

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
June 11, 2013 – 7:00 PM

Present

Mayor: Robert C. Corby

Trustees: Lili Lanphear
Lorie Boehlert
Stacey Freed

Absent: Tim Galli

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 7:04 PM.

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

PLANNING BOARD DISCUSSION – REMEGIA MITCHELL

Ms. Mitchell summarized the DRC process that has taken place regarding the development project at 75 Monroe Avenue. She said at the first DRC meeting, the developer presented potential plans that they wanted to be considered. Following that meeting, a second DRC meeting was convened whereby the developer presented a second revision based on the discussion at the first DRC meeting. The DRC looked at the second plan and identified a few changes they would like to see made. Ms. Mitchell said the requested changes involve things that the Planning Board will consider. The DRC memo was forwarded to the Trustees so they could consider the adoption of an amended regulating plan. If that adoption takes place, she said the Planning Board will be ready to move forward with their review.

Ms. Mitchell stated that the amendments being made to the regulating plan do not rise to the level of re-doing SEQR. She said none of the items are significant enough to require a new SEQR review.

Ms. Mitchell said the applicant granted a 30-day extension to the Planning Board ending on June 24th. She suggested with the memo from the DRC, the Planning Board is ready to move forward to begin the review process. The Planning Board will have to ask the applicant for another extension to allow enough time for the review.

APRB Chairperson Paul Zachman added that part of the goal of an amended regulating plan was to make modifications that would lessen scale and mass. In the revised plan, some buildings were moved which did lessen the scale and mass. He said in essence, the APRB representatives to the DRC felt the changes that have been made are beneficial and lessen the scale and mass of the overall project.

Ms. Mitchell said one of the major changes is that the restaurant has been relocated to the Monroe Avenue entrance and will include housing on the second floor. She said this allowed commercial traffic to be removed from the residential and recreational usage areas of the project. Mr. Zachman added that the building was changed to fit the new location and orientation.

Trustee Freed asked if there were any changes that were not improvements. Mr. Zachman said the intent of the DRC was to make improvements. He said they didn't leave unfinished business and tried to

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resolve most of the rough spots. Ms. Mitchell added that the new regulating plan is the basic layout and not the final site plan.

Mayor Corby said that the building on the dead-end is too close to the railroad tracks. Ms. Mitchell responded that this would be a Planning Board issue. She said the applicant needs approval from the Board of Trustees for the revised regulating plan before moving forward with the actual site plan. She said the DRC worked on the regulating plan. The applicant will have to submit new, revised site plans based on the new regulating plan.

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski presented vouchers listed on Abstract #24 of 2012/13 fiscal year for approval. A **motion** was made **by Mayor Corby, seconded by Trustee Freed**, to approve payment of vouchers listed on Abstract #024 in the amounts stated below and to charge them to the appropriate accounts

Abstract #024 – 2012/13

General Fund (#670-#695):	\$30,058.52
Sewer Fund (#690)	<u>\$ 31.02</u>
Total vouchers for approval:	\$30,089.54

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

Ms. Marowski presented vouchers listed on Abstract #001 of 2013/14 fiscal year for approval. A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to approve payment of vouchers listed on Abstract #001 in the amounts stated below and to charge them to the appropriate accounts

Abstract #001 – 2013/14

General Fund (#1-#4, #6-#12):	<u>\$23,485.52</u>
Total vouchers for approval:	\$23,485.52

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

Other Business:

- Bank balances were submitted.
- The independent policies and procedures audit is completed. A report of recommendations will follow.
- Out of three requested quotes for telephone systems, only two were submitted. Integrity Home Systems was the least expensive. Trustee Boehlert will review the quotes and make a recommendation.
- Ms. Marowski is working on the year-end. She noted that the Village has incurred \$17,000 worth of expenses this fiscal year in regards to the Friends of Pittsford Village lawsuit. Before insurance will pay any of the costs, the Village will have to pay out \$25,000.00.
- Ms. Marowski has been working on grant close-outs.
- The cost of the flower baskets was \$5,887.90. The Village Office has received many compliments on the baskets this year.

DPW REPORT – DOUG YAEGER

- All of the new trees have been planted. An extra one will be planted in front of Label 7. Mayor Corby will look at the trees at 8 Rand Place and at 45 Monroe Avenue. The tree inventory has been updated. Ash trees will be treated in the month of June.
- Work on Schoen Place is scheduled to begin on July 22nd. The Town will help with restoration work prior to July 22nd.
- Brad VanBortel has been hired as a new member of the DPW.

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- Truck #1 has been painted and will be picked up on June 12th. It will be ready to have the logo added.
- The Village has been asked to host the Stormwater Coalition meeting in August.
- The green area to the east of the North Main Street Bridge is being cleaned up. The west side of the bridge has many vines that will need to be removed.
- Mayor Corby noted that the light pole in front of 5 South Main Street needs to be painted.
- Two of the “super pots” have been moved to new locations.

