

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
February 11, 2014 – 7:00 PM

Present

Mayor:	Robert C. Corby
Trustees	Lili Lanphear
	Lorie Boehlert
	Frank Galusha
	Tim Galli
Attorney:	Jeffrey Turner
Recording Secretary:	Dorothea M. Ciccarelli

CALL TO ORDER

Motion Mayor Corby and seconded by Trustee Lanphear to call the meeting to order at 7:00 PM.

DPW REPORT

Superintendent Yaeger reviewed with the Board the progress being made on pothole repairs within the village. The Superintendent discussed with the Board a new product he was looking into for these repairs. Trustee Galli suggested the Superintendent speak to New York State DOT as to the product they were currently using, which seemed more effective than the cold patch material.

The Superintendent informed the Board that he would be meeting with the Town DPW on February 20, 2014 to plan the project start time in March for the Jefferson Road shoulder work.

The Superintendent discussed problems the crew was having with illegally parked cars during snow events. Mayor Corby informed the Board that previously they had passed a local law allowing cars to be towed. Trustee Boehlert and Galusha expressed concern that appropriate warnings and notices of towing be completed before the vehicles would be removed. Discussion was held by the Board members as to how to effectively resolve the situation. The Board decided that the policy should be after two parking tickets, the car should be towed. Mayor Corby commented to the Board that since the parking restriction takes place as of November 1, he was going to direct the Parking Monitor to issue a warning to the illegally parked cars early in November as a reminder of the restriction.

BUILDING INSPECTOR'S REPORT

Building Inspector, John Limbeck, informed the Board that he had been working with the Village attorney regarding the Special Exception Uses that are allowed by the Zoning Board of Appeals in each Residential Zoning District. He also addressed the Special Permits that are issued by the Board of Trustees. He prepared what he termed a cheat sheet, so that everyone would be on the same page. Along with the cheat sheet, he prepared a draft application for the Board of Trustees for a Special Permit. He developed the application to help formalize the process. Trustee Galli suggested attaching the section of code along with the application for the applicant as well. The Building Inspector requested the Board members and the Village Attorney review the documents, and if they had any changes, to let him know.

Mr. Limbeck informed the Board that he had contacted CSX and requested a map of length and breadth of the right-of-way. This would aid in the enforcement of several properties adjacent to the railroad.

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The Building Inspector informed the Board of the work Ramsey Construction would be doing for the Canal Corporation. The construction would include 110 feet of retaining wall and a dock located near Aladdin's restaurant. This would be a four-week project. Mr. Limbeck was able to obtain a project map for the Board to review. Discussion was had regarding the event schedule, since they would be resurfacing the walking area in June and July.

Mr. Limbeck discussed with the Board that he had received a phone call regarding a possible opening of a Laser Spa at 25 State Street. He also received an email from Charlie Fox, who owns three buildings on State Street on the possibility of demolishing the properties for parking. The Board discussed the difficulties the owner would have with proving the necessary hardship to have the buildings removed.

The Building Inspector reviewed with the Board that he was working with the contractor, Croft and Associates, who were responsible for planting the necessary trees and placing fences for screening at Pittsford Village Green. Mayor Corby commented that it was previously not enforced and there are current fences in need of replacement. Mr. Limbeck informed the Board the contractor was acknowledging their responsibility, and that they would be willing to work with the village on correcting the situation.

Mr. Limbeck further informed the Board that he had rescinded his notice of violation to Westport Crossing. Mayor Corby explained that this action was prompted by a conference call with the New York Conference of Mayor, during which the Mayor and Village Attorney were advised that the violation of the Special Permit does not occur until there is a final decision by the Planning Board. Trustee Galli questioned the Mayor as to what prompted the phone call. The Mayor indicated that both he and the Village Attorney had questions and were seeking answers about the regulation and enforcement process.

Trustee Galusha questioned Mr. Limbeck as to the reason for so many recent code changes. Mr. Limbeck informed him there were gaps in the code, and recent changes requested by the Board and other situations have created the need to make the necessary code changes.

FRIENDS OF PITTSFORD FARMERS' MARKET INITIATIVE

Jon Stadt and Emily Smallwood, representing the Friends of Pittsford, discussed their progress and actions they have taken in establishing a farmers' market in the village. Mr. Stadt indicated the group had spoken to the Town of Pittsford and had received very positive feedback. Ms. Smallwood discussed a survey they had conducted and the numerous responses they had received. The survey had indicated that Thursday evenings would be an optimal time for the market with the hours set between 4-7 pm. Mayor Corby expressed his support for the idea, and stated that he had spoken to the Town Supervisor, Bill Smith, and he seemed equally enthusiastic regarding the idea of having the market. The location they are working with the Town of Pittsford on currently is located across the street from the Village Hall. In addition, the representatives indicated there would be activities planned along with the market, such as a canning event and kid-friendly activities. Trustee Lanphear commented that the safety aspect for people crossing the street should be kept in mind. Mr. Stadt indicated they are working on a list of volunteers and were receiving assistance from Cornell Cooperative Extension. Mayor Corby indicated the market would require one if not two, permits from the village. The first would be a village non-municipal use permit and the second would be a temporary use permit from the Planning Board to use the lot. The group was informed they would need to go to the Town first for approvals. Then they would need to return and see the Planning and Village Board. Mayor Corby informed the group that he strongly supported the concept.

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PUBLIC HEARING – PROPOSED LOCAL LAW #2 – Amend 210-114 – Planning Board

Proof of the legal notice below having been published, previously opened public hearing on January 28, 2014 was continued on the proposed amendment to 210-114 Planning Board.

**VILLAGE OF PITTSFORD
NOTICE OF PUBLIC HEARING**

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, at a meeting on Tuesday, January 28, 2014 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY, to consider proposed Local Law #2 of 2014, which law will amend §210-114. Planning Board, of the Code of the Village of Pittsford.

