

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
August 13, 2013 – 7:00 PM

Present

Mayor: Robert C. Corby
Trustees: Lili Lanphear
Lorie Boehlert
Tim Galli
Frank Galusha
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 Galusha**, to call the meeting to order at 7:00 PM.

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

TREASURER’S REPORT – MARY MAROWSKI

Ms. Marowski presented vouchers listed on Abstract #005 of 2013/14 fiscal year for approval. A **motion** was made by **Trustee Galli, seconded by Trustee Galusha**, to approve payment of vouchers listed on Abstract #005 in the amounts stated below and to charge them to the appropriate accounts

Abstract #005 – 2013/14

General Fund (#95-114, #116-#132, #134-#149)	\$37,089.94
Sewer Fund (#115, #132-#133)	<u>\$ 629.19</u>
Total vouchers for approval:	\$37,089.94

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

Other Business:

- Bank balances were submitted.
- A “books” report as of 7/31/13 was presented.
- The percentage of the total tax collected thus far is 96%.
- The percentage of the total amount of sewer collections thus far is 76%.
- Bryan Powers will put in a request for an extension for the waterfront improvements grant (#T007063)at the 75 Monroe Avenue site.
- Tom Lauffer from accountant Ray Wager’s office will come into the office to speak with Trustee Galli about the recommendations from the auditor’s policy review.

Website:

- The Collaboration Report will be placed on the website this weekend.
- The portal for 75 Monroe Avenue will go up on the website this weekend.

DPW REPORT – DOUG YAEGER

Mr. Yaeger discussed his written report which included the following topics:

- A damaged urn at the Four Corners has been repaired and replanted.
- Sutherland Street has been repaired between the high school and Lincoln Avenue. Mayor Corby mentioned there is ponding water at the base of Lincoln Ave. Mr. Yaeger will look at it.

Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 13, 2013

- The right-of-way behind The Coal Tower on Schoen Place has been resurfaced with millings. It was noted that there is no center stripe. Mayor Corby said traffic tends to slow down when there is no stripe on the road.
- The paint sprayer used to stripe the roads is being repaired.
- Mr. Yaeger created a spread sheet to monitor shared services between Village, Town and School.
- Although the date has not been scheduled, Terry Tree Service will be removing two trees on Monroe Avenue and one tree on Sutherland Street.

Summer projects that are being considered are 1) cleaning the storm drain behind the Little League field near Austin Park using a back hoe borrowed from the school, 2) continuation of repairs to catch basins on Rand Place and Green Hill Lane, and 3) assisting the Town with the storm run-off along the Auburn Trail behind the DPW land.

Other discussion items included:

- creating a list of sidewalks in need of repair,
- the four trees in front of the library that need to be replaced in the spring,
- tracking the treatment of village ash trees,
- updating the village tree inventory, working with the Town GIS department to place the tree inventory on a map, and possible locations for new trees,
- replacing grass on the Washington Road median with plantings such as those found in the bed under the CSX bridge,
- the status of the first section of the Jefferson Road project, and
- bridge lights that are burned out.

BUILDING INSPECTOR'S REPORT – JOHN LIMBECK

Signs: Mr. Limbeck said he is spending between 25% and 40% of his time dealing with sign issues. Mayor Corby gave a history of temporary sign usage in the village. He explained that regulations are needed because temporary A-frame signs are a hazard in the winter and sometimes block visibility. They have increased in numbers over the last five years.

Mr. Craig Iannazzi from Embrasse-Moi spoke about the need for signs to help promote the retail shops. Ms. Elaine Johnson spoke about the need to advertise for the annual Fair Trade Oriental Rug Event held at the One World Goods store in Pittsford Plaza. Mayor Corby said the Village would talk to other communities to see how signs to advertise commercial businesses are handled in other locations. He said the Board needs to come up with a concrete plan to facilitate advertising signs for not for profit events. He said he would work with John Limbeck on a plan. He explained the idea of having an aesthetically pleasing community event sign placed on the Village-owned plaza on Schoen Place. Other locations were mentioned.

Mr. Limbeck noted that the Pittsford Dairy was issued a permit in 1989 for several sandwich board signs because the business is set back from the road.

The Village Board agreed to hold a special meeting on August 27th at 7 PM to consider amending the Code regarding temporary event signs.

Mayor Corby said there are some problems with signs around the village that are covering too large a percentage of the window. The Code states that no more than 25% of a window may be covered by a sign.

Proceedings of a Meeting of the Village of Pittsford Board of Trustees
August 13, 2013

Appearance ticket: Mr. Limbeck reported violations of the sign code by a particular property owner on Schoen Place. Notices have been sent daily to no avail. The property owner has used abusive language when speaking to the Building Inspector and refuses to comply. Mr. Limbeck asked for guidance from the Board. Board members discussed issuing an appearance ticket. A **motion** was made **by Trustee Boehlert, seconded by Trustee Galli** to authorize the Building Inspector to issue an appearance ticket to the property owner.

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

Bench Issue: The Board has been asked to allow a memorial bench to be placed near the entrance on the outside of Starbucks. Mayor Corby said a bench cannot be placed in that location because it would violate the site plan, is against the State law, and it would violate the ADA laws.

5 State Street: Mr. Limbeck said he would be meeting with the manager of Starbucks and the owner of the Village Bakery regarding violations. Both buildings are located at 5 State Street. For safety reasons, the Village DPW crew cleaned up the exterior area of the bakery.

Insurance Issue: Mr. Limbeck talked about the potential liability problem for the Village when private homeowners as well as business owners wish to do their own construction projects. He does not feel comfortable issuing a building permit when proof of liability insurance and workers comp insurance has not been provided. Mr. Limbeck asked Attorney Turner to investigate the option of a waiver for situations such as this. **Justin Vlietstra, 19 Boughton Ave** suggested that the Village provide insurance for all owners in the village and the cost could be put on the property owners' tax bill. **Alysa Plummer, 66 South Main Street**, said in Fort Lauderdale, FL, homeowners are required to sign a hold harmless agreement.

