

PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
April 11, 2017

Present

Mayor:	Robert C. Corby
Trustees:	Lili Lanphear Frank Galusha Alysa Plummer Margaret Caraberis
Fire Marshall:	Kelly Cline
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.

ATTORNEY CLIENT PRIVILEGE

Motion Mayor Corby, seconded by Trustee Galusha, to enter attorney client privilege.

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 7:45 PM.

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

NON-MUNICIPAL USE PERMIT – PITTSFORD FOOD TOURS

Cheri Davenport, representing Pittsford Food Tours, presented their application for a non-municipal permit. The tours will run twice a week for 3 hours to include specific Village eateries. The tour will highlight local history and will spotlight the community. All restaurant stops on the tour are scheduled. There is a maximum of 12 people on a tour, and the attendees are responsible for locating their own parking. The Board questioned if she had spoken to the local restaurants. Ms. Davenport informed the Board that their response was positive and that she has been receiving positive feedback from the community. The tour will be advertised by word of mouth and her website. Trustee Lanphear requested that the advertisement for the event make it clear that the event is not being conducted by the Village of Pittsford. The applicant informed the board that the tour will be held from May through November. The Board questioned how many people she anticipated attending during a week. Ms. Davenport anticipates about 24 people a week.

Motion Trustee Galusha, seconded by Trustee Plummer, to waive the 45-day notice and approve the non-municipal permit for Pittsford Food Tours to conduct tours twice a week between 11 AM – 2 PM, May through November 2017, with all the standard permit conditions.

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

NON-MUNICIPAL USE PERMIT – EMBRACE YOUR SISTERS WALK

The Village Clerk presented the application received by Embrace Your Sisters for their annual breast cancer walk to be conducted on September 24, 2017 from 10 AM – 1 PM. The Board reviewed the request as presented and discussed the previous conditions imposed regarding being respectful of local churches.

Motion Mayor Corby, and seconded by Trustee Lanphear, to approve the non-municipal use permit for the Embrace Your Sisters Annual Breast Cancer Walk to be conducted on September 24, 2017 10 AM – 1 PM, with all the previous conditions given in the previous year.

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

PUBLIC HEARING – SAMI MINA – 14 STATE STREET

Mr. Mina and Ron Davis discussed the proposal for the Saha Med Grill. Mr. Mina indicated that they are proposing changing from counter service to table service. They will be changing the name and rearranging the seating and requesting a change in the hours of operation. They would like to start serving breakfast, and there will be a change in the menu, but a majority of the menu items will remain the same. Otherwise, there will not be a major change to the operation. Trustee Lanphear questioned Mrs. Cline if the application presented to the Village Board was complete. Mrs. Cline indicated that it was.

Mayor Corby asked Mr. Mina if he will be using his commissary, and if he will need additional ventilation equipment and grease storage on site. Mr. Mina informed the Board that he will still be using the commissary and that the current ventilation hood is sufficient for their needs. He explained that they currently do not have grease storage, but anticipate that it will fit in the existing storage. Mr. Mina also indicated that the grease trap under the triple sink will be able to handle the increased load. The Board asked if Mr. Mina will be the sole owner of the restaurant. Mr. Mina indicated that he is still the sole owner. Mayor Corby reviewed with the applicant the snow storage and the fence around the outside seat area. Mr. Mina indicated that the fence will be taken care of.

Discussion was had regarding the outside dumpster enclosure. Mrs. Cline was concerned that the current enclosure would not handle a grease receptacle and that the enclosure was in poor condition. The enclosure will need repair and the gate will need to be closed and the lids on the dumpster closed.

Trustee Caraberis discussed the current liquor license for the operation. She questioned the process the Liquor Authority will require for the applicant to maintain the business liquor license. Mr. Mina discussed the process and informed her that they will need to take pictures indicating that nothing has changed and send their application to the Liquor Board for a name change.

Proof of the legal notice below having been published, Mayor Corby made a motion, seconded by Trustee Plummer, to open the public hearing to consider an expansion of the Special Permit application for the Saha Med Grill, at 14 South Main Street.

