

**PROCEEDINGS OF THE REGULAR MEETING OF THE  
VILLAGE OF PITTSFORD BOARD OF TRUSTEES**  
June 11, 2002 at 7:00 PM

**PRESENT:**

<b>Mayor</b>	Robert C. Corby
<b>Trustees</b>	Steven Maddox
	Paula Sherwood
	Thomas Farlow
<b>Excused</b>	Glenn Brown
<b>Attorney</b>	John C. Osborn
<b>Treasurer</b>	Mary Marowski
<b>DPW Superintendent</b>	Scott Spencer
<b>Building Inspector</b>	Skip Bailey
<b>Recording Secretary</b>	Anne Z. Hartsig

Mayor Corby called the meeting to order at 7:15 PM

**KATHY SIGLER – PITTSFORD CENTRAL SCHOOL BOARD**

Ms. Sigler addressed the Board to state that School District Officials are pleased with the trust that has developed between the Village and the District. She said the willingness of the Village Board to work with the School Board on parking issues and use of a portion of the Lomb woods has allowed the District to develop different options for meeting future educational needs of the community. Mayor Corby thanked Ms. Sigler for her comments. He responded by stating that the Board is happy to see a prospective plan that includes keeping the High School in the Village while at the same time, placing another school at the Monroe Avenue/Veramark location that is currently being considered. He stated further that the Village Board is pleased that under the leadership of John Eckhardt, community interaction has improved. The Board hopes the interaction will continue for the benefit of all.

**TREASURER’S REPORT – MARY MAROWSKI**

A **motion** was made by **Trustee Sherwood, seconded by Trustee Farlow** to approve the following vouchers and charge them to the proper account.

General Fund Vouchers	#1-#39:	\$49,574.11
Sewer Fund Vouchers	#11, #39	<u>\$ 1,384.85</u>
<b>Total:</b>		<b>\$50,958.96</b>

**Vote:** Sherwood – yes, Farlow – yes, Corby – yes, Maddox – yes. **Motion carried.**

**Resolution to withdraw funds**

**BE IT RESOLVED:** On a **motion** made by **Mayor Corby, seconded by Trustee Sherwood** to approve the transfer of funds from the 5/31/02 unreserved fund balance account to the following line items for the purpose of amending the 2001/2002 budget:

A1420.4	Law	\$25,000
A1440.4	Engineer	\$15,000
A1620.4	Village Hall Improvements	\$14,000
A8020.42	Comprehensive Plan	\$11,000
A9060.8	Health/Dental Insurance	<u>\$12,000</u>
<b>Total</b>		<b>\$77,000</b>

**Vote:** Sherwood – yes, Farlow – yes, Corby – yes, Maddox – yes. **Motion carried.**

**BUILDING INSPECTOR’S REPORT – SKIP BAILEY**

**Sign file:** Mr. Bailey was asked for the procedure he plans to use to keep the sign file up to date. He said he has taken new photos. They will be put into the file and the paperwork would be updated this month.

**Parking Regs/Crosswalks:** Mayor Corby asked Mr. Bailey to revise the Village parking regulations prohibiting parking within a certain number of feet of a crosswalk.

**Property clean-up:** Occasionally there is no response from property owners when a violation notice is sent. In these instances, the Village DPW cleans up the property. Mr. Bailey asked the Board to establish an

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hourly rate to charge homeowners when it becomes necessary for the DPW to clean up private properties. Mayor Corby asked Mr. Bailey to do background research and put together a proposal for the next meeting.

**JAYA Juicery:** Public Hearing is scheduled for 6/20. However, the applicants are now considering a different building in the Village. Mr. Bailey suggested they obtain a code review by an architect or engineer before proceeding with the new location.

**Sutherland Service Station:** Cars for sale in the service bays have been removed. This was a temporary situation due to refurbishing.

**Talbot's:** The owner has presented a site plan to build an addition at the rear of the existing building. They will be heard at the 6/24 Planning Board meeting.

