

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, April 16, 2007 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, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Village Manager / Treasurer Ian M. Coyle.

EXCUSED: Clerk Leslie A. Morelli

ALSO PRESENT: Fire Chief Timothy Rombaut, John Lessord, David Jewell, Mary Jo Nayman, Jessica Alspar, Jim and Joan Hamlin, Art Appleby, Kathy Snyder, Norm GianCursio, Linda Borrayo.

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 April 2, 2007.

➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried that the minutes of the meeting held April 2, 2007, be approved as amended.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

GUESTS:

1. Art Appleby for May 6th CROP Walk – Art Appleby was in attendance to review his procession application for the annual Crop Walk to be held Sunday, May 6th from 1pm to 4pm. He shared that Church World Services is celebrating its 25th year of the Brockport Ecumenical Council Crop Walk for World Hunger. Some of the funds raised stay in Brockport. They do not need to close any streets.

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to approve the procession permit.

2. Dave Jewell for August 25th & 26th Soap Box Derby – Dave Jewell was in attendance representing the Brockport Kiwanis and shared that last year's soapbox derby held on Smith Street from the Bridge to Clark Street was a big success. He said they appreciated the Village's support. They would like to do it again in the same location. He said although homeowners on those streets were mailed a notice, some seemed surprised. They hope for 50 racers this year and would like to expand by putting a few vendors in Corbett Park. They would like to put a few directional signs around the community and request the Police Department to do periodic drive throughs. They would also like to have the Police Department make their bike inspection program available, as children are a target audience for the soapbox derby. They will have 2 port-a-potties in the gravel lot.

Trustee Maziarz said she sits on BISCO and asked if they would consider bumping it up a couple of weekends and having it during the Arts Festival weekend. It could be an addition to Cool Kids Day. D. Jewell said he also sits on BISCO and said there had been some brief discussion of that, but the Arts Festival being such a busy weekend was a concern as well as some logistical issues. The timing does not work for many soapbox derby folks. He said it might be able to be combined in the future.

Trustee Castañeda asked D. Jewell if he would be able to attend the next workshop meeting for further discussion. D. Jewell said he is not available April 23rd, but could attend May 29th.

PUBLIC COMMENT:

1. John Lessord of Lyman Street expressed concern of the large steel cables on a broken cement post at the corner of Lyman Street and Fayette Street. It sticks out on the bike bath and someone could get hurt. He reported it to the past Village Board and NYSDOT came out and took pictures. He asked that someone in this administration do something to get it resolved.
2. Mary Jo Nayman of Carolin Drive said she thought that having the soapbox derby on Smith Street last year was temporary. She expressed concern that they are looking to expand with vendors and said there is already a problem with ducks being fed at Corbett Park. Regarding the corner of Lyman Street and Fayette Street, she said when she was on the Board, the state was supposed to take care of it. She said the Village should put the pressure on the state. Regarding Caroline Drive street lighting, she reminded the Board that when J. Matela was Mayor and B. Upson was DPW Superintendent, the Board approved 2 additional streetlights. It is shown in the meeting minutes. She suggested Manager Coyle look into what happened to the money allotted for them. She said recently Mayor Wexler and DPW Superintendent Donahue spoke to approximately 7 of her neighbors, only on the cul-de-sac, regarding a proposal to either leave it as it is or

remove a decorative pole and erect a telephone pole with a new light. If they put up the old style, it is not right **MINUTES OF MEETING HELD April 16, 2007**
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for the taxpayers. Decorative lighting is there and should be matched. There is decorative lighting at the Visitors Center. Why have it in a neighborhood and take it away. She suggested the Board check out how many locations have decorative lighting in the Village. The Village has spent lots of money for things like the Tree Board's trees, but she believes the north side of the canal is treated like slums. She questioned how many trees are designated for the north side and reminded the Board that they pay taxes too.

