

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

PRESENT:

Trustees	Robert C. Corby (8:15 P. M.) Thomas Farlow Paula Sherwood
Excused	Steven Maddox Glenn Brown
Attorney	John Osborn
Treasurer	Mary Marowski
DPW Superintendent	Scott Spencer
Building Inspector	Skip Bailey
Recording Secretary	Mary Marowski

Trustee Sherwood called the meeting to order at 7:15 PM.

BUILDING INSPECTOR’S REPORT – SKIP BAILEY

Mr. Bailey stated that the Planning and Zoning Board did a walk-thru the *Pittsford Flour Mill*. There are plans for the demolition of a couple of buildings and fire department concerns are being addressed. A possible state variance may be required. The *DelMonte Spa* is proposed to open in November 2004. The Canal Corporation has issued a permit for the emergency access road near the DelMonte Lodge and this work will begin soon. The *Eagle Scout* building photo survey has been completed and needs to be processed and indexed. Trustee Sherwood suggested that a high school ‘government’ student be secured to complete this job. The office has received several complaints regarding the junk and junk cars located at *24 West Jefferson Road*. The owner has previously agreed to clean this up and has not done so to date. An appearance ticket has been issued for Town Court. Mrs. Seymour of *6 Boughton Avenue* failed to apply to the ZBA July meeting for the review of the existing two driveway entrances and front yard parking as promised by her attorney. An appearance ticket will be issued. The fence at *17 Eastview Terrace* was denied by the ZBA. Fines continue to accumulate. *Olive’s Restaurant* has recently remodeled. Safety items are being addressed. The *First Presbyterian Church* is installing a temporary roof to protect the building while the permanent roof plans are being designed. *St. Paul’s Church* is applying to the ZBA to construct a side entrance porch and an addition within their courtyard. The addition will connect the two existing buildings and provide assembly space and a covered entrance on the west side. Trustee Sherwood inquired about whether or not *Bradley’s Ice Cream Store* had mounted a permanent sign. Mr. Bailey will look into the matter. Mr. Spencer stated that the shop owner is not taking care of the garbage. This was a condition of approval given to Bradley’s for their special permit. The Board stated that an appearance ticket should be sent out by Mr. Bailey addressing this matter. *Bill Wahl’s* has an approved temporary sign. The issue of overflowing garbage will be addressed by Mr. Mason, building owner. The Board stated that Mr. Holahan is using his property as a double driveway for the parking of his pick up. Mr. Bailey was instructed to look into the matter.

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski reported that, as per accountant advice, she had created two capital funds: HA Fund for the ADA Improvements and HB Fund for the Canal Improvement Project. The funds were created because these projects are spanning more than one fiscal year and the appropriate revenues and expenses should be designated to these funds rather than overextending the General Fund. It was further stated, a budget transfer was needed for the \$100,000 (previously budgeted into the General Fund for the Canal Project) to be moved into the HB Fund. A separate budget of income and expenses is also required for these two projects. Ms. Marowski suggested that a ceiling of \$100,000 for the ADA Improvements and \$400,000 for the Canal Improvement Project be established for this purpose and that an amended budget could be established later.

Motion: Mayor Corby made a motion, seconded by Trustee Farlow, to approve the creation of two capital funds, the \$100,000 transfer from the General Fund to the HB Capital Fund (Canal Project) and for the separate budgets of \$100,000 for the ADA Project and \$400,000 for the Canal Project as presented.

Vote: Corby – yes; Farlow – yes; Sherwood – yes **Motion Carried**

Ms. Marowski also presented vouchers for approval as follows:

General Fund (#27- #71, #73 - #75)	\$ 23,545.75
Sewer Fund (#42, #46, #47, #61)	\$ 89.33
HA Fund (#33, #71)	\$ 21,200.53
HB Fund (#37, #43, #66)	<u>\$173,397.33</u>
Total Vouchers for Approval:	\$218,232.94

(Voucher #72. Intercept Security removed for payment pending discussion with Town).

Motion: Mayor Corby made a motion, seconded by Trustee Farlow, to approve the vouchers as presented.

