

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
August 28, 2007

Present:
Mayor Robert C. Corby
Trustees Tim Galli
Mary Beth Cleary
Steve Maddox
Paula Sherwood
Attorney John C. Osborn
DPW Superintendent John Cufari
Recording Secretary Anne Hartsig

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

TREASURER'S REPORT

Trustee Galli presented the vouchers listed on Abstract #006 for approval. Following discussion of the vouchers, a **motion** was made **by Trustee Galli, seconded by Mayor Corby**, to approve the following vouchers and to charge them to the appropriate accounts.

General Fund (#111-129):	\$ 9,142.77
Sewer Fund (#117, 118):	<u>\$ 53.02</u>
Total vouchers for approval:	\$ 9,195.79

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

On behalf of Parking Monitor Steve Weinstein, the Treasurer requested permission to spend \$99.00 for him to attend a training session, the course content of which could be beneficial to him in his position. The session is for one day and will be held in October. A **motion** was made **by Mayor Corby, seconded by Trustee Galli** to approve an expenditure of \$99.00 for a training seminar for the parking monitor.

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

Board members discussed the suggestion that a clothing allowance/policy for purchase of necessary clothing items for the parking monitor position be established. A **motion** was made **by Mayor Corby, seconded by Trustee Galli**, to establish a purchase policy for the parking monitor's clothing to include an expenditure limit of \$400 per year with the understanding that the Town of Pittsford will be asked to make a contribution toward this expense. Trustee Galli and Mayor Corby will meet with Supervisor Carpenter in September to discuss this contribution.

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

DPW REPORT – JOHN CUFARI

Resolution #18 of 2007: Route 31 & Route 96 NYSDOT Utility Work Agreement Resolution: A **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to adopt **Resolution #18 of 2007** which grants the State of New York the authority to perform necessary adjustments to the contract plans for this project, and which states that the Village of Pittsford agrees to maintain the adjustments that are made and lastly, which resolution grants the Mayor, with the concurrence of the Village of Pittsford Department of Public Works, the authority to sign any documents that may become necessary as a result of the project.

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

A copy of this resolution in its entirety is on file in the Office of the Village Clerk.

Teitsworth Auctioneer Guarantee: Mr. Cufari presented the Board with an auction guarantee contract from Teitsworth Auctioneers. The contract guarantees a minimum amount of money for the sale of the front end loader. A **motion** was made **by Trustee Maddox, seconded by Trustee Sherwood** to authorize the Mayor to sign the contract for the auction of the Village's front end loader, which contract guarantees a minimum amount of \$16,500.

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 28, 2007**

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

The Board discussed the future **purchase of trucks**. At the September 25th meeting, Superintendent Cufari and Trustee Maddox will present a plan/proposal for future purchases.

Mr. Cufari reported on the status of the MCWA project, the NYSDOT projects on Main Street and the North Main/Washington Road project.

The Village has \$14,200 of **CHIPS money** to apply towards streets and sidewalks. Mr. Cufari asked for direction on which projects the money should be used for. This will be discussed at the next meeting when the Treasurer will be in attendance.

Mr. Cufari reported that the only quote he has received to repair the sinking bricks around the Erie Canal Park pavilion was for \$6,800. This quote does not include the installation of a drain.

Monroe County DES is sending two interns to begin stormwater mapping in the village. This is being paid for with grant dollars. The DPW will assist with locating the outfalls. Regarding a related matter, Trustee Maddox said he would contact Mike Ross at the Town of Pittsford to ask him to attend a Board meeting to discuss the status of the GIS grant and to explain what village mapping projects have taken place as a result of the joint grant.

Mr. Cufari informed the Board that the Town will begin work on Village sidewalks on September 24th.

Mayor Corby will contact Owen McIntee at Livingston Lighting regarding the missing street light pole on South Street.

GARDEN CLUB DAFFODIL PURCHASE

Pittsford Garden Club is donating daffodil bulbs to be planted in the village. Members of the club will plant them this fall. The Village Clerk contacted Tom Lauffer, Village Accountant, and relayed to the Board the procedure he said must be followed regarding the purchase of the bulbs. Upon receipt of a check from the Pittsford Garden Club for the full amount of the cost of the bulbs, the Clerk will order 600 bulbs.

PROPOSED LOCAL LAW #3 OF 2007 – CHAPTER 195-18 AUTHORITY TO IMPOUND VEHICLES

Proof of the legal notice below having been published in the August 8, 2007 edition of the Brighton-Pittsford Post, a **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to open the public hearing.

*Please take notice that a public hearing will be held before the Village of Pittsford Board of Trustees, Tuesday, August 28, 2007 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of **Proposed Local Law #4 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.*

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 28, 2007**

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

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

John Limbeck, 62 State Street: Mr. Limbeck stated that in his opinion, an immobilizer is the next logical step to monitor parking in the Village. He said he believes that the Code Enforcement Officer should be the designated staff member who installs the “boot” so that the good will that has been established by the parking monitor is not jeopardized.

There being no further comments forthcoming, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to close the public hearing.