**Dibella's Subs:** The interior of the restaurant is still in design stages due to problems with the HVAC.

**Pittsford Mobil Station:** Mr. Baresse has been parking trucks on the railroad right of way again. Railroad police have been contacted and will issue a summons for trespassing if the vehicles are not removed.

**Subtelny property:** Mr. Bailey will monitor the phased window replacement.

**St. Louis Church:** Mayor Corby said the landscaping is not complete. The hedgerow for screening of cars has not been completed. There is a light on the bell tower that has not been approved by APRB. Mr. Bailey will look into these issues.

**Dumpster files:** Mayor Corby asked for a report on the permitting process for next month. He said the Village has been lax on enforcing this ordinance.

### DPW REPORT – SCOTT SPENCER

Mayor Corby complemented Mr. Spencer and the crew on how nice the Village looks. He said they have been doing a great job.

Mr. Spencer reported on **routine activities** including garbage, siphons, brush, flowers and mowing. The following projects were **completed** since last month: flower baskets are hung, new entrance signs are installed, anniversary banners are in place, lamppost heads have been repaired and the regatta activities were complete. Trustee Sherwood stated she would help with landscaping around the new signs. Some of the anniversary banners were stolen from Schoen Place. **Work in progress** includes seeding the areas around the new sidewalks (the soil has been washing out due to heavy rains), planting new and removing old trees, painting the covers of the lamp posts and painting crosswalks. **Informational items** were discussed. The flush truck has been repaired but may require more repairs. Two seasonal employees have been hired for the summer. One employee will handle watering of the flowers. The other will help fill in when crewmembers are on vacation.

Mayor Corby asked about **landscaping** around the ticket booth for the Sam Patch. The Village crew weeded the area and Eric O'Neil planted flowers. He asked what caused the **basement flooding**. Mr. Spencer replied that the downspouts were clogged but are now all clear. Mayor Corby requested that the **historic marker** in front of the Village Hall be painted for the 175<sup>th</sup> anniversary. He also requested that **Village Hall grounds** are kept weeded especially for July 4<sup>th</sup>. Regarding the **175<sup>th</sup> anniversary celebration**, Mayor Corby mentioned that North Main Street needed to be closed and that trash receptacles would be needed. Mayor Corby asked about the schedule for work on Green Hill Lane. Mr. Spencer replied that after the trees are planted and a repair is made to the storm pipe near 16 Washington Ave, work will begin on Green Hill. He estimated it would be 2 to 3 weeks.

### PUBLIC HEARING – PROPOSED LOCAL LAW # 3 – ADDITIONAL PARKING PENALTIES

Mayor Corby explained that the proposed ordinance would allow the Village to increase any parking fine not paid within 30 days of the initial court appearance by any costs or expenses incurred in the collection of the fine. There were no comments from the Board.

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to open the Public Hearing.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

There being no comments forthcoming, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to close the Public Hearing. **Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

A **motion** was made by **Mayor Corby, seconded by Trustee Farlow** to approve Proposed Local Law #3 of 2002 as written.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

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### **PUBLIC HEARING – EXPANSION OF SPECIAL USE PERMIT – OLIVE’S RESTAURANT**

Gayle and Nick Mourgides, owners of Olive’s Restaurant, asked to place four tables with 2 chairs per table on the patio area near the restaurant at 50 State Street in Northfield Common. They explained they would like to offer their customers a choice of seating options as other restaurants in the Village do.

A **motion** was made by **Mayor Corby, seconded by Trustee Farlow** to open the Public Hearing.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

#### **Public comment**

**Bob Avery, Pittsford Electronics – 50 State Street:** As an adjacent neighbor to the restaurant, Mr. Avery expressed displeasure at not being notified of this hearing. It was explained to him that property owners within 300 feet of the subject property are notified of public hearings. Mr. Avery is a tenant, not a property owner.

He presented a letter to the Board with his concerns regarding free access to his business if tables and chairs were allowed on the patio. He asked that the expansion of the Special Permit not be granted.

Mr. Avery stated he has varied hours of operation.

