

**PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES  
SEPTEMBER 13, 2005**

**PRESENT:**

<b>MAYOR</b>	Robert C. Corby
<b>TRUSTEES</b>	Steve Maddox Paula Sherwood Tim Galli Thomas Farlow
<b>TREASURER</b>	Mary Marowski
<b>DPW SUPERINTENDENT</b>	Scott Spencer
<b>ATTORNEY</b>	John C. Osborn
<b>RECORDING SECRETARY</b>	Anne Hartsig

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

**GIS PRESENTATION – MIKE ROSS – TOWN OF PITTSFORD**

Mike Ross, the Administrator of the GIS program for the Town of Pittsford, presented an overview of the GIS program that has been proposed as a collaborative between the town, school, fire district, ambulance and the village. Because all of these municipalities have overlapping needs, it has been suggested that these organizations cooperate to jointly fund a GIS program for use by all to create savings, eliminate duplication of efforts and to increase communication. The program would provide an Arc IMS (intranet mapping service) web site, project specific cartography and technical help, pictometry support and training.

Mr. Ross said that assuming full participation of all members of the collaborative, the cost to the Village would be approximately \$8800 for 2006 and \$6400 for 2007. He said that with a SARA grant, the cost to the Village would be reduced to \$4600 in 2006.

Board members expressed concerns about the cost but realize that all municipalities have to work together for the good of the Pittsford community. Mr. Ross said that he would need an answer by the end of September because the SARA grant application is due by December 1<sup>st</sup>. The Board agreed to make a decision at the September 27<sup>th</sup> meeting.

**TREASURER’S REPORT-MARY MAROWSKI**

The Board reviewed the vouchers for approval. A motion was made by Mayor Corby, seconded by Trustee Galli to approve the following vouchers as presented and to charge them to the appropriate accounts.

General Fund (#135-173):	\$ 16,650.11
Sewer Fund (#143, #164):	\$ <u>36.27</u>
Total Vouchers for Approval:	\$ 16,686.38

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

**Rand Creek Gabion Repair Project**

Village Engineer Scott Harter informed Ms. Marowski that the Village would be receiving grant funding from FEMA to aid in the repair of the Rand Creek gabions. Since the project had been bid out in anticipation of receiving these funds, a motion was made by Mayor Corby, seconded by Trustee Maddox to authorize the Mayor to sign the contract documents as soon as they are submitted so that the project can get underway.

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

**RESOLUTION #10 OF 2005 – 2003-2004 SURPLUS DISTRIBUTION**

Ms. Marowski presented the following resolution for approval:

**Be it resolved** that the Board of Trustees of the Village of Pittsford declare that the 2003-04 surplus for the General Fund to be applied to unbudgeted account items and

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**Be it further resolved** that the 2004-05 Budget be amended to reflect these amounts in their appropriate accounts.

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

**RESOLUTION #11 OF 2005 – 2004-2005 BUDGET TRANSFERS**

Ms. Marowski presented the following resolution for approval:

**Be it resolved** that the Board of Trustees of the Village of Pittsford approve the necessary line item transfers to cover negative balances subject to the presentation of the detail at the September 27<sup>th</sup> meeting.

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

**SEPTEMBER 23, 2005 PAYROLL**

Since both the Clerk and the Treasurer will be away at NYCOM Fall Training School, Trustee Galli will sign the payroll checks for the September 23<sup>rd</sup> payroll.

**JEFFERSON ROAD PARKING – SCOTT SPENCER**

Mr. Spencer reported to the Board that the DOT contacted him about parking on Jefferson Road. Because it is a safety issue, the DOT wants the parking along that road to cease. Board members said the Code should be changed. There is currently no language or signs that would allow the Village to issue tickets in that location. Mr. Spencer will contact Larry Sherman from the DOT tomorrow to discuss the issue in greater detail. A **motion** was made **by Trustee Maddox, seconded by Trustee Farlow** to hold a public hearing to modify the Code respective to parking on Jefferson Road.

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

**JOINT BOARD MEETING – 10/5/05 – DISCUSSION**

Board members discussed what items they would like to bring forward for discussion at the upcoming joint meeting of the various Village Boards. From the list of suggestions presented by Trustee Maddox, the Board decided on discussing item #1. d. They would like to convey the roll of all of the boards to the public as an education process so that the public can understand why certain processes are followed and how their government works.

