

Regular meeting of the Board of Trustees of the Village of Brockport was held at the Sweden Senior Center State Street, Brockport, New York, March 6, 2006 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Carrie L. Maziarz, Trustee Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Mary Jo Nayman, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer / Village Manager Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED:

ALSO PRESENT: Fire Chief Laurence C. Vaughan, Robbi Hess (Suburban News), Jim & Joan Hamlin, Hanny Heyen, John Bush, Russ & Carol Swanger, Jack Wahl, Marsha Green, Karen Overmyer, AnnLee Walker, Norm GianCursio, Angela Markham, John Lessord, Betty Northrup, Ron & Carole Tolster, Ken Applebaum, Rich Miller, Val Ruoff (Waste Management), Professor Rick Woodson and several members of his journalism class: Jen Chapman, Colleen Hotchkiss, Colleen Lerro, Christina Lewis, Renee Rischende.

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

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the regular meeting held February 6, 2006.

Trustee Castañeda had several items she wanted added to the minutes. Clerk Morelli will highlight her recommended additions for the Board to review.

➔ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried that approval of the minutes of the meeting held February 6, 2006, be tabled.

Trustee Nayman said she compared the minutes to the video of the meeting and found a few comments were missing. Trustee Castañeda agreed. Trustee Nayman asked Clerk Morelli if she keeps the tapes and if taxpayers are allowed to watch the tape at the Village Hall. Clerk Morelli said the videotapes of the Village Board meetings are kept for one year as is required by the state records retention schedule.

Although the meetings are shown on Cable Channel 12, some people may not be able to watch at the time it is shown or may not have the ability to tape it. Therefore, for \$15 (the fee charged by Wegmans), the original tape can be copied. Otherwise, if the TV and VCR are working at Village Hall and the conference room is not in use; the tape can be shown during regular business hours.

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT: None

GUESTS:

1. Lakeside Health System – present plaque to Police Department – Mike Perry of Lakeside Health System said that they have come to depend on the professionalism and quick response of the Brockport Police Department. He shared that this past holiday season the Brockport Police Department and Explorers went above and beyond by raising funds and donating a brand new television and having Santa deliver a gift to each of the 120 residents. In recognition, Mike Perry presented the Police Chief and Department with a plaque of Lakeside's appreciation and gratitude.

DEPARTMENT REPORTS:

- A. PUBLIC WORKS – Superintendent Harry G. Donahue
1. Set spring water flushing dates – Superintendent Donahue said since the Village Board now acts as the Board of Water Commissioners, spring water flushing dates need to be set. He proposed between 9am to 1pm on: Monday, April 17th North of the canal – all hydrants, East and West of North Main Street. Tuesday, April 18th South of the canal – all hydrants East of Main Street. Wednesday, April 19th South of the Canal – all hydrants West of Main Street.
 2. Request executive session – Superintendent Donahue requested an executive session at the end of the meeting to discuss a DPW personnel matter.
- B. POLICE DEPARTMENT – Chief Daniel P. Varrenti
1. Calls for Service – Chief Varrenti reported similar numbers of calls for service at this time last year.
 2. Review of Calendar Years 2004-2005 Annual Report – Chief Varrenti asked if there were any questions on the 2004-2005 annual report. Mayor Wexler asked him to highlight any numbers with large differences. Chief Varrenti said the resisting arrest category went down from 15 to 2.

He believes this is in large part due to some of the new tactical weapons being used. Chief Varrenti reported a total of 12,526 calls for service in 2005 with 1,975 arrests. Of those 1,442 were vehicle and traffic and 533 were criminal. There were 2,155 parking tickets issued.

