

**PROCEEDINGS OF THE REGULAR MEETING OF THE  
VILLAGE BOARD OF TRUSTEES**  
January 13, 2004

**PRESENT:**

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

Mayor Corby called the meeting to order at 7 PM.

**DPW REPORT – SCOTT SPENCER**

Mr. Spencer reported on **routine activities** and **completed projects**. **Concerns** were then reviewed. A problem developed with the **Wood Creek pump station**. Mr. Spencer has requested that Flight Co. make repairs. At the same time, he will ask Flight Co. about the feasibility of having a **pump-out station** at the DPW site. There have been many repairs required on the **loader**. Mr. Spencer asked the Board to think about the possibility of leasing a loader. The Board discussed the **amount of salt** used during the winter. Because of the damaging effect on trees and pavers, the Board asked Mr. Spencer to try salting only intersections, ramp areas, hills and curves unless conditions warrant more than that. The use of sand was suggested. Mr. Spencer said sand alone plugs the sewers. He said that a mix of sand and salt is better but it is dirty and not as effective as salt alone. Mayor Corby stated that the DPW has done an outstanding job this winter, however, a more sensible salting program is needed. Mr. Spencer reported on upcoming **work to do**. Mayor Corby said the holiday decorations looked better than ever this year. He suggested that the DPW not worry about removing them until the temperature is more reasonable. A new lamp was ordered for the post at Starbucks but it has not come in yet. Trustee Maddox reminded the Superintendent that performance evaluations are due by the end of the month.

**TREASURER’S REPORT – MARY MAROWSKI**

The monthly abstract was reviewed. Voucher #347 for \$1600 for Pittsford Grading & Excavating was discussed. This expense was incurred when there was an emergency sewer problem at Sutherland High School. The Village requested payment by the school but has not had a response at this time. The Board decided to pay the bill as a matter of good business practices. Mayor Corby will follow up with the school. Voucher #365 for \$2500 to the Monroe County Stormwater Coalition was also discussed. Trustee Brown said the requested amount was out of line on a per capita basis compared to the amount the Town was asked to pay. The Board decided to pay the voucher but they will try to get a better resolution to this in the future. 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	#261, 309-364	\$15,007.67
Sewer Fund	#328, 347, 361, 362, 363, 365	<u>4,559.25</u>
		\$19,566.92

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

The \$100,000 grant from Senator Alesi’s office has not come forth at this time. Mayor Corby will contact the Senator to find out the status of this money.

Mayor Corby told the Board that there would be a town-wide reassessment. According to the Assessor, the State is encouraging a reassessment every year. This time the hardest hit areas will be Long Meadow, Kilborn Road and the Village. The tentative roll will be available in March. This reassessment will show

## Proceedings of the Board of Trustees Regular Meeting – January 13, 2004

up on 2004 school taxes. In addition to the reassessment, the bond for the library and the school project will take place. It was decided that one or two Trustees would meet with Steve Robson to discuss the reassessment.

### **BUILDING INSPECTOR'S REPORT – SKIP BAILEY**

Mr. Bailey reported that the owner of 22 East Jefferson Road contacted Attorney Osborn regarding the issue of the retaining wall that was installed on **Rand Creek**. Mr. Osborn told the owner to check with his insurance carrier to see if the Village could be added as additional insured. If that is not possible, Mr. Osborn advised the owner to contact his own attorney. Mr. Osborn supports the requirement for indemnification. Mr. Bailey said there is no base under the rocks that were installed. If they fell into the creek, problems would result. Therefore, he issued an order to remove the retaining wall. Mr. Osborn agreed that the Village should require either removal of the rocks or compliance with indemnification. Board members felt the order to remove is not proportional to the risk. Also, other homeowners who have built retaining walls have not been asked to remove them. Members would like to see consistency with requirements for all homeowners who have built retaining walls. It was decided that a letter would be written with the help of Scott Harter. The letter will be sent to all homeowners along Rand Creek and will explain concerns of the Village.

The Building Inspector reported on the following: 104 **building permits** were issued in 2003. **Fire inspections** for restaurants, churches and service stations have been scheduled and will be completed by next month. There was a small **fire at Hicks & McCarthy**. The **Ski Loft is closing** the Schoen Place store. The owner of **6 Boughton Avenue** has been notified of a **driveway violation**. Owners of the **RV at 38 Rand Place** have agreed to remove the vehicle from the property when the weather permits.

Mayor Corby asked about the following: **Great Northern Pizza** – still working on sign and screening the mechanicals on the roof. **Black Bear system** – Mr. Bailey has started to input data and will do a few properties each day. **Breathe Yoga** – Mr. Bailey said he has not been there to check on the additional space. A building permit will be needed. **Site plan checklist for applicants** – Mr. Bailey said he provides applicants with the ordinance, which is complete. Mayor Corby said he would like a “black & white” checklist to be given to applicants. Mr. Bailey will work on developing a list.