Vote: Corby – yes; Farlow – yes; Sherwood – yes **Motion Carried**

DPW SUPERINTENDENT’S REPORT – SCOTT SPENCER

Mr. Spencer reported that the *routine activities* this month were garbage pick-up, siphons, flowers and tree watering, mowing, sweeping, pier flushing and brush pick up. *Projects completed* included painting the crosswalks and parking spots, CNB sidewalk widened, Village Hall handicap ramp wall installation and flower planting. Two trees were removed by Jim Edwards from 12 Washington Road. The gutters at the Village Hall and the shop were cleaned and the Burdett’s lot was weeded and mulched where needed. *Work in progress* included sidewalk grinding, painting over of the graffiti under the bridges, installation of benches and signs, tree maintenance (planting, mulching, and trimming), and catch basin cleaning (which will determine any necessary repair work). Some *concerns* Mr. Spencer presented was the overflowing garbage generated from the ice cream shops. He stated that the gutter at the Village Hall is too small to handle the rain and frequently overflows and clogs. The new downspout was installed at the time the work was begun for the handicap access addition. Mr. Spencer suggested that it would be beneficial to have a water faucet installed in front of the building to make it easier to water the flowers. The Board stated that it would be good to have this done. Burdett’s fence was hit. The DPW crew can fix this. The Board would like Mr. Spencer to keep track of the receipts and time spent associated with fixing the fence. Also in the Burdett lot, the shop owners have requested that a ‘one way’ sign be painted on the pavement to alert motorists so that an accident can be prevented. The cost of lettering for the pavement sign will be approximately \$15. per letter. Previous placed signs have been stolen. The Board was in agreement with this solution. A quote of \$165. was received for the cost of the Village Logo to be placed on the One Ton. Mr. Spencer stated that Village Grove was in bad shape. If the Village decided to accept it as a Village road, the cost of chip sealing or an oil and stone treatment would be approximately \$1000 and milling and paving the street would cost approximately \$11000. This project would need to be undertaken with the help of the Town of Pittsford Highway crew. For the *Upcoming Month*, the crew will start prep work for Heatherhurst Drive. Paving for this project will most likely be in late August. A lot of the gutter is salvageable and notification letters will be sent out as soon as we have a firm date from the Town. Catch basin and manhole repairs are also planned for this month in addition to the routine activities. Mr. Spencer stated that we did not have any creek problems with the heavy rains that came through in the last few days. Two new neon ‘pedestrian crossing’ signs are placed along South Main Street. Jeff Mason would like to move two new trees from in front of the area near Wahl’s. Trustee Farlow and Mr. Spencer will take a look at them and make an appropriate determination. (Mr. Mason stated that perhaps the Village could place a sign saying “Don’t throw stones into the canal” since there are many individuals doing so and therefore, eroding the bank. The Board will give this item some thought.) Other informational items of discussion included an update that Scott Harter is working on a water fountain (possibly including one for dogs) proposal for Schoen Place, curbing on Schoen Place, pumps at Wood Creek need repair/rebuilding, two trees by the Towpath at the DelMonte Lodge need to be taken down for the emergency access road, and a new fan was purchased for the loader costing \$560. Mr. Spencer also reported that a short seminar and demonstration of StreetPrint was presented today and that an application of said product was inlaid onto Elm Street. It was the opinion of Trustee Farlow and Mr. Spencer that a nice job was done and that the objective of pedestrian safety was addressed. Trustee Sherwood would have preferred to see a combination of colors. Mr. Spencer said that a port-a-pot would be placed by the Coal Tower for the summer season. The Board stated a standard unit would be sufficient at this time. During this past month, Mr. Spencer and Steve Green took one week of vacation and Sarah Mitchell was off for two weeks.

PUBLIC HEARING – PROPOSED LOCAL LAW #9 OF 2004 – AMEND OFFICIAL ZONING MAP

A zoning change was proposed to include the Colony House (31 North Main Street). This would change the zoning in the R-4 district.

