

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
May 14, 2013 – 7:00 PM

Present

Trustees:	Mayor Robert Corby Tim Galli Lili Lanphear Lorie Boehlert Stacey Freed
Attorney:	Jeffrey Turner
Treasurer:	Mary Marowski
DPW Superintendent:	Doug Yaeger
Building Inspector:	John Limbeck
Recording Secretary:	Anne Hartsig

CALL TO ORDER

A **motion** was made by **Mayor Corby**, **seconded by Trustee Lanphear**, to call the meeting to order at 7:00 PM.

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

PROCLAMATION OF APPRECIATION FOR JEFREY MASON

The following Proclamation of Appreciation was signed by all members of the Board of Trustees and presented to Jeffrey Mason.

WHEREAS the Village of Pittsford Board of Trustees wishes to thank Jeff Mason for his outstanding citizenship and dedication to the Village of Pittsford and greater Pittsford Community and,

WHEREAS as a lifelong village resident, Jeff has shown an exceptional commitment to our nation and our community. After graduating from the University of Rochester, Jeff enlisted in the Navy and served during the Vietnam War in an anti -submarine mission. For many years Jeff was an important part of the village business community. Today he remains active in his church, in the US Submarine Veterans, in the Veterans of Foreign Wars, and as Chaplain of the Rayson Miller American Legion Post. For decades, Jeff has been an active participant in community events including the Memorial Day Parade and Veterans Day ceremony and,

WHEREAS Village Board members appreciate Jeff’s always cheerful and upbeat attitude, generosity, and genuine care for the Village of Pittsford. Jeff is a true hometown hero who truly exemplifies the qualities that define a model citizen and,

NOW THEREFORE BE IT RESOLVED that we, the members of the Village of Pittsford Board of Trustees, do hereby salute and call attention to Jeff Mason, and in appreciation of his service to the Village, do call upon all residents of the Village of Pittsford to join us in this tribute and expression of gratitude on this 14th day of May, 2013.

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski presented vouchers listed on Abstract #022 of 2012/13 fiscal year for approval. A **motion** was made by **Mayor Corby**, **seconded by Trustee Boehlert**, to approve payment of vouchers listed on Abstract #022 in the amounts stated below and to charge them to the appropriate accounts

Abstract #022 – 2012/13

General Fund (#602-#657):	\$24,340.63
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Canal Improvements - Coastal \$ 1,643.00
Total vouchers for approval: **\$ 25,983.63**

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

Other Business:

- A check for Monroe County Sales Tax was received in the amount of \$118,198.56
- There was a discussion about stipends for the new members of the PZBA as well as alternate members. Trustees agreed that if the alternates are required to attend all of the meetings, they should be paid a stipend. The stipends for three members will be included in Abstract #022. An amendment will be made to the Organizational Meeting to include a stipend for alternate members.
- Mayor Corby will talk to Chris DiMarzo regarding outstanding consultant invoices.
- Quotations for phone systems are being solicited.
- An independent Policy and Procedures Audit will begin on 5/15/13.

DPW REPORT – DOUG YAEGER

- A storm drain pipe was replaced at 24 Monroe Avenue. Some restoration work remains.
- The rear section of the fencing in the Burdett Lot has been replaced.
- The portable toilet for Schoen Place was delivered early but was placed in the wrong location.
- Truck #2 is undergoing diagnostic testing because it is going through oil. So far, the mechanics haven't been able to determine the problem. The next step will be to contact the manufacturer. Another truck is out of service because it is being painted.
- Brush pick-up has been very heavy so far this season and is taking longer than usual.
- The flower baskets will be ready the week of May 21st and will be hung during that week.
- A civic garden group will be planting the large urns on the Four Corners on Saturday, May 18th.
- A weekend watering schedule should be developed.
- Mr. Yaeger will be attending a Stormwater Training session on May 22nd all day.
- The suggestion of pouring a concrete pad at Washington Road and North Main Street for the Howitzer Cannon was discussed. Mayor Corby will call Joan Wood to find out the status of funding and the status of potential wheel repair for the cannon.
- A new "No Parking" sign will be installed in concrete at the corner of Heatherhurst and Courtenay Circle.
- Mr. Yaeger is waiting to hear back from Brocollo Tree and Landscape about the schedule for treating the ash trees. Mayor Corby will meet with Mr. Yaeger at 12:30 on May 15th regarding the trees.
- The speed humps on Rand Place have been installed for the season. A post-installation survey will be mailed to the residents this week.
- The Village is receiving applications for an open DPW position.