BUILDING INSPECTOR’S REPORT – JOHN LIMBECK

- The procedure for licensed plumbers will remain as is.
- Mr. Limbeck is keeping a notebook of Village-issued permits.
- The auditors recommended pre-stamped building permits. Numbered permit stock has been ordered. Mr. Limbeck is also keeping a record of the method of payment and the number of the receipt that is issued.

Commercial Properties:

- Scaffolding will be in place in the 20’s block of South Main Street for approximately 6-8 weeks.
- Salvatore’s Pizza opened at 18 South Main Street on June 6th.
- Scott Harter is reviewing drawings for St. Louis Church to clarify some issues that were raised during the last PZBA meeting.
- Mr. Limbeck is working with the project manager for Village Green regarding screening and new fences.
- Mr. Limbeck met with the owners of 25 Schoen Place and tentatively agreed on a 5-year plan to bring those buildings up to code. Attorney Turner suggested that there should be a written agreement to keep on file and to keep the project on track.
- Mr. Limbeck met with the project manager for ESL. The manager has a drawing that is not included in Village files. He will provide a copy of this drawing to the Village. Additional plantings will take place during the summer. Mr. Limbeck will provide the Board with the final inventory when he receives it.
- Mr. Limbeck is attempting to set up a meeting with Mr. Fox regarding a site plan for Northfield Common.
- A non-municipal use permit has been issued to Mark IV for the pumping of ponded water adjacent to the CSX right-of-way.

Residential Properties:

- There are approximately 25 active projects at this time.
- Two Eastview Terrace residents inquired about placing chicken coops on their property. This is not a permitted use.

Municipal Activities:

- The insurance endorsement, a requirement for a non-municipal use permit, has not yet been submitted by the Friends of Pittsford Village for their “Big Flea” event.
- Pittsford Little League asked for a temporary sign permit for a fund raiser at Pittsford Farms Dairy. They neglected to say that they were having Sticky Lips Barbeque on the premises. The Fire Marshal was contacted.
- In the absence of the Town Fire Marshal, Mr. Limbeck will be conducting inspections of pavilions at Oak Hill. The pavilions will be used during the PGA.

New Projects:

- There has been an inquiry regarding the building at 14 South Main for use as a coffee shop with a drive-through window.
- The construction project at 43 B Rand Place is going forward.

75 MONROE AVENUE APPLICANT REQUEST

The developer for the project at 75 Monroe Avenue submitted a letter dated 6/3/13 requesting that the Board of Trustees approve the modifications set forth in the DRC memorandum which would result in amending the regulating plan. A new regulating plan would make the former plans obsolete. A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to hold a public hearing on July 2, 2013 at Sutherland High School at 7 PM to consider amending the regulating plan for the project at 75 Monroe Avenue.

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

COLLABORATION REPORT

The Board of Trustees discussed the Collaboration Report. It was noted that the School, Town and Village each agreed to place the report on their individual websites. Trustee Freed suggested thanking the members of the Collaboration Committee for their work and posting highlights of the report on the website.

GTC CIRCULATION STUDY FOLLOW-UP

Mayor Corby reported that he will meet with Robert Torzynski, the Program Manager for the Genesee Transportation Council. He said the Village will need to submit a request for proposals.

TRANSPORTATION ENHANCEMENT PROGRAM

Mayor Corby explained that this grant could be used for a sidewalk on the north side Jefferson Road between Sutherland and South Main Street. He said there is room for a sidewalk within the village right-of-way. He said this is not a matching grant. He will ask Steve Ferranti for a proposal.

PROCLAMATION REQUEST – CATHERINE’S PEACE TEAM

The Village received a request to issue a proclamation in memory of Catherine Hubbard, a victim of the tragic shootings at Sandy Hook Elementary School. A **motion** was made **by Trustee Boehlert, seconded by Trustee Freed**, to authorize Mayor Corby to write a proclamation in memory of Catherine Hubbard and other victims of the Sandy Hook Elementary School.

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

CONTINUATION OF PUBLIC HEARING – CODE OF ETHICS

Attorney Turner proposed language for §21-7 which the Board discussed. Members agreed with the suggested language.

Justin Vlietstra, 19 Boughton Avenue: Mr. Vlietstra questioned the \$75 annual gift limit noted in §21-18 of the proposed code. Mayor Corby explained that the dollar amount is a State standard. He suggested that when corrected for inflation, it is probably no greater than the \$25.00 amount it used to be.

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

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

A **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to approve proposed local law #4, a revised Code of Ethics, including suggested language for §21-7 proposed by Attorney Turner this evening.

