

**PROCEEDINGS OF THE REGULAR MEETING OF THE
VILLAGE BOARD OF TRUSTEES**
August 12, 2003

PRESENT:

Trustees	Mayor Robert Corby Steven Maddox Paula Sherwood Glenn Brown Tom Farlow – arrived at 9:10 PM
Attorney	Jeffrey Turner and John 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 PM. The Pledge of Allegiance was recited.

TREASURER’S REPORT – MARY MAROWSKI

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

General Fund Vouchers	#80 - #110, #112-121:	\$15,158.99
Sewer Fund	#105, #121:	<u>\$ 75.73</u>
Total		\$15,234.72

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

Board members authorized the Treasurer to contract with Energetix for electric usage for all Village RG&E accounts. This will reduce rates approximately 3%.

The Board authorized the Treasurer to spend \$195.70 for a label package for the sewer program.

BUILDING INSPECTOR’S REPORT – SKIP BAILEY

Mr. Bailey reported that the construction project at Talbot’s is underway. He also listed the applications that will be heard at this month’s Planning and Zoning Board meeting. He told the Board that he had spent a day participating in the CEDAR program in the Town of Campbell.

Mr. Bailey told the Board he would install the Black Bear program this week.

Board members asked about the following issues: **landscaping at St. Louis** – Mr. Bailey said it has not been completed. He will see that it is finished. **Dumpster file** – Mr. Bailey is still working on completing the photos for the file. Actual permits are not due until 2004. **Yellow bunting at Soho’s Salon and banner at Ensenatt’s Deli** – Mr. Bailey said there were many violations among the merchants due to advertising for the PGA. Trustee Sherwood suggested waiting until the event is over. She said once the PGA is over, the violations should be corrected. **Fleet Bank** – Mayor Corby mentioned that the arborvitae at the bank are dead. He suggested that perhaps a 3’ fence should be used for screening instead. He said formerly there was a solid fence in the location of the arborvitae.

DPW REPORT – SCOTT SPENCER

Mr. Spencer reported on Routine Activities and Completed Projects. Regarding **pedestrian crossing signs**, Mayor Corby asked Mr. Spencer to order more signs. He would like to see ones that are brightly colored with large lettering that includes the new language reflecting the change in the law.

Members discussed the problem of proper care for the **flower baskets** as well as **landscaping needs**. Mr. Spencer said the summer “flower person” left for the season. Trustee Sherwood expressed concern that the baskets need care until they are removed in the fall. She stated that the Village should have one person hired and designated for flower and landscaping care only so that the plants can be cared for properly. Mr.

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Spencer said there are 140 baskets plus all of the trees that need watering during the growing season. The possibility of lowering the baskets about one foot was discussed. This would eliminate the need for a large ladder; thus shortening the time required to water the plants. Mr. Spencer was asked to work out figures for the amount of time, labor and cost. He will get a job description from the Town of Brighton who has hired a person for this type of work. In the meantime, the regular crew members will have to do the watering or a temporary person will need to be hired. Mayor Corby said the flowers should be removed in mid-September.

Mayor Corby stated that the European Hornbeams and Red Maple **trees** planted in the business district are either dead or dying and will need to be replaced. The Mayor has consulted with Nina Bassuk at the Cornell University Urban Horticultural Institute to obtain recommendations for more suitable tree species for the harsh conditions including drought and salt exposure. Four new trees are needed on South Main Street, one on Monroe Avenue, four on State Street, and three on North Main Street. Trustee Maddox said the Village should consult with an expert on which trees are salt tolerant and ways to keep salt off the trees. Mayor Corby said he has asked for information from Cornell University. Trustee Maddox and Mr. Spencer will handle this project. **Tar spots** on Maple tree leaves is a concern of Village merchants and residents. Information from Cornell Cooperative Extension said that this disease would not kill the affected trees. If the Village decides to spray the trees, the application will be needed three times.

Mr. Spencer reported on the **speed bumps** that were temporarily installed on Elm Street. He said they did not work because they were a concrete application. He said asphalt would cost \$30 more per speed bump. Since requests have now been made from Rand Place, Line Street and Church Street residents, Mr. Spencer suggested talking to a contractor to get estimates for different sections of the Village. He suggested that the Board budget for one section of the Village at a time.

