

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
February 23, 2010 – 7:00 PM

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

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

TREASURER’S REPORT – MARY MAROWSKI

The Treasurer presented vouchers listed on Abstract #13 for approval. A **motion** was made by **Trustee Galli, seconded by Trustee Maddox**, to approve payment of vouchers listed on Abstract #13 in the amount stated below, and to charge them to the appropriate accounts.

| | |
|-------------------------------------|---------------------|
| General Fund (#414-#432): | \$ 18,598.44 |
| Sewer Fund (#421): | \$ 22.60 |
| Total vouchers for approval: | \$ 18,621.04 |

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

Other Business

- The status of bank accounts was presented.
- Outstanding sewer rent payments to date is \$13,164.42.
- A check for delinquent property taxes in the amount of \$11,148.84 is expected from Monroe County in the month of March.
- A sales tax distribution comparison chart was presented.
- Members discussed the completion of the remaining tasks that are necessary before the new website can be launched.

DPW REPORT – JOHN CUFARI

Incident Management Policy: The Superintendent compared the proposed policy with language in the employee handbook. He said the policy language is stronger than the language in the handbook. The most significant difference is that all accidents will involve drug testing rather than only those in which there is a fatality, an injury requiring medical treatment away from the scene, or a vehicle towed away from the scene. A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to adopt the Incident Management Policy with the condition that language in the Employee Handbook will be amended to reflect the same language contained in the Incident Management Policy.

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

Trustee Sherwood suggested that the policy be reviewed in one year. The Board agreed.

Other business:

**Village of Pittsford Board of Trustees Meeting
February 23, 2010**

- Mr. Cufari was pleased with the engine work done by Monroe County on the 1994 Ford dump truck. The DPW will work on the body of the truck.
- The department is fixing the wood style garbage can holders. Board members agreed that the holders look like brand new. They thanked Mr. Cufari for this cost savings effort.
- An attempt was made to clean the swale adjacent to Bob Ford Little League Field. Mr. Cufari reported that the crew was not successful and will try again in the summer when conditions are dryer.
- The department replaced the fuel tank on the sweeper which saved labor costs.
- A downspout on the Village Hall is being repaired. It was discovered that some of the heat tapes have been severed and are no longer working. Mr. Cufari will contact Tambe Electric, who installed the tapes originally, to see what will be required to either repair or replace them.
- The canal bulkhead is eroding. Engineer Scott Harter and Geo Tech Ray Teeter are examining the area to determine how to fix the problem. Mr. Teeter is a rock mechanics specialist. A possible cause for the erosion is wave action caused by larger boats as they maneuver in that area. It was reported to the Board at the last meeting that the *Colonial Belle* stopped in the village last year to board and disembark passengers without obtaining a permit. Trustee Maddox will contact the owner of the *Colonial Belle* to see what the plans are for the upcoming boating season.
- Mr. Cufari said that while looking at the Canal Authority website, he noticed that the list of amenities offered by the Village of Pittsford should be updated. Mayor Corby will contact Carmella Mantello's office to ask about the process for updating our information.
- Members discussed purchasing another life ring to be located near the east pavilion. Mr. Cufari will walk the area to determine other spots that might need a life ring. Another option that was discussed was the installation of a cable along the wall on the village side of the canal. The Clerk will contact Peter Abele who ran a kayak rental business the last two years, to see what his plans are for the upcoming boating season. The stairs he was using for his business have not been removed and are a possible means of egress from the water.
- Other issues mentioned on Mr. Cufari's written report were new CDL regulations regarding texting while driving, a tree removal at 10 Boughton Avenue, manhole removals at Boughton Avenue and State Street and one at South Street and Church Street, our fuel prices compared to school district fuel prices, an exterior light replacement at the DPW garage, the need for fuel tank hose upgrades for compliance reasons, and notification that the road and sidewalk plan was placed in the Trustees' mailboxes.

JEFFERSON ROAD PRELIMINARY ENGINEERING STUDY

Trustee Maddox discussed this project with Engineer Scott Harter. Mr. Harter will provide a scope of the project and more detailed drawings of the area. The plan that is created could be used for grant applications, discussions with the DOT, and as a long range plan for that corridor that can be implemented in phases.

NON-MUNICIPAL USE PERMIT REQUEST

The Village Board received an email request from Peter Carpenter for permission to play his guitar on Schoen Place on an occasional basis during the summer months. Mr. Carpenter plays on a not-for profit basis. However, if any proceeds are garnered, he purchases canned goods for a food cupboard.

Members discussed this application. It was noted that approval was granted last year with the condition that a certificate of liability insurance was to be provided naming the Village as

**Village of Pittsford Board of Trustees Meeting
February 23, 2010**

additional insured. The certificate was never submitted. Members discussed the advice of the Village's insurance agent and the Village attorney. The advice was that the certificate is standard procedure for non-municipal use permits and is necessary to protect the liability of the Village. Therefore, a **motion** was made **by Trustee Maddox, seconded by Trustee Galli** to issue a non-municipal use permit to Mr. Carpenter after a certificate of liability insurance naming the Village of Pittsford as additional insured has been received and filed in the office of the Village Clerk. The certificate must reflect a \$1,000,000 single limit of liability for bodily injury and property damage and must be current. Other conditions of approval on the permit will be as follows:

1. Playing the guitar must be a not-for-profit making venture to avoid contractual obligations with the NYS Canal Corporation.
2. The applicant may not play after 10 P.M.
3. The applicant may not play in any location that will obstruct the public way.
4. It will be necessary to request another non-municipal use permit in 2011 if the applicant desires to play his guitar in a Pittsford village location during that season.

