TOWN OF PITTSFORD
TOWN BOARD
SEPTEMBER 20, 2011

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, September 20, 2011 at 7:00 P.M. local time in Pittsford Community Library.

PRESENT:
Town Board: Supervisor William A. Carpenter and Councilpersons Sandra F. Zutes, John J. Higgins, Jr., Karen W. Green, and Jared C. Lusk.

ABSENT:
There were no Town Board members absent.

ALSO PRESENT:
Staff Members: Paul J. Schenkel, Commissioner of Public Works; Gregory J. Duane, Finance Director; Jessie Hollenbeck, Recreation Director; Richard T. Williams II, Town Attorney; Patricia E. Chuhta, Town Clerk. The following staff members were also present: Scott Wallman, Doug Driscoll, Ed Starowicz, Doug McVey, Rick Mortenson, Joy Brown, Robert Fromberger, Shelley O’Brien, and Linda Dillon.

ATTENDANCE:
One hundred fifty-six members of the public were in attendance.

Supervisor Carpenter called the meeting to order at 7:00 P.M. and invited everyone to stand for the Pledge of Allegiance.

PUBLIC HEARING: LOCAL LAW #8 OF 2011 – REGULATION OF OUTDOOR STORAGE OF RECREATIONAL VEHICLES AND UTILITY TRAILERS
After verification of proof of publication, Supervisor Carpenter discussed the background of this issue and noted that he has received many neighborhood requests about recreational vehicles. He then opened the public hearing to public comments regarding the proposed local law and noted that he and the Town Board were there to listen and hear what residents have to say.

The following persons spoke: Mike Hill, 20 Greylock Ridge (he also submitted written comments); Tom Michaels, 7 Old Forge Lane; Al Rodgers, 631 Mendon Center Road; Sharon Ricci, 115 Brook Road; Will Hayes, 5 Lawden Woods Road; Debbie Husted, 32 Pebble Creek Lane; Bob Bakos, 22 Greylock Ridge; Jeff Bornheim, 9 Bretton Woods Drive; Andy, Kane, 155 Mill Road; Ann Owens, 3 Woods End; Peter Stocking, 4 Pebble Creek Lane; Jim Wideman, 14 Hilltop Drive; Peter Dillon, 9 Gladbrook Road; Ted Case, 21 Squire Lane; Sean Mulvey, 43 Musket Lane; Jim Owens, 3 Woods End; George Gradl, 40 Carriage Court; Dave Perkins, 4 Sugarbush Lane; Lee Wagar, 40 Greylock Ridge; Bob Hutchins, 48 Butternut Drive (he also submitted written comments); Jill Pink, 24 Falcon Trail; Renee’ Jacobson, 17 Coddington Grove; Betsy Whitehouse, 5 Split Rock Road; Steve Kostick, 2143 West Jefferson Road; Brian Holvey, 28 Vincent Drive; Scott Lockwood, 45 Winding Road; Barbara, Van Cortland Drive; Pamela McAllister, 18 Greylock Ridge; Chuck Reyes, 108 Stuyvesant Road; Jose Torre, 44 Greylock Ridge; Linda Rzatiewicz, 63 Railroad Mills Road; Judy Weber, 5 Fenimore Drive; Tim Hyland, 619 East Street; Chrsissy VanBrunt, 67 Ellingwood Drive; Sandy Fairbrother, 84 Falcon Trail; John Rooney, 1 Candlewood Drive; Fred Richards, 26 Musket Lane; David Sabourin, 334 Marsh Road; Tom Silco, 44 Jordan Road; Jason Gilbert, 16 Ten Eyke Circle; Lisa Reyes, 108 Stuyvesant Road; Dave VanUmmerson, 27 Carriage Court; Charlie Page, 296 Mendon Road; Arthur Muscolino, 53 Charmwood Road; Joyce Hart, 19 Charter Oaks Drive; Royce Rogers, 14 Wayside Circle; Nancy Washburn; Laura McAllister, 18 Greylock Ridge; Larry Knickerbocker, 173, 164, 159 Knickerbocker Road

