

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
March 13, 2007

Present:
Mayor Robert C. Corby
Trustees Steve Maddox – arrived at 7:05 PM
Tim Galli
John Limbeck
Excused Paula Sherwood
Attorney John C. Osborn
Treasurer Mary Marowski
Recording Secretary Anne Hartsig

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

TREASURER’S REPORT – Mary Marowski

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

General Fund (#510-#536):	\$16,452.82
Sewer Fund (#529):	<u>\$ 7,936.35</u>
Total vouchers for approval:	\$26,865.61

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

Election Inspectors’ pay: The Treasurer reported that according to the Monroe County Board of Elections, the average fee paid to election inspectors for village elections in Monroe County is \$100 per day per inspector. In the past, the Village has paid a stipend of \$50 per inspector. Because Monroe County is running the election, the Village will not be responsible for paying the transportation/moving fees of the voting machine this year. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to authorize the Treasurer to pay a total amount of \$400 for four election inspectors for the March 20, 2007 village election and for authorization of a budget transfer of \$400 from A1450.4, the election equipment category to A1450.1, the election personnel service category.

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

Trustee Maddox arrived at 7:05 PM

CORN HILL NAVIGATION – VICKI SCHMITT

Ms. Schmitt requested a docking permit for the 2007 season for the *Sam Patch* at the Schoen Place waterfront from approximately May 1st through the month of October. Members discussed the request and determined that Corn Hill Navigation should coordinate parking signage with Ted Collins. Other topics of discussion were possible ways to keep children from falling into the water including parental responsibility, and the desirability of a laundry facility, public restrooms, showers, electricity and water for boaters.

A **motion** was made by **Mayor Corby, seconded by Trustee Limbeck** to approve the request for a docking permit for the *Sam Patch* for the 2007 boating season with the following conditions:

1. Signage will be coordinated with Ted Collins to direct customers to parking areas.
2. The landscaping around the ticket pavilion will be improved and maintained by Corn Hill Navigation personnel.
3. The area around the pavilion shall be maintained in a tidy fashion including the elimination of weeds and litter.
4. Customers will be informed by phone about designated parking areas for *Sam Patch* tours.
5. Trash will be removed from the site daily and will not be left overnight on Village property.

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

ERIE CANAL BOAT COMPANY INC. – PETER ABELE

Mr. Abele owns the Erie Canal Boat Company, Inc., which is a canoe, kayak and paddle boat rental business in the Village of Fairport. Mr. Abele has been approached by the NYS Marathon Canoe Association about sponsoring a long distance canoe race on the weekend of September 15th, which is the weekend of Pittsford Celebrates September. The race course would be a 14 mile loop between the Parker Street Bridge in Fairport and the North Main Street Bridge in Pittsford. The racers would arrive in the Village of Pittsford at approximately 1 PM. The plan is to have a couple of motorized boats stationed along the route. Mr. Abele said the insurance will be through the NYS Marathon Canoe Association.

Board members were enthusiastically in favor of this race. They asked Mr. Abele to keep them informed of the details when they are finalized.

INFORMATION ONLY – BRAD SLUMAN – PITTSFORD PUB

Mr. Sluman addressed the Board about obtaining a permit for occasional outside entertainment on the patio at the Pittsford Pub. He said the music will be low level acoustical music anywhere from 6 PM to 10 PM on Wednesday, Thursday, Friday or Saturday but not four days in a row. Members discussed the procedure to obtain this permit. Mr. Sluman was instructed to apply to the Zoning Board for a temporary permit (Chapter 210-109).

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Mr. Sluman told the Board that the fire code violations at the Pittsford Pub that were noted by Mr. Bailey during his inspection on February 28th have been corrected. Parking lot lighting violations have not been corrected to date.