Trustee Galusha said a Boy Scout has expressed interest in painting over graffiti under the bridges. He asked about liability in that situation. Mayor Corby said the village is not responsible for volunteer activities. This would be considered the same kind of situation as volunteer garden groups.

Electrical Upgrade: Mr. Limbeck asked the Board to consider upgrading the electrical service in the office and in the JCO Board room to meet requirements. Mayor Corby said the expense is not in the budget and suggested that quotes be obtained for the next fiscal year's budget.

Special Meeting: Mr. Limbeck suggested that requests for non-municipal use permits for Thirsty's participation in the Town's Pittsford Celebrates event and the Embrace Your Sisters annual walk for cancer be considered at the special meeting on August 27th at 7 PM.

Commercial:

- The paper on the windows at Tess and Carlos was replaced with draperies. The lease may not be renewed.
- The lessee at 14 South Main Street painted the trim on the building and cleaned out the parking lot.
- The asbestos issue has been resolved at St. Louis Church.
- The Pittsford Dairy will appear at the APRB regarding a fence application.

Residential:

- A stop work order was issued at 73 South Main Street for an unapproved fence.
- The Village Engineer submitted a report regarding sanitary drainage at 43 B Rand Place.
- There has been a steady rate of applications for building permits.

Mandatory Training: New York State will be conducting mandatory code enforcement training before the end of the year.

SEPTEMBER MEETING DATE CHANGE

A **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to change the date for the September Board of Trustees meeting from September 9th to September 17th, 2013.

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

ATTORNEY CLIENT MEETING

A **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to enter into a private meeting to seek the advice of legal counsel which is a matter made confidential by Public Officers Law §108 (3)..

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

Having taken no action, a **motion** was made **by Mayor Corby, seconded by Trustee Galusha**, to exit this private attorney/client session and resume the regular meeting.

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

RAND PLACE STORM SEWER

A **motion** was made **by Mayor Corby, seconded by Trustee Galli**, to authorize the Mayor to execute a standard construction contract to perform storm sewer improvements pursuant to the St. Louis plans in the Village’s right-of-way on Rand Place provided that he has also signed an MOU with St. Louis indicating that when the Village signs that contract, St. Louis is going to donate the cost of that contract to the Village.

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

DIGITAL PARKING METER DISCUSSION

Trustee Galusha presented information on a digital parking “pay and display” machine. He is pursuing additional information. Trustee Galli suggested that the company be asked to make a presentation to the Board to answer questions about installation cost and installation time line. The cost for using a credit card is another factor that will need to be researched.

CHANGE PUBLIC HEARING DATE RE: §180 SWIMMING POOLS

Because the date of the September Village Board meeting has been changed, a **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to change the date of a public hearing regarding Village Code Chapter §180 Swimming Pools to October 22, 2013. The original date was 9/10/13.

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

TOWN OF PITTSFORD SIDEWALK GRANT

The Town of Pittsford applied for a grant to extend sidewalks along Route 96 from the Village of Pittsford to the Brighton Town Line to encompass Nazareth College and St. John Fisher College. The Board of Trustees concurred that the sidewalks would be a public improvement that would be a benefit to all. Therefore, a **motion** was made **by Mayor Corby, seconded by Trustee Galli**, to authorize the Mayor to sign a letter of endorsement in support of the town’s application for this grant. The letter will be written to the Transportation Enhancement Program Committee.

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

APRB ORDINANCE UPDATE

Mayor Corby explained that the Preservation League and SHPO convened a committee to update the model preservation code. He noted that the APRB section of the Village Code will have to be reviewed. He said APRB Chairman Paul Zachman, Attorney Turner, and he would be reviewing the Code and presenting changes to the Board.

PUBLIC HEARING DATE FOR PLANNING BOARD APPEAL

A **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to hold a public hearing on September 18, 2013 at 7:00 PM at the Pittsford Village Hall to consider the appeal filed by Justin Vlietstra and Michael Reynolds, and Friends of Pittsford Village, Inc. from the Village Planning Board decision made on July 10, 2013, which decision granted preliminary site plan approval to Pittsford Canalside Properties LLC regarding a proposed development at 75 Monroe Avenue in the Village of Pittsford.

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

MEMBER ITEMS

- Mayor Corby and Trustee Lanphear will chose a location for a garden plaque to honor former Trustee Paula Sherwood.
- Mayor Corby ordered two new American flags. One will replace the flag at Remembrance Park.
- The Village Clerk was asked to compose a complaint form pursuant to Section 21-20A of the Code of Ethics.
- Trustee Galli said the PCP lawsuit papers were sent to the insurance company. This will be considered a new claim with a new deductible.

MINUTES

June 25, 2013: A **motion** was made **by Mayor Corby, seconded by Trustee Galli** to approve these minutes as presented.

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

July 2, 2013: A **motion** was made **by Trustee Galli, seconded by Mayor Corby**, to approve these minutes as presented.

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

July 9, 2013: A **motion** was made **by Trustee Galli, seconded by Trustee Boehlert**, to approve these minutes as presented.

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

July 23, 2013: A **motion** was made **by Mayor Corby, seconded by Trustee Galli**, to approve these minutes as amended.

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

August 1, 2013: A **motion** was made **Trustee Galli, seconded by Trustee Boehlert**, to approve these minutes as presented.

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

ADJOURNEMENT

There being no further business, Mayor Corby adjourned the meeting at 9:50 PM.

Anne Z. Hartsig, Recording Secretary