It was decided that the meeting would begin at 7 PM. Coffee, cider and cookies will be offered.

**PUBLIC HEARING – PROPOSED LOCAL LAW #7 – PEACE OFFICER CLASSIFICATION**

**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, September 13, 2005 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of Proposed Local Law #7 of 2005, which local law would amend the Code of the Village of Pittsford as follows:

**ADD**

**Article V**

**Peace Officer Classification**

**§ 28-9. Powers and duties.**

- A. The Parking Monitor is designated as a “Peace Officer” and shall have all the powers granted to peace officer’s in § 2.20 of the New York State Criminal Procedure Law subject to the limitations specified in §2.20 sub paragraph 2. In accordance with the aforementioned powers and limitations, the parking monitor’s special duties and powers may be modified or expanded by order of the Mayor or his designee and as approved by the Board of Trustees.

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Proof of the legal notice having been published, a discussion began regarding the designation of the Parking Monitor as a Peace Officer so that he would have authority to monitor bicyclists on the towpath. After a lengthy discussion with John Galligan from NYCOM, Attorney Osborn told the Board that he was advised that an alternative way to achieve this goal would be to include Article 10 in the duties of the Parking Monitor. Board members agreed to this suggestion. A **motion** was made **by Mayor Corby, seconded by Trustee Farlow** to withdraw Proposed Local Law #7 of 2005.

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

**WINTER NEWSLETTER DISCUSSION – TRUSTEE SHERWOOD**

Trustee Sherwood asked the Board to contact her with suggested topics for the winter newsletter. It is to be mailed the week before Candlelight Night. Trustee Sherwood requested that suggested topics be given to her in a timely manner so that the newsletter will be mailed on time.

**SIGN PROPOSAL LETTER**

The Board received a letter from Peter Messner suggesting that if he had a sign to direct his customers to his parking lot, it might alleviate some of the lack of adequate parking places in the Burdett Lot. Mr. Messner's letter said that he had been through the process on this issue at another time but asked the Mayor's opinion on re-opening the proposal. The Board of Trustees determined that this is a Zoning Board issue and that the letter should be directed to the Zoning Board. The Village Clerk will give the letter to the PZBA Secretary for possible discussion at the next Zoning Board meeting.

**SIGN MEMO**

Trustee Sherwood reminded the Board that a memo to be sent to the merchants regarding signage has been in the works since 2003. It has had several revisions. Trustee Sherwood asked other Board members to make a decision on whether or not the memo was ready for mailing. Board members agreed that the memo should be mailed out. She will coordinate the mailing with the Village Clerk.

**TRAFFIC CALMING PLAN-TRUSTEE FARLOW**

Trustee Farlow said the Village Pedestrian Safety and Traffic Calming Plan was not ready to be approved at this meeting. He gave each of the Trustees a CD so that they could review the final draft and suggested that the plan be adopted at the first meeting in October.

Several members of the public asked to speak about traffic plans. They were as follows:

**Scott Latshaw, 49 Monroe Avenue:** Mr. Latshaw said the recent striping on Sutherland Street makes the area look more like a commercial area than a residential area. He said it promotes more students parking on the street than in previous years. Mayor Corby explained that the purpose was to slow traffic and to designate parking places so that driveways of residents would not be blocked. Mr. Latshaw replied that there does not seem to be a reduction in speed.

**Joe Maxey, Sutherland Street:** Mr. Maxey said that the students are parking longer than the allotted two hours but they have not been blocking driveways.

**Marcia Watt, Monroe Avenue:** Ms. Watt suggested that one space at the corner of Sutherland and Monroe be eliminated for driver safety reasons. She also suggested that the last space at the corner of Main Street and Lincoln be designated for compact cars only. Trustee Sherwood said this suggestion would help visibility at the corner of Locust and Main Street as well. Mayor Corby said he would ask the DPW Superintendent to look at these specific places.

**Stacey Freed, Lincoln Avenue:** Ms. Freed said she would like to have speed humps on Lincoln Avenue to slow the student traffic.

