

PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES
February 12, 2008

Present:

Mayor	Robert C. Corby
Trustees	Tim Galli
	Steve Maddox
	Paula Sherwood
	Mary Beth Cleary
Attorney	John C. Osborn
Recording Secretary	Anne Hartsig

Mayor Corby called the meeting to order at 7:00 PM.

TREASURER'S REPORT

The Treasurer's Report was presented by Trustee Galli. The vouchers listed on Abstract #16 were reviewed. Following discussion of the vouchers, a **motion** was made **by Trustee Galli, seconded by Mayor Corby**, to approve the vouchers listed below as presented and to charge them to the appropriate accounts.

General Fund (#408-#417, #419-434, #436-#443):	\$ 8,539.28
Sewer Fund (#418, #435, #436):	\$ 212.69
Total vouchers for approval:	\$ 8,751.97

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

BURDETT PARKING LOT CONCERNS – JOE CORNEY

Given the Village's new trash and dumpster regulations, Mr. Corney asked the Board of Trustees to consider reconfiguring the Burdett parking lot so that all of the dumpsters can be enclosed in one area. He said he had conversations with three different companies about the possibility of consolidating the dumpsters. Trustee Maddox responded that he will be holding a meeting with the parking lot owner, tenants and representatives of some of the dumpster companies to investigate ways to improve the parking lot. Mr. Corney will contact Trustee Maddox with contact information.

PART TIME EMPLOYEE BENEFITS – STEVE WEINSTEIN

Mr. Weinstein updated the Trustees on parking issues in the Burdett lot, Starbucks and on general village parking issues.

He asked the Board to consider a policy amendment so that permanent part-time employees would be paid when the Village Office is closed for a holiday. Board members discussed this request and determined that professional input is needed before a decision can be made. The Clerk was instructed to call the labor attorney to discuss this with her and to ask her to write language for the handbook if this policy change is feasible.

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CIVIL SOLUTIONS

Mayor Corby received a letter from Schoen Place LLC, requesting the dismissal of the remaining letter of credit requirements for the Flour Mill project. Trustees determined that a report of progress was needed from the Building Inspector prior to making a decision about the letter of credit. Further, according to an agreement between Schoen Place, LLC and the Village of Pittsford, which was signed on January 27, 2006, they determined that invoices for engineering costs over and above \$6000, the amount for which the Village is responsible, should be billed out to the applicant as soon as possible. A copy of each bill received by the Village will be included.

MONOCO PROPERTY UPDATE

Mayor Corby gave an overview of Mark IV's preliminary plans for development of the Monoco Property on Monroe Avenue. A joint meeting of the Town Board and the Village Board will be scheduled to discuss aspects of development that will be significant to both municipalities.

CONTINUATION OF PUBLIC HEARING – 57 NORTH MAIN STREET

Members agreed that more information is needed from the applicant before action can be taken on this application. Specifically, members will need to know the identified parking areas, plans for dumpsters, and the number of seats and tables in order to thoroughly consider a.-h. of §210-74 A (2), standards for a Special Permit review.

The public hearing will remain open and will be discussed further at the February 26th meeting of the Board of Trustees.

PUBLIC HEARING – 50 STATE STREET – SPECIAL PERMIT

Nick and Gayle Mourgides are requesting a special permit to operate a restaurant in the former Schoen Place Prime Rib and Grill building in Northfield Common. 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.

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

“Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, Tuesday, February 12, 2008 at 8:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY to consider an application made by Nick and Gayle Mourgides, for a Special Permit from the Village Board of Trustees to allow the operation of a restaurant in the building located at 50 State Street, Pittsford, NY, which location is in a B-4 District, pursuant to Chapter 210-74 A (2), Special Permit Uses in B-1, B-1A, B-2, B-4 and M-1 Districts”.

Mr. and Mrs. Mourgides reviewed their proposal. The restaurant will be called Mustards on the Canal. It will be a Napa style restaurant. They said that there will be fewer seats than there were in the former restaurant. They have also proposed an eating terrace that includes planters and screens. Seats on the terrace will be seasonal. Inside seats will be reduced by the number of outside seats.

The Village Clerk received two comments from the public. An unsigned comment stated “Too much red tape!”. Village resident John Limbeck telephoned to express complete

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support for this application. Dr. David Jordan, 56 State Street, said he was glad to see the restaurant open.

Members of the Board considered comments received from the PZBA and reviewed §210-74 A (2) (a)-(h) of the Village Code. They concluded that this application meets the standards for a special permit.

There being no one further wishing to comment on this application, a **motion** was made by **Trustee Sherwood, seconded by Mayor Corby** to close the public hearing.

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

A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve this application for a Special Permit to allow the operation of a restaurant with a total of not more than 98 seats inside and 56 seasonal seats outside at 50 State Street, with the condition that the applicant will work with Village officials to determine a satisfactory location and arrangement for dumpsters.

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

Having found no potential negative impacts under the standards of review for a special permit, a **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to waive the thirty-day municipal notification requirement regarding the Mourgides' application for a liquor license for Mustards on the Canal.

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

CORN HILL NAVIGATION

The Village Clerk received a letter from Corn Hill Navigation notifying the Village of their intent to apply to the NY State Liquor Authority to renew their liquor license. They asked the Village to waive the thirty-day municipal notification requirement regarding their application. The Board agreed that they had no concerns about negative impacts regarding Corn Hill Navigation renewing their liquor license. Therefore, a **motion** was made by **Mayor Corby, seconded by Trustee Maddox** to waive the thirty-day municipal notification requirement regarding the application to renew the liquor license for Corn Hill Navigation.