BUILDING INSPECTOR'S REPORT – JOHN LIMBECK

- A website portal for Westport Crossing documents is being discussed with the Village Webmaster.
- Regarding the requirement of liability insurance for home owners who are doing their own work, Mr. Limbeck determined the cost would be between \$1500-\$2500 dollars depending on the type of work being performed. He learned that not all insurance companies will issue this type of coverage to homeowners. A possible waiver or hold-harmless agreement was suggested. Mr. Limbeck will continue research on this option.
- The Village Clerk, DPW Superintendent and Mr. Limbeck had a productive meeting with Michelle Debyah and Paul Schenkel at the Town's GIS office. Michelle produced some new

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maps and is continuing to work on software to help the Village with 300 feet notification mailing lists.

- A resident at 102 South Street is working on returning her yard to good condition following an accumulation of junk and debris from a former tenant.
- Mr. Limbeck expressed concerns about a flea market event scheduled by the Friends of Pittsford. He noted there are specific requirements for a non-municipal use permit.
- Mr. Limbeck received notification from a business owner that members of the Friends of Pittsford Village were soliciting \$200 donations for plantings in the urns at the Four Corners. He noted that the urns are Village urns and wondered if this was a Village-sanctioned activity.

Commercial Properties:

- Several residents on Sutherland Street have fences in their rear yards that are in disrepair. The fences were installed as a screening requirement when Pittsford Village Green was developed. Mr. Limbeck is going to ask that the fences be replaced.
- Mr. Limbeck met with Rabbi Hein to discuss possible future renovations to the barn at 21 Lincoln Avenue.
- Mr. Limbeck participated in the DRC meeting regarding the project at 75 Monroe Avenue.

Residential Properties:

- Mr. Limbeck has been interacting with residents on a daily basis to assist with applications, permitting or inspections.

St. Louis Church:

- A revised site plan was submitted on May 13th. It is Mr. Limbeck's understanding that the Church is seeking to build only what has been approved by the PZBA.

75 Monroe Avenue:

- Mr. Limbeck submitted photos taken today of drainage trenches that have been dug on the site. He noted that the applicant has submitted a plan to rectify the drainage issue.

Signs:

- Mayor Corby said the Board should develop some additional standards for temporary event signs so that they look neat and so that they identify who owns the sign.

CONTINUED PUBLIC HEARING – CODE OF ETHICS

The public hearing was left open at the April 23rd meeting. Some changes have been suggested for consideration. In § 21-7. Recusal and abstention. A., the term "personal friend" prompted a discussion of the Board and members of the public. It was suggested that due to the small size of the village, many people are personal friends. The question was asked how to define a "personal friend"

Alysa Plummer – 66 South Main Street commented that there should be a very good reason for a Board member to recuse themselves. She said the member should only recuse if they have a real stake in the application.

The discussion continued. It was noted that the purpose was to have members go through the thought process and disclose any possible conflicts. Trustee Galli suggested that a policy statement be written and added to the Organizational Meeting whereby every year, members acknowledge the policy and their responsibility to disclose any conflicts.

Justin Vlietstra – 19 Boughton Avenue commented or asked questions about §21-16 C Political solicitations and campaign activities, §21-18. C. Gifts, §21-18. F. 6 regarding meals, §21-19 A. Board of Ethics, regarding clarification of the term "Village Board".

Mayor Corby will revise the draft and email it to Board members. It was agreed to leave this public hearing open for further discussion at the June 11, 2013 meeting.

