

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
October 23, 2012 – 7:00 PM

Present

Mayor: Robert Corby
Trustees: Tim Galli
Paula Sherwood
Lorie Boehlert
Trip Pierson
Treasurer: Mary Marowski
DPW Superintendent: Doug Yaeger
Building Inspector: Kelly Cline
Recording Secretary: Anne Hartsig

CALL TO ORDER

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to call the meeting to order at 7:07 PM.

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

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski presented vouchers listed on Abstract #010 of 2012/13 fiscal year for approval. A **motion** was made by **Trustee Galli, seconded by Mayor Corby**, to approve payment of vouchers listed on Abstract #010 in the amounts stated below and to charge them to the appropriate accounts.

Abstract #010 – 2012/13

General Fund (#251-#259, #261-#272, #274-#288):	\$21, 288.30
Sewer Fund (#260, #264, #279)	\$ 65.42
Canal Improvements (#273)	<u>\$ 3,784.00</u>
Total vouchers for approval:	<u>\$25,137.72</u>

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

Other business:

- Bank balances were presented for the Board’s reference.
- Ms. Marowski reported that the Village received a check for \$5,000 for the DPW truck that was sold at auction.

BUILDING INSPECTOR’S REPORT – KELLY CLINE

Ms. Cline submitted a written report dated 10/19/12. She discussed the following:

- A variance from the NYS Building Code was granted for 30 Locust Street at a hearing held on October 18th. APRB approval will be needed for the Hardy Board siding and for the sprinkler system.
- A building permit was issued for kitchen and bath renovations at 66 South Main Street. New windows were also installed. APRB Chairman Paul Zachman visited the site and determined that the windows did not need APRB approval.
- Inquiries have been made regarding utilities for property at 43 B Rand Place. Sewer and water is located at the street but a lateral may be needed from the site of any new home to the street. Doug Yaeger is looking into it and will inform Ms. Cline.

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- A potential buyer and her attorney have requested a copy of a C of O for a deck that was added at 3 Village Grove in the 1980's. Village files do not contain a C of O for this deck. The buyer will be informed.
- A potential buyer for property at 15 Austin Park would like to put up a garage. Ms. Cline has reviewed the setbacks and any prior variances that may have been issued. She said a garage would require a variance.
- A complaint was received from a renter living at 54 Monroe Avenue. He asked for an inspection of the premises, followed by a letter because he believes there are violations and he is having a dispute with his landlord. Ms. Cline will hold firm to the normal procedure.
- A request for a letter of condemnation was received from Bryan Powers regarding the buildings at 75 Monroe Avenue. The building has been used by the fire department for training and it has been deemed unsafe. Village Board members agree that the letter should be written. Ms. Cline will write the letter and it will be signed by the Village Clerk and forwarded to the appropriate State agency and delivered to Mr. Powers.
- Ms. Cline received an inquiry about locating a restaurant with a drive thru at 14 South Main Street. It was noted that a restaurant may be permitted under a special permit but a drive thru would not be permitted. She will report to the inquirer.
- Ms. Cline spoke to the owner of Fido's. He is running a doggie Day Care in his building at 25 State Street. He is also leasing a portion of the building to someone who is conducting a dog training facility in the evenings. Mayor Corby stated that the code requires front door accessibility. Currently you cannot access Fido's by the front door. The owner is also asking for a fence in the front yard. Mayor Corby said the owner must appear before the APRB to make sure the fence is an appropriate style. He also said the front yard must be grass, not gravel. He said the Doggie Day Care is an issue because of the number of dogs, the noise, trash, and excrement concerns. He said the owner must appear before the Planning Board for a special use permit to run the Doggie Day Care. If approved, he must appear before the APRB for fence approval. Ms. Cline noted that if there are two independent businesses within that building operating at the same time, there must be a fire separation wall. Mayor Corby said that the condition of the exterior of the building must be taken up with the building owner and a letter should be sent to that person regarding outstanding violations at all of his properties. Ms. Cline will research the former building inspector's files to see what violations there are.
- A list of permits and C of O's that have been issued during the week was submitted.
- Ms. Cline said Fritz Gunther was requesting to be included as an authorized electrical inspector in the code. Ms. Cline will make a suggestion on language to update the pertinent code section.
- Mayor Corby listed the following issues/violations that are in need of attention:
 - A railing has been removed without approval from a house owned by Blackwell Properties. The house is on State Street.
 - The home at 18 Washington Road finally has new posts but there are no railings.
 - The gas station on Monroe Avenue across from Village Green has old tires covering up the stump of a light post which needs to be capped. There is a mobile bill board truck that needs to be removed and inspection signs covering the dormer windows. The owner must appear before the APRB to find an appropriate location for the NYS Inspection signs.
- Ms. Cline is preparing a list of "due for inspection" letters to be mailed out.

INSURANCE POLICY DISCUSSION – TRUSTEE GALLI

The Village received a quote for a policy that would cover them in the event of a data breach involving lost or stolen financial, medical, or non-public information. Members discussed the cost of the insurance

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versus the level of vulnerability for these kinds of records. Members concluded they may revisit this insurance option in the future.

