

# VILLAGE OF PITTSFORD

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*Village Hall ca 1855 (remodeled 1937)*

## **Village of Pittsford Board of Trustees Meeting October 12, 2021, 6:30 PM**

### **Tentative Agenda**

#### **Board Member - Conflict of Interest Disclosure & Open Meeting Compliance Certification**

#### **Department Reports**

- Building Inspector Report
- Department of Public Works Report
- Village Attorney
- Treasurer's / Village Clerk Report

#### **Meeting Items**

1. 7:15 PM – Public Hearing, 44 North Main Street
2. Gabions – 44 Rand Place
3. Request for Crossing Guard at Monroe/Sutherland Intersection
4. Discussion: Village Board Rules of Procedure
5. Climate Smart Resolution

#### **Member Items**

1. Marijuana Legalization – Update
2. Compost Scheduling Workshop

#### **Executive Session**

Next Scheduled Meeting –Regular Meeting October 26, 2021

\*Subject to Change Without Notice

# **Building Inspector Report**

# **Department of Public Works Report**

# **Village Attorney Report**

# **Treasurer's/Village Clerk Report**

**7:15 PM Public Hearing**

**44 North Main Street**

APPLICATION TO THE BOARD OF TRUSTEES  
SHORT TERM RETAIL BUSINESS

VILLAGE OF PITTSFORD

21 NORTH MAIN STREET, PITTSFORD, NEW YORK 14534

VILLAGE OF PITTSFORD  
MAY 27 21 AM 11:30

Date: 8/24/21

Fee: \_\_\_\_\_

Property Address: 44 N. Main St.

Tax Account Number: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Owners Address: 44 N. Main St. Telephone: 586-6610

Owner's Email: \_\_\_\_\_

Applicant: David Jewett Telephone: 255-0002

Applicant's Email: DJewett@rochester.rr.com

Applicant's Address: 40 Lincoln Ave, Pittsford

Applicant is:  Owner  Lessee/Tenant  Agent  Other

If "Other" Please Explain:

I temporarily rent the Front Circle yearly

1. Provide a description of the activity that is planned for this location:

Temporary outdoor sales of Christmas trees, wreaths and crafts. Setup to begin Nov 15, 2021. Complete Break Down and site restored by Dec 30, 2021

2. Describe how the proposed activity will affect existing parking:

It has no affect. All vehicles park in the lot or on the outer perimeter of the circle. The traffic is less than the summer ice cream customer traffic.

3. Describe how trash/refuse will be handled for the proposed activity:

There is little or no trash. I have 2 trash cans but customers typically use the trash cans located in front of the Dairy Building

4. Proposed Hours of Operation:

Daily 9-9 Nov 24, 2021 - Dec 24, 2021

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**VILLAGE OF PITTSFORD  
21 NORTH MAIN STREET, PITTSFORD, NEW YORK 14534**

**Owner's Statement:** I am the owner of the above property and I have read and approve this application. If the applicant is other than the owner, I authorize the applicant to proceed as agent.

Owner's Name-Printed: Charlie Corby  
Signature: Charlie B Corby Date: 8/24/2021

**Applicant's Statement:** I hereby certify that the information submitted is. To the best of my knowledge, true and correct.

Signature: [Signature] Date: 8/24/2021

**NOTE:** If any additional information is required by the Board, during the meeting, it is the responsibility of the applicant to provide such information, prior to the deadline of the subsequent meeting, or it will not be heard.

**SEQUENCE:**

1. This application will place you on the next available Board of Trustee meeting agenda.
2. The applicant will be notified by the Village Clerk as to the date that the application will be placed on the Board of Trustee's meeting agenda for final disposition. The date is dependent upon providing the required notification for a Public Hearing. Any use for which a short-term retail. business permit is required shall be considered at a Public Hearing.
3. The applicant is encouraged to attach any additional information (drawings, layouts, seating plans, etc.) that will supplement this application.
4. The Village Board of Trustees may approve with or without modifications or conditions or deny an application for a short-term retail business permit.