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3. Provide updated Explorer Roster – Chief Varrenti provided Clerk Morelli with an updated list of Explorers for the employee / volunteer directory. New to the Explorer program are: Cody M. Dean, Joshua C. Rodriguez, Thomas E. Billington, Luke O. Brown, Timothy J. Collins, James L. Collins, Joseph P. Muoio, Alphonse P. Formicola, Meagan M. Diehl. Current Explorers are: Jessica L. Abert, Allison M. Burgio, Jessica S. Cook, William K. Day, Maxwell E. Dean, John L. Duthoy, Kyle A. Englert, Eric J. Gallert, Thomas D. Hartter, Rachel A. Latone, James G. Maziarz, Misty M. Mullaney, Matthew A. Nauerth, Jenna E. Petty. Former Explorers were: Sarah L. Bailey, Nick S. Della Rocco, Chris W. Emerick, Tabitha L. Hilts, Christopher J. Meyer, Ashley L. Norgaard, Missi M. Vache, Brandon A. Veltz, Kevin Voos, Don E. Warner.
4. Elks Banquet – Chief Varrenti said he could not attend the Brockport Fire Department Banquet due to the Elks Lodge Law Enforcement Appreciation Night scheduled at the same time. Sergeant Ziegler, Officer DeToy and Officer Wheat were presented with awards.
5. Easter Egg Hunt – Chief Varrenti shared that the Police Department and Explorers are planning an Easter Egg Hunt on April 8th at Corbett Park. Details to come.
6. Scholarship Fund – Chief Varrenti shared that the Police Department is in the process of researching and funding from their own pockets a \$250 to \$500 scholarship for a Brockport High School Senior going into Criminal Justice.
7. Level 3 Sex Offender – Chief Varrenti reported that Shawn R. Block, the Level 3 Sex Offender that had registered in Brockport and resided at 41 Student Lane has moved out of the community as a result of the flyers and letters allowed by the notification process. He moved to Albion.
8. Lakeside – Chief Varrenti thanked Lakeside Health System for the plaque presented this evening. He said from good things come good things. The Police Department and the Explorers had a lot of fun with the holiday gift giving at the Care Center and look forward to next year.
9. Recommendation to Establish a Village Justice Court – Chief Varrenti said he wished to share a letter he sent to the Mayor, Trustees and Village Manager dated March 2nd. The letter addressed to Mayor Wexler reads:

This letter is a follow-up to the conversation we had at the December 2005 department head meeting relevant to the creation of a village court and the potential revenue it could create for the village. After hearing you speak at the February department head meeting and stating that once again the “numbers don’t look good” I would think a Justice Court would no longer be just an idea but rather a priority for this community.

In order for you, and the board to better understand the revenues that could be realized by the village I have provided you with the following illustration:

During the past three years the Brockport Police Department has averaged 1497 moving violations of the vehicle and traffic law. All the fines imposed from these tickets are realized by the State of New York. Any surcharge imposed by the court (town of Sweden) is realized by the town. No revenue is realized by the village that supports 100% of the cost of the police department that enforces the laws nor is any money returned to the village where the infractions have occurred.

If the village of Brockport created a local village court, and the police department wrote traffic tickets in accordance with village ordinances, and wrote the tickets on a “local” traffic ticket, rather than on a state ticket, the village of Brockport would realize 100% of the surcharge and 100% of the fines. Assuming this was the case the following illustration represents the revenue to the village of Brockport:

1500 citations per year: Surcharge of + or - \$60.00	revenue:	\$90,000.00
1500 citations per year: Average fine of \$100.00	revenue:	\$150,000.00
Minus court costs: (Justice and court clerk)	approximately:	\$50,000.00
Total revenue using conservative figures as shown above:		\$190,000.00
Assuming a Justice Court would cost at the most:		\$50,000.00
Total revenue to the Village of Brockport:		\$140,000.00

As a result of increased health care costs, increased contributions to retirement systems, and a decrease in revenue, this concept is one that many municipalities have begun to support. The town of Greece is presently using such a concept to create a tremendous amount of revenue for their town.

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Although some village trustees have previously stated to the village manager that they would not endorse such a concept, I would strongly urge the majority of the village board to embrace this revenue generating concept and to encourage the village manager and me to continue with the research necessary to immediately implement such a cost effect program for our village.”

Chief Varrenti said this is not against the Town of Sweden, but if he were a taxpayer in the Village of Brockport, he would want the money coming back to the community where the crimes occurred.

Trustee Castañeda said she spoke to Leisa Strabel, Finance Director for the Town of Sweden. She provided the following figures: Total fines: \$121,318 Salaries: \$108,000 Contractual: \$22,403 Benefits \$24,204 Health Insurance \$3,500. They are \$158,232 in the red and have a building to heat and electrify. \$183,525 went to the state. \$21,465 went to the Village (non-parking tickets). Trustee Castañeda said every penny of Village tickets went to the Village. Trustee Castañeda said it is not fruitful as a moneymaker. Chief Varrenti said every penny did not and does not go to the Village.

