

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
October 8, 2013 – 7:00 PM

Present

Mayor: Robert C. Corby
Trustees: Lili Lanphear
Lorie Boehlert
Frank Galusha
Tim Galli
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 #007 of 2013/14 fiscal year for approval. A **motion** was made by **Trustee Galli, seconded by Mayor Corby**, to approve payment of vouchers listed on Abstract #007 in the amounts stated below and to charge them to the appropriate accounts.

Abstract #007 – 2013/14

General Fund (#213-#229, #231-#250):	\$ 16,987.55
Sewer Fund (#230)	<u>\$ 85.00</u>
Total vouchers for approval:	\$ 17,066.60

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

Other Business

- As recommended by the Village’s accountant following a review of policies and procedures, a **motion** was made by **Mayor Corby, seconded by Trustee Boehlert** to approve an expenditure of \$892.00 for a computer which will be used strictly for banking purposes.
Vote: Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha– yes. **Motion carried.**
- Ms. Marowski told Board members that Windows XP will be coming to an end in April of 2014. Some or all of the Village’s computers may either need replacing or a software update installed. She will ask Integrated Systems to do an assessment of the Village’s computers and to recommend what will be needed prior to April.
- Regarding litigation matters, it was noted that the Village out-of-pocket cost is \$25,000 of unbudgeted funds per lawsuit. The insurance company covers only those items they deem to be included in the policy. Anything uncovered will be an even greater cost to the Village.
- Bank balances were presented.
- The following resolution was approved:

Resolution #4 of 2013
General Repair Reserve

Be it resolved that the Village of Pittsford, as part of its intention to increase funds to the General Repair Reserve by the adoption of the 2012-13 budget, and as allocated by that budget, would like to appropriate fund balance (A909) in the amount of \$20,000 to be added to the Reserve for Repairs (A882). These monies will also be reflected in the General Repair Reserve (A232R).

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Be it further resolved that these monies, with the approval of the Board of Trustees, will be withdrawn from Canandaigua National Bank, Municipal Choice account (#1100084753) and moved to the Certificate of Deposit account (#1101348657), and appropriate adjustments will be made on the books reflecting this transaction in the amount of \$20,000.

A **motion** was made by **Trustee Galli**, seconded by **Trustee Galusha** to accept Resolution #4 of 2013, to approve moving monies to the General Repair Reserve as written and for the purpose as stated above.

Vote: Corby- yes; Galli- yes; Boehlert- yes; Galusha- yes; Lanphear-yes. **Motion Carried**

- The detail of the general and sewer fund revenues and expenditures as of August 31, 2013 was presented.
- There are only two employees who have expressed interest in participating in the Village's flexible spending program. The cost to the Village is \$55.00 per month. Members will decide whether to continue offering this benefit during discussions about the 2014 health care plans.

SANDWICH BOARD SIGNS – DISCUSSION WITH MERCHANTS

Building Inspector John Limbeck reported that he had spoken with a NYS DOT representative. He was told that the DOT law does not allow anything to be placed in a State right-of-way. He was told further that in spite of that rule, the DOT leaves the issue of signs up to the individual municipality. A discussion regarding the definition of "right of way" ensued. Following that discussion, members of the public spoke on the issue of sandwich board signs.

Craig Iannazzi, One North Main Street: Mr. Iannazzi began by saying that temporary signs are used all over the world. He drafted points that he thinks should become part of the Village's sign code in regards to temporary sandwich board signs.

- Allowed for ground floor retail use only
- Signs shall have a brace
- Signs shall be placed within a certain distance of the building
- Signs shall be allowed during business hours only
- There shall be one sign per building sign
- Signs shall be wood, of a maximum height, clean, presentable and professional
- Signs may not be placed in the middle of the sidewalk
- Signs shall be removed if the rules are not obeyed

Mr. Iannazzi said that the Village should consider placing hard surface slabs in grassy areas to accommodate signs.

Robert Iannazzi, Pittsford resident: Mr. Iannazzi said business traffic is diminishing in the village because services have been lost. He said taxes are very high here. He said store owners should have such things as benches, flower pots, or iron fences in front of their establishments. He said sandwich signs are portable and moved in and out. Benches, flower pots, and iron railings will attract pedestrian traffic. He also stated that the State highway signs along the State routes are not needed.

Mayor Corby said taxes in the Village of Pittsford are the lowest of the ten villages in Monroe County. He added that there have been a number of initiatives to change the zoning to allow many types of businesses.