Expiration of a Short-Term Retail Business Permit shall be for a period of a maximum of nine months.

**Village Code Section 189 Short Term Retail Business in all zoning districts**

**§189.7. Application for permit.**

A short-term business permit application shall include at a minimum the following:

- A. An application form provided by the Village Clerk's office including the name, address and signature of the applicant and property owner.
- B. A letter of intent that explains the general nature of the proposal. This letter shall include the following as applicable.
  1. A detailed description of the short-term business operation.
  2. The proposed hours of operation.
  3. The number of employees at maximum shift.
  4. The maximum seating capacity, if any.

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**VILLAGE OF PITTSFORD  
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5. The timing and manner of any and all anticipated deliveries, if any.
  6. A recycling and waste management plan.
  7. The nature and type of all equipment required for the operation of the short-term business.
  8. The commencement and termination dates for the operation of the proposed short-term business.
  9. The plan for the set up and take down of the proposed short-term business.
  10. The approximate amount of foot and vehicle traffic expected to be generated by the short-term business.
  11. Proposed signage to be erected in connection with the operation of the short-term business.
  12. A description of any music or noise that is expected to be generated by the proposed short-term business.
  13. The location of any parking anticipated for the proposed short-term business.
  14. An explanation of any cooking, lighting, electrical or mechanical equipment that may be required.
- C. A notation of the zoning district in which the proposed use is to be located.
- D. A site plan, survey or such other image as approved by the Board of Trustees denoting the location of the subject property, all structures thereon and the location thereon of the proposed short-term business.
- E. Copies of any other required permits as applicable including Monroe County Health permits, fire inspection certificates, any required temporary activity permits in the Town of Pittsford. Proof of these permits may be made a condition of approval.
- F. A narrative describing how the proposed use will satisfy the short-term business permit considerations as set forth in §189.14 of this chapter.
- G. Any consultant fees as determined in accordance with the procedure required by §210-19.5 of this code.

**§189.10. Short-term business permit considerations.**

The Board of Trustees shall consider the following when reviewing an application for a short-term business permit and shall include a statement of findings for such considerations in any decision rendered with regard to such application. The Board of Trustees shall consider whether the proposed short-term business shall:

