

**PROCEEDINGS OF A REGULAR MEETING  
OF THE VILLAGE BOARD OF TRUSTEES  
September 11, 2018, 7 PM**

Present	
Mayor:	Robert C. Corby
Trustees:	Lili Lanphear Frank Galusha Margaret Caraberis Dan Keating
Village Attorney:	Jeffrey Turner
Fire Marshal:	Kelly Cline
Building Inspector:	Steven Lauth
Recording Secretary:	Dorothea M. Ciccarelli / Cara R. Farrell

**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, Keating – 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.

**PROCLAMATION – MAYOR CORBY**

Trustee Lanphear presented Mayor Corby with a New York State Conference of Mayors of Municipal Office thirty years of service plaque and read a proclamation from the Village Board honoring his years of municipal service.

Scheduling of all Village Boards

Mayor Corby discussed with Planning and Zoning Chairperson, Justin Vlietstra, tentatively setting October 22<sup>nd</sup> for a public meeting with all three Boards.

**NONMUNICIPAL PERMITS**

Karen McCready and Ross Mueller with the Pittsford Chamber of Commerce presented the plan for Candlelight Night 2018. After meeting with a design engineer, the decision was made in conjunction with NYS Department of Transportation to close Church Street, allowing only the wagon on that road. The Chamber reached out to Monroe County Sheriff's Office, and NYS Troopers will control the light by a signal box. Town of Pittsford Fire Marshal, Kelly Cline, ensured the safety of the crowds and traffic.

**Motion by Trustee Lanphear, seconded by Trustee Caraberis**, to approve the closure of Church Street and a portion of South Main Street during Candlelight Night and the requested non-municipal permit.  
Vote: Corby – yes, Lanphear – yes, Galusha- yes, Keating – yes, Caraberis – yes. Motion carried.

Village Clerk, Dorothea M. Ciccarelli, presented the update from Pittsford Crew and their end-of-year Regatta.

**Motion by Mayor Corby, seconded by Trustee Lanphear,** to approve the event hosted by Pittsford Crew.

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

Ms. Ciccarelli also presented a non-municipal permit for Pittsford Sutherland’s homecoming parade which is set for September 29<sup>th</sup>.

**Motion by Mayor Corby, seconded by Trustee Galusha,** to approve the homecoming parade in accordance with the Monroe County Sheriff’s Department. Trustee Galusha mentioned the 45-day notice as waived in the standard conditions as required by law.

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

Pittsford Community Library book sale will be held October 19<sup>th</sup>- 21<sup>st</sup>. Ms. Ciccarelli noted the submittal is similar to last years. 10/19-10/21/18

**Motion by Mayor Corby, seconded by Trustee Lanphear,** to approve the book sale application subject to the standard conditions.

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

#### **LIQUOR AUTHORITY NOTICE – 9 SOUTH MAIN**

Ryan and Dina Madigan are hoping to open a lounge at 9 South Main Street in the Village. Upon comment from the Village Board, the applicants will continue to the NYS Liquor Authority. Arrangements will be made regarding refuse collection, a rear-building enclosure and the special use permit.

**Motion by Mayor Corby, seconded by Trustee Galusha,** to approve the application regarding 9 South Main Street to apply for a liquor license with New York State. Mr. Turner notes the next step for the Village is to grant a special-use permit for the property.

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

#### **PUBLIC HEARING - Application for Moratorium Relief for Northfield Common**

Donald Young, representing Northfield Common, brought up the fact that the proposed brewery is not a restaurant use. Mr. Young suggested permissible uses which would allow for the brewery.

Village Building Inspector, Steven Lauth, mentioned he is continuing research with NY State Agriculture & Markets regarding the proposed brewery in the North Commons, to ensure his search regarding confirmation of the proposal is accurate.

Mr. Young mentions viable options for the Village to consider regarding similar restaurant trends and retail uses located along the Canal Waterfront District. A decision was made to continue the public hearing for 8 o’clock on Tuesday September 18<sup>th</sup>.

**Motion by Mayor Corby, seconded by Trustee Keating,** to hold open the public hearing until September 18<sup>th</sup> 2018.

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

## **PUBLIC COMMENT - APPLICATION FOR MORATORIUM RELIEF FOR NORTHFIELD COMMON**

John Limbeck, of 62 State Street, disputes the allowance of a 24-hour operating business under the current code in the Canal Waterfront District. He wonders what authority the Board has to classify this as a business use with an accessory kitchen.

Art Pires, of 70 State Street, mentioned his opinion in agreement with Mr. Limbeck. He discussed his thoughts on the moratorium in place and the consideration of the comprehensive plan.

Mr. Young reiterated this opinion regarding the conformity of a brewery to the current neighborhood of Northfield Common.

## **ROBERT HALEY - COMPENSATION**

Trustee Galusha presented to the Board his desire to pay for Robert Haley. Mr. Turner recommended to the Board that the Village pay for the service provided by Mr. Haley, as the applicant of 75 Monroe Avenue is refusing to pay.

**Motion by Mayor Corby, seconded by Trustee Caraberis**, to draft a letter requesting Mark IV pay half of Mr. Haley's dues.

