

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, January 20, 2009 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli, Treasurer Gina M. Tojek, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti

EXCUSED: Village Attorney David F. Mayer

ALSO PRESENT: Fire Chief Scott Smith, Lisa Johnson, Bill Andrews, Mark & Katherine Kristansen, Jim & Joan Hamlin, Charles Garlock, Bernie & Karen LoBracco, Norm Giancursio, Tony Perry, Mary Jo Nayman, Kathy Snyder, Fred Webster

CALL TO ORDER: Mayor Wexler called the meeting to order and led the Pledge of Allegiance.

MISSION STATEMENT: "To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport's unique heritage and historic character."

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the last meeting.

→ Trustee Hunsinger moved, Trustee Wagenhauser abstained due to absence, carried that the minutes of the meeting held January 5, 2009, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT: None

GUESTS:

1. Lisa Johnson – SUNY Office of Campus Life – 9/26 Homecoming parade & 9/27 5K race – presented the annual parade/procession applications – same route as past years.

→ Trustee Legg moved, unanimously carried 5/0 to grant the 9/26 Homecoming parade permit.

→ Trustee Hunsinger moved, unanimously carried 5/0 to grant the 9/27 5K race permit.

2. Bill Andrews – Historic Preservation Board Chair

a. Historic Home Improvement Program

i. CLG funding opportunity – authorize Mayor to sign CLG contract – The Historic Home Improvement Program initiated by Trustee Wagenhauser, authorized by the Village Board and carried out by the Historic Preservation Board is a great success. Officials with the CLG program (Certified Local Government) have said it is the most innovative program they've seen in a long time. The Bero Architecture workshop held September 11, 2008 drew attendance of 35 Village residents and 10 applications for consultations. Consultation results of 7 of the 10 are in and property owners have expressed great satisfaction with the results. After proper application and public hearing, the following 7 homes received historic designation: 89 Adams Street, 40 College Street, 265 Main Street, 104 East Avenue, 57 College Street, 37 Liberty Street, 45 College Street. The other 3 homes in the program had previously designated as such by the Historic Preservation Board. This brings the Village's total to 85 structures on either the local, state, and/or national historic registers. A second workshop with Mr. Bero is scheduled for April 23, 2009. A similar series of ten individual consultations for homeowners will be offered thereafter. B. Andrews said the CLG contract slipped through the cracks when Village Manager Coyle left. It was never signed. It requires no Village funds.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to authorize the Mayor to sign the contract with the NYS Office of Parks, Recreation and Historic Preservation for \$9,333 through its Historic Preservation Fund – CLG program.

b. Historic Designation Plaques – on behalf of the Historic Preservation Board, B. Andrews requested authorization to purchase 25 4 x 6 bronze plaques for presentation to the owners of newly-designated structures, including the above 7, from Show and Tell Products at a cost not to exceed \$1,575 plus shipping and handling. Information was previously provided on three quotations obtained from suppliers. The other two quotations were for \$1,721.25 and \$2,400.

→ Trustee Legg moved, to authorize the purchase of 25 plaques within 30 days at a cost not to exceed \$1,575 plus shipping and handling.

Home
years
would like
know if we'll
line. It can come
limitations on the
us stewards of its
be delayed.

Trustee Castaneda thanked B. Andrews for meeting with her last week. She said she would have preferred that the funding for the plaques have come from the Historic Improvement Program, but it was not included in it. She said she spoke with the Treasurer and learned that the plaques were not budgeted for and that there is \$400 in that line. Trustee Castaneda asked if the plaques could wait until June 1st so that they can be appropriately budgeted for. B. Andrews responded that there should be 13 of accumulated unused budget related to Historic Preservation to draw on. He to present the plaques on April 23rd. Trustee Wagenhauser said we don't get this price in June and that it doesn't have to be on that exact budget line. It can come from elsewhere. He said designation and display of such puts some limitations on the work that can be done to the structures. It safeguards it – making us stewards of its protection. He said it fits within the Village budget and should not be delayed.

Call to Question:

→ unanimously carried 5/0 to authorize the purchase of 25 plaques within 30 days at a cost not to exceed \$1,575 plus shipping and handling.

- c. Clinton Street Development Plan – CDBG funding opportunity – Historic District Façade Improvement Program – on behalf of the Historic Preservation Board, B. Andrews requested authorization to include in the Village's application for 2009 Community Development Bloc Grants the following items:
 - i. \$8,760 as part of the match by the Village for the Preserve America Clinton Street planning project. This is the second half of the commitment made by the Village in its application for the Preserve America grant. The first half was awarded to the Village in 2008. That money and \$30,207.50 from the Preserve America grant will be used to pay the consultant fees on this project.
 - ii. \$40,000 to undertake a second façade improvement program in our historic district. An earlier program financed by a \$40,000 CDBG resulted in significant historic preservation improvements to 11 structures in the district. Property owners will be offered a 40% reimbursement subsidy up to a specified limit for improvements compatible with the historic character of the structures. Properties that have been identified by the HPB for inclusion whose façade improvements would benefit the community the most include: The Strand Theater at 89 Main Street, Kitchen Express at 74 Main Street and Lorenzo's Mexican Products at 3 Main Street. Earlier communications with their owners have indicated their willingness to participate in the program, but firm commitments will be secured before the application is submitted.

