

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
January 13, 2009 – 7:00 PM

Present:

Trustees	Mary Beth Cleary Tim Galli Paula Sherwood Steve Maddox
Absent	Mayor Robert Corby
Attorney	John C. Osborn
Treasurer	Mary Marowski
Recording Secretary	Anne Hartsig

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

RESOLUTIONS 1 AND 2 OF 2009 REGARDING THE 2009 VILLAGE ELECTION

RESOLUTION 1 OF 2009

Pursuant to Election Law §15-118(3), **Be it resolved** on a **motion** made by **Trustee Galli, seconded by Trustee Maddox**, that there shall be no village registration day for the March 18, 2009 Village Election.

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

RESOLUTION #2 OF 2009

WHEREAS, Election Law § 4-104 (1) states that for village elections conducted by the county board, at least four months prior to the election, the Board of Trustees must submit a list of polling places to the Monroe County Board of Elections regarding the Village Election to be held on March 18, 2009,

NOW THEREFORE BE IT RESOLVED that the Village of Pittsford Board of Trustees hereby designates the John C. Osborn Meeting Room located at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY as the polling place for the Village Election to be held on March 18, 2009 and that the polls shall be open from noon until 9:00 PM.

The question of the adoption of the foregoing resolution was presented on a **motion** made by **Trustee Galli, seconded by Trustee Sherwood** and duly put to vote as follows:

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

NON-MUNICIPAL USE PERMIT – CORN HILL NAVIGATION

Vicki Schmitt, President of Corn Hill Navigation requested a non-municipal use permit to dock the *Sam Patch* at the Village Erie Canal Park for the 2009 season. Board members discussed coordination of signage with Ted Collins. Ms. Schmitt said she would attempt to do that again this year. Regarding parking, Ms. Schmitt said that the business is trying to be a good “parking” neighbor. She said parking directional signs at either end of Schoen Place would help in that endeavor. She also said that the need for public bathrooms remains. Ms. Schmitt told Board members that the Fairport ARC and the Pittsford Garden Club will be helping to maintain landscaping at the ticket booth area this year. Regarding trash and recycling, Ms. Schmitt said they are working on a solution for removal. She will discuss sharing a dumpster with the manager at the Coal Tower. There being no further discussion, a **motion** was made by **Trustee Galli, seconded by Trustee Sherwood** to grant approval of a non-municipal use permit to Corn Hill Navigation to allow docking for the *Sam Patch* at the Erie Canal Park for the 2009 boating season with the following conditions:

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1. The applicant will attempt to coordinate signage 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, ARC and Pittsford Garden Club throughout the boating season, including elimination of weeds and litter.
3. Village trash receptacles will not be used for trash, food waste, recycle waste, or other debris generated by the *Sam Patch* boating operation.
4. Customers will be informed by phone about designated parking areas for *Sam Patch* tours to avoid conflicts with merchants in the area.
5. Trash and recycling waste will be removed from the site daily and will not be left overnight on Village or Canal Corporation property.
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.
7. The applicant is required to provide the Village with a copy of a Certificate of Insurance naming the Village of Pittsford as additional insured. The certificate must reflect a \$1,000,000 single limit of liability for bodily injury and property damage. This certificate must be current and on file in the Office of the Village Clerk prior to docking the vessel.

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

Ms. Schmitt was reminded that she would need to apply for and receive approval for a Temporary Zoning Permit from the Zoning Board. She said she would submit an application for the February, 2009 meeting.

RESOLUTION 3 OF 2009 – NON-PROFIT FEE WAIVER

RESOLUTION #3 OF 2009

WHEREAS, the historic packet boat replica *Sam Patch* has docked on the Erie Canal at Schoen Place during the boating season for many years, and

WHEREAS, the *Sam Patch* is a fleet member of Corn Hill Navigation, a non-profit organization that promotes tourism, education, and public programming including cultural history lectures,

NOW THEREFORE BE IT RESOLVED that the Village of Pittsford Board of Trustees henceforth waives the \$100 application fee for a Temporary Permit from the Zoning Board, a permit which is required by the Village for docking during the boating season.

The question of the adoption of the foregoing resolution was presented on a **motion made by Trustee Maddox, seconded by Trustee Cleary** and duly put to vote as follows:

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

TREASURER’S REPORT – MARY MAROWSKI

Treasurer Marowski presented vouchers for approval. Vouchers listed on Abstract #11 were reviewed. The Treasurer added the following to the vouchers: \$25.00 to voucher #338 to correct the amount paid for boot reimbursement, Voucher #317, \$100 for boot reimbursement, and voucher #372, \$197.62 for Sam’s Club. Voucher #369 for \$250.00 was removed from the abstract. A **motion** was made **by Trustee Galli, seconded by Trustee Cleary** to approve payment of vouchers listed in Abstract #11 with the above changes and to charge them to the appropriate accounts.

