

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
May 9, 2006

Present:
Mayor: Robert Corby
Trustees Paula Sherwood – arrived at 7:40 PM
Tim Galli
Steve Maddox
Absent Thomas Farlow
Treasurer Mary Marowski
Attorney John C. Osborn
Recording Secretary Anne Hartsig

Mayor Corby called the meeting to order at 7:05 PM.

TREASURER’S REPORT - MARY MAROWSKI

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

General Fund (#531-#549):	<u>\$ 11,144.77</u>
Total Vouchers for Approval:	\$ 11,144.77

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

The Treasurer reported that Sally Chamberlin and Lili Lanphear requested permission to attend the Spring 2006 Regional Local Government Workshop which will be held in Bushnell’s Basin. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve this request.

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

The Treasurer explained the following resolution which was discussed and voted upon so that the Village can proceed with a grant application.

Village of Pittsford
Resolution 4 of 2006
Municipal Waste Water and/or Recycling Project

Resolution authorizing the filing of an application for a State Grant-in-Aid for a Municipal Waste Reduction and/or Recycling Project and signing of the associated State Contract, under the appropriate Laws of New York State.

WHEREAS, the State of New York provides aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, The Village of Pittsford, New York, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees of the Village of Pittsford,

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Robert C. Corby, Mayor of the Village of Pittsford, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said contract is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a Joint Municipal Waste Reduction and/or Recycling Project.
5. That this resolution shall take effect immediately.

A **motion** made by **Mayor Corby, seconded by Trustee Galli** to approve **Resolution #4 of 2006** as presented.

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

Treasurer Marowski suggested that at the June 13, 2006 meeting, the Board should have a budget process overview. She asked for suggestions regarding the budget process from the Board. In addition, a discussion regarding the reserve funds should take place. The Board agreed with these suggestions. Ms. Marowski will send an email reminder.

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BURDETT PARKING LOT MAINTENANCE

Mayor Corby suggested that Village Engineer Scott Harter be asked to study the Burdett parking lot to see if it is possible to designate more parking spaces by re-stripping the lot. The Board discussed the inefficient location of the dumpsters and the fact that they should be enclosed. Trustee Maddox will contact Scott Harter and will ask him to contact John Cufari, the new DPW Superintendent.

DPW SUPERINTENDENT ISSUES

John Cufari attended this meeting as the new DPW Superintendent. The Board discussed his duties and responsibilities as Superintendent.

Executive Session

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

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

A **motion** was made by Trustee Maddox, seconded by Mayor Corby to leave executive session and reenter the regular session of the meeting.

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

SUMMER HOURS for DPW

This topic will be discussed at the May 23rd meeting.

REQUEST FOR A-FRAME SIGNS – PITTSFORD WOMEN’S CLUB

The Board received a request letter from the Pittsford Women’s Club asking for permission to place A-frame signs at the Four Corners and one in front of the Library to advertise the 20th Anniversary Home and Kitchen Tour. The Club wanted to have the signs in place for approximately one month. After discussion, members decided to continue with the policy that has taken place in the past which was to allow two signs at the Four Corners for the two weeks preceding the event. The request to place a sign at the library was denied. A **motion** was made by Trustee Sherwood, seconded by Mayor Corby to approve the Women’s Club of Pittsford’s request to have two A-frame signs at the Four Corners for the two weeks prior to the Home and Kitchen Tour Event with the condition that the signs are not placed in the public right of way and that the signs be removed the afternoon of the tour, June 4, 2006.

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

PUBLIC HEARING – HICKS AND MCCARTHY- EXPANSION OF A SPECIAL PERMIT

The Board of Trustees received a request to allow the construction of a deck for seasonal dining at Hicks and McCarthy restaurant on South Main Street. Proof of the legal notice below having been published, a **motion** was made by Mayor Corby, seconded by Trustee Maddox to open the public hearing.

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

**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, May 9, 2006 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY to consider an application made by Robert Bryant, for an expansion of a Special Permit from the Village Board of Trustees to allow the construction of a temporary deck for seasonal outside seating at the restaurant known as Hicks and McCarthy in the building located at 23 South Main Street, Pittsford, NY, which location is in a B-1 A District pursuant to Chapter 210-74 A (2), Special Permit Uses in B-1, B-1A, B-2, B-4 and M-1 Districts.

The Board received two written comment forms. One was from Jim Burdett, the property owner. Mr. Burdett is in agreement with the proposal. He stated that when the deck is removed for winter months, the “do not enter” sign should be relocated to its original placement. The second comment form was faxed to the Village Office from a village merchant and stated opposition to the location of the deck because of safety reasons due to truck deliveries and the narrowness of the driveway.

