

PROCEEDINGS OF A SPECIAL MEETING OF THE VILLAGE BOARD OF TRUSTEES
November 7, 2014 – 5:30 PM

Present

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

CALL TO ORDER

Motion Mayor Corby, seconded by **Trustee Galusha**, to call the meeting to order at 5:30 PM
Vote: Corby – yes, Lanphear – yes, Galli – yes, Boehlert – yes, Galusha – yes. **Motion carried.**

PUBLIC HEARING PROPOSED LOCAL LAW 14 – TEMPORARY MORATORIUM

Proof of the legal notice below having been published, **Trustee Lanphear made a motion, seconded by Trustee Galusha**, to open the public hearing on Local Law 14 entitled “Temporary Moratorium for 180 days on Applications and Approvals for Check Cashing Business, Distillery, Pawn Shop / Resale Business, Precious Metal Exchange Business, Smoke Shop/ Smoking Bar, Vapor Establishments and Tattoo Studio as defined by New York State Law”

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

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, Friday, November 7, 2014 at 5:30 p.m. at 21 North Main Street, Pittsford, New York to consider the adoption of proposed Local Law #14 of 2014 entitled “Temporary Moratorium for 180 days on Applications and Approvals for Check Cashing Business, Distillery, Pawn Shop / Resale Business, Precious Metal Exchange Business, Smoke Shop/ Smoking Bar, Vapor Establishments and Tattoo Studio as defined by New York State Law” A copy of the proposed local law is on file in the Office of the Village Clerk, where it may be inspected by interested parties between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday.

There being no one present wishing to speak for or against this application, a **motion** was made by **Mayor Corby, seconded by Trustee Galusha**, to close the public hearing.

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

Trustee Lanphear disclosed for the public that her son-in-law owns a tattoo studio, but that she did not feel that this would not allow her to be able to give an unbiased decision regarding the proposed local law.

Trustee Boehlert questioned whether the resale business included in the local law would eliminate antique stores or used clothing shops. The Village Attorney stated that he did not feel that those types of establishments would apply to the moratorium. He stated that the Building Inspector would make a decision after reviewing an application, and that decision would be subject to appeal.

Trustee Boehlert questioned what steps the Board will need to take after the adoption of the moratorium.,. Mayor Corby stated that the Board will review model codes, draft legislation, and regulations for the proposed uses for the public to review. Trustee Boehlert stated that if the process is completed prior to the six months, the Board could end the moratorium sooner. Mayor Corby agreed.

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Motion: A motion was made by Trustee Galli, seconded by Trustee Galusha, to approve Local Law 14 - entitled "Temporary Moratorium for 180 days on Applications and Approvals for Check Cashing Business, Distillery, Pawn Shop / Resale Business, Precious Metal Exchange Business, Smoke Shop/ Smoking Bar, Vapor Establishments and Tattoo Studio as defined by New York State Law."

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

PROPOSED PUBLIC HEARING ON A LOCAL LAW AMENDING THE VILLAGE OF PITTSFORD CODE TO ELIMINATE APPEALS FROM DECISIONS OF THE PLANNING BOARD/ZONING BOARD OF APPEALS AND ARCHITECTURAL AND PRESERVATION REVIEW BOARD TO OTHER VILLAGE BOARDS

Mayor Corby stated that this law would bring the Village Code current with the New York State generally accepted practice and is at the recommendation of legal counsel.

Motion: A motion was made by Mayor Corby, seconded by Trustee Boehlert, to set a public hearing on December 9, 2014 at 7:30 PM on a local law amending the Village of Pittsford Code to eliminate appeals from decisions of the Planning Board/Zoning Board of Appeals and Architectural and Preservation Review Board to other village boards.

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

MEMBER ITEMS

Mayor Corby proposed the following policy:

That all applicants must submit all plans, documents, reports, digital media, and any other materials pertaining to their applications a minimum of one week prior to the meeting at which it will be discussed.

This gives Board members time to properly review the materials that they will discuss, evaluate, and/or vote on. It also provides the public an opportunity to review the materials before the meeting. This is standard operating procedure for many municipalities and will ensure the Village's procedures comply with the principles advocated by the NYS Office for Open Government.

The applicant shall submit the number of copies needed, as determined by the Building Inspector. One copy of each drawing, document, and/or other items shall be kept on file at the Village office and will be made available for the review by the public.

Trustee Galli questioned how this is different from the current practice. The Village Attorney, Jeff Turner, indicated that the Village has a policy in place for a deadline for when an application must be received, but reiterations of the application often are submitted at the meeting. He stated that he does not believe that the Village has a policy dealing with reiterations of the applications. Trustee Boehlert agreed with the suggested policy, and stated that she has witnessed applicants bringing documents to the meeting that were not submitted in a timely manner for review.

Trustee Galusha stated that this policy would be beneficial for Board members, as well as for the applicants. Trustee Lanphear questioned how this policy will be enforced. The Village Attorney indicated that it would be enforced by the Building Inspector and the chairpersons of the Boards. Mayor Corby stated that primarily, the Building Inspector will enforce the policy. The Board discussed the ability of the Building Inspector to waive the policy in an emergency situation, but in general, the policy should be adhered to and insures the public's right to review.

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Motion by Mayor Corby, seconded by Trustee Galli, to adopt the proposed policy that all applicants must submit all plans, documents, reports, digital media, and any other materials pertaining to their application a minimum of one week prior to the meeting at which it will be discussed.

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

TREASURER’S REPORT

Village Clerk, Dorothea M. Ciccarelli, presented vouchers listed on Abstract #9 of 2014/2015 fiscal year for approval. A **motion** was made **by Mayor Corby, seconded by Trustee Galusha**, to approve payment of the amended vouchers listed on Abstract #9 in the amounts stated below and to charge them to the appropriate accounts per Trustee Galli’s review.

Vouchers for approval – Abstract #9

• General Fund (#245-#253-#254-#271):	\$16,153.48
• Sewer Fund (#254, #266):	<u>\$ 1,260.85</u>
Total Vouchers for Approval:	\$17,414.33

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

COUNTY TAX SURRENDER

The Village Clerk reviewed the outstanding taxes with the Board to be passed to the County for collection.

Motion by Trustee Boehlert, seconded by Trustee Galli, to pass the outstanding 2014/2015 tax collection to Monroe County.

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

Mayor Corby reviewed with the Board the progress on the CLG Grant. He stated that a meeting was held with Katie Comeau with Bero Associates, and we were able to establish where she would obtain all the information she needs, and a schedule as established. He stated that we anticipate a draft to be available next spring. Ms. Comeau will maintain contact with Mayor Corby and the Village Clerk. This project is covered under a grant received to expand the Historic District in the Village.

The Village Clerk informed the Board that the office has been able to add legal notices and local laws for consideration to the website. They can be reached through the current link to the Village Code, under legislation. The Clerk will be working with the Web Master to construct better links to the documents.

ATTORNEY CLIENT MEETING

Motion Mayor Corby, seconded by Trustee Galusha, to enter into Attorney Client Meeting.

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

Having taken no action, a **motion** was made **by Trustee Boehlert, seconded by Trustee Lanphear**, to leave attorney client meeting at 6:15 PM and reenter the regular session of the meeting.

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

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ADJOURNMENT

Motion Mayor Corby, seconded by Trustee Boehlert, to adjourn the meeting at 8:23 PM.

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

Dorothea M. Ciccarelli, Recording Secretary