### **PROPOSED LOCAL LAW #1 OF 2004 – Off Street Parking Amendments – Public Hearing**

The purpose of this proposed local law is to address the parking of vehicles off street and on lawns. Proof of the legal notice having been read, **Mayor Corby made a motion, seconded by Trustee Brown** to open the Public Hearing.

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

Board members discussed turn around areas, which are permitted in a side, rear yard. There being no one further to speak for or against this proposed local law, **Mayor Corby made a motion, seconded by Trustee Brown** to close the Public Hearing.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to approve the changes to Chapter 210-10, 210-13, 210-16 and 210-19 as presented and published in the legal notice for Proposed Local Law #1 of 2004.

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

### **STONEGATE LANE TRAFFIC SAFETY ISSUE**

Village resident Peter Cowgill presented a petition signed by homeowners on Stonegate Lane asking for the installation of a convex mirror on the light pole at the intersection of Stonegate Lane and South Main Street. Vehicles parking too close to the entrance create a dangerous situation for those drivers attempting to pull onto South Main Street. The hazard is greatest during services at St. Louis Church. Board members agreed that the situation is hazardous and offered the services of DPW Superintendent Spencer to work with Mr. Cowgill to install the mirror. Mr. Cowgill also asked if a message could be given to illegal parkers through the Church. Mayor Corby said a notice could be placed in the Church bulletin. He said he would inform Captain Letteney of this problem when he meets with him later this week.

## Proceedings of the Board of Trustees Regular Meeting – January 13, 2004

Mayor Corby complimented the residents of Stonegate Lane on the maintenance of the entrance to their street.

### CODE AMENDMENT DISCUSSION – TAX EXEMPTIONS

The State legislature has amended a portion of the Real Property Tax law, which grants local municipalities the option of increasing the annual income eligibility cap for senior citizen and disability exemptions.

The Assessor recommended that the Village adopt the same changes as the Town and County so that everyone is consistent regarding these exemptions. After a brief discussion, a **motion** was made by **Trustee Brown, seconded by Trustee Sherwood** to hold a public hearing at the February meeting to discuss amending the portions of the Village Code that pertain to senior citizen and disability exemptions.

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

### SCHOEN PLACE IMPROVEMENT PROJECT

Richard Brauer, Fischer Associates, informed the Board of recent changes in requirements made by the DOT. These changes relate to the liability of the Village and affect the design standards with which the Village must comply. The plans that were presented by Trowbridge & Wolf did not include a guardrail along Schoen Place. The water, the steep slope and the nearness of flammable materials (gas tanks) to this project are all considered high hazards by the DOT and will require a continuous barrier such as a guard rail. Mr. Brauer presented the following options for consideration. The current rail treatment could be continued at 24" high. The current rail could be reused and reset at a lower height. A brick or stone wall could be used as a barrier. A timber railing could be installed. Continuous bollards could be used although they are not as safe. A cable guide rail is possible but is not fitting for this environment. Concerns of the Board are skateboarder problems, increased maintenance for our crew and the additional cost to this project. Trustee Brown suggested that the road be relocated away from the canal. Board members agreed that they would like to see something other than a guardrail, something that is more pedestrian friendly. Mayor Corby suggested the possibility of frequent breaks in the guardrail to reduce the continuation and make it less obtrusive.

Mayor Corby spoke to Rick Lourde from SHPPO who is concerned because these requirements are out of character with a historic village. As a result, Mayor Corby discussed this issue with Kevin Miller at the DOT and told him the vehicular speed would be reduced along the alley. Kevin said he would review the code. Mr. Brauer said he would discuss this issue with Kevin Miller. He said the DOT does not allow for variances.

Peggy Brizee (ITF co-chair) stated that the ITF would be meeting with Trowbridge & Wolf next week to explore options. They intend to come up with recommendations. She said the project time schedule should remain in tact and suggested that this issue be amended so it does not delay the rest of the project.

Other concerns were the installation of electrical outlets on all light poles. This addition to the plan would significantly increase the cost of the project. The Village is already \$16,000 over budget. Trustee Maddox stated that this is a long-term investment and that the Village may wish to be proactive at this point. He suggested that the Board not cut anything out until it is known how the bids for the project come in. It was agreed that electricity would be needed at the pavilion.

### ITF UPDATE – PEGGY BRIZEE AND BONNIE SALEM

Ms. Brizee reported that the steering committee would be meeting to prepare a budget to present to the Board for the 2004/05 fiscal year.

