

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 7, 2008 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee Carrie L. Maziarz, Trustee David J. Wagenhauser, Trustee Hannelore G. Heyen, Village Manager / Treasurer Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED: DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Fire Chief Timothy Rombaut

ALSO PRESENT: Jeff Davignon, Jim & Joan Hamlin, Kathy Snyder, Norm GianCursio, Linda Borraro, William Heyen, John Lessord, Margay Blackman, Fred Webster, Robbi Hess

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

Mayor Wexler commented that his thoughts and prayers are with the family of Meredith Emerson, the hiker killed in Georgia recently. She has family members who were long time Brockport residents.

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 Heyen moved, Trustee Castañeda seconded, unanimously carried that the minutes of the meeting held December 3, 2007, be approved as written.
- ➔ Trustee Maziarz moved, Trustee Heyen seconded, Trustee Castañeda abstained due to absence, carried that the minutes of the special meeting held December 6, 2007 be approved as written.

PUBLIC HEARINGS: None

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to re-schedule the public hearing originally planned for December 17th, to January 22nd regarding proposed amendments to Village Code Chapter 42 Sewer Use and proposed Local Law regarding illicit discharge connection storm water ordinance.

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

1. Kathy Snyder of Lyman Street commented that 99 percent of the time she does not see the Board speak to each other. She said she does not appreciate rude remarks and facial expressions and suggests the Board live by the saying "If you can't say something nice, don't say anything at all".

Trustee Wagenhauser said he imagines that this comment is aimed at him since he commented that her (Kathy Snyder's) daughter wrote a letter to the editor in the local papers. Upon exiting the room, K. Snyder said D. Wagenhauser is the most arrogant, rude and condescending person she has ever met.

GUESTS: None

DEPARTMENT REPORTS: (Most Department Heads are excused from the 1st meeting of the month)

A. **PUBLIC WORKS** – Superintendent Harry G. Donahue (excused)

1. Bid results to sell 1995 Case backhoe/loader – Manager Coyle reported that one bid was received for \$18,000 from Milton Caterpillar. They expected approximately \$20,000. He said the bid is acceptable. This sale of equipment will be returned back to Project #35, Water Capital Reserve, for future water fund capital expenses.

→ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried to accept the bid of \$18,000 from Milton Caterpillar for the 1995 Case 580 Super L 4x4 Backhoe/Loader with a 4 in 1 bucket on the front and a 24" Wain-Roy quick attach on the rear with an extend-a-hoe that has approximately 3,900 engine hours on it that was used by the Brockport Water Department.

2. Remington Woods Subdivision – Phase I – Dedication – Manager Coyle said as approved by Chatfield Engineers, Superintendent Donahue and Code Enforcement Officer Zarnstorff, this is formal dedication of the roadways and infrastructure at the Remington Woods subdivision off West Avenue. All punch list items have been completed and attended to by the Developer. This is the formal step in a subdivision process – transferring the roadways and infrastructure from private hands to the Village in a dedication resolution. The pump station, plowing, street cleaning, sidewalk maintenance, infrastructure, trees, etc where applicable will now be part of

the Village.

MINUTES OF MEETING HELD January 7, 2008 continued.....page 2

Trustee Heyen suggested the Tree Board be consulted for valuable input on the trees to be installed in each tree lawn. Manager Coyle said that could be worked into the approval.

→ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried to:

- accept dedication pursuant to the following items being addressed:
 - i. Provide a two-year maintenance bond in the amount of \$54,000
 - ii. Provide a cash deposit in the amount of \$5,200 for the cost of providing and installing 26 trees within the tree lawn areas. It was agreed the trees were to be installed once more houses were constructed and during a more favorable time of year. The Board further requires consultation with the Village’s Tree Board for valuable input and guidelines.
 - iii. Parge the voids around the pipes inside manholes ST-5, ST-8, ST-9 and ST-12; replace the battery for the backup generator; caulk around the inside of the entrance door.
- Authorize a release to the developer, from the Letter of Credit in the amount of \$80,441.50 for construction regarding Remington Woods Subdivision – Section 1.
 - i. Said amount includes the release of \$1,980 for engineering and inspection related expenses to be reimbursed to the Village within 30 days.

3. Sunflower Landing Subdivision – Phase I – request for snowplowing agreement – Manager Coyle referred to DPW Superintendent Donahue’s memo relative to the request from Canalside Developers to have the Village DPW plow the development. He said normally we wait until roads are dedicated, although there is recent precedence for developments receiving authorization from the Village Board for snowplowing agreements pre-dedication. However, these developments had inhabited homes. Manager Coyle said Superintendent Donahue is non-committal in either scenario and would like Board direction.