**Remegia Mitchell, The Pedestal Gift Shop, 50 State Street:** Ms. Mitchell stated that in her opinion, the business community at Northfield Common benefited from Olive’s Restaurant being at that location. She said it is the only lunchtime restaurant in that area. It is her opinion that the Board of Trustees should encourage Olive’s because it is a family business with regular hours and because the owners are consistently good business neighbors. She said there is ample parking and the restaurant is tidy, attractive, friendly, clean and welcoming. She stated further that granting the expansion of this Special Permit would be in keeping with the Comprehensive Plan and that it would offer a positive Canal appearance.

**Tom Thompson, Town of Mendon:** Mr. Thompson explained that as a patron of Pittsford Electronics, he would not return to that business if he were forced to carry TV’s through a patio of diners. He said the area, which is approximately 20’x20’, is not large enough for the proposal.

**Jeffrey Mason, landlord of Northfield Common:** Mr. Mason said he tries to be a fair landlord to all tenants by giving them equal advantages. He would like to promote harmony and feels he is in a quandary due to the strife between tenants.

**Letter from Drs. Jordan and Fouquet, 56 State Street:** A letter was received in the Office of the Village Clerk stating that the Doctors have no objection to the requested expansion. However, they would like the problem of Olive’s exhaust fan blowing on the 8’ cedar trees in their parking lot addressed.

Mayor Corby explained that it is the Board’s charge to review the criteria for a Special Permit and make a decision based on the Village Code. There being no further comment, **Mayor Corby** made a **motion, seconded by Trustee Sherwood** to close the Public Hearing.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

#### **SEQR**

**Mayor Corby** stated this application is an Unlisted Action. He made a **motion, seconded by Trustee Farlow** to determine this a Negative Declaration because the property is not adjacent to a National Register site and because it is not in view of the Canal.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

**Board Discussion:** Board members discussed alternate locations for outdoor seating, and the possibility of moving the door to Pittsford Electronics. The Board then reviewed the standards listed in Chapter 210-74 B (3) of the Code regarding Special Permit. Members were conflicted about standard (c), whether or not the nature, duration and intensity of the operation will be in harmony with nearby uses and about standard (h), whether or not the proposed use would create odors or noise from mechanical equipment or other conditions that may be detrimental to the quality of life of nearby businesses. The Board requested that the applicant submit a drawing to scale that will document that there is a dedicated area for ingress and egress to the electronics store. They discussed the fact that a Special Permit is revocable if there are any problems.

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A **motion** was made by **Mayor Corby, seconded by Trustee Farlow** to table this application until June 20, 2002 at 7:45 AM to allow the applicant to present a scaled sketch showing the dimensions of the tables and chairs and showing a minimum of a five (5) foot area for access to other businesses.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

### **DISCUSSION – ZONING CHANGES FOR B1-A TO ALLOW FOR INSTRUCTIONAL USES – REMEGIA MITCHELL, CHAIR, ZONING BOARD OF APPEALS**

Ms. Mitchell told the Board that as a result of an information only applicant at the Zoning Board May meeting, the Zoning Board asked that the Trustees consider expanding the uses in the B1A district to include multi-faceted businesses that appear and operate more as retail establishments. She said the Zoning Board thought this would benefit other merchants and it would bring a greater variety of people to the Central Business District. She said it would broaden the uses and activities in the Village and increase nighttime activity as well. She suggested that size and hours of operation could be limited.

Mayor Corby asked Mr. Bailey to draft an ordinance to circulate to the Zoning Board to allow for such an expansion either by Special Permit from the Trustees or by Special Exception Use from the Zoning Board.

Ms. Cyndi Weis spoke to the Board about her proposal for a yoga studio and how it would relate to this proposed ordinance.

It was agreed that Mr. Bailey would draft an ordinance to present for discussion at the June 20, 2002 meeting. There could then be a Public Hearing in July.

### **SEQR FOR SCHOOL DEIS**

Mayor Corby read the issues of the DEIS to the Board. He will write comments on the Districts scoping outline and send them to the District.

Remegia Mitchell, Planning Board Chair, told the Trustees she would be writing a letter to the Town of Pittsford on behalf of the Planning Board, stating the Planning Board's opposition to moving the library out of the Village. The Planning Board considers this an important issue that affects the long-term viability of the Village.

