

**PROCEEDINGS OF THE REGULAR MEETING OF THE
VILLAGE BOARD OF TRUSTEES
MARCH 8, 2005**

PRESENT:

Trustees	Thomas Farlow Paula Sherwood Steve Maddox Tim Galli
Excused	Robert Corby, Mayor
Attorneys	Jeffrey Turner and John C. Osborn
DPW Superintendent	Scott Spencer
Building Inspector	Skip Bailey
Treasurer	Mary Marowski
Recording Secretary	Anne Hartsig

Deputy Mayor Maddox called the meeting to order at 7:10 PM.

BUILDING INSPECTOR'S REPORT – SKIP BAILEY

The Building Inspector reported on the following:

1. A site plan is being developed for the Powers' property.
2. Mr. Bailey will attend the Fingerlakes Building Officials conference March 21-23. Trustee Maddox asked for a summary report of the conference when Mr. Bailey returns.
3. Fifteen fire inspections for service stations and public assembly places have been completed and second notice reminders were sent to five remaining.
4. Property data entry into the Black Bear System has been completed.
5. There has been an inquiry about opening a wine bar at 34 ½ State Street.
6. A restaurant special permit application is expected for a take out operation at 10 State Street.
7. The Fire Department plans to repair the building next door for possible use as a dormitory for students involved in the Fire Department training.
8. Interior restoration has begun at the First Presbyterian Church.
9. St. Paul's Lutheran Church will be constructing an addition and beginning interior renovations.
10. The approval process for the development of the Flour Mill is on going.
11. James Salerno Jewelry Design has opened at 1 North Main Street
12. The fence at 17 Eastview Terrace has been removed and will be reinstalled at a height of 3 feet.
13. The Stormwater Coalition will hold a public hearing to satisfy the annual requirement of the stormwater permit. The Village will publish a notice of the public hearing which will satisfy our requirement. The Village, along with other members of the coalition received a Management Innovation Award.
14. Dumpster renewal notices have been mailed out.
15. A new hair salon on Main Street received approval for a permanent sign at the APRB meeting on March 7th.
16. A merchant had a car towed from the Burdett parking lot.

DPW REPORT – SCOTT SPENCER

Mr. Spencer reported on **Routine Activities** and **Work in Progress** for the month. Items of discussion were as follows. Crew members have been issuing parking tickets. There is an on going lack of parking places at Sutherland School due to the construction. Regarding **Completed Projects**, Jim Edwards completed \$3000 worth of **tree work** at the DPW and on Washington Avenue and W. Jefferson Road. The Town has asked the DPW to **plow the towpath** to the locks near Mitchell Road. Mr. Spencer said that the crew could do this after the plowing within Village limits has been completed. The crew **removed snow** from the access road for Del Monte. The Village will be using the Town **speed trailer** as soon as the weather breaks. Merchants who are using the **Village trash receptacles** for personal trash continues to be a problem. Mr. Spencer asked the Board to consider either painting the receptacles in the Business District or replacing them with new ones this year. Items to be considered for the **budget** are the staining of the older pavilion so it will be the same as the new pavilion, and the purchase of a tractor and blower (kind and

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size). Mr. Spencer reported that he attended the **Monroe County Town Highway Superintendents' monthly meeting** and found it to be very informative. He learned that **diesel fuel** is being refined. This will mean that our vehicles will need an additive in order for them to run. Mr. Spencer spoke to Cindy from **Tietsworth Auctioneers**. Cindy told him we would receive more for old equipment at an auction than we would if the equipment was traded in. It was decided that the brackets on the light posts will be turned one way for the hanging baskets and the other way for wreaths.

EXECUTIVE SESSION

Trustee Maddox made a motion seconded by Trustee Sherwood to enter executive session to discuss a matter of litigation.

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

There being no further business and no action having been taken, **Trustee Maddox made a motion, seconded by Trustee Farlow** to leave executive session and reenter the regular portion of the meeting.