Trustee Castaneda asked if it is better to wait for dedication. Manager Coyle said the Village Board authorized such in the past with its attorney requiring the developer signing a hold harmless agreement for McCormick Place and Remington Woods. Trustee Heyen said the plowing would allow the developer and his crews to get in quickly and safely and continuing building. Trustee Wagenhauser noted that the construction of new housing is part of the \$15 million in increased assessment referred to recently.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to authorizing the Village of Brockport’s DPW to conduct snow plowing on Anita’s Lane, located in section one of the Sunflower Landing Subdivision prior to road dedication.

**INDEMNITY AND HOLD HARMLESS AGREEMENT
(SNOW PLOWING PRIOR TO ROAD DEDICATION)**

THIS AGREEMENT made and executed this 7th day of January 2008 by and between Canalside Developers of 1600 Jay Street, Rochester, New York 14611(hereinafter referred to as “Owner”) and the Village of Brockport, a municipal corporation, with offices at 49 State Street, Brockport, New York 14420 (hereinafter referred to as “municipality”).

WITNESSETH:

WHEREAS, Owner owns a certain private road(s) known as Anita’s Lane, located in the Sunflower Landing Subdivision, section one, in the Village of Brockport, Monroe County, New York, (collectively the “Street”; and known as Sunflower Landing subdivision).

WHEREAS, Owner has completed certain work and improvements located on the Street; and

WHEREAS, Owner developed the Street with the intention of having the Street become a public road, however, the Municipality is not yet willing to accept dedication of the Street; and

WHEREAS, Owner and Municipality agree that the Street requires snow plowing and all services associated with snow plowing and Municipality is willing to plow the snow and provide such services provided that it is not held responsible for acts occurring in the regular performance of such services, and

WHEREAS, Owner and Municipality wish to confirm and allocate certain rights and responsibilities in connection with the provision of the above referenced snow plowing and related services.

NOW, THEREFORE, in consideration of the mutual benefits and promises contained herein and other good and valuable consideration, the Municipality at its own cost and expense agrees to perform all necessary snow plowing and all similar and related services for the Street and Owner agrees to

indemnify, defend and save municipality harmless from and against any and all liability, loss, damage,

MINUTES OF MEETING HELD January 7, 2008 continued.....page 3

cost and expense, including court costs and attorney's fees of whatever nature and type that Municipality may hereinafter suffer, incur, or be required to pay in connection with any damage to property caused from the regular performance of snow plowing and related services associated therewith for the Street, excepting however any liability loss, damage, costs or expenses, including attorneys fees, incurred, suffered or required to be paid in connection with any damage to property caused by and gross negligence or intentional misconduct by the Municipality or the Municipality's agents, employees, successors and assigns.

This agreement shall remain in full force and effect until the Street is dedicated to the Municipality and it becomes a public road.

This agreement may be executed in counterparts when each part is taken together they shall constitute the entire agreement.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti (excused)

1. Bid results to sell 2004 Ford Crown Victoria – Manager Coyle reported that two bids were received. One was for \$3,145 and the other was for \$2,166. He said they expected approximately \$3,000 and recommended the high bid of \$3,145 be accepted.

→ Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried to accept the high bid of \$3,145 from Grace quality Used Cars, Inc. for the 2004 Ford Crown Victoria with 68,242 miles on it that was used by the Brockport Police Department.

C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff (excused)

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut (excused)

1. Accept slate of 2008 elected officers – Mayor Wexler read the entire slate of Brockport Fire Department officers for the year 2008. This includes the leadership of Timothy Rombaut as Chief, Scott Smith as Deputy Chief, Michael Henry as Assistant Chief and Lucas Vandervort as EMS Chief. They will be sworn in at the 7pm department meeting tomorrow evening at 38 Market Street. He encouraged Board members to attend.

→ Trustee Castaneda moved, Trustee Heyen seconded, unanimously carried to accept and congratulate the slate of 2008 elected officers for the Brockport Fire Department.

E. VILLAGE MANAGER / TREASURER - Ian M. Coyle

1. 2008 Edu Cable Contract – Manager Coyle recommended a renewal of the standard public access channel contract with EduCable for broadcasting of our Village Board meetings. The Village pays a portion of the Time Warner Cable franchise fees for this. He said EduCable is not involved in taping our meetings, but can assist with technical recommendations upon request. He said he has reached out to Brian Caterino at EduCable and asked him to come out

Trustee Castaneda said she knows we have had some concerns for some time and that Manager Coyle has tried to get volunteer students from BCSD and SUNY to operate the camera. She recommended renewing the agreement as airing the meetings allows for a good way to keep the residents informed. She said denying this would be unfair to the taxpayers.

Trustee Heyen suggested advertising it as a minimum wage position with a preference for a responsible individual with audiovisual experience. This could be capped at \$225 with minimum wage of \$7.15 per hour times an average 2-hour meeting times 11 meetings left in the fiscal year. She said otherwise the \$3,000 for the contract is not worth it if the audio-video is not good. Trustee Heyen said there needs to be a proper accounting of the meetings so the people speaking can be seen and heard.

