

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
August 26, 2014 – 7:00 PM

Present

Mayor: Robert C. Corby
Trustees: Lili Lanphear
Lorie Boehlert
Frank Galusha
Tim Galli
Village Attorney: Jeff Turner
Superintendent DPW: Doug Yaeger
Building Inspector: John Limbeck
Recording Secretary: Dorothea M. Ciccarelli

CALL TO ORDER

Motion Mayor Corby and seconded by Trustee Galusha called the meeting to order at 7:00 PM.

TREASURER’S REPORT

Village Clerk, Dorothea Ciccarelli, presented vouchers listed on Abstract #4 of 2014/2015 fiscal year for approval. A **motion** was made **by Trustee Galli, seconded by Trustee Boehlert**, to approve payment of vouchers listed on Abstract #4 in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #4

• General Fund (#101-#141, #143-#155):	\$69,713.77
• Sewer Fund (#119, #142, #147):	<u>\$ 223.63</u>
Total Vouchers for Approval:	\$69,937.40

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

DEPARTMENT OF PUBLIC WORKS

- Mr. Yaeger updated the Board on the progress on Boughton Avenue: the road has been milled and paved, and the catch basins have been repaired. The crew is currently working on the driveway aprons, topsoil work, and the painting of crosswalks, parking and stop lines. He stated that he anticipates work on the street will be completed by September 30, 2014, dependent on the weather. The Board discussed the raised crosswalk and decided to add to additional speed humps instead of the sidewalk.
- Mr. Yaeger informed the Board that the truck lift for the DPW garage was inspected and required repairs, and that he has scheduled the work to be completed.
- The crew resurfaced the right-of-way behind the Coal Tower with millings from Boughton Avenue.
- Mr. Yaeger stated that he has ordered new power trimmers for the department.
- Mr. Yaeger reviewed with the Board the new quote he received for the one-ton pickup truck. The quote was \$3,000 higher than anticipated. The Board discussed with Mr. Yaeger the disposal of the old truck. Mr. Yaeger informed the Board he anticipated sending it to auction in October.
- Mr. Yaeger discussed with the Board the recent disappearance of the pedestrian crosswalk signs. He has filed a police report, and the Board requested the signs be replaced and anchored to the street.
- Mr. Yaeger informed the Board that Mason Trenching had begun work on the Jefferson Road project.
- The Board discussed recommendations from Mr. Yaeger on micro paving a selection of Village

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streets.

PUBLIC HEARING FOR LABEL 7, EXPANSION OF SPECIAL PERMIT FOR RESTAURANT BAR OPERATIONS

Motion Mayor Corby, seconded by Trustee Galusha, to open the public hearing for Label 7, expansion of the special permit for restaurant bar operations.

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

Ross Mueller, owner of Label 7, reviewed with the Board the proposed changes in the bar operations. Mayor Corby questioned the applicant about the change in the occupancy. The applicant informed the Board that the previous seating occupancy was 53, and with the proposed plan, it would be 46 for seating, 66 for standing, and the occupancy would be posted by the fire marshal. The applicant further indicated to the Board that the new floor plan provides more segregation for the bar operations and has a better flow to the operation.

Jeff Mason, 68 State Street - Informed the Board he was in favor of the operation and the changes proposed.

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

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

Motion Trustee Boehlert, seconded by Trustee Galli, to approve the expansion of the special permit since it does not adversely impact section 210-74 A-H of the Village Code.

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

PUBLIC HEARING FOR A SPECIAL PERMIT FOR RESTAURANT BAR OPERATION – PITTSFORD PUB

Motion Mayor Corby, seconded by Trustee Boehlert, to open the public hearing for Pittsford Pub, for a special permit for restaurant bar operations.

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

Scott Thyroff, the new owner of the Pittsford Pub, reviewed the Pittsford Pub operations with the Village Board. Mayor Corby questioned the applicant about the current occupancy. Mr. Thyroff informed the Board that the current occupancy is 85 seats inside and 36 seats outside, during the summer. The current staff for the operation is 30-35 employees during summer and 22-25 during the winter. The business hours are currently 11:30am – 2am on the weekend; during the week, the hours can vary dependent on the weather. Mayor Corby questioned the applicant about the number of parking spots. Mr. Thyroff informed the Board they currently have 190 spots available. He also informed the Board that they would be using Youngblood Trash haulers. Mayor Corby questioned the applicant about the screening of the dumpster. Mr. Limbeck informed the Board that the property owner was working with him on the dumpster enclosure, as well as insuring that the lighting is dark-sky compliant.