3. Joan Hamlin of Park Avenue asked about the big flag on Park Avenue that was taken down some time ago. DPW Superintendent Donahue said the pole needs a new rope, scraping and painting. She asked that the flag be up before Memorial Day.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Carolin Drive Street Lighting – DPW Superintendent Donahue referred to his February 27th memo and reported that he and Mayor Wexler have since gone house to house on the cul-de-sac to gather resident input. The consensus was to leave the decision to the Village Board. He suggested that he, Mayor Wexler and Mary Jo Nayman get together to examine the options. MJ Nayman said that would be fine.

Trustee Wagenhauser said the people on Cherry, Evergreen, Clark, etc. have the same number of street lights as Carolin Drive. He said he thought maybe crime was an issue on Carolin Drive, so he asked Chief Varrenti for the statistics and learned that there is no more crime on Carolin Drive than anywhere else in that area. Trustee Wagenhauser said he is in favor of getting what we need. He said he's heard Carolin Drive are taxpayers, but so are all the other streets in the Village. Why is Carolin Drive any different from any other street?

Mayor Wexler said the previous Board said there would be a certain number of lights. It appears then Mayor Matela and then Superintendent Upson promised something that couldn't be done.

Trustee Wagenhauser said what Superintendent Donahue heard from National Grid is that what the past Village Board promised couldn't be done. National Grid will not install any additional street lighting on an existing street, only on new streets, and there was an issue with having to gain access from the rear of various properties, which is costly and requires easements. They said a wooden pole with a mast arm with a fixture shining out over the cul-de-sac in place of the existing decorative pole would provide the needed light and be most efficient by paying for itself in 7 years.

Mayor Wexler said he and Superintendent Donahue and MJ Nayman would meet and return to the Board with options. He knows some lighting was installed near the Roxbury. H. Donahue said the installation situation is much more involved and costly on Carolin Drive. Only a masthead and bulb had to be installed to an existing pole in that location for approximately \$375. On Carolin Drive, the first step is a termination fee of over \$1,100 for the existing decorative pole. H. Donahue said those polled were in favor of the new pole with a cobra head light that would increase the lighting.

MJ Nayman asked to speak. Mayor Wexler said the early public comment period is closed, but that there would be another opportunity at the end of the meeting. MJ Nayman said she would wait, but that it would make more sense to speak to the issue while it is being discussed.

2. Main Street Flowers – Superintendent Donahue referred to his April 10th memo that outlined the specifications and quotes received from area florists to fill the Village's 38 18-inch wire baskets for the Main Street business district. The low bidder was Sara's Garden Center at \$15 each for a total of \$570. This includes aqua gel additive to the soil to prolong moisture in the soil and lessen the need for watering. He asked how the Board wished to proceed. Manager Coyle said this has been budgeted in the community beautification line for both 2006-2007 and 2007-2008.

Trustee Castaneda said at the last workshop Trustee Heyen offered to contact P. Kutz regarding a collection to help to fund weekend watering like last year. Trustee Heyen said she decided not to get in the middle of it since DPW was getting quotes and P. Kutz indicated possible assistance if the Village went with Arjuna. Last year there was no quote process since it had gotten so late in the season. Arjuna was not the low bidder.

Trustee Wagenhauser asked about the aqua gel and if this will allow DPW to water every other day as opposed to every day. H. Donahue said depending on weather, they will likely water daily through the week, but the aqua gel should allow them to water only once on the weekend

instead of twice.

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Mayor Wexler said 4 local quotes were solicited. Roger's did not submit a quote. Salmon Creek quoted \$1,330. Arjuna quoted \$1,140. Sara's quoted \$570. Next time we could also ask Kirby's for a quote. Trustee Maziarz said the Village owns the 18" wire baskets with fiber insert.

Trustee Castaneda asked if the Village should give Arjuna, its local florist, an opportunity to match Sara's price. Trustee Maziarz said it's too bad we can't, but that would defeat the bid process.

