

**PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**January 10, 2017**

**Present**

**Mayor:** Robert C. Corby  
**Trustees:** Lili Lanphear  
Frank Galusha  
Alysa Plummer  
Margaret Caraberis  
**DPW Superintendent:** John Curfari  
**Fire Marshall:** Kelly Cline  
**Planning & Zoning:** Justin Vlietstra  
**Foreman:** Zach Bleier  
**Recording Secretary:** Dorothea M. Ciccarelli

**CALL TO ORDER**

Motion by Mayor Corby seconded by Trustee Lanphear called the meeting to order at 7:00 PM.  
Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

**BOARD MEMBER – CONFLICTS OF INTEREST DISCLOSURE**

Mayor Corby asked if any of the Board members had a conflict of interest or had accepted gifts associated with any of the meeting agenda items. The Board members indicated that they had no conflicts of interest to report.

**SPECIAL PERMIT MODIFICATION APPLICATION- LOCK 32**

The owners of Lock 32 proposed to the Board that they would like to install the same existing window facing the canal side, in the front of the building facing the street side. In addition, to the requested window, the applicant would like to enlarge the existing deck to accommodate outside seating. The proposed replacement window is taller than the existing window, and actually would be a door to the deck. The current shared handicap access with the Game Gambit would remain. According to the drawings, the deck would be approximately two feet from the sidewalk. Access to the deck is would only be through the interior of the building, as to not impede outside pedestrian traffic. The maximum occupancy capacity for the outside deck area is up to 17 people total. Kelly Cline, explained that the legal occupancy inside the building is not to exceed a total of 49, per fire safety codes. The egress panic/paddle hardware would need to be intact on the proposed window/door.

Mayor Corby emphasized that the application will need to be reviewed by APRB for proposed exterior modifications. The Board will consider the historic significance of Schoen Place as the state’s most intact complex of historic canal-side buildings. The style and architectural type of window is not compatible with the architecture of the facade. The proportion and scale of the opening is larger than the framing, which may need to be pared back. The Planning Board will need to review the schematic, in addition to the site plan and amendment of the Special Use permit.

The Board questioned the applicant if Mr. Collins, the owner of the building, supports the proposed alterations to the building. The applicant stated that Mr. Collins signed off on all the Special Permit applications. The owner also stated that the neighboring business, Game Gambit, is also supportive of the prospective modifications.

Both the APRB and the Planning and Zoning Board need to review proposed changes. Mayor Corby cited the codebook referencing section 210-48, front yard setback not less than 20 feet back. Mayor Corby also cited criteria regarding area variance stipulations, per New York State law. A public hearing for amendment to the

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Special Use Permit is also required. The applicant is anticipated to return in April to the Village Board for the public hearing.

Mayor Corby asked if there were any changes to existing signage and hours. Operating hours of the business will remain the same: Monday through Thursday 4:00 PM - 10:00 PM, Friday 2:00 PM – 12:00 AM, Saturday 12:00 PM – 12:00 AM and Sunday 2:00 PM – 9:00 PM.

**NON-MUNICIPAL USE PERMIT – VIA GIRASOLE WINE BAR**

**Valentine’s Day Pub Crawl** – The Clerk represented the application from Via Girasole Wine Bar requesting a non-municipal permit to conduct a Pub Crawl scheduled for Tuesday, February 14, 2017 from 2:00 PM - 6:00 PM. There are currently 50 tickets for sale to the event, which the applicant hopes will boost local business during this quiet time of the year. The applicant will submit evidence of insurance.

**Motion Mayor Corby, seconded by Trustee Caraberis**, to approve the event Valentine’s Day Pub Crawl, conditional upon receipt of insurance per Village requirements.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

**SETON FOUNDATION BLAST FUNDRAISER**

The Clerk presented the applicant’s request to sell raffle tickets in the Village. Mayor Corby informed the Board that the ability to regulate soliciting is limited, as it is currently allowed within limitations under Federal Free Speech laws. A list of specific names and details will be required for approval of solicitors, including more information about the Foundation. The Board requested the Clerk obtain more details from the applicant. The Village Clerk will follow up with the applicant.

**NATIONAL SCHOOL CHOICE WEEK**

The Clerk presented to the Board a resolution received by the Village office regarding National School choice Week. Mayor Corby stated that it is inappropriate for the village board to rule on this, as it is not an education entity.

**Motion Mayor Corby, seconded by Trustee Caraberis**, to decline to take a position on National School Choice Week.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

**DEPARTMENT OF PUBLIC WORKS POSITION**

Trustee Galusha spoke to the Board and recommend that the Board appoint Zachary Bleier to the Working Foreman position in the DPW.