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General Fund (#322-#327, #329-#336, #338-#362, #364-#368, #370-372):	\$ 46,479.66
Sewer Fund (#328.#337, #362, #363):	\$ <u>1,926.99</u>
Total vouchers for approval:	\$ 48,406.65

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

The Treasurer noted that between the December 9, 2008 meeting and this meeting, she paid out \$1585.68 for utilities and other services pursuant to the authorization given to her in the Organizational Meeting minutes.

Other business included:

1. A discussion of the spread sheet compiled by the Treasurer which contains the status of Village grants. Board members thanked Ms. Marowski and complimented her on this report. The Multi Modal grant will be added to the report. The Board stated that if the cost is low enough for Doug McCord to prepare the 2009 CDBG grant, Ms. Marowski should ask him to provide a quotation.
2. A budget meeting schedule was presented, discussed and modified.
3. The insurance payment for a light pole that was hit on Main Street was discussed.
4. An article in the D&C about declining sales tax revenue was discussed.

DPW REPORT

Prior to the meeting, DPW Superintendent John Cufari submitted a report for discussion. The report contained information about projects and activities including the status of leaf pick-up, building of garbage can holders, snow plowing, the Schoen Place project, the status of gas line installation on Rand Place, the arrival of a new one ton truck, equipment breakdowns, and a broken fence in the Burdett parking lot.

Crew member Doug Yeager has completed a three month introductory period. The Superintendent recommends an appointment to full-time status. A **motion** was made **by Trustee Sherwood, seconded by Trustee Maddox** to enthusiastically approve full-time employment status of Doug Yeager as a member of the Department of Public Works.

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

Regarding the Intermunicipal Agreement with Monroe County for shared Fleet Services, Monroe County Director of Transportation Terry Rice said the Village must pass two additional resolutions in order to be able to participate in the agreement.

Resolution 4 of 2009

Intermunicipal Agreement with Monroe County re: alternative fuels

A **motion** was made **by Trustee Sherwood, seconded by Trustee Maddox** to authorize the Village of Pittsford to enter into an intermunicipal agreement, and any amendment thereto, with the County of Monroe, for access to and the purchase of alternative fuels, for a period commencing January 1, 2009 through December 31, 2033, with the mutual consent of the parties upon each annual renewal and further authorizing the Mayor of the Village of Pittsford to execute such agreement.

Vote: Galli - yes, Maddox - yes, Sherwood - yes, Cleary - yes.

Motion carried.

Resolution 5 of 2009

Intermunicipal Agreement with Monroe County

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BE IT RESOLVED on a **motion** made by Trustee Sherwood, **seconded** by Trustee Cleary, that the Board of Trustees of the Village of Pittsford authorizes the Mayor to execute the intermunicipal agreement, and any amendments thereto, with the County of Monroe to utilize Fleet Services, Machinery, Tools Equipment and Services Sharing and Access and Sale of Alternative Fuels as described in “the agreement” presented by the County Executive, which fully executed agreement, shall be on file in the Office of the Village Clerk.

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

PROPOSED LOCAL LAW #1 OF 2009-COLD WAR VETS EXEMPTION

A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox**, to open the public hearing to consider the adoption of proposed local law #1 of 2009 to add a tax exemption for Cold War Veterans.

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

There being no one present wishing to comment on the proposed law, a **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to close the public hearing.

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

Following discussion, a **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to approve local law #1 of 2009 as written below.

Add: **Article V-A
Cold War Veterans Exemption**

§ 184-24-A Cold War Veterans Exemption

- A. Intent. It is the purpose and intent of this article to implement legislation to provide a partial real property tax exemption allowable for “Cold War” veterans as set forth by § 458-b of the Real Property Tax Law as limited by paragraph C. below.
- B. Provisions adopted by reference. All applicable provisions of §458-b of the Real Property Tax Law, including all subdivisions, together with any and all appropriate amendments thereto, are hereby approved and adopted as and for law and procedures of the Village of Pittsford, except where provisions of this article or any other local law or ordinance of the Village of Pittsford shall prescribe differently. In such event, compliance with the provisions of such local law or ordinance shall constitute proper compliance with this article.
- C. Maximum exemption granted. Qualifying residential real property shall be exempt from taxation by the Village of Pittsford to the extent of 10% of the assessed value of such property; provided, however, that such exemption shall not exceed \$8,000. In addition, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed \$40,000.
- D. Amendments. The Village Board may from time to time amend, supplement, change, modify, or repeal this section pursuant to the provision of Village Law, the General Municipal Law and the Real Property Tax Law applicable thereto.
- E. Severability. If any clause, sentence, phrase, subdivision, paragraph, section or any part of this section shall for any reason be adjudicated finally by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this section, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy or action in which said judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this section would have been adopted had any such provision been excluded.

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- F. When effective. This article shall become effective upon its adoption and upon filing with the New York State Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2009.

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

PROPOSED LOCAL LAW #2 OF 2009 – AMEND CHAPTER 168, SIGNS

A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood**, to open the public hearing to consider the adoption of proposed local law #2 of 2009 to amend Chapter 168, signs.

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

There being no one present wishing to comment on the proposed law, a **motion** was made by **Trustee Galli, seconded by Trustee Sherwood** to close the public hearing.