Sandra Zutes, Pittsford Town Board Member, stated that the Town is doing a traffic study regarding the viability of a library at the Monoco property, and the Veramark property. Trustee Maddox asked if opinions/suggestions are being sought from the Village and Historic Pittsford. He said the Intermunicipal Committee seems to have lessened its communications.

### **LWRP**

The Village received notification from Behan Planning Associates that the LWRP is ongoing and to bring it to completion, more work is needed at a cost not to exceed \$5000.00.

A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to accept continued participation in the joint Town and Village LWRP and to pay Behan Planning Associates a fee not to exceed \$5000.00 for the completion of this project.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

### **PROPOSAL FOR TRAFFIC ANALYSIS FOR MONOCO OIL SITE**

Mayor Corby said the Town would be conducting a traffic analysis for the Monoco site. The Village's share of the cost for this study would be \$3000.00. Mayor Corby stated the importance of this issue and recommended that the Board approve the cost of this study, which will be conducted by Ferranti Associates.

A **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to approve spending \$3000 to cover the Village's share of a traffic study of the Monoco Oil site

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

### **NEW ZONING MAP**

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A new Zoning Map has been drawn to reflect the changes that were made by Local Law #2 of 2001 which added the B-4 Canal Waterfront District. A **motion** was made **by Trustee Sherwood, seconded by Trustee Farlow** to adopt as the Official Zoning Map of the Village of Pittsford, the map that was amended by adding Zone B-4. That map is dated 5/31/02.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

### LEADERSHIP COMMITTEE UPDATE

Mayor Corby did not have an update. The Committee will meet next week.

### DOT MEETING – TRUSTEE FARLOW

Trustee Farlow reported that he is waiting for a call back from Larry Sherman to set up the meeting.

### SIGN UPDATE

The new entrance signs and the sign for the pavilion have been installed.

### MEDIATION SESSION

There will be a mediation session on June 19<sup>th</sup> at Monroe Golf Club. Sandra Zutes, Town Councilperson, said an agenda has not been set. Trustee Maddox asked that a tentative agenda be distributed before the session and suggested that participants be asked for agenda topics.

### TRIMMING ON PATHWAY DOWN TO CANAL

Ginny Degenhardt asked if the Village is responsible for trimming the scrub trees that are located on the pathway down to the towpath. She said the area is in need of trimming and is a safety issue. Board members discussed this issue and decided that the DPW will trim along the towpath.

### PITTSFORD YOUTH SERVICES DUCK DROP

The Board received a request for a non-municipal use permit for Pittsford Youth Services to hold their 4<sup>th</sup> Annual Duck Drop fundraiser on July 19<sup>th</sup>.

A **motion** was made **by Trustee Sherwood, seconded by Mayor Corby** to approve the non-municipal use permit request from Pittsford Youth Services to hold the 4<sup>th</sup> Annual Duck Drop fund raiser event on July 19, 2002 on the Main Street bridge

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

### MONROE AVENUE LIGHTING UPDATE

Trustee Maddox will touch base with the RG&E regarding new lighting to be installed on Monroe Avenue from the bridge to where the harp lights begin. The Clerk will check the files for the original paperwork. Acorn fixtures will be used.

### 175<sup>TH</sup> ANNIVERSARY UPDATE

Mayor Corby reviewed the plans for the celebration to date. Trustee Sherwood will work on a gift for Audrey Johnson to express the Board's appreciation. The following resolution was made:

**Whereas,** The records of the Historian of the Town and Village of Pittsford, indicate that the year 2002 will mark the 175<sup>th</sup> Anniversary of the establishment of a Village now known as Pittsford Village and,

**Whereas,** Many persons and organizations of the community have indicated an interest in, as well as a wish to cooperate in observing a celebration in honor of this event,

**Now therefore be it resolved** that a "Sesqui-Centennial" Day be observed on July 4, 2002 and for this purpose, the Village Board does appoint the Town and Village Historian, Audrey M. Johnson, as general chairperson to have supervision of such observance, she to appoint such assistants and committees as seen advisable.