Motion: Mayor Corby made a motion, seconded by Trustee Sherwood, to open the public hearing.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

There being *no public comment*, the following motion was made:

Motion: Mayor Corby made a motion, seconded by Trustee Farlow, to close the public hearing.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

Motion: Mayor Corby made a motion, seconded by Trustee Sherwood, to accept the amended zoning code change as written.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

GREYHOUND ADOPTION OF GREATER ROCHESTER – NON-MUNICIPAL USE PERMIT REQUEST

In a letter dated June 17, 2004, the Greyhound adoption group is requesting to hold a walk-a-thon on September 19, 2004 at 1:00 P. M. in Pittsford for the benefit of the non-profit Morris Animal Foundation. The Board has approved the walk-a-thon to be held in September.

Motion: Mayor Corby made a motion, seconded by Trustee Farlow, to approve a non-municipal use permit for the Greyhound Adoption of Greater Rochester group provided that the group provides an insurance certificate and notifies the Fire Department and the Ambulance Service of the event.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

ALI PUTNEY – 7 WOOD STREET – TRAFFIC/SPEED PROBLEMS

Mrs. Putney has stated that Locust Street, South Street, Wood Street and Boughton Avenue have been subject to motorists speeding and driving recklessly. She noted that this is becoming a very unsafe area for the many young children who reside there and for the many pedestrians trying to enjoy safe walkways. A petition with 43 signatures has been obtained to support a change in the neighborhood. Mayor Corby explained that a long range plan is being considered for Village wide traffic calming. A Florida based firm, Walkable Communities, Engineer, Dan Burden, and a local firm, SRF, Engineer Steve Ferranti, are currently being considered to work in a co-ordinated effort to develop a feasible traffic calming plan. The work for this proposal will begin by August 1 and should be completed by the end of October. The implementation of this plan would take place in the fiscal year 2005-06. To address this concern at an immediate level, Mayor Corby will talk with Captain Letteney regarding setting this location up as a ‘special attention’ area. The value of speed humps, preferred by the residents, were also discussed. Mr. Spencer will look into the cost of speed humps for all Village streets. Other possible solutions are to place ‘pedestrian crossing’ signs in the affected areas and the possible use of rubber pylons mounted in the center lane of South Street. Other Village residents speaking to support efforts for traffic calming included Kathy Vanderzwaag of 31 Locust Street, George Wallace of 7 Village Grove, Jonathan Phillips of 21 Maple Street, Michael Desrocher of 19 Boughton Avenue. Comments made stated that many people cut down Locust Street to Wood Street, that the area is a major thru-fare at night, a resident’s car was totaled when the curb was missed, and a telephone pole was hit. It was also suggested that perhaps Wood Street could become a one way street or there could be a three way stop in that section. Mayor Corby, Trustee Farlow, and Superintendent Spencer will work together to develop an interim solution to the traffic problem. Contact for the residential group will be Mrs. Putney.

VILLAGE GROVE – CONTINUED DISCUSSION

Village Grove resident and spokesman for the private drive residents, George Wallace of 7 Village Grove, in a continued discussion with the Trustees, is requesting the Village to repair Village Grove. The private drive has been serviced (snow plowing and brush pick-up) by the Village for more than ten years. The cost of sealing the street would be approximately \$1,000 and the re-paving of the road would be approximately \$11,000 with the assistance of the Town Highway Garage per Mr. Spencer. The road currently doesn’t meet state code for width. Attorney Osborn advised that a road being maintained by a municipality for a period of over ten years is a Village road by prescription. Trustee Farlow added that the private drive was built by Fred Stenger whose intention was to maintain the subdivision as a private drive and it was approved as such by the Planning and Zoning Board at that time. Mr. Wallace stated that the street currently has no sidewalk and has no street lights. It is believed that Village Grove residents do not need to anything regarding their individual deeds. Mr. Spencer stated that if the Village Board accepted Village Grove by prescription, he could possibly seal the road this fiscal year.