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

Following discussion, a **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to approve local law #2 of 2009 as submitted. The local law is on file in its entirety in the office of the Village Clerk.

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

PROPOSED LOCAL LAW #3 OF 2009 – EXTENSION OF TEMPORARY MORATORIUM

A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood**, to open the public hearing to consider the adoption of proposed local law #3 of 2009 to extend a temporary moratorium on applications and approvals of applications for 75 Monroe Avenue.

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

There being no one present wishing to comment on the proposed law, a **motion** was made by **Trustee Galli, seconded by Trustee Sherwood** to close the public hearing.

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

Following discussion, Board members agreed to change the original proposed law from a 60 day extension to a 90 day extension. A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood** to approve local law #3 of 2009 to include changing the time of the extension from 60 days to 90 days as written below.

Local Law #3

The Town of Pittsford, County of Monroe, State of New York, having adopted a Resolution and Order dated May 20, 2008, approving the annexation by the Village of Pittsford, of all that land and premises located within Tax Parcel #151.17-3-3, located at 75 Monroe Avenue, Town of Pittsford, New York and the Village of Pittsford, County of Monroe, State of New York having adopted a Resolution and Order dated May 13, 2008, also approving the Annexation of the above-mentioned parcel and the above mentioned parcel being annexed to the Village in an unzoned manner, therefore, there shall be a moratorium in effect on all applications and approvals of applications regarding any portion of the above-mentioned parcel for a period of 90 days from January 18, 2009 so that the Village of Pittsford, County of Monroe, State of New York can provide suitable zoning for the above-mentioned parcel.

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

COAKLEY DISPOSAL SERVICE

The Village Board received a request for a permit to do business in the village for both residential and commercial trash collection. A **motion** was made by **Trustee Galli, seconded by Trustee**

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Cleary to approve the request for a permit from Coakley Disposal Service with the following conditions:

1. pick up will take place on Wednesday and/or Friday
2. The Building Inspector will verify that Coakley Disposal meets all insurance requirements including naming the Village of Pittsford as additional insured on the Certificate of Liability Insurance.

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

NON-MUNICIPAL USE PERMIT – PITTSFORD LITTLE LEAGUE

The Board received a letter from Pittsford Little League requesting a non-municipal use permit to hold the annual opening day Little League parade. Members noted that there did not appear to be any changes from prior years. A **motion** was made by **Trustee Cleary, seconded by Trustee Maddox**, to approve the request for a non-municipal use permit made by Pittsford Little League to hold their annual opening day parade on May 2, 2009 at 11:30 AM with the following conditions:

1. According to the request letter, the parade will start at Pittsford Sutherland High School and will terminate at Bob Ford Field.
2. The organization will be responsible for obtaining Monroe County escort cars, fire trucks for the front and rear of the parade, and Fire Police at critical intersections.
3. The organization will provide the Village with a copy of a Certificate of Insurance naming the Village of Pittsford as additional insured, reflecting a \$1,000,000 single limit of liability for bodily injury and property damage. The certificate must be current and on file in the Office of the Village Clerk prior to the event.

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

MCCORD PROPOSALS FOR SCHOEN PLACE AND JEFFERSON ROAD GATEWAY

McCord Landscape Architects submitted proposals for the next phase of the Schoen Place project and for future gateway plans for Jefferson Road. These were tabled until the next meeting. Members concurred that clarification is needed regarding matching grants and funding sources.

MEMBER ITEMS

Four Corners Signage: Trustee Sherwood will prepare a budget figure for two community event signs that would replace the use of A-frame signs at the Four Corners. One sign would be placed on the south west corner and one on the northeast corner. The size will be 30” x 36”.

Newsletter: Trustee Sherwood noted that the spring edition of the newsletter will be mailed in April in order to include information about Preservation Month events that will be held in May.

Preservation Month: Trustee Sherwood has been coordinating with Historic Pittsford on a number of events that are being planned for the month of May 2009. She presented a proposed list of plans. Awards will be distributed for outstanding preservation projects. Decisions about award recipients will be deferred to the APRB. They will be asked to set the criteria and make recommendations to the Board of Trustees.

Economic Development: Trustee Sherwood said the core economic development group will reconvene and will create a statement of purpose.

New Logo: Mayor Corby is working on a new logo so that Village clothing can be offered to the public.

Town of Pittsford Comprehensive Plan Update: Members plan to attend informational meetings regarding the Town’s Comprehensive Plan update. Trustee Maddox will consult with Mayor Corby regarding participation responsibilities that Trustees may have.

Burdett Lot Dumpsters: This will be discussed at the January 27th meeting.

EXECUTIVE SESSION

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Trustee Galli made a motion, seconded by Trustee Sherwood, to enter executive session to discuss the employment history of a specific employee.

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

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

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

MINUTES

Review of the 10/1/08, 11/20/08 and 12/9/08 minutes were tabled until the January 27, 2009 meeting.

ADJOURNMENT

There being no further business, Deputy Mayor Galli adjourned the meeting at 9:30 P.M.

Anne Z. Hartsig, Recording Secretary