

**PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**June 23, 2009 – 7:00 PM**

**Present:**  
**Mayor:** Robert Corby  
**Trustees:** Trip Pierson  
Tim Galli  
Paula Sherwood  
Steve Maddox  
**Treasurer:** Mary Marowski  
**DPW Superintendent:** John Cufari  
**Building Inspector:** Skip Bailey  
**Recording Secretary:** Anne Hartsig

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

**TREASURER’S REPORT – MARY MAROWSKI**

Ms. Marowski presented **vouchers for approval**. Vouchers listed on Abstract #2 were presented for approval. A **motion** was made **by Trustee Galli, seconded by Trustee Maddox**, to approve payment of vouchers listed in Abstract #2, and to charge them to the appropriate accounts.

General Fund (#9-#25, #27-#33):	\$ 13,838.85
Sewer Fund (#18):	\$ 22.26
<u>Canal Improvements Greenway Grant (#26, #32)</u>	<u>\$ 66,239.00</u>
<b>Total vouchers for approval:</b>	<b>\$ 80,100.11</b>

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

**Other Business**

- The NY Canal Corporation Greenway Grant has been extended to June 2010. 104 Contractor’s still has some work to complete. A telephone pole is scheduled to be moved in July. It was noted that it is Doug McCord’s responsibility to review the project and provide a “punch” list. Board members agreed that final payment should not be made until all items on the “punch” list have been completed. Therefore, a **motion** was made **by Trustee Galli, seconded by Trustee Sherwood** to extend the contract with 104 Contractors to September 15, 2009 so that all portions of the project can be completed. The Treasurer will contact Mr. McCord.  
**VOTE:** Corby – yes, Sherwood – yes, Galli – yes, Maddox - yes. **Motion carried.**
- The topic of purchasing insurance for the Village clock was tabled.
- Members discussed authorizing Mercantile Adjustment to place unpaid parking ticket information on individual credit reports. The treasurer reported that there is no cost for this. A **motion** was made **by Trustee Galli, seconded by Mayor Corby** to allow Mercantile Adjustment to post delinquent parking tickets on the credit report of the person who owes payment.  
**VOTE:** Corby – yes, Sherwood – yes, Galli – yes, Maddox - yes. **Motion carried.**
- The Treasurer reported that the final State Equalization Rate for the 2009 Assessment Roll is 100.63.

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- Mayor Corby said that the owner of any property located within the sewer district must be billed for sewer rent. The Board was in agreement. He will call the owner of 34 and 34 ½ State Street to discuss this with him. A follow up letter will be sent.

**Budget Information**

- A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve the 2008/09 year end budget transfers as submitted by the Treasurer.
- For the 2009/10 fiscal year's budget, members discussed the pros and cons of consolidating some of the budget categories as opposed to having so many different line items. The Treasurer emphasized that if the change is made, it would be too time consuming to change it back. The Board will look at the budget detail and consider the idea of collapsing some of the line items into main categories.
- The Treasurer presented the 2008/09 year end recap. There is a \$22,422.48 deficit in the General Fund. The Treasurer reviewed a listing of categories that presented revenue shortfalls and expenditure overages which brought about the unanticipated deficit in the General Fund. Ms. Marowski also mentioned that truck grant monies were received at \$23,000 less than expected due to a change in total recycling usage of the vehicle. This situation helped to add to the deficit. There is an \$18,875.45 surplus in the Sewer Fund. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to allocate the surplus Sewer Fund monies of approximately \$10,000 to the Woodcreek pump station repairs and to allocate the remaining balance to the Vehicle Repair Reserve.  
**VOTE:** Corby – yes, Sherwood – yes, Galli – yes, Maddox - yes. **Motion carried.**
- The Capital Fund is not closed out and will roll over to the next project.

