

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
August 14, 2008

Present:

Mayor	Robert C. Corby
Trustees	Tim Galli Paula Sherwood Mary Beth Cleary - absent Steve Maddox – absent
Attorney	John C. Osborn
DPW Superintendent	John Cufari
Treasurer	Mary Marowski
Recording Secretary	Anne Hartsig

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

TREASURER’S REPORT – MARY MAROWSKI

Treasurer Marowski presented the Treasurer’s report. Vouchers listed on Abstract #05 were reviewed. A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to approve payment of vouchers listed in Abstract #05 and to charge the vouchers to the appropriate accounts.

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

General Fund (#96-#130):	\$ 15,413.27
Sewer Fund (#104, #130):	<u>\$ 27.87</u>
Total vouchers for approval:	\$ 15,441.14

DPW REPORT – JOHN CUFARI

Mr. Cufari reported on various public works issues and projects. Items listed below were included.

- Superintendent Cufari stated that another full time person is needed to replace the vacancy left by Rob Cooper. Mr. Cufari has talked to potential employees and will follow through with the hiring process.
- Board members agreed that Mr. Cufari should ask engineer Scott Harter to look at the manhole at 44 Rand Place, which is located on a private drive.. He can advise the Village on a recommendation for the home owner.
- Sign posts were discussed. The preference of Board members was black powder coated galvanized telspar posts for \$60. Mr. Cufari noted that within the next 2 to 3 years, stop sign posts will have to be reflective.
- Mr. Cufari reported on the status of new equipment.
- New tires will be installed on the loader. Mr. Cufari said the Board will need to budget \$3000 every year for new tires. They last between 12-15 months.
- The DOT is working at the North Main and Washington Road intersection. An ADA ramp will be installed on the west side of the intersection.

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The Village Board relayed many compliments to Mr. Cufari and the DPW crew regarding the way the Village looks. Compliments have been received from visitors, NYS Canal Corporation representatives, and residents.

BUILDING INSPECTOR REPORT

Mr. Bailey submitted a written report. Members discussed the following:

- The condition of 10 Lincoln Avenue remains a concern.
- If the owner of 5 Monroe Ave. applies for a use variance, he will need to submit financial proof that a retail business is not viable. The report should include 8-10 months of proof of having marketed the space as a retail establishment.
- Work on the Flour Mill tower was discussed. The roof and windows have not been built according to the approved drawings. This situation shows the necessity for drawings that are submitted to the APRB to have clear dimensions and for any changes to approved plans, to be reviewed by the APRB for approval.
- Board members requested a list of new businesses from the Building Inspector on a regular basis.

SIGN POLICY AMENDMENTS

Trustees Sherwood and Galli reviewed the sign policy and suggested some amendments. Following discussion, it was agreed that Trustee Galli will include the discussed revisions and distribute a new draft to Board members for review.

Mr. Bailey will be asked to draft a section for the Code regarding municipal signs and banners using the finalized sign policy.

Trustee Sherwood reported that she has been investigating options for Village-owned A-frame sign frames. She described a couple of options and will continue to look into this.

NON MUNICIPAL USE PERMIT – SUTHERLAND HS HOMECOMING

The Board of Trustees received a letter of request from Sutherland High School for a non municipal use permit to hold the Homecoming Parade on September 20th. Members reviewed the parade route. A **motion** was made **by Mayor Corby, seconded by Trustee Galli**, to approve the request for a non municipal use permit from Sutherland High School to hold their Homecoming Parade on September 20, 2008 with the same conditions of approval as last year.

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

Conditions of approval are as follows:

- The applicant will obtain permission from NYSDOT for the use of State roads.
- The applicant will contact the Monroe County Sheriff's Department, Pittsford Fire Department, Pittsford Ambulance and the media (to suggest that alternate routes be used during the time of the parade).
- A Certificate of Insurance reflecting a \$1,000,000 single limit of liability naming the Village of Pittsford as additional insured must be provided. The certificate should include both \$1,000,000 bodily injury and \$500,000 limit for property

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damage. The certificate must be current and on file in the Office of the Village Clerk prior to the event.

- All North and South Main Street merchants must be notified. Confirmation that the notification has taken place must be submitted to the Village Clerk's Office no later than two weeks prior to the event (by September 5, 2008).

NON MUNICIPAL USE PERMIT REQUEST FOR HAUNTED HISTORY GHOST WALKS INC.