The Planning Board discussed this application at their meeting on April 24, 2006. They submitted a list of items that were discussed or requested. Trustees reviewed these items with the applicants, Bob and Pat Bryant. The applicant submitted a table count chart to the Trustees to substantiate the claim of a seasonal reduction of business. Mr. Burdett, the property owner, submitted a comment form whereby he stated his approval of the proposal. Two speed bumps and a “do not enter” sign are proposed to slow traffic and to address pedestrian safety in the area. The Town will be notified about the speed bumps if approval is given. The applicant agreed to removing an equal number of seats from the inside restaurant area. If the application is approved, it will be a conditioned upon site plan approval from the Planning Board. The applicant presented a copy of a letter that is given to all employees of the restaurant asking them not to park in the Burdett Lot. The applicant said he will be able to determine when most deliveries are made. Mr. Bryant said that his delivery trucks are in and out quickly and that the larger trucks never park where the proposed patio will be located.

Board members noticed that an 8 foot lattice fence has been shown on the plans that were submitted. Mr. Bryant explained that the fence would only be as high as needed to conceal the service door and to provide an attractive backdrop for diners. He was reminded that the fence would require approval from the APRB. There being no one further to speak for or against this application, a **motion** was made by Trustee Sherwood, seconded by Trustee Maddox to close the public hearing.

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

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Having considered the findings of fact listed below, a **motion** was made **by Mayor Corby, seconded by Trustee Galli** to approve this application for an expansion of a Special Permit allowing the construction of a deck for seasonal outside seating at Hicks and McCarty restaurant that will be in place through the month of October. Per their request, the Trustees will forward this application to the PZBA for site plan approval.

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

Findings of Fact

1. The applicant has already or will comply with the five comments made by the Planning Board in a memo dated April 25, 2006.
2. The applicant submitted a copy of a directive issued to employees asking them to park in locations other than the Burdett lot.
3. Efforts will be made to minimize conflicts with delivery trucks.
4. The applicant complies with all criteria listed in §210-74 B. (3) (a)-(h).

SUTHERLAND STREET REQUEST FOR ACTION – TRUSTEE MADDOX

The Board of Trustees received a letter from Craig West, the safety coordinator of the transportation department for Pittsford schools regarding safety issues at Sutherland High School. Mr. West listed five proposals for consideration.

1. Striping the entire length of Sutherland Street to create two distinct lanes. Board members said that creating parking places narrows the street but that striping the street increases traffic.
2. At the Sutherland/Jefferson intersection, divide Sutherland into 2 distinct turning lanes. Board members agreed that a “stub” could be painted to create a left and right turning lane.
3. Currently, speed limit and/or school zone signs are not in place on Sutherland Street and should be established. Board members will look into this matter. It was noted that the Village must be in conformance with New York State rules for school zones.
4. The traffic light should be programmed to allow more traffic to pass from Sutherland onto Jefferson during peak periods of traffic and then revert back to the shorter cycle. The Village does not have authority to change the length of traffic signals. However, this request will be given to the NYSDOT officials when Village representatives meet with them.
5. Clarification of “No Parking” zones on the west side of Sutherland Street between Lincoln and Jefferson, especially near the entrance and bus loop are needed. Trustees agreed with this statement and will provide better posting.

SUTHERLAND STREET RESIDENT REQUEST

The Board received a letter from resident Jennifer Latshaw requesting that the parking places that were designated at the Monroe Avenue end of Sutherland Street be removed. She stated that the with cars parked in those spaces, the street is more dangerous due to vehicles speeding past parked cars and in and out of empty spaces. In addition, the spots have been used by suspicious vehicles, a car for sale, and by school janitors for a smoke break location.

Board members discussed removing two or three spaces at that end by striping the area as a no parking zone. Trustee Sherwood said that other neighbors in that vicinity should be consulted before this measure is taken. It is possible that some residents like the designated spaces for use by guests. Mayor Corby will discuss this issue with Ms. Latshaw.

VETERANS MEMORIAL

A Veterans Memorial is proposed for the Port of Pittsford Park, a Town owned park. Mayor Corby described the memorial to the Board. He said it would be small and would have lighting that would enhance the park. APRB has reviewed the proposal and found it to be attractive and compatible. Attorney Osborn said that a building permit will be required. The fee for the permit will be waived. The topic is before the Village Board so that the Board can reserve the ability to grant immunity from Village zoning regulations as per the New York Court of Appeals 1988 case of Matter of County of Monroe v City of Rochester 72 N.Y. 2d 338, 533 N.Y.S. 2d 702. The Board determined that a public hearing should be held. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to hold a public hearing at the May 23, 2006 meeting to discuss waiving the Village zoning regulations for the Town of Pittsford’s Veterans Memorial project to be located on Town property in the Port of Pittsford Park, which lies within the Village of Pittsford.

