

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
May 11, 2010 – 7:00 PM

Present:

Mayor	Robert Corby
Trustees	Tim Galli Trip Pierson Steve Maddox Paula Sherwood
DPW Superintendent	John Cufari
Recording Secretary	Anne Hartsig

Mayor Corby called the meeting to order at 7:05 PM.

TREASURER’S REPORT

Trustee Galli presented the vouchers listed on Abstract #18 for approval. Voucher #557 was discussed. A more detailed explanation is needed. Payment of that voucher will be postponed until the next meeting. A **motion** was made by **Trustee Galli, seconded by Trustee Maddox**, to approve payment of vouchers listed on Abstract #18, with the exception of voucher #557, in the amounts stated below, and to charge them to the appropriate accounts.

General Fund (#544-#551, #553-#556, #558-#561, #563-#582):	\$ 14,783.57
Sewer Fund (#562, #583):	\$ 218.12
Canal Improvements-Coastal (#552)	\$ 570.00
Total vouchers for approval:	\$ 15,571.69

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

The Treasurer’s report included financial reports of revenues and expenditures as of April 30, 2010.

Also included was the 2010/11 Budget Summary. Trustee Galli asked the Trustees to keep their copy of the Budget Summary for reference.

TAX WARRANT

The 2010 Tax Warrant was presented to the Board of Trustees and found to be correct. Mayor Corby signed the warrant.

RAND PLACE

Prior to this meeting, Trustee Galli sent a draft letter to the Trustees for their review. The Board discussed the letter and suggested minor modifications. Trustee Galli will revise the letter and ask office personnel to mail it to the residents.

PROPOSED LOCAL LAW #4 OF 2010

Members discussed amending §173-6 regarding dumpsters to include the B4 District. They also discussed §210-74 regarding Special Permit Uses and will amend it to include the B4 District. A **motion** was made by **Trustee Galli, seconded by Mayor Corby** to hold a public hearing on May 25, 2010 to consider the adoption of Proposed Local Law #4 of 2010 to amend the Village Code as stated above to include the B4 District in Sections §173-6 and 210-74.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

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MINUTES

April 25, 2010 – Budget Meeting: A motion was made by Trustee Maddox, seconded by Trustee Galli to approve these minutes as written.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – abstain. **Motion carried.**

April 27, 2010 – Regular Meeting: A motion was made by Trustee Galli, seconded by Trustee Sherwood to approve these minutes as written.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

April 27, 2010 – Organizational Meeting: A motion was made by Trustee Galli, seconded by Trustee Sherwood to approve these minutes as written.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

NON-MUNICIPAL USE PERMIT – CENTER FOR MISSING & EXPLOITED CHILDREN

The Village Board received a request to hold a portion of the 10th Annual Ride for Missing Children on some Village streets. The event will be held on May 14th. A motion was made by Trustee Maddox, seconded by Mayor Corby to approve the request for a non-municipal use permit for the 10th Annual Ride for Missing Children event on May 14th, 2010 with the following conditions:

1. The applicant will notify the Monroe County Sheriff's Office, the Pittsford Fire Department and the Pittsford Volunteer Ambulance prior to the event.
2. The applicant must provide the Village with a copy of a Certificate of Liability Insurance naming the Village of Pittsford as additional insured. The certificate must reflect a \$1,000,000 single limit of liability for bodily injury and property damage. This certificate must be current and on file in the Office of the Village Clerk prior to the event.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

EXECUTIVE SESSION

A motion was made by Mayor Corby, seconded by Trustee Maddox to enter executive session to discuss the employment history of a specific employee.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

Having taken no action, a motion was made by Trustee Maddox, seconded by Mayor Corby to adjourn the executive session and reenter the regular session of the meeting.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

PUBLIC HEARING – OLIVES RESTAURANT – MODIFICATION OF SPECIAL PERMIT

Nick and Gayle Mourgides are seeking a modification to the special permit that was originally granted to them in May of 2001. They would like to expand into the space next door to their establishment to have a safer handicap entrance and to move five tables from the existing space into the new space. They are not planning to add more seating or to expand the kitchen.

SEQR: The Board of Trustees identified this project as a Type 1 Action under SEQR. Having determined that a coordinated review of the environmental issues raised by this project was appropriate, a letter seeking lead agency status was sent to interested and involved agencies. Having received no objections, Mayor Corby declared that the Board of Trustees would act as lead agency for the review.

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The Board of Trustees reviewed Part 2 of the Long Form SEQR and determined that the project will not result in any large or important impacts and would not have a significant impact on the environment. A negative declaration was determined.

Proof of the legal notice below having been published, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to open the public hearing.

