

**PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**April 8, 2008**

<b>Present:</b>	
<b>Mayor</b>	Robert C. Corby
<b>Trustees</b>	Tim Galli Paula Sherwood Mary Beth Cleary
<b>Absent</b>	Steve Maddox
<b>Attorney</b>	John C. Osborn
<b>Treasurer</b>	Mary Marowski
<b>DPW Superintendent</b>	John Cufari
<b>Recording Secretary</b>	Anne Hartsig

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

**RIT BIG SHOT – MICHAEL PERES**

The *Big Shot* event will be held on May 8<sup>th</sup>. Board members and Mr. Cufari confirmed final details and responsibilities with Mr. Peres. Mr. Peres reiterated that the event is open to the entire community. People will gather at the Coal Tower at 7:45 PM and will be assigned to team leaders who can be identified by their green flashlights. Participants will receive a souvenir print. Attorney Osborn requested that the Village be provided with a certificate of liability insurance naming the Village as additional insured. Mayor Corby suggested that a print of the photo shoot be provided to the Erie Canal Heritage Corridor who will be opening a library in the near future.

**TREASURER’S REPORT**

Ms. Marowski presented the Treasurer’s report. Vouchers listed on Abstract #20 were reviewed. A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to approve payment of vouchers listed in Abstract #20 and to charge them to the appropriate accounts.

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

General Fund (#518-#538, #540-#547):	\$ 10,483.30
Sewer Fund (#538):	\$ 43.14
Canal Improvements – Greenway Grant (539-545)	<u>\$ 769.77</u>
<b>Total vouchers for approval:</b>	<b>\$ 11,296.21</b>

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

Repairs to the sweeper are needed. The cost is \$3126 for parts. The crew will make as many repairs as possible themselves as labor costs are approximately \$70 per hour. Members discussed the repairs and approved the expenditure for the parts.

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Spring training workshops were approved for three APRB members. Mayor Corby plans to attend a conference at Cornell Cooperative Extension. There is no cost for this conference.

**DPW REPORT – JOHN CUFARI**

Mr. Cufari reported that construction will begin again at the **North Main Street/Washington Road intersection** to widen a turning radius to accommodate long trailer trucks. The crew has been asked by the Fire Department to help with the **Little League and Memorial Day parades**. Board members approved of the crew helping with these events. However, they would like to see participation of Village equipment in the Memorial Day Parade. Other topics of discussion were ordering the new truck in June, pedestrian crossing signs, DOT spot sidewalk repairs on North Main and State Street bridges, and the condition of the RG&E right of way behind Northfield Common.

Mayor Corby made special mention that the DPW has done an “incredible” job picking up brush this spring. He thanked Mr. Cufari and the crew for their efforts and the outstanding job.

**GREEN HILL LANE RESIDENT CONCERN**

Steve Newcomb, 18 Green Hill Lane, addressed the Board about the lack of screening in a driveway that is adjacent to his property. Trees that had provided privacy were removed, exposing Mr. Newcomb’s yard to his neighbor’s headlights. Board members discussed the screening requirements in the Code. It was suggested that the Code be adjusted to include screening requirements when lights shine into neighboring properties. Mr. Bailey will be asked to draft requirements.

**NON-MUNICIPAL USE PERMIT REQUEST – PITTSFORD CREW**

Board members discussed a request for a non-municipal use permit from Pittsford Crew for the Pittsford Regatta event to be held May 31 and June 1. A **motion** was made by Mayor Corby, seconded by Trustee Galli to approve a non-municipal use permit for the 2008 Pittsford Regatta.

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

Upon further discussion, Mayor Corby **amended the motion**, seconded by Trustee Galli, to include the condition that Pittsford Crew will paint or repair any damage, markings or graffiti that takes place in the village during this event as a result of their own team or any other participatory team.

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

Pittsford Crew requested that the Village provide port-a-potties if possible. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve an expenditure of not more than \$1000 for the rental of portable toilets for the Pittsford Regatta.

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

**PUBLIC HEARING – TENTATIVE BUDGET**

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Trustee Galli presented an overview of the 2008/09 Village budget. Proof of the legal notice below having been published, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to open the public hearing.

**Vote:** Galli – yes, Corby – yes, Sherwood – yes, Cleary – 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 2008-2009 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 8, 2008. Said tentative budget includes maximum compensation for the Mayor of \$12,607.20 per annum; for the Trustees, \$5358.06 per annum.*

**General Fund           \$ 1,052,626.00**

**Sewer Fund             \$ 108,855.00**

*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 8<sup>th</sup> day of April 2008 at 8:00 p.m., to consider same before final adoption of the tentative budget.*

**John Limbeck**, 62 State Street stated that he had reviewed the budget, that it was reasonable and prudent and that the small tax increase was justified. He said he supported the budget and commended Board members on their efforts to prepare it.

