

**PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
November 10, 2015—7:00 PM**

Present

Mayor: Robert C. Corby
Trustees: Lili Lanphear
Frank Galusha
Alysa Plummer
Margaret Caraberis
Village Attorney: Jeff Turner
DPW Superintendent: Rob Harter
Recording Secretary: Dorothea M. Ciccarelli

CALL TO ORDER

Motion Mayor Corby and seconded by Trustee Galusha called the meeting to order at 6:30 PM.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried**

EXECUTIVE SESSION

Motion Mayor Corby, seconded by Trustee Plummer, to enter executive session to conduct a job interview.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Motion Mayor Corby seconded by Trustee Galusha, to exit executive session at 7:05 PM.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

BOARD MEMBER – CONFLICTS OF INTEREST DISCLOSURE

Mayor Corby asked if any of the Board members had a conflict of interest or had accepted gifts associated with any of the meeting agenda items. The Board members indicated that they had no conflicts of interest to report.

MARK IV LETTER OF CREDIT REDUCTION

Motion Mayor Corby, seconded by Trustee Lanphear, made the following resolution authorizing the partial reduction in the letter of credit for the storm water drainage work at 75 Monroe Avenue, Pittsford, New York. **Vote:** Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

RESOLUTION AUTHORIZING THE PARTIAL REDUCTION IN THE LETTER OF CREDIT SECURING THE STORM WATER DRAINAGE WORK AT 75 MONROE AVENUE, PITTSFORD, NEW YORK

WHEREAS, the Village of Pittsford Board of Trustees issued a Notice of Intent to Sue pursuant to alleged Clean Water Act violations arising from stormwater drainage at 75 Monroe Avenue; and **WHEREAS,** Pittsford Canalside Properties, LLC, the owner of 75 Monroe Avenue (herein the “Owner”), proposed a plan of work, which was recommended by the Village Engineer, for the construction of certain improvements at the expense of the owner to try to resolve the drainage issue (the “Project”) including a submittal to the Village Engineer for the cost of the Project, which was accepted by the Board of Trustees; and

WHEREAS, the Village Board of Trustees, acting under its authority as an approved Municipal Separate Storm Sewer System (MS4) community, and in an attempt to resolve the issues raised by the

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Notice of Intent to Sue, on September 8, 2015, approved the proposed improvements conditioned on the Owner obtaining a Letter of Credit securing the proposed improvement; and

WHEREAS, thereafter the Owner obtained and filed with the Village Clerk a First Niagara Bank Letter of Credit in the proper form and in the estimated amount of the improvements; and

WHEREAS, the Owner constructed the improvements, in the opinion of the Village Engineer, in accordance with their proposal and has submitted an acceptable As-Built Plan of the storm sewer system installed (a copy of which As-Built Plan is attached hereto); and

WHEREAS, the Owner has now requested that the Village Board of Trustees authorize a reduction in the First Niagara Bank Letter of Credit to reflect the cost of the improvements constructed; and

WHEREAS, as with the September 8, 2015 approval of the Project proposal, nothing in the request to reduce the First Niagara Bank Letter of Credit before this Board is related to any site plan or other approval by any other board or agency, which boards or agencies are solely responsible for judging compliance with their approvals, nor does any part of this Resolution waive any claim of any kind related to any project or application of the Owner, but is solely intended to try to resolve the claims under the Notice of Intent to Sue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Pittsford as follows:

1. The Village Board of Trustees hereby approves Release No.1 on the First Niagara Bank, N.A. Letter of Credit 430382 in the amount of \$68,066.00.
2. As a result of Release No. 1, there now remains \$6,706.60 in said Letter of Credit, and upon Pittsford Canalside Properties LLC providing a 2-year Maintenance Bond in the amount of \$6,706.60, 10% of the construction cost of the storm sewer system, a final release may be submitted for said Letter of Credit.
3. That the Village Clerk is hereby authorized to issue a letter of credit reduction certificate to First Niagara Bank, N.A. in the form of the attached letter, along with a copy of this Resolution, and the letter of credit reduction certificate and a copy of this Resolution shall be forwarded to Pittsford Canalside Properties LLC.
4. This Resolution shall be effective immediately.

PASSED AND ADOPTED by the Village of Pittsford Board of Trustees on the 10th of November, 2015.

DPW REPORT

- Superintendent Harter informed the Board that leaf pickup is in full swing, and that the DPW crew has been working an extra hour every week and will be starting half days on Saturdays.
- He reported that they will be able to pick up wreaths after November 20th. Edwards is scheduled to supply the wreaths for the bridge on November 23rd. Trustee Lanphear suggested that she meet with the Superintendent on the placement of the wreaths.
- The Superintendent stated that he has scheduled four trees to be removed: two on Rand Place that are dead, one at 28 Washington Avenue, and one at 71 State Street.
- The DPW crew is still working on trimming trees along the village streets when there is time.
- The crew is also working on getting snow equipment ready for the upcoming winter.

