

**PROCEEDINGS OF THE REGULAR MEETING OF THE
VILLAGE BOARD OF TRUSTEES
NOVEMBER 9, 2004**

PRESENT:

Trustees	Robert C. Corby Thomas Farlow Paula Sherwood Steven Maddox Glenn Brown
Attorney	John C. Osborn
DPW Superintendent	Scott Spencer
Building Inspector	Skip Bailey
Recording Secretary	Anne Hartsig

Mayor Corby called the meeting to order at 7:00 PM.

BUILDING INSPECTOR'S REPORT – SKIP BAILEY

The Building Inspector reported that he would be providing a spreadsheet, which will track the resolution of **code violations**. This document will be provided to the Board of Trustees, the PZBA and the APRB Chairperson on a regular basis. Mr. Bailey is continuing to enter property data into the **Black Bear program**. Owners of the **Pittsford Flour Mill** have requested approval from the APRB for demolition of certain portions on the site. **Jojo's** has received site plan approval but has not implemented the requirements. They will be sending a new plan, which will reduce the seating to 100 people. Members agreed that the change in the numbers of seats is significant and will require an application for a change in the Special Use Permit. Mr. Bailey will document the number of seats that are in use. Trustee Sherwood mentioned that there was a sign advertising Leon's car wash, car wax and doll ups at the **Mobil Station** on Monroe Avenue on Sunday. Mr. Bailey will monitor that situation.

DPW REPORT – SCOTT SPENCER

Mr. Spencer reported on **routine activities**. Under **completed projects**, he noted that some repairs are still needed for Mr. Sanna's driveway on Heatherhurst Drive. Regarding the dumpsters in the **Burdett parking lot**, a discussion took place about whether or not to enclose the dumpsters. It was decided that the dumpsters should not be enclosed so that the visible debris could serve as a reminder to keep the area clean. In addition, enclosing the dumpster would make it more difficult to plow the lot. Regarding **work in progress**, Mr. Spencer reported that there are two sidewalk pads on East Jefferson Road that need repairs. He told the Board that he has applied for FEMA money for Rand Creek repairs. Scott Harter will be sending a letter including price estimates for repairs to the creek walls. The crew has been replacing faded road signs and painting the plows to prepare for the winter season.

Informational items included a discussion about a complaint from residents at **10 Maple Street**. Residents at that location claim they can't exit their driveway if a car is parked across the street. Trustee Sherwood asked Mr. Spencer to investigate further to see if this is a problem that exists daily, only during school hours or during church hours. The resident at **35 Rand Place** has been experiencing drainage problems since he recently purchased this home. He has asked for permission to hook into the sanitary sewer. Mr. Spencer explained that this is not legally allowed in Monroe County. He suggested that the resident consider connecting to the storm sewer by digging through his neighbor's yard with the neighbor's permission. The Highway garage has a **new refrigerator**. Owners of **Del Monte Lodge** asked if the Village would sweep the area of construction to prevent debris from falling into the sewers. Board members were agreeable to this because the Village has a right of way. They do not intend for the sweeping to become a regular occurrence. **New equipment** purchases were discussed. Trustee Farlow told the Board that they should be thinking about budgeting money for a new or used truck to replace the 1-ton dump truck. Mr. Spencer said the Village paid about \$2500 for the truck and will probably realize that cost when they sell it. Mayor Corby relayed to Mr. Spencer that Supervisor Carpenter is pleased at how well the **School, Town and Village** have worked together on public works issues. There was a discussion about

Proceedings of the Village of Pittsford Board of Trustees Meeting on November 9, 2004

the **Christmas tree** at the Village Four Corners. Mr. Spencer will talk to Doug McVey at the Town to determine the details of who will obtain the tree and who will be responsible for decorating the tree. The **holiday wreaths** have been ordered and the **lights for the bridge** were discussed. The sidewalk and curb installation at **45 Schoen Place** was discussed. Mr. Spencer received an estimate of \$9000 to replace a catch basin and install a fifty-foot section of sidewalk. He received a second estimate for approximately \$5000. He said it would be cheaper if more of the sidewalk was being installed. Mayor Corby said that because of the heavy use, this section of sidewalk should be installed now. Mr. Spencer will investigate the insurance credentials of the company who provided the second estimate. It was noted that the Village does not have an easement from Jeff Mason to install a sidewalk. Trustee Farlow will look into obtaining a surveyor. Attorney Osborn will handle obtaining the easement.

Mayor Corby stated that he has attempted to reach Gary Freeland at the RG&E regarding the three **street lights** on North Main Street that have still not been installed. Board members discussed the possibility of taking over those street lights once they are installed so that maintenance can occur on a timely basis.

