

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
April 10, 2007

Present:

Mayor	Robert C. Corby
Trustees	Steve Maddox Tim Galli Mary Beth Cleary Paula Sherwood
Attorney	John C. Osborn
Treasurer	Mary Marowski (7:45 PM – 8:45 PM)
DPW Superintendent	John Cufari
Recording Secretary	Anne Hartsig

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

OATH OF OFFICE

Mayor Corby administered the Oath of Office to newly elected Village Trustee Mary Beth Cleary.

DPW REPORT – JOHN CUFARI

5 State Street - Starbucks: Board members discussed the pros and cons of planters vs. curbs to help prohibit vehicles from parking on the sidewalk in front of Starbucks. Positive features of planters include the fact that they are portable, they would be aesthetically pleasing, the installation would cause less disruption to the business and they would be easily seen. Positive aspects of curbs that were mentioned were that they would probably cost less than the concrete planters, they are effective and they are a long term solution. Negative aspects that were mentioned were that some parking in the area would be removed to make room for curbs and there would not be the added benefit of green plantings. Church Street resident Janet Reynolds stated that curbs are harder to see when backing up. Mayor Corby suggested that curbs should be installed only on the parking lot side. DPW Superintendent Cufari said that written plans must be created and approved by the DOT. The Board decided to contact Scott Harter to ask him to draw up plans for one line of curbing on the parking lot side. Once the plans have been drawn, Mayor Corby will meet with the owner and tenant of the building. State Street resident John Limbeck suggested that the Board arrange to have the work done at night to minimize disruption to the business owner.

Schoen Place curbing: There was a brief discussion about a 10-12 foot section of curbing that is needed on Schoen Place near the Sam Patch kiosk. Mr. Cufari will ask for a quote regarding this section. It is possible that this curbing could be installed at the same time as the 5 State Street curbing depending on the cost.

Door hangers: Amendments to the wording on the door hangers will be made to indicate that yard debris should be containerized and that bags and boxes should no longer be used. The Clerk will order new hangers.

Compensatory time discussion: Board members considered a request to allow the use of comp time by hourly employees in place of overtime pay. Members concluded that the policy would remain as it currently is. Overtime hours will be paid out each payroll. This could be a topic for negotiation at the time the union contract is renewed.

Drug testing discussion: The Village's labor attorney had not heard back from the union representative regarding the proposed change to language involving the drug testing policy. This topic will be revisited after the labor attorney has received input from the union.

PODS: Mr. Cufari reported on the subject of PODS (Points of Dispensing Stations). He said it is anticipated that there will not be a POD located within the Village. He suggested that the Village response should be that we will provide support in ways that would be helpful and we will work at the direction of the Town. A letter will be sent to Supervisor Carpenter.

Workplace Violence Act: A new law, Labor Law Section 27-b, went into effect in the month of March. It requires public employers to provide training to employees regarding workplace risks. A **motion** was made **by Mayor Corby, seconded by Trustee Galli** to hire Margaret Sanchez to present a two hour workshop regarding violence in the workplace at a cost of \$450.00.

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

**Proceedings of a meeting of the Village of Pittsford Board of Trustees
April 10, 2007**

Sidewalks and road repairs: Board members discussed sidewalk projects for South Street and Church Street that have been planned for the construction season. Because the Town will be assisting with these projects, there is no defined time schedule for these sidewalks. The work will take place when the Town crews are available to assist. Portions of Jefferson Road and North Main Street are tentatively scheduled for sidewalk repair in the fall. Trustee Cleary asked for a “master plan” of projects and repairs. Mr. Cufari presented a road plan to the Trustees several months ago. He explained that is difficult to determine what work will actually be accomplished due to many variables including the budget. He explained that the plan is revised every year. He will provide a summary list of projects.

TREASURER’S REPORT – Mary Marowski

The treasurer presented vouchers for approval. In addition to the listed vouchers, a registration form for a local government training workshop was presented for one of the APRB members for a cost of \$40.00. A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood**, to approve the vouchers that were presented and charge them to the appropriate accounts and to include approval for the additional \$40.00 to be added to the vouchers to cover the cost of a local government training workshop for a member of the APRB.

General Fund (#566-#572, #574-#595):	\$49,970.36
Sewer Fund (#573, #587):	\$ 44.46
Total vouchers for approval:	\$49,974.82

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

ANNUAL 9/11/01 TRIBUTE PROCLAMATION

A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to accept the following proclamation that was originally adopted by the Board of Trustees at their regular monthly meeting held on September 10, 2002.

WHEREAS, the **ONAIRE PROJECT** is designed to marshal the community spirit of our state in a tribute to police, fire, and EMS personnel lost at the World Trade Center on September 11, 2001, and

WHEREAS, the objective of the **ONAIRE PROJECT** is for communities across New York to designate a day to honor the heroes of September 11 and their families, and

WHEREAS, a further objective of the **ONAIRE PROJECT** is to assure to families of those lost on September 11, 2001 that these heroes would remain forever in the thoughts and prayers of New York State citizens, **now therefore be it**

RESOLVED, that I, Robert C. Corby, Mayor of the Village of Pittsford, do hereby salute and call attention to all personnel lost at the World Trade Center on September 11, 2001 and to their families, and in honor of the many heroes of that day, I call upon all residents in the Village of Pittsford to join me in this yearly tribute on the second Tuesday of April, 2007 and on that day each year hereafter.