**John Limbeck, State Street:** Mr. Limbeck said that the 45 mph sign on State Street should be eliminated or moved out of the Village beyond the Wood Creek entrance. Mayor Corby said the Village has made that request to the DOT numerous times and will continue to request that the sign be moved.

**Art Pires, State Street:** Mr. Pires said the 30 mph sign as you enter the village on Route 31 is difficult to see at night. He asked that the sign be painted or replaced. He suggested that the Board look at the median/crosswalk treatments and the pedestrian crossing signs at Nazareth College and at Roberts Wesleyan College.

**Harold Danko, Monroe Avenue:** Mr. Danko said he would like to see the traffic plan presented in press releases that are proactive and that have a positive spin.

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**Trustee Galli** said he assumed the Board is in agreement that the DPW will implement to the extent possible portions of the plan for which there are funds in the budget while the weather is still good.

**APRB CODE CHANGE DISCUSSION**

Trustee Maddox stated that Attorney Turner suggested that a discussion take place regarding the feasibility of modifying the APRB Code so that the APRB's authority could be limited without weakening the Board and at the same time, continue to maintain the purpose of the Board and ensure that they would have reasonable review of future projects. He said that this would be a general change to the Code and not specific to the current issues taking place at the Flour Mill. Mayor Corby said he wouldn't want to meddle with the APRB Code because it is a tried and tested modal that has been set up across the State. The Code gives the Board discretion in making decisions. He did not think the Code should be changed because of a difficult situation with one application. Trustee Maddox replied that he agrees that attention to details is what makes the village unique. However, he suggested that 90% of the public thinks that the Flour Mill windows are okay and that the other 10%, which are the experts, do not.

**Marcia Watt, APRB member:** Ms. Watt stated that with regard to the Flour Mill project, the comments made by Attorney Turner at the meeting and the comments that the APRB understood were that the APRB had done a thorough job, had acted appropriately and reached an appropriate decision under the existing Code. She understood that the decision is enforceable, it is a strong case and that the Village should be successful in enforcing it. She said she looks to the Trustees to enforce the decisions of the APRB. It was her understanding that the suggestion made by Attorney Turner was that if the Board were going to take a course of action other than to enforce the APRB decision, it would require a change to the Code. In Ms. Watt's opinion, this was not a proposal. Attorney Turner was not proposing that the Code should be changed or that it shouldn't be changed. She asked that her clarification of what took place be entered into the record. In addition, she stated that she is strongly opposed to a change in the APRB section of the Code.

**John Limbeck, APRB member:** Mr. Limbeck said that changing the Code would be a knee jerk reaction. He said education is the key. He said he has heard about putting these types of requirements into the deed of historic buildings. He said the issue of the Flour Mill received bad press and that a recent editorial was bad. He said a response to the editorial from the Village government is needed.

**Art Pires, State Street:** Mr. Pires agreed that the editorial in the BP Post was clearly one sided. He said in the case of the Flour Mill, there have been clear violations of specific details. He also agreed that a rebuttal is needed.

**Harold Danko, Monroe Avenue:** Mr. Danko said that the volunteer boards work very hard to determine acceptable solutions.

Mayor Corby asked the Trustees for comments on changing the Code. Trustee Galli said he would be concerned about making changes to the Code. Pittsford Village was featured in numerous slides that were presented at the Canal Conference. He said that is a tribute to the work that the boards are doing in this village. Trustee Sherwood said she was opposed to changing the Code. She said the APRB has high standards and a strong code. She said education is needed. She praised the work of the boards and thanked them for the job they are doing. Trustee Farlow said that during the Canal walk yesterday, it was clear that the APRB is active. He said our village is unique and portrays a historical feel.