Mayor Wexler said he asked Manager Coyle to look into this. He has calls in to the Town of Greece and others. Mayor Wexler suggested that Manager Coyle provide a report at the next workshop meeting. Mayor Wexler said there is no doubt that there would be pros and cons. The Village does get some money presently. He said he knows that the Town Court is packed when it is in session and it would be difficult to utilize Village Hall. Chief Varrenti asked that everyone keep an open mind. Chief Varrenti said the Town of Sweden is also a criminal court. He said he is simply talking about a municipal court that handles vehicle and traffic and Village ordinances. Sweden Court would still handle criminal. He asked that the Board allow the research and let the answers speak for itself. It would certainly be a tremendous financial benefit for the Village.

10. Newsletter – Chief Varrenti commended Manager Coyle on the February newsletter. He said he keeps doing more and more and going above and beyond.

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

1. Monthly Reports – January & February – S. Zarnstorff said the number of applications were up in January and February. The breaks in weather allowed him to do more inspections. He said the inspection report and 2005 report are still to come.

2. Summary re annual Assessment Grievance Day – S. Zarnstorff said the annual assessment grievance day went very well. They had approximately 20 applications with one being commercial. The Board granted approximately \$95,000 in reductions. He thanked the Board for doing an excellent job.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Laurence C. Vaughan

1. Membership Adds/Drops/Transfers – Chief Vaughan asked the Board to consider approving the following drops: Scott Wisnowski, Keith Mitchell, Tim Westcott, Anthony Mercado, Explorer Chris Penksyzk, Explorer Sarah Pike. The following were part of a counseling/bereavement team that was disbanded, with no record they were dropped from the rolls: Nancy DeRycke, Elizabeth DeCarlis, John Antinora, Arline Bremer, Ed Bremer. The following adds: Kenneth Coleman, the following change of membership from ambulance only to fire and ambulance: Thomas Conrow, the following exempt certificates: Brian Seeley.

→ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried approving the previously mentioned adds, drops, transfers and exempt certificates.

2. Call Load – Chief Vaughan reported 151 fire incidents year to date and 291 EMS calls year to date for a total of 442 year to date. He reported that in 2005 ambulance jobs were 65% of the call load. So far this year ambulance jobs are 64.3% of the call load. In 2005 they averaged 7.1 calls per day. So far in 2006 they are averaging 6.8 calls per day.

3. Miscellaneous – Chief Vaughan reported that they are continuing to update their records and take necessary action to update any personnel files that do not contain proper documentation. They do not want to give the impression they are making any wholesale changes to personnel. The mobile radios being purchased from grant monies from Assemblyman Reilich are on

order. Consolidation is close. Workshops scheduled for March 23rd and 30th should show them ready to approach the five companies, the membership and the Village Board with a draft bylaw document. From EMS Chief Toole and Captain Vandervort – the new ambulance is expected to be delivered sometime Saturday, March 11th. Changeover should take only a few days, and that will depend on the programming and installation of the radio equipment. Strip out and equipment changeover takes only a few hours. The 129th Anniversary banquet was held March 4th and was a success. They are appreciative of the kind words from the Mayor and for all the various board members and employees who were able to join them for the evening.

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Chief Vaughan shared that SUNY President, Dr. Halstead plans to attend the May Fire Department meeting to make a presentation.

Trustee Castañeda asked if all 5 companies have to agree to the consolidation. Chief Vaughan said he hopes they do, but it will be by a majority vote 3 of 5.

4. Current ambulance 2339 – Chief Vaughan said the current ambulance 2339 needs to be designated as surplus and they recommend to the Board that the vehicle be sold, as is, via advertisement requesting bids.

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to declare current ambulance 2339 as surplus.

E. TREASURER / VILLAGE MANAGER - Ian M. Coyle

1. Call for Public Hearing on the 2006-2007 budget – Monday, 4/3 at 8pm after regular meeting. Manager Coyle said a copy of the proposed budget would be available at the office of the Village Clerk on or after March 15th during the hours of 8:30am and 4:30pm for the purpose of inspection by interested persons.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that a public hearing be held on the proposed 2006-2007 budget on Monday, April 3rd at 8pm after the regular 7pm meeting.