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

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, at a meeting on Tuesday, April 11, 2017 at 7:30 PM at the Village Hall, 21 North Main Street, Pittsford, NY, to consider am

Proceedings of a Meeting of the Board of Trustees
April 11, 2017

application made by Saha Med Grill for a modification for the Special Permit for restaurant and carry out operations in the building located at 14 South Main Street, Pittsford, NY, which location is in a BIA – Special Historic Business District, pursuant to Chapter 210-74 A (2), Special Permit Uses in B-1, B-1A, B-2, B-4 and M-1 Districts.

Janet Reynolds, 35 Church Street - Expressed concern that the original 12 conditions had not been fulfilled by the owner. The owner did very little to assist in keeping traffic from turning on to Church Street, as the signs posted were very small. She also expressed concern with the additional hours increasing the garbage pickup, and larger trucks for deliveries on Church Street. The fence that was requested was not installed, and the landscaping as required by the Board did not take place or died; currently there are weeds and no ground cover. The trash enclosure has not been maintained, and has been a nuisance.

Larry Knickerbocker - Town resident – Expressed concern with the parking lot and the trash situation. He expressed to the Board that the owner had not fulfilled all his commitments. The landscape requested by the Board is not appropriate for the salt that is used in the winter for the parking areas and has killed the landscaping.

Trustee Lanphear questioned the owner as to how many employees he anticipated having with the addition of seated service. Mr. Mina indicated they would have 5-6 employees per shift. The staffing would not be different than previously, but the job descriptions would be different. Currently they have 25 parking spaces for patrons.

Mr. Mina indicated that the snow plowing had killed all the original landscaping. He will have the plantings redone. They will continue to get patrons to turn right. He will have the dumpster issues addressed. He stated that he is willing to work with the Village.

Janet Reynolds, 35 Church Street – Stated that there needs to be consistent enforcement. She questioned what the process is. Mrs. Reynolds was informed that there would be a violation letter, a two-week window to remedy the violation, and then an appearance ticket is issued. Also, the Board could have a public hearing to revoke the special permit.

The Board discussed the site issues, the need for landscaping, signage, and all the requirements previously requested by the Board. The Board stated that with the additional hours, there will be more activity, and that the owner needs to go to the Planning Board for review.

The owner expressed concern that the delay in opening will create a financial hardship. The owner was informed that he could reopen with the previous approval provided. Trustee Galusha stated that the operation has changed enough that there will be a high intensity of use, and therefore, the applicant needs to go to the Planning Board for an advisory opinion.

Motion Mayor Corby, seconded by Trustee Plummer, to remand for advisory review to the Planning Board to comment on the landscaping along the sidewalk and the north boundary of the site, The left hand turn issue, and looking for a recommendation for a more durable screening on the east boundary of the site, because the arborvitae originally planted do not seem to be viable. Vote: Corby – yes Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

Motion Mayor Corby, seconded by Trustee Plummer, to adjourn the public hearing for the Saha Med Grill until April 28, 2017 at 7:30 pm.

Proceedings of a Meeting of the Board of Trustees
April 11, 2017

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

LOCAL LAW – TAX CAP

Proof of the legal notice below having been published, Mayor Corby made a motion, seconded by Trustee Plummer, to open the public hearing on the proposed adoption to override the tax levy limit established by General Municipal Law § 3-c.

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

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, on Tuesday, April 11 at 7:30 p.m. at 21 North Main Street, Pittsford, New York. The Board will consider the adoption of a proposed local law to override the tax levy limit established by General Municipal Law § 3-c.

A copy of the proposed local law is on file in the Office of the Village Clerk, where interested parties may inspect between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday or on the Village website www.villageofpittsford.org.

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

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

Motion Mayor Corby, seconded by Trustee Caraberis, to adopt a local law to override the tax levy limit established by General Municipal Law § 3-c.