TREASURER'S REPORT

Treasurer Marowski was excused from this meeting due to illness. However a resolution to adopt the Monroe County Pre-Disaster Mitigation Plan was presented and discussed. Following discussion, a **motion** was made **by Mayor Corby, seconded by Trustee Brown** to approve the adoption of the Monroe County Pre-Disaster Mitigation Plan, **Resolution 12 of 2004**.

Vote: Maddox – yes, Farlow – yes, Sherwood – yes, Brown – yes, Corby – yes. **Motion carried.**
This resolution will be on file in the Office of the Village Clerk.

A special meeting will be held to approve the vouchers for payment when the Treasurer returns.

MINUTES

October 12, 2004: A motion was made by Trustee Brown, seconded by Trustee Maddox to approve these minutes as presented.

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

October 18, 2004 Special Meeting “notes”: These notes were reviewed by the two Trustees who were in attendance. They were found to be accurate and will become a part of the record.

October 19, 2004, Special Meeting: A motion was made by Trustee Brown, seconded by Trustee Maddox to approve these minutes as presented.

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

PROCLAMATION HONORING PAUL D. ATWELL

The Board of Trustees accepted a letter of resignation from Paul Atwell who has served in the position of Village Parking Monitor for the past ten years. Mayor Corby read the following proclamation:

A **motion** was made **by Mayor Corby, seconded by Trustee Brown** to approve the proclamation in honor of Paul D. Atwell and in recognition of his ten years of service to the Village of Pittsford.

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

ADOPTION OF A RECORDS MANAGEMENT DISASTER PLAN – RESOLUTION #11 OF 2004

Remegia Mitchell, who has been working to organize, index, microfilm and otherwise care for Village records, suggested that the Village adopt a plan to help preserve historic and file copies of Village records in the case of an emergency situation. Members discussed the proposed resolution and determined that it should state that the Pittsford Fire Department would be provided with a copy of the plan and the location of the priority records within the storage room. Therefore, Resolution 11 of 2004 was presented and adopted as follows:

**Resolution #11 of 2004
Emergency and Disaster Mitigation Plan
for Village Records**

Whereas The Village Board wishes to insure the safety and preservation of municipal records; and

Proceedings of the Village of Pittsford Board of Trustees Meeting on November 9, 2004

Whereas The Village Board has declared that the following policies will be observed by all employees; and

Whereas The Village Board agrees that this plan shall include the maintenance of an updated records locator database and two printed copies of the Records Rooms Inventory and that the computer database will be backed-up to the off-site server; and

Whereas The Village Board agrees that staff will maintain an inventory of personnel and payroll records on the Village Clerk and/or Treasurer's computers and that these computer files shall be backed-up to the off-site server; and

Whereas The Village Board agrees that staff will back-up all vital records to the off-site server daily; and

Whereas The Village Board agrees to maintain copies of computer access passwords for each Village computer within the vault; and

Whereas The Village Board agrees that original microfilm rolls will be stored in a climate controlled, off-site location; and

Whereas The Village Board agrees that copies of microfilm shall be stored in a secure fire-proof vault; and

Whereas The Village Board agrees that staff shall be trained in the proper use of fire extinguishers, and that this training shall be reviewed annually and that fire extinguishers shall be inspected annually and recharged as needed; and

Whereas The Village Board agrees that storage room exits and most vital records shall be identified with glow-in-the-dark tape and that staff will be trained in emergency removal operations; and

Whereas The Village Board has determined that in the event of fire, explosion or other disaster, vaults shall be left sealed until air purification measures are complete and that if safe and possible, all cartons with glow-in-the-dark tape shall be removed to the Department of Public Works Garage until further assessment can be made; and

Whereas The Village Board agrees that the Pittsford Fire Department will be provided with a copy of the plan and the location of the priority records within the storage room; and

Whereas The Village Board agrees that this plan will be amended as necessary from time to time;

Now therefore be it resolved, on a motion made by Trustee Brown, seconded by Mayor Corby, that the Village of Pittsford Board of Trustees hereby adopts the Emergency and Disaster Mitigation Plan for Village Records to insure the safety and preservation of municipal records.

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

UPDATING THE VILLAGE ZONING MAP

This issue was tabled for discussion at the December 2004 meeting to allow time for Steven Ferranti (SRF Associates) to submit a proposal for providing a Village map as well as an updated Zoning map. Trustee Farlow will coordinate this project with Mr. Ferranti.

VILLAGE BIKE RACKS

Trustee Farlow did not have anything to report. This subject was tabled.

FINAL REVISIONS OF EMPLOYEE HANDBOOK - SECTION 303 – DRUG AND ALCOHOL TESTING

Trustee Maddox and Attorney Turner worked together to amend this section of the Employee Handbook. Board members reviewed the proposed modifications. A **motion** was made **by Mayor Corby, seconded by Trustee Brown** to approve the proposed final revisions to the Employee Handbook, Section 303-Drug and Alcohol Testing.

