

Proceeding of a Regular Meeting of the Board of Trustees
June 10, 2014

Present:

Mayor: Robert C. Corby

Trustees: Lili Lanphear

Tim Galli

Lorie Boehlert

Frank Galusha

Attorney: Jeff Turner

Treasurer/

Recording Secretary: Mary Marowski

CALL TO ORDER

Motion: Mayor Corby made a motion, seconded by Trustee Lanphear, to call the meeting to order at 7 PM.

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

TREASURER'S REPORT

- Abstract #21 vouchers for the 2013-14 fiscal year was presented for approval.

General Fund (#707- #730): \$37,651.01

Sewer Fund (#725): \$ 51.77

Total 2013-14 Vouchers: \$37,702.78

Motion: Mayor Corby made a motion, seconded by Trustee Galusha, to approve the 2013-14 fiscal year vouchers listed on Abstract #21 and to charge them to their appropriate accounts.

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

Abstract #1 vouchers for the 2014-15 fiscal year was presented for approval.

General Fund (#1-#8, #10-#14): \$26,816.77

Sewer Fund (#9): \$ 2,689.70

Total 2014-15 Vouchers: \$29,506.47

Motion: Trustee Galli made a motion, seconded by Mayor Corby, to approve the 2014-15 fiscal year vouchers listed on Abstract #1 and to charge them to their appropriate accounts.

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

- Current bank balances and the status of tax collection was presented.
- A quote for \$350 for stripping and waxing the vestibule and the meeting room floors by Midnight Janitorial was submitted for approval.
Motion: Trustee Galli made a motion, seconded by Trustee Galusha, to approve the quote from Midnight Janitorial for the additional recommended cleaning for an additional \$350.
Vote: Corby – yes; Lanphear – yes; Galli – yes; Boehlert – yes; Galusha – yes **Motion Carried**

- Elizabeth Sullivan, manager of the Farmers Market, had requested a building key to be issued to the group so that they may store their materials at Village Hall. They would need building access from July through October. It was Mayor Corby's understanding that a storage shed was being made available to the Farmers Market and that it would be placed at their location shortly. He stated that access to the Village Hall would then not be necessary. The Board chose to hold off on issuing a key to the group pending more information regarding a storage shed.

DPW REPORT

Doug Yaeger, DPW Superintendent, presented items of concern for the Board's review.

- Most of the catch basins along Sutherland Street, Lincoln Avenue, Boughton Avenue, South Main Street, and Elmbrook at Eastview Terrace, have been cleaned and inspected.
- The Sweeper had a "boom" fall off while it was in use. It will be returned to Cyncon to correct the problem. There should be 'no cost' involved with this repair since it had just come back from being repaired.
- The Village is waiting on millings from the Town of Pittsford to be repurposed for the repair of potholes along the right-of-way behind the Coal Tower and Flower Mill.
- The drinking fountain near Label 7 has been temporarily fixed. The drinking fountain is also rusting. Mr. Yaeger is currently looking into rectifying this situation.
- Speed humps for Rand Place will be reinstalled next week.
- A quote for \$9,850 to modify the Jefferson Road shoulder was received from Mason Trenching. This quote was one of two quotes submitted to the Village for acceptance. The other quote submitted was from Macedon Excavating and Paving Inc. for \$16,500.
- Benson Landscaping had designed and planted the meridian at Washington Road.
- The Farmers Market stated that they cleaned up their own trash from their event and disposed of it in the DPW dumpster, as agreed upon with the Board of Trustees. The crew is instructed to monitor the site on Fridays following the event.
- The Board addressed Mr. Ament's (Jembetat) concern regarding the deplorable condition of the portable bathroom unit located at Schoen Place. The crew will monitor the situation daily. Mr. Yaeger will contact the rental company to inquire about the cost for more frequent unit cleaning. It was suggested that cleaning take place on Monday and Friday. An emergency call will cost \$125.
- Mr. Yaeger is contacting Broccolo to have the ash trees treated.
- There are lights that are not working around the village. Areas for concern are at the canal where Ramsey Construction had been working on an underground issue near Woodbridge, South Main Street at various locations on the west side, and in front of 25 N. Main Street.
- The green posts near South Street and Maple Street are broken and need to be replaced.
- Sinkholes in several areas around the village have been reported: Washington Ave and Monroe, Lincoln and N. Main Street, South Street, and at 9 Grove St, which may be a RGE issue.
- The pigeons have been nesting in the open part of the netting. The crew was asked to pay special attention to this matter as there will be a wedding held in the pavilion on August 2.
- The repair of the fence in the Burdett lot had been put on hold during negotiations. Since this issued is now resolved, the Board instructed the crew to fix the fence, pick up the garbage and continuing mowing the areas necessary.
- Approximately 20 trees should be ordered from Bristols. Tree trimming should also be scheduled.