Motion: Mayor Corby made a motion, seconded by Trustee Farlow, to recognize Village Grove by prescription. This is to include the circle and the drive but not the driveways. Mayor Corby further stated that Village Grove would be added to the Village's road repair schedule.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

FUTURE GRANT FUNDING DISCUSSION

Deputy Mayor Maddox submitted a list of projects having the possibility of grant funding. The *Traffic Calming* initiative is currently being explored and possibly secured with the co-operative efforts of Walkable Communities and SRF. An update on the status of the plan will be given at the August Trustee meeting. *Dedication of the Schoen Place Canal Project* will take place on September 18th. *Granite curbs on Main Street South of Jefferson Road:* a letter will be forwarded to the NYS DOT from Assemblyman Joseph Errigo on the Village's behalf. An application for the *Schoen Place Phase 3(West of Main Street Bridge)* needs to be completed by June 30, 2005. Mr. Maddox is suggesting we rekindle the interest of the DelMonte Lodge in this project. *Records Management* grant has an application due date of December 1, 2004. Remegia Mitchell will pursue the necessary steps. Mrs. Mitchell also stated that the State Archives Records Administration has approved our applications for grant funding for indexing and microfilming. The exact monies will be determined at a later time. She also stated that she is interested in the available training for records management this September. Scott Harter is currently working on the *Pump Out Facility at the DPW*. An application regarding this is nearly complete and needs to be submitted. A DEC permit regarding this has been forwarded to the Village Office for review and signature. Design work for *Phase 2 of the Village Hall ADA improvements* will soon begin. Currently, the Village is awaiting approval of the grant request. New York State has recently announced a *Main Street Improvement Grant*. More information will be forthcoming the end of August. Mr. Stu Brown will look over the estimate and concept design presented by Sear-Brown regarding a *pedestrian bridge connecting Schoen Place with the library*. Possible grant monies may be available in early 2005 for this purpose. Remegia Mitchell also stated that grant monies (matching funds) are available from the DEC for tree planting.

Motion: Mayor Corby made a motion, seconded by Trustee Farlow, to approve a DEC 50/50 grant of \$7500 for tree planting.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

LEASEABLE SPACE AND FOOD VENDOR/TAXABLE – ATTORNEY OSBORN

Attorney Osborn elaborated on the definition of leasable space to say that the general rule is that all properties are taxable units. In the case of buildings or land purchased by government agencies, for these purposes, the government agency is considered exempt because the facility is being used for the benefit of the community. This would include buildings such as the Town Hall, the Library, Village Hall, and Town Park. If the property is used for private enterprise for a profit, the space is considered taxable. Example of church properties were given. The community churches have apartments in them. The church is exempt; the apartment is taxable property because it is not used for the intended religious use. The assessor will need to be advised regarding such taxable properties in the Village.

PROPOSED CODE MODIFICATIONS – CONTINUED DISCUSSION

- a. **Chapter 210 – 7 Miscellaneous regulations**
- b. **Chapter 210, Article XI – B-4 Canal Waterfront Business District – site plan requirement discussion**
- c. **Chapter 210-81 B. (1) Minimum dimensions of handicapped parking places**

The Board had approved the updating of the above noted Village Code sections to comply with current standards. The modifications to the Handicap Parking section will defer to the federal and state guidelines for ADA compliance.

Motion: Mayor Corby made a motion, seconded by Trustee Sherwood, to go to public hearing in August regarding the modifications for referenced Village Code sections Chapter 210-7, Chapter 210, Article XI-B-4 and Chapter 210-81B (1).

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

STORMWATER MANAGEMENT PROGRAM ANNUAL REPORT- DISCUSSION & SIGNATURE

Building Inspector Skip Bailey reviewed the Stormwater Management Program Annual Report with the Trustees. The purpose of this committee is to educate the public regarding the impact of stormwater on water quality and

action that residents need to take to reduce stormwater pollution. Mayor Corby will sign the SPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewers (GP02-02) Municipal Compliance Certification report.

RG&E RIGHT OF WAY – MAYOR CORBY

Mayor Corby stated that Mr. Longwell is not interested in the RG& right of way, however Micheal Newcomb Sr. is, and that Roger Powers would like access to the right of way. Mr. Powers also suggests that this could be the site of future public restrooms. RG & E is granting the Village a temporary free lease for the area east of the Sam Patch. (The previous drainage lease is being cancelled.) The Village may use this area for overflow parking. Debbie Wegman, RG & E representative, will contact the Village regarding the particulars of the lease after speaking with the individual parties.