F. CLERK - Leslie A. Morelli

1. Approval of 2006-2007 fiscal year holiday schedule – Clerk Morelli reported that the employees get 3 floating holidays to select each year. The Union representatives made their selections. The proposed schedule is as follows:

**HOLIDAYS
Fiscal Year 2006-2007**

Floater:	Monday, July 3
Independence Day:	Tuesday, July 4
Floater:	Friday, September 1 (except Stetson Club)
Labor Day:	Monday, September 4
Columbus Day:	Monday, October 9 (non-Union only)
Veterans Day:	Friday, November 10 (Sat. for 24/7 operations)
Thanksgiving Day:	Thursday, November 23
Day after Thanksgiving:	Friday, November 24
Floater:	Sunday, December 24 (Stetson Club only)
Christmas Day:	Monday, December 25
Floater:	Sunday, December 31 (Stetson Club only)
New Year's Day:	Monday, January 1
Martin Luther King Day:	Monday, January 15
Presidents Day:	Monday, February 19 (non-Union only)
Good Friday:	Friday, April 6
Floater:	Friday, May 25 (except Stetson Club)
Memorial Day:	Monday, May 28

→ Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried to approve the 2006-2007 fiscal year holiday schedule.

2. Parade Application – Max's Mardi Gras Parade – Saturday, 4/29 10am – Clerk Morelli reviewed the annual application on Bill Andrews behalf. The Fire Department is taking charge of the parade this year.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to grant the parade permit for the annual Max's Mardi Gras parade.

G. ATTORNEY – Thomas D. Calandra / DEPUTY ATTORNEY – Frank A. Aloï

H. ECONOMIC DEVELOPMENT

SUPPORT BOARDS REPORTS:

- A. PLANNING BOARD – Chair R. Scott Winner
- B. LIBRARY BOARD – President Matthew Minor
- C. ZONING BOARD OF APPEALS - Chair John Bush

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VILLAGE BOARD REPORTS:

- A. Trustee/Vice Mayor Maziarz
 - 1. Fire Department Banquet – Trustee Maziarz thanked the Fire Department for putting on such a lovely banquet and including the Village officials and staff. She said they did a nice job of honoring past Chief McCullough and other award recipients. She said she was unable to attend last year because she was representing the Village at the Monroe County Association of Villages banquet.
 - 2. Police Department Award – Trustee Maziarz congratulated the Police Department on the award received this evening from Lakeside Health System. She commended the Police Department and the Explorer Post for their dedication to the community.
- B. Trustee Castañeda
 - 1. Fire Department Banquet – Trustee Castañeda thanked the Fire Department and congratulated all award recipients.
 - 2. Police Department Award – Trustee Castañeda thanked the Police Department and Explorer Post on the award received this evening.
 - 3. Village Advisory Committee – Trustee Castañeda said many items were brought forward from the first meeting and some answers will be brought back to the second meeting scheduled for tomorrow evening.
 - 4. Troy & Banks Utility Billing Audit – Trustee Castañeda reported that the audit has so far found that the Village was over billed on an electric account. A refund will be forthcoming. The audit will continue.

Trustee Castañeda asked Manager Coyle to request a free energy service audit that they previously discussed.
 - 5. Village Clock – Trustee Castañeda said she is glad to see the repair of the Village Clock on the tower of the Methodist Church at Main Street and Erie Street becoming a reality. She said former Mayor J. Stull is pleased as well.
- C. Trustee Wagenhauser – No report.
- D. Trustee Nayman
 - 1. Miscellaneous Concerns – Trustee Nayman shared a few miscellaneous concerns brought to her attention by residents. The first was the Lyman Street fencing being in disrepair. DPW Superintendent said he would contact the state about this. The second was that the equipment was ordered for the Havenwood Tot Lot and residents wonder when it will be installed. DPW Superintendent said this spring.
 - 2. Legal Fees – Trustee Nayman referred to the January 17th meeting in which a Trustee said the Village has a major artery that is lacerated and continuing to bleed and that Village legal fees could reach six figures or more. Trustee Nayman said she met with Manager Coyle and gathered the past budget figures and actual expenditures for legal fees in the Village. From 2002-2003 the Village budgeted \$58,500 but spent \$149,217. From 2003-2004 the Village budgeted \$93,000 but spent \$149,634. From 2004-2005 the Village budgeted \$60,000 but spent \$139,044. Trustee Nayman said as for six figures being reached, we are already there. She said she made a motion previously to request a state and audit and Village Manager Coyle said he called the state and was told that due to the state workload that it was impossible. She said she wants to avoid past mistakes with legal fees and would like to request that a written letter be sent certified mail return receipt requested to the state requesting an audit of the previous four years of the Village administration.

Trustee Maziarz asked Manager Coyle if the state's response was verbal or written. Manager Coyle said it was verbal. He spoke with a representative from the Comptroller's Office by

phone at length. They stated that unless there was a compelling reason for an audit, the state did not have time or manpower because they are in the midst of school audits. When they think it is required, they will do an audit.