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

NONMUNICIPAL USE PERMIT REQUEST – ROCHESTER MARATHON

Village officials received a request to hold portions of the Rochester Marathon on the canal path along Schoen Place on September 16, 2007. A **motion** was by **Trustee Maddox, seconded by Trustee Galli** to approve the request made by the Arthritis Foundation to hold a portion of the annual Rochester Marathon on September 16, 2007 along the canal path within the Village of Pittsford with the following conditions:

1. The organization will work with local police departments and the Monroe County Sheriff’s Dept. along the race route.
2. The organization will notify the Pittsford Fire Department and the Pittsford Volunteer Ambulance prior to the event.
3. The organization will provide a Certificate of Liability insurance naming the Village of Pittsford as additional insured prior to the event.

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

NONMUNICIPAL USE PERMIT REQUEST – MDA – WALK TO SEEK A MIRACLE

Village officials received a request from the Muscular Dystrophy Association to hold portions of their fund raiser event, Walk to Seek a Miracle, on some village streets on May 19, 2007. A **motion** was made by

**Proceedings of a meeting of the Village of Pittsford Board of Trustees
April 10, 2007**

Trustee Maddox, seconded by Trustee Galli to approve the request made by the Muscular Dystrophy Association to hold a portion of the 8th Annual Walk to Seek a Miracle on May 19, 2007 on village streets shown on the map submitted in a letter dated March 30, 2007 with the following conditions:

1. The organization will notify the Monroe County Sheriff's Department prior to the event.
2. The organization will notify the Pittsford Fire Department and the Pittsford Volunteer Ambulance prior to the event.
3. The organization will provide a Certificate of Liability insurance naming the Village of Pittsford as additional insured prior to the event.

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

NONMUNICIPAL USE PERMIT REQUEST – PITTSFORD REGATTA

The Board of Trustees received a request from Pittsford Crew to hold their annual regatta on the canal June 8-10, 2007. A further request was made asking the Village to supply 3-4 portable toilets, one being handicap accessible. DPW Superintendent Cufari suggested that Pittsford Crew be asked to supply a dumpster to be located on DPW property. A **motion** was made **by Mayor Corby, seconded by Trustee Galli** to approve the request for a non-municipal use permit to hold the Pittsford Regatta event scheduled for June 8-10, 2007 with the following conditions:

1. The organization will notify the Monroe County Sheriff's Department, the Pittsford Fire Department and the Pittsford Volunteer Ambulance prior to the event.
2. The organization will provide a Certificate of Liability insurance naming the Village of Pittsford as additional insured prior to the event.
3. The organization will encourage participants and observers to park at the Pickle Factory (with their permission) and/or behind the commercial buildings on Schoen Place.
4. Due to the amount of trash generated last year in and around the staging area, the organization will be asked to supply a dumpster to be located on the DPW property during the event.

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

Board members agreed to supply three portable toilets, one of which will be handicap accessible. They will ask organizers to coordinate the location of the toilets and the dumpster with John Cufari.

CORN HILL NAVIGATION LIQUOR LICENSE RENEWAL WAIVER

The Village Clerk received a letter from Corn Hill Navigation asking that the Village waive the 30-day license renewal notification requirements under Section 109 (a) and 64 (2-a) of the Alcohol Beverage Control Law. A **motion** was made **by Trustee Maddox, seconded by Trustee Sherwood** to waive the 30-day license renewal notification requirements as requested by Corn Hill Navigation and to notify the Liquor Authority of the State of New York regarding this decision.

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

“CHASE AT WORK” DISCUSSION

Following a brief discussion, no action was taken.

PUBLIC HEARING – PROPOSED LOCAL LAW #3 OF 2007 – AUTHORITY TO IMPOUND VEHICLES

The Board discussed the fact that they have made previous requests dating back to September, 2006 for guidelines concerning the use of this device to ensure that the device is not overused and to establish rules that would govern when it would be used. Members were reluctant to approve this proposed law without such guidelines. Attorney Osborn said the guidelines should be a part of the text of the law.

Proof of the legal notice below having been published, a **motion** was made **by Mayor Corby, seconded by Trustee Galli** to open the public hearing.

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

**Proceedings of a meeting of the Village of Pittsford Board of Trustees
April 10, 2007**

**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, April 10, 2007 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of **Proposed Local Law #3 of 2007**, which local law would amend **Chapter 195-18** of the Code of the Village of Pittsford as follows:*

Amend Chapter 195-18. Authority to impound vehicles.

