

**PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**April 24, 2007**

**Present:**

<b>Mayor</b>	Robert C. Corby
<b>Trustees</b>	Steve Maddox Tim Galli Mary Beth Cleary Paula Sherwood
<b>Treasurer</b>	Mary Marowski
<b>Building Inspector</b>	Edward Bailey
<b>DPW Superintendent</b>	John Cufari
<b>Recording Secretary</b>	Anne Hartsig

The meeting was called to order at 7:05 PM.

**TREASURER'S REPORT – Mary Marowski**

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

General Fund (#596 - #616):	\$14,157.30
Sewer Fund (#605):	<u>\$ 28.90</u>
<b>Total vouchers for approval:</b>	<b>\$14,186.20</b>

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

**EXECUTIVE SESSION**

A **motion** as made by **Trustee Maddox, seconded by Trustee Galli** to enter executive session to discuss the employment history of specific employees.

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

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

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

**DRAINAGE AT 20 COURTENAY CIRCLE – MICHELLE MADORE**

As background to this request, Trustee Maddox recalled that the Village asked Engineer Scott Harter to draw up a drainage easement map for 20 Courtenay Circle in October 2003. Village Attorney John Osborn prepared an actual easement document. Trustee Maddox attempted to deliver the easement to the property owners but was not successful. In the meantime, property owners at 22 Courtenay Circle installed catch basins to alleviate drainage issues on their property. As a result, water from that property and others now drains into Ms. Madore's yard. She is planning to construct a patio in her back yard but is unable to do so until the water problem is solved. Since the easement for installation of drainage control was never executed, Ms. Madore requested that the Village supply her with all or part of 20 ton of stone that will provide drainage for the installation of her patio. Mayor Corby stated that the Village is precluded from giving a gift unless it is a neighborhood issue. It could be argued that the Village has some responsibility since good drainage was not ensured through development. Installation of stone would help drainage issues for property owners on both sides of Ms. Madore's property. One of the concerns is the possibility of setting a precedent. The owner at 22 Courtenay Circle installed drainage control measures at his own expense.

It was decided that Mayor Corby and Trustee Maddox will participate in a conference call with Attorney Osborn the morning of Friday, April 27<sup>th</sup>. In addition, they will have a conversation with the owner of 22 Courtenay Circle.

**PROCEEDINGS OF A MEETING OF THE VILLAGE OF PITTSFORD BOARD OF TRUSTEES  
APRIL 24, 2007**

**BUILDING INSPECTOR'S REPORT – SKIP BAILEY**

Mr. Bailey drafted a policy for use of the **vehicle immobilizer** that has been purchased. Board members reviewed and amended the policy. A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to adopt the standards as modified.

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

Board members discussed whether or not this policy should be part of the text within the local law. Attorney Osborn will be consulted.

Extensive vandalism has occurred at the **Monoco Oil building** on Monroe Avenue. Mayor Corby stated that the Village has a responsibility to have the situation corrected because we have been made aware of the problem. Mr. Bailey will send a letter to the owner of record with instruction that the building must be secured within five days. If it is not, he will contract with someone to secure the building.

Owner of the property that is located at **73 South Main Street** (Parker House) will be returning to court on May 3<sup>rd</sup>. There has been no activity at the property since the ticket was issued.

Regarding the Flour Mill Tower, Mr. Bailey reported that there is a proposal to install cellular antennas on the building. This would require a special permit from the Planning Board as well as APRB approval. He suggested that this application should be discussed by the Development Review Committee so that information can be coordinated for both boards. Work on the Tower is expected to begin in May. The State Building Code requires a special inspector for the structural work.

Mr. Bailey informed the Board that Newcomb Oil will relocate to the Village Station at 57 North Main Street and will close the Citgo station on Schoen Place. They plan to construct a new canopy requiring Planning Board and APRB approval.

**DUMPSTER CODE ENFORCEMENT STRATEGY DISCUSSION**

Some dumpsters in the village, due to their smaller size, do not require screening. Changes to the screening requirements of the Village Code were discussed. Board members will look at various dumpsters around the village and email their suggestions to the Building Inspector. Based on that information, Mr. Bailey will draw up a proposal.

Members discussed the pros and cons of annual dumpster permits. The conclusion was that enforcement can take place without charging a fee for a dumpster permit. It was suggested that the hauler should be ultimately responsible for cleanliness and screening if the businesses do not comply with regulations. Mr. Bailey will rewrite the Code removing the language referring to dumpster permits for presentation at the May meeting.