CHAPTER 195-18 AMENDMENT DISCUSSION

Board members discussed the need for Code legislation giving the village the authority to use a wheel locking immobilizer. Mr. Bailey drafted an amendment to the Code which was reviewed. Members agreed that guidelines to use for enforcement consistency should be written by Mr. Bailey and Mr. Weinstein. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to hold a public hearing at the April 10th meeting of the Board of Trustees to consider amending Chapter 195-18 of the Village Code.

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

MONROE COUNTY ENERGY AGGREGATION GROUP, CO-OP PURCHASING DISCUSSION

Members reviewed a copy of a revised intermunicipal agreement between the County of Monroe and the Village of Pittsford regarding the scope of services for the Monroe County Energy Aggregation Group. Attorney Osborn reviewed the agreement. He said the agreement would allow the Village the advantage of the County bid for a cheaper energy price. Trustee Galli said he would contact County Purchasing Manager Kevin Finnerty for more information. The discussion will be continued at the March 27th meeting.

NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS

Mayor Corby recommended that the Village join this organization which will provide education, advocacy and training for the APRB as well as keeping abreast of case law and trends in historic preservation. Membership includes a publication with valuable articles on topics of interest to preservation boards as well as providing a resource center for preservation information. Trustee Limbeck reviewed the sample publication and found three articles of value. A **motion** was made by **Trustee Limbeck, seconded by Trustee Galli** to approve expenditure for a one year membership to the National Alliance of Preservation Commissions with the condition that the membership will be reviewed before it is renewed in 2008.

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

SIGNS AND BANNERS

Together with Trustee Sherwood, Mayor Corby has been working on a policy regarding signs and banners in the village. Mayor Corby presented a working copy of that policy and Board members reviewed the sections offering suggestions. Mayor Corby will include the Board's suggestions. The second draft will be reviewed with the Village Board. Mayor Corby will contact the Supervisor to discuss it with him.

MEMBER ITEMS

Vending permits: It was stated in the Town Board minutes of February 20, 2007 that Ben & Jerry's Ice Cream has been granted permission to be a vendor at the Port of Pittsford Park during the summer concert series. Village Board members will ask Mr. Bailey to notify Mr. Brown of Ben & Jerry's that a temporary permit is also required from the Village.

Draft Traffic Calming Initiatives: The Village Board reviewed a list of thirteen initiatives that they hope to complete in 2007.

Events update: As Village representative to the Events Committee, Trustee Limbeck reported on three upcoming canal events: the *Lois McClure*, a schooner, will visit the village on July 17 through July 19th. Mayor Corby will be a speaker at the welcome ceremony and again when the schooner leaves; The Town was successful in securing enough corporate sponsors to have the **RPO** perform on a barge on the canal on June 22nd; there will be an **antique boat show** on the north side of the canal on the weekend of September 15th.

Applications: Trustee Limbeck also reported that progress is being made on improving the general tracking process for PZBA and APRB applications.

Action Security: Mayor Corby reported that Action Security will be installing a fire alarm system in the Village Hall next week.

Engineering projects: Trustee Maddox reported that Engineer Scott Harter has preliminary drawings for the village entry project on **State Street** and is ready to talk to the DOT about the proposal. Trustee Maddox led a discussion about curbs vs. planters at **Starbucks** to prevent vehicles from parking on the sidewalk. Board members decided that it would be cost effective if this project could be combined with the curb project on Schoen Place. They stated that the next step would be to have Scott Harter develop a traffic safety plan, a curb design for bid purposes and then to go to bid on the project.

WASHINGTON ROAD CONSTRUCTION/DOT RESOLUTIONS

RESOLUTION #4 OF 2007

**RESOLUTION AUTHORIZING THE INCORPORATION
OF MUNICIPAL WORK INTO A STATE HIGHWAY PROJECT**

by Resolution of the Pittsford Village Board

A resolution authorizing the State of New York to incorporate, the construction of a raised median and guide rail on NYS Route 96 under the bridge carrying the railroad, as shown on the plans, (hereafter referred to as guide rail betterment) in the contract for the construction, reconstruction, and/or rehabilitation of Routes 96 and 153, in the Village of Pittsford, located in Monroe County, P.I.N. 4153.03,