MONOCO OIL PROPERTY – COMMENTS FROM PZBA

Mayor Corby reported that the sale of the Monoco property has been delayed. The same buyers are still interested in the property and are planning to use the property for a restaurant. The Planning and Zoning Board needs to give site plan approval. A consideration to make is the impact of the traffic flow onto Monroe Avenue and the surrounding residential area.

CODEBOOK SUPPLEMENTS – DISCUSSION

The Village Code is currently on-line. The Board decided to reduce the number of hard copies of updates being distributed to reduce duplication costs. The following individuals will be deleted from the list of copy holders: Paula Sherwood, Tom Farlow, Glenn Brown, Blake Held, Linda Lanphear, Tom Dannhauser, Ted Weniger, Monroe County Planning Department, Appellate Division Law Library, MRB Group, Sally Chamberlin, and Peter Brizee. A letter will be sent to these individuals to notify them that the Code is now available on-line for their use.

HANDICAP ACCESS – CHANGE ORDER – RESTOCKING CHARGE/RAILING OPTIONS – MAYOR CORBY

Mayor Corby stated that a new hardware closer was ordered and a restocking charge was added. A railing to extend around the curb area of the handicap walkway, added for safety reasons, was also included in the change order. Mayor Corby also informed the Board that Richard Lord of SHPO had viewed the handicap ramp and was very pleased with its' outcome.

BOOIE'S CLEANING SERVICE REQUEST

Jim Aures, Booie's Cleaning Service, is requesting a \$10. per visit increase in the price of his cleaning services. The Board approved the increase based on the fact that a service fee change has not been done in quite some time. A letter will be sent to Mr. Aures stating the Board's approval.

EAP VS. SAP SERVICES -FOLLOW-UP DISCUSSION

The discussion regarding EAP vs. SAP has been postponed to the August meeting when the full Board is present.

CANAL PROJECT DEDICATION DATE, BRICK PROGRAM DISCUSSION

The Board discussed the installation of pavers vs. bricks. Mayor Corby stated that the use of the medina sandstone has a nicer appearance vs. the brick. The Board was in agreement with the Mayor. The Board further stated that quotes from an independent contractor should be obtained for the engraving of the memorial stones. A credit should be received from Crane Hogan and Trowbridge and Wolfe regarding the associated engraving expense listed in the original contract.

The Board discussed dedicating the Schoen Place Canal Improvement Project on September 18, 2004 at the September Celebrates Town Event. The new pavilion will be dedicated to Mary Bodem for all her hard work and outstanding service to the Village. A dedication plaque will need to be obtained for this purpose. The order will be placed through the Idea Works. The Board also stated that the new pavilion has space for 6 benches.

The Secretary of State, Alexander Treadwell, will be visiting the area and viewing the Canal Project on August 3, 2004 at approximately noon. The Village will plan on a small reception if time allows.

RG&E WIND ENERGY DISCUSSION

Mayor Corby stated that wind energy could be obtained at a premium cost. This is an eco-friendly means to obtain energy, but he felt it was not a feasible option for the Village.

IMPLEMENTATION TASK FORCE

Bonnie Salem, co-chair of the Implementation Task Force Committee, has resigned from her position. On behalf of the Village, Mayor Corby will send her a card of appreciation acknowledging her participation and hard work in applying the principals of the Comprehensive Plan adopted by the Village.

SEMINAR REQUEST

Trustee Farlow has requested to attend a Pavement Preservation: Preventive Maintenance Concepts and Techniques seminar in Philadelphia, Pa. September 30-October 1, 2004. The cost of the seminar will be picked up by ADP. He is requesting payment for the hotel and mileage from the Village. He will work out the details of the seminar at the August meeting. The Board was favorable to Trustee Farlow's request.

MINUTES: June 8, 2004

Motion: Mayor Corby made a motion, seconded by Trustee Sherwood, to approve the minutes as submitted.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

MINUTES: July 8, 2004

Motion: Trustee Sherwood made a motion, seconded by Mayor Corby, to approve the minutes as submitted.

Vote: Corby – yes; Farlow – yes; Sherwood – yes *Motion Carried*

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 10.00 P. M.

Mary Marowski, Recording Secretary