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

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

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Motion Mayor Corby, seconded by Trustee Boehlert, to approve the issuance of a special permit for the Pittsford Pub since the current use is well established and does not adversely impact section 210-74 A-H of the Village Code. In addition, the operation is more than 100 feet from residential use, there will be no noise issues, and the current establishment has good standing.

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

PUBLIC HEARING FOR AN EXPANSION OF THE SPECIAL PERMIT FOR RESTAURANT AND CARRY-OUT OPERATIONS – SAHA MED GRILL

Motion Mayor Corby, seconded by Trustee Boehlert, to open the public hearing for Saha Med Grill, for an expansion of the special permit for restaurant and carryout operations.

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

The applicant requested that the Board allow temporary signage for the operation until permit signs are completed.

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

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

Motion Mayor Corby, seconded by Trustee Boehlert, to approve the expansion of the special permit to allow temporary signage, this change does not adversely impact section 210-74 A-H of the Village Code.

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

LOCK 32 BREWING COMPANY – INFORMATION ONLY

John Clark, representing Lock 32 Brewing Company, which is located at 10 Schoen Place, discussed with the Board the possibility of brewing beer on site. He explained to the Board that new state legislation would require brewing on site for the business to be able to distribute products to other businesses. They stated that they are proposing producing 50 kegs a year and to house the operation upstairs in the building. The Board questioned the applicant about the process for producing beer and the possibility of odors generating from the process. The applicant indicated to the Board that there would be some odor, but that it would be limited to a few hours. Further discussion was held on the location and the necessity for the fire marshal to approve the location. The applicant was informed that he would need to make an appearance with the Planning Board to review the change requested. The Board also reviewed the additional items that will be required to be presented at the next Trustee Meeting, which included the floor plan for the requested change and information on the exhaust to scale. A public hearing was to be set for September 23, 2014.

BUILDING INSPECTOR'S REPORT

Commercial

- The Del Monte Lodge informed Mr. Limbeck that they will be working with the Canal Corporation and the Village APRB to install a dock at their facility. Mayor Corby requested that they replace the trees that were recently removed. Mr. Limbeck will follow up with the request.
- Mr. Limbeck discussed with the Board his recent conversation with the Town Commissioner of Public Works, Paul Schenkel, on the potential movement of a house from East Avenue to the empty lot at 10 North Main Street. He informed Mr. Schenkel about the meetings and approvals that will be necessary for the project.
- Following Mr. Limbeck's Notice of Violation to the Goodwill Store at 4 North Main Street, the manager installed clothing racks, a household display, and a rack for sunglasses within the store.

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He stated that they are now in compliance with the zoning requirement that they be primarily a retail establishment.

- Mr. Limbeck followed up after the recent article in the Democrat and Chronicle that detailed the condition of the CSX Bridge over the canal. He stated that he contacted CSX Bridge Engineer, Phil Ogram. He requested a letter from CSX, attesting to the structural integrity of the bridge. CSX indicated that they would provide a letter, and informed him that the bridge had been inspected twice last year.
- Mr. Limbeck informed the Board that he was working with the Pittsford Dairy on their revised site plan, which would include lighting and the pond.

Violations

- Mr. Limbeck informed the Board he would be adding a new section to his report and he intended to keep the Board current with the violations and notices that he has issued.
- Charlie Fox-Northfield Commons-Re: Lack of a parking and loading plan. Mr. Limbeck stated that this will become an official Notice of Violation later this week. The owner has been notified that according to Village Code Section 210-81, "Design, construction, and maintenance of facilities," he is responsible for providing the Village with a parking and loading plan for the property.

General

- Mr. Limbeck reviewed with the Board his proposed change to Village Code Section 210.83, "Planning Board site plan review and approval required." Within this section, all exterior lights require the review and approval of the Planning Board. In some cases, the exterior lights merely highlight architectural features or a sign and do not provide site or area lighting.

Motion Mayor Corby, and seconded by Trustee Boehlert, to set a public hearing for proposed changes to Code Section 210.83 Lighting on September 23, 2014.

