

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
September 23, 2014 – 7:00 PM

Present

Mayor: Robert C. Corby
Trustees: Lili Lanphear
Lorie Boehlert
Frank Galusha
Tim Galli
Building Inspector: John Limbeck
Village Treasurer: Mary Marowski
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 Treasurer, Mary Marowski, presented vouchers listed on Abstract #6 of 2014/2015 fiscal year for approval. A **motion** was made by **Trustee Galli, seconded by Trustee Boehlert**, to approve payment of the amended vouchers listed on Abstract #6 in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #6

• General Fund (#134-#175):	\$65,842.32
• Sewer Fund (#150):	<u>\$ 22.99</u>
Total Vouchers for Approval:	\$65,856.31

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

The Village Treasurer reviewed with the Board the current bank balances and requested clarification on the billing of the Mark IV consultant fees. The Board instructed the Treasurer to pay the current outstanding invoices for contractors and to continue billing appropriate fees to Mark IV. The Board reviewed the month of July’s detail on revenues and expenses. The Board discussed the current litigation expenses and requested that Mayor Corby follow-up with Hodgson Russ.

NON-MUNICIPAL USE PERMIT FOR TROOP 341 TREE SALE

Spencer Kull, representing Boy Scout Troop 341, requested permission for the Troop to place signage at the corner of Main Street and Monroe Avenue, as well as the corner of Sutherland Street and Jefferson Road. He informed the Board that the tree sale would be conducted from November 28, 2014 - December 21, 2014. He further stated that the tree and wreath sale is the Troop's only fundraiser of the year to support youth groups benefitting young men and their families in the Village and Town of Pittsford.

Mayor Corby informed Mr. Kull that due to the NYS Highway Law, the Village is unable to give permission for the placement of the signs. He stated that the Village is in the process of installing a community event sign, which will provide organizations an opportunity to advertise their events. Mayor Corby stated that he will forward Mr. Kull’s request on so that the sale can be placed on the sign.

RESOLUTION TO HIRE JOHN LIMBECK FOR BUILDING INSPECTOR / CODE ENFORCEMENT OFFICER

A motion was made by Trustee Galli, seconded by Mayor Corby, to hire John Limbeck for the position of Building Inspector / Code Enforcement Officer of the Village of Pittsford, with the following terms:

the salary is \$54,000 per year;
there will be three weeks' vacation allotted each year;
the clothing allowance is \$250 a year;
the workweek will consist of forty hours; and
all other benefits will be as noted in the Employee Handbook.

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

BUILDING INSPECTOR'S REPORT

Residential

- Mr. Limbeck reported that Mrs. Hallowell, of 12 Washington Avenue, had 3-4 vinyl windows installed without APRB approval or the issuance of a building permit. The Board requested that Mr. Limbeck follow up with Pace Window and Door, who performed the work.
- Mr. Limbeck stated that he issued a Notice of Violation to Mark Siwec of Nothnagle Realtors for the house that Mr. Siwec is selling at 9 West Jefferson Road. The property has a small pond that is overflowing and creating a nuisance at 7 West Jefferson Road. Mr. Limbeck will be meeting with representatives for the property in order to resolve the situation before they close on the property.

Commercial

- Mr. Limbeck met with representatives from Hamilton-Stern Construction and Safeway to discuss the second phase of the Hardie Plank siding project at 19 South Main Street. The next phase will involve the removal of the existing siding on the face of the building and then the removal of the incorrect siding along the south side of the building. The front section will require scaffolding to be erected. Safety measures for the area have been reviewed with both firms. The south side removal and replacement will require the closure of the sidewalk for approximately two weeks. Mr. Limbeck and the contractor will notify the surrounding merchants so they will have the opportunity to inform their customers that a pedestrian detour will be in effect during this portion of the work.
- The Zoning Board of Appeals upheld Mr. Limbeck's denial of a tattoo studio as an approved use in the Northfield Common parcel in a 4-1 vote. The owners of the proposed studio came in to the Village Hall last week to re-plead their case and to let him know that they were going to pursue a further appeal to the ZBA's decision.