→ Trustee Wagenhauser moved, to authorize the submission of said applications for CDBG funds totaling \$48,760.

Trustee Wagenhauser congratulated the Historic Preservation Board on the results of the first round of façade improvements. Trustee Legg concurred and commented that the façade improvements coupled with the upcoming Main Street Rehabilitation and increased marketing efforts are good for the downtown historic commercial district.

a
Trustee Castaneda questioned the commitment from the property owners. B. Andrews said there is interest and a positive reaction. He has reason to believe these property owners will be inclined to commit. If not, there may be others so inclined. Trustee Castaneda commented that with the economy such as it is and the concerns of merchants regarding their businesses during the Main Street rehabilitation, it may be tough time to have them put up 60% towards façade improvements.

1st
Trustee Wagenhauser said the Village didn't have firm commitments from property owners the last time it applied for CDBG funding for the project. B. Andrews said these are federal funds administered by the counties for use by local municipalities. If the funds don't get spent, they stay at the County. The money becomes available August for use by the following September 30th.

their
Mayor Wexler asked about past participation. B. Andrews said the majority that were approached, were interested and participated. He said Go Ask Alice wouldn't have façade painted.

Call to Question:

→ unanimously carried 5/0 to authorize the submission of said applications for CDBG funds totaling

\$48,760.

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- d. 4/25/09 – Max’s Mardi Gras Parade – status & re-add appointments to committee: Josephine Matela, Lynda Sperazza, Patrick Tooley, & Chrissy Woods from Camp Good Days & Special Times – B. Andrews shared that after last year’s 10th Max’s Mardi Gras Parade and Festival, the committee began to run out of steam and lost some of its members. However, due to loyal community and sponsor support, they have decided to organize it one last time. Therefore, April 25th will mark the 11th and final Max’s Mardi Gras Parade and Festival. B. Andrews shared that Trustee Hunsinger, liaison to the committee, has expressed a desire to continue some type of a parade in some other guise in the future. B. Andrews asked that the following be added / re-added as committee members: Josephine Matela, Lynda Sperazza, Patrick Tooley, and Chrissy Woods from Camp Good Days and Special Times.

→ Trustee Legg moved, unanimously carried 5/0 to appoint / reappoint Josephine Matela, Lynda Sperazza, Patrick Tooley and Chrissy Woods to Max’s Mardi Gras Parade and Festival Committee and to approve the parade to be held Saturday, April 25th.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Update on efforts to regulate heat of Village buildings – reported that per the Village Board’s directive regarding heat, DPW staff and the Village’s heating/cooling contractor have worked to regulate the heat in Village buildings. Village Hall is now programmed for 68 degrees during the workdays and 65 degrees on off hours. The Market Street fire hall and the Welcome Center have programmed thermostats that are locked. He did not put a lockable box around the thermostats at Village Hall because the conference room is often used during the evenings for various Board and community meetings. If needed, the temperature can be bumped up, but then it goes back to its original programming automatically. The DPW registers 60 degrees in the mechanic’s area and 55 degrees in the truck bay while the office is heated by woodstove.
2. Accept bids via Actions International on surplus 1992 dump truck & time clocks – recommended acceptance of the \$8,924 high bid via Auctions International for the 1992 International Dump Truck previously declared surplus. This is in line with the \$8,000 - \$10,000 that may have been possible through trade-in. Received only a \$1 bid for the old time clocks and feels they can get more to sell as scrap metal.

→ Trustee Castaneda moved, unanimously carried 5/0 to accept the \$8,924 bid for the 1992 International Dump truck previously declared surplus.

3. Authorize amending Remington Woods snowplowing agreement to reflect new owner – reminded the Board that the Village has snowplowing agreements in place with the owners of the 3 new subdivisions: Remington Woods, McCormick Place, Sunflower Landing since those roads are not yet dedicated, but have taxpayers living there. He asked for authorization to amend the agreement regarding Remington Woods to reflect the new owner.

→ Trustee Castaneda moved, unanimously carried 5/0 to authorize amending the Village’s agreement with Remington Woods regarding snowplowing to reflect the new owner.