Note: Written comments from the following residents were entered into the record: Robert Greenslade, 11 Crestwood Circle; Gail Burke, 29 Chelsea Park; Evelyn Silco, 53 Knickerbocker Road; Mary and Chris Howk, 15 Woodland Road; Bonnie and Michael Haugh, 20 Chesterbrook Lane; Dianee Cecero and Mark Whelan, 9 Rustic Pines; C. Vijay, 18 Devonwood Lane; John Green, 32 Wood Hill Road; Lindsay Pritchard, 435 Thornell Road; Elaine Cleeton, 1 Barnswallow Drive; Lori Wafler, 43 Wood Hill Road; Scott Fairbrother, 84 Falcon Trail; Mark
Kaminski, 31 Knickerbocker Road; Gordon S. and Maureen S. Valentine, 11 Squire Lane; Louise Bishop, 8 Woods End; Steve Desino; Sara Snarr, for Dr. David and Sally Broadbent, 108 Stoneleigh Court; Julie Latulipe, 12 Carriage Court; Daniel Hespen, 8 High Hill Drive; Scott Frame, 6 Grandhill Way; Cecilia DeJoy, 57 Sturbridge Lane; Randy Hunter, 17 Caversham Woods; Mike Andrews; Ian & Mary Ellen Fraser, 7 Woods End; Paula Sherwood, 23 Boughton Avenue; Thomas Magda, 12 Northstone Rise; Donna and Bruce Cohen, 28 Chatham Woods; Ken & Joanne Brohterton, 10 Sandpiper Lane; Mike & Sue Moore, 40 Wood Hill Road; Len Lanphear, 14 Jackson Park; Edward Meagher Jr., 17 Devonwood Lane; Thomas Wojick, 10 Devonwood Lane; Susan & David Senise, 4 Langley Rise; Dan Wagner, 72 Copper Woods; Bruce Brown, 45 Parker Drive; Mary Maxwell, 30 Eastview Terrace; Susan Hesper, 8 High Hill Drive; Rajesh Chowdhry, 29 Wexford Glen; Katherine Kearns Frame, 6 Grandhill Way; Clinton Wagar, 40 Greylock Ridge; Deborah Doyle, 15 Sand Brook Road; Lee Wagar, 40 Greylock Ridge; Derek tenHoopen, MD, FACOG; John Stubbe, 43 Crestview Drive; Peter Dillon, 9 Gladbrook Road; Steve Briggs, 16 Greylock Ridge; Dick & Jane Possee, 6 Woods End; Scott & Maureen Valentine; Tom & Wenda Silco, 44 Jordan Road; Andy Snow, 23 Little Brook Drive; Richard Howk, 95 Brook Road; Steve Dunningan, 353 Marsh Road; David Deprez, 7 Brook Road; Marilyn Mossien Meritt, 73 Stuyvesant Road; Clayton Oliver, 6 Vincent Drive; John Kircher, 3 Arlington Drive; Rick Altier, 65 Mitchell Road; Francis Evans, 7 White Briar; Charles Page, 296 Mendon Road; Tom Hess, 15 Laureldale Drive; John & Amy Burke, 14 Falcon Trail; Mark Kaminski, 31 Knickerbocker Road; Marty Lasher, 9 Ambergate Rise; Ronald Silco, 112 South Main Street; Paul & Teri Allart, 78 Bromley Road; Ronald & Mary Silco, 112 South Main Street; Joe McKay, 9 Chriswell Lane; Matt & Michaelle Rickett, 15 Butternut Drive; Mike Hill, 20 Greylock; Robert Hutchins, 48 Butternut Drive; 2 petitions signed by a total of 46 residents; Robert Hoffman, 5 Woods End; Torrey Peters; 1 picture of a motor home parked in a neighborhood; Rich Pink; MaryBelle Richards, 26 Musket Lane; Tom Finnefrock, 40 Old Farm Circle; Dr. Avinash Seth, 14 Lake Lacoma Drive; James Moe; Diane & Terry Erdle; Robin & Scott Dawson; Ronney Finke, 1 Preston Circle; Paul Parsons, 5 Musket Lane; Jill Pink; Cathy Hill, 20 Greylock Ridge; Julie Joseph, 206 Tobey Road; Jose Torre; Peter Dillon, 9 Gladbrook Road; Ann Dillon, 9 Gladbrook Road; Frank Galusha, 24 Boughton Avenue

Supervisor Carpenter closed the hearing without the Town Board taking action at this time to allow them to take the comments received during the public hearing under advisement. Supervisor Carpenter indicated that the Town Board will take action on this matter at a future Town Board Meeting.