Regarding the dumpsters located in the Burdett parking lot, Mr. Cufari stated that the DPW cleans up the dumpster area a minimum of three times per week. He said that because the Village doesn't own the lot, we should not be involved in enclosing the dumpsters. Members concurred that the on going situation should be enforced and that the owner should comply with the regulations. Currently more than one trash company has dumpsters in that lot. A suggestion was made that the owner could consolidate to one hauler. Trustee Maddox asked the Clerk to include this topic on the agenda for May 22<sup>nd</sup>.

**SECTION 173 – SOLID WASTE – DISCUSSION**

As requested, Mr. Bailey wrote draft language regarding licensing of refuse haulers for Section 173 of the Village Code. Board members discussed the draft. Some changes were suggested. Members agreed that at the Organizational Meeting in April of each year, the list of haulers who received licenses from the Village will be reviewed. At that time, renewal for those permits will be determined. Permit applications will be submitted by March 31<sup>st</sup>. Mr. Bailey will revise the draft for review at the May 8<sup>th</sup> meeting.

**DPW REPORT – JOHN CUFARI**

Regarding the curb installation at 5 State Street (Starbucks), Mayor Corby said he had been advised by NYCOM Counsel that permission from the owner is not needed from a legal standpoint. Mayor Corby will

**PROCEEDINGS OF A MEETING OF THE VILLAGE OF PITTSFORD BOARD OF TRUSTEES  
APRIL 24, 2007**

follow-up with the property owner and explain what the Village plans to do to increase safety. The Village has received approval from the NYSDOT. Mayor Corby said he has had conversations with the current and the new manager at Starbucks and both are “on board” with the improvement plans.

The sidewalk at 45 Schoen Place is nearing completion. Mr. Cufari and the Board of Trustees are pleased with the improvement. Other sidewalks scheduled for improvements are on hold until the Town can schedule time to assist with the project.

Other topics that were discussed are listed below.

- 28 trees were planted
- The Elm Street pavement project is on schedule
- The 1994 Ford dump truck is in need of new brakes.
- The Village will donate a tree to Sutherland High School. It will be planted in the court yard. There will be a ribbon cutting ceremony on June 6<sup>th</sup>.
- There is a street light down on South Street that has been down for over a year. Both Mr. Cufari and Mayor Corby have contacted RG&E and have been told the light would be replaced. Mayor Corby will call them again.
- Brackets for the flower baskets will be ordered. Mayor Corby will call the Supervisor about Town banners.
- The collapse of a stone wall into Rand Creek is on private property. Therefore, the Village can't repair it. The State DOT has not answered Mr. Cufari's inquiries about the issue. Trustee Maddox will discuss this with Attorney Osborn.
- A resident at 33 Boughton Avenue is requesting replacement of five shrubs that were removed when improvements were made to the Rand Creek bank several years ago. Trustee Maddox instructed Mr. Cufari to purchase the shrubs and restore the site.
- The speed sentry sign will be repaired under warranty and could be returned within the week.

**DPW ROAD AND SIDEWALK BUDGET**

Trustee Maddox explained that if there was a specific road and sidewalk repair budget in place, the DPW Superintendent could do more long range planning. He presented a proposal including budgeting the following amounts:

\$30,000 per year for road work

\$10,000 per year for sidewalks

\$10,000 per year in CHIPS money with the realization that this could be more or less

Mayor Corby will create a color coded plan of streets and sidewalks. The Treasurer was asked to prepare a document showing the annual dollars spent on street and sidewalk repairs for the past ten years.

**ADOPTION OF THE FINAL BUDGET – RESOLUTION #10 of 2007**

A **motion** was made by **Mayor Corby**, seconded by **Trustee Galli** to close the Public Hearing on the tentative budget.

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

**RESOLUTION #10 – 2007  
ADOPTION OF 2007/08 BUDGET**

A **motion** was made by **Trustee Galli**, seconded by **Trustee Maddox** to approve the following resolution:

**WHEREAS**, pursuant to Village Law § 5-508 (3), a public hearing to discuss and receive comments on the tentative budget was held, and

**WHEREAS**, a legal notice of the public hearing was published in the Brighton-Pittsford Post on March 28, 2007, and

**WHEREAS**, the public hearing and the review of the tentative budget is completed,

**PROCEEDINGS OF A MEETING OF THE VILLAGE OF PITTSFORD BOARD OF TRUSTEES  
APRIL 24, 2007**

**NOW THEREFORE BE IT RESOLVED** that the Village of Pittsford Board of Trustees hereby adopts the tentative budget with amendments and with salary adjustments determined by the Board, as the final budget for fiscal year 2007/08.