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, Tuesday, May 11, 2010 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY to consider an application made by Gayle and Nick Mourgides, owners of Olives Restaurant, 50 State Street, for the modification of a Special Permit that was originally granted on May 15, 2001, to allow for an expansion of the restaurant space into the area currently used by Pittsford Electronics, pursuant to Chapter 210-74 D. of the Code of the Village of Pittsford.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

There was no one present wishing to speak for or against this application. However, an email was received from John Limbeck, a State Street resident. Mr. Limbeck expressed positive comments and stated he was in favor of approving this application.

There being no further public comment, a **motion** was made by **Mayor Corby, seconded by Trustee Galli** to close the public hearing.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

The Board of Trustees received comments regarding this application from the PZBA. Points of discussion regarding their comments included the use of planters as driveway barriers if patrons are served outdoors, the fact that no additional lighting is planned, and the comment that dumpsters and matters of garbage disposal will be monitored.

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood**, to approve the application to modify a special permit for Olives Restaurant to allow expansion of the restaurant into an adjacent space noting that the expansion is in compliance with Village Code §210-74 B. (3) a-h, and noting that the points for consideration that were submitted by the PZBA were reviewed by the Board of Trustees with the applicant.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes. **Motion carried.**

75 MONROE AVENUE

Paul Lytle (E&L Solutions Inc.) will be working as project facilitator and environmental coordinator during the development of 75 Monroe Avenue. For the past five weeks, Mr. Lytle has reviewed information that has been submitted by the applicant, has gained input regarding the project and the process, has spent time with Mr. Bailey in his role as Code Enforcement Officer and has learned that Mr. Bailey has deemed that the special use permit applications are now complete. Mr. Lytle attended the DRC (Development Review Committee) meeting at the end of April. Other professionals attending the meeting were Steve Ferranti, the Village's traffic consultant, and Scott Harter, the Village's engineer. Mr. Lytle said he will assist in the SEQR process, a major part of the development process.

Trustee Pierson arrived at 8:15 PM

Mr. Lytle submitted a written document explaining the steps that will be taken during the approval process. The document indicated the order in which the applicant will proceed. He noted that future DRC meetings are scheduled for June 9th and July 8th. Following their meetings,

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the PZBA and the APRB will provide feedback to the Board of Trustees. The Board of Trustees will review those comments and will consider input from the public. Mr. Lytle will coordinate the completion of the SEQR process. If a special use permit is granted, the site review process will begin with input from traffic experts, the Village engineer, and from Paul Lytle. Mr. Lytle will also communicate with the NYSDEC, the Canal Authority, and the Town of Pittsford.

Leslie Woodams, 43 Brook Road, asked how communication with Long Meadow residents would take place. The Village Office has a list of email accounts and will send meeting notifications to anyone who is on the email list. In addition, the applicant offered to communicate with the residents.

A **motion** was made by **Mayor Corby**, **seconded by Trustee Sherwood**, to accept the applications for a special use permit submitted by Pittsford Canalside Properties LLC regarding the development of 75 Monroe Avenue, as a complete application.

VOTE: Corby – yes, Galli – yes, Maddox – yes, Sherwood – yes, Pierson – yes. **Motion carried.**

Trustee Galli strongly urged all Trustees to attend the PZBA meeting on 5/24/10 and the APRB meeting on June 7th regarding this project.

Members discussed the possibility of hiring a consultant to work with the APRB in terms of looking at the visual environmental impacts and to consider how the scale of the development will affect the historic nature of the village. Paul Zachman, the APRB Chairman, said he had talked to Ted Bartlett about the possibility of working with his Syracuse firm, Crawford and Stearns. The firm specializes in analyzing the effects of new development in historic areas. It was suggested that since APRB will be determining the appropriateness of the bulk and size of the new buildings, experienced outside counsel would give extra credibility and would help decide the visual impact under SEQR. Mr. Zachman will get an estimate from Mr. Barlett. Mayor Corby noted that the APRB has the authority to hire a consultant. Other means of payment were discussed.

MEMBER ITEMS

Capital Projects: Mayor Corby has a list of future capital projects for which funding will be needed. He asked the Trustees to tell him if they have projects that should be added to the list.

NW Quadrant meeting: There will be a meeting for the public on May 26th at 7 PM at the Town Hall to learn about the Erie Canal area plan. All Trustees were urged to attend this meeting.

Memorial Day Parade: The Clerk reported that a certificate of liability insurance from the Town naming the Village as additional insured has not been submitted to date.

Village Flower Baskets: Trustee Sherwood reported that the Village will be cutting back to 32 poles and 64 flower baskets this year due to budget constraints. There will be flowers in four urns at the Four Corners and in two urns by the Canal on Schoen Place. A savings of approximately \$3500 will be realized and the DPW work load for watering the flowers will be decreased as a result of fewer baskets.

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 9 PM.

Anne Z. Hartsig, Recording Secretary

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