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- The Superintendent is still awaiting a quote from Liftech to repair the loader. They have been using the Town's loader in the meantime.
- DPW crew member, Jacob Waters, informed the Village that he is resigning from his position, and that his last day of work will be November 27th; he will be moving on to a position with the Town. The Village will be placing an advertisement to fill the position.
- The Superintendent reported to the Board that he will be on vacation the following week.

BERO ARCHITECTURE PLLC - ARCHITECTURAL SERVICES

Mayor Corby reviewed with the Board the quote received from Bero Architecture for the new pavilion. The Board discussed the services that would be received. Mayor Corby reviewed the grant received for the project. The anticipated cost of the project is \$100,000, and the Mayor anticipates that the Village will need to file for an extension of the project.

Motion Mayor Corby, and seconded by Trustee Galusha, to approve the contract with Bero Architecture.
Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

TEMPORARY CODE SERVICES

The Board discussed the proposal received from David Rowe for code inspection services. Discussion was held by the Board on the benefits of having Mr. Rowe available to assist Mrs. Cline, as well as the new code enforcement officer, when hired.

Motion Mayor Corby, and seconded by Trustee Plummer, to contract with David Rowe for inspection services.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

The Village Clerk reviewed the proposal received from T.Y. LIN International, and the benefits of having a contract with them for services. The Board discussed the benefits, and all the services they could offer the Village.

Motion Mayor Corby, and seconded by Trustee Plummer, to contract with T.Y. LIN International for services.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

EXECUTIVE SESSION

Motion Trustee Plummer, seconded by Mayor Corby, to enter executive session to discuss the performance of a specific employee.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Motion Mayor Corby seconded by Trustee Galusha, to exit executive session at 7:52 PM.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

FLOYD D. KOFAHL EMPLOYMENT OFFER

Motion Mayor Corby, and seconded by Trustee Galusha, to offer Floyd D. Kofahl an employment offer of \$58,000 a year, 3 week's vacation, 90% paid health care coverage and benefits per employee handbook.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

CODE ENFORCEMENT ISSUES

The Board discussed the removal of Auburn Line Ticket booth by the owners of Northfield Common and the options available to the Board for corrective action. The Board requested that the Village Attorney send out a corrective action notice to the owners requesting the return of the ticket booth. If the booth is not available for return, then the booth should be replaced in kind. If no action is taken by the owners, then an appearance ticket will be issued with a fine attached.

Discussion was also held on the removal of the tree from the Northfield Common property. The Board discussed that the necessary corrective actions for the replacement of the tree be included in the correspondence regarding the ticket booth. Trustee Plummer discussed with the Board adding a tree ordinance to the code, to protect existing historical trees from removal. The Board will be reviewing possible ordinances for adoption.

ATTORNEY

Mayor Corby reviewed with the Board the changes completed by Jeff Turner to amend the disclosure section of the Village Code to include all Village employees as well as consultants.

Motion Mayor Corby, seconded by Trustee Lanphear, to set a public hearing on December 8, 2015 at 7:30 PM to consider amending §21-2 of the Code of the Village of Pittsford.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Attorney Jeff Turner reviewed with the Board the issues of updating Chapter 93, the Environmental Quality Review section of the Village Code. Mayor Corby suggested looking for a new model code for the section. Jeff Turner suggested that the Board revoke Chapter 93, and put in place a legislative letter of intent of the importance of environmental protection and require everyone to comply with the State Environmental Review Act and regulations enacted thereunder. Mayor Corby requested that Jeff Turner put a draft of the letter of intent together for the Board to review. Mayor Corby and Trustee Caraberis will work together to include a list of Type 1 actions the Board deems important that the Village would need to review.

Mayor Corby and Trustee Plummer reviewed with the Board proposed changes and expansion of R1 zoning districts. The Board discussed eliminating three-car garages, and the impacts of the Bed and Breakfasts regulations in the R1 zone. Jeff Turner suggested that the R1 zoning change could be separated from the other proposed changes. Mayor Corby suggested that the Board review the changes and table the discussion until a future meeting.

Mayor Corby proposed to the Board that home occupation accessory use in the R2, R3, and R4 Districts is currently a business use and would have no impact. The Board will review this proposed change for further discussion.

ATTORNEY CLIENT SESSION

Motion Mayor Corby, seconded by Trustee Caraberis, to enter attorney-client session.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Motion Mayor Corby seconded by Trustee Galusha, to exit attorney-client session at 9:17 PM.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

BUILDING INSPECTOR REPORT

Attorney Jeff Turner informed the Board that the emergency striping has been completed at Northfield Common. The Village Clerk reported that, per the Fire Marshal, the fence installation at Pittsford Pub has been completed.