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

- Mr. Limbeck reviewed with the Board the proposed sign letter to be mailed to the Village residents. The Board requested the letter be tabled at this time, to allow further review of the Village Code.
- Mr. Limbeck discussed with the Board information he gathered on private drives located in the Village. He stated that he is in the process of updating the zoning map and wanted to confirm the status of the roads. Mayor Corby informed Mr. Limbeck that Grove Street and Gaskin Place are dedicated Village streets.
- The Board further reviewed the proposed revision to Village Code Section 66, "Buildings Property Maintenance." The Board discussed the needed revisions and requested Mr. Limbeck allow further time for review.

Westport Crossing:

- Jeff Turner, Scott Harter, and Mr. Limbeck discussed with the Board a recent conference call with the Department of Environmental Conservation (DEC). They discussed sharing of information related to the Westport Crossing project. There was concern related that all parties involved with the project have not been receiving all the necessary information. Mr. Limbeck requested permission from the Board to initiate a distribution list that would include the members of all of the Village Boards, all of the involved agencies and the Village's consultants. The purpose of this

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distribution list is to monitor and chronicle all of the activities associated with the Project and ensure that communications are occurring when and where they are needed. This will also keep everyone informed as to the current and planned activities of each board, agency, and consultant. The Board agreed that this should be initiated.

SCOTT HARTER – DRAINAGE REGULATIONS

Mr. Harter reviewed with the Board the current pond inventory and the associated code. After reviewing the inventory, the Board requested that Mr. Harter work with Mr. Turner on updating the Village Code regarding storm water and pond maintenance.

ATTORNEY

Motion Trustee Galli, seconded by Trustee Boehlert, to enter into an attorney-client privilege session at 9:40pm for legal advice.

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

Having taken no action, a **motion** was made **by Mayor Corby, seconded by Trustee Boehlert**, to leave the attorney-client privilege session at 10:15 pm and reenter the regular session of the meeting.

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

NON-MUNICIPAL USE PERMIT FOR PITTSFORD CREW – PITTSFORD REGATTA

The Board reviewed documentation provided by Pittsford Crew for their Pittsford Regatta scheduled to run November 2, 2014.

Motion Mayor Corby, and seconded by Trustee Galusha, to approve the non-municipal use permit for Pittsford Regatta on November 2, 2014, with all the requirements of the non-municipal use permit.

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

NON-MUNICIPAL USE PERMIT FOR THE FRIENDS OF PITTSFORD LIBRARY

The Board reviewed the request from the Friends of Pittsford Library to place a banner above the front entrance of the Pittsford Library for the fall 2014 Semi-Annual Book Sale to be held October 22-26, 2014. The banner will be removed on October 27, 2014. In addition, they requested the use of a small sandwich board sign in the grass area in front of the library.

Motion Mayor Corby, and seconded by Trustee Galusha, to approve the non-municipal use permit for Friends of Pittsford Library for the use of a banner and sandwich board sign with all the requirements of the non-municipal use permit.

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

DISCUSSION ON STRUCTURE POLICY OF PLANNING & ZONING, APRB AND VOLUNTEER BOARDS

Mayor Corby reviewed with the Board concerns related to term lengths. Trustee Lanphear questioned whether the term length was too large of a commitment and could be a hardship and deter public involvement. Mayor Corby, discussed reviewing the current terms and possibility of allowing a Board member to have residence in the Town. Trustee Galli requested that the Board seek the opinions of the

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Chairs of the Boards on the subject. Mayor Corby agreed, and requested that further discussion be tabled until September 23, 2014.

MINUTES

Motion Mayor Corby, and seconded by Trust Galusha, to approve the minutes of July 22, 2014 with corrections.

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

EXECUTIVE SESSION

Motion Mayor Corby, seconded by Trustee Boehlert to enter into an executive session to discuss specific personnel performance issues at 10:40pm.

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

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

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

Motion Trustee Galusha, and seconded by Trustee Boehlert, to make an employment offer to John Limbeck for the position of Building Inspector / Code Enforcement officer with an annual salary of \$54,000, 3 weeks' vacation and all benefit as per employee handbook based on a forty hour workweek.

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

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Boehlert, to adjourn the meeting at 10:56PM.

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

Dorothea M. Ciccarelli, Recording Secretary