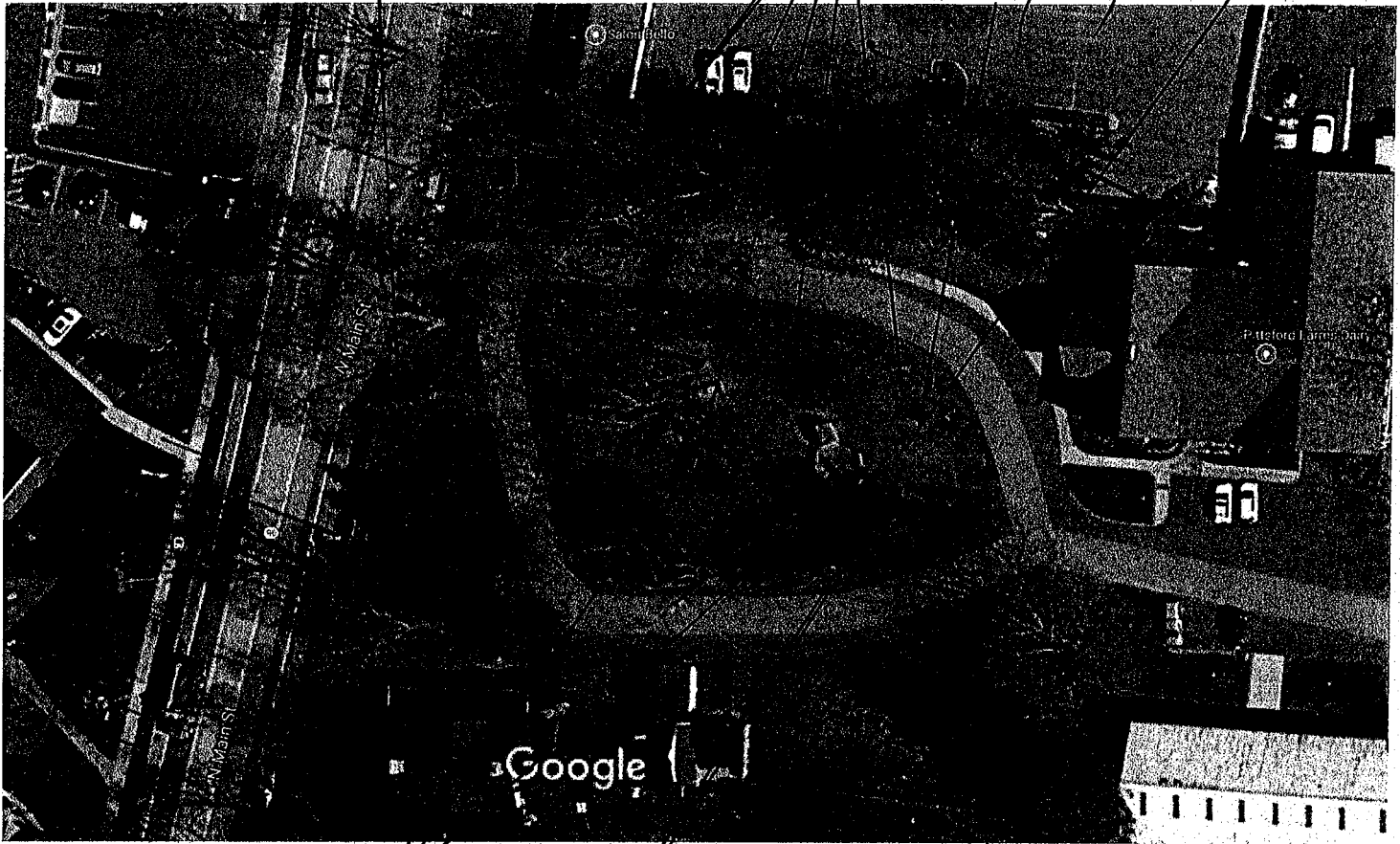
- A. Be in harmony with the general purpose and intent of this chapter, taking into account the location and size of the use, the nature and intensity of the operations involved or conducted in connection with it and the size of the site with respect to the streets giving them access thereto.
- B. Not tend to depreciate the value of adjacent property, taking into account the possibility of screening or other protective measures.
- C. Not create a hazard to health, safety or general welfare.
- D. Not alter the essential character of the neighborhood nor be detrimental to the residents thereof.
- E. Not introduce substantial adverse impacts on the surrounding neighborhood.
- F. Not be detrimental to the flow of traffic, taking into account the duration and times of the activity.
- G. Not adversely impact pedestrian safety.
- H. Not be a nuisance or create offensive odors or noise.

Temporary Sign  
on Corbys Property

Maps

Christmas Trees Displayed

Wreath  
Display      Check out  
Booth



Map data ©2017 Google United States 20 ft

elevated  
LED light strings

Garbage  
Cans

"Craft Shack"

**NOTICE OF PUBLIC HEARING  
VILLAGE OF PITTSFORD**

Please take notice that a Public Hearing will be held before the Village of Pittsford Board of Trustees, at a meeting on Tuesday, October 12, 2021, at 7:00 PM at the Village Hall, 21 North Main Street, Pittsford, NY, to consider an application for a short-term business permit to be located at 44 N. Main Street by David Jewett to conduct outdoor sales of Christmas trees, wreaths, and crafts. If the meeting is unable to be held due to the Coronavirus pandemic it will be held on Tuesday, October 12, 2021, at 7:15 PM per video conferencing link identified.

Pursuant to the State Legislature Chapter 417 of the Laws of 2021 the Village Hall will be closed to the public during the Board of Trustees Meeting. The Members of the Village Board will be present at Village Hall or participating from their respective homes for this public hearing via video conference. If a Board member is participating from home, that home will be closed to the public as well for the reasons stated above.