John Stadt, Flour City Pasta: Mr. Stadt said that it is difficult for people to find parking places in the village. Sandwich board signs, if attractive, give people the incentive to park and then walk to the businesses.

Robert Michaels, resident and building owner: Mr. Michaels said signs, if properly done, add a sense of vitality to the village. He added vitality is dependent upon small businesses.

Unknown speaker: A former business owner said her business couldn't be seen. She said she needed a sign on the sidewalk so people could locate her.

Karla Lee, Life is Good: Ms. Lee said the Village should work on filling the empty store fronts. She asked the Board to help the merchants and not hurt them.

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Mayor Corby asked for a show of hands for those merchants who were in favor of sandwich board signs. All were in favor. None were opposed. He said the Board acknowledges the need for visibility. He said he would like two Board members and two merchants from the audience to work with John Limbeck to draft an ordinance that would work and could become a part of the Village Code. A public hearing would eventually be held to consider the adoption of the new code. Mayor Corby said a building owner should also participate in the discussions. Mr. Limbeck will organize a meeting. **Trustee Galusha** asked merchants to register on a sign-in sheet and to include an email address.

EXECUTIVE SESSION

A **motion** was made by **Mayor Corby, seconded by Trustee Boehlert**, to enter executive session to discuss with Attorney Karl Essler, a matter of current litigation, an Article 78 Proceeding commenced by the Friends of Pittsford Village, Inc. against the Village of Pittsford Board of Trustees in which they are seeking an annulment of the Special Permit granted to Pittsford Canalside Properties, LLC, which Special Permit was approved by the Board of Trustees by Resolution #19 and #20 of 2012.

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

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

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

DPW REPORT – DOUG YAEGER

- Speed humps on Rand Place have been removed for the season.
- The Elm Street sidewalk drainage problem has been remedied.
- Terry Tree Service removed trees on Monroe Avenue and Sutherland Street.
- Mr. Yaeger has not been able to find appropriate containers for the pedestrian crossing flags. Options were discussed.
- Leaf collection will begin either the third or fourth week of October.
- The sweeper is at Cyncon for repairs and will be there for 4-6 weeks. The Town of Pittsford will try to help out while the Village sweeper is out for repairs. Trustee Galusha will call Cyncon to discuss the length of time the repairs will take.
- The permit for the Jefferson Road shoulder project should be issued in November of 2013. Repairs to that road are scheduled with help from the Town for March 2014. Mr. Yaeger will meet with the Town Highway department to schedule the project in stages if possible.
- Mums have been purchased for the urns at the Four Corners.
- Mr. Yaeger has researched an opportunity to purchase a used flush truck. Members discussed the specific piece of equipment. If purchased, the Village would send the current flush truck to auction. A **motion** was made by **Mayor Corby, seconded by Trustee Boehlert**, to support Superintendent Yaeger's recommendation to purchase a 2000 Jetter/Flush truck for a maximum cost of \$26,000.

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

- Mr. Yaeger has received a second bid for landscaping the Washington Road median.
- Mr. Yaeger and Trustee Galusha have reviewed the DPW equipment and are putting together a spread sheet.
- Trustee Galli said Selective Insurance, our current insurance provider, offers full replacement value for equipment that is over ten years old if it is destroyed while in the highway garage. He said our broker Gary Wilkins, is researching cost and coverage of other insurance companies. Mr. Wilkins said others may be less money but they may not offer the replacement coverage. Board members agreed that if other companies do not offer that coverage, the Village is better off staying with Selective Insurance.

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NATHANIEL TOPHAM – BOY SCOUT TROOP #341 – TREE SALE

Nathaniel introduced himself as the scout in charge of the annual Christmas Tree sale which will be held at Pittsford Plaza from November 24th to December 23rd. He asked for permission to place two A-frame signs in the village to advertise the sale. Mayor Corby explained that the Code was changed a year ago due to the overwhelming number of sign requests. At that time, the Board limited A-frame signs to community events and eliminated advertising for sales. The Code was also changed to allow only those events that are being held within the village. The Village Board must be consistent and therefore, cannot approve the application to place the signs in the village. Nathaniel thanked the Board for their time.