**Joe Maxey, President of Historic Pittsford:** Mr. Maxey said that Pittsford Village is the way it is because of the APRB. He suggested that a personal welcome letter should be sent to new residents regarding the historic nature of the village. Mr. Maxey submitted the following letter for the record on behalf of Historic Pittsford:

*Dear Mr. Mayor and Village Trustees,*

*I am presenting this statement on behalf of the Historic Pittsford Board of Directors, which in turn represents a membership of 380 persons and families.*

*I will not presume to enter into the debate involving the Architectural Preservation Review Board (APRB), the Village Trustees and the developers of the flourmill. I will, however, comment on the value of having*

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*within the Village a system that endeavors to preserve the historical significance and the uniqueness appreciated by those who live here.*

*In August of this year, Mrs. Laura Bush designated the Village of Pittsford as a Preserve America Community. This recognition was the result of thirty plus years of effort made by a variety of groups that espoused to maintain an integrated preservation policy. The APRB is one of those groups. We have a unique balance of authority in our Village. The APRB operates with considerable independence and serves as our local authority for the renovation, preservation and conservation of properties within a designated historic district. It is crucial that the integrity of this body be maintained even in the face of difficult and, at times, controversial issues.*

*In closing, I applaud the hard work of the Village Trustees and the APRB. May they always be separate entities with a similar goal.*

*Thank you,  
Joseph T. Maxey, President*

**LENS PROGRAM DISCUSSION**

The Village Clerk explained the LENS (License Event Notification System) to the Board of Trustees. The program allows the Village to be notified anytime an employee who is driving a vehicle while on Village business has an “occurrence” such as a speeding ticket. Although our DPW drivers have been registered in the program for some time, our insurance agent recommended that all employees who drive their personal vehicles on a regular basis while on Village business, also be registered in the program.

The Board of Trustees agreed that the program is valuable but said that there should be a written statement in our employee handbook regarding this program.

**REQUEST FOR STREET CLOSURE – CHRIST CHURCH**

The Village Board received a request to close Locust Street between Main Street and Rand Place on Sunday, October 16<sup>th</sup> from 9 AM to 1:30 PM for a stewardship event. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to approve this request with the following conditions:

1. Christ Church will be responsible for notifying all Locust Street neighbors and all other village churches prior to the event.
2. Christ Church will notify the Monroe County Sheriff’s office, the Pittsford Fire Department and the Pittsford Ambulance prior to the event.
3. Christ Church will provide the Village of Pittsford with a certificate of liability insurance naming Pittsford Village as additional insure prior to this event.

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

**CANDLELIGHT NIGHT POLE FLAG REQUEST**

The Village Board received a request from Shirley Joseph for permission to display 5-6 banners advertising Candlelight Night to be placed on utility poles in strategic locations. Ms. Joseph submitted a drawing of the proposed banner. Board members discussed the proposal and determined there were several concerns. Fluttering banners are difficult to read. Banners don’t hold up well in winter weather. Banners conflict with the village’s holiday wreaths and light pole decorations.

Board members suggested that in lieu of the proposed banners, business owners could place posters on store cash registers, use the radio, TV and newspapers, develop a poster program for display within the businesses and design a T-shirt of the week.

**EXECUTIVE SESSION**

A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to enter executive session to discuss a matter of litigation.

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

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

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

**MINUTES**

**August 23, 2005:** A motion was made by Mayor Corby, seconded by Trustee Sherwood to approve these minutes as amended.

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

**EVENTS COMMITTEE REPORT – TRUSTEE FARLOW**

Trustee Farlow reported that he ordered 200 corn stalks, the same number as 2004. The DPW crew will put the cornstalks up in the village. The cost is \$400.

The Board discussed the Community Library opening events.

**ACTION ITEM LIST**

The Board reviewed the action item list. The Clerk will update the list.

**EXECUTIVE SESSION**

A **motion** was made **by Mayor Corby, seconded by Trustee Farlow** to enter executive session to discuss a matter of real estate.

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

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

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

**WASHINGTON ROAD DISCUSSION**

Trustee Farlow reported that he was informed of a discussion regarding the plans for redesigning Washington Road with representatives of the DOT. He was told the project is slated for December of 2006. Board members agreed that this would be an opportunity to partner with the DOT to implement curbing and landscaping plans in that area. They concurred that the Village should attempt to get funding for curbing, landscaping and drainage for purposes of safety and traffic calming. Trustee Maddox will contact Stu Brown to discuss funding opportunities.

**ADJOURNMENT**

There being no further business, Mayor Corby adjourned the meeting at 11:10 PM.

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Anne Z. Hartsig, Recording Secretary