**Be it further resolved** that a copy of this resolution be sent to Audrey M. Johnson, general chairperson and said resolution be proclaimed at the event.

### DISCUSSION – PARKING MONITOR'S OBSERVATIONS

**Entrance to Burdett lot from Main Street** – The Board will review speed bumps and/or rumble strips to try to slow traffic down. The lease for the parking lot is nearing completion. The Clerk will email Trustee Farlow with the date of expiration of the lease. Trustee Farlow will discuss the issue with Mr. Burdett and

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with Mr. Carpenter. Mr. Spencer will paint an arrow on the pavement to indicate the “one way” direction of this entrance. Mr. Spencer said lowering the “do not enter” sign is not practical.

**Gutters on Burdett building** – Mr. Spencer said the gutters have been repaired.

**Rear entrance – Hicks and McCarthy** – Trustees determined that repairs to the raised blacktop by the abandoned rear entrance door, is the building owner’s responsibility. The Building Inspector will address this issue.

**Burdett lot dumpsters** – The Building Inspector will enforce the Village Code regarding dumpsters. Mayor Corby asked Mr. Spencer to give him a list of other dumpsters in the Village that are violating the Code.

**“Reserved” signs in Burdett lot** – The Board did not know whom the reserve signs were for. They asked the Building Inspector to look into this.

### **IMPLEMENTATION COMMITTEE – COMPREHENSIVE PLAN**

Mayor Corby will finalize the list of people who are interested in serving on this committee. The Board will finalize the committee at the July meeting.

### **TRAFFIC STANDARDS OF PORTLAND, OREGON**

Mayor Corby told the Board about the neo-traditional traffic standards in use in the city of Portland, Oregon. He said he could get a copy of these standards at no cost. The Board is interested in reviewing the standards. They will then consider adopting them for the Village of Pittsford.

Trustee Farlow said the Towns of Pittsford, Perinton and Penfield worked with Sear Brown to develop traffic calming devices. He will see about obtaining a copy of the reports. Trustee Sherwood mentioned how effective the traffic calming changes on University Avenue are.

### **ENSENAT’S DELI – EXPANSION OF SPECIAL PERMIT**

The Board received a letter from Matt Ensenat, owner of Ensenat’s Deli at 1 North Main Street. He would like to offer outside seating using 2 to 3 tables with 2 chairs at each table. Mayor Corby said the ambience of outdoor seating adds to the Village. Trustee Sherwood is concerned about safety in that location due to the crowded nature of that corner. The Board asked for a scaled drawing of the area and will go to Public Hearing at the July meeting.

### **STARBUCKS BOLLARDS**

Board members discussed additional bollards or landscaping to prevent vehicles from parking on the sidewalk in front of Starbucks. Mayor Corby said the burden should be on Starbucks to take care of this. He asked Mr. Bailey to contact the manager at Starbucks. Mr. Spencer will paint the existing bollards.

### **BERO REPORT**

Trustee Maddox will review the Bero Report and work on a prioritization list of projects.

### **OLD VILLAGE SIGNS**

Trustees discussed auctioning the old Village signs at the 175<sup>th</sup> Anniversary celebration. The Board decided against this idea. They gave permission for Shirley Joseph to borrow one of the signs for her July 4<sup>th</sup> window display.

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**MINUTES**

**May 14, 2002:** A **motion** was made by **Trustee Sherwood, seconded by Mayor Corby** to approve these minutes as written.

**Vote:** Sherwood – yes, Farlow – yes, Maddox – yes, Corby – yes. **Motion carried.**

**May 20, 2002:** A **motion** was made by **Trustee Sherwood, seconded by Trustee Maddox** to approve these minutes as written.

**Vote:** Sherwood – yes, Farlow – abstain, Maddox – yes, Corby – yes. **Motion carried.**

**ADJOURNMENT**

There being no further business, Mayor Corby adjourned the meeting at 10:20 PM.

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Anne Z. Hartsig, Recording Secretary