BUILDING INSPECTOR'S REPORT – JOHN LIMBECK

- A non-municipal use permit was issued for the “Pull the Plug” regatta. There has since been a request to allow Harliday Hots to sell hot dogs at the regatta. A **motion** was made by **Mayor Corby**, seconded by Trustee Galli, to amend the non-municipal use permit granted to Pittsford Crew for the “Pull the Plug” regatta, to allow the inclusion of Harliday Hots as a vendor at the event.
Vote: Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha– yes. **Motion carried.**
- Mr. Limbeck shared his concern about issuing temporary parking permits for contractors and for personal residential events such as large parties, because of the limited parking within the village. He asked the Board if these permits could be limited to locations where there is no other parking option. Mayor Corby said Mr. Limbeck should use his discretion when issuing these permits.
- Signage at the gas station at 58 Monroe Avenue was discussed. Mayor Corby sketched an alternative location for the required New York State signs which Mr. Limbeck will share with the owner. Regarding tires, the owner agreed to discontinue having his tire exchange in the front of the building.
- Chase Bank will attend the PZBA meeting in November for landscaping issues and will present stamped drawings.
- Mr. Limbeck noted that there has been no drop-off in the number of applications that are being submitted.
- The following Code Violations were noted:
 - High pressure sodium lights at the First Presbyterian Church
 - Unapproved signage at 56 North Main Street
 - Back lawn at 18 Washington Road should be monitored
- Mr. Limbeck will ask Starbuck’s on-site manager to participate in a meeting with the owner of the Village Bakery to discuss on-going issues at 5 State Street.
- Grading for the roads at 75 Monroe Avenue is part of the environmental remediation taking place. A stop work order remains in place for tree and shrub removal along the canal bank.

SPECIAL PERMIT INFORMATION ONLY – MICRO BREWERY FOR SCHOEN PLACE

Business partners John Clark, Seth Clark, and Casey Dunlavey presented a business plan for the “Lock 32 Brewing Company”, a business in which locally brewed craft beer could be sampled and growlers could be purchased for personal consumption. The partners emphasized that this will not be a bar, nor would it be a competitor to Thirsty’s.

Mayor Corby commented that because the business would not be located near any residences, the location is a perfect fit for the business. He noted some of the logistical concerns that would need to be addressed such as trash, outside seating, delivery trucks, hours of operation and parking.

The partners said they hoped to open up the windows on the canal side of the building. Mayor Corby cautioned that the historic integrity of the waterfront in Pittsford Village is among the best in the State. He said the buildings along Schoen Place are historically important. He noted that any changes to the

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building would require careful scrutiny and approval from the APRB. Mayor Corby suggested that the owners meet with Chairman Paul Zachman before proceeding with a design.

Board members were enthusiastic about the idea of a micro-brewery on Schoen Place. The partners will proceed to PZBA for comments. A **motion** was made **by Mayor Corby, seconded by Trustee Galusha**, to hold a public hearing on November 12th to review an application for a Special Permit for the Lock 32 Brewing Company.

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

SCOTT HARTER – STORMWATER COALITION

A **motion** was made **by Mayor Corby, seconded by Trustee Lanphear**, to appoint Scott Harter as the Village’s official representative to the Monroe County Stormwater Coalition.

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

Mr. Harter noted the following:

- As part of belonging to the Coalition, a stormwater ordinance is required. Mr. Harter will draft an ordinance and present it to the Board.
- Pittsford Village is designated “MS 4” which means that the stormwater plan submitted by the developer for 75 Monroe Avenue will have to meet criteria before being accepted by the Village.
- Community education is another requirement of the Coalition. Mr. Harter said perhaps best management practices regarding stormwater could be added to the Village’s website.
- Mr. Harter will keep the Village Board up to date on anything regarding the Stormwater Coalition.

A concern remains regarding the drainage at 75 Monroe Avenue. As a condition of preliminary site plan approval, the drainage problem must be resolved. The developer is being asked to fix what they have blocked. Representatives of the developer said they will only fix what is on their property and will not go off site to fix anything else. There is a concern that there could be a suit initiated by Village Green if the drainage is not fixed. Water is still coming and going under the railroad tracks. Mr. Harter said the developer has put a cloud over the project by not addressing the drainage issue. In his opinion, the problem should be solved before the project moves forward.

ZONING MAP UPDATE

Mayor Corby said some of the streets on the zoning map are marked incorrectly as official village streets when they are indeed private streets. Some are not shown as Village streets and should be. He will contact Michelle Debyah at the Town to have the zoning map updated.

FREEDOM FROM WORKPLACE BULLIES WEEK PROCLAMATION

The following proclamation was discussed, voted upon, and approved by a **motion** made **by Mayor Corby, seconded by Trustee Galusha**.