Chief Varrenti asked if Wal Mart was considered. He said they might have donated the flowers as they did brooms, rakes and such for the community service program. Trustee Maziarz said a nursery is needed to actually plant the flowers in the basket. If we got flowers from Wal Mart, DPW would have to take the time to plant and arrange them.

⇒ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to authorize the purchase of flowers from the Main Street business district from Sara's Garden Center for \$15 per basket for a total of \$570.

3. Main Street Water Main Abandonment – north of Canal – Chatfield Proposal – Superintendent Donahue referred to the March 27th proposal from Chatfield Engineers for engineering work related to the abandonment of water services on a Village water main, north of the canal on, and off, Route 19. This proposal calls for transferring 6 to 8 water services to the Monroe County Water Authority line, thus allowing the Village to forego the replacement of the line at a future date. Manager Coyle shared that the fiscal impact would be \$7,530 to be funded by the water fund's engineering line. This expense in the end would save us hundreds of thousands of dollars. Because of the expertise of our water department, it was noted in Chatfield's original Route 19 infrastructure replacement report, that the water main both north of the canal to the Village line and south of the five corners to the south Village line could be abandoned and tied into an existing MCWA line, thus saving major upgrade costs.

Trustee Castaneda questioned what we could save if we went to MCWA with rest. Superintendent Donahue said since 2/3 of the Village is tax exempt, we'd be losing water revenues from SUNY, Brockport Central School District, churches, other non-profits that we do not get tax revenue from. This would cause the general fund to absorb the salaries of those currently funded by the water fund.

Trustee Wagenhauser said Superintendent Donahue and Water Foreman Herzog are to be commended for their work on this. Mayor Wexler said this could save the taxpayers a lot of money. Trustee Maziarz asked if the Village abandons, would NYSDOT make MCWA replace lines at the time of Main Street rehabilitation. H. Donahue said he doubts that section would need replacement, as it has been cement lined.

⇒ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried to approve and accept the Main Street water main abandonment proposal from Chatfield Engineers.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service – Chief Varrenti reported 4,300 calls for service year to date. He said this past weekend was busy and referred to a fight and over occupancy at the Merchant Street Smoke House and the Police Department assisting Code Enforcement to close it late Saturday night / early Sunday morning. He also referred to a fight on College Street sending 3 people to the hospital and resulting in an arrest for 3rd degree assault. Community notification was made on sex offender Levi Spikes. The December 14, 2006 Game Players robbery became part of a joint task force on similar long arm robberies and has resulted in the apprehension of a suspect elsewhere in the county.
2. Civilian Ride Along Program – Chief Varrenti shared that the department now has jackets for the civilian ride along program participants to wear so it is apparent that they are civilian observers.
3. SUNY 5/4 Brock the Port Event – police coverage – Chief Varrenti shared that he and Trustee Maziarz met with SUNY BSG Programming Director Mike Davis and Campus Life Director Kim Haines and said they are both very nice people. He said he gave an estimate of police coverage needs being 8 officers at \$40 per hour for a total cost of approximately \$2,800. Then after thoroughly reviewing the information he was provided about the anticipated number of students and community, and conversing with SUNY Police Chief Kehoe, he amended that

estimate to needing 32 officers. Therefore, he contacted SUNY, Monroe County Sheriff's Department and New York State Troopers to collaborate on coverage. The law enforcement reimbursement cost was re-computed to \$11,500. BSG is giving that due consideration. Chief Varrenti recommended that the event go forward only if SUNY makes the commitment to reimburse the necessary law enforcement coverage.

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Mayor Wexler asked when he expected to receive an answer. Chief Varrenti said he hopes by Wednesday. He asked the Board if they would consider amending their previous approval to address the conditions. Trustee Maziarz said she would like to wait for SUNY BSG's response. If an amended motion is necessary, they can do so at next Monday's workshop meeting. Mayor Wexler said he agreed.