Trustee Galusha and Mr. Yaeger will be meeting on Friday to discuss the work list.

BUILDING INSPECTOR'S REPORT

Commercial Properties:

- Mr. Limbeck informed the Board that he had spoken with Debra Wegman, real estate manager for RG&E. He discussed with her the necessary cleaning up & maintenance of the substation property on Monroe Avenue. Mr. Limbeck also reviewed with her the village's use of the right-of-way adjacent to the rear property lines along Shoen Place. Ms. Wegman mentioned while the use is acknowledged, it is not clearly defined and would be forwarding paperwork regarding a lease option for the property.
- Mr. Limbeck discussed with the Board that Chase Bank is trying to expedite the planting of the replacement trees on the east side of the Bank. A representative will be contacting Mr. Limbeck regarding to the status of completed work as set forth in the contract.
- The Board agreed that the dumpster and totes placed at the Weis lot on South Main Street would require an enclosure. Mr. Limbeck should follow the standard procedure and requirements as dictated by the code.
- Mr. Limbeck informed the Board he had notified Game Gamut, Lock 32 Brewing, and the Jembetat Gallery, to remove the "open" signs from the building. The Board discussed the use of an "open flag" and decided that it did not identify the business.

Residential

- Mr. Limbeck informed the Board that there was nothing substantial to report, but that he is issuing a substantial number of permits for residential work each week.

General

- Mr. Limbeck and the Board discussed recent change made at Hicks and McCarthy and if the changes made were substantial enough to require a change to the restaurant's special permit. Further discussion was held on the code requirement that does not permit more than 25% of the storefront window to be covered. Mr. Limbeck would follow up with the owner to review the changes made.
- Mr. Limbeck discussed the difficulty with enforcement of glass block window installations. Some residents have had the windows installed without approval and permits. Other residents have appeared in front of the APRB Board and have had their applications denied. Attorney Turner suggested that the Board further review the situation with the APRB. Mr. Limbeck was asked to take an inventory of current windows installed illegally. Mayor Corby would follow up with the APRB in July regarding the glass block windows.

Justin Vliestra, 19 Boughton Avenue, explained to the Trustees his experience of updating his basement windows with the APRB.

- Mr. Limbeck questioned the Board if there was any restriction against having an overhead cable service added to a commercial building. The Board did not know of any restrictions.

- Mr. Limbeck discussed a recent application submitted by Mr. Newcomb for the approval of three gooseneck light fixtures. He has received APRB approval, but is required to obtain Planning Board approval as well. Mayor Corby discussed the two different types of lighting and the reason the high intensity lighting should have to appear in front of the Planning Board. Mr. Limbeck stated that a change was needed to the village code discerning the lighting differences and requested the Board's approval to modify a change in the code.
- Mr. Limbeck discussed with the Board as to what were the next steps to be taken related to the ponding water adjacent to the CSX tracks. Village Engineer, Scott Harter, recommends the village obtain a geotek report regarding the ponding water. Trustee Galli asked what the associated cost would be. Mr. Limbeck indicated it would cost approximately \$1,000. Trustee Boehlert stated that the village should notify CSX of the ponding water since it is on their property. Mayor Corby stated a letter should be written to CSX and Mark IV regarding the ponding issue. Attorney Turner will be drafting the letter to both parties. The letter will be signed by Mayor Corby.
- Mr. Limbeck informed the Board of the numerous calls he is receiving regarding sandwich board signs that are being displayed by businesses and other entities. Sandwich board signs have been recently disallowed by the Board. Mayor Corby will be speaking with the Town regarding their signs.
- Mr. Limbeck informed the Board he would be meeting with Label 7 regarding the outstanding violations.
- Attorney Turner reviewed how the "restrictive covenant" would apply once it was filed regarding the Powers property. This action would inform a new owner of any outstanding work needing completion when purchasing the property.
- Attorney Tuner reviewed the current situation regarding the Weis parking lot lease. He is hoping to have the lease prepared for approval for the next Trustee meeting.