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

Trustee Cleary suggested that some of the contingency funds should be used to pay for a welcome package for new home owners and to increase the frequency of the newsletters to include a summer and winter edition.

**RESOLUTION #11 OF 2007 – SUPPORT FOR PERMANENT SPEED REDUCTION OF CSX TRAINS**

A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to adopt the following motion:

**WHEREAS**, A CSX Transportation train derailed in East Rochester, NY on January 16, 2007 causing extensive property damage and disruption to the lives of residents, and

**WHEREAS**, another CSX train derailed in Riga, New York on February 26, 2007, and

**WHEREAS**, in recent years, there have been several CSX derailments in the Rochester, NY area including hazardous chemical spills, residential and business evacuations and pedestrian fatalities, and

**WHEREAS**, Federal Railway Administration data shows CSX Transportation had 261 derailments in 2006, and

**WHEREAS**, CSX Transportation operates within the limits of the Village of Pittsford at speeds the Board of Trustees considers excessive, given the proximity to residential areas, businesses and our village streets, **NOW THEREFORE BE IT RESOLVED** that the Village of Pittsford Board of Trustees agrees that the welfare and safety of those we serve could be improved with a permanent reduction in track speed within our community and in neighboring communities, and

**BE IT FURTHER RESOLVED** that the Village of Pittsford Board of Trustees supports the efforts of the Village of East Rochester to call for a permanent reduction in the speed limits of CSX trains and all other rail carriers operating in communities throughout Monroe County.

**Vote:** Corby – yes, Cleary – no, Galli – yes, Sherwood – yes, Maddox – yes. **Motion carried.**

**RESOLUTION #12 OF 2007 – INTERMUNICIPAL CO-OPERATIVE ENERGY AGREEMENT**

**WHEREAS**, the Village Board of Trustees has reviewed the intermunicipal cooperative purchasing agreement between Monroe County and the Village of Pittsford, and

**WHEREAS**, the Village Attorney has reviewed the same, and

**WHEREAS**, Trustee Galli clarified with the Monroe County Purchasing Manager Kevin Finnerty that the execution of this agreement would be for the continuation of natural gas purchases only,

**NOW THEREFORE BE IT RESOLVED** that members of the Board of Trustees do hereby authorize Mayor Robert C. Corby to execute the Intermunicipal Co-Operative Purchasing Agreement between the Village of Pittsford and the County of Monroe.

The question of the adoption of the foregoing resolution was presented at a meeting of the Village of Pittsford Board of Trustees held on April 24, 2007, on a **motion** made by **Trustee Galli, seconded by Trustee Cleary** and duly put to vote as follows:

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

**NEWSLETTER**

Trustee Sherwood said that some photos still need to be taken.

**PITTSFORD CREW REGATTA EVENT**

The Board received a request from Flo Dorsey, Town of Pittsford Events Director, to share the cost for portable toilets and security for the regatta event to be held on June 8 – 10. The cost to the Village would be \$870.00. The Village Board agreed at a previous meeting to supply three portable toilets for the event.

**PROCEEDINGS OF A MEETING OF THE VILLAGE OF PITTSFORD BOARD OF TRUSTEES  
APRIL 24, 2007**

There was discussion about the history of paying for security for this event. Trustee Sherwood will research it.

It was mentioned that the Village has agreed to pay \$1000 toward events for the visit of the *Lois McClure*, a schooner that will be in the village on July 17<sup>th</sup>. It is hoped that this donation from the Village will be noted in all relevant publications about this event.

**ACTION ITEM LIST REVIEW**

The Board reviewed and updated the items on the Action List. The Clerk was asked to email the updated computer version to Trustee Cleary and to distribute the list soon after updating it on the computer.

**LEADERSHIP MEETING REVIEW**

Trustee Galli reported on some topics that were discussed at the Leadership Meeting held on April 23<sup>rd</sup>. He said the Town will distribute results of a survey regarding taxes and the school is working on their budget. He told the Board that there will be a new Monroe County Sheriff Zone Captain to replace Captain Nyhan who is retiring.

**CONFERENCE REQUEST**

Trustee Galli requested approval to attend the NYCOM Main Street Conference in Syracuse on May 16<sup>th</sup> & 17<sup>th</sup> pending his schedule. Board members authorized his attendance.

**MINUTES**

**April 10, 2007:** A **motion** was made by **Trustee Galli, seconded by Trustee Maddox** to approve these minutes as written.

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

**April 19, 2007 Budget Meeting:** A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to approve these minutes as written.

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

**ADJOURNMENT**

There being no further business, Mayor Corby adjourned this meeting.

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Anne Z. Hartsig, Recording Secretary