4. Brush Grinding – reported that Niagara Generation, LLC has contacted area DPW/Highway Superintendents looking to acquire large quantities of brush that they can grind and use for energy. Reminded the Board that typically the Village of Brockport and Town of Sweden split the cost (last year \$10,000) and contract with a vendor to grind the brush. The wood chips are then offered to residents free of charge. To save money, Sweden and Clarkson and other municipalities have agreed to allow Niagara Generation to grind and haul away their spring brush piles this year. He recommends the Village do the same. There may be an opportunity for Village residents to share Clarkson’s overflow of chips since they have some that the company will not take. Any approval would just be for the spring brush pile and can be revisited after the summer.

Trustee Wagenhauser said he would want to re-evaluate it next year.

→ Trustee Castaneda moved, unanimously carried 5/0 to authorize Niagara Generation, LLC to grind and haul away the Village’s spring 2009 brush pile at no cost to the Village.

5. Main Street Water Mains – reported that the Village Engineer met with Monroe County Water Authority officials regarding the Main Street Rehabilitation water main work plans. There are 3 water mains on Main Street – proposing to eliminate portions of our main and tie onto MCWA’s mains. This would be on the condition that the Village take over maintenance of their mains. They are only in talks and no costs have yet been determined. He wanted to provide

this as an FYI only. More information to be presented to the Village Board in the future.

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6. Sunnking – disposal of analog televisions – reported that he and other municipalities were contacted by Sunnking’s environmental coordinator about setting up a drop off program to DPW for old analog TV sets since February 17th marks the federal transition from analog to digital. DPW would then take them to Sunnking for proper dismantling and disposal.

Trustee Wagenhauser commented that since Sunnking is local – with a retail location on Main Street and warehouse locations elsewhere in the Village – why they wouldn’t have residents drop off directly to them, rather than to DPW. He said he doesn’t see the advantage of DPW having to transport them to Sunnking.

7. Snow Removal – Trustee Hunsinger expressed concern of a lot of large piles of snow on street corners, such as Park Avenue and Market Street, that are causing obstructed views and pose safety concerns. Superintendent Donahue commented that there is an ongoing concern of private snowplowers piling snow in such a way and that particular property owner has been spoken to several times over the years. DPW can clear what’s on Village property, but has no jurisdiction to remove snow from private property. Trustee Hunsinger asked Code Enforcement Officer Zarnstorff to take a look at the Village Code on this.

Mayor Wexler asked Superintendent Donahue the current cost of salt. H. Donahue said it is \$38.20 per ton – up \$8 per ton from last year. The Village can buy up to 920 ton, has budgeted for 775 ton, and has purchased 440 ton so far. The Village also stocks 350 ton for Brockport Central School District.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Authorize Kelly McCracken – provisional to permanent – confirmed by Civil Service – effective 1/20 - reminded the Board that K. McCracken was promoted from part time to full time officer provisionally pending successful completion of the Civil Service process. All is now in order and the appropriate paperwork has been submitted to the Village Clerk.

Trustee Hunsinger said he would be glad to make the motion, as he served as her swim coach some years ago. Chief Varrenti commented that the impact of good coaching is evident.

→ Trustee Hunsinger moved, Trustee Castañeda opposed, carried 4/1 to appoint Kelly McCracken as permanent full time police officer.

Trustee Castañeda said she remains opposed to adding 2 full time police officers to the force.

2. Accept resignation of Kelly Smith as part time clerk effective 1/16 – Part time clerk Kelly Smith has secured full time public relations employment with Lakeside Health System. Although she will no longer be able to serve as part time clerk, she remains the part time grant writer for the department. Chief Varrenti said he would work with Village Clerk Morelli in the near future to advertise for a replacement.

→ Trustee Legg moved, unanimously carried 5/0 to accept the resignation of Kelly Smith as part time police department clerk with regrets.

3. Staffing update – Officers Wheat and Curley have returned from workers compensation leave. Officer Wheat is back to full duty with no extensive permanent damage to his finger. Officer Curley is back on light duty and is assisting Sgt. Mesiti with property room assignments and Sgt. Cuzzupoli with re-accreditation assignments.
4. Re-accreditation process – Since it has been 5 years since the Brockport Police Department was accredited, renewal / re-accreditation is due next fall. Renewal will be more difficult than the original process that established guidelines and made promises. Now they have to prove they have followed through. While Chief Varrenti has no doubt they will successfully apply and pass, it will not be a minor undertaking.
5. Budget process update – submitted the Police Department’s proposed 2009-2010 fiscal year budget on January 7th to Treasurer Tojek. He said he is proud of it, and he met and exceeded Trustee Wagenhauser’s challenge to come in 2% under last year’s budget. It is the most comprehensive budget to date. While he takes final responsibility, it took 6 months of work by many at the department. Trustee Hunsinger commended Chief Varrenti on coming in 3.8% under budget in his 2009-2010 proposal.
6. Travel request – requested travel authorization for Sgt. Philippy to go as an instructor to Albany April 8th for DWI detection and standardization training. His travel, lodging and meals

are paid for by the state. Chief Varrenti commented that kudos go to Sgt. Philippy. Trustee Wagenhauser said he knows attorneys and judges who can attest to the fact that Sgt. Philippy garners great respect in this field. Chief Varrenti said cutting the overtime line was satisfying.