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

## **FEDERAL RAILWAY QUIET ZONE**

The Board discussed the volume at which trains travel through the Village. Residents of both the Village and Town have complained about the noise. Village Attorney, Jeff Turner, mentioned that the Village can request a speed maximum, but cannot control the speed.

Mayor Corby suggested the Village reach out to a non-profit group to further this investigation on railway quiet zone designations.

## **APPROVAL OF CODE REVIEW MEETING SCHEDULE**

The Board agreed the dates for the Code Review Workshops are fine, just to change the times to begin every meeting at 5:30 PM.

**Motion by Mayor Corby, seconded by Trustee Lanphear**, to change the time of all code review meetings in 2018 to 5:30 PM.

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

## **BERO- REAR ENTRY DESIGN**

Village Clerk, Dorothea M. Ciccarelli, confirmed the funding which will keep the project of ADA compliance on schedule, and will be reaching out to Bero to notify them of the Board's decision.

## **TOWN - PARKING AND HIGHWAY IMPROVEMENTS**

Trustee Caraberis discussed the importance of SEQR and how the proposed project contradicts the Town's Comprehensive Plan. Mayor Corby suggested that the Board amend the letter to be submitted to the PZBA and the Town Supervisor.

**Motion by Trustee Lanphear, seconded by Mayor Corby**, to send the letter Mayor Corby has drafted. Vote: Corby – yes, Lanphear – yes, Galusha- yes, Keating – opposed, Caraberis – opposed. Motion carried.

## **TOWN – GIS AGREEMENT**

**Motion by Mayor Corby, seconded by Trustee Caraberis**, to approve the notes regarding the agreement.

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

## **SOUTH STREET – TRAFFIC-CALMING STUDY**

Due to residents' concerns, the Board has looked into the speed and frequency of traffic on South Street. The study completed does not include a presentation and should be built into the language of the agreement.

**Motion by Mayor Corby, seconded by Trustee Galusha**, to approve SRF's proposal with the addition of one presentation on the concept they've developed.

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

## **APPOINTMENT OF TRUSTEE LANPHEAR AND MAYOR CORBY AS LIAISONS TO THE CODE UPDATE**

Mayor Corby and Trustee Lanphear have agreed to become liaisons for the Code Update Committee to keep it within the moratorium.

## **MEMBER REPORTS**

Mayor Corby reported he hasn't heard back from RG&E after sending the letter concerning the right-of-way. He wants to follow up.

Trustee Lanphear discussed the dangerous crosswalk on North Main Street near Schoen Place. She suggested adding crossing flags.

Mayor Corby shared his ideas for drafting a letter about the retail space in the Village and presenting it to the Board before sending it.

Trustee Keating asked about a hotel tax and how to collect it. He also wanted to finalize this newsletter.

Mayor Corby assigned the writing and organization of a fall newsletter to Deputy Village Clerk, Cara Farrell.

Trustee Keating expressed concern about unpaid bills to Mindy Zoghlin. Ms. Ciccarelli said she will check in with Treasurer, Mary Marowski.

## **DEPARTMENT REPORTS**

### **BUILDING INSPECTOR**

- Kelly Cline, Fire Marshal/ Building Inspector for the Town of Pittsford, who has been working for the Village on code enforcement issues, was thanked by the Board for the tremendous work she has done for the Village.
- Pittsford Dairy, located at 44 North Main Street, is seeking approval for paving and a sidewalk extension. Ms. Cline noted her disapproval for this application due to outstanding violations.

- Mayor Corby reminded the audience of his reclusion from this agenda item.
- Ms. Cline reported that the interior renovations are moving along for the former Hicks & McCarthy. Their signs have been approved by APRB. Additionally, they are replacing windows with safety glass due to the location on the sidewalk.
- As a potential buyer inquired about 17/17 ½ Washington Road, Ms. Cline requested the Village Clerk obtain the records from the Assessor's Office. The Village is looking to update his records to indicate this property is a single-family residence.
- Ms. Cline reached out to Mike Newcomb regarding the cell tower. He insisted that approval of the satellites on the building had been given. The GIS records will provide the Village with answers for this, and move on to grant potential approval and permitting of the additions already in place.
- The Town has a new policy in regards to fireworks and notifications. Ms. Cline and the Town Fire Department will be sending notifications to residents within a designated parameter of any public or private fireworks show.
- Narcan education and training for the public will be hosted by the Pittsford Community Library from November 1, 2018 7-8:30 PM.
- Ms. Cline received complaints about the Village farmer's market. Tenants are displeased with the low attendance. Concerns regarding hours of operation may assist in solving this issue.
- Village Building Inspector, Steve Lauth, in conjunction with Ms. Cline, has issued a stop-work-order at 17 Church Street. This has been resolved.
- Ms. Cline brought up 6 S. Main Street, Sami Mina's signage for Blades. There is progress, and she approved a building permit for a temporary sign. Ms. Cline also notified the Board of his change in interior renovation plans. This requires Mr. Mina to provide the Village Board with a new layout for approval for a new special-use permit. The Board discussed a reasonable extension for the alterations to the fence and dumpster on the property.
- The Board, Ms. Cline and Village Attorney, Jeff Turner, agreed to set a date for Mr. Mina to completely address the issues of the fence and dumpster by October 15<sup>th</sup>, 2018.
- Sea Her Shine, and 25 North Dance, located at 15 South Main Street. Ms. Cline is unsure if former Village Building Inspector approved this certificate of occupancy. There is a traffic issue with the dance studio vehicles entering and exiting the Town Hall often. Making sure everything is up to Village Code is for the safety of the Village and of the Occupant.
- Mayor Corby brought up a resident at 20 Washington Road who has been harassed by neighbors of 18 Washington Road about her fence. Ms. Cline reiterated issues of harassment should be solved by the Monroe County Sheriff's Department.
- Mr. Lauth reported that the fence between the Dairy and Jojo's was permitted to the property where Jojo's is located at the time.