There being no one further to speak for or against the tentative budget, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to close the public hearing.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Cleary** to accept the tentative budget as presented.

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

**PUBLIC HEARING – SPECIAL PERMIT – WAHL’S MICROCREAMERY – 45 SCHOEN PLACE**

Tom Frisina, owner, gave a brief description of his plan to expand the space for his ice cream business at 45 Schoen Place. Mayor Corby noted that in a memo from the PZBA, Chairperson Mitchell stated that the PZBA did not have any concerns about the proposed expansion, based on the informational hearing on this application that was held on March 31<sup>st</sup>. No other comments were submitted.

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

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

***VILLAGE OF PITTSFORD  
NOTICE OF PUBLIC HEARING***

**Proceedings of a Meeting of the Village of Pittsford Board of Trustees  
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*Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, Tuesday, April 8, 2008 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY to consider an application made by Tom Frisina, for a Special Permit from the Village Board of Trustees to allow the operation of a carry-out restaurant in the building located at 50 State Street, Pittsford, NY, which location is in a B-4 District, pursuant to Chapter 210-74 A (2), Special Permit Uses in B-1, B-1A, B-2, B-4 and M-1 Districts.*

John Limbeck, 62 State Street, said that the micro-creamery is a key attraction for Schoen Place, an anchor, and a good neighbor. He said he supported the application.

There being no one further to speak for or against this special permit application, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to close the public hearing.

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

Based on the fact that this application meets all of the required standards for a special permit listed in §210-74 B. (3) a-h, a **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve this application as submitted.

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

**PUBLIC HEARING – PROPOSED LOCAL LAW #3 OF 2008 – AMEND  
CHAPTER 210-56.4 DISTRICT BOUNDARIES**

Board members discussed the overlay district tax account numbers that were reviewed and corrected by the building inspector. 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:** Galli – yes, Corby – yes, Sherwood – yes, Cleary – yes. **Motion carried.**

***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, March 11, 2008 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 2008**, which local law would **Amend § 210-56.4 District Boundaries** of the Code of the Village of Pittsford in order to rectify tax account numbers for two of the properties located in the Performance Zoning Overlay District that were listed incorrectly.*

There being no one further to speak for or against this proposed local law, a **motion** was made by **Mayor Corby, seconded by Trustee Galli** to close the public hearing.

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

A **motion** was made by **Trustee Galli, seconded by Trustee Cleary** to amend Chapter 210-56.4 District Boundaries, to correct the previously adopted tax identification numbers with those presented in a memo from the Building Inspector dated April 2, 2008.

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

**REQUEST FOR A NON-MUNICIPAL USE PERMIT – CORN HILL NAVIGATION**

Corn Hill navigation was granted a temporary permit by the Zoning Board on March 31, 2008 to dock the *Sam Patch* at the Erie Canal Park for the 2008 season. Therefore, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to grant a non-municipal use permit to Corn Hill Navigation to allow the use of the dock and pavilion at the Erie Canal Park for the 2008 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 in a tidy fashion by Corn Hill Navigation personnel throughout the boating season including the elimination of weeds and litter.
3. Village trash receptacles will not be used for trash, food waste or other debris generated by the *Sam Patch* boating operation.
4. Trash will be removed from the site daily and will not be left overnight on Village or Canal Corporation property.
5. Customers will be informed by phone about designated parking areas for *Sam Patch* tours to avoid conflicts with merchants in the area.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to amend the above conditions with the addition of #6. Chains may not be used to moor the *Sam Patch* to Village owned wooden bollards unless they are covered in some manner to protect the bollards.

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

Board members will request that application for a non-municipal use permit for the 2009 boating season be made in February of 2009. A temporary permit from the Zoning Board will also be required.

**REQUEST FOR NON-MUNICIPAL USE PERMIT FOR ERIE CANAL BOAT COMPANY**

The Erie Canal Boat Company was granted a temporary permit from the Zoning Board on March 31, 2008. The Trustees discussed this application to operate a canoe and kayak business on Schoen Place and are all favorably inclined to grant this permit. However, prior to granting approval, at the advice of the Village Attorney, Mr. Abele will need to submit proof that he has obtained all necessary permits from the NY State Canal Corporation. In addition, he will be asked to submit a proposed agreement, similar to the one he has with the Village of Fairport, for review by Attorney Osborn. An insurance certificate naming the Village of Pittsford as additional insured will also be required.

Board members will request that application for a non-municipal use permit for the 2009 boating season be made in February of 2009. A temporary permit from the Zoning Board will also be required.