**Motion Trustee Galusha, seconded by Trustee Caraberis**, to approve Zachary Bleier for the position of Working Foreman for Department of Public Works.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

**DPW REPORT**

- The cleanup of brush and debris will extend into Spring 2017.
- The DOT handicap mats need replacement at a cost of approximately \$200.
- Toolcat may arrive by January 16, 2017.
- Sewer lateral for DPW on the way, stake out for electric is done at a cost of \$3,500 worth of material.
- PSD -- Installed pump from building to pump storage. PSD responds to every call promptly.

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- Wood Creek pump had a screwdriver removed, which had caused a power failure, but it is now up and running. The expense for the repair was approximately \$500, which will draw from the Sewer Fund.
- Heaters have been fixed in the shop, the replacement motor cost approximately \$450.
- HVAC had a bees' nest inside, which adversely affected the fan movement.
- Need to purchase protective covers for Village Hall AC Unit.
- DPW to check supplies and acquire additional bicycle racks.
- Kelly Cline is handling Del Monte issue sewer back up issue.
- CSX- 20 Washington Rd. Directional bore to Power's property for drainage. Clean swale project.
- Garbage – Violations at 10 West Jefferson, the Pittsford Florist, and 26 West Jefferson.
- Trash Enforcement – Need an information letter regarding unauthorized waste dumping.
- Follow up with Kelly on Compliance Letter, citing village codes.
- Trash receptacles at Four Corners are dilapidated and need to rotate during winter months for maintenance.
- Disconnected power to light pole on Monroe and Jefferson. Mr. Bleier to follow up.
- Several streetlights in the village need to be replaced.
- The Village Clerk will follow up with Kelly Cline on the specifics of the accident at Four Corners with Captain Ott.

### **ELDERBERRY EXPRESS**

Mayor Corby read the owner's request for a Newsletter item asking for volunteers. Trustee Plummer would speak to Stacy Freed.

### **TYLIN**

Mayor Corby reviewed with the Board the renewal of the TYLIN contract, and thought it would be wise to sit down and discuss the Village's needs with TYLIN. Trustee Caraberis volunteered to assist the Mayor in the handling the renewal of the contract. Kelly Cline informed the board that TYLIN currently has the state contract for reviewing projects subject to the Energy Codes, free of charge. The Mayor requested that the Village Clerk schedule a meeting with TYLIN.

### **ZOMBIE / PROPERTY MAINTENANCE**

The Board indicated that Substantial revisions to Village Code Chapters 76-81 were needed, and requested that the next meeting scheduled for 1/24/17 makes these changes. Kelly Cline indicated that there have been recent changes on the registration of Zombie codes in tandem with financial institutions. That foreclosure notices are now listed on the County website. Ms. Cline will check with the Town Attorney on NY rules and regulations and if there is a need to amend any codes and streamline process.

### **MEMBER ITEMS**

Mayor Corby discussed with the Board The International Organization for Standardization (ISO) Institute – Village of Pittsford rating has changed from a score of 3 to 4 due to insufficient training. Community ratings are based on multiple findings including: fire safety status, local fire department, building codes, and the local municipality's ability to enforce codes. ISO low ratings would affect homeowners' insurance rates. The goal is to achieve the lowest rating possible to benefit the Village residents and community. Mayor Corby is will be working on getting the Village's rating corrected.

Trustee Plummer suggested a general policy to monitor expenditures and approval of charge card activity for Village Consultants. There is a fiscal responsibility to have oversight and a mechanism in place for regulation of expenditures. She suggested including a policy in the organizational minutes as an action item in April. The

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Board discussed the suggestion, and questioned if the current procurement policy provided the proper oversight. The Board would review the policy for any necessary additions as needed.

Trustee Galusha discussed with the Board correspondences received by Ted Collins, which objected to the expansion of Simply Crepes Restaurant. The date of the letter is 12/20/2016, which was likely hand delivered. The date of the special meeting was 12/23/2016. The letter was not date-stamped when received. Consequently, the written objection was not included or noted as part of the meeting packet. The Village Clerk was out of the office during this time, and was unaware of the receipt of the letter. She assured the Board that the letters will be date-stamped when received and e-mailed to board members accordingly in the future. Mayor Corby will contact Pierre, the owner of Simply Crepes Restaurant, and Mr. Collins to follow up.

### **BUILDING INSPECTOR REPORT**

Kelly Cline will research expansion issues at 36 Sutherland Street. The contractor asked Ms. Cline about proceeding with digging footers and approval of plans by the APRB. She will research and follow up on energy codes in addition to the year-end reports.

Mayor Corby voiced a complaint made by Pauline Riley, who claims that her next-door neighbor is selling used cars from the driveway on Church Street. This residence is the second house on the north side of Church Street. Ms. Cline will follow up on this situation.