→ Trustee Castañeda moved, unanimously carried 5/0 to authorize said travel request.

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7. Travel request – requested travel authorization for Officer VanDervort to go to Washington, DC February 9-10 for receipt of the mini thermal monocular obtained from a CDEP grant. It includes 18 hours of instruction and an exam. His travel, lodging and meals are paid for through the grant. This is a heat sensor device valued at \$10,000 that helps search for bodies. Greece Police had to borrow a heat sensor during a previous investigation. He said to his knowledge the Brockport Police Department will be the only police department in Monroe County to possess such a device in the future.

→ Trustee Hunsinger moved, unanimously carried 5/0 to authorize said travel request.

8. 4th Quarter and Annual Reports – distributed said reports and shared some highlights regarding calls for service, types of tickets and arrests and crime trends. Brockport still leads the County in DWI per officer arrests. The annual report is statistically driven. Prior to Chief Varrenti, 3 tickets would have generated 3 CR numbers. Since Chief Varrenti, each stop generates 1 CR number. Therefore, the department has maintained the same reporting methods for the last 7 years. Calls for service were up by nearly 2,000 calls. DWI's were up. Arrests were up. Vehicle and traffic tickets were up. Village ordinance related were up. Motor vehicle accidents were up. Parking tickets were down.

Through Assemblyman Reilich, the department is getting another speed sentry device bringing the total to 3. It will be solar powered rather than battery powered.

Chief Varrenti shared that the department met it's 2008-2009 goals one of which included revamping the Police Department lobby with a nice plaque to go with the portrait of past Chief Donald M. Hare that gives proper tribute.

2 the Mayor Wexler commended the department for the apprehension of suspects in the recent Canalside Liquor Store robbery. Chief Varrenti said Officers Rivoli & DeToy responded within minutes of the call and apprehended the 2 suspects ages 16 and 17 who displayed a fake handgun. He thanked SUNY University Police and Monroe County Sheriff's Department for assist.

and Chief Varrenti reported a number of larcenies where trusting citizens have left their cars or residences unlocked. This is just asking for trouble. One recent example was 2 handguns being stolen from an unlocked car. He urged everyone to secure their vehicles and homes and not to leave valuables in vehicles.

C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff

1. Update on Residential Rental Registration Program – a one page form designed per updated Village Code Chapter 36 went out January 6th – 8th to 213 property owners of 343 residential rental properties. Response has been good with 27% returned in 2 weeks. They are due by April 1st. Data from the forms is being plugged into the department's software and was already used recently to a positive result in the Fire Department and Code Enforcement Office's response to a small fire. Trustee Legg suggested S. Zarnstorff consider hosting a workshop.
2. Code Review Committee – referral of Chapter 21 (Garbage, Refuse, Open Burning) – Code Review Committee spent considerable time reviewing Chapter 21. It has gone through legal and has been referred to the Village Board for review and future call for a public hearing.
3. 2008 Application Activity Report – reviewed the 2008 application activity report and commented that although it has been a difficult economic year, development, building, renovations, opening of new businesses have continued here – indicating we still have a healthy community. The 2008 inspection activity report is forthcoming. He and Clerk Pam Krahe have worked with their software vendor and made some changes in the data entry process.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Scott Smith

1. Calls for Service – 39 fire and 110 ems calls year to date – off to a busy new year. Reported on a working fire last week at a 2-story home on W. Canal Road. Clarendon, Holley, and Hamlin departments responded in mutual aid. 1 mutual aid firefighter was hospitalized as a result of asthma and pneumonia. The smoke detectors were of no help, as one did not activate and one had the batteries removed. Although there was extensive damage, they will be able to rebuild and reoccupy.
2. Membership Drops & Adds – Chief Smith asked the Board to consider approving the

following drops: Genevieve Connaroe from Auxiliary, Cody Butler from Explorers, Chelsea Williams from Explorers, Brian Smith from Explorers (B. Smith was previously added to active Fire); the following adds: Eric Gekoski to ambulance, Amanda Holdridge to ambulance, Christopher Dollinger to fire:

→ Trustee Castañeda moved, unanimously carried 5/0 to approve the previously mentioned drops and adds.

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E. TREASURER – Gina M. Tojek

1. Budget Process & Schedule – Treasurer Tojek thanked the Board for her appointment. Today is day 11 and there is much work to be done. She referred to the budget process, proposed schedule and department budget proposals distributed a few days earlier. She said while some budget workshop meetings may be outside the normal Village Board meeting schedule, she stressed the importance of the Village Board meeting as a group with each Department Head and that this is particularly needed since the Village Manager position is vacant. It will be an opportunity for the Board and Department Heads to share information, prioritize needs and budget for serving the residents in the most effective manner. Looks forward to hearing from the Board and working together on the budget.