→ Trustee Nayman moved, Trustee Castañeda seconded, Mayor Wexler in favor, Trustees Maziarz and Wagenhauser abstained, carried to request a New York State audit of the previous four years of the Village administration. Said request is to be in writing by certified mail, return receipt requested.

Trustee Wagenhauser said he is not afraid of what an audit will reveal. He just does not know what will be gleaned from one. He said he does not think the issues in the past are the same ones the Village is facing now and he just does not know how this will help the Village move forward.

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PUBLIC HEARING: 8pm – Refuse Collection

→ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried to close the regular meeting and open the public hearing at 8:00pm.

Clerk Morelli shared that the legal notice was published in the Village's Official paper (Suburban News) and the Village's website (brockportny.org) and at the Village Hall. She read the legal notice as follows:

VILLAGE OF BROCKPORT
LEGAL NOTICE

Please take notice that the Board of Trustees of the Village of Brockport will hold its Monday, March 6, 2006 meeting at the Sweden Senior Center beginning at 7:00pm and will hold a Public Hearing beginning at 8:00pm on Monday, March 6, 2006, to consider the following:

- Revised initiative for the Village of Brockport to put out to bid a contract for refuse collection services.

All interested parties will be given the opportunity to be heard. Written comment will also be accepted through March 3rd to either bkptvc@frontiernet.net or Village Clerk 49 State Street Brockport, NY 14420.

Mayor Wexler read the following that was printed on the back of the agenda.

PUBLIC COMMENT GUIDELINES
PER NYCOM

The public shall be allowed to speak only during the Public Comment period of the meeting or at such other time as a majority of the Board shall allow.

Speakers must step to the front of the room.

Speakers must give their name, address and organization, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to 5 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, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the Board as a body and not to any member thereof.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board by written communications.

Trustee Wagenhauser thanked everyone for coming and said that it is important for the Village Board to hear their comments and get a handle on their needs as it relates to refuse collection. He read from his handout as follows:

“This is regarding the Village of Brockport contracting with refuse collector(s) to provide Village-wide refuse/trash collection service. The proposed procedure/service would entail refuse collection

companies bidding on a contract prepared by the Village. The winning bidder would then provide this service to either (a) the entire Village, or (b) one or more of four Village districts that would be developed. The Village would then bill residents, either on the current water billing system or separately.

Other municipalities that have experienced significant success providing this type service include Orleans County, Brighton and Churchville.

Advantages to Bidding Process

Advantages of this service would include:

1. Lowered costs to residents/business.
2. Less wear on Village streets (only one truck per street), prolonging life of streets and infrastructure.
3. The ability to control pick-up times, i.e. 5am pickups could be prohibited by contract.

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4. Refuse cans at street only one day per week, as opposed to the 2-3 days currently.
5. The ability to place more and/or other items to curb not now allowed.
6. Reduction/elimination of \$12,000+ the Village pays per year for refuse collection.

A principle advantage of this plan is financial. Experience from other governments have demonstrated about a 50% reduction in rates to about \$13 – 14/month. This equated to savings of about \$150 per year to most residents. This cost included built-in municipality administrative costs. (The New York State Comptroller also pointed to savings of 50% in a report advocating this type of plan.)

“Opt-Out” Options to Potential Plan

Currently the Village allows three refuse collectors to operate in Brockport. Until recently, there were only two providers. As a result, the overwhelming majority of residents that contract for refuse services subscribe to either Suburban Disposal Corp. or Waste Management, Inc.

At the previous public hearing, some residents noted their preference for using the Town of Sweden’s Recycling Center. With this revised plan, Village residents would be allowed to “opt-out” of this “bidding” plan and use the Town’s Recycling Center as their means of disposal. By notifying the Village of their intent, residents could use the recycling center or use other options, i.e., residents could bring trash to other localities where they have service; those seniors that have their minimal trash picked up by their families, could continue to do so. Plainly, a resident could opt out of this program and dispose of their refuse in any (legal) manner, as long as it does not consist of a refuse company other than the designated one. As a result of “opting-out” – those residents would not be charged for this service.