**Trustee Pierson entered the meeting at 7:50 PM.**

**PUBLIC HEARING: PROPOSED LOCAL LAW #13: DELETE ARTICLE VI, MR MUTIPLE RESIDENCE DISTRICT AND ARTICLE XIII M-2 SPECIAL MIXED USE DISTRICT**

Mayor Corby explained that the M-2 District has now become the R-5 District and the MR District has become redundant now that there is an R-5 district. 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, Maddox – yes, Pierson – 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, June 23, 2009 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider a local law to delete Article VI, MR Multiple Residence District and Article XIII, M-2 Special Mixed Use District from the Code of the Village of Pittsford.*

Board members discussed the possibility that there may be references in other sections of the Code to the MR and the M-2 District. If so, they will need to be deleted from the Code. The Village Clerk will research this.

Having received all comments from the Board, and there being no one else present to speak for or against this local law, a **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to close the public hearing.

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

A **motion** was made by **Trustee Maddox, seconded by Trustee Sherwood** to approve the amendments to the Village Code as stated in the legal notice.

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

**§210-2 WORD USAGE AND DEFINITIONS**

The Board reviewed proposed additions to the above chapter. After all comments were heard and discussed, the Members agreed to move ahead with the public hearing that was voted upon at the June 9<sup>th</sup> meeting. Therefore, the Village Clerk will submit a legal notice to the paper for publication to announce a public hearing to be held on July 14<sup>th</sup> to consider the adoption of a local law to amend §210-2 as discussed at this meeting.

**BUILDING INSPECTOR’S REPORT – SKIP BAILEY**

Mr. Bailey reported that the new house at 43 A Rand Place is complete and that the pool at 43 B Rand Place has been demolished and filled in. His report included a quote for a municipal lease of a trash compactor. Mr. Bailey said a 6” X 6” bollard has been installed at the ESL driveway and it appears to be effective in keeping exiting drivers from turning left onto Church Street. Mayor Corby discussed complaints he has received regarding the directory sign at the Monroe Avenue entrance to the Burdett lot. This sign was approved in the late 1990’s. Approval was granted for advertising purposes for those businesses that did not have street exposure. Since that time, some of the businesses are no longer in existence. Mayor Corby talked with Jim Burdett. Mr. Burdett agreed to allow the Village to put a larger, more readable “public parking” sign in that location so that it is clear that the lot is available for parking to all patrons who shop in the village. Trustee Sherwood will look into obtaining price quotes for a sign.

Mr. Bailey presented a report containing information on the number of participants in the yoga classes held at Breathe Yoga, 19 South Main Street. This report was based on personal observations of classes on 5 days beginning June 16<sup>th</sup> through June 22<sup>nd</sup>. In addition, Mr. Bailey reviewed actual verified business records provided by the owner. Compliance with a special permit that was issued for the business in 2002 has been questioned due to cooking that is now taking place. Mr. Bailey included a copy of the current menu and the schedule of cooking classes listed on the back of the menu.

Board members discussed which board should determine whether or not this business is in compliance with the Special Permit, the PZBA or the Trustees. Mayor Corby said that the Board of Trustees is the enforcement board. He said the reports that Mr. Bailey presented should be shared with the PZBA.

Members discussed a sending follow-up letter or meeting with merchants once the compliance issue has been decided. Village Attorney John Osborn will be involved in future determinations.

**FOLLOW-UP ON BURDETT LOT DUMPSTER MEETING – TRUSTEE SHERWOOD**

A meeting was held on June 17<sup>th</sup> to discuss the many problems associated with the dumpsters and trash in the Burdett parking lot. Attendees were merchant representatives, lot owner Jim Burdett, Building Inspector Skip Bailey, DPW Superintendent John Cufari, Trustee Sherwood, and Joe Cook from Mullen Corp. who was there to discuss trash compactors. There are some dumpsters and totes in the lot that do not have permits. There are some dumpsters that are continually surrounded by spilled garbage and they are not being maintained by the user. None of the

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dumpsters in the lot are in compliance because none of them are enclosed. Mr. Bailey reported to the group about the possibility of the Village purchasing a trash compactor that could serve all of the businesses and could eliminate the need for so many dumpsters. The businesses would be charged a fee and would have access via a key card system.