Trustee Heyen asked if the number of event hours was checked. Trustee Maziarz said yes and said that they are looking at having an event back on campus with shuttle service to entice students back to the campus afterwards. Trustee Heyen asked if M. Davis would be handling the proposal to the College administration. Trustee Maziarz said yes with Campus Life Director Kim Haines as liaison. Chief Varrenti said M. Davis's heart is in the right spot, but he understands the law enforcement concerns.

Trustee Wagenhauser said he likes the idea of bouncy houses and face painting and such for kids. He said there are likely to be house parties and people on Village streets after the event. He said more police coverage at BSG cost is an ok thing. Mayor Wexler agreed that when the actual event ends, it wouldn't really end, as many will linger in the community.

Trustee Castaneda said she is not against the event, but that it is an expense to the Village. She said anytime the Village allows a street to be closed, there is a cost. She said she would really like to discuss an application fee for street closures to offset costs and asked that it be placed on the next workshop agenda.

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

1. 39 N. Main Street – structure fire – S. Zarnstorff reported on the recent fire at 39 N. Main Street in the Heaster building behind the auto parts store. It was a Friday afternoon and caused traffic back up on Main Street. On the surface there does not appear to be much damage. However, inside, the structural steel was deflected from the fire. Due to the age of the building, the damage will likely cause the insurance company to consider it unrepairable and in need of being demolished. NAPA Auto Parts feels the fire pushed them over the edge and may not re-open.
2. 48 Merchant Street – Merchant Street Smoke House – S. Zarnstorff said he and L. Vaughan were out over the weekend inspecting occupancy and code violations. There was a serious issue of overcrowding at the Merchant Street Smoke House and it was best to clear it out. There was also an out of control fight on the premises. The proprietor was not happy. He said they do not like to have to close a business or a house, but the results from the overcrowding could have been catastrophic.
3. Quarterly Report – S. Zarnstorff distributed his quarterly report of applications and inspections. Sunflower Landing is moving forward with phase 1. He said he'd be happy to answer any questions after the Board has had an opportunity to review the report.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut

1. Calls for Service – Chief Rombaut reported 257 fire calls year to date and 575 ambulance calls year to date, which averages 7.7 calls per day.

39 N. Main Street fire – Chief Rombaut described the fire and said there were 35 to 40 Brockport Fire Department volunteers, which is unusual for that time of the day. He thanked the Police Department, Public Works as well as Hamlin and Holley Fire Departments for their help. He said S. Zarnstorff has some good pictures. There is a 2 to 3 inch sag in the roof. He said code compliance helped by requiring the firewall inside, as it could have been much worse. The building owner is in the construction business, so he brought in people to shore up the building.

2. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: Scott Henry, the following adds: Colin Arthur to ambulance only, Amy Johnson to fire ambulance, and the following exempt certificates: Stephen Zdunczyk.

→ Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried to approve the previously mentioned drops, adds and exempt certificates.

3. Accept resignation of part time dispatcher Jeffrey Elsenheimer -

⇒ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to accept the resignation of Jeffrey Elsenheimer as part time dispatcher with regret.

4. Equipment – Chief Rombaut reported that the Ambulance Corps has formed a committee for a new ambulance as replacement is every 6 years. Regarding the fire fleet, #234 and #233 are 20 years old. A committee is being formed to look at replacement. Truck #234 would cost at least \$50,000 to rehabilitate. They have been putting money away for this. Trustee Wagenhauser

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asked if we loaned the truck to Bergen Fire Department as planned. Chief Rombaut said they are awaiting a legal agreement.

5. Ice Machine – Chief Rombaut said he spoke with Manager Coyle about replacing the department’s ice machine that died last fall. Some people in concessions look to buy used ice machines, however they found it too big or too old. They reviewed several quotes for a new machine and recommends Allen Associates for \$2,595.

⇒ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried to authorize the purchase of a new ice machine from Allen Associates for \$2,595.