The public will be able to participate in the public hearing via comments submitted through the video conferencing link identified on the Village website and Facebook page.

Village of Pittsford  
Board of Trustees  
Dorothea M. Ciccarelli, Secretary

# **Gabions – 44 Rand Place**

# **Discussion: Village Board Rules of Procedure**

# DRAFT RULES OF PROCEDURE

## REGULAR MEETINGS

- The regular meetings of the Board of Trustees will be on the second and fourth Tuesday of each month.
- The regular meetings will commence at 6:30 P.M. and be held in the boardroom at village hall.

## SPECIAL MEETINGS

- Special meetings of the Board of Trustees are all those Board meetings other than regular meetings.
- A special meeting may be called by the Mayor or any Trustee upon notice to the entire Board.
- Notice may be given to Board members by telephone, in person, email, or in writing at least 72 hours in advance unless an emergency exists.

## QUORUM

- A quorum of the Board of Trustees must be present to conduct business.
- A quorum of the five-member Board of Trustees is three members.

## EXECUTIVE SESSIONS

- Executive sessions will be held in accordance with Public Officers Law § 105.
- All executive sessions will be entered into from a properly noticed and convened public meeting.

## AGENDA

- The agenda of every Board of Trustees meeting will be prepared by the Clerk at the direction of the Mayor.
- The Mayor or any Trustee may have an item placed on the agenda on at least 24 hours' notice.

- When possible, items for the agenda must be given to the Clerk by 4:00 P.M. the day prior to the meeting.
- Items may be placed on the agenda at any time, including during the meeting by a majority vote of the Board.
- The agenda will be prepared and emailed to Board members no later than 5:00 P.M. the day before the meeting.
- If necessary, a supplemental agenda may be distributed at the beginning of the meeting.

## VOTING

- Pursuant to Village Law, each member of the Board of Trustees has one vote. The Mayor may vote on any matter, but must vote in case of a tie.
- A vote upon any question will be taken by “yes” and “no.”
- When taking votes, the Clerk must record in the minutes for each Trustee whether they voted yes, voted no, abstained from voting, or were absent. Abstentions and absences are not counted as votes. Abstentions and absences are neither positive nor negative votes; they are simply no vote at all.
- For the purposes of determining whether a matter passed, the Clerk must tally the number of “yes” votes.
- Unless otherwise specified by State law, a majority of the totally authorized voting power of the Board must vote “yes” for any matter to pass.

## MINUTES

- Minutes will be taken by the Clerk.
- Minutes must consist of a record of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon.
- Minutes must be taken at executive session of any vote taken and must consist of a record of the final determination of the action, and the date and vote thereon.
- Minutes must include the following:
  - The name of the Board;
  - The date, place, and time of the meeting;
  - Notation of whether a Board member is present or absent, and the Board member’s time of arrival or time of departure if different from the time the meeting was called to order and adjourned;
  - The names and titles of other village officials and employees present and the approximate number of attendees;
  - A record of communications presented to the Board;
  - A record of reports made by the Board or other village personnel;
  - The time the meeting is adjourned; and
  - Signature of Clerk or person who took the minutes if not the Clerk.

- Minutes must be approved by the Board at its next meeting and may be amended only by a majority vote of the Board

## ORDER OF BUSINESS

- Call to order;
- Roll call;
- Approval of previous meeting's minutes;
- Report of officers and committees (list);
- Public comment period;
- Old business;
- New business;
- Appropriations;
- Auditing; and
- Adjournment.

## GENERAL RULES OF PROCEDURE

- The Mayor presides at the meeting. In the Mayor's absence, the Deputy Mayor presides.
- The presiding officer may debate, make motions, and take any other action that other Board members may take.
- Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.
- Motions require a second.
- A member, once recognized, may not be interrupted when speaking unless it is to call him or her to order. If a member is called to order, they must cease speaking until the question of order is determined. If the member is in order, he or she may proceed.
- A member may not be limited in the number of times he or she speaks on a question.
- Motions to close or limit debate require a two-thirds vote.