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

The modifications will be incorporated into the Handbook and the employees will be given a copy of Section 303 showing the approved changes.

PUBLIC HEARING – PONTILLO'S PIZZA – SPECIAL USE PERMIT

Christine and Don Woodring, owners of Pontillo's Pizza are requesting a Special Use Permit so they can relocate their business from 10 State Street to 20 State Street. The Planning Board provided a letter to the Board of Trustees stating that they approve the use for this building. They asked the Board of Trustees to address the issue of parking spaces, enclosures of the dumpsters, landscaping and trash barrels for pedestrian take-out use. The Woodrings presented a list of proposed plantings for their project. Regarding the parking, Mayor Corby and Trustee Farlow said they had discussed the proposed relocation with

Proceedings of the Village of Pittsford Board of Trustees Meeting on November 9, 2004

Supervisor Carpenter. Mayor Corby will write a letter to Mr. Carpenter to ask about the possibility of short term parking in the library parking lot. Attorney Osborn said he had received an unsigned Reciprocal Easement Agreement between Jerry Clifford, owner of 20 State Street and the Town of Pittsford. Jared Lusk, Attorney for the Town of Pittsford noted in his communication to Attorney Osborn that this draft agreement had not yet been approved by either Mr. Clifford or the Town Board. Mr. Osborn advised that a cross easement map and a signed agreement between the Town and Mr. Clifford should be obtained. Mayor Corby instructed the Woodrings to apply to the Planning Board for site plan approval in the meantime.

The following legal notice was published on October 27, 2004:

**NOTICE OF PUBLIC HEARING
VILLAGE OF PITTSFORD**

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, Tuesday, November 9, 2004 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY to consider an application made by Don and Christine Woodring for a Special Permit from the Village Board of Trustees to allow the operation of Pontillo's Pizza in the building located in a B-1 District at 20 State Street (formerly known as Montana Mills), Pittsford, NY, pursuant to Chapter 210-74, Special Permit Uses in B-1, B-1A, B-2, B-4 and M-1 Districts.

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

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

There being no one present to speak for or against this application, a **motion** was made **by Mayor Corby, seconded by Trustee Farlow** to leave the Public Hearing open and to table the discussion until the December meeting.

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

TRAFFIC CALMING STUDY UPDATE – TRUSTEE FARLOW

Trustee Farlow reported that Mr. Ferranti had received a proposal for a conceptual analysis of four intersections in the Village that might benefit from the construction of roundabouts. The proposal was submitted by Michael Wallwork, a transportation engineer and president of Alternate Street Design, P. A. Mr. Ferranti suggested that Mr. Ferranti thought it would be premature to act on this proposal. Board members agreed.

Mr. Farlow said that the plan is for a preliminary report to be ready for Board review prior to Thanksgiving. This report would be presented to the Town, the Fire Department, the School and the DOT during the second week in December. Those agencies would be given two weeks to review the report and to respond to it. The final report will be written after information has been gathered from the Village, Town, School, Fire Department and the DOT.

Trustee Maddox suggested that the Village DPW work over the winter during “down” times on building some chicanes so that they would be ready to install on Village streets in the spring. He would also like to see some re-stripping of the roads in the spring so that some of the traffic calming ideas gained from the study can be implemented and so that residents will be able to see some progress. Trustee Maddox reported that he had represented the Village at the Genesee Transportation Council meeting regarding Federal funding. He told the Board that the Council seemed generally favorable towards roundabouts.

INFORMATION ONLY – SPECIAL USE PERMIT FOR 7 SCHOEN PLACE

Chris Miller, founder of Cosmic Pilgrim Inc. approached the Board to discuss potential issues regarding his request for a Special Use permit to operate a juicery/yoga studio business at 7 Schoen Place. He explained his preliminary plan to operate an establishment that would provide fresh juice, natural foods to carry out and an instructional yoga studio. Members talked about the proposed number of tables and chairs, the number of employees, the number and hours of yoga classes, the handling of trash and parking. Mr. Miller was instructed to apply to the Planning Board for a Special Exception Use Permit prior to coming to the Board of Trustees for a Public Hearing to obtain a Special Use Permit. He was told that an accurate site

Proceedings of the Village of Pittsford Board of Trustees Meeting on November 9, 2004

plan showing parking places would be required and that the Building Inspector would have to review the plan to insure that it was complete. The Board agreed that this business seemed like a compatible use for the area.

EVENTS COMMITTEE UPDATE – TRUSTEE FARLOW

Fall Scarecrows: Trustee Farlow reported that the consensus of the merchants was that the Fall scarecrows were not visible enough and were on display for too long a period of time. Next year they would like to have the scarecrows outside their businesses. Trustee Sherwood said she liked the cornstalks but is not in favor of the scarecrows being attached to the lamp posts. Regarding **Candlelight Night**, Board Members agreed that the tree lighting should take place at the Four Corners and that the Village Hall will not host an open house.