E. VILLAGE MANAGER / TREASURER - Ian M. Coyle

1. Authorization to establish eBay account for surplus equipment – Manager Coyle shared that many communities have turned to the Internet for the sale of surplus equipment. NYCOM, US Communities and eBay all maintain online surplus equipment sale sections on their websites. He said after talking this week with a municipal eBay user (the City of Oneida), Manager Coyle said he recommends that we give this mechanism a try for the sale of miscellaneous surplus equipment such as old computers, IT equipment, old DPW equipment, and later on, possibly cars and trucks. With eBay, the good thing is we can establish reserve prices (lowest amount we’ll accept) to mitigate lower than expected returns. There are no start up costs and hopefully we will maximize returns on unusable equipment.

⇒ Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried authorizing the establishment of a municipal business account on eBay for listing and selling of surplus equipment.

2. Workplace Violence Prevention Program – adopt & authorize Mayor to sign – Manager Coyle shared that pursuant to the Laws of 2006 of the State of New York, qualifying municipalities (based on employee numbers) must adopt a workplace violence prevention program, run a risk assessment and annually review an adopted policy. He referred to the policy drafted through our involvement in the Monroe County Municipal Workers Compensation Program. There is no fiscal impact. The MCMWCP will offer free training and the NYS Department of Labor has training resources available.

⇒ Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried approving the Village of Brockport Workplace Violence Prevention Program and authorizing Mayor Wexler to sign the policy statement.

3. Adoption of 6/1/07 – 5/31/08 Holiday Schedule – Manager Coyle referred to the draft June 1, 2007 to May 31, 2008 holiday schedule Clerk Morelli provided. It is noted that the 3 floating holidays differ from Non-Union, to CSEA, to Stetson Club.

**VILLAGE OF BROCKPORT
HOLIDAYS
June 1, 2007 – May 31, 2008**

Floater:	Tuesday, July 3 (Stetson Club only)
Independence Day:	Wednesday, July 4
Floater:	Friday, August 31 (non-Union & CSEA only)
Labor Day:	Monday, September 3
Columbus Day:	Monday, October 8 (non-Union only)
Veterans Day:	Monday, November 12 (Sunday, 11/11 for 24/7 operations)
Thanksgiving Day:	Thursday, November 22
Day after Thanksgiving:	Friday, November 23
Floater:	Monday, December 24 (non-Union & Stetson Club only)
Christmas Day:	Tuesday, December 25
Floater:	Monday, December 31 (Stetson Club only)
New Year’s Day:	Tuesday, January 1

Martin Luther King Day:	Monday, January 21
Presidents Day:	Monday, February 18 (non-Union only)
Good Friday:	Friday, March 21
Floater:	Monday, March 24 (CSEA only)
Floater:	Friday, May 23 (non-Union & CSEA only)
Memorial Day:	Monday, May 26

Please note that the 3 FLOATERS selected by the 3 groups differ:

Non-Union:	Friday, August 31 / Monday, December 24 / Friday, May 23
CSEA (DPW):	Friday, August 31 / Monday, March 24 / Friday, May 23
Stetson Club (Police):	Tuesday, July 3 / Monday, December 24 / Monday, December 31

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⇒ Trustee Heyen moved, Trustee Maziarz seconded, unanimously carried adopting the June 1, 2007 to May 31, 2008 holiday schedule.

4. Manager Coyle addressed the Board on questions raised at the last Board meeting, a meeting he missed due to the birth of his son. He said he addressed the Board about these budget questions at the March workshop but since it was not part of the public record, he will do again at tonight's meeting. He stated that state aid increases in the 2007-08 budget were included as a result of the, then draft (now passed) executive budget total, which included an increase to the Village's AIM funds. He had informed the Board of this via memo. Coyle stated that the DPW salaries are split based on payroll accounts and any changes up or down are not labor-related changes. The splits are accounting related and have no bearing on the funding of our commitment to our infrastructure. Coyle addressed the street lighting expenses and explained that the Board unanimously approved switching ESCO's which quoted a 4 % savings over past year costs, so therefore the A5182.4 account was budgeted at 96% of estimated 06-07 totals. Manager Coyle also addressed the confusion in his budget message on health insurance savings. He stated that employee participation in the buyout program saves the Village ~\$20K annually, not that we save \$20K versus a past year expense. He also commented on revenues, specifically fines, which were budgeted at 06-07 expected totals and sales tax proceeds, which were originally, and conservatively, budgeted at a 1.7% increase or .03% less than the County Treasury estimate.

