

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
April 14, 2009 – 6:15 PM

Present:
Mayor: Robert Corby
Trustees: Trip Pierson
Tim Galli
Paula Sherwood
Steve Maddox
Treasurer: Mary Marowski
DPW Superintendent: John Cufari
Attorney: John Osborn
Recording Secretary: Anne Hartsig

Mayor Corby called the meeting to order at 6:15 PM.

EXECUTIVE SESSION

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

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

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

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski presented **vouchers for approval**. Vouchers listed on Abstract #17 were reviewed. Voucher #535 was discussed. Following discussion, that voucher was removed from the abstract. A **motion** was made by **Trustee Galli, seconded by Trustee Maddox**, to approve payment of vouchers listed in Abstract #17, minus voucher #535, and to charge them to the appropriate accounts:

General Fund (#502-#522, #524-#527, #529, #531-#534, #536-#537):	\$ 8509.33
<u>Sewer Fund (#523, #526, #528):</u>	<u>\$ 2722.79</u>
Total vouchers for approval:	\$ 11,232.12

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

Sewer question: A property owner who has been paying sewer rent for several years, notified the Village that two of his properties are not on the village sewer system but have septic tanks instead. He has asked for these properties to be removed from the billing list. Members discussed this request. It was noted that a sewer district was established and if you are in the district, you should pay sewer rent. DPW Superintendent John Cufari will investigate whether or not these properties were linked with the Pittsford Library sewer when it was built.

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Archive training school: NYALGRO (New York Association of Local Government Records Officers) is holding its annual training school in June. Terry Robins requested permission to attend the training for two days and one night. Board members discussed the reasons for attending the conference versus the cost for this benefit. Mayor Corby explained that there are mandated requirements and recommendations for the management of municipal records. Training conferences provide staff members with the opportunity to learn about changes in the requirements to ensure that the Village is compliant. A **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to approve Terry Robins' attendance at the NYALGRO conference for one night and two days with the request that Ms. Robins present a written report on the value of the conference to the Board of Trustees upon her return.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

McCord/Stimulus Funding: Doug McCord was asked to provide a quote for services to complete and application for Recovery Act funding through the Monroe County CDBG program. If successful, those funds could be used for a boat dock and to finish sidewalks on Schoen Place. Trustee Galli noted that before the Village commits to more projects, the source for matching funds must be identified. Mayor Corby will be meeting with representatives from Congressman Eric Massa's office to discuss other funding opportunities. Therefore, the Board decided not to apply for the CDBG stimulus funds at this time.

Budget update:

- It was noted that there will be a tax rate increase of 3% in the 2009/10 fiscal year budget.
- There was a discussion about CPI inflation rates. It was noted that there are regional as well as national inflation rates and that they differ slightly. It was further noted that the 3% tax rate increase is less than most inflation rates.
- Members discussed moving 15 K from the contingency fund to the equipment reserve fund.
- Superintendent Cufari said the crew will replace the guardrail and fence along the Washington Avenue side of the Burdett parking lot. He estimated the cost to be about \$5,000.
- It was noted that a D&C newspaper article stated that the Monroe County Sales Tax revenues are expected to be lower by 10%.
- Members discussed raising parking ticket fines. They have not been changed since 1997. Parking Monitor Steve Weinstein surveyed other municipalities about the amount they charge for various parking violations. The Board discussed this information. A **motion** was made **by Trustee Maddox, seconded by Trustee Sherwood** to hold a public hearing in the month of May to consider amending Article V of the Village Code and to consider increasing all fines to \$30.00 and to consider increasing the fine for parking in a handicap space or in a fire lane to \$75.00.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

If this local law is passed, the Treasurer will change the rates when new parking tickets are ordered.

- Stormwater Coalition dues will increase this year.
- Woodcreek Pump Station: It was noted that the pumps were repaired in recent years.

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PUBLIC HEARING – TENTATIVE BUDGET

Proof of the legal notice below having been published, a **motion** was made by **Mayor Corby**, **seconded by Trustee Maddox** to open the public hearing to consider the adoption of the tentative budget for fiscal year 2009/10.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – 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 2009-2010 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 14, 2009. Said tentative budget includes maximum compensation for the Mayor of \$12,859.34 per annum; for the Trustees, \$5465.24 per annum.

General Fund	\$ 980,768.00
Sewer Fund	\$ 110,077.00

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 14th day of April 2009 at 8:00 p.m., to consider same before final adoption of the tentative budget.