Trustee Castaneda said she would first like to take the suggestion a resident made of relocating the camera. That combined with taking advantage of technical assistance from EduCable might make the difference. Trustee Heyen said the Board has been over this issue so many times and everyone wants it to work. She said she would hate to lose more time since this has been an ongoing issue. She recommends getting technical assistance from EduCable and advertising for a camera operator. Trustee Maziarz said it couldn't hurt to do both.

→ Trustee Castaneda moved, Mayor Wexler seconded, unanimously carried to adopt the 2008 Edu Cable Contract as follows:

THIS AGREEMENT between Village of Brockport Monroe County, New York, a municipal corporation having offices at 49 State Street Brockport, New York 14420, hereinafter referred to as the Village, and Educable Communications Corporation, a not for profit corporation having offices as 2221 Ridgeway Avenue, Rochester, New York 14626, hereinafter referred to as "Educable."

MINUTES OF MEETING HELD January 7, 2008 continued.....page 4

WITNESSETH:

In order to promote public and governmental access programming in the cable area servicing the residents of the Village, Educable Communications Corporation agrees to provide management, services, facilities in accordance with the following provisions.

- (1) Designated public and governmental channels will be maintained for use by the residents of the Village and local governments for public service programming, municipal services and local expression.
- (2) Cable casting time shall be made available on a first come first served basis at no charge to any individual, association or organization desiring to use it. Programs should conform to access guidelines.
- (3) If public access equipment is made available, Educable will enforce procedures for its use on a first come first serve basis. Access users will be fully liable for damage to the equipment.

Educable will develop procedures:

- A. For scheduling the use of air time -- cable casting of programs and the use of access equipment (if it becomes available) on a first come, first served basis; and
- B. For registering and resolving complaints regarding channel availability, priorities and usage.

(4) Educable Communications Corporation shall adopt business hours which shall provide for cable casting of programs for a minimum of 20 hours per week between the hours of 6 p.m. to 10 p.m. (Monday-Friday).

(5) Records shall be maintained of the use of the designated television channels, including the names and addresses of persons and organizations providing programming for such channels; such records shall be available locally for public inspection and retained for a minimum of two years;

(6) Educable shall provide adequate programming and technical staffing for the maintenance and operation of the access channels, faculties, studio and equipment.

(7) Educable shall provide information to the public on the availability of the access channel and ensure the development and propagation of public access as a vital community resource.

(8) Educable shall create and maintain an access Advisory Board. The Board will hold regular meetings as it deems appropriate. The Board shall review and monitor access policies and procedures.

(9) Educable shall provide the Village with quarterly reports on channel usage and a program log.

(10) Educable will maintain a Community Bulletin Board for community use on Cable Channel 15

(11) Educable Corporation will staff the station during any DECLARED EMERGENCY in order to furnish the community with up to date information on the emergency.

(12) In consideration for the above, the Village will pay Educable Communications Corporation 5% of the franchise fee paid to Village by Time Warner Communications for the 2008 year.

- A. Educable shall provide the Village with a statement certified by Time Warner Communications which indicates the franchise fee paid within the service area of the Village as of January 1st of each year for which the provisions of this agreement are in effect. Said statement shall be provided to the Village as soon as possible.
- B. Payments shall be made on a semi-annual basis in January and July basis upon the promulgation of the necessary forms as approved by the Village of Brockport Village Manager.
- C. Overall services and costs are shared by those municipalities who are current in their affiliation with Educable Corporation. However, the Village's liability shall be limited to the affiliation fees specified in Paragraph 12.

(13) The Term of this agreement shall be for a period of one (1) year, commencing on January 1, 2008, and ending on December 31, 2008.

MINUTES OF MEETING HELD January 7, 2008 continued.....page 5

→ Trustee Heyen moved, Trustee Maziarz seconded, Trustee Castaneda opposed, carried directing the Village Clerk to place an advertisement for a part time camera operator for Village Board meetings at \$7.15 per hour through the end of the fiscal year.

2. Parking Ticket Processing Update – Manager Coyle shared that he and Police Chief Varrenti have met a couple of times on the issue of resolving the deficiencies / disconnect between the Town of Sweden Court Clerks and Statewide Computer, the vendor hired by the Village regarding the collection of delinquent parking tickets. Mayor Wexler said he and Manager Coyle have a meeting scheduled tomorrow with a possible new vendor.