F. CLERK - Leslie A. Morelli (excused)

G. ATTORNEY – Raja N. Sekharan / DEPUTY ATTORNEY – Frank A. Aloï

SUPPORT BOARDS REPORTS:

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

VILLAGE BOARD REPORTS:

- A. Trustee Maziarz
 - 1. Farmers Market – Trustee Maziarz shared that the Village received confirmation of the \$2,000 advertising grant from Senator Maziarz. Planning for this season is underway with 6 of the 20 weekends already booked with entertainment. Costs are being gathered for Farmers Market banners through a grant from Assemblyman Reilich.
 - 2. BISCO Arts Festival – Trustee Maziarz said BISCO representatives planned to appear tonight, but could not make it. They will be at the next meeting.
 - 3. Main Street Rehabilitation Committee – Trustee Maziarz said biking concerns on Main Street would be reviewed. She shared that her son was knocked unconscious recently in a related incident. She commended the Brockport Police Department, Fire Department and Ambulance Corps for their response time. She said citizens who question the costs of these departments are getting quality services.
- B. Trustee Wagenhauser
 - 1. 11 N. Main Street – Trustee Wagenhauser commended the property owner who inherited the dangerous and unsafe building that was an eyesore. It has been taken down per the Village's wishes. A little more clean up is needed on the site. He said he is confident the property will rise from the ashes.
 - 2. Budget – Trustee Wagenhauser clarified that Manager Coyle's proposed 15% salary increase ended up being a 12% increase in the final budget. He said the East Rochester Village

Manager with 2 years longevity makes \$22,000 more than the Brockport Village Manager. Trustee Wagenhauser said I. Coyle is a bargain. Trustee Wagenhauser said a 1% tax cut was approved. However, many assessments are going up. He clarified that new assessments will not affect Village taxes until June 2008.

3. Housing Initiative – Home Adoption Program – Trustee Wagenhauser asked residents to drop him a note as to what exterior property work they need done that a volunteer could help with. Seniors and the disabled will be given top priority. No money is being appropriated at this time. The feedback will help ascertain needs.

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C. Trustee Heyen

1. Sunflower Landing Blasting – Trustee Heyen commended the contractor, Nothnagle Enterprises, and Clerk Morelli for working together to notify property owners within 500 feet of the area needing blasting. One property owner asked for his foundation to be inspected and photographed before blasting. The contractor arranged a pre-blast survey. She said she stopped by last Friday and spoke with the contractor and has not heard of any concerns. Manager Coyle said there was an unusual situation with the charges today as a blast could be felt at Village Hall. S. Zarnstorff said each stick is set to go off in sequential order. However, one charge detonated all at once and they do not know why. It could have been due to rock fractures or moisture. Trustee Heyen suggested S. Zarnstorff go around to the property owners. S. Zarnstorff said that is up to the contractor, if necessary.

D. Trustee / Vice Mayor Castañeda

1. Village Advisory Committee – Trustee Castaneda said the Village is soliciting interest in the Village Advisory Committee. The next meeting is tomorrow evening at 7pm that will serve as a re-organizational meeting. She said she is meeting with Manager Coyle about possible projects. They are looking into a brochure rack and creating a welcome packet for new residents and businesses. SUNY was considering creating a welcome packet, but that will now need to be a Village project.
2. Main Street Rehabilitation Committee – Trustee Castaneda referred to an April 6th subcommittee meeting and said they are interested in J. Mendez of Merchant Street Smoke House spearheading a “Taste of Brockport” event on September 6th. She has put in calls to him, but has not yet heard back. They are also looking into a brochure rack.
3. Recent Events – Trustee Castaneda thanked the Ambulance Corps for a lovely banquet. Mayor Wexler concurred. Trustee Castaneda mentioned having participated in the Mayors for Meals event in March.
4. Budget – Trustee Castaneda said she does not disagree on the services the Village provides, but believes they can be provided at a lower cost. She expressed concern that there was no entire Board discussion on the budget as much of the conversation took place in individual meetings with Manager Coyle or through e-mails. She said she received e-mails on the budget from Trustee Wagenhauser and Trustee Heyen, but none from Trustee Maziarz.