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PUBLIC HEARING – AMEND §21210-84 AND §210-85

Proof of the legal notice below having been published in the Brighton-Pittsford Post on April 25, 2013, a **motion** was made by **Mayor Corby, seconded by Trustee Lanphear**, to open the public hearing.

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

PLEASE TAKE NOTICE that a public hearing will be held before the Village of Pittsford Board of Trustees on May 14, 2013 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, New York, to consider the adoption of proposed local law #4 of 2013, a local law which will amend portions of §210-84 and §210-85 of the Code of the Village of Pittsford regarding preliminary and final site plan.

Proposed Local Law #4 of 2013
Amend Section 210-84 and 210-85 of the Village Code

Amend §210-84. Title as follows:

§210-84. Application for Preliminary Site Plan Approval.

Amend §210 B. (1) as follows:

Upon receipt of a certified complete preliminary site plan application from the authorized official, the Planning Board shall act on it. The Planning Board's action shall be in the form of a written statement to the applicant stating whether or not the preliminary site plan has been approved, conditionally approved, or denied.

Amend §210-85. Final application and approval. as follows:

§210-85 B. Final approval.

(1) Within 62 days of receipt of the certified complete final site plan application from the authorized official, the Planning Board shall hold a public hearing as required by § 210-111 of this Code. The Planning Board shall make a decision on the application within 62 days after the close of such hearing. The time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and such Board.

Mayor Corby explained that the purpose of this proposed local law is to bring the Village Code in line with State law regarding preliminary and final site plan approval.

Alysa Plummer – 66 South Main Street expressed her understanding that the extension of the 62 day time frame in which the planning board must render a decision must be a mutual decision between the applicant and the planning board. Mayor Corby said that is correct.

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

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

Having closed the public hearing, a **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to approve this proposed local law, now known as Local Law #3 of 2013, as written.

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

SIGN DISCUSSION

Building Inspector John Limbeck said that the owner of the gas station at 58 Monroe Avenue, has requested a temporary sign to install under his main sign to advertise when he has non-ethanol fuel. Board members said this would require a variance from the Zoning Board.

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Attorney Turner suggested a code change to better describe the intent of accessory signs and to clarify that the intent was for the signs to be five feet above grade. Mayor Corby will draft language for the code change.

NON-MUNICIPAL USE PERMIT FOR FRIENDS OF PITTSFORD VILLAGE BIG FLEA EVENT

Alysa Plummer and Amy Vlietstra requested a non-municipal use permit to hold a flea market and fun fair event on June 29th in the Town of Pittsford Parking lot from 10 AM to 4 PM. The event will be a fund-raiser; however, other groups will participate as well. The women said they are in the process of obtaining liability insurance and they have received permission from the Town to use a portion of the parking lot.

A **motion** was made by **Mayor Corby, seconded by Trustee Lanphear**, to grant a non-municipal use permit to the Friends of Pittsford Village to hold a community-wide flea market and fun fair on June 29th in the Town of Pittsford Library Parking lot from 10 AM to 4 PM with the following conditions:

1. The group will be responsible for cleaning up after the event.
2. The group 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. (These words must be included on the certificate). It must reflect a \$1,000,000 single limit of liability for bodily injury and property damage.
3. The group 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.

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

4. The group shall contact the Monroe County Sheriff's Department, the Pittsford Fire Department, the Pittsford Fire Marshal, Kelly Cline and the Pittsford Volunteer Ambulance **in writing** prior to the event.

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

FOUR CORNERS URNS

Ms. Plummer and Ms. Vlietstra explained that the intent was to ask village business owners for donations to help pay for flowers for the urns at the Four Corners. Merchants were told a marker, rather than a plaque, would be placed in the urn with the name of the business donor. Attorney Turner said that because the Friends of Pittsford Village is a not-for-profit organization, a solicitation permit was not required. It was noted that the Pittsford Chamber of Commerce donated \$75 for the plantings.