F. CLERK - Leslie A. Morelli

VILLAGE BOARD REPORTS:

A. Trustee Maziarz

1. Rose Loomis Tour Boat – Trustee Maziarz shared that she was introduced to a new program – a tour boat called the Rose Loomis that will be docked in Spencerport next boating season. It will be sponsored through grant funding and offer educational tours to 4th – 8th graders and lunch and dinner cruises to the public as well as special events such as cheap date night, happy hours, and restaurant sampler nights. The tentative plans are for it to be in Spencerport Monday through Friday and Brockport Saturday through Sunday. The merchants associations of Spencerport and Brockport are working on this. It is a Coast Guard approved 1953 vessel with paddle wheel and has previously been in Chattanooga, Tennessee, Vicksburg, Mississippi and Sodus Bay, New York. It was renovated in 2001 and Captain John Cooper ran it out of Geneva. The promotions director and program coordinator is Nellie Gardner, a marine biology graduate from Cornell. This will be a wonderful addition to the West side, as individuals and groups usually have to go to the East side of Monroe County for tour boats.

Trustee Maziarz said the Village would need to write a letter of support and indicate that it has a reserved spot on the canal wall for it for weekends and special events.

2. Trustee Maziarz said this is preliminary and those parameters will be further defined at a later date. She said N. Gardner would like to present to the Village Board at a future meeting or workshop. At this point, the letter of support will help them get the process started.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to accept the draft letter of support and allow it to be sent to the New York State Canal Corporation.

B. Trustee Wagenhauser

1. Village Attorney Search Process – Trustee Wagenhauser shared that applications have been received, resumes reviewed and the interview process will begin next week.
2. Holiday Benefit Concert – Trustee Wagenhauser thanked the Brockport Community Big Band, Mark and Linda Ketchum and Nancy Duff and all those who attended and supported the holiday concert which benefited the Brockport Food Shelf.
3. Employee Health Insurance – Trustee Wagenhauser said everyone is aware of the double-digit increases in health insurance costs and dramatic effect on employers. He said municipalities are no exception. He said he crunched the numbers, developed a plan offering, called a special meeting of the Village Board on December 6th where the offering was approved, and held 2 informational open enrollment meetings with employees and retirees. Trustee Wagenhauser stressed that the main difference is not in what the plans cover, but in the Doctor visit and pharmacy co-pays.

To encourage Village employees and retirees to go with the less costly plans, they have been offered an HRA (health reimbursement account), which is a debit card to assist with co-pays and out of pocket medical expenses. The initial offering ends this week, but there may be a lesser offering in June for a July 1st open enrollment. He said it is a true win-win and the Village has saved \$45,000 thus far. He said this is just one more way to help control costs, make government more affordable and secure a much-needed tax cut. He thanked Trustees Heyen and Maziarz and Manager Coyle for checking his numbers.

4. Village Tax Cut – Trustee Wagenhauser referred to a recent Letter to the Editor signed by he, Trustee Maziarz and Trustee Heyen that was meant as a non-threatening message of hope regarding cutting Village taxes. He said he never thought he'd hear people complain about a tax cut. He referred to the somewhat mean spirited Letters to the Editor in response from Mayor Wexler and Meghan Macintyre, Village resident Kathy Snyder's daughter. Trustee Wagenhauser said one shouldn't ask a question, if they don't know the answer. He said

MINUTES OF MEETING HELD January 7, 2008 continued.....page 6

Village assessments were increased by \$15 million this year by our good friends down the street – the Town of Sweden. That's a \$25 million increase in two years plus \$1 million in reserve and the Town still raised taxes. He said assessment increases do not always equate to a tax cut. The Village does not need the assessment increase to get a tax cut. However, it will certainly make the tax cut bigger. He said he did not interfere with the Treasurer's role of preparing a proposed budget. It is the right and duty of every Trustee to review and work on the budget year round. In fact, many say it is about time the Board members scrutinize the budget.

5. Smith Street Bridge – Trustee Wagenhauser said he spoke with retired NYSDOT official and current consultant Lew Gurley regarding the Smith Street Bridge. It is highly unlikely that NYDOT will repair and maintain this bridge. However, as we know, they have offered to repair it and turn it over to the Village for ownership and maintenance. It has been determined that regular maintenance is negligible. The DPW and Fire Department will need to hose down the bridge each year. If use is restricted by closing it during the snow season so as to avoid salt, it will keep maintenance costs down and prolong its life. Trustee Wagenhauser said it is not a question of whether the Village agrees to have NYSDOT repair the bridge, but whether we take ownership and maintain it after that. After having done due diligence on the issue, the time for talking is done.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded that the New York State Department of Transportation (NYSDOT) be notified that the Village accepts its proposal to make the necessary repairs to the Smith Street Bridge, that the Village of Brockport will then take ownership of said bridge and set aside money for nominal maintenance. The Village strongly urges that the repairs be made and the Smith Street Bridge be re-opened to traffic prior to NYSDOT beginning its reconstruction of Route 19 (Main Street).