PUBLIC HEARING – PITTSFORD VILLAGE BAKERY – CHARLES FITZSIMMONS

A public hearing was initiated to consider an application made by the Pittsford Village Bakery for an expansion of their Special Permit for restaurant and carry out operations in the building located at 5 State Street. The location is in a B1 (Retail Business District), pursuant to Chapters 210-74 A (2) Special Permit Uses in B-1, B-1A, B-2, B-4, and M-1 districts.

The applicant has been heard by the Planning Board, who met on May 19 and did not render any comments. Mr. Fitzsimmons stated that there would be no exterior changes, only the interior changes proposed to the 800 sq. ft. space in the vacant building adjacent to Mr. Cook's property located at 7 State Street. He further stated that he needed more space for production purposes and to house a bigger walk-in cooler. There would not be any additional seating nor changes to the café.

Motion: Mayor Corby made a motion, seconded by Trustee Boehlert, to open the public hearing to consider the application for the Pittsford Village Bakery's expansion.

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

No public comments were received.

Motion: Mayor Corby made a motion, seconded by Trustee Boehlert, to close the public hearing considering the application for the Pittsford Village Bakery's expansion to occupy the 800 sq. ft. space

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for additional room for food preparation. This application meets the criteria as outlined in the Village Code §210-74, A-H.

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

Motion: Trustee Galli made a motion, seconded by Mayor Corby, to include the above conditions as an amendment to the current special permit.

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

AMEND SPECIAL PERMIT - SAHA MED GRILL – SAM MINA

Mr. Mina is seeking a 90-day temporary sign, like those commonly issued to retail business, until his permanent sign is approved. He presented a drawing of the proposed sign for the space located at 14 South Main Street. Mr. Mina currently has a “Saha Med Grill” sign above the bay window, however would like to have an additional temporary sign stating “opening soon” in the window. Mr. Mina also asked the Board if the tree in front of the bay window could be removed and be replaced with two trees because the one tree obstructs the sign’s visibility. The Board stated they would have Jim Edwards, our tree professional, trim the branches on the existing tree, and then re-evaluate the situation. Currently the SAHA MED GRILL does not qualify as a retail business; it is a restaurant that serves alcohol. There is no provision in the Village Code regarding temporary signs for restaurants. The only way to allow him a temporary sign is to have the Trustees amend his Special Permit. Mr. Mina stated he would like to open the restaurant by the end of July. Attorney Turner stated that the temporary sign permit is part of “special use” and would need to be re-published. The Board told Mr. Mina that the current window sign must come down and he must wait until he gets APRB approval for a permanent sign.

INSURANCE FOR BUILDING PERMITS

Mr. Kelby Ash, 58 Rand Place, is considering doing some interior restructuring in his home. He is seeking a waiver from the Board regarding the insurance requirement. Mr. Ash plans to do this work himself. Currently, as part of the building permit requirements, the Village requires a homeowner, or the secured contractor, to file a copy of a \$1M liability policy that names the Village as ‘additional insured’. Mr. Ash is seeking a waiver regarding this requirement due to the high cost of obtaining it.