MEMBER ITEMS

Trustee Lanphear questioned if the guidewires in the Auburn Line Park could be moved. The Board will follow up with Superintendent Harter on having them moved.

Trustee Lanphear spoke to the Board regarding the request of the PZBA Chairmen, Justin Vlietstra, on needed training for the Board. Mayor Corby will check in to the additional training that is needed.

TREASURER'S REPORT / VILLAGE CLERK

- The Village Clerk and Trustee Caraberis reviewed their discussion with Brown and Brown, the Village's Health Care Broker. The Village Clerk recommended to the Board that they not make any changes to the current health care at this time.

Motion Mayor Corby, seconded by Trustee Galusha, to continue in 2016 to offer the Simply Blue Plus Platinum 2 Plan, Smile Saver Dental Plan, and Medicare Blue Choice Small Group Plan 2.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

- The Village Clerk reviewed with the Board that oversight policies that the Village currently has in place that need to be formalized.

Motion Trustee Plummer, seconded by Trustee Caraberis, to authorize the adoption of the Bank Reconciliation policy and the Journal Entry Policy.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

- The Village Clerk reviewed the outstanding taxes to be passed to the County for collection for the 2015/2016 tax year.

Motion Mayor Corby, seconded by Trustee Plummer, to pass the 2015/2016 outstanding tax collection to Monroe County.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

- The Clerk reviewed the contract from Computel Consultants to audit the Village gross utility collections for possible reimbursement of loss revenues from the utility providers.

Motion Mayor Corby, seconded by Trustee Lanphear, to authorize Computel to audit the Village's gross utility bills.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

- The Clerk reviewed the AED purchase with the Board and requested that the Board suggest locations for the device in the Village Hall.

Motion Mayor Corby, seconded by Trustee Galusha, to approve the purchase of the AED machine from Cardiac Life.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

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- The Village Clerk discussed with the Board providing street closing notifications for Candlelight Night. Reviewing the cost of a mailing, she suggested the use of email notification.
- The Clerk provided the Board with the Village Board Meeting Calendar for 2016.

Motion Trustee Plummer, seconded by Trustee Lanphear, to approve the 2016 Village Board meeting Calendar.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Village Treasurer, Mary Marowski, presented vouchers listed on Abstract #011 of 2015/2016 fiscal year for approval. A **motion** was made **by Mayor Corby, seconded by Trustee Galusha**, to approve payment of the vouchers listed on Abstract #011 in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #011

• General Fund (#315-#330, #332-#342):	\$ 44,898.22
• Sewer Fund (#335):	\$ 52.70
• Capital Improvements (#331)	<u>\$ 982.50</u>
Total Vouchers for Approval:	\$ 59,233.42

The Village Treasurer reviewed with the Board the current bank balances, Financial Reports for September 2015 and budget transfers needed to cover budget shortfalls.

Motion Trustee Plummer, seconded by Trustee Lanphear, to approve the recommended budget transfers below as recommended by the Village Treasurer.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

From:	A1989.1	Shared Svc	\$	(500.00)
	A5132.1	Shop	\$	(5,000.00)
			\$	(5,500.00)
To:	A1620.1	Village Hall	\$	2,000.00
	A5020.1	Roadwork	\$	1,700.00
	A5410.1	Sidewalks	\$	800.00
	A8540.1	Drainage	\$	1,000.00
			\$	5,500.00
From:	A1920.4	Municipal Dues	\$	(292.00)
	A3620.1	Bldg Inspector	\$	(3,708.00)
			\$	(4,000.00)
To:	A1410.416	Miscellaneous	\$	1,200.00
	A8020.4	Planning	\$	1,000.00
	A9040.8	Wrkt's Comp	\$	1,800.00
			\$	4,000.00

The Village Treasurer reviewed Sewer Account and the new capital account with the Board. She also reviewed the current fund balance, and the most current cash flow statement.

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Motion Mayor Corby, seconded by Trustee Galusha, to accept the Financial Report for the General, Sewer and Capital Accounts for September 2015.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

The Board discussed the current budget issues, and Mayor Corby requested that the Board have a workshop meeting to review the current budget. Workshop meeting was set for November 17, 2015 at 4:00 PM.

MINUTES

Motion Mayor Corby, Seconded Trustee Plummer, to approve the Village Board minutes from October 13, 2015.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Motion Mayor Corby, Seconded Trustee Galusha, to approve the Village Board minutes from October 17, 2015.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Plummer, to adjourn the meeting at 10:30 PM.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. **Motion carried.**

Dorothea M. Ciccarelli, Recording Secretary