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

A **motion** was made by **Trustee Maddox, seconded by Trustee Galli** to approve the passage of proposed Local Law #4 of 2007 as written except to change its name to proposed Local Law #3 in order to comply with the procedure of filing local laws with the Department of State in the numerical order of their passage.

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

PETER CARPENTER – NON-MUNICIPAL USE PERMIT REQUEST TO PLAY THE GUITAR ON SCHOEN PLACE

Mr. Carpenter appeared before the Board to request a non-municipal use permit to play his guitar in the public way in the area of the Erie Canal Park on Schoen Place. Board members agreed that consistency must be followed when addressing this issue. Following discussion, a **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve Mr. Carpenter’s request to play his guitar in the area of the Erie Canal Park on Schoen Place for the duration of the 2007 season with the following understandings and/or conditions:

1. Playing the guitar must be a not for profit venture to avoid contractual obligations with the NYS Canal Corporation.
2. Guitar playing must cease at 10 PM.
3. Mr. Carpenter must not play in any location that will obstruct the public way.
4. Upon the advice of the Village Attorney, granting of this permit is subject to approval by the Village’s insurance agent.
5. It will be necessary to request another non-municipal use permit from the Board of Trustees in 2008 if Mr. Carpenter wishes to continue to play in the same location next season.

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

EMPLOYEE HANDBOOK REVISION

Labor Attorney Bethany Centrone drafted the following language to be considered as an addition to the employee handbook so that employees would know that they must acknowledge receipt of the handbook or any revisions. She suggested that this be added at the end of Section 103, Hiring Practices.

Employment Policies

All employees will be given a copy of the Employee Handbook and any Village policies affecting their employment at the beginning of their employment and whenever there is a revision to the handbook or policies. All employees will be required to sign an acknowledgement indicating that they have received the handbook, policies, or any revisions.

A **motion** was made by **Mayor Corby, seconded by Trustee Cleary** to approve the addition of the above paragraph to the Employee Handbook pending review by the Union, if Labor Attorney Centrone advises that approval by the Union is required.

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

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 28, 2007**

REQUEST FOR NON-MUNICIPAL USE PERMIT – SUTHERLAND HIGH SCHOOL PARADE

Village officials received a request for a non-municipal use permit from the Student Activities Advisor at Sutherland High School asking for permission to hold the homecoming parade on village streets on September 29th. A **motion** was made by **Trustee Maddox, seconded by Mayor Corby** to approve the request with the following conditions:

1. The route will be as specified in a letter to the Village dated July 31, 2007.
2. Permission will be obtained from the NYSDOT to use Monroe Avenue and South Main Street.
3. The Sheriff's Department, Pittsford Fire Department, Pittsford Ambulance and the media (to suggest alternate routes for drivers) will be contacted prior to the event.
4. A current certificate of liability insurance naming the Village of Pittsford as additional insured must be on file with the Village Clerk prior to the event.
5. All North and South Main Street merchants must be notified prior to the event. Confirmation that this notification has taken place must be given to the Village Clerk no later than two weeks prior to the event.

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

REQUEST FOR STREET CLOSURE – CHRIST EPISCOPAL CHURCH

Village officials received a request for a non-municipal use permit to close Locust Street between Main Street and Rand Place on Sunday, September 9th from 9 am to 1:30 pm to hold a fall “kick-off” event. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to approve the request with the following conditions:

1. The Church will be responsible for notifying all Locust Street residents and all other village churches prior to the event.
2. The Church must notify the Monroe County Sheriff's Office, the Pittsford Fire Department and the Pittsford Ambulance prior to the event.
3. The Church must provide the Village with a copy of a Certificate of Liability Insurance reflecting General Liability limits of a minimum of \$1,000,000 per occurrence naming the Village of Pittsford as additional insured. The certificate must be current and on file in the Office of the Village Clerk prior to the event.

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

REQUEST TO RELOCATE “WALK YOUR BIKE” SIGNS ON THE TOWPATH

The Board of Trustees received a request from an individual who frequently walks on the towpath and has nearly been hit by cyclists who do not dismount in the Schoen Place area. He suggested that the “walk your bike” signs be relocated to a more visible place. The Village office staff has also received complaints about pedestrian safety in that area. Following a discussion, a **motion** was made by **Mayor Corby, seconded by Trustee Cleary** to change sides and lower the “walk your bike” signs that are located on the pavilion across from Wahl's ice cream store on Schoen Place so that they will be more clearly visible and secondly, to have the DPW refresh the pavement markings on the towpath.

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

NORTH MAIN STREET PARKING

It was suggested that time restrictions on parking places located in front of residences on North Main Street would be appropriate due to the late night hours of the bars in that area. Members discussed prohibiting parking after 9 pm. This could be enforced by the parking monitor on weekend nights. Mr. Bailey will be asked to draft language that is consistent with other parking restrictions in the Code. A **motion** was made by **Trustee Maddox, seconded by Trustee Sherwood** to hold a public hearing at the October 9th meeting to consider restricting parking on North Main Street to hours prior to 9 pm.

