

**PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**January 14, 2014 – 7:00 PM**

**Present**

<b>Mayor:</b>	Robert C. Corby
<b>Trustees</b>	Lili Lanphear
	Lorie Boehlert
	Frank Galusha
	Tim Galli
<b>Attorney:</b>	Jeffrey Turner
<b>DPW Superintendent:</b>	Doug Yaeger
<b>Building Inspector:</b>	John Limbeck
<b>Recording Secretary:</b>	Dorothea M. Ciccarelli

**CALL TO ORDER**

Mayor Corby called the meeting to order at 7:00 PM.

**TREASURER’S REPORT – Dorothea M. Ciccarelli**

Mrs. Ciccarelli presented vouchers listed on Abstract #011 of 2013/14 fiscal year for approval. Trustee Galli personally reviewed vouchers. A **motion** was made **by Trustee Galli, seconded by Trustee Boehlert**, to approve payment of vouchers listed on Abstract #011 in the amounts stated below and to charge them to the appropriate accounts.

**Abstract #011 – 2013/14**

General Fund (#381-#392), (#394-#436):	\$ 22,486.23
Sewer Fund (#393,#419,#433,#435):	<u>\$ 404.51</u>
<b>Total vouchers for approval:</b>	<b>\$ 22,890.74</b>

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

**Other Business**

- The Village Clerk reported the bank balances for the Village as of 1/11/2014 and that the sewer billing went out for \$63,000.
- Tentative Schedule for Budget Workshops was available to the Board. The Board agreed to schedule the first meeting on January 22, 2014 between 7-9 pm.

**DPW REPORT – Doug Yeager**

- Brush, leaf, and Christmas trees are currently being picked up on schedule, with the crew even doing some pickup today. The Superintendent commented they were almost caught up with the leaf pickup, with the exception of a couple areas, where the leaves were still quite frozen.
- The crew started today on making repairs to potholes throughout the Village. Trustee Lanphear questioned what areas were hit the hardest. The Superintendent informed the Board he felt Church Street, Sutherland, South Street and work needs to be done on Boughton Avenue. The

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Board informed the Superintendent of other areas they had noticed with potholes in need of filling.

- Superintendent discussed the street light repairs being made and informed the Board that they are replacing all the guts in the light pole do to the age of lights for the necessary repairs. The Mayor discussed with the Superintendent if they were going to be getting new fixtures to look at changing the wattage from a 100 bulb to a 75. The Superintendent commented they currently purchased either 60 or 75-watt bulbs, but he would look into it further.
- There was discussion on the necessity of replacing the Salter, since the current one is not fixable. The motor has to be turned manually; it is not reliable for the Department. The new one would be the same size as the previous and it's made from a different metal. Trustee Boehlert questioned the final disposition of the old salter. Superintendent Yaeger informed the Board he would be sending it to the auction, with the expectation of a sale.

A **motion** was made by **Trustee Galusha, seconded by Trustee Boehlert**, to authorize the purchase of a Smith Metalwork's Salt Hopper Spreader, not to exceed a cost of \$4,600.

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

- Discussion was had on the Main Street Flower Baskets, the Superintendent discussed with Trustee Lanphear the number of baskets needed for the season. Discussion was held on the placement of the baskets and using the street light poles map and for a count of the baskets needed.