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

**** Attorney Turner left the meeting at this time and Attorney Osborn entered the meeting. ****

GOLF AVENUE SEWER EXTENTION

Mike Garland and Jared Lusk, Town of Pittsford representatives, discussed the proposed sewer transmission agreement with the Board of Trustees. In the Agreement it states that a one-time connection fee of \$250.00 would be paid to the Village. Mr. Garland and Mr. Lusk expressed concerns about asking Town residents to pay a semi-annual fee based on consumption to the Village. Mr. Lusk compared this sewer agreement to section 6 of the 1986 Town/Village agreement for High Street. He explained that the Town currently charges a \$100 entrance fee, a \$40.00 permit fee and a flat yearly fee of \$85.70 for each property connected to the sewer. Mr. Garland explained that there would be a total of thirteen units that could potentially hook into the Golf Avenue line. After discussion, it was agreed that these thirteen units would pay 10% of the annual operating cost to the Village in lieu of a semi-annual fee. A **motion** was made **by Trustee Farlow, seconded by Trustee Sherwood** to authorize the Mayor to sign the Sewer Transmission Agreement between the Town and Village for a maximum of thirteen units on Golf Avenue incorporating the revisions regarding fees pending Attorney Osborn's review of the final written agreement.

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

TREASURER'S REPORT – MARY MAROWSKI

Ms. Marowski presented vouchers for approval. A **motion** was made **by Trustee Farlow, seconded by Trustee Galli** to approve the following vouchers and charge them to the proper accounts.

General Fund	(#374-#410):	\$27,125.97
Sewer Fund	(#388, #391)	2,417.79
ADA Fund		<u>2,654.55</u>
	Total	\$32,198.31

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

Other business: The Board discussed the Municipal Choice Unreserved Funds account. A **motion** was made **by Trustee Maddox, seconded by Trustee Sherwood** to authorize the Treasurer to submit the necessary forms for the Village to be a participant in the Natural Gas Monroe County Cooperative Energy Procurement Program.

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

SCHOEN PLACE MERCHANTS – PARKING/SAM PATCH CONCERNS

John Crawford, owner of Aladdin's Restaurant represented the merchants on Schoen Place. He said that parking will be a problem for all of them again this season. The construction of the Flour Mill and a large mound of dirt eliminates some of the already scarce parking places. He told the Board that there is not enough parking for patrons of the Sam Patch and the regular merchants. Trustee Maddox said that as a Trustee, he likes having the Sam Patch as part of the Village but he does acknowledge that there are parking problems. Mr. Crawford asked the Village Board to further improve the RG&E right of way, grade it and fill in where the building was demolished. He asked if the mound of dirt could be moved to the

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DPW or if the Sam Patch could moor at another dock. Trustee Farlow noted that the Village should make improvements to the RG&E Right of Way and that they could assign it for Sam Patch and all day parking for Canal Path users. To mitigate the situation, the Board decided that Mr. Spencer would improve the grade of the Right of Way and spread gravel this spring. They suggested that Mr. Bailey facilitate a round table discussion with Roger Powers, developers of the Flour Mill, Ted Collins and Corn Hill Navigation personnel. Mr. Bailey reminded the Board that the dirt pile is on private property and that he could not force the property owner to allow parking on private land. Trustee Maddox said a conversation with the owner to ask for help with the parking could be beneficial. He volunteered to make the call. Mr. Crawford asked to be on the agenda next month.

VILLAGE LOGO – CONTINUED DISCUSSION

Attorney Osborn told the Board that in 1998 there had been a preliminary agreement with *The Idea Works!* for that business to be the “exclusive” logo marketing licensing agent for the Village Logo in accordance with terms set forth in a letter from Lynn Brown, President of *The Idea Works!* Attorney Osborn said that agreement was never finalized. He suggested that Members may wish to consider such an agreement so that the Village Board can keep control of the use of the logo. Trustee Sherwood will contact former Trustee Glenn Brown to discuss the issue further.

