

**PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**May 12, 2009 – 7:00 PM**

**Present:**

**Mayor:** Robert Corby  
**Trustees:** Trip Pierson  
Tim Galli  
Paula Sherwood  
**Absent** Steve Maddox  
**DPW Superintendent:** John Cufari  
**Recording Secretary** Anne Hartsig

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

**TREASURER’S REPORT – TRUSTEE GALLI**

Trustee Galli presented **vouchers for approval**. Vouchers listed on Abstract #19 were reviewed. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve payment of vouchers listed in Abstract #19, and to charge them to the appropriate accounts.

General Fund (#559-#575, #577-#596):	\$ 18,205.12
Sewer Fund (#575, #576, #589):	\$ 31.97
<b>Total vouchers for approval:</b>	<b>\$ 18,237.09</b>

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

- The Treasurer’s report noted that the State approved \$25,550.56 rather than the amount of \$48, 546.06 of the grant money that was applied for in the “muni” recycling grant. The \$48,546.06 was to be used to offset the cost of the 2009 International truck. The Village may receive \$23K less than anticipated. The reason is that the State has determined that the truck is being used for recycling purposes about 50% of the time rather than 95% of the time as listed in the contract. The Treasurer is following up on this.
- The Village received a quote of \$2,930.40 for the cost of replacing the light pole on the Four Corners near the clock. The pole was recently hit by a tractor trailer truck and consequently destroyed. Members discussed reasons not to replace the pole. The reasons were that the pole has been hit before and the light from that pole casts a reflection onto the face of the clock. It was determined that the Treasurer should file a claim to Ace American Insurance, the insurance company for Werner Trucking, to seek payment for the damage. The Board further decided not to replace the pole until Ms. Marowski hears back from Werner Trucking. John Cufari will call Livingston Lighting and Power Co. to tell them the Village has decided to wait for that decision before replacing the pole. Members discussed obtaining insurance for the clock. It will be investigated. It was noted that the clock is in need of painting.
- The Treasurer’s report included a letter from Troy & Banks. The report states that auditors concluded that there were some overcharges from the RG&E. Mayor Corby said a discrepancy may be due to the fact that new acorn lights were installed and the Village was not billed for those lights. Mayor Corby also stated that the RG&E would like the Village to take over the maintenance of fiberglass poles.

**Proceedings of a Meeting of The Village of Pittsford Board of Trustees  
May 12, 2009**

- The Monroe County Sales Tax check has been received. Trustee Galli noted that the dollar amount is 10.5% less than the same quarter last year.
- Mayor Corby noted that the Upstate Regional Blueprint Fund could be a source for possible funds to match the cost for the Schoen Place project. The application is 34 pages and is due June 15<sup>th</sup>. Trustee Pierson offered to work on this application with Mayor Corby and with assistance from Terry Robins.

**DPW REPORT – JOHN CUFARI**

- Mr. Cufari reported that the Wood Creek pump station has been inspected. Repairs were recommended. The cost for repairs was estimated to be in the range of \$8,000 to \$10,000. The Board agreed at the last meeting to budget \$856.00 per year to pay IIT FLYGT for maintenance of the pump station.
- 30 trees were planted.
- Mr. Cufari discussed a road recycling repair option that is less expensive than milling and paving. He will research it for another year.
- Stimulus money projects were discussed. Projects mentioned were to repair drainage at Monroe Avenue and Washington Road, install a new guard rail at the end of Austin Park, improve the Rand Creek banks, video the entire sanitary sewer system, and continue with improvements on Schoen Place.
- The project of moving the Howitzer Cannon is ongoing. Mr. Cufari reported that the Town has agreed to move it to the Village DPW and the crew will begin repairs.
- The crew has worked with the Town on Sunset Boulevard and will assist with roadwork on Line Street in June.

**SIGN REQUESTS**

- A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve a request for event signs from the First Presbyterian Church to advertise a concert as follows: one sign at the intersection of South Street and Route 96 and one sign on the southwest corner of the Four Corners near the Pendleton Store. Signs may be installed on July 18<sup>th</sup> and removed on July 22<sup>nd</sup>.

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

- A **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to approve a request for event signs made by the United Church of Pittsford to advertise a garage sale using a total of two signs. One sign may be placed at the Church's choice of two of the following locations: North Main Street and Washington Road, South Main Street and Jefferson Road, State Street and South Street. The signs may be erected on June 8<sup>th</sup> and removed on June 13<sup>th</sup> at the end of the sale.

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

**NON-MUNICIPAL USE PERMIT REQUEST**

The Board received a request for a non-municipal use permit from the Upstate New York Chapter of the Arthritis Foundation to hold the MVP Health Care Rochester Marathon event scheduled for Sunday, September 13, 2009 on the canal path along Schoen Place as indicated in an informational letter received and date stamped April 29, 2009. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve this request with the understanding that all safety measures included in the request letter will take place, with the condition that prior to the event, the Pittsford Fire Department and the Pittsford Volunteer Ambulance Corp will be notified, and with the condition that prior to the event, the USA Track & Field will provide the Village with a copy of a current Certificate of Insurance naming the Village of Pittsford as additional insured,

**Proceedings of a Meeting of The Village of Pittsford Board of Trustees  
May 12, 2009**

which certificate shall reflect a \$1,000,000 single limit of liability for bodily injury and property damage.