Mayor Wexler commented that the issue of the Smith Street Bridge was on the December 17th meeting agenda that had no quorum and on tonight's agenda. He said he planned to update the Board and public and his and Manager Coyle's December meeting with Lew Gurley. He said the agenda item was under his name and wondered if his name changed to David Wagenhauser. However, since it was brought up, he said the Village would need to be careful not to hose down the Bridge into the Canal water as he recalls a former DPW Superintendent doing so wrongly. Mayor Wexler said the Village owes it to its taxpayers, particularly those in the northwest quadrant, to do something. He reminded the Board that the Village has been trying to get specific information from NYSDOT for some time. Mayor Wexler shared that L. Gurley did say closing the Smith Street Bridge for 3 to 4 months each winter would almost double the life from 15 to 25 or 30 years before any large repairs or needed.

Mayor Wexler responded to Trustee Wagenhauser's comments about the budget and said each Board member tries in their own ways to come up with ways to cut costs. Some are trying to do so with union contract negotiations.

Trustee Maziarz suggested Mayor Wexler keep to the topic at hand – the Smith Street Bridge. Mayor Wexler stated that he has the floor. Trustee Maziarz said the Board was in the middle of discussion on a motion.

Trustee Heyen said L. Gurley's recommendations seem to be sound and this is good news. At least 2 bridges will be open and functioning at all times. She said she is in great hopes that NYSDOT will repair and reopen the Smith Street Bridge prior to commencing the Main Street rehabilitation project.

Trustee Maziarz said Village representatives met with its State representatives when NYSDOT first closed the bridge a year and a half ago. While this may not be the perfect solution and the Village would have preferred that the state keep ownership of it, at least the bridge can be fixed and reopened. She said the Main Street rehabilitation project would be a burden on the community and the downtown merchants. However, traffic detouring would be worse if the Smith Street Bridge remained closed.

Trustee Castaneda said when this first started, she had a knowledgeable Village resident, Dan Blackburn, come in to speak with the Board. He provided the same recommendations as L. Gurley quite some time ago. She said she believes there are still questions regarding the Village's liability if it assumes ownership of the bridge. Further, the information requested from NYSDOT such as sample contract with another municipality has still not been received. Trustee Castaneda said it would be a cost – maybe to future generations. While she agrees that the Village needs to move forward, she suggested holding off a little longer to get the information requested and answers to remaining questions.

MINUTES OF MEETING HELD January 7, 2008 continued.....page 7

Trustee Wagenhauser commented that in regards to liability, the bridge would be considered just another piece of infrastructure. The State has a standard contract and the Village has really been given no choice. We went the route of soliciting assistance from State officials, letters and petitions signed by the community and the hiring of a consultant. We have really exhausted all means. Trustee Heyen said the Board would still need to review and approve the actual contract. Trustee Wagenhauser commented that in regards to future generations paying the cost, the Village could decide to close and barricade the bridge in the future, just as the state did. He said we are somewhat lucky that the state will repair the bridge. We need to work with what we have.

Mayor Wexler shared that L. Gurley learned that the initial NYSDOT plan was to remove the Smith Street Bridge. Then it was changed to their being willing to fix it if we took ownership afterwards. He said the state looks at this high bridge as a dinosaur. However, this community knows it is still needed.

→ UNANIMOUSLY CARRIED.

C. Trustee Heyen

1. Library – Trustee Heyen reported that the Seymour Library's budget of \$516,096 is in place. Although it was a difficult budget process, the Director and Library Board have worked very hard and managed to strengthen some areas, but not all that they wanted. She commended them for their work.
2. Clinton Street Sewer Project – Trustee Heyen commended the DPW for their work on Clinton Street where a manhole sunk. This project was bumped up due to the situation. Grant funds are forthcoming.
3. Septemberfest 2007 – Trustee Heyen shared that the Walk Bike Brockport Action Group and the Emily L. Knapp Museum and Library of Local History will be splitting \$150 from the proceeds of participating in Septemberfest 2007.
4. Tree Board – Trustee Heyen reported that the Tree Board meetings tomorrow evening. Plans are underway for this year's Arbor Day planting program. Fayette Street will be the focus. She said they are also devising a donation form in an effort to raise funds for more trees. This would involve an "in honor of" plaque. Trustee Heyen commended the DPW for planting 3 trees on Brockway and 3 trees on Utica Street in between snowfalls.
5. Annual Audit – Trustee Heyen shared that Christopher Trento's annual audit was completed. She thanked him for his report and internal controls recommendations.
6. Use of Village Letterhead - Trustee Heyen copied the Board on a thank you letter she wrote on Village letterhead to Nancy Duff and the Sweden Senior Center for their participation in the Lois McClure events. She said she believes it is good policy for Board members to copy each other and the Village Clerk on any correspondence they send in their capacity as elected officials and that Village letterhead be used when appropriate. Trustee Heyen again asked Trustee Castaneda for a copy of the letter she indicated sending to County Executive Brooks in November.
7. Parks Committee –
Barry Street Park – M.O.U. Funds - Trustee Heyen followed up on the second meeting held with the public regarding the Barry Street Park and the use of \$62,000 in funds from the Village's MOU (memorandum of understanding) with General Electric / Black and Decker. A list of items and related costs was distributed to the Board. She clarified that the tennis court includes the post and resurfacing as well as the fencing.