**BUILDING INSPECTOR'S REPORT – John Limbeck**

- Mr. Limbeck discussed with the Board a proposed change to village code section 76 Brush, Grass and Weed. He is looking to add wording to the current section to deter residents from raking or depositing yard debris and leaves in the roadway. The wording proposed was "Owners and occupants of land in the village shall not deposit brush, leaves, grass or other yard debris upon village Streets. Where sidewalks exist, such debris shall not be located within a one-foot of the roadway edge". Discussion was held by the Board with concern for homes in the village, which do not have a sidewalk. The Board requested some changes in the language and wanted the Building Inspector to use discretion in enforcement.
- Mr. Limbeck reviewed the village-zoning map, and within the map, it showed three properties that currently are affected by split Zoning. Two of the properties involved are 11 State Street (ESL), 7 State Street (Thomas Cook's Law office) they are partially zoned R-2 and B-1. Discussion was held by the Board on 11 State Street and after consulting with Village Attorney it was discussed due to previous, legal issues in the past, it was best to leave this property as it is currently zoned. The other property involved was 14 South Main Street, which is partially zoned R-2 and B-1A. Mr. Limbeck suggested the properties would be better suited rezoned to the respective business zoning. The Board asked if the suggested changes actually were a reflection of the current comprehensive plan. The Board also requested the Building Inspector make the suggested changes with the removal of 11 State Street. The Mayor asked if the Board was supportive of the Zoning Changes requested.
- In reviewing the code section 173-6 Dumpsters, Mr. Limbeck is hoping to impact the current owners or merchants who are not in compliance. He would like to see the code amended to allow him some flexibility related to enclosures, giving him the ability to issue a waiver where a small dumpster or where no more than three totes are being utilized. For this waiver to be issued there

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would be four additional conditions that would need to be addressed. These include the following: 1. the containers have watertight covers. 2. The containers are not used for any type of restaurant and/or food-related garbage. 3. The owner/lessee has demonstrated that the area surrounding the container has been kept clean and litter free. 4. The site of the container placement is not conducive to an enclosure. In addition, he removed all references to the Village Clerk and replaced them with the Building Inspector. The Board discussed some of the issues related to current dumpsters in the village and no formal actions were taken. The item was to be reviewed at the next meeting.

- The following change suggested is in the code related to the village Code section 105-15C Civil Penalties. Mr. Limbeck would like to see the addition of Pittsford Village Code and Allowing that any violation of the code would result in a civil penalty. He would like to see the amount of the civil penalty increased to \$300. The Board requested to have the Village Attorney consulted before any further action on the item.
- Village Sign code section 168-5 Signs, Mr. Limbeck was looking to remove the section related to sandwich board signs and redirects temporary signs to Section 168-6 "Signs permitted without a permit". The Board reviewed the information and was concerned about temporary banners that are used occasionally for municipal organizations, and requested Mr. Limbeck included a waiver for such uses.
- Mr. Limbeck reviewed the situation with the siding with the Village Board for 19 South Main Street. The owner was approved to install Hardie board siding on the building, but installed a faux grain instead of the required smooth board. The owner met with the APRB on January 6, the APRB Board was not opposed to allowing the owner to leave the faux grain boards in place while he continues the completion of the building with the correct siding. The owner has indicated he would like to find a way to eliminate the grain, either by sanding or by filling in the boards. Jeff Turner, Village Attorney suggested to the Village Board that they can file a restricted covenant agreement with the owner, that would be filed with the Monroe County Clerk's office so if the building is sold it puts a new owner on notice of the repair. Discussion was held on the possible period for the repair to be completed, it was thought that 2 years would be generous.
- Mr. Limbeck discussed neon signs located at a dozen locations and his pending enforcement actions on having them removed. Village Attorney suggested Mr. Limbeck that he double check the date on the signs to verify that it is not considered grandfathered.
- The village received notice that 17½ Washington Road was using propane for heating the location. Mr. Limbeck indicated he has been investigating with the utility service to determine, if the claim is true. In addition, there are concerns regarding the structure's stability and would like to gain access to the home due to the safety concerns. The Board requested that when he planned to knock on the door, he should bring someone with him to witness and for security measures.