RECORDS ARCHIVES UPDATE – REMEMGIA MITCHELL

The Board received a written summary of the status of the two grant funded projects that Ms. Mitchell has been working on. These two projects are **indexing** Board of Trustees minutes and preparing various records series for **microfilming**. To date, Volumes 10-17 of the minutes have been indexed and have been sent for microfilming. In addition, a total of 26 cartons of other records series are currently being microfilmed.

The Board of Trustees expressed thanks to Ms. Mitchell for her efforts. Members were pleased to learn of the progress that has been made on implementing these grants.

RESOLUTION #5 OF 2005 – PRESERVE AMERICA COMMUNITY DESIGNATION

Ms. Mitchell was asked to apply for *Preserve America* status for the Village of Pittsford. A **motion** was made **by Trustee Maddox, seconded by Trustee Sherwood** that the Village Board adopt the following resolution:

WHEREAS, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our Nation’s past, strengthened regional identities and local pride, increased local participation in preserving the country’s irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with our Village of Pittsford Comprehensive Plan’s goals related to historic preservation; and

WHEREAS, the directives of the Architectural Preservation and Review Board and the Planning and Zoning Board of Appeals are parallel to the goals of this designation; and

WHEREAS, designation as a *Preserve America* Community will improve our community’s ability to protect and promote its historical resources; now therefore be it

RESOLVED, that the Village of Pittsford will apply for the designation of the Village of Pittsford as a *Preserve America* Community; and be it further

RESOLVED, that the Pittsford Village Board of Trustees will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate Village historic resources through education and heritage tourism programs.

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

RESOLUTION #6 OF 2005 – CERTIFIED LOCAL GOVERNMENT PROGRAM

Ms. Mitchell was asked to apply for status as a Certified Local Government for the Village of Pittsford. A **motion** was made **by Trustee Sherwood, seconded by Trustee Galli** that the Village Board adopt the following resolution:

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WHEREAS, the Certified Local Government Program is a cooperative federal and state government program under the direction of the National Parks Service and the New York State Office of Parks, Recreation, and Historic Preservation; and

WHEREAS, preservation related programs are implemented by New York State through the State Historic Preservation Office (SHPO); and

WHEREAS, the purpose of this program is to identify, evaluate and protect the nation's historic properties; and

WHEREAS, the goals of this program are compatible with the Architectural Preservation and Review Board standards of the Village of Pittsford; and

WHEREAS, this certification will benefit implementation of the Village of Pittsford Comprehensive Master Plan, will improve our community's ability to protect and promote its historical resources, and will enable the Village to apply for grant funding for activities that support community planning, public awareness and education; now therefore be it

RESOLVED, that the Village of Pittsford will apply for the Certified Local Government Program, and be it further

RESOLVED, that the Village of Pittsford will support the submission, to SHPO, of an annual historic preservation report, and be it further

RESOLVED, that the Village of Pittsford Board of Trustees will support the policies, procedures and guidelines used by the Village to maintain our local historic preservation legislation.

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

TRAFFIC CALMING – TRUSTEE FARLOW

Trustee Farlow said that the DPW could begin marking **parking places at street corners and near driveways** to follow the Code as soon as the weather permits. A memo was received suggesting that spaces be designated for compact cars on either side of cross walks to create better visibility of pedestrians waiting to cross the street. This idea will be given to Mr. Ferranti for discussion and possible inclusion in the plan.

Some recommendations for traffic calming devices for **side streets** include planters, timber walls and striping. Some of these recommendations will be instituted this spring. Trustee Farlow stated that in April, there should be a plan in place.

Mr. Ferranti is scheduling a **meeting with DOT** planners for as soon as possible. Following that meeting, other **interested agencies** will have a chance to review the draft plan. A meeting with these agencies will be scheduled for April. A **Public Hearing** regarding the final draft should take place within the next two months.