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

VILLAGE OF PITTSFORD PROCLAMATION

DECLARING OCTOBER 20 – 26, 2013 “FREEDOM FROM WORKPLACE BULLIES WEEK”

WHEREAS, the Village of Pittsford has an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, surveys and studies have documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

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WHEREAS, abusive work environments can create costly consequences for employers, including reduced productivity, absenteeism, turnover, employee health-related expenses and if left unchecked, costly litigation; and

WHEREAS, protection from abusive work environments should apply to every worker, and not limited to legally protected class status based only on race, color, gender, national origin, age, or disability;

NOW, THEREFORE, on this 8th day of October, 2013, the Mayor and the Trustees of the Village of Pittsford hereby proclaim October 20 – 26 “Freedom from Workplace Bullies Week”.

30 LOCUST STREET – DOOR RESTORATION

The owners of 30 Locust Street have asked the Village to reimburse them for a replacement door which they said became a necessary purchase as a result of a position taken by the APRB that the existing door could be repaired. The owners had the door stripped by G&G Window Repair Inc. which apparently caused its demise. Mayor Corby discussed the situation with John Limbeck and APRB Chairman Paul Zachman. Village Attorney Jeff Turner reviewed the request letter and is of the opinion that the Village is not liable for the cost of a replacement door because the APRB did not tell the owner that the door must be stripped. Board members expressed unanimous support of Chairman Zachman and the APRB members. Attorney Turner will be asked to send a letter of determination to the owner.

PITTSFORD ALLIANCE RED RIBBON REQUEST

A **motion** was made by **Trustee Boehlert, seconded by Mayor Corby**, to support Pittsford Alliance for Substance Free Youth and to approve the display of red ribbons on village light poles from October 21-31, 2013 and to join the Town and School in accepting the following proclamation:

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

RED RIBBON WEEK PROCLAMATION

WHEREAS, Alcohol and other drug abuse in this nation has reached epidemic stages; and

WHEREAS, It is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, National Family Partnership (NFP) is sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

WHEREAS, The National Red Ribbon Campaign will be celebrated in every community in America during “Red Ribbon Week”: October 23-31; and

WHEREAS, Business, government, parents, law enforcement, media medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week long campaign; and

WHEREAS, We intend to further commit our resources to ensure the success of the Red Ribbon Campaign;

NOW THEREFORE BE IT RESOLVED, that the Village of Pittsford does hereby proclaim October 23-31, 2013 as RED RIBBON WEEK and encourages its citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug-free state.

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MEMBER ITEMS

- Trustee Lanphear received a quote from Bristol's for Christmas wreaths for the same cost as last year. She said the Boy Scouts have asked the Village to purchase wreaths and garlands from their troop. A discussion ensued. It was decided that decorations would be purchased from both sources.
- Trustee Lanphear said the civic group will decorate the trees for the urns at the Four Corners.
- Trustee Lanphear presented a plaque recognizing the efforts of former Trustee Paula Sherwood. It will be placed in the garden under the railroad trestle on North Main Street in her honor. An envelope for donations towards the purchase of the plaque is in the village office.
- Trustee Galli discussed the recommendations from the Village's accountant and the remediation plan that resulted. He noted that some procedures still need to be written from samples that have been gathered.
- Jef Mason was approved to research having a key made for the JCO Board Room.
- Trustees stated that picking up packets from the Village Hall prior to the meeting is part of the responsibility of being a APRB or PZBA member. This issue will be discussed with those Board members.
- It appears only two people from the village staff have an interest in continuing the flexible spending benefit. Since there is a cost to the Village to provide this benefit, the subject will be discussed further as part of the health insurance renewal discussions that will take place this fall.
- A DPW member inquired about being hired to clean the Village Hall. Members discussed the idea. Further discussion will take place.
- The Clerk will seek a quote from ADP Payroll services prior to the next budget season.
- Mayor Corby is sending photos of Village buildings to Nicole Nunes as part of a renovation of the interior décor at the Pittsford Applebee's Restaurant.
- Members were reminded to RSVP to Susan Donnelly about participation in the Veterans Day Service.

MINUTES

September 17, 2013: A **motion** was made by **Mayor Corby**, seconded by **Trustee Galusha**, to approve these minutes as submitted.

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

ADJOURNMENT

There being no further business, a **motion** was made by **Mayor Corby**, seconded by **Trustee Galli** to adjourn the meeting at 11:05 PM.

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

Anne Z. Hartsig, Recording Secretary