The Village Board received a proposal from Mason Winfield, founder of Haunted History Ghost Walks Inc. to hold history walks in the village during the months of September and October. After review of the proposal, a **motion was made by Mayor Corby, seconded by Trustee Galli** to approve the proposal submitted by Haunted History Ghost Walks, Inc. to hold history walks in the Village of Pittsford for the period of September and October as described in the application letter dated August 4, 2008 with the following conditions, suggestion, and request:

- **Condition:** Promotional posters may not be posted on utility poles, Village trash receptacles, street poles, sign poles, trees or sidewalks.
- **Condition:** A schedule of walks including time and places included on the tour, must be provided to the Village Clerk prior to the start of the history walks.
- **Condition:** A current Certificate of Insurance reflecting a \$1,000,000 single limit of liability naming the **Village of Pittsford** as additional insured must be on file in the Office of the Village Clerk prior to the first history walk. The certificate should include both a \$1,000,000 bodily injury and a \$500,000 limit for property damage.
- **Suggestion:** The Board suggests that Mr. Winfield contact the Pittsford Chamber of Commerce to explore opportunities for cross promotion and collaboration with village merchants.
- **Request:** The Village Board requests that they be provided with a script to help insure the accuracy, and thoroughness of the history, and to insure that the proper emphasis is presented.

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

PUBLIC HEARING – PROPOSED LOCAL LAW #7 CHAPTER 195-33: SCHEDULE VIII TIME LIMIT PARKING

As a result of requests from merchants, the Village Board determined that a change in time limit parking on the west side of South Main Street would be appropriate. 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: Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

*“Please take notice that a public hearing will be held before the Village of Pittsford Board of Trustees, Thursday, August 14, 2008 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of **Proposed Local Law #7 of 2008**, which local law would amend the Code of the Village of Pittsford as follows: **Amend Chapter 195-33, Schedule VIII: Time Limit Parking** to create two, two-hour parking spaces on the west side of South Main Street from 29 feet to 71 feet south of the intersection of Lincoln Avenue and South Main Street.”*

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

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

A **motion** was made by **Mayor Corby seconded by Trustee Galli** to approve proposed Local Law # 7 as written.

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

Members discussed the number of parking places that will be converted to two-hour parking. It was decided that more than two spaces in that area should become two-hour parking places. Upon reconsideration, a **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to reopen the public hearing.

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

Members determined that the intention of the proposed law was to make all existing parking spaces between the Lincoln Avenue and Locust Street intersection on the west side of South Main into two-hour parking places.

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

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

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to amend the previous approval of Local Law #7 and to amend the wording of Proposed Local Law #7 to read “Amend Chapter 195-33, Schedule VIII: Time Limit Parking to create two-hour parking spaces on the west side of South Main Street between the Lincoln Avenue and Locust Street intersection as written below.

AMEND:

§ 195-33. Schedule VIII: Time Limit Parking

ADD:

Name of Street	Side	Hours/Days	Location
South Main Street	West	2 hrs.: 8:00 a.m. to 6 p.m. , except Sundays and holidays	Between the Lincoln Avenue and Locust Street intersection

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

NORTHFIELD COMMON DUMPSTERS

Mayor Corby suggested that the Board draft a request to Jeff Mason to have a formalized non municipal use agreement with the Village that would allow him to lease part of the RG&E right of way for parking and to provide an appropriate location, as required by our amended dumpster code, to consolidate and enclose the dumpsters and prevent some of the spillage and sanitary issues that have existed this season. Mayor Corby said that before this can take place the Village needs to have a formalized lease with RG&E. He is in the process of arranging a meeting with RG&E representatives.

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RESIDENT REQUESTS

A Village resident requested that the metal guard rail on Austin Park be replaced with wood or that wood be attached to it to improve its appearance. Members agreed that the railing is unsightly. However, they noted that improvements to the guard rail were not budgeted for this fiscal year, and that the snow plows scrape the railing due to the narrowness of the street.

The resident also inquired about the no parking sign on the street and asked why parking is not permitted even by the residents who live on the street. Members stated that the street is too narrow (approximately 14 feet wide). Parked cars would prevent access by Village trucks, plows and emergency vehicles.

Lastly, the resident inquired about placing a sculpture on the towpath. Board members determined that they would need more information about the sculpture before a decision could be made.

Mayor Corby will send a written response to the resident regarding her requests and concerns.

TREE PLANTING REQUEST

Mayor Corby received a letter containing an offer to donate a tree to be planted in front of 27 Lincoln to commemorate the 125th anniversary of Wagner College. One of the founders of the college was George Gomph, who in 1883, resided at 27 Lincoln Avenue. Together with another area minister, plans to establish the college were discussed under an apple tree in Reverend Gomph's yard.

Board members discussed the offer. The proposed tree is a Northern Spy Apple Tree. The proposed site is the Village right of way in front of 27 Lincoln Avenue. After looking at the site and realizing its restrictions, Trustees agreed that a fruitless crab apple tree would be a more suitable choice for that location. If college representatives feel strongly that the tree must be a Northern Spy Apple Tree, the present home owner will be approached about planting the tree on his property rather than on the Village right of way. Mayor Corby will call the homeowner to discuss the issue.

