

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
April 9, 2013 – 7:00 PM

Present

Trustees: Tim Galli
Lili Lanphear
Lorie Boehlert
Stacey Freed

Attorney: Jeff Turner

Treasurer: Mary Marowski

DPW Superintendent: Doug Yaeger

Building Inspector: John Limbeck

Recording Secretary: Anne Hartsig

Absent: Mayor Robert Corby

CALL TO ORDER

Deputy Mayor Galli called the meeting to order at 7:05 PM stating that the record should show that no one had heard from Mayor Corby.

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski presented vouchers listed on Abstract #20 of 2012/13 fiscal year for approval. A **motion** was made **by Trustee Galli, seconded by Trustee Boehlert**, to approve payment of vouchers listed on Abstract #20 in the amounts stated below and to charge them to the appropriate accounts.

Abstract #20 – 2012/13

General Fund (#542-#566):	\$51,458.88
Sewer Fund (#559):	<u>\$ 41.58</u>
Total vouchers for approval:	\$51,500.46

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

Other Business:

- Bank balances were presented.
- The Treasurer reported that the current budget has \$3500 targeted for an internal audit by an accounting firm. Board members agreed to move forward with the audit.

DPW REPORT – DOUG YAEGER

Mr. Yaeger presented a breakdown of a proposed work schedule covering the month of April through the month of September. The schedule indicated the number of hours projected for weekly duties and the projects that are planned for each month. Trustee Galli asked how the priorities have been set. Mr. Yaeger said he does not anticipate having to work overtime in the summer with the exception of care for the flowers, any special events or emergency situations. He noted that if a special event or project becomes the priority, some of the usual chores and duties will not be done during that time. He said the Village has a strong working relationship with the Town noting however, that the Village is at the mercy of the Town’s schedule. For example, he said repairs to Church and Locust Streets are scheduled for July. The Village will need to borrow equipment but will have to work around the Town’s schedule if Town equipment is to be borrowed. Mr. Yaeger said for the next two months, the Jefferson Road project would be the priority.

Mr. Yaeger told the Board that the truck that was recently purchased from the Town needs to be painted. He received two quotes and recommended Hawk Frame & Axel to do the work. A third quote is

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expected. Trustee Galli noted the village must follow the purchasing policy. It was suggested that there could be a special meeting to decide who will paint the truck when the third quote has come in.

Mr. Yaeger has received two quotes for portable toilets and is waiting for a third quote. It was noted that the portable toilet should be in place by April 15th. Trustee Boehlert suggested that Mayor Corby and Trustee Freed could work together on an enclosure design for the toilet and on obtaining quotes for the cost of the enclosure.

Other reported items were:

- The grassy area at Village Lane has been cleaned up. The placement of picnic tables and benches in that area as a community service was discussed. Mr. Yaeger was asked to research prices for tables and benches.
- Mr. Yaeger is getting prices on top soil, both screened and unscreened, to repair and reseed village lawns following damage that occurred from the sidewalk plow this winter.
- The pedestrian crossing signs are in place. One sign was hit within the first couple of hours.
- The speed sentry is being used and will be rotated around the village to different sites.

BUILDING INSPECTOR'S REPORT – JOHN LIMBECK

- Mr. Limbeck presented a written report updating the Board of Trustees on the status of both commercial and residential properties including the Erie Grill on North Main Street, Chase Bank at 31 State Street, and 23 Boughton Avenue.
- Mr. Limbeck completed mandatory recertification training for building officials and noted that six more hours of training is required.
- Mr. Limbeck gave a status report regarding various issues at 75 Monroe Avenue including the canal bank clear cutting situation, and the CSX drainage issue. He noted that he will be meeting with the developer's on-site project manager several times per week. A formal schedule will be created when site plan approval is received.
- The contract with KCIT Technologies for independent building inspector and code enforcement services for 75 Monroe Avenue has been canceled. A new proposal has been submitted.
- Mr. Limbeck discussed administrative issues with the Trustees including building permit forms, liability insurance forms, the updating of the Design and Construction Standards, and necessary internet access.
- The Board reviewed a submitted proposal for professional services as dedicated building inspector/code enforcement officer for the Westport Crossing project at 75 Monroe Avenue. Trustee Galli said it would require review by the Village Attorney and by Mayor Corby. Following those reviews, the next step would be to consider adoption of the proposal.
- Mr. Limbeck explained the back-up plan for times when he will be out of the office.
- Mr. Limbeck was asked to look into unapproved benches that have been placed on the canal side of Schoen Place near one of the businesses.