ROBERT AMENT – INFORMATION ONLY – SCHOEN PLACE BENCHES

There are benches on the canal side of Jembetat Gallery on Schoen Place that Mr. Ament built and installed without approval from the Canal Corporation or the Village. Mr. Ament said they are solid benches and a nice gathering spot for people who are walking on the towpath. He would like to keep the benches. Trustee Lanphear said she would rather have the benches on the patio.

Mayor Corby explained that the Village has a contract with the NYS Canal Corporation that allows for certain things in specific places. He said if changes are made, the Village must seek approval again from the Canal Corporation. Mayor Corby said the original contract must be looked at because benches cannot be placed anywhere except where NYS said they could be placed at the time of the original agreement. He also noted that Mr. Ament would have to maintain the benches if they are allowed to remain. Mayor Corby will meet with Mr. Ament at 10 AM on May 15th to look at the area together.

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Mr. Ament discussed the portable toilet situation with the Board. He suggested the location should be at the base of the grain silo. It was noted that the truck must have access to back in to pick up the portable toilet. Mayor Corby will talk with building owners. Trustee Boehlert asked Mr. Ament to notify the Village staff if he notices that the portable toilet should be cleaned more often than what has been scheduled.

ViewSPORT HAWKER’S PERMIT – BEN WOOD

Ben Wood requested a Hawker’s Permit to sell goods in the vicinity of the base of the railroad bridge on the land side of the towpath during the Pittsford Regatta on May 25th and 26th. This would mark the third year he has done this. A **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to approve the Hawker’s Permit for Mr. Wood with the following conditions:

- 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**. Those words must appear on the Certificate of Liability. It must reflect a \$1,000,000 single limit of liability for bodily injury and property damage.
- The applicant is 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 Regatta.
- The applicant must fill out a Hawker’s Permit application and pay a fee of \$100.00.

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

RESOLUTION FOR HICKS AND McCARTHY

A **motion** was made by **Mayor Corby, seconded by Trustee Lanphear**, to authorize Mayor Corby to write a resolution commemorating the 100th Anniversary of Hicks and McCarthy’s restaurant.

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

JEFFREY TURNER – 75 MONROE AVENUE UPDATE

Mr. Turner noted that the consultants hired by the Village need to be paid by Mark IV. Mayor Corby will discuss this with Chris DiMarzo at the Development Review Committee (DRC) meeting which is scheduled for May 15th.

Mr. Turner said explained that the Regulating Plan does not allow Mark IV to build what they would like to build on the site. He said the DRC may recommend that the Trustees amend the regulating plan which will require a public hearing. He emphasized that this procedure would not be a reexamination of the special use permit that was granted in 2012. Following the DRC meeting, members will write findings and recommendations for the Board of Trustees.

DOG PARK DISCUSSION

Trustee Freed reported that she has been researching the idea of providing a dog park for village residents. She said that Monroe County has an actual program. It might be possible for the Village to become part of their chain of dog parks. She noted there would be a cost for materials such as wood chips or gravel, and fencing. There would need to be rules for policing dogs.

Mayor Corby said the plateau on the DPW property might be the best location for the park. Trustee Galli said he is supportive but would want to know about the maintenance of this park and the look of any proposed fence. Trustee Boehlert expressed concern about the Village’s liability. She also mentioned

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past security and vandalism concerns at the suggested location. She suggested that more information is needed regarding a fence, gating of the park, trash disposal, and possible shelter such as an overhang. She said the Board would need details about cost and other aspects of joining the Monroe County dog park program. Trustee Freed will continue researching the idea.

2013/14 TAX WARRANT

The 2013/2014 tax warrant was presented to the Board of Trustees. Having found the tax warrant figures to be correct, a **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to authorize the Mayor to sign the warrant and the Village Clerk to attest the warrant.