Trustee Galli presented an overview of the 2009/2010 budget. Trustee Sherwood publicly thanked Treasurer Marowski for her outstanding efforts during the budget process.

There being no one further wishing to comment, a **motion** was made by **Mayor Corby**, **seconded by Trustee Galli** to close the public hearing.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

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

VOTE: Maddox – yes, Pierson – abstain, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

CONTINUATION OF PUBLIC HEARING FOR R-5 ZONING

SEQR: Part I of the long form SEQR having been completed, Mayor Corby and the Board of Trustees reviewed Part II of the long form and determined that the adoption of new zoning will not result in any large or important impact, and will not have a significant impact on the environment. Therefore, a negative declaration will be prepared.

Mayor Corby is continuing discussions regarding the development of R-5 zoning with planner, Roger Brown. It is his intention to meet with Mr. Brown next week. Therefore, the public hearing will remain open.

PUBLIC HEARING – PROPOSED LOCAL LAW TO EXTEND MORATORIUM

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 to consider a proposed local law to extend an existing moratorium on applications and approvals for any portion of tax parcel #151.17-3-3 for a period of 30 days.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

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**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, April 14, 2009 at 8:00 p.m. at 21 North Main Street, Pittsford, New York to consider the adoption of proposed Local Law #7 of 2009 entitled "Extension of Temporary Moratorium on Applications and Approvals regarding property consisting of tax parcel #151.17-3-3, located at 75 Monroe Avenue, Town of Pittsford, New York annexed to the Village of Pittsford, New York." A copy of the proposed local law is on file in the Office of the Village Clerk, where it may be inspected by interested parties between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday.

Some Board members commented on the amount of time it has taken to develop zoning for the R-5 district. Mayor Corby stated that the moratorium would be lifted as soon as the new zoning code has been passed. Mark IV Attorney Frank Haggberg and VP Don Riley stated that they understand the Village's need to ensure that the zoning code is carefully written. Mr. Haggberg requested an "information only" meeting with the Development Review Committee to expedite the procedure and to familiarize the group with what will be an extensive procedure. Mayor Corby and Village Attorney Osborn said Mark IV could move forward with an informational meeting with DRC members prior to the passing of the zoning.

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

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve the passage of this proposed local law, now known as proposed local law #5 of 2009, as written.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND SECTIONS OF § 210

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 to consider a proposed local law to amend sections of §210 regarding public garages.

**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, April 14, 2009 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of Proposed Local Law #6 of 2009, which local law would amend Article B-1 Retail Business District, amend Article VIII B-1 Special Historic Business District, and amend Article XI B-4 Canal Waterfront Business District of the Code of the Village of Pittsford. A complete copy of the proposed local law is available for review Monday through Friday during the hours of 8:00 AM to 3:30 PM in the Village Office, 21 North Main Street, Pittsford, NY.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

Board members discussed changes that have taken place in the village that precipitated the consideration for enacting this proposed local law. There being no one present to speak for or

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against the adoption of this local law, a **motion** was made by **Mayor Corby**, seconded by **Trustee Maddox**, to close the public hearing.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

A **motion** was made by **Trustee Galli**, seconded by **Trustee Sherwood** to approve the enactment of proposed local law #6 of 2009 as written.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

MERCHANT CONCERN – ROBERT BRYANT

Mr. Bryant read a prepared statement to the Board of Trustees expressing his concerns with an alleged intensified use and expansion of the business located at 19 South Main Street. Mr. Bryant stated that his business has been negatively affected by the number of one-car per person spots that the yoga/juice bar encourages. He asked the Board to review the requirements of approval and to enforce the conditions under which the permit to operate the business was granted. Attorney Osborn will review documents pertaining to this business to determine if compliance is an issue.

ZONING MAP UPDATE

Village Engineer Scott Harter updated the Village zoning map. Members agreed that the new map will be considered the official zoning map at the time the R-5 zoning is enacted.