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

LOCAL LAW #1 OF 2010 – AMEND § 210-6

Members discussed the amendment to this section of the Code. It was noted that the reference to standards set forth in §210-113 B. (2) (a) did not include [5] and [6]. Attorney Turner indicated that it was an oversight and that those numbers should be included in the amendment to the Code.

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.

**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, February 23, 2010 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY, to consider the adoption of Proposed Local Law #1 of 2010, which local law would amend §210-6. Nonconforming buildings, structures, lots or uses. 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: Corby – yes, Galli – yes, Sherwood – yes, Maddox – yes. **Motion carried.**

Attorney Frank Hagelberg stated that he agreed that the law should include [5] & [6] as part of §210-113 B. (2) (a).

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

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

A **motion** was made **by Trustee Galli, seconded by Mayor Corby**, to approve the adoption of proposed Local Law #1 of 2010, amending §210-6 as presented, with the addition of numbers [5] & [6] to §210-113 B. (2) (a), letter I. Special Exception Use Permits.

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

TEMPORARY SIGN REQUEST APPEAL – PITTSFORD COOPERATIVE NURSERY SCHOOL

At the February 9, 2010 meeting, Pittsford Cooperative Nursery School was granted approval to display a temporary sign on the lawn in front of the First Presbyterian Church office on Church Street from March 7th to March 14th. The Nursery School appealed that decision and asked for an

**Village of Pittsford Board of Trustees Meeting
February 23, 2010**

extension for the allowed time of display from February 23rd through the end of March. The Board of Trustees considered the appeal and discussed the issues of precedent and consistency. A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to deny the appeal made by Pittsford Cooperative Nursery School for an extended display time and to uphold the decision made on February 9, 2010 in regards to that sign.

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

TEMPORARY SIGN REQUEST – FRIENDS OF THE PITTSFORD LIBRARY

The Board received a request from the Friends of the Pittsford Library to install a banner in front of the library entrance for a period of 18 days and to place 2 temporary signs at opposite corners of the Four Corners from April 23rd to May 3rd. The purpose of the banner and signs is to advertise the Semi-Annual Book Sale. It was noted that there is a location conflict with an event sign that was previously approved regarding the southwest corner of the Four Corners. That sign will be on the southwest corner from 4/23 to 4/25.

In compliance with the Village Code, §168-12 A. (1) (d), a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve the installation of a banner above the front entrance of the library for a period of two weeks prior to the event beginning April 16th and ending two days after the event on May 4th, and in accordance with Village Code §168-12 A. (2), to approve two signs, one on the southeast corner and one on the northwest corner of the Four Corners, for seven days prior to the event until two days after the event, from April 24th until May 4th, 2010.

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

TEMPORARY SIGN REQUEST – UNITED CHURCH OF PITTSFORD

The Board received a request from the Publicity Committee of the United Church of Pittsford for signs to advertise church suppers that will be held on April 10, and October 23, 2010. Regarding the April 10th supper, a **motion** was made by **Trustee Maddox, seconded by Trustee Sherwood**, in accordance with Village Code §168-12 A. (2), to approve the use of one sign at the intersection of South Main Street and Jefferson Road and one sign on the northwest corner of the Four Corners from April 4th until April 12th, 2010.

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

Regarding the October 23rd supper, a **motion** was made by **Trustee Maddox, seconded by Mayor Corby**, in accordance with Village Code §168-12 A. (2), to approve the use of one sign at the intersection of South Main Street and Jefferson Road and one sign on the northwest corner of the Four Corners for up to seven days prior to the event until two days after the event, from October 16th until October 25th, 2010.

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

RAND PLACE – TRUSTEE GALLI

Trustee Galli presented a draft letter to be sent to Rand Place South residents as a result of the January 2010 survey. The mailing will include survey results. The letter suggests another meeting to discuss the next steps in the process of mitigating traffic issues. Members approved the draft and hope to hold the meeting on March 13th. When a specific date has been determined, Trustee Galli will ask Linda Habeeb to be responsible for the mailing. Regarding Rand Place North, Mayor Corby and Trustee Sherwood will schedule a meeting with Sally Schrecker at St. Louis Church to discuss general Rand Place topics of concern.

LYTLE PROPOSAL

The Board discussed the liability portion of the proposed contract submitted by Paul Lytle to act as project manager on behalf of the Village during the development process of 75 Monroe

**Village of Pittsford Board of Trustees Meeting
February 23, 2010**

Avenue and to protect the Village's interest regarding the environmental review process. Trustee Maddox will consult with Gary Wilkins, the Village's insurance agent, about a reasonable amount of coverage for projects such as this. He will then contact Mr. Lytle to discuss specific word changes suggested by Attorney Turner.

MEMBER ITEMS

- **Newsletter:** Trustee Sherwood said that Kim Corby has all of the articles for the next newsletter with the exception of the articles that Mayor Corby intends to write. Mayor Corby asked for a draft of the newsletter.
- **Time Warner:** Trustee Galli said that a draft letter written by Mike Caton from Computel Associates should have been sent to Mayor Corby. Once received, the Board will review the draft. If approved, it will be sent as a response to the 1/26/10 letter from Time Warner Cable regarding the terms of our franchise agreement. Mayor Corby has not received the draft and will contact Mr. Caton.

MINUTES

February 9, 2010: A **motion** was made by **Trustee Galli, seconded by Mayor Corby**, to approve these minutes as written.

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

EXECUTIVE SESSION

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

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

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

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:40 PM.

Anne Z. Hartsig, Recording Secretary