The Board requested that this inventory be presented at the June meeting. At that meeting, the Board will decide whether permit renewal fees shall be collected for all dumpsters or for only those not in compliance.

NON-MUNICIPAL USE PERMIT – MUSCULAR DYSTROPHY WALK TO SEEK A MIRACLE

The Village received a request from the MDA Association for a non-municipal use permit to hold a fund raising walk on some Village streets. A **motion** was made **by Trustee Brown, seconded by Mayor Corby** to approve the request from the MDA for a non-municipal use permit to hold a fund raising walk in the Village on May 17, 2003 so long as an insurance certificate naming the Village as additional insured for a minimum amount of \$1,000,000 per occurrence is provided prior to the event.

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

NON-MUNICIPAL USE PERMIT – PITTSFORD YOUTH SERVICES ANNUAL DUCK DROP

The Village received a request from Pittsford Youth Services for a non-municipal use permit to hold their 5th Annual Duck Drop fundraiser on July 11th on the North Main Street bridge.

A **motion** was made **by Trustee Brown, seconded by Mayor Corby** approve the request from Pittsford Youth Services for a non-municipal use permit to hold their annual fund raiser Duck Drop on the North Main Street bridge on July 11, 2003 so long as an insurance certificate naming the Village as additional insured for a minimum amount of \$1,000,000 per occurrence is provided prior to the event.

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

NON-MUNICIPAL USE PERMIT – TOWN OF PITTSFORD 2003 EVENTS

The Village received a request from Supervisor Carpenter for a non-municipal use permit for all of the events that will be held during the 2003 season including Memorial Day, Positively Pittsford, Buffalo Bills Parade, Pittsford Welcomes the PGA, and Pittsford Celebrates.

A **motion** was made by **Trustee Farlow, seconded by Trustee Brown** to approve the request from the Town of Pittsford for a non-municipal use permit for all town scheduled events for the 2003 season with

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the condition that a current certificate of insurance naming the Village as additional insured for a minimum amount of \$1,000,000 per occurrence is provided prior to the first event.

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

NON-MUNICIPAL USE PERMIT – ST. LOUIS SCHOOL WALKATHON FUNDRAISER

The Village received a request from St. Louis School to hold a playground fundraising walkathon on Village streets on May 22, 2003. They requested that portions of South Street be blocked during this event. Board members were not in favor of blocking any portion of South Street for safety reasons. They stated that the children could walk on the sidewalks instead of in the street. The DPW will provide cones for St. Louis personnel to mark the intersections during the event.

A **motion** was made **by Trustee Brown, seconded by Trustee Maddox** to approve the request from St. Louis School to hold a walkathon on Village streets on May 22, 2003 with the following conditions:

1. South Street must remain open.
2. Neighbors along the route must be notified by the school.
3. The Pittsford Fire Department, the Pittsford Ambulance, the Monroe County Sheriff's Office, the Town of Pittsford and the Pittsford School District must all be notified of this event.
4. A certificate of liability naming the Village as additional insured for a minimum of \$1,000,000 per occurrence must be on file at the Village Office prior to the event.

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

PEDESTRIAN CROSSING SIGN REQUEST FOR MONROE AVENUE/SUTHERLAND INTERSECTION

Village resident Jennifer Latshaw requested that a pedestrian crossing sign be placed on Monroe Avenue at the Sutherland Street intersection for safety reasons. A discussion took place about whether or not signs of this kind can be placed in State roadways. Trustee Farlow will discuss this with the DOT. He will also inquire about speed limit signs. He will report back to the Board at the June meeting.

TRAVELER'S CHANNEL VIDEO INFORMATION

Mayor Corby met with Jacqueline Kotaska, a representative from the Traveler's Channel, to view a promotional video featuring places along the canal. The Board discussed the information and determined that it would be too costly.