PITTSFORD LITTLE LEAGUE REQUEST

Mayor Corby received a letter from Pittsford Little League representatives asking for assistance in the repair of a portion of the parking lot at Bob Ford Field. The specific request is for on site expertise in the spreading and rolling of millings and for the equipment and operator to assist in locating the dropped millings that will be utilized. The Board of Trustees discussed this request with Mr. Cufari. It was noted that the Village does not have the proper equipment or man-power to take on this project. In addition, it is illegal for municipalities to expend funds on private property. Mr. Cufari will speak with Town officials to see if they might be able to help the Little League with this project. He will contact Little League officials regarding this request.

VENDING CART PROPOSAL

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Mr. Frederick Schwind submitted a proposal to operate a vending cart in the Village. He described the intended operation, the menu, vending cart, trash, and hours of operation. Liability insurance requirements were discussed. At this time, the location of the cart has not been determined. However, Mr. Schwind has approached the Town of Pittsford regarding a Town-owned, North Main Street location.

Mayor Corby listed the following challenges Mr. Schwind would face if the proposal is approved.

- If Village owned waste receptacles are used, Mr. Schwind would be required to maintain and empty them. If the location does not have waste receptacles, he will have to provide them.
- A fee will be required.
- Mr. Schwind will have to find a suitable location for the vending cart, where cooking odors will not be an issue for residents.
- Parking must be addressed.

Attorney Osborn discussed the approvals that will be required from the Village. Mr. Schwind will attend the Zoning Board meeting at the end of the month as an applicant for a temporary permit. He will follow-up with Supervisor Carpenter regarding a possible location for the vending cart.

75 MONROE AVENUE

Members discussed extending the current moratorium on applications and approvals for development for the Monoco property to allow adequate time to establish suitable zoning for the property. Zoning is in the process of being drafted. Modifications to the draft will continue and the Village Assessor will be consulted.

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to hold a public hearing on September 9th to consider the extension of the current development moratorium on property located at 75 Monroe Avenue for a period of 120 days beginning September 20, 2008, to allow time to establish suitable zoning for this parcel.

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

EXECUTIVE SESSION

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to enter executive session to discuss the employment history of specific employees.

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

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

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

ZONING SUB-COMMITTEE

The Board of Trustees established a sub-committee consisting of Trustees Sherwood, Galli, and Mayor Corby. The committee will review existing zoning within the village, ensure that it is in conformance with the Comprehensive Plan, ensure that it adequately

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addresses pedestrian issues, the quality of the environment, potential nuisances, and they will identify other concerns that need remedying.

RESOLUTION #7 OF 2008 – FOIL POLICY AND FORM

Members have been considering the adoption of a FOIL policy. Therefore, the following resolution was presented and approved.

WHEREAS, the Freedom of Information Law (FOIL), NYS Public Officers Law Article 6th, sets forth guidelines for public access to municipal records and,

WHEREAS, the Committee on Open Government suggests that a written policy regarding access to public records be established and consistently followed and,

WHEREAS, the Village of Pittsford wishes to adhere to best practices by establishing and adopting such a policy and,

WHEREAS, a policy establishing rules and regulations regarding public access to records of the Village of Pittsford has been written and reviewed by the Board of Trustees and the Village Attorney and,

WHEREAS, an application form, which will be used in a consistent manner, to request access to public records of the Village of Pittsford, has been developed and reviewed by the Board of Trustees and the Village Attorney,

NOW THEREFORE BE IT RESOLVED on a **motion** made by **Trustee Sherwood and seconded by Mayor Corby** that the Board of Trustees approves the adoption of a policy entitled **PUBLIC ACCESS TO RECORDS OF THE VILLAGE OF PITTSFORD**, dated August 14, 2008 and an application form entitled **APPLICATION FOR ACCESS TO PUBLIC RECORDS**, dated August 14, 2008, in conformance with the guidelines of the Freedom of Information Law, NYS Public Officers Law Article 6, for access to public records of the Village of Pittsford. Such policy and application form shall be on file in the Office of the Village Clerk.

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

SIGN REQUESTS

The Village Board received a request from First Presbyterian Church and Christ Episcopal Church for permission to use signs to advertise specific events. **First Presbyterian Church** is requesting 5 signs at various locations to advertise a 2-day “Penny Pincher” sale that will take place in October.

Christ Episcopal Church is requesting permission to erect one sign on the day of the Evensong Service that is held once a month from September through May. In addition, they are requesting permission to erect a sign to advertise a yearly plant sale which takes place in the month of May.