→ Trustee Heyen moved, Trustee Maziarz seconded, unanimously carried to approve the expenditures listed on the Parks Committee document which was generated by input from the public and reviewed

by DPW Superintendent Donahue totaling \$59,000 plus shipping and handling to be capped at \$62,000.

Mayor Wexler thanked Trustees Heyen and Castaneda and Parks Committee Chair Andrea Perry and members as well as the involved public for working together on this effort to refurbish and enhance the area of and surrounding the Barry Street Park.

Updated Descriptions of Parks – Trustee Heyen commended the Parks Committee and member Cynthia Baldwin in particular for their work on updating the history and description of each of the 9 Village parks. This can be posted on the Village’s website and used in brochures. She asked the Board to consider adopting these descriptions.

→ Trustee Heyen moved, Trustee Castaneda seconded, unanimously carried to adopt the Parks description and history as follows:

MINUTES OF MEETING HELD January 7, 2008 continued.....page 8

Brockport’s Parks: A History and Description
Village of Brockport, New York

Barry Street Park

This park, located between Barry Street and Lyman Street north of the Erie Canal, includes (2) tennis courts and the only basketball court in the Village’s nine parks. The Barry Street Park is 1.5 acres in size and has plenty of open space for activities for all ages, including recreational football games. Young children have benefited from the efforts of the Brockport Integrated Service and Community Organization (BISCO) when it added playground equipment in 1999. A new parking lot and boundary fence was completed in 2007, but this is only the beginning of more upgrades recommended by the Village Parks Committee with input from the Barry and Lyman Street area residents. In 2008, improvements to the tennis and basketball courts, and the additions of toddler swings, benches, a pavilion (donated by PetSmart) with an American Disabilities Act (ADA) compliant accessible picnic table with benches, a climbing tunnel, new trees, and better lighting, will complete the renovation project.

Corbett Park

Corbett Park was named in 1975 to honor the families of John and Patrick Corbett who once owned a substantial amount of land around Smith Street. The Corbetts would cut ice in the winter to be stored in their ice house next to the pond. After refrigeration it became a favorite place to ice skate. This 9.7 acre park is located at the southwest corner of Smith Street and Clark Street and is the Village of Brockport’s largest park. Through the efforts of BISCO there is a large play area. Corbett Park contains an open pavilion (thanks to Eagle Scout Kevin Rombaut) complete with eight picnic tables (thanks to Eagle Scout David Moon). In addition, several picnic tables and grills are located throughout the treed area of the park. Corbett Park has three tennis courts, an area for basketball, and a large open space that leads to the Erie Canal. A paved walking path winds through the park and past the pond.

Evergreen Tot Lot

Playground equipment in this park, geared mainly for the younger members of our community, includes swings, a slide, 2 balance beams, a spring seesaw, and a turbo tower climber. There are also two park benches and a bike rack. This tot lot at 211 Evergreen Road is on three tenths on an acre and, thanks to Eagle Scout Jay Thomas, includes a paved path and wooden steps with hand rails that leads up to the beautiful Erie Canal.

Harvester Park

In 1845 William Seymour and Dayton Morgan began quantity production of Cyrus McCormick’s Harvester Reaper. Now the location of the oldest reaper factory in the world is home to beautiful Harvester Park. Nestled on the banks of the Erie Canal this park is located on the corner of Water Street and Park Avenue. The two story Welcome Center located in the park features two handicapped accessible bathrooms with showers, a coin operated laundry, Harbormaster Suite, and a common room with cable television with DVD and wireless internet. Canal travelers can enjoy fresh coffee prepared by one of our eighty-five volunteers. Eleven pedestals can accommodate a total of twenty one tie-ups with dockside water and electric only steps from picnic tables and grills. A low level landing for canoes and kayaks makes a welcome site for those who choose to paddle to Brockport. The Center is open seven days a week from 10:00 a.m. to 8:00 p.m. during the regular boating season. The Walk! Bike! Brockport Committee raised the money to bring the Bill Stewart metal sculpture “Howdeee” to the waterfront.

Our Harvester Park/Welcome Center project won designation as a 2005 “Project of the Year” by the Awards Committee for the American Public Works Association. Harvester Park is a short walk from downtown, our “Victorian Village on the Erie Canal.”