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

DEPARTMENT OF PUBLIC WORKS REPORT

- Mr. Bleier reviewed with the Board the locations of the crosswalk signs. He also discussed obtaining a solar lighted pedestrian sign. He currently is awaiting a quote.
- Mr. Bleier discussed with the Board the possibility of summer help. He reviewed a proposed job list for the position. The Board discussed that currently summer help is not in the budget. The Board will be reviewing the budget on April 19, prior to adoption and will review the possibility of hiring summer help for the DPW.
- Mr. Bleier reviewed a vole infestation at 9 Austin Park that was causing a problem with the erosion with the bank. The Board indicated that the situation is on private property and the Village will not be able to assist.
- Currently the DPW is short an employee due to an injury.
- Brad Vanbortle finished the tree list, and it has been transferred to Michelle Debyah to be added to the GIS list.

PUBLIC HEARING – ZONING MAP

Proof of the legal notice below having been published, Trustee Caraberis made a motion, seconded by Trustee Plummer, to open the public hearing to consider amending Section 210-4, the Zoning Map of the Village of Pittsford.

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

Proceedings of a Meeting of the Board of Trustees
April 11, 2017

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, on Tuesday, March 28, 2016 at 7:30 p.m. at 21 North Main Street, Pittsford, New York. The Board will consider amending Section 210-4, the Zoning Map of the Village of Pittsford.

A copy of the proposed local law is on file in the Office of the Village Clerk, where interested parties may inspect between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday or on the Village website www.villageofpittsford.org.

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

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

Motion Mayor Corby, seconded by Trustee Plummer, to adopt a local law amending Section 210-4, the Zoning Map of the Village of Pittsford.

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

2017 - 2018 BUDGET HEARING

Proof of the legal notice below having been published, Mayor Corby made a motion, seconded by Trustee Plummer, to open the public hearing to open the 2017-2018 Budget Hearing.

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

Pursuant to Section 5-508 of the Village Law, the tentative budget for the Village of Pittsford 2017-2018 fiscal year has been prepared and filed with the Village Clerk at the Village Office, 21 North Main Street, Pittsford, New York, where it may be inspected by interested parties between the hours of 9:00 a.m. and 3:30 p.m., weekdays except for holidays. Said tentative budget includes maximum compensation for the Mayor of \$14,058.88 per annum; for each of the Trustees, \$5,975.08 per annum.

General Fund	\$1,344,261.00
Sewer Fund	\$ 190,786.00

A public hearing on the proposed budget will be held before the Board of Trustees of the Village of Pittsford, 21 North Main Street, Pittsford, New York, on the 11th day of April 2017 at 7:30 p.m., to consider same before final adoption of the tentative budget.

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

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

BUDGET NUMBERS – RAMP REPAIR AND RETAINING WALL

Mayor Corby reviewed with the Board a quote he received from Doug McCord to repair the retaining wall at the Village Hall. The quote is \$2,000. The wall has been damaged over the last two years and if not repaired could impact the ramp as well. The Board will add this to the upcoming budget meeting to review.

MEMBER ITEMS

Proceedings of a Meeting of the Board of Trustees
April 11, 2017

Trustee Galusha reviewed the progress on the financing for the sweeper truck. He anticipated having an answer by the end of the week.

Trustee Lanphear discussed the prices she had obtained for a bike rack, and she provided a price quote for \$ 125 for the rack that she suggests be purchased.

Motion Mayor Corby, seconded by Trustee Plummer, to authorize the purchase of a bike rack for the anticipated cost of \$125 and shipping.

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

Trustee Plummer informed the Board that they were still awaiting a decision from Senator Funke’s office on the requested funding.

VILLAGE ATTORNEY

Mr. Turner reviewed with the Board the request by CSX for Licensing the DPW for access to the right-of-way for the siphons. He also discussed the correspondence to the Powers Property from T.Y.LIN International. The property owner has 30 days to respond which falls on April 16. If the property owner does not respond T.Y.LIN International will require them to remedy the violations, which will be served by certified mail. When the owner has not responded at that point an appearance ticket, will be issued.

44 Sutherland Street was determined that there will be no change to structure plans submitted to the APRB and requested a vote on the application, which was denied.