WHEREAS, Section 10, Subdivision 27 of the New York State Highway Law provides, in part, that the Commissioner of Transportation shall have the power, upon the request of the municipality, to perform for and at the expense of such municipality, any work of construction, reconstruction, and/or rehabilitation, including the removal and relocation of facilities, provided the Commissioner of Transportation deems it practicable to perform such work in connection with the performance of any work of construction, reconstruction, or improvement; and

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WHEREAS, the State of New York is presently preparing contract plans for the construction, reconstruction, and/or rehabilitation of Routes 96 and 153, in the Village of Pittsford, which involves rehabilitation of Route 96 under the railroad, which the Village of Pittsford contemplated using for the construction of the guide rail betterment; and

WHEREAS, said construction, reconstruction, and/or rehabilitation of Routes 96 and 153, in the Village of Pittsford can be undertaken in conjunction with the construction of the aforesaid guide rail betterment at a substantial ultimate savings to the Village of Pittsford.

NOW THEREFORE, BE IT RESOLVED: That the Village of Pittsford in regular meeting convened, petitions the New York State Department of Transportation as follows:

PETITION 1: The State of New York is hereby authorized to proceed with the necessary arrangements to incorporate the proposed median and guide rail in the contract for the construction, reconstruction, and/or rehabilitation of Routes 96 and 153 in the Village of Pittsford, with the cost of said construction and necessary work in connection therewith to be borne by the Village of Pittsford.

PETITION 2: The Village of Pittsford will assume responsibility for its proposed guide rail betterment and will maintain or cause to be maintained any paint system on the guide rail as well as any landscape plantings installed in the median subsequent to the construction thereof.

PETITION 3: This resolution shall take effect immediately.

BE IT FURTHER RESOLVED: That the Clerk of the Village of Pittsford is hereby directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation.

BE IT FURTHER RESOLVED: That Robert C. Corby, Mayor is hereby authorized to execute all necessary agreements on behalf of the Village of Pittsford, with the New York State Department of Transportation approving of the above-subject requested and authorized work and providing for the Municipalities participation in the cost thereof.

The question of the adoption of the foregoing resolution was presented on a **motion made by Trustee Maddox, seconded by Mayor Corby** and duly put to vote as follows:

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

RESOLUTION #5 OF 2007

**RESOLUTION AUTHORIZING PAYMENT TO THE STATE OF NEW YORK FOR
REQUESTED WORK**

by Resolution of the Pittsford Village Board

WHEREAS in connection with a contract for the construction of NYS Routes 96 and 153, in the Village of Pittsford, located in Monroe County, P.I.N. 4153.03, the Village of Pittsford, by Resolution No. 5, Adopted March 13th, 2007, requested and authorized the New York State Department of Transportation to proceed with the necessary arrangements to incorporate the proposed installation of a raised median and guide rail on NYS Route 96 under the bridge carrying the railroad as shown on the plans, (hereafter referred to as guide rail betterment) in the contract for the construction, reconstruction, and/or rehabilitation of Routes 96 and 153, in the Village of Pittsford, with the cost of said guide rail betterment and necessary work in connection therewith to be borne by the Village of Pittsford; and

WHEREAS, the Village of Pittsford desires the said guide rail betterment, the Village of Pittsford share of which based on the "shared cost" method is capped at \$22,761.04, be constructed at the sole expense of the Village of Pittsford in connection with the above mentioned State contract, as set forth in the plans for said project. Any amount exceeding \$22,761.04 will be presented to the Village for approval prior to being approved by the New York State.