**Proposed Local Law #2 of 2014
Amend §210-114. Planning Board**

Amend §210-114.B. (4) as follows:

The Planning Board is authorized, when reasonable, to waive, in whole or in part, any of those factors contained in §210-84A as requirements for the approval, approval with modifications or disapproval of site plans submitted for approval and to waive in whole or in part any of those factors contain in Section 210-94 and 210-95 as requirements for the approval or approval with modifications of Special permits and Site Plans for telecommunication installations. The requirements of §210-84A may be waived only if one or more of the following is determined by the Planning Board and the requirements of Sections 210-94 and 210-95 may be waived only if one or more of the following is determined by the Planning Board:

- (a) Any such factor or part thereof is found not to be required in the interest of the public health, safety or general welfare.*
- (b) Any such factor is inappropriate to a particular site plan.*
- (c) Any such factor will not mitigate adverse impacts generated by the proposed project, or will not aid in the buffering of dissimilar uses.*

Village Attorney, Jeff Turner discussed with the Board his concerns with the law, he wanted to redo the amendment in a different way, and felt local law #2 should be scrapped.

Motion Mayor Corby, seconded by Trustee Galli not to adopt Local Law #2 Amendment of Section 210-114 - Planning Board.

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

PITTSFORD CANALSIDE PROPERTIES, ZONING BOARD APPEAL LETTER

Mayor Corby indicated that the appeal was no longer relevant.

SCIREMAMMANO PROPOSAL FOR SEQR REVIEW – 75 MONROE AVENUE

Mr. Sciremammano had comments to the Board regarding recent correspondence received from the attorney for the applicant for 75 Monroe Avenue. He reviewed the definition of action under NYS SEQR

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law. He stated that Pittsford Canalside Property's attorney was not accurate in his interpretation of SEQR between decisions and actions. Mr. Sciremammano discussed the many required approvals still needed and stated the project was still subject to SEQR by the Village Board acting as lead agency. Mayor Corby questioned Mr. Sciremammano if they should be informing the Planning and Zoning Boards that they are reviewing the SEQR for the project. Mr. Sciremammano discussed sending an informal notice to all the agencies involved, that the village was reviewing the negative declaration. If the Board decides to rescind and change the declaration, they will be required to inform the interested parties formally at that time. Trustee Lanphear questioned if the applicant would bear the costs of the additional drawings and information being requested by the Board to aid in their review. Mr. Sciremammano replied that it was in the applicant's best interest to do so. Mr. Sciremammano reviewed with the Board his proposal for services, which included the preparation letter, guidance and drainage reports, and he said he would prepare a written and oral report to the Board on these items. Mr. Sciremammano would also do the preparation, filing and publishing of either an amended Negative Declaration or a Positive Declaration in conformance with DEC procedures under SEQR. Trustee Galli questioned where the necessary funds would be found in the budget. Mayor Corby assured Trustee Galli they would find the money in the budget.

Motion Mayor Corby seconded by Trustee Galusha to approve the proposal from F-E-S Services for SEQR Services not to exceed \$5,940.00.

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

SCOTT HARTER, VILLAGE ENGINEER STORM WATER / GENERATOR

Scott Harter, Village Engineer, reviewed with the Board the Storm Water report and discussed the appointment of an SMO (Storm Water Management Officer). Mr. Harter indicated that this individual is usually the person who can issue a stop work order. Building Inspector, John Limbeck, commented it would be a team effort with assistance from the Superintendent of Public Works and the Village Engineer. Mr. Harter reviewed changes in the regulations with the Board. Additionally, he requested when the document was completed for it be reviewed by the Village. Mayor Corby discussed having Linda Habeeb, from the village office, review the document.

The Engineer discussed with the Board obtaining the generator for Wood Creek Subdivision off state bid. Mr. Harter stated that he was currently in contact with one of the vendors and reviewing if the generator would be the proper size needed. Trustee Galusha and Mr. Harter stated the Village would be able to save funds on the project by using the DPW Department labor to prepare the pad and having the Town assist with the electrical work needed. Mr. Harter would let the Board know as to the outcome with the vendor.

PITTSFORD CREW – NON-MUNICIPAL USE PERMIT

Motion Mayor Corby seconded by Trustee Lanphear to issue a non-municipal permit to Pittsford Crew for the Pittsford Regatta Scheduled Saturday and Sunday, May 24-25, 2014.

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

EXECUTIVE SESSION

Motion by Mayor Corby, seconded by Trustee Galli to enter into an attorney client session.

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 the attorney client session and reenter the regular session of the meeting.

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

VILLAGE HALL WINDOW REPAIR

Mayor Corby reviewed with the Board the quote received for the repair to the windows damaged from a rodent in the Village Hall. The Board requested the item be moved to the budget meeting on February 12, 2014, to budget for repair.

SEQR FOR 2014 CDBG GRANT

Mayor Corby explained that the focus of the CDBG grant was to add a chair lift in the village office to provide easier access to members of the public for the basement facilities. Trustee Galli expressed concerns that the documentation provided in the meeting packet was not completed. He requested the item be tabled until the budget meeting on February 12, 2014, when the completed documentation could be provided. The Board agreed and requested that the Clerk forward the completed application for the Board to review.

MEMBER ITEMS

There were no member items presented at the meeting.

MINUTES

January 28, 2014 – Village Board Minutes: Motion Trustee Galli, seconded by Mayor Corby, to approve these minutes with requested changes.

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

ADJOURNMENT

Motion Mayor Corby, seconded by Trust Lanphear, to adjourn the meeting at 9:00PM.

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

Dorothea M. Ciccarelli, Recording Secretary