### **LIGHTING CODE DISCUSSION**

Mayor Corby presented a draft lighting plan for exterior lighting that will prohibit high intensity lighting in residential areas. A consultant will be submitting a proposal to also write a draft plan. Mayor Corby suggested that the consultant be asked to look at his proposal rather than writing a new one. Modifications could be made to it at the advice of the consultant. He suggested that the draft be completed before the April 22<sup>nd</sup> meeting. At that meeting, the Board could vote to hold a public hearing at the first meeting in May.

### **COMPREHENSIVE PLAN – DISCUSSION**

Mayor Corby said that a grant program from the Genesee Transportation Council will be announced in the near future. It might be possible to obtain funding for updating the Comprehensive Plan. Mayor Corby said before moving forward, it would be preferable to establish the funding time frame. Once that is known, goals and schedules to update the plan can be established.

### **FLOODPLAIN LOCAL LAW**

The Village of Pittsford has been remapped for potential flood zones. An area along the canal has been designated. According to Jaime Ethier of the DEC in Albany, in order for village residents to be eligible to receive flood insurance and in order for the village to stay in the flood insurance program, a law must be passed. Members had many questions about this proposed law. Mayor Corby will contact Mr. Ethier to obtain more information.

### **EMPLOYEE SAFETY POLICY – DISCUSSION**

The Employee Safety Policy was adopted on March 25, 2008. Members decided that annual review of the policy with employees will take place in January or February. In the meantime, Superintendent Cufari will review the policy with the DPW. Office staff will be given a copy to read. At the next joint meeting of all Village Boards, the policy will be reviewed.

### **VILLAGE GROVE**

Mr. Anderson, a Village Grove resident, reported to the Board that there is a sink hole that he believes is the responsibility of the Village to repair. Part of the hole is in the street pavement and part is on private property according to Mr. Anderson. Mayor Corby explained that improvements to private property are not the Village's responsibility and that in fact, NYS Village law constitutionally prohibits spending tax payer dollars for private improvements. Mayor Corby will visit the site to determine if the sink hole is located on Village property.

### **ANNUAL 9/11 TRIBUTE**

Each year since, September, 2002, the Village Board offers a proclamation to salute and call attention to those persons lost at the World Trade Center on 9/11/01. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to approve the proclamation listed below.

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

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**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, 2008 and on that day each year hereafter.

**BUDGET PROCESS COMMENDATION**

Mayor Corby, on behalf of the Board of Trustees, offered appreciation and praise to Village Treasurer Mary Marowski, for her efforts and leadership during the 2008/09 budget process.

**MEMBER ITEMS**

**Big Shot Reception:** Trustee Sherwood will order the invitations for the reception. She asked for help from the DPW on the day of the reception to move tables in the Board Room. She asked all Trustees to look at the list of tasks and to email her with those items they will be willing to help with.

**Newsletter:** Trustee Sherwood asked members to email their articles to Nancy Bolger no later than April 11.

**APRB vacancy:** Board members discussed appointing an alternate APRB member. The law allows a member to be a non-village resident. However, Trustees prefer to have a village resident appointed. It was noted that there is sometimes difficulty finding qualified members. Trustee Sherwood will write something for the newsletter and will ask for something to be included in the Pittsford Village Civic Association email letter.

**Newport Alliance contract:** A **motion** was made **by Trustee Galli, seconded by Mayor Corby** to renew the contract with Newport Alliance for drug and alcohol testing.

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

**Flower baskets:** Trustee Sherwood explained that some baskets were eliminated due to budget constraints. She gave an overview of where they would be hung this season.

**10 Lincoln Ave.:** Members noted that this structure is rapidly deteriorating. The Building Inspector will be consulted.

**Leadership Committee:** Trustee Galli summarized the Leadership Committee meeting and noted that Supervisor Carpenter said he would revisit the GIS plans at a meeting in the near future. Follow-up to action items from the 2007 meeting will be the discussion for the joint meeting of the boards to be held in June, 2008.

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**50<sup>th</sup> Anniversary of Pittsford Senior Citizens:** A proclamation will be written and signed by all members of the Board of Trustees.

**Annexation:** Mayor Corby is working on various aspects for the public hearing on the annexation.

**Northfield Common concern:** The Board of Trustees received a letter asking for the Village to repair the RG&E right of way areas and alleyways between the buildings in Northfield Common. Members agreed that the Village cannot repair private property. Mayor Corby will call the writer of the letter to discuss the issue with her.

**Code Enforcement:** With the coming of warm weather, there is usually an increase in illegal signs and in the outside display of merchandise. It was suggested that the Code Enforcement Officer be proactive and send a letter to the merchants to remind them of the regulations.

**MINUTES**

**March 25, 2008:** A motion was made by Trustee Cleary, seconded by Trustee Galli to approve these minutes as amended.

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

**ACTION LIST**

The Action List was reviewed and updated.

**ADJOURNMENT**

There being no further business, Mayor Corby adjourned the meeting at 10:05 P.M.

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Anne Z. Hartsig, Recording Secretary