Ms. Brizee discussed the GIS system with Mark Bowersocks from the Town of Pittsford. She gathered information about the equipment the Town has and discussed whether collaboration makes sense. Mr. Bowersocks, as well as Paul Schenkel from Monroe County both said that for practical reasons, the Village office should have a viewing station. Ms. Brizee asked the Board to approve the purchase of the software and hardware needed for the GIS. A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to approve the purchase of software and hardware for the GIS pending selection by the Treasurer and Mayor Corby.

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

## Proceedings of the Board of Trustees Regular Meeting – January 13, 2004

### **CBDG GRANT APPLICATION FOR 2004**

The 2004 CBDG application is due by February 2<sup>nd</sup>. In order to move ahead with the second phase of the handicap accessibility for the Village Hall, the Board authorized Trustee Maddox to contact Stu Brown to ask for a cost proposal for writing this grant application.

### **FENCE AMENDMENT DISCUSSION**

Mr. Bailey presented an updated draft of the proposed fence amendment to the Code that included a section about pet enclosures. The Board discussed screening for pet enclosures and decided to add the following: *Enclosures shall be screened when visible from abutting properties or the public right of way*". A **motion** was made by **Mayor Corby, seconded by Trustee Brown** to hold a public hearing at the February meeting to discuss amending Chapter 98, Fences, Hedges and Structures of the Village Code.

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

### **TRAFFIC, SPEED, AND ACCIDENT CONCERNS ON SOUTH MAIN STREET**

Mayor Corby received a phone call from a Village merchant who expressed concerns about the extreme behavior of traffic on South Main Street. The conditions worsened when the pedestrian crossing signs were removed. Mayor Corby will discuss this issue with Captain Letteney. In addition, Mayor Corby will add this to a list of concerns that Trustee Farlow will be addressing with DOT representatives in the spring. Trustee Maddox said the situation should improve when other improvements are made such as the raised crosswalks.

### **ALTERNATE MEMBERS FOR ABRB AND P/Z BOARD – DISCUSSION**

Attorney Osborn researched the possibility of appointing an alternate member to the volunteer boards. He reported that this is possible for conflicts, illness, vacations and other absences. NYCOM furnished him with samples of other municipal ordinances. The Board asked Mr. Bailey to review these and to draft an ordinance for further review at the next meeting. The Board determined there would not be a financial commitment with this position.

### **RESOLUTION TO PARTICIPATE IN THE MONROE COUNTY YOUTH BUREAU PLAN**

As has been done in past years, Board members discussed entering into an agreement with Monroe County regarding the Monroe County Youth Bureau so that the Village can be reimbursed for money we donate to Pittsford Youth Services for providing counseling and referral services to Village residents. This is a contract that is renewed on a yearly basis. Attorney Osborn reviewed the contract. The Clerk will contact Gary Wilkins to obtain the required insurance papers. Once they have been obtained, Mr. Osborn approved of the Board authorizing the Mayor to sign the contract. Therefore the following resolution was offered.

#### **Resolution 1 of 2004:**

**WHEREAS**, after review by the Board of Trustees, the Village of Pittsford approves of participation in the Integrated County Plan 2001-2003; and

**WHEREAS**, the Village authorizes an agreement with the County pertaining to the financial relationship between the Village and County regarding this plan; and

**WHEREAS**, only the County can apply for State aid under the Plan for participating municipalities; and

**WHEREAS**, the amount available to the Village is the sum of six hundred sixty-seven dollars (667.00);

**NOW THEREFORE BE IT RESOLVED**, on a **motion** made by **Mayor Corby, seconded by Trustee Sherwood**, the Village of Pittsford agrees to paragraphs 1 through 35 as written in the Integrated County Plan 2001-2003 Agreement and authorizes Mayor Robert C. Corby to sign said agreement and further, to sign the Certification Regarding Debarment, Suspension and Responsibility, also required by the County of Monroe.

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

### **RELEASE OF EASEMENT – 20 PARKER DRIVE**

The owner of property at 20 Parker Drive would like a release of easement for a water main that is located on his property. The Village still owns the water system but it is leased to Monroe County. Thomas Peaslee, an engineer from the MC Water Authority, sent a letter stating that the MC Water Authority had abandoned this water main. The letter stated that the Village could release any and all of the water main easements on this property. The Clerk searched for and was unable to locate an easement for that property.

## Proceedings of the Board of Trustees Regular Meeting – January 13, 2004

Therefore, on the advice of the Village attorney, the Clerk sent a letter to Mr. Bock, the property owner, asking him to consult his own attorney regarding the preparation of a release of this easement.