Non-municipal Use Permit for PVBA for Candlelight Night

The PVBA requested a non-municipal use permit to hold Candlelight Night in the Village on December 7, 2004. A **motion** was made **by Mayor Corby, seconded by Trustee Brown** to grant a non-municipal use permit to the PVBA to hold Candlelight Night in the Village on December 7, 2004 with the condition that a current Certificate of Liability Insurance naming the Village as additional insured be submitted to the Village Clerk prior to the event. The liability limits must be no less than One Million dollars for bodily injury per occurrence and Five Hundred Thousand for property damage per event.

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

2005 Schedule of Events: Mayor Corby said he was given the schedule of events for 2005. The Village will sponsor one concert during the summer at a cost of \$500.00. He also reported that the opening of the new library would coincide with Pittsford Celebrates September. He said there would be a black-tie affair including fireworks to celebrate the opening.

REQUEST FOR SUPPORT LETTER FOR ERIE CANAL DOCUMENTARY FILM

Board members received a letter from director and cinematographer Robbi Hinds asking for a letter of support that could be used to persuade television networks to consider accepting a film that she would put together highlighting the people, shops, historical attractions, festivities and stories from the past about the Erie Canal in Western New York. The Board discussed this request and decided a film of this nature would have a positive effect on the area. Mayor Corby will write a response letter of support.

NEWSLETTER UPDATE

Trustee Sherwood reported that the first draft is complete. She said the newsletter is on schedule and will be mailed the week following Thanksgiving.

REQUEST OF SUPPORT FOR COLLATERAL SOURCE BILL S.622/A.3483

The Board received a letter asking for support of a bill that would eliminate the inequity under which only cities, towns, villages and public employers are penalized when a lawsuit is brought against them by one of their employees. Seven Monroe County Villages, several towns and the City of Rochester support this bill. Board members agreed that it would make sense to support the bill. In July, Mayor Corby received a more detailed explanation of the bill. Attorney Osborn asked to review the letter of explanation before the Board acts on the request to support the bill. Conditional upon Attorney Osborn's approval, Mayor Corby will write a letter of support.

SIGNING OF THE VILLAGE TAX SURRENDER

The Village Clerk presented a list of unpaid 2004 Village taxes to be surrendered to Monroe County for collection. The Board of Trustees reviewed the list and found it to be correct. A **motion** was made **by Mayor Corby, seconded by Trustee Brown** to surrender the list of unpaid 2004 Village taxes in the amount of \$8823.06 to the Monroe County Treasurer for collection.

Vote: Maddox – yes, Farlow – yes, Sherwood – yes, Brown – yes, Corby – yes. **Motion carried.** The Certificate of Village Tax Surrender was signed by each member of the Board of Trustees.

VILLAGE INSURANCE POLICY FOR NOVEMBER 2004 TO NOVEMBER 2005

Trustee Brown reported that he had reviewed the proposed insurance package for the next year with our agent Gary Wilkins. He said that although the cost of insurance will rise again this year, because of our

Proceedings of the Village of Pittsford Board of Trustees Meeting on November 9, 2004

exceptional record, Mr. Wilkins was able to keep the additional cost reasonable. The new policy will also insure the two pavilions.

DECEMBER STAFF DEVELOPMENT MEETING

The annual staff development meeting was discussed. It will be held on December 17th at 12 PM.

73 SOUTH MAIN STREET

The Board received a letter from Historic Pittsford expressing concern about the disrepair of the historic structures on property at 73 South Main Street. The Board will ask the Building Inspector to begin action so that the structures on this property can be saved. The Clerk reported that the Building inspector had recently sent a letter to the property owner.

Members also mentioned the lack of upkeep on property at the end of South Street at the Jefferson Road intersection. Trustee Maddox will discuss this property with the Building Inspector.

EXECUTIVE SESSION

Mayor Corby made a motion seconded by Trustee Brown to enter executive session to discuss a matter of real estate.

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

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

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

REGULAR MEETING CONTINUED

Mayor Corby made a motion seconded by Trustee Brown to accept a proposal and to authorize the expenditure of \$5000, conditional upon the Mayor's review of the proposal.

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

FLEXIBLE SPENDING BENEFIT

The Clerk asked the Board if they wished to offer a flexible-spending plan to full time Village employees. Board members instructed the Clerk to move forward with the arrangements for this plan because the cost to the Village would be minimal.

ADJOURNMENT

There being no further business, a motion was made by Mayor Corby, seconded by Trustee Brown to adjourn the meeting at 10:15 PM.

Anne Z. Hartsig, Recording Secretary