Other Issues

Other issues to be determined include, whether commercial or residential dumpster service should also be put out for bid. The use and amount of further “senior” discounts (i.e., those seniors receiving “star exemptions” could receive an additional 25% off the already discounted rate). The length of the contract (2-3- years) and whether the Village bids out the entire Village proper or contracts by created districts. (To ensure an active competitor for the subsequent contract, the Village may wish to ensure there are at least two viable competitors by limiting the number of districts any collector can serve, i.e., maximum 3 of 4 districts.) Among other issues, are whether Village residents provide their own cans or have them supplied by the winning bidder. (The contract could provide for multiple bids that would cover these and other such situations).

Competitive bidding process can serve as a way to save residents money, preserve our infrastructure and control our pick up times – improving our quality of life, while saving dollars.

Potential Time Line

1. Public Hearing
2. Approval by Village Board to put refuse collection out to bid.
3. Residents submit their intention to “opt-out”. (This needs to be done at this point so the refuse collectors know how many homes/businesses they are bidding on.)
4. Contract prepared
5. Refuse Haulers submit bids
6. Village Board approves bids (if desired, Board asks for survey distributed through Village Newsletter prior to approval.)
7. If approved, districts are gradually “turned over”

It could be well over a year before this plan was instituted.”

Trustee Wagenhauser said he recently spoke to a resident that takes their garbage to their cottage. He said there is someone here tonight from Orleans County who saves \$100 per year. Trustee Wagenhauser said at a time when people are confronted with increasing costs, they need to find

creative ways to make living here more affordable. This could help those having a difficult time making ends meet.

Mayor Wexler invited the public to speak.

Carol Swanger of 11 Carolin Drive questioned why Churchville recently changed. Trustee Wagenhauser said that was due to the Riga landfill offering free collection to Riga and Churchville.

Donovan Dunn of Frazier Street asked that the situation be kept the way it is where people choose their own trash removal options. He said it is more flexible. He asked the Village Board to consider not creating more government in people's lives. When this happens, prices and taxes go up. Free enterprise does a better job. He referred to a study done by the Town of Penfield. There was not enough flexibility and they rejected it because people can make their own decisions. He said the Town of Sweden Recycle Center recently doubled its fees and imposed an expiration date on stickers. He said they should have considered privatizing it so it could be done cheaper.

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Yvonne Lotta of 16 Coleman Creek Road asked that the Board not take choices away. She said it would eventually increase taxes. She said if she were able to go away for a few months, she would still have to pay. She asked that free choice not be taken away and compared this to the sewer tax wondering what more they get for that. She said she lived in the City and trash collection was on their tax bill. It was hard to get extra things picked up and if you forgot to put out your trash they would not come back until the next pick up. She said no government regulation is needed. Leave the choice to the people. She said she could change companies if she's not happy.

Betty Northrup of East Avenue said the Village has 8,300 residents and wonders if a survey was taken. If so, she was never asked. If so, she would like the results. She said in the first public hearing the waste companies stated that their hands are tied when it comes to pick up times due to the landfill closing early. Is it unlikely that the whole Village can be picked up in one day and between certain hours. If a person wanted to rent a dumpster for a big project, will they be limited to rent from a particular company? Can you opt out once you are in? Can you opt in later, if not originally? How can you opt out prior to knowing the price? Will there be a tiered system for singles, families and rental properties. Will the collection be on the water bills? If so, she said she does not pay the Village for water. She pays Monroe County Water Authority. This will be an added expense to create separate bills. How many people have actually complained about early morning pick up or cans left at the curb? Regarding the \$12,000+ the Village pays for trash collection, has this separately ever been put out to bid to get the best rate?

Ken Applebaum of 73 State Street said he feels strongly that the Village should not be in the business of garbage collection. He said he has no complaints of early noise from garbage haulers. The only early noise that is bothersome is the DPW street cleaner. He said he uses the Town of Sweden recycle center and it meets his needs. The Village should stay out of this.

Robert Sandoff of Clinton Street said this whole issue should be up to the customers, not government. This is particularly true for seniors.

Michael Exson of Bergen said he has free choice of 3 companies and that is more than fair.

Wayne Bennett of 142 State Street said he is against the proposal. He said he does not see where there will be lowered costs when government gets involved. He said the State Comptroller's report is a couple of years old based on information even older. Gas was much cheaper then. He questioned how this proposal would reduce the Village's \$12,000+ cost for refuse collection. Trustee Wagenhauser said it could be worked into the bid. W. Bennett said people must have the ability to opt out, but it seems to make it work everyone would have to opt in. He said a Village this size couldn't be handled in one day; therefore we're back to 2 or 3 days per week plus the same amount of wear and tear on the streets. He said he is for free enterprise.