§ 168-3 SIGN DEFINITIONS

A **motion** was made by **Mayor Corby**, seconded by **Trustee Maddox** to hold a public hearing at the April 28th meeting to consider the adoption of a local law, which local law would amend § 168-3 Sign Definitions of the Village Code.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

§ 210-83 PLANNING BOARD SITE PLAN REVIEW AND APPROVAL

Members discussed amending § 210-83 to increase the actions that would require site plan review and approval by the Planning Board. In addition, the Code Enforcement Officer will be asked to write a separate section of the code regarding residential exterior appliances such as wood burning furnaces. A **motion** was made by **Mayor Corby**, seconded by **Trustee Maddox** to hold a public hearing at the April 28th meeting to consider the adoption of a local law, which local law would amend § 210-83, Planning Board Site Plan Review and Approval.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

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. Municipalities throughout New York State offer a proclamation in all months of the year. The Village of Pittsford annually offers this proclamation in the month of April. Therefore, a **motion** was made by **Mayor Corby**, seconded by **Trustee Sherwood** to approve the following proclamation:

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

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WHEREAS, the objective of the **ONAIRES 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 **ONAIRES 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, 2009 and on that day each year hereafter.

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

MEMBER ITEMS

- a. Trustee Sherwood reported on Preservation Month which will take place in May.
- b. Trustee Sherwood asked members to review the newsletter and send any changes as soon as possible. She would like to have the final draft sent to the printers by Friday.
- c. Trustee Sherwood suggested that Trustee Pierson might wish to chair the economic development efforts that have begun. She will talk to him about the efforts that have taken place thus far.
- d. Trustee Sherwood reported that a new bench supplier is needed and that the price the Village charges the public to purchase both benches and bricks should be raised to cover the increased cost of the benches and the increased cost of engraving the bricks. It was also noted that the plaques on the benches are deteriorating and a new material for them should be investigated.
- e. Mayor Corby reported that a GIS presentation was given at the Leadership Meeting. Paul Schenkel will attend the April 28th meeting to give Board members an overview of what is available.
- f. Mayor Corby told the Board about the proposed Youth Court that the Town plans to start. He will discuss this in more detail with the Supervisor.
- g. The Pittsford Chamber of Commerce requested that the Village install entrance signs that note that the Village is an historic district. Board members were in favor but realize that budget constraints will not permit this kind of expense this year. Mayor Corby will talk to the Chamber President about this.
- h. Mayor Corby explained that turn arrows at the Four Corners have been turned off during certain times of the day. The NYSDOT is attempting to keep traffic moving through the village on the main lines.
- i. There was continued discussion about the dumpsters in the Burdett lot. Trustee Galli met with a Waste Management representative. He was told that because the lids are all plastic, the noise factor when lowering the lids can't be helped.
- j. The DPW pumped out a swimming pool that had become a health and safety issue. Notifications had previously been sent to the owner. Superintendent Cufari will follow-up with determining the cost and will present the cost to the Village Clerk. The cost will be added to the property's 2009/10 tax bill.
- k. Carmella Mantello, Director of the NYS Canal Corporation, will visit the Village of Pittsford and participate in a ribbon cutting ceremony on Schoen Place during the morning of June 4th.

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1. Trustee Galli reported that the Monroe County Sheriff will have a marine unit on the canal during the Pittsford Regatta. Ground forces will be present as well. The Village's insurance agent said that the liability insurance certificate naming the Village as additional insured, which will be supplied by Pittsford Crew, will cover their crew members if touch up painting or repairs is needed following the regatta.

MINUTES

January 21, 2009: A **motion** was made by **Trustee Maddox, seconded by Mayor Corby**, to approve these minutes as presented.

VOTE: Maddox – yes, Pierson – abstain, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

March 5, 2009: A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve these minutes as presented.

VOTE: Maddox – yes, Pierson – abstain, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

March 11, 2009: A **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to approve these minutes as presented.

VOTE: Maddox – abstain, Pierson – abstain, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

March 24, 2009: A **motion** was made by **Mayor Corby, seconded by Trustee Maddox**, to approve these minutes as amended.

VOTE: Maddox – yes, Pierson – abstain, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

April 2, 2009: A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve these minutes as presented.

VOTE: Maddox – abstain, Pierson – yes, Corby – yes, Sherwood – yes, Galli – abstain. **Motion carried.**

EXECUTIVE SESSION: A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to enter executive session to discuss the employment history of specific employees.

VOTE: Maddox – yes, Pierson – yes, 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: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

2009/10 WAGES

Board Members determined 2009/10 employee wages.

ADJOURNMENT

There being no further business, a **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to adjourn the meeting at 10:20 PM.

VOTE: Maddox – yes, Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

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Anne Z. Hartsig, Recording Secretary