A short recess was declared and the Town Board meeting resumed at 9:40 P.M.

PUBLIC COMMENTS
James Wideman, 14 Hilltop Drive, expressed concern on the lack of data available at the public hearing.

MINUTES OF SEPTEMBER 6, 2011 APPROVED
A Resolution to approve the draft minutes from the September 6th meeting was offered by Councilwoman Zutes, and seconded by Councilman Higgins, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:
RESOLVED, that the minutes of September 6, 2011 Town Board meeting are approved as written.

RESOLUTION OF COMMENDATION – PITTSFORD AMBULANCE 40TH ANNIVERSARY
A Resolution of commendation for the 40th anniversary of Pittsford Ambulance was offered by Supervisor Carpenter, and seconded by Councilman Lusk, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:
RESOLVED, that the Town Board of the Town of Pittsford presents Pittsford Volunteer Ambulance with a signed and sealed Resolution of Commendation in recognition and congratulations on the occasion of their 40th Anniversary and honors their continued commitment and contribution to our community.

SURPLUS/JUNK EQUIPMENT REMOVED FROM TOWN INVENTORY
A Resolution to authorize the removal of surplus/junk equipment was moved by Councilwoman Green, and seconded by Councilwoman Zutes, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows: **RESOLVED**, that the equipment on the September 2011 list submitted by the Director of Finance is declared surplus/junk and is removed from the Town’s inventory.

**Note:** The list of items declared surplus junk/equipment is as follows:

**SEPTEMBER 2011 SURPLUS INVENTORY LIST**

<table>
<thead>
<tr>
<th>Asset #</th>
<th>Year</th>
<th>Description</th>
<th>Department</th>
<th>Cost</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>16443</td>
<td>2008</td>
<td>Liftgate</td>
<td>Hwy</td>
<td>$2,831.00</td>
<td>Auction</td>
</tr>
<tr>
<td>13940</td>
<td>2003</td>
<td>International Dump Truck</td>
<td>Hwy</td>
<td>$91,047.00</td>
<td>Auction</td>
</tr>
<tr>
<td>14094</td>
<td>2002</td>
<td>Plow Wing</td>
<td>Hwy</td>
<td>$9,000.00</td>
<td>Auction</td>
</tr>
<tr>
<td>14093</td>
<td>2003</td>
<td>Front Plow</td>
<td>Hwy</td>
<td>$9,000.00</td>
<td>Auction</td>
</tr>
<tr>
<td>14092</td>
<td>2003</td>
<td>Leaf collector</td>
<td>Hwy</td>
<td>$11,685.00</td>
<td>Auction</td>
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<td>13830</td>
<td>2001</td>
<td>Honda 3” Trash Pump</td>
<td>PSD</td>
<td>$1,299.00</td>
<td>Auction</td>
</tr>
<tr>
<td>14051</td>
<td>2003</td>
<td>Honda 3” Trash Pump</td>
<td>PSD</td>
<td>$1,489.00</td>
<td>Auction</td>
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<tr>
<td>13833</td>
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<td>Rammer Jumping Jack</td>
<td>PSD</td>
<td>$2,280.00</td>
<td>Auction</td>
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<tr>
<td>15906</td>
<td>2005</td>
<td>Floor Saw</td>
<td>PSD</td>
<td>$1,475.00</td>
<td>Auction</td>
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<td>13987</td>
<td>2006</td>
<td>Chevy Pickup Truck</td>
<td>Parks</td>
<td>$20,015.00</td>
<td>Auction</td>
</tr>
<tr>
<td>12598</td>
<td>1996</td>
<td>Cushman Mower</td>
<td>Parks</td>
<td>$7,500.00</td>
<td>Auction</td>
</tr>
<tr>
<td>10889</td>
<td>1986</td>
<td>Sprayer/Trailer</td>
<td>Parks</td>
<td>$4,800.00</td>
<td>Auction</td>
</tr>
</tbody>
</table>