NOW THEREFORE, BE IT RESOLVED:

That pursuant to subdivision 27 of Section 10 of the Highway Law, the sum of \$22,761.04 is hereby appropriated to cover the cost of the guide rail betterment, and the Village of Pittsford is hereby authorized and directed to deposit 10 % of such sum with the State Comptroller within seven days following passage of this resolution, and be it

FURTHER RESOLVED; that a copy of this resolution be filed with the State Comptroller and with the State Commissioner of Transportation; it being understood that upon completion of said guide rail betterment, the Commissioner of Transportation of the State of New York shall transmit to the Village of Pittsford a statement showing the actual costs and expenses of such work and shall notify the Village of Pittsford of the amount due from or to be returned to the Village of Pittsford, as the case may be, and that any sum due the State of New York shall be paid by the Village of Pittsford within ninety (90) days after the date of transmittal of said statement, and the funds therefore shall be raised according to the statutes in such cases made and provided; and be it

FURTHER RESOLVED; that the Clerk of the Village of Pittsford is hereby directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation;

The question of the adoption of the foregoing resolution was presented on a **motion made by Trustee Maddox, seconded by Mayor Corby** to approve the resolution as amended and duly put to vote as follows:

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

RESOLUTION #6 OF 2007

**RESOLUTION FOR THE MAINTENANCE OF
GUIDE RAIL PAINT SYSTEM
AND**

MEDIAN LANDSCAPE PLANTINGS

Resolution of the Pittsford Village Board

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, and/or rehabilitation of State Route 96 and State Route 153, in the Village of Pittsford, located in Monroe County, P.I.N. 4153.03, and

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WHEREAS, the New York State Department of Transportation will include as part of the construction, reconstruction, and/or rehabilitation of the above mentioned project, the installation of a raised median and guide rail pursuant to Section 10, Subdivision 27, of the State Highway Law, as shown on the contract plans relating to the project:

NOW THEREFORE, BE IT RESOLVED: That the Pittsford Village Board approves of the installation of a raised median and guide rail, performed on the project and shown on the contract plans relating to the project and that the Village of Pittsford will maintain or cause to be maintained any paint system on the guide rail as well as any landscape plantings installed in the median subsequent to the construction thereof, as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED: That the Clerk of the Village Board is hereby directed to transmit eight (8) certified copies of the foregoing resolution to the New York State Department of Transportation.

The question of the adoption of the foregoing resolution was presented on a **motion** made by **Trustee Maddox, seconded by Mayor Corby** and duly put to vote as follows:

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

RESOLUTION #7 OF 2007 – CLOVER STREET/JEFFERSON ROAD INTERSECTION

BE IT RESOLVED that the Village of Pittsford joins the Town of Pittsford and the Pittsford Central School District in requesting the New York State Department of Transportation to allow time for further investigation of alternatives to reduce the adverse impacts generated by the current proposal for the project at the intersection of Jefferson Road and Clover Street.

The question of the adoption of the foregoing resolution was presented on a **motion** made by **Mayor Corby, seconded by Trustee Limbeck** and duly put to vote as follows:

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

CSX RAILROAD

Resident Janet Reynolds asked if the Village Board will be sending a letter to CSX regarding the speed of trains through the village as a result of the derailment in East Rochester and the derailment near Utica. Mayor Corby said he will be writing a letter in support of East Rochester Mayor Bonacci. Attorney Osborn said several years ago, the Village Board adopted a local law regarding the speed limit of the trains.

LIGHTING CODE

Mayor Corby suggested that the Village lighting code should be updated. He presented a sample code from the Town of Ithaca which includes a glossary and diagrams. The Board agreed that Mr. Bailey would be asked to review our code with a member of the Planning Board and incorporate some of the features that are included in the Town of Ithaca.

MINUTES

February 27, 2007: A **motion** was made by **Mayor Corby, seconded by Trustee Limbeck** to approve these minutes as written.

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

February 28, 2007: A **motion** was made by **Trustee Limbeck, seconded by Trustee Maddox** to approve these minutes as written.

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

March 7, 2007: A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to approve these minutes as written.

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

ADJOURNMENT

There being no further business, a motion was made by Trustee Limbeck, seconded by Mayor Corby to adjourn the meeting at 8:50 PM.

Anne Z. Hartsig, Recording Secretary