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Violations

- Mr. Limbeck reported that he has issued a Notice of Violation to Mr. Michael Newcomb for his property at 9 South Main Street. Mr. Newcomb had exterior lighting installed without the approval of the Planning Board, and, in spite of Mr. Limbeck's warning not to, he had the lights installed anyway. In addition, a building permit was not obtained for the work. He further explained that he would be working on revisions to the Village Code. He stated that before the lighting can be utilized, Mr. Newcomb will need to obtain Planning Board approval and apply for a building permit. He will also be responsible for the Planning Board application fee of \$100, the \$100 to lift the Stop Work Order and the \$25 Electrical Service building permit fee. In spite of these actions, the lights have been activated and are currently in use. Mr. Limbeck will be issuing an Appearance Notice for Town Court in order to gain compliance. He will also be seeking an additional fine of \$350.
- In Mr. Limbeck's last report, he had noted that several businesses had not complied with the dumpster requirements of the Village Code. In the latest correspondence, he informed these owners that if they had not complied with the requirements by September 19, 2014, he would notify the waste haulers to remove the dumpsters from the premises. The Board requested that he stop by each business and discuss the situation with them before having the dumpster removed.

General

- Mr. Limbeck stated that he will be meeting with Ms. Debra Wingman, of R.G.& E., on September 26, 2014 morning to review the right-of-way behind Shoen Place business. He is seeking to have R.G.& E. transfer the property to the Village.
- The fencing at Ford Field will not require an LWRP action if the project is not deemed Type II SEQR. Mayor Corby indicated that the group will need to go before the Planning Board for site plan approval.
- Mr. Limbeck reviewed a current complaint he received regarding the feeding of the ducks at Schoen Place. Currently, Village Code Section 161-"Schoen Place Waterfront Park" does not allow the action. He requested that the Board amend the Code to allow for the feeding of the ducks. The Board agreed, and requested that the Code require that the storage of food be kept inside the businesses.
- Mr. Limbeck suggested that Scott Harter, the APRB and PZBA Board Members, and possibly the DPW, be issued identification cards. The Town has offered to create the cards. The Board agreed.

Stormwater:

- There is a concern with the raised mattress in Rand Creek opposite of the bus loop on South Main Street. The Board discussed the situation, and it was suggested that the situation be review by the Village Attorney. Mayor Corby related that there should be an easement on file for the property.

Westport Crossing:

- Per authorization of the Board, Mr. Limbeck has nearly completed the communications distribution list for the Westport Crossing Project. This distribution list will help keep all of the involved agencies and the Village Board informed of current and pending activities on the projects with an emphasis on permitting issues.

PUBLIC HEARING FOR LOCK 32, EXPANSION OF SPECIAL PERMIT FOR A MICRO-BREWERY TAPROOM

Motion Mayor Corby, seconded by Trustee Galusha, to open the public hearing for Lock 32, expansion of the special permit for micro-brewery taproom.

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

John Clark, representing Lock 32 Brewing Company, which is located at 10 Schoen Place, requested permission from the Board to brew beer at their site. The Board reviewed the recommendation from Planning Board in support of the project.

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 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.**

MIKE NEWCOMB – DUMPSTER PERMIT FEES

Mr. Newcomb discussed with the Board the current Dumpster Code and fee charges per dumpster that are currently being assessed. He expressed to the Board that the fee is large, considering in some cases one is required to have a recycling dumpster in addition. He expressed that there could be another way to monitor the dumpsters without the additional fee to the property owner. Mr. Newcomb requested that the Board review the current Village Code and fee schedule. Mayor Corby explained to Mr. Newcomb the reason that the current Code was put into place, and indicated that the Board will review the current Code and see if any relief could be offered.

NON-MUNICIPAL USE PERMIT FOR THE CHAMBER OF COMMERCE FOR CANDLELIGHT NIGHT

The Board reviewed the request from the Pittsford Chamber of Commerce for the annual Candlelight Night to be held on December 2, 2014. The event will be held on North and South Main Street, State Street, Monroe Avenue within the Village borders, and Schoen Place/Northfield Common.

Motion Trustee Lanphear, and seconded by Trustee Galusha, to approve the non-municipal use permit for the Chamber of Commerce for Candlelight Night with all the requirements of the non-municipal use permit.