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

MEMBER ITEMS

- Mayor Corby reported that on May 23rd he will present a Scope of Work for the UPWP, a Genesee Transportation grant for \$30,000. The purpose of the grant is to allow the Village to “flush out” the Complete Streets policy and to make a blueprint for the future for a safer and more livable village. Mayor Corby said a committee, including private citizens and two members of the Board of Trustees should be designated to work on this grant. He asked Board members to bring the names of potential citizen committee members to the next meeting.
- Trustee Lanphear reported that the Superintendent has a plan to hang 116 flower baskets and to place 4 super pots at various places in the village. There will be 4 window boxes on the Village Hall balconies and on the front porch.
- Mayor Corby and Trustee Lanphear walked the village and found several areas for possible “pocket parks” where a civic group might have an opportunity to do some gardening. Three of the most promising locations are near the Phoenix Building at the Four Corners, the former CSX railroad crossing near Robert’s Kitchens on North Main Street and on the slope at Remembrance Park at the intersection of North Main and Washington Road. It was noted that a more permanent marker is needed for Remembrance Park and that there is room for a couple of benches in that park.
- Trustee Lanphear mentioned that the Pittsford Chamber of Commerce may do a special event during the PGA. The idea of a visitor’s center to be located in the vacant building at the Four Corners has been discussed. The Chamber of Commerce is looking into this and would run the visitor’s center.
- Mayor Corby met with Jan Whittaker. She told him that a quadriplegic man will be biking the towpath in June. Mayor Corby asked the Trustees to plan to attend a greeting ceremony. He said there will also be double kayakers paddling from Lock 32 to the dock and it would be possible to join them in the kayaks. More details regarding the date and time will follow.
- Trustee Freed spoke to Dave Goehring at the DOT regarding the use of orange flags to help pedestrians be more visible at various locations in the village where there are no traffic lights. Mr. Goehring said the village could do this if they want to. The Trustees would need a plan for containing the flags, for prices, and for a source. Suggested intersections were Jefferson Road and Rand Place, Jefferson Road and Eastview Terrace, Sutherland Street and Monroe Avenue and Washington Avenue and Monroe Avenue, Boughton and State Street. The issue of Village liability will need to be examined thoroughly.
- Mayor Corby suggested that the Village ask the DOT for a crosswalk from Copper Beach Park to the Village Bakery and one from the Village Hall to Port of Pittsford Park. Members discussed and concurred that it would be helpful for pedestrians if right on red turns were eliminated within the village.
- Trustee Galli reported on his meeting with the Monroe County Sheriff Zone Captain. He said citizens have the ability to sign up for cell phone notifications of emergency situations such as the missing child notification that took place last month. The Zone Captain said the Sheriff’s office

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received adverse feedback from the public regarding that call, possibly because it was not a public safety issue. Trustee Galli was told citizens cannot opt out of these “reverse 911” notifications to landlines. They are mandatory for certain emergencies.

Trustee Galli said the Monroe County Sheriff’s office will conduct night bike patrols on the towpath. He said there are unmarked cars, plain clothes officers and the horse patrols taking place within the village.

- Mayor Corby discussed a workshop process for the budget season and suggested convening a citizens committee to take an impartial look at the village budget. He suggested this would be a way to find a consensus about the direction of the village for the future. He suggested developing a survey to give people the opportunity to have input. He said this would help to justify areas such as an equipment schedule and road maintenance schedule. Trustee Freed asked what the charge of this group would be. Trustee Galli asked how this group would help the Board of Trustees to do the job they are elected to do. Mayor Corby responded that the reasons for a citizens group include benchmarking, providing feedback, fresh perspectives, and the addition to the process of another level of detail and guidance. Mayor Corby said if the Board supports this idea, he would talk to Trustee Galli in more detail.
- Regarding a memorial bench that was requested by Nothnagle Realtors in October of 2012, Mayor Corby will research appropriate bench styles on the Victor Stanley Inc. website and make a suggestion to Robert Maves at Nothnagle.

MINUTES

April 23, 2013 Regular meeting: A **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to approve these minutes as amended.

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

ADJOURNMENT

There being no further business, a **motion** was made by **Mayor Corby, seconded by Trustee Boehlert**, to adjourn the meeting at 10:45 PM.

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

Anne Z. Hartsig, Recording Secretary