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

**EMPLOYEE HANDBOOK AMENDMENTS**

A **motion** was made by **Mayor Corby**, seconded by **Trustee Sherwood** to add the following regarding CDL licenses to Section 312 of the Employee Handbook:

**Reimbursement for Cost of Initial CDL License:** At a Board of Trustees meeting held on November 2, 1999, the Board voted to have the Village pay for employees to obtain their initial CDL license with the condition that the employee remains working for the Village for a minimum of two years after receipt of his/her CDL. If the employee leaves before that time, the cost of the CDL will be deducted from his/her last paycheck.

**Reimbursement for Cost of CDL License Renewal:** At a Board of Trustees meeting held on August 10, 2004, the Board voted to reimburse DPW employees the difference between the cost of renewing a regular driver's license and the cost of renewing a CDL license for license renewals submitted after June 2004.

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

**CONTINUATION OF A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN R-5 ZONING DISTRICT**

Mayor Corby noted that the Public Hearing to consider the adoption of an R-5 zoning district was a continuation. Members reviewed a revised draft of the proposed zoning. The following people spoke at the hearing: Mrs. Loder, 5 Elm Street, Mary Sgabellone, 9 Grove Street, Kathy Cufari, 5 Grove Street, and Peter Abele, 61 Sturbridge Lane Fairport, NY. General questions were asked regarding proposed development on the former Monoco Oil site and about future development of the present DPW property. Discussion included issues of density, ingress and egress for future development on the DPW site, and an explanation of the purpose for creating a new zoning district.

Frank Hagelberg, the Attorney representing Mark IV, a development company, addressed the Board of Trustees regarding his concerns with the proposed zoning district as it pertains to the Monoco site. Specific concerns were threefold: 1) specifications for the roadway, 2) the maximum number of dwelling units per acre, and 3) the approval procedure and the jurisdiction of the Board of Trustees and the Planning Board.

Mayor Corby responded that the road specifications were written as a result of the fact that the Village has experienced large expenditures due to maintenance of other roads that were built by private developers. Those roads were not built to specifications of a public road. Secondly, the density of the development on the Monoco site should be in keeping with the density of the rest of the village. Lastly, Mayor Corby clarified the order of the approval procedure. A Special Use application, accompanied by a preliminary site plan, will be made to the Board of Trustees. The proposal will be reviewed by the Planning Board and recommendations from the Planning Board will be submitted to the Board of Trustees. The Board of Trustees will vote on the Special Permit application. There will be two public hearings. One will be to consider a Special Permit. The second will be for site plan approval from the Planning Board. A site plan approval application will be made following the approval for a Special Permit.

**Proceedings of a Meeting of The Village of Pittsford Board of Trustees  
May 12, 2009**

Trustee Galli suggested that the zoning district should contain the same criteria for restaurants in this district as are in place for the central business district.

There being no one further to speak for or against the proposed R-5 zoning district, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to close the public hearing.

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

A **motion** was made by **Trustee Pierson, seconded by Trustee Sherwood** to approve the draft of the proposed R-5 zoning district identified as 5/12/09 B, to include the clarifications and changes that were discussed at this meeting.

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

**MOTION TO HOLD A PUBLIC HEARING**

A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to hold a public hearing at the May 26<sup>th</sup> Board of Trustees meeting to consider amending §210-2. Word usage and definitions.

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

**SEQR FOR NEW ZONING MAP**

The Board of Trustees completed Part 1 and Part 2 of the SEQR Full Environmental Assessment Form. Members determined that a new zoning map would not have an adverse impact on the environment. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** that after having reviewed the Full Environmental Assessment Form regarding the project of adopting a new zoning map, Board members concluded that a new map would not cause an adverse impact on the environment and a Negative Declaration will be prepared.

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

**PUBLIC HEARING TO CONSIDER THE ADOPTION OF A NEW AND AMENDED ZONING MAP**

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 to consider the adoption of a new and amended zoning map, hereafter known as proposed local law #10.

**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, May 12, 2009 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider a local law adopting a new and modified zoning map for the Village of Pittsford. A copy of the proposed zoning map 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:** Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes. **Motion carried.**

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

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

A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve the adoption of local law #10, a new and amended zoning map for the Village of Pittsford.

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

**Proceedings of a Meeting of The Village of Pittsford Board of Trustees  
May 12, 2009**

**PUBLIC HEARING – AMEND § 195-22. B (1) PARKING TICKET FINES**

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 the adoption of amendments to § 195-22. B (1), hereafter known as proposed local law #11 of 2009.

***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, May 12, 2009 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider a local law to amend Article V Miscellaneous Provisions, §195-22. B. (1) of the Code of the Village of Pittsford.*

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

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

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

A **motion** was made by **Trustee Pierson, seconded by Trustee Sherwood** to approve the adoption of local law #11, to amend the parking fines in § 195-22.B (1).