Mr. Limbeck stated that the Town of Pittsford uses a waiver for property owners and that the Village of Pittsford is the only municipality in Monroe County that still abides by this requirement. He suggests that the Village could issue a ‘hold harmless’ agreement which would be covered under the homeowner’s personal insurance umbrella. This would enable the Village to waive this requirement and still have the protection regarding any liability. This avenue would greatly reduce the homeowner’s cost for the current required insurance mandates.

Motion: A motion was made by Mayor Corby, seconded by Trustee Galli, to hold a public hearing on August 12, 2014, to consider a local law to amend Village Code §105-4 governing Building Permits applying the proposed language as discussed.

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

AMERICAN TRAVELLING MORRICE – KENNETH KEARN (EMAIL)

The American Travelling Morrice, a folk dance group consisting of approximately forty performers, will be in the Rochester area on July 29. They would like to add a performance in Pittsford to their schedule. They are considering dancing on the sidewalk next to the landing on the north side of the canal next to Aladdin’s. Their performance would be scheduled at noon and lasting about thirty minutes. Their dance company does not charge for the performance, but will accept donations.

Motion: Mayor Corby made a motion, seconded by Trustee Lanphear, to allow the American Travelling Morrice to perform on July 29 on the sidewalk near Aladdin's at/near noon. The dance company must provide the standard insurance requirements for this event.

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

WALNUT HILL SIGN

The 'Annual Walnut Hill Driving Competition' is scheduled for July 28- August 10. The event sponsor, Ms. Patricia Remley-White, would like permission to display sandwich board signs as has been done previously for this event. Mr. Limbeck stated that he had spoken with the sponsor and informed her that sandwich board signs were no longer approved by the village.

The Board is considering a community event sign in lieu of the sandwich board signs. This would help consolidate and centralize event information. This sign could be used by the Village, Town, Library, and any not-for-profit groups. The Board discussed several options where an event sign could be installed including on the Phoenix Building lawn, the southwest side of the Parker block, or at the Fire Department.

PITTSFORD REGATTA

Mr. John Bowen, of the Pittsford Crew, expressed apologies to the Board and to businesses regarding the parking overflow during the Regatta due to larger than normal crowds. He stated, in an email, that some changes would be forthcoming regarding this event. Mr. Bowen would like to meet with village and town leaders for a more proactive discussion regarding the operations of the Regatta. At this time, no further action is required.

BIKE PATH SAFETY ISSUE

Mr. Tim Turner, EMT, Pittsford Volunteer Ambulance, stated in an email his concerns with safety under the North Main Street bridge. He had been called to the site where two bikers collided under the bridge and both required medical help. It was suggested that a convex mirror be placed at the curve at both ends to help increase visibility for the on-coming traffic.

The Board, understanding the safety concerns stated, authorized Superintendent Doug Yaeger to purchase and install two mirrors as suggested under the North Main Street bridge.

DUCK DROP DERBY FUNDRAISER

Ms. Jill Lennox, Pittsford Youth Services, had provided a proposal to sell tickets for the Duck Drop Derby, being held now until the event on July 18. Areas sited for sales of tickets will include Schoen Place near the public dock area, Pittsford Library parking lot during concerts, in front of Pontillo's, and at the Farmers Market. Youth Advisory Board students and residents of Highlands of Pittsford will be helping with the sales. Mr. Limbeck stated this fundraiser has already been added to their non-municipal use permit.

Motion: Mayor Corby made a motion, seconded by Trustee Lanphear, to amend the existing non-municipal use permit for the Annual Duck Drop.

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

EBS CONTRACT RENEWAL

The Board had reviewed the annual contract regarding the flexible spending employee benefit. In the new contract, the monthly fees will be raised to \$75 per month.

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Motion: Trustee Boehlert made a motion, seconded by Mayor Corby, to approve the new EBS contract for flexible spending with the new increased rate of \$75 per month.

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

BOUGHTON AVENUE TRAFFIC STUDY

A traffic study prepared by SRF Associates has been presented for review. This field review included field observations of the existing traffic conditions on Boughton Avenue. The study was performed on May 6 and May 14 during the morning and evening peaks. Rolling stops and stop sign disobedience were frequently witnessed at the Jackson Park intersection.