Add:

- E. When any vehicle is found to be parked in any public street or public place in violation of any provisions of this chapter, or in violation of any section of the New York State Vehicle and Traffic Law relating to stopped, parked or standing vehicles, said vehicle may be immobilized by the law enforcement officer finding such vehicle, by use of a wheel locking device. Such immobilization shall be at the risk and expense of the owner or person entitled to possession of the vehicle. The wheel locking device will be removed by the law enforcement officer upon the payment of a fee to the village, said fee to be established by the Board of Trustees and included in the village fee schedule.*

- F. Any vehicle found to be parked on any public street or public place while said vehicle has outstanding parking violation fines which remain unpaid may be immobilized pursuant to section 195-18E of this chapter. The wheel locking device on a vehicle immobilized for unpaid fines will be removed upon payment of a fee and payment of any outstanding fines.*

Change section E to G

Change section F to H”

A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to ask Mr. Bailey and Mr. Weinstein to revise the draft of this local law to include guidelines for use of the immobilization device and to leave the public hearing open for further discussion after the revisions have been made.

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

PUBLIC HEARING – TENTATIVE BUDGET ADOPTION

The Treasurer supplied copies of the 2007/08 tentative budget with overview. Trustee Galli provided a verbal summary of the tentative budget.

Proof of the legal notice having been published, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to open the public hearing.

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

**NOTICE OF PUBLIC HEARING
VILLAGE OF PITTSFORD**

“Pursuant to Section 5-508 of the Village Law, the tentative budget for the Village of Pittsford 2007-2008 fiscal year has been prepared and filed with the Village Clerk at the Village Office, 21 North Main Street, Pittsford, New York, where it may be inspected by interested parties between the hours of 9:00 a.m. and 3:30 p.m., Monday through Friday until April 10, 2007. Said tentative budget includes maximum compensation for the Mayor of \$ 12,360 per annum; for the Trustees \$ 5253 per annum.

<i>General Fund</i>	<i>\$ 1,010,753.00</i>
<i>Sewer Fund</i>	<i>\$ 108,855.00</i>

**Proceedings of a meeting of the Village of Pittsford Board of Trustees
April 10, 2007**

A public hearing on the proposed budget will be held before the Board of Trustees of the Village of Pittsford, 21 North Main Street, Pittsford, New York, on the 10th day of April 2007 at 8:00 p.m., to consider same before final adoption of the tentative budget”.

Resident Janet Reynolds asked what specific traffic and safety projects are included in the \$48,000 budgeted for that category. Trustees answered that among other things, funds were budgeted for the North Main Street/Washington Road project, pedestrian crossing signs, engineering costs, and miscellaneous other projects not including sidewalks or striping. This money does not include funds for an additional speed sentry sign. The Treasurer supplied Ms. Reynolds with a copy of the tentative budget.

There being no one further wishing to comment on the tentative budget, a **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to close the public hearing.

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

A **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to retract the motion to close the public hearing and to leave the public hearing open.

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

GENERAL BUSINESS DISTRICT DISCUSSION

Merchants have commented that the number of salons in the business district is taking away from space available for retail businesses. Merchants have relayed to the Mayor that numerous retail businesses are needed in order for other retail businesses to survive. In their opinion, salons do not constitute retail businesses. Mayor Corby discussed this issue with NYCOM officials. Based on information he learned from NYCOM, the Board determined they will not limit salons at this time.

MONROE COUNTY INTERMUNICIPAL CO-OPERATIVE PURCHASING AGREEMENT

Trustee Galli reported that while researching this agreement, he learned that by mistake, the County did not renew this energy cooperative purchasing agreement in a timely fashion. He suggested that because our gas purchases are relatively small, the Village should renew this agreement with the knowledge that the agreement can be cancelled with 30 days notice. He reported that in the fall, the County will have a comparison for electric services available for review. Attorney Osborn stated that the County contract is very large and has greater bargaining power if many municipalities are part of the co-operative agreement. A **motion** was made **by Mayor Corby, seconded by Trustee Cleary** to authorize Trustee Galli to negotiate the renewal with Monroe County for the co-operative purchasing agreement for gas and electric utilities.

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

NEWSLETTER

Trustee Cleary suggested that the bi-annual newsletter be mailed more frequently or that an abbreviated newsletter be mailed in between the fall and spring newsletter. A mid-winter edition was suggested. Members discussed the amount of work, time and expense that a newsletter requires. They concurred that another edition, even an abbreviated edition, would be difficult to accomplish without outside help.

MEMBER ITEMS

Mayor Corby reported that the Newcomb Gas station may close on Schoen Place. He has been approached by a private business owner regarding private use of the gas dock. Trustees agreed that private use of the dock would not be appropriate.

Mayor Corby met with Mr. and Mrs. Degenhardt. They are opposed to having a sidewalk constructed in front of the buildings they own at 4 Schoen Place, and 32 North Main Street, which is on the corner of Schoen Place and North Main Street. Mayor Corby said that the Village would need an easement in order to construct a sidewalk in that location.

Mayor Corby will hand deliver the draft sign and banner policy to the Supervisor on 4/11/07.

Proceedings of a meeting of the Village of Pittsford Board of Trustees
April 10, 2007

ACTION ITEM LIST

The action item list was briefly reviewed. Members determined that they would each update a paper copy and give it to the Village Clerk. She will then update the electronic copy and forward it to all the members.

MINUTES

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

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

ADJOURNMENT

Mayor Corby adjourned the meeting at 9:20 PM.

Anne Z. Hartsig, Recording Secretary