## **DPW REPORT**

- Zack Bleier, Superintendent of the DPW, discussed creating a sewer policy. Mayor Corby, Trustee Galusha and Mr. Bleier are meeting to walk South Street to look at curb ramps and other issues on the street.
- Mr. Bleier noted the New York State Department of Transportation's Jefferson Road paving project is coming along nicely.
- He added that Skanex inspected about 7,000 feet of sanitary sewer pipes, to discover two locations of damage.
- Mr. Bleier notified the Board of RG&E's intentions of cutting trees over 25 feet behind the DPW's garage on Village Lane. Mayor Corby wondered about an easement for that project.
- Mr. Turner suggests having RG&E approach the Village by showing us the easement and asking for our assistance. Mayor Corby mentions the herbicide issue and what can and can't be cut in a wetland.

- Mr. Bleier mentions a DPW vehicle needs repair. The Village Clerk and Board Members are adamant about ensuring the safety of the vehicle.
- Trustee Galusha brought up a tree on Wood Street. Neighbors are concerned about a natural hazard of branches falling. Mayor Corby noted that once it's considered a hazard, the Village is responsible to act. Mr. Turner suggested having a specialist show a DPW employee how to correctly cut these branches as not to damage the tree further. He also recommends meeting with the owner of the property on a cooperative project.

## VILLAGE ATTORNEY REPORT

Mr. Turner had no report.

## TREASURER'S REPORT

Village Clerk, Dorothea M. Ciccarelli, presented vouchers listed on Abstract #5 of 2018/2019 fiscal year for approval. **A motion was made by Trustee Caraberis, seconded by Trustee Galusha**, to approve payment of the vouchers listed on Abstract #5 with the exception of the bills for Skanex in the amounts stated below and to charge them to the appropriate accounts.

### Vouchers for approval – Abstract #5

• General Fund (#184-186, 188-196, 198-200, 202-204,206-212) (214-222, 224, 226-239):	\$ 59,689.31
• Sewer Fund (#193,197,201, 220, 223):	\$ 49,328.98
• Capital Improvements 2015 (205, 213, 225):	\$ 34,470.89
• Bathroom Reno (#187):	<u>\$ 527.21</u>
Total Vouchers for Approval:	\$144,016.30

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

## CLERK'S REPORT

The Village Office plans to conduct a refresher on sexual harassment, due to the new state requirements.

**Motion by Mayor Corby, seconded by Trustee Lanphear**, to approve the new sexual harassment policy as recommended by HR attorney Christian C. Casini.

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

Ms. Ciccarelli requested Board approval for relief of a sewer bill with appropriate documentation.

**Motion by Trustee Lanphear, seconded by Trustee Caraberis**, to approve the amendment of the original sewer bill amount to the average usage.

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

Ms. Ciccarelli explained to the Board that a resident lost their property exemption for the past three years. NYS and Monroe County have corrected the issue. She is asking for the Board to approve of these adjustments and issue a refund to the resident's current tax bill.

**Motion by Mayor Corby, seconded by Trustee Galusha**, to approve the reimbursement for the last three Village Tax Bills and the amendment of the current tax bill.

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

Punch list items are still incomplete for the renovations in the Village Office. Mayor Corby suggests the Village withhold \$10,000 until the project is done.

**Motion by Mayor Corby, seconded by Trustee Galusha**, to withhold \$10,000 from the final payment until the punch list items are completed.

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

Ms. Ciccarelli informed the Board that we had received an injury claim that was not on Village property. The village did have a garbage can on the property, but it has been moved since discovered.

## **MINUTES**

**Motion Mayor Corby, seconded by Trustee Caraberis**, to approve the Village Board of Trustees meeting minutes from May 8th, 2018.

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

**Motion Mayor Corby, seconded by Trustee Keating**, to approve the Village Board of Trustees meeting minutes from August 28, 2018.

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

## **ADJOURNMENT**

**Motion Trustee Caraberis, seconded by Trustee Keating**, enter Executive Session on an enforcement matter excluding Mayor Corby and to adjourn the meeting at 9:45 pm.

Vote: Lanphear – yes, Galusha – yes, Keating – yes, Caraberis– yes. Motion carried.

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Dorothea M. Ciccarelli / Cara Farrell, Recording Secretary