The Board assigned Trustee Galusha and Trustee Boehlert to work as a sub-committee to review the submitted report and to determine the most suitable options in traffic calming the area.

PITTSFORD VILLAGE FARM MARKET FOLLOW UP

The Pittsford Village Farm Market had opened on June 5 and it was a successful first event. The market will be on Thursday evening from June through October. The hours of operation are set from 4 – 8 PM. There are approximately twenty-five food vendors registered for this year. The food vendors are responsible for the removal of their own trash. As part of the non-municipal permit, the Farm Market personnel are disposing the trash at the Village Highway dumpster. The DPW crew will be checking the grounds on Friday mornings to ensure the area is clean.

Ms. Alys Plummer stated that the Rotary Club was donating a storage shed to the Farm Market. Ms. Plummer asked the Board about an appropriate location for the shed. Since it is on Town property, the Board deferred the decision to the Town, however stated that perhaps it could be placed at the northeast corner of the property. It will be painted green to blend with the environment.

Ms. Plummer also stated that the organization was looking for seed money to cover expenses. She had inquired if the Village of Pittsford could provide such. The Board agreed that this would be for a good cause and would be happy to support their interest. They further requested a copy of their financial position when it became available.

Motion: Mayor Corby made a motion, seconded by Trustee Galusha, to help support the Pittsford Village Farm Market with a donation of \$500.

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

The Farmers Market would like to continue to use sandwich board signs, but they are currently not allowed due to the recent changes to the Village Code. Other options such as a banner, sealing off the area with orange cones, or including the event on a community event sign had been discussed. Ms. Plummer will discuss this matter further with other members of her organization.

Ms. Plummer also stated that the parking had worked better than the group had anticipated. She wanted to extend her appreciation to all of the merchants who have helped to provide space.

LWRP – NYS CONSOLIDATED FUNDS GRANT

The Village of Pittsford, through the grant writing efforts of Sophia Bennett, has applied for a grant through the New York Works program, to construct a pavilion at the site of the former gas dock on Schoen Place. This pavilion will commemorate Erie Canal's bicentennial and will complete the Village's vision for Schoen Place. This is a 50/50 grant. The estimated cost for this project \$100K.

Motion: Trustee Boehlert made a motion, seconded by Trustee Galli, to make a resolution stating that the Village Board endorses the 2014 LWRP for \$50K. These Village funds will be applied to the construction of the preservation pavilion that marks Erie Canal's 200th anniversary and at the location formally occupied by the gas dock on Schoen Place.

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

TOWN OF PITTSFORD FIELDS AND RENOVATION OF THE SPIEGEL CENTER

The Town of Pittsford will be adding more fields to their grounds and are planning to renovate the exterior of the Speigel Center.

Motion: Mayor Corby made a motion, seconded by Trustee Galli, to support the Town of Pittsford in their efforts for field expansion and for the exterior renovations to the Speigel Center.

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

PERMA CONTRACT RENEWAL

The PERMA contract, the Village's worker's compensatory insurance, has come for renewal. After a review of the modifications, the Board chose to accept the contract.

Motion: Mayor Corby made a motion, seconded by Trustee Lanphear, accept the renewed annual contract for workers compensatory insurance through PERMA.

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

APPROVAL OF MINUTES

4/15/14: Motion: Mayor Corby made a motion, seconded by Trustee Lanphear, to approve the minutes of 4/15/14 as amended.

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

4/22/14: Motion: Mayor Corby made a motion, seconded by Trustee Lanphear, to approve the minutes of 4/22/14 as amended.

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

5/22/14: Motion: Mayor Corby made a motion, seconded by Trustee Galusha, to approve the minutes of 4/22/14 as amended.

Vote: Corby – yes; Lanphear – yes; Galli – absent; Boehlert – absent; Galusha – yes **Motion Carried**

ADJOURNMENT

MOTION: Mayor Corby made a motion, seconded by Trustee Boehlert, to adjourn the meeting at 9:55 P.M., as there was no other business to discuss.

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

Mary Marowski, Recording Secretary