E. Mayor Wexler

1. Accept Resignation of Village Advisory Committee member Lisa Saeva –

⇒ Trustee Castaneda moved, Trustee Heyen seconded, unanimously carried to accept the resignation of Lisa Saeva from the Village Advisory Committee with regret.

2. NYS DMV request to relocate road test site – Mayor Wexler shared that the Village received a letter March 30th from NYS DMV regarding road test site location. This is currently done on King Street on Wednesdays and one other day of the week when busy. The letter refers to an issue related to parking enforcement. This was the first notice of such problems. The DMV would like to relocate to State Street in front of the Town of Sweden building and/or St. Luke’s Church. The Town of Sweden is against using the spaces in front of their building, but is willing to offer use of the far rear of their parking lot. Superintendent Donahue commented that the Town of Sweden couldn’t prevent use of the parking spaces in front of their building, as it is Village property. The Village will respond that after consultation with Village traffic and public safety personnel, the Village’s preferred and recommended option for the DMV test site remains King Street. Areas are marked, the street is one way and this roadway should not be affected anymore than any other adjacent side street during the impending NYS reconstruction of Main Street (Route 19) tentatively scheduled for 2009. They will be encouraged to have site test administrators call 911 should parking problems be present in marked areas. Our Police Department has quick response times and treats parking issues very seriously. Should they

still wish to move off of King Street, the Town of Sweden's offer to use the back of their parking lot can be considered.

3. Village Code Chapter 13 Article XI Board of Ethics – Mayor Wexler referred to information provided by Trustee Heyen that states vacancies on a Board of Ethics should be filled by the Board of Trustees as soon as practically feasible. There are 2 types of vacancies – one is an expired term and one is an un-expired term. According to the NYCOM Handbook for Village Officials, vacancies created with an un-expired term are appointed by the Mayor and subject to Board approval. New York State Village Law empowers the Mayor to make all non-elected appointments. Mayor Wexler said that what is proposed is contrary to the NYCOM handbook, which does not differentiate the types of Boards or committees. He questions approving something that does not comply with accepted methods of appointment.

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Mayor Wexler reminded the Board that 11 months ago 5 members were appointed. The Board was concerned about appointing Jim Sutton, since he is the Mayor's closest friend. Several months later, J. Sutton submitted his resignation and it was accepted. Now the Village Attorney is the fifth member, but has no voting power. Mayor Wexler said Chapter 13 of the Village Code states that the Mayor appoints and the Board confirms.

Trustee Wagenhauser said the current proposal changes the terms, voting member status, attorney rights and appointment process. He said the Mayor is a member of the Board of Trustees. He referred to the Attorney General's opinion and the Village Attorney's take on it. Mayor Wexler said he has yet to receive anything in writing from Village Attorney Sekharan. Mayor Wexler said he will comply with what is legal, but will not relinquish any duties.

Trustee Castaneda said she knows Mayor Wexler has asked for a written opinion from the Village Attorney on more than one occasion. Manager Coyle stated that, contrary to most established committees and municipal law regulated support boards, the ability to establish a Board of Ethics is provided via GML 808 and thus, the appointment authority language in this GML section shall govern how a local government/Village establishes its own, individual appointment process. The appointing authority could be the Mayor, as it is for the committees and other boards, or in this case the appointing authority could be the entire Board.