John Lessord of 56 Lyman Street said he has lived in the Village his whole life. At the last meeting a remark was made to him by Trustee Wagenhauser about caring about the color of the garbage truck. He said he doesn't care about that. People should have a choice, particularly a senior citizen on a fixed income. He said the sewer tax is a good example of getting something shoved down your throat. This proposal might save the Village its \$12,000, but not the taxpayers. He said the Village should be fixing the streets that need work. However, no money has been put back into the coffers. The streets being in disrepair are not due to the garbage trucks.

Rich Miller said this might give another choice that could cost people less money. He said what he would truly like is a line item veto on the budget. However, Orleans County puts garbage collection on the tax bill and they pick up everything except tires at dramatically less cost. If the Village of Brockport can actually deliver a lower cost option, he'd be for it. He said he couldn't believe he is defending the Village, but would pick the option that's the cheapest.

Hanny Heyen of 142 Frazier Street said she has been a resident since 1969. She pays \$280 per year to Waste Management for garbage pick up of a two-person household. She said she appreciates the Village looking out for her on this issue and said hers would come down to a purely financial decision. She said she remembers some thought of this concept in the late 1990's. The important thing is that there is an opt out option.

John Bush of 157 Barry Street said he has also been a resident since 1969. He said people lose enough freedoms (i.e. the sewer tax) and they don't want to lose another. He said using the old dump on Saturdays was great. He said after the first public hearing he contacted the permitted waste haulers and was able to significantly dicker down his cost for his own and his rental properties. Regarding the trucks wear and tear on the streets, less than 50% of the houses on his street even utilize curbside pick up. He said the 7 buses that travel down his street 4 times a day cause more wear and tear. He said if rental properties were charged by the number of apartments, a 5-unit house would have 5 totes.

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Steven Changaris, Manager of the Northeast Region of the National Solid Wastes Management Association said private haulers enjoy the ability to work directly with customers. He said there is no question that the big and small companies work hard. What the Village is proposing changes the business model of the independent hauler. The hauler loses the opportunity to provide service. They work hard to support their employees and families. With a proposal like this, haulers will lose business. Some of the small haulers could even close. He said he came from Massachusetts and loves what he has seen of the Village of Brockport.

Doug of Penfield said he is a hauler for Webster, Penfield and Brighton. He said government involvement causes problems. Layoffs happened due to Brighton going with a similar proposal. Competition in business is the backbone of democracy of our country. The less government the better.

Dan Boon of Boon & Sons hauling of Spencerport said this will hurt the small companies and then you won't have competition. Competition is good. People wouldn't want Wegmans or Tops to be their only option. He said this proposal might look good at first, but will not be good in the long run.

Eric Grimm of Suburban Disposal in Spencerport said they provide the best service they can and offer a tiered system that includes discounts for pre-pay, using own totes and allow service to be turned on and off as needed. Additionally, residents here have the option of the Town of Sweden Recycle Center. The current system enables all to make the choice that is best for them. He referred to a re-allocation program with low volume users vs. high volume users. He said it is not simple math. He said the Village is looking to save on its trash pick up. It has to be accounted for somehow. There is a cost for picking up trash. The Village may bury it in a bid program, but the cost is still there. He referred to the Town of Penfield study in the 1990's done by an independent third party that concluded that individuals are much better at figuring out the level of service they need than government.

Hal Legg of Gordon Street said he has learned a lot about garbage this evening. He thanked the Village Board for at least considering creative ways to save the taxpayers money. He said they have heard about freedom of choice vs. overall costs. He said he appreciated Mr. Changaris coming from Massachusetts to represent the haulers. H. Legg said the bid is not a commitment to service. He says move forward to see if the savings are enough to offset the freedom of choice that so many hold so dearly. He said the Board should proceed cautiously but be appreciated for trying to save people money.

Val Ruoff of Waste Management said he spoke at the last public hearing and has connections with Brockport. He asked how they find out what's best for all in the Village. He knows well what the waste hauler companies are up against. He understands the issue of providing cost people can be comfortable with. He said if the government wanted the lot next to your house you would expect to be compensated for it. This is a serious issue. In the late 1980's New York State mandated recycling. Private haulers had to borrow money to get a second set of trucks, hire more employees, pay more benefits all without charging customers more money. He said they did not get the warmest reception from the bank. This was state mandated. Owners of small companies had to "suck it up". He said the Village has never experienced big service problems such as labor strikes. If they miss the pick up, they come back to get it or risk losing the customer. He said the Village of Brockport is not an island. The decision made here will effect communities elsewhere. He said he hopes the Village empathize and understand what a big matter this is to individuals and haulers.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to close the public hearing and re-open the regular meeting at 9pm.