Havenwood Tot Lot

This playground, located at 47 Havenwood Drive, is two tenths of an acre and is geared mainly for the younger members of our community. Playground equipment includes swings, a slide, 2 balance

beams, s spring rider, an e-z digger, a rockblock climbing tunnel, and a turbo tower climber. There are four park benches in the Havenwood Tot Lot.

Remembrance Park

Brockway's Port was our village's original name—in honor of Hiel Brockway who together with James Seymour founded our fine Village. When Mr. Brockway laid out the village he made no provisions for a park so this triangular piece of land on Park Avenue, between High Street and Spring Street, was set aside for this purpose. This previously unnamed park is now known as Remembrance Park as it was dedicated in remembrance of all the civilians who lost their lives due to the terrorist attacks on September 11, 2001. The Royalty Flowering Crabtree in the southwest corner was donated by St. Luke's Episcopal Church in celebration of thanksgiving for shared community partnerships in ministry. In 2006 the Art & Aesthetics Committee of the Walk! Bike! Brockport Action Group presented the Village with the sculpture "les Racines et Les Raisons" (French for "The Roots and the Reasons") that was created by SUNY Brockport Professor and artist, Jennifer Hecker. The Victorian bench, donated to Remembrance Park by neighbors and friends, offers an ideal spot for rest and reflection.

MINUTES OF MEETING HELD January 7, 2008 continued.....page 9

Sagawa Park

Although this is the smallest of our village parks (73' x 100'), its location at 96 Main Street is ideal for our summer concert series "Summer Serenades" and for family events like "Cool Kids in the Park," a program designed to feature performances and interactive presentations geared toward the younger audience. What a perfect spot for the ceremonial lighting of our community Christmas tree! Mrs. Patricia Sagawa presented land for this park to the village in memory of her husband, the late Dr. Hidetaka Sagawa, who died in 1995. She personally provides for the park's annual upkeep. Dr. Sagawa was a former president of Lakeside Memorial Hospital medical staff and chief of surgery.

South Avenue Park

For the past 125 years village residents have admired the majestic height and form of the beautiful beech tree that sits in the southeastern quadrant of our Village. Located on a corner of approximately one acre of land at 52 South Avenue, it is surrounded by open space that was once the site of the Dailey homestead. The land was sold to the Village in 1997 and was designated as a park by the Village of Brockport in the Fall of 2006. Individuals, families and groups enjoy using the spacious green unencumbered area for games and picnics.

Utica Street Park

For nearly fifty years, this park was the location of the Grammar School which was built as a village school. Elizabeth S. Barclay was principal of the Grammar School from 1904 until her retirement in 1934, one of the longest tenures of any administrator in the Town of Sweden. (The first elementary school on the Centralized School complex was appropriately dedicated to her memory.) The school was demolished during the 1950s and the site has since been used as a playground. Community members came together in 2000 to upgrade this popular playground in the center of Brockport. The new playground equipment they installed complies with the Americans with Disabilities Act (ADA) Accessibility Guidelines for Play Areas so that all our kids can grow in a fun, engaging, challenging, all-inclusive play environment. Located at the intersection of Utica and Holley Streets, this park/playground covers nine tenths of an acre. Handicap accessible picnic tables are planned to be placed under the pavilion that was donated by Petsmart.

8. Main Street Rehabilitation Project – Trustee Heyen suggested that while there is still time, that the Village place a request with Congressman Reynolds for appropriations to assist with the Village's portion of the Main Street Rehabilitation Project. While earmarks are still going on in Washington, we want to be a part of it. This includes getting letters of support from adjacent municipalities, the hospital and those impacted by the Route 19 rehabilitation. This will help Congressman Reynolds prioritize where member monies go.

→ Trustee Heyen moved, Trustee Castaneda seconded, unanimously carried authorizing the submittal of a financial assistance appropriations request to Congressman Reynolds regarding the Main Street Rehabilitation Project.

9. Trustee Heyen read the following prepared statement.

"In January of 2006, I found myself in a room surrounded by many friends who wanted me to run for Village Trustee. I did. My love for Brockport is what motivated me to seek public office. I remain grateful to the 580 people from across the Village spectrum who voted for me.

Tonight, I want to thank the many Brockport residents who have encouraged me to seek re-election. But, I want to tell you now, five months ahead of time, that for many personal and professional reasons, I won't be running for Village Trustee again. I have given this a great deal of thought. It was an extremely difficult decision, but the right one for me. By making my decision now, those who choose to run for Village trustee will have ample time to plan for the upcoming election in June.

I can assure you that I won't be a "lame duck" during my remaining time in office, but instead will dig in and keep working hard as always to keep our historic Village vibrant and affordable and safe. When my term ends, I plan to continue my public service involvement in our community.

I have been privileged to serve the residents of Brockport."