Trustee Castaneda said it appears NYCOM is contradictory. Trustee Maziarz said the NYCOM handbook is a general guide. It is not exact law verbiage. Trustee Heyen referred to Section 18 of General Municipal Law regarding appointing authority and said the Village Attorney agreed.

Trustee Heyen said she spoke to Clerk Morelli and if the Board schedules a public hearing on this matter, it could be combined with the legal notice for the public hearing already set for May 21st on adopting the Village's official zoning and street maps.

⇒ Trustee Heyen moved, Trustee Maziarz seconded, CARRIED 4 to 0 to schedule a public hearing for May 21st to consider this amendment to Chapter 13 of the Village Code.

Mayor Wexler said he would double check with NYCOM.

4. Farmers Market Location – Mayor Wexler said he recently memo'd the Board and Department Heads on his concerns with closing streets in the Village which includes Market Street for the Farmers Market. He said there a few closings that he is fine with such as the annual Max's Mardi Gras Parade, SUNY Homecoming Parade and the Arts Festival. He said officials with the Brockport Fire Department have consistently been opposed to the closure of Market Street as the Fire and Ambulance headquarters are located there. He said he recently spoke with the Department's Public Information Officer who is adamantly opposed to the closure of Market Street. Mayor Wexler suggested that a portion of the parking lot at Erie Street and Lincoln Street be utilized for the Farmers Market. He said there is ample room and would even allow for more vendors. He said he thinks there should be a motion approving the Farmers Market location just as any other street closure.

Trustee Castaneda said since the Fire Chief had to leave the meeting early, it might be wise to invite him to the next workshop to discuss this. This may be an opportunity to start looking at alternative locations for many events. This will become particularly important when the Main Street reconstruction gets underway.

Trustee Heyen asked if the location was stipulated when the Farmers Market began a few years ago. Trustee Maziarz said yes. It was even titled the Market Street Farmers Market. Trustee Maziarz said there were representatives from the Brockport Fire Department and Police Department on the committee when the market was formed. She said they set the

location and standards and she has adhered to those standards as Farm Market Manager. She said she imagines that the Brockport Fire Department Public Information Officer would recommend that Market Street and Main Street not be closed for any of the various community events. Trustee Maziarz said she asked the Fire Chief and got support. She said she is prepared to make a motion to keep the Farmers Market on Market Street. Trustee Wagenhauser said he thinks it is unnecessary as it was done when the former Village Board approved the Farmers Market. Trustee Castaneda encouraged discussing this with the Fire Chief at the next workshop. Trustee Maziarz said she would like to make a motion.

⇒ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Heyen in favor, Trustee Castaneda opposed, Mayor Wexler opposed, CARRIED 3 to 2 to keep the Farmers Market on Market Street.

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PUBLIC COMMENT:

1. Mary Jo Nayman of Carolin Drive said she wants to make clear that there are 30 or 31 homes on Carolin Drive, but that Mayor Wexler and Superintendent Donahue only canvassed 7 homes on the cul-de-sac. She said she was not home, so they really only got feedback from 6 homes. She said when she spoke to neighbors it was unclear what information they received and what they agreed to. All agreed that they need more lighting. She said there are people that bought there with the decorative pole and that shouldn't be taken away. She said the past administration approved additional lighting and set aside the money. She asked where the money went and said maybe a New York State audit is needed.

AUDIT:

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

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	4/9/07	175031-175035	272.90
	4/16/07	175055- 175097	26,402.86
		175098	180.00
		175103	2,289.68
<u>Fire</u>	4/9/07	175030	9.00
	4/16/07	175036-175054	9,273.48
<u>Third Party Billing</u>	4/16/07	983-986	8,793.88
<u>Capital Projects</u>	4/16/07	2080	7,442.91
<u>Water</u>	4/9/07	1689	9.57
	4/16/07	1690-1698	41,923.82

ADJOURNMENT:

- Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the meeting be adjourned at approximately 9:30 pm.

 Leslie Ann Morelli, Village Clerk
 From notes of Ian M. Coyle, Village Manager