NON-MUNICIPAL USE PERMIT FOR TOWN OF PITTSFORD EVENTS

The Board of Trustees received a request for a non-municipal use permit for the Memorial Day Parade which will be held on May 27th, 2013. A **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to issue a non-municipal use permit to the Town of Pittsford for the annual Memorial Day Parade on May 27th with the condition of proof of insurance as follows:

- The Village Board requires a copy of a Certificate of Insurance naming the Village of Pittsford as additional insured **on a primary and noncontributory basis** for those 2013 Town of Pittsford events that will be held within the village limits as described on the Tentative Events List submitted with the request letter dated March 25, 2013. The Certificate of Liability Insurance

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must reflect a \$1,000,000 single limit of liability for bodily injury and property damage and must contain the words “**on a primary and noncontributory basis**”.

- A copy of the actual endorsement of the insurance policy is also required. The endorsement document must list the policy number and set forth the Village of Pittsford as an additional named insured. The endorsement document does not need to include the words “on a primary and noncontributory basis”.
- These certificates must be current and on file in the Office of the Village Clerk prior to the Memorial Day Event.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

NON-MUNICIPAL USE PERMIT FOR PITTSFORD YOUTH SERVICES DUCK DROP

The Village Board received a request for a non-municipal use permit from Pittsford Youth Services to hold the 15th Annual Duck Drop on July 19th. Mayor Corby was asked to attend as an honorary chairperson. A **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to issue a non-municipal use permit to Pittsford Youth Services for the 15th Annual Duck Drop on July 19th with the following conditions:

- To obtain any required permits, the applicant will contact the New York State Canal Corporation the Town of Pittsford, and the Monroe County Sheriff’s office. In addition, they must contact the Pittsford Fire Department, Pittsford Ambulance Corps, and the Pittsford Fire Marshal in writing.
- The applicant is required to provide the Village with a copy of a Certificate of Liability Insurance naming the Village of Pittsford as additional insured **on a primary and noncontributory basis**. The certificate must include those words. It must reflect a \$1,000,000 single limit of liability for bodily injury and property damage.
- The applicant is also required to submit a copy of the actual endorsement of the insurance policy. The endorsement document must list the policy number and set forth the Village of Pittsford as an additional named insured. The endorsement does not need to include the words “**on a primary and non-contributory basis**”.
- These certificates must be current and on file in the Office of the Village Clerk prior to the event.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

8:00 PM PUBLIC HEARING ON THE 2013/14 VILLAGE BUDGET

Trustee Galli explained the budget process and gave an overview of the proposed tentative budget. Following proof of the legal notice below having been published in the March 28th edition of the BP Post, a **motion** was made by **Trustee Galli, seconded by Trustee Lanphear** to open the public hearing.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – 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 2013-2014 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., weekdays except for holidays until April 9, 2013. Said tentative budget includes maximum compensation for the Mayor of \$13,248.00 per annum; for the Trustees, \$5,630.45 per annum.

General Fund	\$ 1,105,136.00
Sewer Fund	\$ 126,224.00

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 9th day of April 2013 at 8:00 p.m., to consider same before final adoption of the tentative budget.”

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The following people spoke:

Alysa Plummer – 66 South Main Street: Ms. Plummer asked for an explanation regarding the contingency fund, and the impact of the PGA in terms of revenue. She offered to work on getting a volunteer civic gardening group together to help with Village flower beds and landscaping.

Catherine Smith – 16 Boughton Avenue: Ms. Smith said the sidewalk plow is too wide and does massive damage to lawns in the winter. She said it chews up as much as it clears up. She said it is a waste of manpower to repair the damage which shouldn't be happening in the first place.

Meredith Utman – 75 North Main Street: Ms. Utman asked about the frequency of street cleaning. She noted that \$32,000 has been budgeted for that. Trustee Boehlert explained that besides keeping the streets looking nice, street cleaning is necessary to make sure the catch basins do not become clogged. The amount budgeted for this category also includes such services as brush and leaf pick-up.

Justin Vlietstra – 19 Boughton Avenue: The source of sales tax revenue was explained to Mr. Vlietstra. He asked if the Village received any revenue from speeding tickets issued by the Monroe County Sheriff. The Village does not. Trustee Galli noted that he meets with the zone captain every month and said that Sheriff deputies are in the village whether you see them or not. Mr. Vlietstra asked if the Village received revenue from parking tickets and stated that there are overnight parkers on his street. He said to deter nuisance activity, overnight parking needs to be enforced. The Village does receive revenue from parking tickets. However, the Village budget allows for a part time monitor and does not have a means for overnight enforcement other than the Monroe County Sheriff.

There were no further comments from the public. Trustee Galli stated that the public hearing would be left open and continued at the April 23rd meeting.