Mayor Wexler thanked everyone for coming and providing their feedback. He said the Board would discuss the status of this proposal at the March 27th workshop.

Mayor Wexler called for a short recess before returning to the regular meeting.

E. Mayor Wexler 9:20pm

1. Appointment to Village Advisory Committee – Mayor Wexler said another position interest form was submitted for the Village Advisory Committee.

→ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried to appoint Maria Frierer to the Village Advisory Committee.

2. Adoption of the National Incident Management System – Mayor Wexler shared that at the last Council of Governments Meeting M. Meisenzahl of the County's Emergency Operations Preparedness Department asked all municipalities to adopt the National Incident Management System resolution. Manager Coyle learned today that the Police Department utilizes this and is counting on the Village's participation. It is tied to police department and fire department grants for training and must be in place by the fall of 2006.

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Trustee Maziarz said she is not trying to put a stop to it, but needs more information. She questioned how a municipality could adopt the resolution when they don't really know what they are agreeing to. She also said it contains some peculiar language having isolated out Indian Nations. Board asked that adoption of the resolution be tabled and that M. Meisenzahl be invited to the next workshop meeting to provide more information.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to table the adoption of the resolution and solicit further information.

3. Lakeside Foundation Bed Race Fundraiser – Mayor Wexler reminded the Board that LHS presented a proposal for a bed race fundraiser on July 23rd. The Board had discussed the specifics at its last workshop. LHS will handle all. The Village simply needs to close the section of Main Street from Erie Street to the Canal Bridge.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to approve Lakeside Foundation's request to utilize Main Street from Erie Street to the Canal Bridge on Sunday, July 23rd for a bed race fundraiser.

4. Remembrance Park – Walk Bike Arts & Aesthetics Committee proposed artwork – Mayor Wexler said the Board received a memo a while back regarding this proposed artwork. Trustee Maziarz said she has been informed as a member of Walk Bike, but the Village Board needs more information and to grant approval.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to table the issue and invite a representative to address the Board at the next workshop.

PUBLIC COMMENT:

1. Wayne Bennett of 142 State Street expressed concern that trucks heading for Allied and Birdseye Frozen Foods are missing the turn and then end up trying to turn down Oxford Street. Trustee Castañeda said he is a member of the Village Advisory Committee and that she did relay his concern to Manager Coyle. Manager Coyle said it was discussed at a Department Heads meeting and he contacted Allied who promised to send a memo to their truck drivers. He has not yet contacted Birds Eye Foods, but will do so to do the same and to improve their signage.

EXECUTIVE SESSION: 9:45pm – 10:20pm

⇒ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss a DPW personnel matter.

I, Leslie A. Morelli, Clerk for the Board of Trustees of the Village of Brockport, do hereby certify that the Board met in an executive session and did discuss the matters as expressed in their motion, and I further certify that no formal action regarding public funds was taken thereon.

Leslie Ann Morelli, Village Clerk

AUDIT:

→ Trustee Maziarz moved, Trustee Nayman seconded, unanimously carried that the bills be allowed and paid upon audit.

<u>Village</u>		
<u>Date</u>	<u>Check #</u>	<u>Amount</u>
2/6/06	172917	20.00
2/8/06	172922	746.87
2/9/06	172927	4.75
2/15/06	172928	390.00
2/23/06	172931-192932	2,337.00
3/1/06	172933	109.29
3/3/06	172969-172970	14,009.70
3/6/06	172971-173029	50,568.58

<u>Fire</u>		
2/6/06	172916	100.00
2/21/06	172929	101.50
3/6/06	172934-172968	29,933.47

<u>Third Party Billing</u>		
3/6/06	717-729	11,786.44

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<u>Capital Projects</u>		
2/23/06	1977	2,213.75

Sewer

<u>Water</u>		
3/2/06	1341	26,583.97
3/6/06	1342-1352	3,715.43

ADJOURNMENT:

- ➔ Trustee Maziarz moved, Trustee Nayman seconded, unanimously carried that the meeting be adjourned at 10:21pm.

Leslie Ann Morelli, Village Clerk