

**PROCEEDINGS OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**June 9, 2009 – 7:00 PM**

**Present:**  
**Mayor:** Robert Corby  
**Trustees:** Trip Pierson  
Tim Galli  
Paula Sherwood  
Steve Maddox  
**Village Attorney:** John Osborn  
**DPW Superintendent:** John Cufari  
**Recording Secretary:** Anne Hartsig

Trustee Galli called the meeting to order at 7:03 PM. On behalf of the Board of Trustees and Village staff, he wished Village Attorney John Osborn a Happy Birthday on June 12<sup>th</sup>.

Mayor Corby arrived at 7:05 PM.

**TREASURER’S REPORT – TRUSTEE GALLI**

Trustee Galli presented **vouchers for approval**. Vouchers listed on Abstract #21 (FY 08/09) and Abstract #1 (FY 09/10) were reviewed. A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood**, to approve payment of vouchers listed in Abstract #21, and to charge them to the appropriate accounts.

General Fund (#630-#637, #639-#670):	\$ 31,269.81
<u>Sewer Fund (#638, #664):</u>	<u>\$ 50.24</u>
<b>Total vouchers for approval:</b>	<b>\$ 31,320.05</b>

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

A **motion** was made by **Trustee Galli, seconded by Trustee Sherwood**, to approve payment of vouchers listed in Abstract #1, and to charge them to the appropriate accounts.

General Fund (#1, #2, #4-#8):	\$ 13,034.55
<u>Canal Improvements – Greenway Grant (#638, #664):</u>	<u>\$ 4,160.24</u>
<b>Total vouchers for approval:</b>	<b>\$ 17,194.55</b>

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

**Other Business**

- A discussion about insurance coverage for the Village clock was tabled.
- Wood Creek Repairs: A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to hold a public hearing to consider the appropriation of funds from the Woodcreek Repair Reserve Fund to cover the cost of necessary repairs to the pump station facility.  
**VOTE:** Pierson – yes, Corby – yes, Sherwood – yes, Galli – yes, Maddox - yes. **Motion carried.**
- Trustee Maddox will research funds from the Recycle Grant that were to be used to partially cover the cost of the International Dump Truck.

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**REQUEST LETTER FROM SUPERVISOR CARPENTER**

Councilman John Higgins represented the Town of Pittsford and attended the meeting to answer questions about a potential collaborative effort to coordinate planning of both Village and Town land in the northwest quadrant. The land borders the Erie Canal. The Town received a planning proposal from Behan Planning to develop a Canal Park Area Master Plan and is asking the Village Board to consider a commitment of \$14,500 to share the cost of matching funds awarded to the Town by the NYSEPF for the development proposal. Mayor Corby said there are significant benefits to both the Town and Village in working together on the development of this project.

Some concerns that were discussed were additional costs that may arise during the planning process. It was noted that this phase is not likely to have over-runs. Another concern was potential environmental obligations.

Board members concurred that they are willing to share the cost for the development proposal. However, the contribution does not constitute a commitment for the use of the Village owned land. A **motion** was made by **Mayor Corby, seconded by Trustee Galli** to approve a commitment of 30% of the matching cost for the Department of State grant funded project in an amount of up to \$14,500 from the 2010/2011 Village Fiscal Year Budget, to be used for preliminary planning for the Northwest quadrant for the parcels of land owned or of interest to the Town and for the DPW site owned by the Village of Pittsford. The motion is made with the condition that if there are additional expenses, the Board could consider them at that time.

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

**DPW REPORT – JOHN CUFARI**

Mr. Cufari asked if he could place an order for the new tractor, schedule painting for the Village Hall, and order a new overhead door for the garage at the DPW since we have entered a new fiscal year. Members decided to continue these discussions when the Treasurer is present.

The Board approved moving forward with road work on Line Street, Greenhill Lane, Village Grove, Heatherhurst, Courtenay Circle, and a portion of Rand Place. In addition, sidewalk repairs, scheduled for next week, will move forward as planned.

Mr. Cufari will inform Engineer Scott Harter that the Board granted him approval to design a plan for the East Jefferson Road corridor. The design work is not to exceed \$3,000.

Mr. Cufari will plant a new tree at the Four Corners to replace the one that was hit and destroyed.

The Treasurer will be asked to send a letter to Werner trucking to request payment for the damage to the Four Corners tree and light pole. Trustee Pierson volunteered to call the company if the Treasurer can supply the number.

**APRB APPLICATION FEES**

Board members discussed a suggestion to charge a fee/fine in an amount that is over and above the normal APRB application fee for projects that have been undertaken without obtaining prior approval from the APRB. Members agreed that an additional fee might help mitigate the problem of property owners building or renovating without APRB review and approval. This fee/fine could be added to the fee schedule that is determined at the Organizational Meeting in April. The Clerk will provide a copy of the fee schedule at the next meeting.