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

SCHOEN PLACE PROPOSAL

Mayor Corby asked Village Engineer Scott Harter to submit a proposal for a site study/streetscape and infrastructure evaluation and improvement project for Schoen Place because of future development potential in that area. If the Village applied for and received grants, this study would be something tangible with which to move forward. Trustee Galli told the Board that he learned that the Canal Corporation is going to make a significant investment to upgrade the towpath trail from the Village of Pittsford to the Village of Fairport. He suggested that this is a great opportunity to extend the lighting on the towpath west from the North Main Street Bridge and to possibly include public restrooms. This will be reviewed further at the June 13th meeting.

TRAFFIC INITIATIVES – BOUGHTON AVENUE

Trustee Sherwood said that traffic calming initiatives for Boughton Avenue have been in the planning stages for several months and that it is time that action be taken. She would like to see traffic calming accomplished by improving the streetscape and suggested that the project be handled correctly or that the street be left alone.

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Members further discussed initiatives for the intersection of Boughton Avenue and South Street. Cutting the pavement and bringing in topsoil was suggested. Trustee Maddox will schedule a morning traffic calming meeting with Superintendent Cufari.

CANAL RULES DISCUSSION

Board members made a final review of the Canal Rules for the Erie Canal Park and Schoen Place towpath area. The rules will be as follows:

**Village of Pittsford
Erie Canal Park Rules**

- Loitering between the hours of 12:00 AM and 6:00 AM is prohibited. Unreasonably loud, disturbing or unnecessary noise is also prohibited during these hours.
- Boat docking is limited to two consecutive nights.
- A pump-out station is available for boaters 24 hours per day. It is located .3 miles to the west on the north shore.
- Boaters are requested to be considerate of other park users at all times.
- The Village of Pittsford is not responsible for the security of personal property.
- Feeding of wildlife is prohibited.
- No swimming allowed.
- The canal path between the North Main Street Bridge and the State Street Bridge is for pedestrians only and is a **dismount zone**. Bicyclers, skaters, and skateboarders must dismount or use the public street.

The Board agreed that signs should be posted in both pavilions and that the rules should be distributed to Schoen Place merchants so that they would be readily available to visitors. The signs should include the village logo and should have black letters. The Village Clerk will work on ordering the signs.

REQUEST FOR BANNERS ON NORTH MAIN STREET BRIDGE FOR REGATTA WEEKEND

Pittsford regatta organizers have asked permission to hang banners from the North Main Street Bridge during the regatta weekend in June. Banners and fluttering devices are not allowed by Code. After discussing this issue, the Board decided to deny this request because a precedent would be set and because aesthetically, banners do not enhance the village.

NIMS (NATIONAL INCIDENT MANAGEMENT SYSTEM)

Mayor Corby explained that implementation of NIMS is a requirement for federal preparedness funding. As part of the implementation, training (IS-700) is required by all Trustees, the DPW and the Village Clerk. Training is offered as on-line course work. Since training must be concluded by September, 2006, Mayor Corby was told that it would be best to complete the training during the summer. He estimated that it would take approximately four hours on the computer.

OFFICIAL ADOPTION OF JOHN C. OSBORN PROCLAMATION

At the tribute dinner held in April who honored Village Attorney John Osborn for his fifty years of service as Village Attorney, Mayor Corby presented a proclamation to Mr. Osborn. A **motion** was made **by Mayor Corby, seconded by Trustee Galli** to officially adopt that proclamation as it is written below, naming the Village Board room the *John C. Osborn Meeting Room* and honoring Attorney Osborn for his fifty years of service to the Village of Pittsford.