### **APRB DISCUSSION – MAYOR CORBY**

1. Secretary for the APRB: Mayor Corby suggested that the position of P/Z Secretary and APRB Secretary be divided into two separate positions. The total number of hours would remain at 20 per week. The Board agreed with this suggestion.
2. Consultant for APRB: Mayor Corby explained that Blake Held resigned his position as APRB Chair so there is no longer an architect on the Board. Other available Village architects were not interested in the position at this time. In order to make a smooth transition, Mayor Corby asked Blake to act as a consultant to the APRB so that rational, sound decisions based on historic preservation would be made. Mayor Corby said it would increase the amount of money spent on this Board but is a necessary expense to have a consistent record of decision making. Blake's hourly rate is \$62.00. Mayor Corby will ask for a per meeting cost. Trustee Maddox suggested that a "cap" is set and that this is treated as a short-term fix even though the benefit will probably outweigh the cost. Mr. Bailey said the consultant should review only those issues that will have a large impact on the Village. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to approve Blake Held for the position of APRB Consultant with a cap of \$1500 for a term of six months.  
**Vote:** Corby – yes, Brown – yes, Sherwood – yes, Maddox – yes. **Motion carried.**
3. Attendance requirements were discussed. Mayor Corby will review the attendance records of the APRB members. If the standards are not being met, action will be taken. He cautioned that there are two issues to consider. They are technical knowledge and attendance.

### **RECORDS MANAGEMENT GRANT APPLICATION DISCUSSION**

Remegia Mitchell presented a letter asking for a list of six support items from the Board of Trustees so that they can be included in the New York State archival records grants she is writing for the Village. After discussion, the following resolution was offered:

#### **Resolution 2 of 2004:**

**WHEREAS**, the Village Board commits to the ongoing records management process; and

**WHEREAS**, the Village Board will commit to a provision for training or advisement of office personnel for retention, disposition and storage policies for municipal records and will review a draft, modify it if necessary, and subsequently adopt a formal policy statement; and

**WHEREAS**, the Village Board will commit to continued support of efforts to microfilm Board minutes and other historically significant documents after the completion of a LGRMIF grant for microfilming; and

**WHEREAS**, the Village Board will commit to continued indexing of Board minutes and other historically significant and appropriate documents after the completion of a New York State LGRMIF grant for indexing; and

**WHEREAS**, the Village Board will commit to making the results of the indexing and microfilming accessible to the public and to publicize the availability through the newsletter, newspaper and/or Village website and make printed copies of said index for distribution to the Library, Historian's Office and Historic Pittsford; and

**WHEREAS**, the Village Board will add a line item to the yearly Village budget for Records Management beginning in fiscal year 2004/05; and

**WHEREAS**, the Village Board will support the inclusion of a Records Management chapter in the Village Code Book;

**NOW THEREFORE BE IT RESOLVED**, on a **motion** made **by Trustee Maddox, seconded by Mayor Corby** that the Village Board of Trustees has committed to the ongoing efficient management of historic archival records for those records generated on a yearly basis now and in the future.

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

### **MONROE COUNTY COUNCIL OF GOVERNMENTS WORKERS COMPENSATION POOL**

The Board of Trustees received a letter from the Monroe County Council of Governments regarding the possible formation of a Workers Compensation pool for local governments in an effort to save costs. More information will be forthcoming at a later date. Mayor Corby reported that a similar effort is being investigated regarding health benefits.

## Proceedings of the Board of Trustees Regular Meeting – January 13, 2004

### ARTICLE VI ZONING

The Village Board briefly discussed the possibility of changing some areas of the Village to Multiple Residence Districts to facilitate consistency with the strategies put forth in the Comprehensive Plan adopted by the Village Board in 2002.

### CIVIL SERVICE AUDIT FOR DPW

Mayor Corby received a letter from Monroe County Civil Service regarding the audit of the DPW. After reviewing the Classification Study Questionnaires that the crew filled out as part of the audit, the Civil Service Commission recommended that Motor Equipment Operator is the most appropriate title for their positions. After a discussion of the information supplied by Civil Service, a **motion** was made by **Trustee Brown, seconded by Mayor Corby** to accept the recommendation of the Monroe County Department of Human Resources to adopt the title of Motor Equipment Operator for the present crew members of the DPW.

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

### EXECUTIVE SESSION

A **motion** was made by **Mayor Corby, seconded by Trustee Brown** to enter executive session to discuss the employment history of a specific employee.

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

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

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

### MINUTES

**December 9, 2003- Regular Meeting:** A **motion** was made by **Trustee Brown, seconded by Trustee Sherwood** to approve the minutes of December 9, 2003 as amended to include Findings of Fact submitted by Mayor Corby.

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

**December 17, 2003 – Special Meeting:** A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to approve the minutes of December 17, 2003 as written. **Vote:** Corby – yes, Brown – yes, Sherwood – yes, Maddox – yes. **Motion carried.**

### ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 11:15 PM.

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Anne Z. Hartsig, Recording Secretary