## **GRANT UPDATE**

The Mayor gave an update on the Active Safety Transportation Plan. He had received a call from Robert Torzynski last October, that they were reconsidering the program. The village had submitted a scope of work prior to that. Rich Perrin, the director of Genesee Transportation Grant, contacted the Mayor this week. The director indicated the Town of Pittsford was applying for a \$40,000 grant and they were looking to take our existing grant and combine with the Town to do a community wide transportation plan. The Mayor explained to Mr. Perrin, that the Town had no jurisdiction over the Village Streets and

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there would be a different emphasis on the needs of the Town in comparison to the village. The village's plan would be focused on walkability, pedestrian safety, parking and road design to ensure we are continuing progress towards traffic calming. We were looking at this plan to work with our complete street designation and in addition to be standalone document, which would be useable for adoption into our Comprehensive Plan. There would as well be additional use of the plan with our long-range projects. The Mayor explained given the several Historic designations the village has received, that would play a part in the plan. We would need to hire our own consultant who would be familiar with our standards. Mr. Perrin explained the Town was willing to administer the grant. The Mayor thought we could handle administration of the grant with current village staff. Trustee Galli questioned when the grant expiration date was. The Mayor commented it did not expire until December of 2014. Trustee Boehlert commented she would be willing to help the Mayor with this grant. The Mayor commented he would like someone to attend the follow up meeting with Mr. Perrin and he would follow up with the Board when he had more information.

**PITTSFORD YOUTH SERVICES, INC.**

The Board discussed previous donation levels and reviewed information presented and would discuss further funding at budget workshops.

**AUTHORIZATION TO SCHEDULE EMPLOYEE HARASSMENT AND WORKPLACE VIOLENCE TRAINING**

A **motion** was made by **Mayor Corby**, seconded by **Trustee Galli**, to authorize the scheduling of Employee Harassment and Workplace Violence Training not to exceed the budgeted amount for 2013-2014.

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

**RESCIND RESOLUTION TO HOLD PUBLIC HEARING ON LOCAL ZONING MAP CHANGES**

A **motion** was made by **Mayor Corby**, seconded by **Trustee Boehlert** to rescind the resolution to hold a public hearing on January 28, 2014 to consider changes to the official village map.

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

**MEMBER ITEMS**

Mayor Corby reviewed a training opportunity presented to the village from Monroe County a workshop on January 21 and 22.

Trustee Galli updated the Board on the reserve accounts and the accountant's report. A couple things he was working on were proposed changes to the general fund reserve. Trustee Galusha and the Village treasurer have been involved, he would be forwarding to the Village Attorney for his review as well. Trustee Galli hoped to have it for Board approval in the near future. The second item is a sewer reserve, which is more complicated in terms of research, when completed he would be forwarding to the Village Attorney as well. Trustee Galli also informed the Board he is working on four additional policies that have been circulated to the Village Clerk and Treasurer for review. These include a Whistleblower Policy, Cell Phone Policy, Online Banking and Credit Card Policy. He hoped to have them to the Board for the next meeting.

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Trustee Galusha and Trustee Galli discussed plans for policies related to handling large-scale emergencies with the Sewer Department. They were very happy with the information provided to them from the Village Engineer. Mayor Corby suggested contacting the Town Sewer Department to see what procedures they had in place as well.

**EXECUTIVE SESSION**

A **motion** was made by **Mayor Corby, seconded by Trustee Boehlert**, to enter executive session to discuss the current litigation.

**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 leave executive session and reenter the regular session of the meeting.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Galusha**, to authorize the rate of \$165.00 per hour for Jeffrey Turner for litigation matters relating to 75 Monroe Avenue.

**MINUTES**

**November 25, 2013:** A **motion** was made by **Trustee Boehlert, seconded by Trustee Galusha**, to approve these minutes.

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

**December 10, 2013:** A **motion** was made by **Mayor Corby, seconded by Trustee Galusha**, to approve these minutes.

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

**December 13, 2013:** A **motion** was made by **Mayor Corby, seconded by Trustee Boehlert**, to approve these minutes.

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

**December 27, 2013:** A **motion** was made by **Mayor Corby, seconded by Trustee Galli**, to approve these minutes as written.

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

**December 30, 2013:** A **motion** was made by **Mayor Corby, seconded by Trustee Boehlert**, to approve these minutes as written.

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

**ADJOURNMENT**

A **motion** was made by **Mayor Corby, seconded by Trust Galusha**, to adjourn the meeting at 9:00 PM.

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

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Dorothea M. Ciccarelli, Recording Secretary