F. CLERK - Leslie A. Morelli

1. 2009 Events Schedule – request for information – reported that she has put out her annual request for information from officials, boards, committees and community groups in an effort to put together the annual events schedule. This is a great deal of work, but feedback has always been positive. Understands that various entities are looking into the possibility of paying for a subscription to an events scheduling service in an effort to create a Greater Brockport events schedule that would include Sweden, Clarkson and beyond. Until such time as that happens, or she is directed otherwise, will continue to create an events schedule on behalf of the Village.
2. Tax Collection – lock box – follow up to a mention a few meetings ago about the possibility of “lockbox” with Chase bank regarding tax collection. She, Treasurer Tojek, and Deputy Clerk-Treasurer Olson met with our government banking rep recently. Simply stated, an envelope (or mailing label) would be included with the tax bills for the taxpayers to mail in their payment to a specific address. The lockbox service processes the payments, issues receipts if requested, and captures the data for transmission to the Village’s tax collection software. Should a taxpayer mail or drop off payments to Village Hall in error, we would forward it to lockbox for processing. A taxpayer could also drop off payment to the local Chase Bank branch. Many municipalities and school districts utilize such including the Towns of Sweden and Clarkson and the Villages of Fairport and Honeoye Falls. Clerk Morelli said from her understanding, Sweden and Clarkson do not yet include the return envelope or mailing label. They receive the payments and forward them to lockbox for processing. This is not a paid service, requires no budgeting of an expense or formal Village Board action. Chase offers the service due to our good banking relationship and that the funds would be held in an interest bearing account for 10 business days at a slightly lower interest rate than the Village’s money market account. The Clerk-Treasurer Department is in agreement that establishing lockbox service would streamline delivery of funds to accounts receivable and would reduce administrative time and cost as it relates to data entry and the like. This is simply another step in improving efficiency of the tax collection process – looking forward to rolling it out June 1st. Clerk Morelli asked if the Board had any questions. There were none.

G. VILLAGE MANAGER - vacant

H. VILLAGE ATTORNEY – David F. Mayer, Esq. (excused)

VILLAGE BOARD REPORTS:

A. Mayor Morton Wexler

1. HRA (Health Reimbursement Account) amounts – Union vs. Non-Union employees – reminded the Board that they need to meet in budget workshop to discuss and establish 2009-2010 wage increases for non-union employees and that the issue of union versus non-union HRA (health reimbursement account) amounts should be discussed sooner rather than later. Trustee Castañeda said she is in agreement with Treasurer Tojek’s proposed budget workshop schedule and suggested the Board deal with both items in it’s first meeting.
2. Stetson Club grievance on behalf of some retirees – reported that he and Labor Attorney Watkins met with Stetson Club President Curley and counsel regarding a grievance by several police retirees as to the health insurance plans offered to them (Blue Choice Value and Preferred Care Basix with an HRA) when Excellus discontinued Blue Choice Extended. Some retirees have indicated a desire to switch to Blue Choice Select. However, they would not be entitled to the HRA. Further, Excellus plans to discontinue Blue Choice Select January 1st, 2010. Will keep the Board informed.
3. Grant Writing – reminded the Board that numerous grants were started by former

Treasurer/Manager Coyle that remain in limbo. It would be in the Village's best interest to get someone involved in this.

Trustee Castañeda said she thought the Board appointed someone to help with grants. Clerk Morelli said Kelly Smith was authorized in November to devote 40 hours, but has only been able to put in 13 hours. Trustee Legg said he spoke with K. Smith and asked for a report on her progress. He said she felt she did all she could do with the position at the time.

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- B. Trustee / Vice Mayor Maria C. Castañeda
1. Fire Department Swearing In – attended, as did Mayor Wexler and Trustee Hunsinger, the Brockport Fire Department swearing in of officers on January 6th. Congratulated all and gives thanks to the volunteers who serve the community.
 2. Historic Preservation Efforts – met with Historic Preservation Board Chair, Bill Andrews, on January 13th. Thanked him for the opportunity.
 3. Village Advisory Committee – cancelled the January 13th meeting due to weather.
 4. NYSDOT Presentation on Main Street Rehabilitation Plans – attended, as did Mayor Wexler, the January 15th presentation that was well attended in spite of the weather. Some merchant and resident concerns were expressed. NYSDOT encourages the return of the green comment sheet. Main Street Rehabilitation Committee has been invited to attend a marketing meeting at Java Junction at 8am on February 4th.
 5. Community Blood Drive – encouraged participation in the blood drive January 21st 11am – 7pm at the Sweden Clarkson Community Center.
 6. Canal Clean Sweep – has agreed to take the lead in organizing the Village's efforts on the April 18-19 New York State Canal Corporation / Parks and Trails event to clean up debris in preparation for the 184th season on the canal. Encouraged Village Board to participate and will be inviting the Step Up Community Program to participate.
 7. Police Chief and E-mail correspondence – read the following e-mail from Chief Varrenti and her response into the record:

“From: Chief Daniel Varrenti
Sent: Thursday, January 08, 2009 5:19 PM
To: Maria Connie Castaneda
Cc: Dave Wagenhauser; Hal Legg; Leslie Morelli; Scott Hunsinger
Subject: comments made at the VB meeting 12-15-08

Trustee Castaneda,

This email is to address some of your comments made during the 12-15-08 village board meeting regarding me and my lack of emails to you.