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

PUBLIC HEARING – PROPOSED LOCAL LAW #1 OF 2008 – CHAPTER 176-6

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.

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

“Please take notice that a public hearing will be held before the Village of Pittsford Board of Trustees, Tuesday, February 12, 2008 at 8:00 PM at the Pittsford Village Hall, 21 North Main Street, Pittsford, NY,

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to consider the adoption of **Proposed Local Law #1 of 2008**, which local law would amend **Chapter 176-6** of the Code of the Village of Pittsford as follows:

176-6. Accumulation on buildings adjacent to sidewalks or streets.

It shall be unlawful for any person to permit snow or ice to accumulate upon any building adjacent to any street or sidewalk in the village, and it shall also be unlawful for any person to permit snow, ice or water to fall from such building upon any street or sidewalk.

ADD:

176-6.1. Performance of work by village; assessment of costs.

Upon due notice, should the owner or occupant of any building fail to remove any hazardous snow or ice from the building within 24 hours, the village may remedy the abatement of such condition, and the total cost thereof shall be assessed upon the real property on which the hazardous condition is found. Such cost shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the manner provided by law for the collection of delinquent taxes.

176-6.2. Imminent hazards to life and safety.

Hazardous snow or ice conditions which pose an imminent threat to life or safety may be removed immediately, and the cost thereof shall be assessed and collected as provided in 176-6.1.”

Following discussion, the Board made slight modifications to the language in this proposed law. The Clerk will send a copy, including the amended language, to the Village’s insurance agent for comment. The Public Hearing was left open to allow time to seek the advice of the insurance agent.

EXECUTIVE SESSION

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

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

Having taken no action, a **motion** was made **by Trustee Sherwood, seconded by Trustee Galli** to leave executive session and to continue the regular session of the meeting.

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

Trustee Cleary left the meeting due to illness

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Monroe County is accepting applications until February 14th for 2008 CDBG funding. A **motion** was made **by Trustee Galli, seconded by Trustee Sherwood** to submit a CDBG application to Monroe County for the same amount as 2007 and to authorize Mayor Corby to sign the application.

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

CHAPTER 210-56.4 – DISCUSSION

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Two of the properties listed in §210-56.4 have been identified in the Code Book with an incorrect tax account number. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to hold a public hearing in March to amend §210-56.4 to correct the tax identification number errors.

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

EQUIPMENT ACQUISITION

Trustee Maddox presented a proposal for the purchase of a leaf machine that was recommended by DPW Superintendent John Cufari. He explained that half of the cost for this machine would be covered by recycling grant funds. This piece of equipment is part of the equipment replacement plan. Following discussion, a **motion** was made by **Trustee Maddox, seconded by Trustee Galli** to purchase a LCT650 Belt Driven Leaf Collector through the City of Harrisburg, PA for a cost of \$20,486.65 and to authorize Trustee Maddox to execute the purchase, subject to the review and approval of the Village Attorney.

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

“CANNING” REQUEST

The Village Board received a request from Devon Trolley to allow a group of Penn State students representing a campus philanthropic organization called THON, to attempt to raise money for families that have children with cancer by “canning” on village streets. Following discussion, a **motion** was made by **Trustee Sherwood, seconded by Mayor Corby** to approve the request made by Devon Trolley to “can” in the Village of Pittsford on Saturday and Sunday, February 16th and 17th, 2008 at the intersection of Jefferson Road and South Main Street with the conditions set forth for purposes of avoiding potential safety issues for pedestrians, drivers and participants 1)participants will not “can” in the street itself, or at the intersection of Monroe Avenue and Main Street and 2) participants will stay clear of crosswalks.

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

JANITORIAL PROPOSAL REVIEW

The Trustees reviewed a proposal for janitorial services for the Village Hall from Midnight Janitorial. After considering this proposal and others, and after noting that more services will be provided for a cost that is less than our current cost, a **motion** was made by **Mayor Corby, seconded by Trustee Sherwood** to change cleaning vendors to Midnight Janitorial and to accept the terms specified in the submitted proposal dated February 6, 2008.

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

MEMBER ITEMS

Trustees discussed the RIT Big Shot reception, the procedure that should be followed to report violations in the village, and a letter regarding the possible formation of a Pittsford conservation group. The letter was also sent to the Supervisor. It was suggested that the issue be placed on the agenda for the next Leadership Meeting as a possible collaborative effort.

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MINUTES

January 22, 2008: A **motion** was made by **Trustee Maddox**, seconded by **Trustee Sherwood** to approve these minutes as written.

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

February 6, 2008: A **motion** was made by **Trustee Maddox**, seconded by **Trustee Galli** to approve these minutes as written.

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

January 16, 2008: A **motion** was made by **Trustee Maddox**, seconded by **Trustee Sherwood** to approve these minutes as written.

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

BUDGET MEETING SCHEDULE

Members changed the start time of the budget meetings that have been scheduled from 5 PM to 6 PM. The Treasurer will be asked to send an email reminder.

ADJOURNMENT

There being no further business, Mayor Corby adjourned the meeting at 10:30 PM.

Anne Z. Hartsig, Recording Secretary