TREASURER’S REPORT

Village Treasurer, Mary Marowski, presented vouchers listed on Abstract #19 of 2016/2017 fiscal year for approval. A motion was made by Mayor Corby, seconded by Trustee Plummer, to approve payment of the vouchers listed on Abstract #19 in the amounts stated below and to charge them to the appropriate accounts.

Vouchers for approval – Abstract #19

- General Fund (#610-#636): \$ 28,824.77
- Sewer Fund (#629): \$ 97.79

Total Vouchers for Approval: \$ 28,922.56

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

VILLAGE CLERK REPORT

The Village Clerk and Trustee Plummer reviewed the Website Proposal received by Govoffice. They reviewed the various terms of the offer, and the anticipated completion date. The new website will be villageofpittsford.com.

Proceedings of a Meeting of the Board of Trustees
April 11, 2017

Motion Mayor Corby, seconded by Trustee Lanphear, to authorize the contract with Govoffice for the Village of Pittsford website. Vote: Corby – yes Lanphear – yes, Galusha – yes, Plummer – yes, Caraberis– yes. Motion carried.

The Mayor and Trustee Plummer reviewed with the Board the quotes received for the necessary roof repairs to the Village Hall and recommended the Board authorize the contract with Easton Roofing.

Motion Mayor Corby, seconded by Trustee Plummer, to authorize the contract with Easton Roofing for the Village Hall roof repairs for \$17,950.

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

The Village Clerk reviewed the request from New York State Retirement for Security Administrator and Contract Administrator. She requested the Board assign the Clerk the duties and for an alternate, appoint the Deputy Clerk.

Motion Mayor Corby, seconded by Trustee Galusha, to appoint Dorothea M. Ciccarelli as Security Administrator and Contract Administrator, Mary A. Marowski as alternate Security Administrator for the New York State Retirement.

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

The Clerk reviewed the current contract situation with Waste Management and requested the Village approve the settlement proposal with the company for a refund for overcharges and continue the contract until August.

Motion Trustee Plummer, seconded by Trustee Galusha, to accept the proposal from Waste Management for the overcharges.

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

The Clerk reviewed with the Board the need for an authorization for the grant extension for the Village Pavilion and requested approval for Mayor Corby to sign the extension.

Motion Mayor Corby, seconded by Trustee Plummer, to approve Mayor Corby to sign the grant extension for the Village Pavilion.

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

The Village Clerk reviewed a claim received regarding damage done to an invisible fence during the major snow storm. The Board requested additional information on the damage.

The Clerk reviewed the Board project sheet and requested any changes or additions be forwarded to her.

The Clerk discussed with the Board the possibility of a Facebook page; she is currently obtaining recommendations on policies and guidelines for the Village to establish social media.

MINUTES

Motion Trustee Galusha, seconded Trustee Plummer, to approve the Village Board minutes from March 17, 2017.

Proceedings of a Meeting of the Board of Trustees
April 11, 2017

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

EXECUTIVE SESSION

Motion Mayor Corby, seconded by Trustee Galusha, to enter executive session on 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 executive session at 9:45 PM

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

MINUTES - CONTINUED

Motion Mayor Corby, seconded Trustee Galusha, to approve the Village Board Budget minutes from March 22, 2017, with a correction to show the motion to ratify the letter produced by Mindy Zoghlin on March 2, 2017.

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

ZOGHLIN GROUP – RETAINER LETTER

Motion Mayor Corby, seconded by Trustee Lanphear, to engage the Zoghlin Group for the legal representation for the Wilmorite project at 25 Schoen Place.

Vote: Corby – yes Lanphear – yes, Galusha – no, Plummer – yes, Caraberis– yes. Motion carried.

Trustee Galusha and Mayor Corby discussed the hiring practices for attorneys and the process involved. Trustee Galusha indicated that a more formal process should be conducted. Mayor Corby stated that known experience was a help in the vetting process and made the hiring easier.

ADJOURNMENT

Motion Mayor Corby, and seconded by Trustee Plummer, to adjourn the meeting at 10:15 PM.

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

Dorothea M. Ciccarelli, Recording Secretary