First you are absolutely correct in stating that I, more times than not, don't forward emails that I write to you. I don't do this by fault but rather by intent and choice. I have and will continue to choose if and when I want to initiate or share my communication with you.

In the past you have taken emails and shared them with people outside the board. You have taken my emails and/or conversations I've had with you, and either failed to understand their content, or purposely misconstrued what I have said. You have gone around my back and attempted to meet with other law enforcement officials in an attempt to learn how to eliminate the Brockport Police Department. You have stated to me that if it were your choice, you would put the elimination of the police department up for a referendum. While this may certainly be your right as a trustee it doesn't promote good communication or relations between us now does it?

You were one of three people that eliminated my contact based on a misleading question to the State Attorney's General Office. To this day you refuse to fairly apply the 211 waiver process and in fact have done everything you could to prevent me from receiving my waiver including making telephone calls to Civil Service individuals in Albany. While you proclaim to do so because you want to follow the law you couldn't even begin to understand the 211 laws or process. Only in Brockport has such a subject been discussed to the extent you discuss it. At one point the village attorney, a privately hired village labor attorney and even Civil Service told you, through the mayor, that it was prudent to sign my waiver. Yet again you continued to make this an issue. Simply put you didn't get the answer you wanted. Most recently stated you stated you would study the material provided by former village manager Ian Coyle regarding the new 211 law. Since Mr. Coyle's email didn't contain the Governor's letter of intent I'm left to question where you will obtain it, or better yet, how you will interpret the

“grandfather” clause.

You have voted no to hiring part time police officers even when it may save the village money under the pretext that I, as the chief, don't support the hiring. Since when do you support anything I do? At one recent meeting you stated you could understand the hiring of one full time police officer but not two. Following that statement you voted no for the hiring of the one officer.

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You have taken insightful, visionary ideas that I have had that may have fiscally benefited the village and denounced them even before they were fully explored or discussed. Following one suggestion I had you even provided contradictory information to refute what I was suggesting to defend your negative position. I'll speak more about this subject in the future.

You recently stated at the last village board meeting that I, and Trustee Wagenhauser, decided to pay Officer Curly the differential that he received. I wrote one email to the Mayor and copied in those that I wanted to copy in. Something by the way that is my prerogative. My email contained nothing more than an opinion about the matter. Rest assured if I were in a position to make a decision about that matter it would have been handled within minutes and never discussed amongst any board members. Thankfully the Mayor realized that the approximate \$40 per paid period cost to the village, coupled with the practicality of winning, wasn't worth the fight. In turn he did his job and made a decision without convening the entire board to further discuss the matter. Good for him.

It's my opinion that it's blatantly obvious that when it comes to me, or the Brockport Police Department, your mind is made up before you receive, or conduct any research. It's furthermore my opinion that the last thing you would ever do is support me or the Brockport Police Department....and then you wonder why I don't include you on past, present or future emails.”

Daniel P. Varrenti
Chief of Police

Trustee Castañeda's response:

“Every employee of the Village of Brockport- from the minimum wage seasonal laborer to the highly – compensated police chief- is accountable to the residents who live here. All village employees are here to serve the residents of this community. Residents elect trustees and a mayor to represent their interests. Therefore, village employees become accountable to the trustees and mayor who represent village residents.

When a village employee refuses to be accountable to an elected trustee, when that village employee is insubordinate and disrespectful to an elected trustee, what that employee is really doing disrespecting village residents, Village employees do not get to choose who their supervisors are... the residents of the village do so by a democratic elections.

Mr.Varrenti's latest diatribe against me is a massive disservice to the residents of this community. Whether he likes me or not, whether he agrees with me on various issues or not, I have been elected to represent the residents of this community in the operations of their local government. Every time Mr.Varrenti refuses to share information or reports with me, every time he purposely excludes me as a duly elected trustee, he is spitting in the faces of the voters who elected me.

While I can put up with Mr.Varrenti's personal attacks, I will not tolerate his repeated interference with my official duties. I will not allow him to disrespect village voters.

I am asking my fellow trustees to stand by my side in this matter. After all, you could easily be the next trustee that Mr.Varrenti decides to exclude from official matters....if you dare disagree with him on the issues facing the village and his department.