### **VILLAGE ATTORNEY REPORT**

Jeff Turner reviewed 44 Sutherland Street with the Board indicated the proposed project would require a coordinated review of the Architectural Preservation and Review Board and the Planning Board. Mr. Turner urged the Board to appoint an alternate to the APRB. Mayor Corby informed the Board that James Finelli, Historic Preservation Program Analyst, has offered free training for APRB members.

Mr. Turner stated that the mixed residential use is currently approved in B-1 and B-1A, but refers to a section in the Zoning Code that no longer exists. The Board indicated that 600-700 square feet, should be required and off street parking must be provided. Mayor Corby indicated that they need to review inventory of equitable parking place sizes. The code will be updated and drafted by Mr. Turner.

Mayor Corby suggested to the Board that the current site plan section of the Village Code needs to be reviewed. The current screening requirements for parking lots is lacking. The section also needs to address pedestrian walkability. He suggested that the Village of Hamburg has a good model. Mayor Corby will follow up on updating the site plan section of the code and would review with the Planning Board.

Mayor Corby and Mr. Turner exchanged numerous e-mails with David Rose, of Computel. The Village was erroneously billed for throughout the village for a total of \$138,268.89. The bill includes interest through December 2016. Mayor Corby expressed concern with the current inventory and requested a time to review the inventory before he signs the contract.

**Motion Trustee Plummer, seconded by Trustee Caraberis** to authorize the Mayor to sign the settlements agreement with Rochester General Electric if he agrees with the inventory provided.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

### **MEMBER ITEMS**

The Board discussed with the status of the RGE in right-of-way agreement. Mayor Corby will put in a call Debbie Wegman to follow up on the agreement.

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Mr. Turner discussed the claim received by the individual who fell near the Bridge, the claim will be submitted to the insurance company. Mr. Turner also prepared the release for the all the parties regarding the Stone Gate Sewer.

Mr. Turner also discussed with the Board that the CSX right-of-way. CSX will be installing gates on the property. The APRB will need to review the guardrail for appropriateness.

Jeff Turner and the Board discussed the outstanding quotes needed for the ticket booth. Mr. Kofahl had been working on getting bids for the replacement. Mayor Corby and the Clerk will review his files to see if the bids were received.

Mayor Corby and Trustee Caraberis met to reconcile each respective list for the Special Use Permits and Comprehensive Plan. A workshop is scheduled for 10:00 AM Saturday, January 14, 2017, which will last approximately 2 hours.

### TREASURER'S REPORT

Village Clerk, Dorothea M. Ciccarelli, presented vouchers listed on Abstract #14 of 2016/2017 fiscal year for approval. A motion was made by Mayor Corby, seconded by Trustee Caraberis, to approve payment of the vouchers listed on Abstract #13 in the amounts stated below and to charge them to the appropriate accounts.

#### Vouchers for approval – Abstract #14

<input type="checkbox"/> General Fund (#439-#443, #445-#483):	\$ 38,602.70
<input type="checkbox"/> Sewer Fund (#448, #453, #473):	\$ 1,107.89
<input type="checkbox"/> Pavillion (#444)	<u>\$ 337.42</u>
Total Vouchers for Approval:	\$ 40,048.01

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

The Clerk reviewed the current bank balances and the Cash Receipt Report for December 2016 with the Village Board.

### VILLAGE CLERK REPORT

- The Clerk reviewed the proposed New York State Archive Grant prepared by Sophie Bennett with the Board. The Village is looking to receive a digital record grant for \$60,000. The grant submittal date is January 17, 2017. The anticipated award date is June or July of this year. The Clerk informed the Board that this is a very competitive grant. The Clerk requested authorization for the Mayor to sign the grant submittal.  
**Motion Mayor Corby, seconded by Trustee Caraberis,** to authorize the Mayor to sign the finalized New York State Archive Grant submission.  
Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.
- The Clerk reviewed the quote received for the replacement of the Village sign that was stolen. The replacement of the sign will be \$2,700. The Village requested the cost of the new sign be a budget item for next year.

### MINUTES

**Motion Mayor Corby, seconded Trustee Galusha,** to approve the Village Board minutes from November 15, 2016.

Vote: Corby – yes, Lanphear– yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

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Motion to enter executive session

**Motion Mayor Corby, seconded by Trustee Galusha,** to enter executive session for a specific employee matter.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

**Motion Mayor Corby, seconded by Trustee Lanphear,** to exit attorney-client at 10:07 PM.

Vote: Corby – yes Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

**ADJOURNMENT**

**Motion Mayor Corby, and seconded by Trustee Galusha,** to adjourn the meeting at 10:12 PM.

Vote: Corby – yes, Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

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Dorothea M. Ciccarelli, Recording Secretary