8:00 PM PUBLIC HEARING TO CONSIDER ADOPTION OF LOCAL LAW #1

§105-4 BUILDING PERMITS

Building Inspector John Limbeck explained the reason for considering a change to the Village Code regarding building permit applications. Proof of the legal notice below having been published in the March 21st edition of the BP Post, a **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to open the public hearing.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – 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 on April 9, 2013 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, New York, to consider the adoption of proposed local law #1 of 2013, a local law which will replace §105-4. Building permits. (C) (5) as follows:

§105-4 Building Permits

C. Applications for building permits. Applications for a building permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or by an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(5) *Certificates of insurance providing:*

(a) *Proof duly subscribed that Worker's Compensation Insurance and disability benefits coverage issued by an insurance carrier in a form satisfactory to the chair of the*

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- Worker's Compensation Board as provided for in section 57 of the Worker's Compensation Law is effective; or*
- (b) *An affidavit that such permit application has not engaged an employer or any employees as those terms are defined in section two of the Worker's Compensation Law to perform work relating to such building permit.*
 - (c) *A copy of a Certificate of Liability Insurance naming the Village of Pittsford as additional insured on a primary and noncontributory basis. (These words must be included on the certificate.) It must reflect a \$1,000,000.00 single limit of liability for bodily injury and property damage.*
 - (d) *A copy of the actual endorsement of the insurance policy. The endorsement document must list the policy number and set forth the Village of Pittsford as an additional named insured.*

These certificates must be current and on file in the Office of the Village Clerk prior to construction.

Change the current number (5) to number (6).

Justin Vlietstra – 19 Boughton Avenue: Mr. Vlietstra asked if the insurance requirements were for work on Village property or on residential property. Mr. Limbeck replied it was for residential property. Mr. Vlietstra asked how this would be enforced. Mr. Limbeck explained that without proof of insurance, a building permit would not be issued because a homeowner could file a claim with the Village who issued the building permit. Without the required insurance, the Village would have to assume the responsibility for the contractor working on the residential home.

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

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

A **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to adopt Proposed Local Law #1 to replace §105-4. Building permits. (C) (5) as presented.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

SITE PLAN REVIEW DESIGN STANDARDS UPDATE

At prior meetings the Village Board discussed and concurred that the site plan review design standards that were written in the 1980's were in need of updating. The Treasurer will be asked to get a written estimate for consideration from the Village Engineer.

ANNUAL 9/11 TRIBUTE PROCLAMATION

The history of the annual 9/11 tribute proclamation was explained to the newest Trustees. A **motion** was made by **Trustee Boehlert, seconded by Trustee Freed** to accept and reaffirm the proclamation that was originally adopted by the Board of Trustees at their regular meeting held on September 10, 2002 as follows:

ANNUAL 9/11/01 TRIBUTE

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

WHEREAS, the objective of the **ONAIRE PROJECT** is for communities across New York to designate a day to honor the heroes of September 11 and their families, and

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WHEREAS, a further objective of the **ONAIRE 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, 2013 and on that day each year hereafter.

LEGAL TOPICS – ATTORNEY JEFF TURNER

Mr. Turner explained his recommendations for changes to §210-84 and 210-85 of the Village Code regarding preliminary and final site plan review. Following the explanation, a **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to hold a public hearing at the Board of Trustees meeting on May 14th to consider a proposed local law to amend §210-84 and §210-85 of the Village Code as suggested by the Village Attorney.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

Mr. Turner reported on the Planning Board’s status regarding 75 Monroe Avenue. He said the site plan has four major deviations from the regulating plan. The applicant has asked for time to respond. The review will continue at the April 29th PZBA meeting.

Mr. Turner reported that the Public Service Commission has regulations in place to ensure that no equipment will be left on utility poles if a network company ceases to operate. Therefore, he said it is not necessary to get a bond from Greenlight Networks for this purpose. He drafted a new contract but has not heard back from Greenlight Networks about the draft at this time.

MEMBER ITEMS

- The Board agreed that common sense and courtesy should prevail regarding members’ texting and receiving cell phone calls during a public meeting.
- The date and time of the Organizational Meeting has been set for April 23rd at 6:00 PM followed by the regular meeting.

ADDITIONAL ITEMS

- A letter was distributed to the Board of Trustees from village resident Mike Reynolds in regards to the proposed Westport Crossing development at 75 Monroe Avenue.
- A résumé from a local student was distributed. The student, a high school senior at The Harley School, is interested in an opportunity to volunteer or shadow a village official during the period of May 17th to June 7th, 2013.

ADJOURNMENT

There being no further business, a **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to adjourn the meeting at 9:40 PM.

Vote: Lanphear– yes, Boehlert – yes, Galli – yes, Freed – yes. **Motion carried.**

Anne Z. Hartsig, Recording Secretary