NON-MUNICIPAL USE PERMIT REQUEST – MDA

A **motion** was made **by Trustee Farlow, seconded by Trustee Sherwood** to approve the request for a non-municipal use permit made by the MDA for the 6th Annual Walk to Seek a Miracle scheduled for Saturday, May 14th 2005 and scheduled to take place on some Village streets, with the conditions that the proper insurance certificates naming the Village as additional insured be submitted to the Village Clerk prior to the event and that the Monroe County Sheriff's office, Pittsford Fire Department and the Pittsford Ambulance Corps be notified prior to the event.

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

EVENTS COMMITTEE – TRUSTEE FARLOW

Trustee Farlow will meet with Dr. Feins regarding the Crew Regatta that is scheduled for the weekend of June 4 & 5. This will be a Village event.

VILLAGE MAPS STATUS – TRUSTEE FARLOW

Trustee Farlow showed samples of the proposed maps to the Board. He reported that Steve Ferranti would provide originals and electronic copies to the Village by the April Board of Trustees meeting. He said that the original budget was \$450 for development of the maps. The project has gone over budget.

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ALCOHOL CONCERNS TEAM (ACT) LETTER

The Board supports the idea of submitting a joint letter to the Brighton-Pittsford Post from Mayor Corby, Supervisor Carpenter and Superintendent of Schools, Mary Alice Price. The letter would be a message to parents regarding the dangers of hosting teen parties that include alcohol.

TEMPORARY ASSIGNMENT OF JUSTICES

The Board of Trustees consented to the temporary assignment of justices to preside in other town/village courts in the Seventh Judicial District and approves assignment of other justices to preside in the Town Court as need arises during 2005.

CPR COURSE OFFERINGS

Board members agreed that Village employees who would like to take the American Heart Association CPR courses provided by the Town may do so.

COLLATERAL SOURCE BILL

The Village has been asked to support Collateral Source Bill S.1544/A.4354, which has been reintroduced in the State Senate and Assembly. This bill would entitle municipal defendants in all tort actions to a reduction of future economic awards for disability pensions and would, according to proponents of the bill, treat all plaintiffs and defendants equally. The Villages of Brockport, East Rochester, Fairport, Hilton, Honeoye Falls, Scottsville, Spencerport, and Webster are all members of the coalition urging the enactment of this bill. Attorney Osborn will review this letter and discuss the issue with Mayor Corby.

FIRST PRESBYTERIAN CHURCH LETTER OF REQUEST

Mayor Corby received a letter requesting relief from the two-hour parking regulation in front of the Church administration building. In addition, the Church would like parking permits issued to the Pastors and Steering Committee members so that they would not be penalized for parking over the time limits. This request is for the duration of the construction project that has begun as a result of the fire that took place in May 2004. Following discussion, Board members decided that to create an exception might cause additional parking problems and would set a precedent. They said there would not be a way to guarantee that only construction workers and church personnel would park in the newly created "no time limit" places in front of the administration building since parking for all in the Village is at a premium. Board members decided that a letter should be sent in response to the request.

EXECUTIVE SESSION

A **motion** was made **by Trustee Maddox, seconded by Trustee Farlow** to enter executive session to discuss a matter of litigation.

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

No action having been taken, a **motion** was made **by Trustee Maddox, seconded by Trustee Farlow** to leave executive session and reenter the regular session of the meeting.

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

EMAIL INQUIRY

PZBA Chairperson Remegia Mitchell asked the Village Clerk to supply the Board of Trustees with an email message she received from one of her Board members regarding various questions and concerns. Board members reviewed the list. Trustee Maddox will discuss the list with the Building Inspector.

AGENDA ITEMS POSTPONED

The following items will be discussed at a future meeting: Administrative Subdivision, SEQR/Demolition Policy, Vendor Permit for Bob Ford Field, Use of outside consultants for PZ and APRB.

ADJOURNMENT

There being no further business, Deputy Mayor Maddox adjourned the meeting at 10:20 PM.

Anne Z. Hartsig, Recording Secretary

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