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

**PUBLIC HEARING – AMEND §165-23. PRIVATE SEWAGE DISPOSAL SYSTEMS**

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 to consider the adoption of amendments to §165-23. **Private Sewage Disposal Systems**, hereafter known as proposed local law #12 of 2009.

***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, May 12, 2009 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider a local law to amend §164-23. Private sewage disposal systems of the Code of the Village of Pittsford as follows: Remove: §164-23. A. (3) (a) and (b).*

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

Board members and Village Attorney John Osborn discussed which portions of this chapter should be amended. It was agreed that the possibility of having a septic system in the Village should be eliminated.

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

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

A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to approve the adoption of local law #12, to amend §164-23. Private sewage disposal systems.

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

**ERIE CANAL BOAT COMPANY REQUEST FOR NONMUNICIPAL USE PERMIT**

Mr. Peter Abele attended the meeting to request a nonmunicipal use permit to run his canoe and kayak rental business on Schoen Place in the same location as last season. The Board of Trustees is in favor of the business. Mayor Corby will write a letter of support to the Canal Corporation, a requirement needed by Mr. Abele in order to obtain a permit from the Canal Corporation. It was

**Proceedings of a Meeting of The Village of Pittsford Board of Trustees**  
**May 12, 2009**

noted that Mr. Abele will need to apply to the zoning board for a temporary permit. If approved, a Use and Occupancy Permit Agreement will be executed between the Village of Pittsford and the ECBC, Inc. The applicant has agreed to provide the Village with a copy of a Certificate of Insurance naming the Village as additional insured. The certificate will reflect a \$1,000,000 single limit of liability for bodily injury and property damage and must be current and on file prior to the start of his season.

A **motion** was made by **Mayor Corby, seconded by Trustee Pierson**, to approve writing a letter of support that Mr. Abele can submit to the Canal Corporation with his request for a permit and to approve the request for a nonmunicipal use permit to operate a canoe and kayak rental business from Schoen Place in the same location as last year during the 2009 season, with the condition that a Certificate of Insurance naming the Village as additional insured will be provided and will reflect a \$1,000,000 single limit of liability for bodily injury and property damage and will be current and on file in the Village Clerk's Office prior to the start of the season.

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

**MEMBER ITEMS**

- Mayor Corby will meet with Supervisor Carpenter and planner John Behan to discuss the Town's development plans for the northwest quadrant. Board members noted that the northwest quadrant parcel within the village limits is owned by Village tax payers. The Village Board emphasized that they wish to be cooperative, involved, and engaged as the development unfolds but in so doing, must protect the interest of Village residents as well.

Regarding Mr. Carpenter's request for the Village to pay \$14,550 towards the planning costs, the Board concurred that the money was not included in the budget this year. They further noted that the budget for the upcoming fiscal year is considerably constrained due to the current economic conditions.

- Mayor Corby said there is a work order in place with the RG&E to change the high pressure sodium lights on Monroe Avenue and in the Burdett lot to low wattage, metal halide lights with cut-offs that will prevent the light from spilling onto neighboring properties. The high pressure sodium lights were installed in error. There will not be a cost to the Village to replace the lights.
- The form of the award to be presented for the Village's Preservation Month award was discussed. It was decided that a plaque will be given to the winner and that framed certificates of commendation will be distributed to runners-up. Trustee Sherwood is coordinating award details with APRB member, Maria Huot.
- The Board received a complaint about the directory sign at the entrance to the Burdett lot. A few businesses have their name on the sign but not all businesses. Some that are on the sign are no longer in business. Since it is a public parking lot, it was suggested that either all business names be included or that the sign simply say *Public Parking*. Mayor Corby will look at the sign.
- Trustee Sherwood continues to work with the Building Inspector to arrange a meeting with the merchants regarding the dumpsters in the Burdett lot.
- A meeting was held with the owner of Breathe. Village Attorney Jeff Turner, Building Inspector Skip Bailey and Mayor Corby attended the meeting. The Attorney will send a memo to merchants explaining the approvals that have been granted in order to clear up many misconceptions surrounding this business. It was determined that the only difference in the Special Permit approval granted by the Board of Trustees is that the

**Proceedings of a Meeting of The Village of Pittsford Board of Trustees  
May 12, 2009**

owner changed from a domestic cooking stove to a commercial stove which required the addition of a hood with a fire suppression system.

- Mayor Corby suggested that the Board of Trustees review the draft of the Town's Comprehensive Plan.
- Trustee Galli reported that at the Leadership Meeting, members were told that there is a new communications director at the Town.
- It was noted that flyers advertising a village sidewalk sale to be held on Saturday, 5/16, are circulating. Flyers do not indicate who the sponsor/organizer of this sale is. Trustees said an event of this nature requires a permit.
- Trustee Sherwood said that the economic development committee will meet on June 4<sup>th</sup>. Trustee Pierson will be the liaison for this committee.
- It was noted that there have been many illegal signs in the village.

**MINUTES**

**April 28, 2009:** A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to approve these minutes as written.

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

**EXECUTIVE SESSION**

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

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

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

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

**ADJOURNMENT**

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

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Anne Z. Hartsig, Recording Secretary