## GUIDELINES FOR PUBLIC COMMENT

- The public will have opportunities to comment on specific agenda items when they occur in the meeting and also on general matters at the end of the meeting.
- Speakers can comment once in each comment window if it is on a specific agenda item. It is not a debate, a deposition, or a panel discussion.
- Speakers must step to the front of the room, if physically able. Alternatively, they may provide comments from where they are seated.
- If an attendee is participating via web conference technology, such as Zoom, the clerk will announce how attendees should signal that they wish to comment. This

may differ by platform, but is typically accomplished through the “Raise Hand” feature.

- Speakers must give their name, address and organization. There shall be an exemption for any category of people protected by NYS Law.
- Speakers must be recognized by the presiding officer. Speakers must limit their remarks to three (3) minutes on a given topic.
- Speakers may not yield any remaining time they may have to another speaker.
- Board members may, with the permission of the Mayor, only interrupt a speaker during their remarks for the purpose of clarification or information.
- Speakers must observe the commonly accepted rules of courtesy, decorum, dignity, and good taste.
- Interested parties or their representatives may address the Board by written communications to [villageclerk@villageofpittsford.com](mailto:villageclerk@villageofpittsford.com). All written communications will become part of the public record. At the sender’s request, written communications will be read aloud by the clerk at the meeting and will adhere to the 3 minute time limit.
- If printed materials or other media are provided by attendees during the meeting, they must be submitted to the Village Board with optional distribution to audience members. All materials will be part of the public record. Private distribution of materials to audience members only is prohibited.

## GUIDELINES FOR USE OF RECORDING EQUIPMENT

- All members of the public and all public officials are allowed to tape or video record public meetings.
- Recording is not allowed during executive sessions.
- The recording must be done in a manner which does not interfere with the meeting.
- The Mayor may make the determination that the recording is being done in an intrusive manner, taking into consideration, but not limited to brightness of lights, distance from the Board, size of the equipment, the amount of noise generated by the activity, and the ability of the public to observe the meeting.
- If the Mayor determines that the recording is interfering with the meeting, the Mayor may request the individual alter their behavior to eliminate the interference. If the Mayor’s request is not complied with, the Mayor may have the individual removed from the meeting room.
- The Board has the authority to adopt reasonable rules governing the use of cameras and recording devices during open meetings and those rules must be written, conspicuously posted, and provided to those in attendance upon request.

## ADJOURNMENT

- Meetings must be adjourned by motion.

## AMENDMENTS TO THE RULES OF PROCEDURE

- The foregoing procedures may be amended at any time by a majority vote of the Board.

# **Climate Smart Resolution**

## Model Resolution

Any city, town, village, or county government in New York State can take a stand by adopting the Climate Smart Communities pledge. Local governments may amend the preamble of the pledge below, but all ten points of the pledge must be adopted verbatim by the highest body of elected officials (e.g., town board or city council). The final resolution document must include a signature from the municipal clerk verifying the authenticity of the resolution and indicating the date of passage. Local governments should then designate a primary contact person to complete the online registration form and upload the resolution by following the steps at <https://climatesmart.ny.gov/actions-certification/getting-started/>. After the registration is reviewed, the community will be designated a Registered Climate Smart Community and be added to the online list. Join us!

Board member \_\_\_\_\_ moved and Board member \_\_\_\_\_ seconded that

WHEREAS, the Village of Pittsford (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Village of Pittsford, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) **Build a climate-smart community.**
- 2) **Inventory emissions, set goals, and plan for climate action.**
- 3) **Decrease energy use.**
- 4) **Shift to clean, renewable energy.**
- 5) **Use climate-smart materials management.**
- 6) **Implement climate-smart land use.**
- 7) **Enhance community resilience to climate change.**
- 8) **Support a green innovation economy.**
- 9) **Inform and inspire the public.**
- 10) **Engage in an evolving process of climate action.**

# Member Items

# **Marijuana Legalization - Update**

# **Compost Workshop Scheduling**