The voters who elected me also elected you, Trustee Wagenhauser and you, Trustee Hunsinger and you, Trustee Legg. I'm sure you will agree with me that the trust the voters have put in us and the responsibility we have accepted on their behalf should not be torn asunder by a village employee with a self-serving agenda.

I appreciate the letter of reprimand that Mayor Wexler has written to Mr. Varrenti about this matter. It is the second such reprimand that has been given. I know that the Mayor expects all trustees to be treated equally and with respect by village employees.

I can't imagine any other of our village employees behaving in this manner. Mr. Varrenti is not exempt from the standards of conduct we expect from other employees, rather the opposite: his position as the

police chief means that he should conduct himself with the highest level of professionalism, something he has failed to do.”

C. Trustee David J. Wagenhauser

1. Employees – drugs/alcohol – shared that he is working on legislation regarding employees as it relates to the use of alcohol and drugs. More information to come.
2. Contractual Services – welcomed G. Tojek as Treasurer and shared that he has asked for some information of she and Deputy Clerk-Treasurer Olson regarding current contractual services as to re-bidding some of them.

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3. Budget – has reviewed the fiscal statements as of December 31st and is happy to report that the current 08-09 budget is tracking closely to last year as to expenses and revenues are up at the half way point, although we face challenges. Received and reviewed the Treasurer’s packet with Department Heads proposals for the 09-10 budget and was disappointed, as some were more of a wish list, not on spreadsheets, and some lacked numbers. Had challenged Department Heads to submit proposals with a 2% cut from the current budget. Expressed reluctance to proceed or meet in budget workshops until all departments come in with spreadsheets and comparisons of last year to this year, prioritization of needs and such going any further. Commended the Police Chief for his comprehensive proposal that expenses even after plugging in projected salaries.

Trustee Wagenhauser commented that Trustee Castañeda stresses the importance of communicating as a Board on matters in open meetings vs. e-mail. However, he noted that he was recently clearing out old e-mails and that he had 50 or so e-mails from Trustee Castañeda. Trustee Wagenhauser said she can’t have it both ways – criticizing the use of e-mail, but using it herself. Trustee Wagenhauser said he has no plans to read e-mails into the record, and hopes this is the last time Trustee Castañeda does so.

4. NYSDOT Main Street Rehabilitation presentation – was unable to attend 1/15 as he and his family had just returned from vacation that day.
5. Snow Removal – commended DPW for doing a great job keeping the streets and sidewalks clear. Stressed the difficulty of shoppers to get from their cars to the sidewalks in the downtown district. Encouraged the Mayor to direct the DPW to make this a priority as a commitment to safety, merchants and economic development. People shouldn’t have to hurdle snow banks to get to the stores. Mayor Wexler shared that Trustee Legg had requested the same and that DPW was doing so before direction was necessary.

D. Trustee Scott W. Hunsinger

1. Water – thanked Water Clerk Deb Herzog for providing him with water consumption and payment history regarding SUNY College at Brockport, Brockport Central School District and Lakeside Health System.
2. Next Village Board meeting – reminded the Board of Clerk Morelli’s e-mail giving advance notice that due to work he will be unable to attend the 2/17, 3/2, 4/6 Village Board meetings. Mayor Wexler and Chief Varrenti have each indicated that they will not be at the 2/17 meeting. He asked to open dialogue on rescheduling the 2/17 meeting to 2/23.

Mayor Wexler commented that if there will be a quorum of the Board (3 out of 5), then it should remain 2/17 as scheduled and advertised. Trustee Castañeda agreed. Trustee Wagenhauser said he feels better when there is a complete Board and that the attendees are by and large the same. Notification can be made to the paper and website of any change. Trustee Castañeda said that doesn’t necessarily mean the Department Heads can be here. Trustee Wagenhauser said if not, they can be excused.

→ Trustee Wagenhauser moved, Trustees Hunsinger and Legg in favor, Trustee Castañeda and Mayor Wexler opposed, carried 3/2 to reschedule the 2/17 Village Board meeting to 2/23.

3. Fire Department Swearing In – attended, as did Mayor Wexler and Trustee Castañeda, the Brockport Fire Department swearing in of officers on January 6th. Wondered if any thought had been given to having the ceremony at Village Hall in the future. Chief Smith said traditionally the swearing in is held as part of the monthly Fire Department meeting which draws about 80 people. Future swearing in could be held separately if so desired. The Department would be open to suggestions.
4. 200 State Street – is awaiting for 3 call backs and hopes to have more information at the next meeting.

5. Max's Mardi Gras Parade and Festival – expressed concern with this year being the last one, as it is a big event for the community and its children. He said he hopes to create a community-based event to take its place.
6. Hope – referred to recent images that provoke “hope” for the U.S., to the state, to the local municipalities – that of the recent plane crash in which a pilot, New York and New Jersey officials averted catastrophe and today's Presidential inauguration.