Mayor Wexler said Trustee Heyen may be accused of a lot of things, but certainly can't be accused of being a lame duck.

D. Trustee / Vice Mayor Castañeda

1. Village Advisory Committee – Trustee Castaneda said the last meeting was December 11th and they will meet again tomorrow evening.
2. Possible project – Trustee Castaneda said that on December 14th, she, Trustee Heyen and Trustee Wagenhauser attended a meeting on a project that looks hopeful for the Village. She said she couldn't comment further at this time.

MINUTES OF MEETING HELD January 7, 2008 continued.....page 10

3. Monroe County Association of Villages – Trustee Castaneda said that on December 20th, she attended the Mayors Association meeting in Mayor Wexler's place. Issues discussed included the intermunicipal agreement regarding sales tax revenues and rising health insurance costs. She said Hilton's Mayor Gursslin shared some information on health care savings that she passed on to Manager Coyle.
4. Budget – Trustee Castaneda said she does not deny that one of the duties of Trustee is to work on the budget, she said she believes the concerns raised center around the issue of 3 or more elected officials meeting which constitutes a quorum and that of the Treasurer not yet having presented a proposed budget to the Board.

E. Mayor Wexler

1. Intermunicipal Agreement re sales tax revenue – Villages in Monroe County - Mayor Wexler reminded the Board of the November 16th request to approve and return the intermunicipal agreement to the County by December 12th. That was delayed so that the attorney hired by 9 of the 10 involved Villages could review it. According to Attorney Skivington, there was nothing in the agreement that would harm the Village's and he recommended it be accepted. Mayor Wexler asked Manager Coyle the status of the other Villages. Manager Coyle said he knows that Churchville, Fairport, Pittsford, Spencerport and Webster have signed it and Hilton tabled it. The City of Rochester did not approve it. Mayor Wexler said it is still based on the same formula for sharing sales tax revenues that we've had.

→ Trustee Castaneda moved, Mayor Wexler seconded, to approve the agreement. Opposed: Trustee Wagenhauser, Trustee Maziarz, and Trustee Heyen. Motion defeated.

Trustee Wagenhauser said the question has really not been answered as to what happens if we don't sign it. He said he recently received information from the County that indicates that if we don't sign it, we still get our money. Manager Coyle commented that although it may not make sense, he concurred that the information reads that we will still get our money whether we sign it or not.

Trustee Castaneda said the attorney representing us recommends signing it. Mayor Wexler said yes. He said if there were any concerns that would hinder the Villages from receiving remuneration, he would have advised differently.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded to table the matter.

Mayor Wexler said he needs to specify tabling it to what meeting date. Trustee Wagenhauser said he would not be at the next meeting.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Castaneda opposed, carried to table the matter to the January 28th workshop.

Mayor Wexler suggested that any remaining questions be asked in advance so that action can be taken.

2. Stetson Club Contract – Mayor Wexler announced that on January 4th, he authorized the attorney representing the Village in contract negotiations to file a declaration of impasse with the Public Employees Relations Board. A mediator will be sent out to discuss with both sides the outstanding issues to see if a resolution or compromise can be reached. If mediation fails, it goes to binding arbitration where both sides accept what a 3-person panel decides.

PUBLIC COMMENT:

- 1. Joan Hamlin of Park Avenue asked the amount paid to Attorney Skivington to review the Intermunicipal Agreement. Mayor Wexler said nine of the ten Monroe County Villages paid \$100.

Trustee Wagenhauser referred to the letter to the editor signed by he, Trustee Maziarz and Trustee Heyen before the holidays regarding the budget and Village taxes. He said there have been no quorumed meetings on this and stressed that all of the information is available if you just look.

Trustee Wagenhauser commented that he is sorry that Mayor Wexler had to announce that he failed to bring back an agreement with the Stetson Club. This is a missed opportunity to save money. Mayor Wexler said all sides are or will probably be sorry. Once it goes to arbitration, the sides won't be talking.

AUDIT:

- ➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried that the bills be allowed and paid upon audit.

MINUTES OF MEETING HELD January 7, 2008 continued.....page 11

	<u>Check Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	12/19/07	176228-176336	\$179,262.79
	1/9/08	176355-176415	\$114,550.29
<u>Fire</u>	12/18/07	176258-176277	\$119,207.41
	1/8/08	176340-176354	\$28,644.01
<u>Third Party Billing</u>	1/8/08	1156-1168	\$9,000.80
<u>Capital Projects</u>	12/19/07	2166-2170	\$9,736.83
<u>Water</u>	12/19/07	1880-1887	\$38,896.83
	1/8/08	1889-1894	\$5,435.66

ADJOURNMENT:

- ➔ Trustee Maziarz moved, Mayor Wexler seconded, unanimously carried that the meeting be adjourned at 8:30pm.

Leslie Ann Morelli, Village Clerk