$162,421.00

**OFFER OF LAND DEDICATION ACCEPTED: KENSINGTON PARK SUBDIVISION – SECTION 8**

A Written Resolution to accept Land Dedication of 12.59 acres of land in Section 8 of the Kensington Park Subdivision was offered by Councilman Lusk, and seconded by Councilwoman Green, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows: **RESOLVED**, that the Town Board of the Town of Pittsford does hereby consent that the aforesaid land, located in the Town of Pittsford, Monroe County, New York, and as more particularly described as set forth on “Schedule A” hereof be accepted in dedication, for use as a “Rural Conservation Area” pursuant to Section 185-31 of the Town of Pittsford Code; and be it further

**RESOLVED**, that any taxes that are currently due or will become due on said parcel of land, as a result of the assessment roll in effect at the time of this acceptance, shall be the responsibility of the Grantor dedicating the parcel of land to the Town.

**Note:** A copy of “Schedule A”, proposed description of Open Space Lands to be Conveyed to the Town of Pittsford, is available to view in the office of the Town Clerk.

**HIGHWAY DEDICATION ACCEPTED: WOODGREEN DRIVE**

A Written Resolution to accept dedication of .15 miles of a portion of road known as Woodgreen Drive in Section 8 of the Kensington Park Subdivision was offered by Councilman Higgins, and seconded by Councilwoman Zutes, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:
RESOLVED, that the Town Board does hereby consent that a public highway, to be known as “Woodgreen Drive” in Section 8 of the Kensington Park Subdivision, in the Town of Pittsford, Monroe County, New York be laid out in said Town of Pittsford, more particularly described as set forth on Schedule “A” annexed hereto, and the Town Superintendent of Highways is authorized to make an order laying out the land described in said dedication; and it is further

RESOLVED, that the Town Board does hereby consent that the land comprising the aforesaid public highway be accepted in dedication.

PUBLIC HEARING SET: LOCAL LAW # 11 OF 2011 – AMENDING §83-5 OF THE TOWN OF PITTSFORD MUNICIPAL CODE RELATING TO THE DISCHARGE OF FIREARMS BY ANIMAL CONTROL OFFICERS

A written Resolution to approve proposed Local Law #11 which would add Animal Control Officers to the list of individuals allowed to discharge firearms within the Town was offered by Councilman Higgins, and seconded by Supervisor Carpenter, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that a public hearing be held on the 18th day of October, 2011, at 7:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on the question of the adoption of said proposed Local Law No. 11 of 2011; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law, or a summary thereof, be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said hearing; and be it further

RESOLVED, that the Town Clerk shall post certified copies of both this resolution and said proposed Local Law, or a summary thereof, on the bulletin board, maintained by the Town Clerk pursuant to § 40(6) of the Town Law, for a period of not less than five (5) days prior to said public hearing.

Note: the proposed change to Town Code resulting from Local Law #11 is as follows:

LOCAL LAW NO. 11 OF 2011: AMENDING §83-5 AND §109-8 OF THE PITTSFORD MUNICIPAL CODE RELATING TO THE DISCHARGE OF FIREARMS BY ANIMAL CONTROL OFFICERS

Sec. 1 Title
This Local Law shall be known as “Local Law No. 11 of 2011: Amending §83-5 and §109-8 of The Pittsford Municipal Code Relating to the Discharge of Firearms by Animal Control Officers.”