Board members discussed the results of the dumpster meeting and the pros and cons of purchasing a trash compactor. Members would have to decide if they want to enter into the trash collection business. The Village office staff would be responsible for billing and collecting payments from the users. Mr. Bailey was asked to obtain all costs including the compactor itself, installation of the compactor, a concrete pad, installation of electric service and any other associated costs.

Some members stated that until a permanent solution can be found, the current code should be enforced. If businesses do not comply by obtaining a permit or enclosing their dumpsters, the Village should have the dumpsters removed.

After much discussion, Mr. Bailey was asked to write a letter to all of the Burdett lot tenants and to the owners of Ben & Jerry's. The letter should inform the owners that the Village is working on a permanent solution. It should also include the pertinent section of the Village Code and a notice that citations will be issued to businesses whose garbage is spilling onto the ground. It should also note that if necessary, an appearance ticket will follow. Mr. Bailey was asked to send a copy of the letter to Mr. Burdett.

**DPW REPORT - JOHN CUFARI**

- Expenditure decisions about 2009/10 fiscal year budget items that include the tractor, the Burdett lot fence and guardrail, and the Village Hall painting, will be made after the August sales tax check has been received. Mr. Cufari will contact the Mayor or Trustee Maddox if purchases are necessary.
- Mr. Cufari will purchase two "walk your bike" signs instead of two pedestrian crossing signs.
- The village sidewalk program is beginning and will continue through the construction season.
- There have been unauthorized excavations on the Powers' property. Mr. Bailey will be asked to send a letter of violation to Mr. Powers. Soil that was covering the Village sewer line was removed during the excavation and must be replaced to protect the sewer line.
- Mr. Cufari reported on the meeting he had with DOT's representative Dave Goehring. He told Mr. Goehring about the extreme traffic back-ups on Main Street. Mr. Goehring doesn't know the reason for these back-ups but said that the DOT will investigate the Four Corners intersection and the South Main Street/Jefferson Road intersections. At the request of a village resident, Mr. Cufari asked the DOT to put hash markings on Jefferson Road near Heatherhurst Drive for safety reasons. The DOT is not willing to do that. A "Do Not Block Side Road" sign is in place. Trustee Maddox will report to the resident.

Trustee Maddox was excused at 10:10 PM.

**MEMBER ITEMS**

- Mayor Corby told the Board that he spent a full day writing a grant offered by the Empire State Development Corporation in the hopes of obtaining funds in the amount of

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approximately \$300,000 to match funds received from the Division of Coastal Resources grant. If awarded, the last phase of the Schoen Place project could be completed.

- Mayor Corby explained that the lock on the pocket doors leading to the Board room was broken. Tom McKenna, a contractor who specializes in historic buildings, fixed the lock at no charge. He recommended that both sets of doors have further repairs. The doors are rubbing on the trim causing them to be damaged. His estimated cost to repair both sets of doors was between \$1000 and \$2200. This repair will be considered some time in the future.
- The 2009 Historic Preservation awards will be given at the APRB meeting on July 6<sup>th</sup>.
- Trustee Pierson said that the Sutherland High School art department inquired about having the art department paint a mural under the State Street Bridge next school year. He will investigate this idea with the DOT.
- Trustee Galli reported that the Sheriff's office is aware that commercial vehicles are traveling too fast through the central business district. They will be patrolling.

**APRB APPLICATION FEE**

Members discussed increasing the fee for projects that were completed prior to obtaining approval. A **motion** was made **by Mayor Corby, seconded by Trustee Sherwood** to revise the official fee list by increasing the fee for "Construction Prior to Issuance of a Permit" from a \$50.00 minimum to \$200.00 minimum payment.

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

**MINUTES**

**June 9, 2009:** A **motion** was made **by Trustee Galli, seconded by Mayor Corby** to approve these minutes as amended.

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

**ADJOURNMENT**

Mayor Corby adjourned the meeting at 10:45 PM.

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Anne Z. Hartsig, Recording Secretary