VACATION POLICY DISCUSSION

Mayor Corby requested that he be notified in advance when office staff or the DPW Superintendent will be on vacation. The Village Employee Handbook states that vacation requests must be made two weeks in advance. It was mentioned that five vacation days may be carried over from one fiscal year to the next. DPW Superintendent Spencer asked for permission to carry over fourteen (14) days of vacation to fiscal year 2003/04. A **motion** was made **by Mayor Corby, seconded by Trustee Brown** to approve the vacation carry-over request of fourteen days made by DPW Superintendent Spencer.

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

The Board discussed procedural options that could be followed at the DPW when the Superintendent is on vacation. It was agreed that one person should be clearly in command in Mr. Spencer's absence. The Board suggested that the supervisory responsibility be on a rotational basis among crew members when the Superintendent is away.

SUMMER HOURS

The Board granted permission for the Clerk and Treasurer to alternate Friday afternoons off from Memorial Day until Labor Day so long as the required number of hours are worked during the week.

Regarding summer hours for the DPW crew, a discussion took place about the pros and cons of the crew leaving at 10 AM on Fridays. The Board questioned whether or not this is beneficial to the work schedule. It was decided that the DPW Superintendent, after discussion with the crew members, would make the final decision.

CERTIFICATE OF INSURANCE - VILLAGE PROCEDURE FOR OUTSIDE CONTRACTORS

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Village insurance agent Gary Wilkins as well as John Galligan NYCOM representative, recommend that the Board adopt a policy requiring outside contractors to provide us with a Certificate of Insurance.

A **motion** was made by **Trustee Brown, seconded by Mayor Corby** to establish a policy requiring all contractors who do work for the Village to furnish a current Certificate of Insurance reflecting General Liability limits of a minimum of \$1,000,000 per occurrence and to name the Village as an “additional insured” and to reflect that the contractor has Workers Compensation insurance.

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

TRAVEL REIMBURSEMENT FOR TRUSTEE BROWN

Trustee Brown requested reimbursement in the amount of \$300.00 for travel expenses incurred during one of four trips made from South Carolina to Pittsford this winter to attend budget and Board meetings. The Clerk was asked to check with NYCOM about the appropriateness of such reimbursement.

A motion was made by Trustee Sherwood, seconded by Mayor Corby to reimburse Trustee Brown in the amount of \$300.00 for travel expenses if NYCOM deems this reimbursement an appropriate use of Village funds.

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

UPDATES

Summer Flowers: Trustee Sherwood reported that the weather would determine when the baskets could be installed on the lightposts and around the Village.

Founder’s Day: Committee meetings are on going. A special mailing was sent to all Village businesses and residents.

Newsletter: Trustee Sherwood reported that the newsletter is on schedule.

Events Committee: Trustee Farlow emailed the Town event schedule to the Trustees and to the Village Office. Post cards listing event dates will be published by the Town soon.

Grant status: Trustee Maddox reported that there would be a meeting with Stu Brown on May 20th to discuss his proposal for project coordinator for the Schoen Place Improvement grant. At that time, the RFP will be discussed and details worked out so that it can be submitted to several firms for proposals.

PERFORMANCE ASSESSMENT SCHEDULE

The schedule for employee performance evaluations was discussed. Office staff evaluations were scheduled for later in the week.

MINUTES

April 7, 2003: A **motion** was made by **Trustee Sherwood, seconded by Trustee Brown** to approve these minutes as written.

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

April 8, 2003: A **motion** was made by **Trustee Maddox, seconded by Trustee Brown** to approve these minutes as written.

Corby – yes, Brown – yes, Sherwood – yes, Maddox – yes, Farlow – yes. **Motion carried.**

April 21, 2003: A **motion** was made by **Trustee Sherwood, seconded by Trustee Brown** to approve these minutes as amended.

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

April 23, 2003: A **motion** was made by **Trustee Sherwood, seconded by Trustee Brown** to approve these minutes as written.

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

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 10:30 PM.

Anne Z. Hartsig, Recording Secretary

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