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Following discussion of these requests, a **motion** was made by **Mayor Corby, seconded by Trustee Galli**, that in keeping with the Village's sign policy, permission will be granted to **First Presbyterian Church** to use two event signs, to be erected no sooner than 7 days prior to the event, and two directional signs, limited to the hours of the event. **Christ Episcopal Church**, as was requested in their letter, will be permitted to erect one sign on the day of the Evensong Service that is held once a month from September through May and one sign to advertise a yearly plant sale which takes place in the month of May, which sign may be erected no sooner than 7 days prior to the event.

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

RESOLUTION #8 OF 2008: COMMUNITY DEVELOPMENT BLOCK GRANT

The Village of Pittsford has been funded \$27,803.00 by the 2008 Monroe County Community Development Block Grant Program. To meet requirements, the following resolution was presented and approved:

WHEREAS, the Village of Pittsford has received a copy of the standard contract agreement between Monroe County and the Village of Pittsford for the continuation of the Schoen Place ADA Sidewalk Project and,

WHEREAS, the "Project" has been funded in the amount of \$27, 803.00 and the Village Board has agreed to pay the balance of the project and,

WHEREAS, the Village Board has reviewed and approved the contract,

NOW THEREFORE BE IT RESOLVED on a **motion** made by **Mayor Corby and seconded by Trustee Sherwood**, that the Village of Pittsford accepts the CDBG grant and authorizes Mayor Corby to sign the contract.

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

CROSSING GUARD DISCUSSION

A village resident asked Mayor Corby about placing a contingent of volunteer crossing guards at the intersection of South Main Street and Jefferson Road during the school year. Trustees discussed this issue. Members concurred that there is more foot traffic and more potential cause for pedestrian accidents at the Four Corners than there is at the South Main/Jefferson Road intersection. None the less, school officials will be consulted to ascertain if there is a need for a crossing guard at that intersection and to determine what the policy is regarding crossing guards. In addition, the Monroe County Sheriff's office will be contacted regarding the duties of a crossing guard, and what they are and are not authorized to do.

Members agreed that a volunteer group of private citizens acting as crossing guards could pose liability issues and that legalities may be involved. The DOT and the Sheriff's office will be consulted.

EAP PROPOSAL

The Board of Trustees has been considering providing an employee assistance program for Village Employees. A **motion** was made by **Trustee Sherwood, seconded by Mayor Corby** to accept the proposal for services presented by EAP of Rochester for a

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three-year contract, including 3 hours of group employee training per year, as presented by Linda Uebelacker in a document dated June 25, 2008.

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

LIGHTING CODE REVISIONS

Members discussed a draft version of a revised lighting code dated 070308. The Clerk will email this version to members of the APRB and the PZBA for their comments.

MEMBER ITEMS

- Mayor Corby appointed Trustee Sherwood to chair a newly formed Economic Development Sub-Committee consisting of Trustees Sherwood, Galli, and Mayor Corby. She will set up a meeting with the Economic Development director from Fairport, interested resident/businessman Robert Michaels, and a village resident. The meeting will consist of a village walk-about, discussion regarding the needs of the village and the development of a potential plan.
- The month of May is Preservation month. Trustee Sherwood suggested planning weekly events that would take place that month to celebrate and recognize the historic preservation efforts of Pittsford Village. Members discussed several ideas.
- Trustee Sherwood is continuing to follow-up with vendors about Village of Pittsford clothing items for purchase.
- A legislative “member grant” application was discussed.
- Mayor Corby mentioned that a status report regarding the current tree grant is needed. Once the status is determined, the Village may be able to apply for another grant.

NIMS AND MONROE COUNTY PRE-DISASTER MITIGATION PLANNING

Mayor Corby will assign the duties of “point person(s)” to an appropriate member(s) of the staff so that the required 2007 and 2008 NIMSCAST reports will be filed by the deadline date at the end of September.

The Monroe County Pre-Disaster Mitigation Planning Committee will reconvene in early 2009. Mayor Corby will assign an appropriate staff member to represent the Village at these meetings. This representative will take the place of former employee, Scott Spencer.

MINUTES

July 8, 2008: A **motion** was made by **Trustee Sherwood, seconded by Mayor Corby,** to approve these minutes as written.

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

EXECUTIVE SESSION

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood,** to enter executive session to discuss contract negotiations.

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

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There being no further executive session business, a **motion** was made by **Mayor Corby**, **seconded by Trustee Sherwood**, to leave executive session and reenter the regular session of the meeting.

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

A **motion** was made by **Mayor Corby**, **seconded by Trustee Galli** to approve the proposed two-year contract, negotiated by members of the Board of Trustees and labor attorney Bethany Centrone, including a 3½% salary increase for fiscal year 2008/09 and a 3% salary increase for fiscal year 2009/10, pending the CPI figure at that time, for Village members of Local Teamsters 118.

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 11:00 P.M.

Anne Z. Hartsig, Recording Secretary