E. Trustee Hal S. Legg

1. HRA's – clarified reference to “HRA's” made earlier – stands for Health Reimbursement Account – is a benefit an employer offers its employees – money set aside to complement their health insurance plan which covers co-pays and such. A certain amount is allowed per year.

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Once that amount is exhausted, the employee covers co-pays out of pocket. If the amount is not exhausted, it rolls over to the next year. It is a non-salary item, but does affect the budget.

2. Main Street Rehabilitation – reported that he has begun to fill out appropriate forms for federal monies through Senator Schumer and Congressman Lee. Is reviewing DOT's 72 page “DDR” – draft, design report.
3. Smith Street Bridge – reported that he has reached out to NYSDOT and RG&E officials regarding having areas around the Smith Street Bridge made “tree ready”.
4. Budget – referenced a statement by President Obama “what is required of us now is a new era of responsibility.” Is inclined to support the idea of Department Heads putting together budget proposals as Trustee Wagenhauser mentioned earlier that provides a base line from last year to proposed that includes a prioritized list, as it would be helpful for the Board to have all the numbers in front of them.

Mayor Wexler said he appreciates Chief Varrenti's efforts regarding the Police Department's budget proposal. He stressed the importance of preparing a budget that provides for the safety and well being of all workers in all departments as well as the community. He cited the DPW's need for a bucket truck that has been delayed. While Village Board members can ask Department Heads to cut costs, they need to work together. If Department Heads recommend needs, they should be considered. That may not meet the challenge.

Trustee Wagenhauser said some Departments budget proposals were more detailed than others. It needs to be done differently.

Clerk Morelli said – with all due respect, the Treasurers or Boards she has worked with over 9 ½ years have ever requested line item budgeting, spreadsheets or a particular format. This is the first time she's heard dissatisfaction with the information provided. She said she is in favor of anything that would improve the budget process, and would be happy to provide whatever information is needed - if given appropriate time, direction and assistance.

Trustee Hunsinger said some of the proposals were more like wish lists. Trustee Legg suggested the other Department Heads take a look at Chief Varrenti's budget format and use that as a guide.

Treasurer Tojek reminded the Board that she just began last week, that the Village Board needs to set a direction as to budget format, that she would be happy to work with Department Heads, but that they have to move quickly as there are some statutory deadlines regarding the budget. The tentative budget needs to be filed with the Clerk March 20th.

Trustee Wagenhauser said the department proposals is a large part of the budget work and that he'd rather see it all clearly on paper – not an unreasonable demand.

PUBLIC COMMENT:

1. Mark & Katherine Kristansen of 270 Main Street (and also own 266 Main Street) – have dramatically improved both properties these past three years. Attended the NYSDOT's 1/15 open house regarding Main Street rehabilitation plans and expressed concern as to the impact on them, as the proposed added turning lane from Adams Street to Main Street will cut into their property at 266 Main Street leaving only a 17 foot gap between their house and the sidewalk – causing loss of land and trees. Questioned where the water/drainage goes after it gets to the culvert at Liberty Street and didn't get a straight answer from NYSDOT. The salt on the roads drains somewhere. Questioned the figure of 21,000 cars per day on Main Street and whether there's really a need for a turning lane at Adams Street, as long back up delays there are rare. Motorists know to cut down Brockway if Adams is busy. This turning lane won't clean up the

problems at the 5 corners intersection.

Mayor Wexler shared that the Main Street Rehabilitation Committee provided various recommendations to NYSDOT. K. Kristansen said no one asked their opinion and wondered if the Village approves of NYSDOT's plans. Mayor Wexler said it is not yet written in stone, and that there is still time for changes. He suggested they make express their concerns in writing to NYSDOT. K. Kristansen said they can't speak to the merchant aspect of the project, but referenced a comment made earlier in the meeting that Village Board and employees serve and protect the residents interests. She urged the Board to look into this further.

Trustee Legg shared that he served as the "non-Main Street resident" on the Main Street Rehabilitation Committee before being elected to the Village Board. He was not sure his spot had been replaced. Clerk Morelli shared that it had. Mayor Wexler suggested they stay after the meeting to discuss this further.

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Executive Session: None

AUDIT:

➔ Trustee Castaneda moved, unanimously carried 5/0 that the bills be allowed and paid upon audit.

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	1/16/09	178264-178266	\$4,863.20
	1/21/09	178267-178336	\$133,804.12
<u>Fire</u>	1/21/09	178337-178354	\$16,151.63
<u>Third Party Billing</u>	1/21/09	001429-001438	\$11,929.51
<u>Capital Projects</u>	1/21/09	002295-002298	\$15,646.15
<u>Water</u>	1/21/09	002168-002181	\$52,347.40

ADJOURNMENT:

➔ Trustee Hunsinger moved, unanimously carried 5/0 that the meeting be adjourned at 9:37pm.

Leslie Ann Morelli, Village Clerk