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

MUNICIPAL WASTE REDUCTION & RECYCLING GRANT CONTRACT AND RESOLUTION #19 of 2007

A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to approve Resolution #19 of 2007 as written in NYSDEC Contract C303449, to approve the terms of the contract and to authorize Mayor Corby to sign the contract.

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 28, 2007**

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

A copy of this resolution in its entirety is on file in the Office of the Village Clerk.

HISTORIC SPENDING ON STREETS AND SIDEWALKS

Trustee Maddox explained that collecting data for the budget process was the goal of charting past spending on streets and sidewalks. He wanted to obtain figures to weigh against plans for spending in the future. He created a spreadsheet for review but warned that it did not contain enough data to be considered accurate. Further discussion will take place.

Board members expressed gratitude to the Town Board and to Paul Schenkel for the assistance with the replacement/installation of village sidewalks this year.

RETIREE HEALTH CARE DISCUSSION

Due to the enormous increase in health care costs and the fact that a written agreement is not on record, a specific retiree has offered to contribute towards her health care package. Board members discussed options for this contribution. The Clerk will consult with Brain Hart from Brown and Brown for suggested options that will be fair and equitable. The discussion will be continued at a later date.

SIGN AND BANNER POLICY

Members reviewed the draft sign and banner policy in detail. The following observations were noted.

1. Advertising by private money making endeavors on municipal utility poles is not appropriate.
2. The Board of Trustees approved the use of banners for Positively Pittsford and Pittsford Celebrates September for the 2007 season.
3. Advertising of community events where costs and services are shared should say “Pittsford” and should not specify Town or Village.

Local Boy Scout Troops have asked for instruction on signage for the sale of Christmas trees during the 2007 season. A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to approve two signs for each of the two local Boy Scout troops that sell trees in Pittsford, which signs shall be installed at locations that were permitted in 2006 (Troop 129: 2 signs at the Four Corners and 2 signs at Jefferson Road & S. Main Street; Troop341, 2 signs within the village boundaries as designated by Mayor Corby) and which signs will adhere to the draft sign policy in terms of size and color.

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

Trustee Sherwood will notify the Scout leaders.

The Board of Trustees made final amendments to the draft sign and banner policy. A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to adopt the policy with amendments that were made at this meeting.

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

WORKPLACE VIOLENCE PREVENTION

The Village received a grant from PERMA which pays 50% of the costs for the 2008 training conference and 50% of the cost of a workplace violence prevention seminar. Board members discussed the scheduling of this seminar and determined it should take place in January. The Village Clerk will schedule the seminar.

LETTER OF COMMEMORATION

PZBA member Ted Weniger resigned his position after twenty plus years of service to the village. He will be moving out of the village. Board members decided to invite Mr. Weniger to attend the 9/11/07 meeting so that they can present him with a proclamation in honor of his years of service.

PZBA MEMBER APPOINTMENTS

A **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to appoint Dennis Peters as a PZBA member to fill the unexpired term of Ted Weniger, which term expires in April, 2010.

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 28, 2007**

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

A **motion** was made **by Mayor Corby, seconded by Trustee Galli** to appoint William McBride as an alternate member of the PZBA for 5-year term (per § 9-3 B. of the Village Code) ending in April, 2012.

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

MEMBER ITEMS

- It appears a second driveway is being installed at a home on Boughton Avenue. The Building Inspector will be asked to investigate.
- Trustee Sherwood presented suggested ideas for newsletter publication procedures.
- Trustee Cleary presented a spread sheet that summarized the traffic calming workshop meeting. Thirteen items were identified, an action point was assigned and the name of the person responsible was assigned. The Board discussed obtaining a photo simulation that is linked to graphics to assist in the “TCP” (Traffic Calming Plan). Trustee Cleary will contact Scott Harter about an estimate for this. Members also agreed that a “TCP” notebook should be assembled for easy reference.

NIMS

Mayor Corby reported that a training session regarding 2007 required compliance for NIMS will take place at the Library on September 12th. The measure of compliance is called NIMSCAST. It is an on-line list of 40 questions. Answers to these questions will determine NIMS compliance. The State Department of Homeland Security is recommending that municipalities complete their own NIMSCAST. While the Village will be working with the Town of Pittsford regarding NIMS, Board members determined that the Village should assign a staff member as a coordinator to work with the Town, attend meetings and relay information to the Village Board. It was decided that the DPW Superintendent would be the logical liaison. Therefore, a **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to appoint Superintendent of Public Works, John Cufari, as coordinator to work with the Town of Pittsford regarding NIMS compliance to insure that the Village fulfills all NIMS requirements.

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

ACTION ITEM LIST

The Action Item List was updated.

MINUTES

July 10, 2007: A **motion** was made **by Trustee Maddox, seconded by Mayor Corby** to approve these minutes as amended.

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

July 25, 2007: A **motion** was made **by Trustee Maddox, seconded by Mayor Corby** to approve these minutes as amended.

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

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

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

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 11:45 PM.

Anne Z. Hartsig, Recording Secretary

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 28, 2007**