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

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**NON-MUNICIPAL USE PERMIT FOR FEDERATED GARDEN CLUBS OF NEW YORK STATE
23RD ANNUAL CANDLELIGHT TOUR 2014**

Alice Swetman and Anne Johnston, representing the Federated Garden Clubs, discussed the upcoming annual home tour, which will be held on November 15, 2014 between 11am – 4pm. There are two Village of Pittsford homes on the tour. They currently are anticipating selling about 200 tickets for the tour. They will be staggering start times.

Motion Mayor Corby, and seconded by Trustee Galli, to approve the non-municipal use permit and waive the 45-day notice for the Federated Garden Clubs of New York State 23rd Annual Candlelight Tour 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 FOR A FUNERAL
PROCESSION**

The Friends of Pittsford Village are requesting a permit for Saturday, September 27, 2014, for the purpose of marking the passing of a noted Pittsford resident, Dr. J. Daniel Subtelny. Dr. Subtelny's private practice was located for 22 years across from Hicks & McCarthy's, and he had been a resident of the Village for the last 25 years. They stated that they would like to request that South Main Street be closed for approximately 20 minutes to allow the funeral procession to proceed on foot. The procession will be between 36 South Main Street and 70 South Main Street between 11:15 am – 11:35 am.

Motion Mayor Corby, and seconded by Trustee Lanphear, to approve the non-municipal use permit and waive the 45-day notice for the Friends of Pittsford Village funeral procession for Dr. J. Subtelny, with all the requirements of the non-municipal use permit.

Vote: Corby – yes, Galli – yes, Lanphear– yes, Boehlert – No, Galusha – yes. **Motion carried.**

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

Mayor Corby continued the discussion on the current structure of the stated Boards. The Board also discussed the use of alternate board members. Concern was expressed about the current wording of the Code that gives the option to the Chairperson as to whether to use an alternate board member when a member is absent. Further discussion was held regarding shortening the term length to 3 years. The Board requested that the item be scheduled for further discussion at the October 14, 2014 meeting.

GARAGE SALE SIGNS

Mr. & Mrs. Reynolds discussed with the Board their concern about the current sign code and the absence of the allowance of signs for garage sales. They stated that they would like to see a code change to allow signage for these types of events in the Village. The Board discussed the issue and noted that they were currently reviewing the sign code and would take into consideration their concerns.

CLERK'S REPORT

- Mrs. Ciccarelli discussed a proposal received from Troy and Banks on doing an energy audit. The company has performed similar work in the past. The Board indicated that the Clerk will have the audit completed.
- Mrs. Ciccarelli requested permission as per discussions with Trustee Lanphear to be open the night of Candlelight Night to host music provided by the Pittsford School district and to serve

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refreshments to the public. The Board agreed and indicated a start time for the performance of 6:30 pm would help facilitate their involvement.

- The Clerk also requested approval to order Christmas cards to be sent from the Village for the upcoming holidays. The Board agreed and members were going to help provide a winter scene picture of the Village for the card.
- Mrs. Ciccarelli thanked the Board for the opportunity to attend the recent NYCOM conference.

MEMBER ITEMS

Mayor Corby reviewed correspondence received from Pittsford Youth Service. The organization requested an increase in the donation made by the Village. The Board discussed the past commitments made by the Village and would review the amount given in the next budget.

Trustee Galusha reviewed correspondence received from the Friends of Pittsford Library regarding the use of A-frame signs in the Village.

Trustee Galli requested an update as to the status of the current litigation matters. Mayor Corby informed the Board about the latest information he had received from the Village Attorney, Hodgson Russ. Mayor Corby will follow up with the attorney to request a further update in writing for the Board

Trustee Galli also questioned the status of the engineer review of the North Avenue CSX Bridge. Mayor Corby informed the Board he had contacted Ron Northrup to review the status of the bridge. Mr. Northrup will be preparing a quote and getting back to Mayor Corby.

MINUTES

Motion Trustee Boehlert, and seconded by Trust Galusha, to approve the minutes of August 26, 2014.

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

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Lanphear, to adjourn the meeting at 9:55 PM.

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

Dorothea M. Ciccarelli, Recording Secretary