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

NON-MUNICIPAL USE PERMIT REQUEST – MVP ROCHESTER MARATHON

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The Village Board received a request for a non-municipal use permit to hold the 2013 MVP Health Care Rochester Marathon to benefit the Arthritis Foundation on September 22, 2013. A portion of the race course will take place within the village.

A **motion** was made by **Mayor Corby**, seconded by **Trustee Boehlert**, to approve the request with the following conditions:

- The approval is granted with the understanding that all statements made on the request letter dated 5/17/13 will be upheld.
- In addition to the City of Rochester Police Department, the Monroe County Sheriff's Office, and the Brighton Police Department, the Pittsford Fire Department and the Pittsford Volunteer Ambulance and the Pittsford Fire Marshal will be notified in writing prior to the event.
- USA Track & Field must provide the Village with a copy of a Certificate of Insurance which must name the Village of Pittsford as additional insured on a primary and noncontributory basis (these words must be included on the certificate). The certificate must reflect a \$1,000,000 single limit of liability for bodily injury and property damage. The Village requires a copy of an actual endorsement that includes the policy number and which sets forth the Village of Pittsford as additional insured. The words "on a primary and noncontributory basis do not have to be included on the endorsement.
- These certificates must be current and on file in the Office of the Village Clerk prior to the event.

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

MERCHANT REQUEST FOR CANAL SAFETY

A Schoen Place merchant asked the Village to paint the concrete lip along the canal wall yellow to mark the edge of the canal and the end of a safe zone. Mayor Corby discussed this safety issue with personnel from Corn Hill Navigation. He was told the biggest problem is that parents don't watch their children. The problem of children falling into water exists any place next to water. Attorney Turner will discuss the issue with litigators in his firm and will report back.

PEDESTRIAN CROSSING FLAGS

Trustee Freed reported that many towns use orange crossing flags. She presented information to the Trustees on her lap top computer. The approximate cost would be \$150 for 50 flags and the containers for the flags. Attorney Turner said the Village would not incur any liability. Trustee Freed will research container options and make a recommendation. A **motion** was made by **Mayor Corby**, seconded by **Trustee Boehlert**, to approve the expenditure of \$150 to purchase trial pedestrian crossing flags.

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

RESIDENT CONCERN

Alysa Plummer addressed the Board of Trustees to ask for clarification of the process regarding the development of 75 Monroe Avenue. She asked for an explanation of the purpose of the DRC. The reply was that the DRC is a communications board which was formed to coordinate information among the other three boards. In essence it is an "ex officio" advisory board.

Ms. Plummer expressed concerns about how the applicant was injected into an internal meeting. She said the applicant shouldn't attend the DRC meetings. She said "it's about the transparency". Another concern is that the applicant submits conceptual drawings. A site plan has not been submitted that shows all of the required information. Other concerns are the drainage issue at Monroe Avenue and issues regarding the rail road. Ms. Plummer is concerned about the process because there are no property lines shown, no topographical information, and the percentage of green space is unknown. She said she knew that a permit was issued to cut the low brush along the canal. She asked why all of the trees were also

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removed. Ms. Plummer said she is concerned that after four years, there are still no measurements on the drawings that were presented.

Ms. Plummer submitted a copy of a PZBA worksheet showing a regulating plan conformity checklist. She also submitted a letter on behalf of resident Mike Reynolds in which he states his concerns with the DRC memo that was sent to the Board of Trustees.

In closing, Ms. Plummer requested that the various village boards take back the process. She said that her concern is inappropriate muddling and cross pollination.

Trustee Boehlert replied that the APRB has always worked with applicants.

MEMBER ITEMS

- Trustee Lanphear will research benches for the Nothnagle memorial bench.
- Mayor Corby will write a proclamation for Hicks and McCarthy and for Catherine's Peace Team.
- Board members were pleased that RIT is going to refurbish the Howitzer Cannon. However, it was noted that the work can't take place on village property.
- A three-part proposal was received from John Steinmetz for assistance with the review of 75 Monroe Avenue. The three parts include revising the approved regulating plan, SEQR assistance, and site plan review assistance. Mayor Corby explained that the reason he asked for a proposal was to have someone available if the village needs help going forward. Board members asked which of the three parts they would be approving if they decided to vote on the proposal. Mayor Corby stated that the Board of Trustees would only be looking at issues associated with the regulating plan. A **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to accept the Steinmetz proposal for professional services dated June 6, 2013 and to retain Mr. Steinmetz on an hourly basis.
Vote: Corby – yes, Lanphear– yes, Boehlert – yes, Freed – yes. **Motion carried.**

MINUTES

May 14, 2013: A **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to approve these minutes as submitted.

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

April 23, 2013 Organizational Meeting Script: A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to approve the Organizational Meeting Script as amended.

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

ADJOURNMENT

There being no further business, a **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to adjourn the meeting at 8:55 PM.

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

Anne Z. Hartsig, Recording Secretary