Mr. Spencer reported that a Village **Mitigation Plan** is due to be submitted to the County by August 26th. He suggested joining in with the Town. He will check into this possibility.

Mr. Spencer told the Board he would like to sell the brush chipper. A **motion** was made by **Mayor Corby, seconded by Trustee Brown** to authorize Mr. Spencer to advertise for and accept sealed bids for the sale of the 1989 Brush Bandit Chipper that is no longer of use to the Village.

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

Mr. Spencer reported that the **mowing** around the **mini-storage** has not been completed at this time.

Members discussed the garbage situation around the **dumpsters** in the **Burdett lot**. Mr. Spencer told the Board that the crew does a major cleanup of that area about two times per year. Trustee Maddox suggested that Mr. Spencer implement a continual cleanup schedule on a bi-weekly basis so that the lot stays neater and so that it does not become a large job.

Mr. Spencer reviewed the **summer project list**. Road repair on **Courtenay Circle** is the only project on the list that has not been completed. Mr. Spencer said it might be difficult to schedule the Town of Pittsford to help with this project as was originally planned. Town representative John Cufari told Mr. Spencer that the Town is behind with their work schedule and may not be able to offer assistance on this project.

Mr. Spencer told the Board that the Rand Creek bank is eroding badly at 42 Rand Place. He inquired about gabion baskets but has not received any information at this time.

New streetlight poles along North Main and Washington Road have been installed. The lamps for these poles are ordered and expected in two to three weeks.

APRB-SEQR LETTER REGARDING COMMUNITY LIBRARY PLAN

Attorney Turner reported to the Board that at a Special Meeting of the APRB, the Board decided to adopt Mayor Corby's official notification letter to the Town regarding SEQR for the Community Library Plan. The letter is dated August 5, 2003. Mr. Turner said the Board expressed concerns about the timing and

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execution of the SEQRA process and will draft a letter asking that this SEQR determination be a Type 1 Action. It was suggested that the Board members concerns may be addressed directly at the planned meeting with Town representatives.

IMPLEMENTATION TASK FORCE COMMITTEE UPDATE – BONNIE SALEM

Schoen Place Project: Ms. Salem said the ITF is pleased to be involved in the selection of the consultant. The committee will be forming an ad-hoc group to work with the consultant on this project.

Code Review: The ITF will identify sections of the Code that need to be updated. Mayor Corby said that Remegia Mitchell and Blake Held should be included in the review of Planning and Zoning and APRB sections of the Code. Trustee Maddox stated that Skip Bailey should present the findings to the Board of Trustees because he has the experience and knowledge regarding the Code. Mayor Corby asked the committee to focus on the area of incentive zoning.

Rotary Project: Ms. Salem reported that the Rotary had not made a decision on a specific project to sponsor. Remegia Mitchell planned to contact Rotary representatives for an update and to offer additional suggestions if necessary.

Community Library Project: The ITF steering committee will ask the Town to include them as an interested party as plans for the project move forward.

RENEWAL OF THE BURDETT PARKING LOT LEASE

Attorney Osborn reported that the lease has not yet been signed. He has been in contact with Jared Lusk, Town Attorney, once a week. The current lease expires in October.

Mr. Osborn said that it would be an appropriate use of Village funds to pay for a dumpster enclosure in that lot because it is a health issue. The Board will ask Trustee Farlow to discuss this issue with James Burdett.

COMMEMORATIVE BENCH PROGRAM – LINDA LANPHEAR

Ms. Lanphear reported that potential sites have been marked with green paint. She said that these locations should be approved by the Trustees. She requested that the Village bench be placed at the Four Corners near the Village Clock because it would be highly visible and would keep the momentum going for the bench program. It was decided that the benches should remain outside through the Christmas season and should then be removed for maintenance. There was a discussion about the orientation of the benches and whether or not the backs of them should be placed to the street. Ms. Lanphear said that in Skaneateles, the donated benches are placed facing the sidewalk with their backs toward the street. The Board determined that Trustee Sherwood and Mr. Spencer would walk around the Village to look at the potential sites and to decide their orientation depending on the location. Ms. Lanphear wondered if the property in front of Dr. Rosen's building was Village property or private property. Mayor Corby said a bench could be placed at that location because the Village installed the sidewalk at that location.