Sec. 2 Amendment #1 to Existing Law

The Pittsford Town Code, Chapter 83, shall be amended to revise §83-5 to read as follows:

§83-5. Exceptions.
This chapter shall not apply to any duly authorized person in the employ of and on the business of any law enforcement agency while engaged in the protection of the people of the State of New York, or to an Animal Control Officer appointed by the Town while in the exercise of his or her duties pursuant to Article III of Chapter 58 of this Code.

Sec. 3 Amendment #2 to Existing Law

The Pittsford Town Code, Chapter 109, shall be amended to revise §109-8 to read as follows:

No person shall possess or discharge any firearm, spring or air gun, or bow and arrow, or any concealed weapon within such parks or areas, except as allowed by a permit issued pursuant to § 109-10 herein or except as part of an organized Parks and Recreation Department program. Members of authorized law enforcement agencies in the course of their duties and Animal Control Officers appointed by the Town while in the exercise of his or her duties pursuant to Article III of Chapter 58 of this Code are exempted from such prohibition.

Sec. 4  Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

Sec. 5  Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

SEPTEMBER 2011 VOUCHERS APPROVED

A Resolution to approve September, 2011 vouchers was moved by Councilwoman Zutes, and seconded by Councilman Higgins, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:
RESOLVED, that September, 2011 vouchers No. 100165 through No. 100621 in the amount of $946,275.97 are approved for payment.

SEPTEMBER 2011 BUDGET AMENDMENTS AND TRANSFERS APPROVED

A Resolution to approve September, 2011 vouchers was moved by Councilman Lusk, and seconded by Councilwoman Green, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:
RESOLVED, that the following September, 2011 Budget Transfers are approved:

- That $5,500.00 be transferred from 1.9950.9000.1.1 (Transfer to Capital – Expense) to 1.5132.2007.1.4 (Highway – Bldg. Improvements) to cover the cost of remodeling and electrical improvements.

2012 BUDGET WORKSHOP – TECHNOLOGY BUDGET

The Town Board discussed the Technology Budget with the Director of Information Services Joy Brown and thanked her for the tremendous job she has done this year and extended their appreciation for her efforts.

2012 BUDGET PUBLIC INPUT WORKSHOP – DEPARTMENT OF PUBLIC WORKS BUDGETS

Commissioner of Public Works Paul Schenkel discussed the proposed 2012 DPW Budgets with the members of the Town Board along with staff members Rick Mortenson, Doug Driscoll, Ed Starowicz, Doug McVay, Scott Wallman and Robert Fromberger.
The Town Board members expressed their appreciation for the outstanding efforts that the members of the Department of Public Works have done on various projects this year.

**2012 BUDGET PUBLIC INPUT WORKSHOP – SPECIAL DISTRICTS AND SUPERVISOR’S BUDGETS**
Supervisor Carpenter presented his proposed 2012 Budget and proposed 2012 Special Districts Budgets to the Town Board. He noted that this is the 8th year that his budget has no tax rate increase and that this has been the hardest budget year he’s faced due to variables with the new tax cap.

Supervisor Carpenter said that there will be no cut in town services in this budget and complimented Finance Director Greg Duane on his efforts working on this budget to keep increased costs down as well as staff that flat lined their budget requests to help come up with a no frills budget.

**PUBLIC HEARING SET: 2012 PRELIMINARY BUDGET**
A Resolution to set a public hearing to hear public comments regarding the 2012 Preliminary Budget was moved by Councilman Lusk, and seconded by Councilman Higgins, and voted on by the members as follows: Ayes: Zutes, Higgins, Green, Lusk and Carpenter. Nays: none.

The Resolution was declared carried as follows:
**RESOLVED**, that Public Hearings are set for October 18, 2011 at 7:00 P.M. local time in the Pittsford Town Hall to consider the 2012 Preliminary Town Budget, the 2012 Special District Budgets, and Sewer Rent Rolls and Debt Service Budgets for the Pittsford Consolidated Sewer District.

As there was no further business, the Supervisor adjourned the meeting at 10:41 P.M.

Respectfully submitted,

Patricia E. Chuhta
Town Clerk

OFFICIAL BOARD MINUTES ARE ON FILE IN THE OFFICE OF THE TOWN CLERK