TEMPORARY EVENT SIGN REQUESTS – PITTSFORD NURSERY SCHOOL

The Village Board received two requests for temporary event signs from Pittsford Nursery School. A **motion** was made by **Mayor Corby**, **seconded by Trustee Sherwood** to approve the requests as follows:
For the Holiday Market:

- One sign on the southwest corner of the intersection of South Main Street and Jefferson Road
- One sign on the southwest corner of (bank corner) of State Street and South Street
- Signs may be installed on 11/10/12 and removed on 11/17/12

For the Open House:

- One sign on the southwest corner of the intersection of South Main Street and Jefferson Road
- One sign on the southwest corner of (bank corner) of State Street and South Street
- Signs may be installed on 1/16/13 and removed on 1/13/13

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

A local law to amend the code in regards to temporary event signs will be considered at a public hearing on November 13th. If the local law is passed, the Village Clerk will send notification letters to the organizations who request temporary signs on a fairly regular basis so they will be aware of the changes.

SECTION 41 J – CONTINUED DISCUSSION

At a meeting held on October 9, 2012, the Village Board unanimously passed Resolution #16, which resolution is a retirement benefit allowing a maximum of 165 unused sick days to be used towards service credit in the State Retirement System. The current employee handbook states that a maximum of 150 days may be accumulated. The two are in conflict. Therefore, a **motion** was made by **Trustee Galli**, **seconded by Trustee Sherwood**, to authorize the Village Clerk to amend the employee handbook to state that the Village will follow the State's Section 41 J benefit to allow a maximum of 165 unused sick days for Tiers 1-5 and a maximum of 100 unused sick days for members in Tier 6 to be used toward service credit.

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

NYSERDA REBATES

The New York State Energy Research and Development Authority is making funds available to encourage small municipal governments to replace inefficient appliances and equipment with energy efficient ones. Rebates from this program will pay up to 75% of eligible products. The Village Board would like to take advantage of this program for lighting needs at the DPW. Trustee Boehlert reported that Superintendent Yaeger is putting a proposal together and NYSERDA will do an energy audit at the DPW. It was noted that program funding is available on a first come, first served basis until funds are exhausted or until February 1, 2013, whichever comes first.

MEMBER ITEMS

- Mayor Corby received a letter from a resident on Heatherhurst who reported that the two stop signs that were installed in that area have been repeatedly pulled from the ground and left on neighbor's lawns. Mayor Corby stated that the signs have now been set in concrete.
- Mayor Corby received two letters from Robert Seidel. The first is regarding the Village's responsibility to enforce pedestrian crossing sign laws. The signs are often ignored by drivers.

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The second is a copy of a letter sent to the St. Louis Parish Council regarding the Church's decision to sue the Village, sent for informational purposes. Mayor Corby said he discussed with Mr. Seidel the pedestrian crossing signs and other traffic calming measures that the Village has attempted to put in place. Trustee Galli will discuss the enforcement issue with the Zone Captain from the Sheriff's office to see if anything more can be done. The Board discussed installing three pedestrian crossing signs in each location, one on each side and one in the middle. However, they concurred it would be a lot of signs and it wouldn't be practical in all locations. Mayor Corby will talk to Steve Ferranti to see if a solution might be included in the plan that will be written as a result of the UPWP grant funding.

- Members discussed Civil Service Section 42 (2) in regards to competitive positions.
- Members discussed a letter received by the Superintendent of Schools, Mary Alice Price. The writer, a Sutherland Street resident, asked for a crossing guard at the intersection of Jefferson Road and South Main Street. Members agreed that there are many dangerous intersections in the village. Trustee Galli said he reminded Ms. Price that the DOT is not interested in changing that intersection. Ms. Price said she would talk to DOT representatives. Mayor Corby would like to be included in any future discussions about the Sutherland/Jefferson Road intersection. Trustee Boehlert said she would contact the resident to discuss the issue of a crossing guard at Jefferson Road and South Main Street with her. Trustee Sherwood said the Village used to employ a crossing guard at the intersection of Jefferson Road and Sutherland Street. Members discussed reasons that position was discontinued.
- Members were reminded that on December 11th, there will be a vote on the improvements to the school athletic fields and on lights for the fields.
- Mayor Corby will contact Robert Ament regarding his request for an outhouse facility closer to the canal path. Trustee Boehlert designed a facility and stated that it would have to be three feet back from the canal path. Members are not in favor of having a restroom facility that close to the towpath. They discussed a possible location for a permanent restroom facility. However, the suggested building and location is privately owned.

MINUTES

September 24, 2012: A **motion** was made by **Trustee Pierson**, seconded by **Trustee Sherwood**, to approve these minutes with amendments.

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

October 16, 2012: A **motion** was made by **Trustee Sherwood**, seconded by **Trustee Pierson**, to approve these minutes as written.

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

EXECUTIVE SESSION

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

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

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

UNION CONTRACT

A **motion** was made by **Mayor Corby**, seconded by **Trustee Galli**, to approve the terms written in the Collective Bargaining Agreement between the Village of Pittsford and the Teamsters Local 118 dated

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June 1, 2012 to December 31, 2013, including a change to Section 12.1 (b) to allow Tier 1-5 employees to accrue a maximum of 165 days of unused sick time and Tier 6 employees to accrue a maximum of 100 days of unused sick time rather than the 150 days as currently written in the proposed agreement, in order to provide the New York State Retirement System Benefit known as Section 41 J to Village of Pittsford employees.

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

Mayor Corby will contact Attorney Lippett to inform him that the Board approved the contract.

ADJOURNMENT

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to adjourn this meeting at 9:30 PM.

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

Anne Z. Hartsig, Recording Secretary