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**MEMBER ITEMS**

- Discussion regarding South Main Street Parking: A suggestion was made to change the South Main Street parking time limit from two hours to one hour to provide greater turn over of parking spaces. Parking Monitor Steve Weinstein was consulted. He said that in his opinion, one hour parking is not enough time to eat lunch or visit a salon. He believes two hour parking should be the minimum. South Main Street merchants Jim and Sarah Cronin, Bob and Pat Bryant, and Sue Triolo offered opinions on the parking. Suggestions were for merchants to make sure that business owners and their employees park off the street in all-day parking places, for the Village to enforce the current two-hour parking rather than allowing it to be 2.5 hours, for business owners to penalize employees if they use Main Street parking places, for the Village to install meters, for the Village to send a letter to repeat offenders who park on South Main Street all day but who are not patrons of those businesses, and for a survey to be conducted to determine the number of cars driven by employees.
- Preservation Awards will be presented at the July APRB meeting. There will be one residential and one commercial award, as well as four certificates of merit. Mayor Corby will contact Mrs. Gaskin to invite her to the awards ceremony.
- Mayor Corby discussed a letter he wrote to Governor Patterson opposing the recent passage of the NY Government Reorganization and Citizen Empowerment Act. Mayor Corby's letter listed five reasons why the Village opposes the bill and it explained why villages should not be dissolved. Members of the Board were pleased with this letter and the points made by Mayor Corby.
- A meeting regarding the dumpsters in the Burdett lot will take place on Wednesday, June 17<sup>th</sup> at Village Hall at 9 AM.
- Mayor Corby updated the Board on some RG&E concerns including a proposal for the right of way and about changing some of the high pressure sodium lights.
- Trustee Galli reported that in a discussion with Assemblyman Joe Errigo's office, he learned that grant monies for municipalities have been put on hold but that funds should be distributed in July or August.
- Mayor Corby noted that he will be meeting with a representative from Congressman Eric Massa's office regarding funding opportunities.
- Trustee Pierson reported on the Economic Development meeting that took place on June 4<sup>th</sup>. He said it was a good initial meeting. The committee will discuss focused task ideas and determine what the mission will be.
- A proposal for the development of 75 Monroe Avenue will be submitted within the next couple of weeks. Mayor Corby suggested that the Village find a consultant to review a traffic issues. After the development proposal has been submitted, the procedure will be:
  - Village will hold a DRC meeting.
  - Developer will apply for Special Permit from the Trustees.
  - Developer will attend Planning Board for review of Special Permit standards listed in the R-5 zoning district. Planning Board will forward recommendations to the Board of Trustees.
  - Developer will apply to APRB for necessary approvals

**BREATHE-19 SOUTH MAIN STREET - SPECIAL PERMIT DISCUSSION**

Village Attorney Jeffrey Turner wrote a memo after investigating whether or not Breathe Yoga is in violation of its Special Permit and is thereby, adding to the parking congestion in the Village. Members discussed this memo and in particular, the cooking that is taking place. The original permit was issued in 2002 with the understanding that smoothies and non-cooked foods would be offered. Cooking was not part of the original permit approval. Village Attorney John Osborn

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recommended an audit of the current status of the business as opposed to what was originally approved. The Board of Trustees will ask Skip Bailey to supply copies of what permits have been issued to the owner and what approvals have been granted.

Merchant Jim Cronin stated that because Breathe owner Cyndi Weis has combined two spaces, she has, in his opinion, voided the Special Permit granted to her. He said the effect of the combined space has been profound. Because of an additional entrance on South Main Street, parking conditions are worse. Mr. Cronin said a new special permit should be considered. He also suggested that to ensure accurate counts of people, the permit should consider the total number of patrons using the business including both cooking class attendees and those attending yoga classes. Mr. and Mrs. Bryant, owners of Hicks and McCarthy Restaurant, said that the restaurant that is being promoted at Breathe today is different from the original Special Permit approval that was granted. Mayor Corby said that classes, retail space, and treatment rooms are permitted uses. He said the restaurant use will be looked into to determine if there are compliance issues. Trustee Maddox will consult with Skip Bailey and ask him to collect data and present a status report at the next meeting. He will obtain a schedule of classes and compare the number of attendees to the approvals that were granted.

**CONTINUATION OF PUBLIC HEARING – AMEND § 210-2 Word Usage and definitions**

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

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

The Board of Trustees determined that additional revisions are needed before this local law is ready to be passed. Therefore, a **motion** was made **by Mayor Corby, seconded by Trustee Maddox** to hold a new public hearing in July to consider amending §210-2 Word usage and definitions.

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

**MINUTES**

**May 26, 2009:** A **motion** was made **by Trustee Galli, seconded by Mayor Corby** to approve these minutes as amended.

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

**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 employee.

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

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

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

**ADJOURNMENT**

Mayor Corby adjourned the meeting at 10 PM.

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Anne Z. Hartsig, Recording Secretary