TRAFFIC PROBLEM – RAND PLACE – LINNEA KNOERZER

Ms. Knoerzer, 52 Rand Place told the Board that the neighbors on her street are concerned about the speed of traffic, particularly at rush hour times. There are no sidewalks on Ms. Knoerzer's section of the street. The street is often used as a cut through. She presented a petition with the signatures of twenty neighbors who support a request for speed bumps and signage to help make the street a safer place for children.

Board members discussed aspects of this request such as State regulations and the fact that the fire department, ambulance and school buses do not like speed bumps. "Dead End" signs could be used as a deterrent. Trustee Brown was in favor of placing speed bumps on Rand Place immediately. Mayor Corby said research should be done to determine the pros and cons. The school district, fire department and ambulance should be consulted. He said that the residents of Elm Street where temporary speed humps were placed were pleased with the results. All agreed that speeding and traffic in the Village is becoming worse and that a strategy is needed. Mayor Corby said the Village would do research to get a plan in place for next spring. Trustee Sherwood recommended that the 1988 traffic report be reviewed and that the recommendations from that report be implemented. She said the entire Village would benefit.

NORTH MAIN STREET BRIDGE LIGHTING PROPOSAL

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The Village received a proposal from Livingston Lighting and Power for material and labor to install a light mounted on the concrete wall under the North Main Street bridge to illuminate the part of the Towpath that is under the bridge. The proposal is to install one 175-watt Metal Halide Wall Pack fixture and all associated work at a cost of \$1332.35. Mayor Corby suggested that a 100-watt Metal Halide Bulb would be sufficient. Board members agreed to spend this amount of money for safety and security reasons.

CBDG DISCUSSION

The Village Board received a proposal from Bero Associates for architectural services for the handicap-accessible entrance to the Village Hall, a project that will be funded in part by the CBDG. The total fee for services for the project was listed at \$9,900. The approximate cost of the project is \$90,000. A **motion** was made **by Trustee Sherwood, seconded by Trustee Maddox** to accept the proposal of Bero Architecture P.C. for architectural services for the handicap access project, contingent upon the review of the contract by Trustee Maddox and at a cost not to exceed \$10,000.

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

Trustee Maddox asked the Clerk to arrange a meeting with Mary LaVilla-Parsons, Richard Osgood and himself to begin the project.

LOCAL GOVERNMENT RECORDS MANAGEMENT PROPOSAL FOR CONSULTANT SERVICES

The Village received a proposal from Stuart I. Brown Associates, Inc to act as a consultant to assist the Village in the evaluation of the inventory, identifying program priorities, developing policies and procedures for records management practices and other aspects of the records management grant that was awarded. The proposal lists the cost for services at \$1,250. A **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to accept the proposal from Stu Brown Associates for consultant services to help implement the records management grant.

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

SCHOEN PLACE CANAL PROJECT CONSULTANTS

Mayor Corby reported that the firm of Trowbridge & Wolfe together with Fisher Associates Engineers were selected from a group of seven to be the consultants on the Schoen Place Improvement Project. Out of the seven who submitted proposals, two were selected to be interviewed. Mayor Corby said it was a difficult choice but the committee determined that the team of Trowbridge & Wolfe and Fisher Associates had the edge and were slightly less expensive. A **motion** was made **by Trustee Maddox, seconded by Trustee Sherwood** to accept the proposal from Trowbridge & Wolfe together with Fisher Associates to act as consultants on the Schoen Place Improvement Project.

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

VAN HUYSEN ANNEXATION

The VanHuysen property on State Street is for sale. Part of that property is in the Village and part is in the Town. The prospective buyer wanted to annex the Town part of the property to the Village to facilitate the building of an addition. Attorney Osborn explained the procedure of annexation and told the Board that it is a complex issue. After speaking with the Building Inspector, Attorney Osborn told the Board that this issue could be worked out between the Town and Village inspectors without going through the process of annexation. He said the buyer would present a plan to Mr. Bailey. Mr. Bailey will review the plan with the Town building inspector so that the process of annexation can be avoided. The end result will be the same.