**VILLAGE OF
PITTSFORD**

21 North Main Street, Pittsford, New York 14534
Incorporated 1827

PROCLAMATION

WHEREAS, John C. Osborn has provided the Village of Pittsford with an outstanding level of professional service for 50 years and,

WHEREAS, while serving as Village Attorney over the last five decades, John has played a pivotal role in Village government, his knowledge and sound legal advice having been instrumental in guiding the Village through both times of great change as well as individual crises, and

WHEREAS, highlights of John's tenure include:

1. writing the Village's zoning code and reviewing numerous amendments to it,
2. advising the Village on the creation of the Village Planning Board in 1956,
3. defending the Village against a variety of legal challenges,
4. providing sound legal advice that permitted zoning and planning policy, most notably the curbing of commercial expansion back in the 1960s and 1970s,
5. assisting with the designation of the village's historic district, adoption of a Historic Preservation ordinance in 1971, and ensuring that legally sound practices were followed,
6. helping steward the village through the 1980s water crisis, and
7. explaining the legal ramifications of a new comprehensive plan adopted by the Village in 2002, and

WHEREAS, in recent decades, John Osborn's legal expertise, enthusiasm, diplomacy, and dedicated service have been key factors in the Village's success in overcoming great challenges, and

WHEREAS, despite increased traffic and development pressures, the Village has prospered, has preserved its historic character, has become a model for other communities and most importantly, has remained a great place to live, and

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WHEREAS, John C Osborn, through innumerable meeting hours, has demonstrated a fervent commitment to make our Village a better place,
NOW THEREFORE BE IT RESOLVED that I, Robert C. Corby, Mayor of the Village of Pittsford, do hereby salute John C. Osborn and call upon all residents of the Pittsford Community to join me in this tribute on this 28th day of April, 2006, and
BE IT FURTHER RESOLVED, that in honor of his outstanding record of service, the Village Board and I do hereby declare that the Village Hall meeting room will, from this day henceforth, be known as the “John C. Osborn Meeting Room.”

**Robert C. Corby, Mayor
VILLAGE OF PITTSFORD**

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

EXECUTIVE SESSION

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

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

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

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

MINUTES

March 25, 2006: A **motion** was made by **Trustee Sherwood, seconded by Trustee Galli** to approve these minutes as written. **Vote:** Corby– yes, Maddox – yes, Sherwood – yes, Galli – yes. **Motion carried.**

April 5, 2006: A **motion** was made by **Trustee Sherwood, seconded by Mayor Corby** to approve these minutes as written. **Vote:** Corby– yes, Maddox – yes, Sherwood – yes, Galli – yes. **Motion carried.**

April 11, 2006: A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to approve these minutes as written. **Vote:** Corby– abstain, Maddox – yes, Sherwood – yes, Galli – yes. **Motion carried.**

April 19, 2006: A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to approve these minutes as amended. **Vote:** Corby– yes, Maddox – yes, Sherwood – yes, Galli – yes. **Motion carried.**

April 21, 2006: A **motion** was made by **Trustee Galli, seconded by Trustee Maddox** to approve these minutes as written. **Vote:** Corby– yes, Maddox – yes, Sherwood – yes, Galli – yes. **Motion carried.**

ACTION LIST REVIEW

Board members reviewed and updated the Action List. Mayor Corby will ask Trustee Farlow to return employee evaluations to the Clerk to file in personnel files. The Building Inspector will be asked to update those items on the list involving him.

MEMBER ITEMS

Pittsford Village Civic Association Picnic: At the April 19th meeting, the PVCA asked the Village to co-sponsor a picnic that is planned for June 4th at the Spiegel Center because this newly formed civic group does not have insurance. Board members voted to approve this request with the condition that the Village Insurance agent approves of the proposal. The Clerk contacted the insurance agent who said that while the Village could do this, the insurance policy would not cover the PVCA. He wondered why the Village would want to take on this liability. Board members discussed the issue and determined that it is a low risk event, the goals of the organization are noteworthy and two members of the organization are Village Trustees. They noted that this sponsorship should be one time only. Trustee Sherwood stated that she could not approve of the Board’s insurance involvement because of the recommendation of the Village’s insurance agent and because all other organizations are required to provide a certificate of insurance naming the Village of Pittsford as additional insured.

Discover Pittsford event: Trustee Sherwood was notified by some village merchants that an event called “Discover Pittsford” has been planned to coincide with the Walnut Hill Carriage Competition in the month of August. She told Board members that both the merchants and the Village are expected to contribute money toward the event. The event preliminarily includes a parade, later store hours, and the involvement of three radio stations. An event of this nature would most likely require DPW involvement. Board members noted that while this could be a nice summertime occasion, money for this event was not budgeted because the Board did not know about it. Members have been invited to attend an informational meeting on May 10th at Schoen Place Grill where it is expected that Supervisor Carpenter will announce the event.

Use of A-frame signs: It was noted that in spite of meetings with the Town’s event coordinator regarding the use of A-frame signs, many A-frame signs have recently been used to advertise a library book sale. Mayor Corby will talk to library personnel to ask them to respect Village regulations for aesthetic and safety reasons.

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 11:25 PM.

Anne Z. Hartsig, Recording Secretary

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