CLEAN VESSEL ASSISTANCE PROGRAM

The Village received notification of an independent grant for a pumpout station that could possibly be located near the DPW. Trustee Maddox will contact Stu Brown for further information on this grant. The ITF will work with Mr. Spencer to determine the best location for a pumpout station. **Jim Cronin, ITF Committee member** suggested that the Village make sure there is a demand for a pumpout station before proceeding. He said it could be slightly unpleasant and costly. Another comment was that the Village of Fairport be consulted to determine the types of problems they have encountered. Electrical, water and dockage could be a part of one of our grant projects.

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FIBERTECH CONTRACT

Two copies of the original amendment document (signed by Charles Stockdale, VP of Fibertech) for the Right-Of-Way Use agreement adopted by the Board on May 13, 2003 were received in the Village Hall. The Board agreed that Mayor Corby should sign them and that the Clerk should return one to Fibertech and file the other for Village records.

Trustee Farlow arrived at 9:10 PM

PITTSFORD COMMUNITY LIBRARY PROJECT

Mayor Corby explained that the Town met last week and determined a Negative Declaration regarding SEQR for the Community Library project. In talking with the chairpersons, both the Planning and Zoning Board and the APRB expressed concerns about the Environmental Assessment Form presented by the Town for this project.

Mayor Corby spoke to Bill Carpenter and suggested having Board members meet with the Town to address issues surrounding the project.

Trustee Maddox asked if the Planning/Zoning Board and the APRB have any legal rights of approval to the project. Attorney Osborn contacted NYCOM and obtained a document titled "Government Immunity from Zoning". He explained that the Village is the host municipality for this project and has the right to decide whether or not we want the Planning/Zoning Board and the APRB to have input into the development process or not. The Board of Trustees has to make that decision. Attorney Osborn reminded the Board that they worked hard toward the goal of ensuring that the Library would stay in the Village. He said it wouldn't be beneficial to lose it over a technical point in SEQR. The Board has already sent a letter to the Town stating that they had no objection to the Town becoming Lead Agency. The question now is to what extent do the Trustees want the other Village Boards to become involved in the development of the project. Attorney Osborn said it has been indicated to him that the Boards want to have input. The choice that must be made is should this involvement be because it is mandated or should it be proposed that that Village become an adjunct to the project. The Village has talented people on these Boards who have been given the obligation to review this sort of project. Therefore, the Village would like the Town to consider input from the Village Boards and the Implementation Task Force in the development process.

Remegia Mitchell, Planning/Zoning Chair, speaking for herself and not as a representative of her board, said she is concerned that the Village will be presented with a completed plan. Her Board would like input before the plan is complete. She wanted to make it clear that her Board agreed on requesting a coordinated review. It is her belief that the Town was procedurally incorrect to determine a Negative Declaration. She thinks the Town should be held to some level of credibility.

Follow-up letters from the APRB and the Planning/Zoning Board will be written and submitted to the Town. The ITF will also submit a letter that will be funneled through the Board of Trustees. Ms. Mitchell cautioned that as independent Boards, not all discussions should be funneled through the Board of Trustees.

In summary, Mayor Corby said Supervisor Carpenter is agreeable to joint meetings and welcomes the involvement of the full Village Boards. Cooperative Village involvement and support will make it a stronger project and benefit everyone.

ELECTRIC SYSTEM REVIEW

Our computer technicians believe the electric service for the office area is inadequate and needs updating. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to authorize the Clerk to get estimates on updating the electric system for the Village Hall.

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

CROSSING GUARD ISSUES

St. Louis School Principal Kathleen Carroll told the Clerk in a phone conversation that there is only one student who uses the services of the crossing guard at Locust Street and Main Street. This student only crosses sporadically. Ms. Carroll said there is no need for the Village to provide a school crossing guard at that location at this time. She will send a statement in writing for the Village files.

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The Clerk has not had any applicants for the crossing guard at Sutherland High School. Trustees asked her to publish a help wanted ad in the Brighton-Pittsford Post.

EXECUTIVE SESSION

A **motion** was made by **Trustee Maddox, seconded by Trustee Brown** to enter executive Session to discuss a personnel issue.

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

No action having been taken, a **motion** was made by **Trustee Brown, seconded by Mayor Corby**, to leave executive session and reenter the regular session of the meeting.

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

MINUTES

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

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

July 31, 2003: A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to approve these minutes as written.

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

ADJOURNMENT

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

Anne Z. Hartsig, Recording Secretary