

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, February 26, 2007 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, 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, Clerk Leslie A. Morelli.

EXCUSED: Trustee Carrie L. Maziarz, Village Attorney Raja N. Sekharan

ALSO PRESENT: Fire Chief Timothy Rombaut, Robbi Hess (Suburban News), Joe Richards, Ronn & Anne Klein, Mike Davis, Kim Haines, Lisa Johnson, Gloria Lear, Krys Staub, Edward Lehman, Jim & Joan Hamlin, Dave Grolling, James Kraft, Norm GianCursio, Fred Webster, Jack Mazzarella

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 5, 2007.

➔ Trustee Heyen moved, Mayor Wexler seconded, unanimously carried that the minutes of the meeting held February 5, 2007, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT: None

GUESTS:

1. Joe Richards – Max’s Mardi Gras Parade & Festival – 4/28 event – Joe Richards of the Fire Department and Max’s Mardi Gras Committee was in attendance to review their application for the annual Max’s Mardi Gras Parade to be held at 10am on Saturday, April 28th. The route is from Market Street to Main Street to Adams Street to Special Olympics Park on the SUNY Brockport campus. He shared that this is the 10th year.

Mayor Wexler asked if the Police Department and Fire Department have been made apprised. Chief Varrenti said yes. J. Richards said he is a member of the Fire Department and that they are now organizing the parade portion of the event. Mayor Wexler said it is always the last Saturday in April. J. Richards said yes.

➔ Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried to approve the parade/procession license.

2. Anne Klein – Breast Cancer Support Group – 5/1 event – Anne Klein shared that she is an American Cancer Society volunteer and member of the Brockport Breast Cancer Coalition. On June 1st the American Cancer Society will hold its Relay for Life in Spencerport. In an effort to increase people’s awareness, they propose to paint the towns purple (the color for cancer) on May 1st by working with the Brockport merchants downtown to tie purple balloons and ribbons on the lampposts in front of their shops and to hang posters in their windows. She asked the Village Board for permission to approach the merchants to participate.

Trustee Wagenhauser said she has the right to do so, and that it does not require the Village Board’s permission. Mayor Wexler agreed and said he sees no problem with it. The Board wished them good luck.

3. Mike Davis – SUNY BSG – possible 5/4 SUNY/Community event – Mike Davis, SUNY Brockport Student Government (BSG) Director of Programming shared that he met recently with Mayor Wexler to propose a college / community event and got some feedback from him. Kim Haines and Lisa Johnson from SUNY Office of Campus Life were in the audience. M. Davis distributed a letter dated February 20th that he distributed to Brockport merchants explaining the “Brock-the-port” event and obtained from 25 merchants in support. He also distributed a diagram showing that they would need Main Street closed from Water Street to State Street and that they would keep the very center of the street open for emergency vehicles.

The letter text was as follows “The Brockport Student Government, along with SUNY College at Brockport’s Campus Wide Programming Committee, is excited to propose a college and community collaboration on a special event. Over the past three years SUNY Brockport has been running an end of the year appreciation event for its students called, “Brock-the-Port.” This event has been a huge success with both students and faculty members. In the past we have had live music, fireworks, inflatables, games, photo signings by the Buffalo Jill’s, food, snacks and much more. This year BSG is proposing that the event be moved from campus to

the

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Village to create a community and college block party type of atmosphere. The student government is looking for support from the local business owners to enhance the college and community relations. We are not looking for monetary donations, just the assistance of the business owners to help make this collaboration possible. We are proposing to hold this event on Main Street starting from State Street moving north to Water Street. BSG understands the concerns of closing this section of Main Street and the impact of customer traffic being diminished, but we believe that customer traffic will not be diminished; in fact, we believe that foot traffic will be increased therefore benefiting the merchants of Brockport. The event will be open to all, college and community. We encourage you, the merchant, to support the block party by actively participating in the event, therefore encouraging more community members to join in the fun. We are looking to schedule the event for Friday, May 4, 2007 beginning at 3pm and lasting until approximately 9pm. BSG would like to thank you in advance for supporting this proposal and hopefully making this event a reality.”

M. Davis said Mayor Wexler made him aware that safety and traffic flow are vital, particularly with one of the three bridges shut down. He said they are not asking for the Main Street Bridge to be closed. Vehicle traffic would be able to cross the bridge and turn down either Clinton Street or Water Street.

Trustee Wagenhauser asked if the vendors would set up on the sidewalk or the street. M. Davis said both, but that they would keep the very center of Main Street clear for emergency vehicles to be able to get through. Trustee Wagenhauser asked if there would children and family activities. M. Davis said yes. They plan to have inflatables, cotton candy, popcorn, snow cones and the like.

Trustee Castañeda asked if he had spoken to the Brockport Merchants Association. M. Davis said no. He has contacted its President, Josephine Matela and has spoken to most of the merchants individually. Trustee Castañeda commended his efforts and said this could be a wonderful college / community event. Trustee Heyen asked how many members are on his core planning committee. M. Davis said he is spearheading it with a couple of assistants. He said he has not really delegated anything yet as he does not want to lose anything in translation.

Mayor Wexler commended M. Davis for doing most of what he suggested to prepare for tonight's meeting. He said he had suggested they consider a portion of Main Street south of State Street. M. Davis said they really want to be in the downtown district where the shops and eateries are located. Mayor Wexler asked when his deadline is. M. Davis said he was hoping to get approval tonight, but if not, would like to know as soon as possible for planning purposes. Mayor Wexler said there are always concerns when it comes to closing Main Street. This is more so since the Smith Street Bridge was closed. He said he would like the opportunity to discuss it with the Police Chief, Fire Chief and DPW Superintendent at their March 7th Department Heads meeting. Mayor Wexler asked the Trustees to advise him of any thoughts or concerns prior to March 7th when he meets with the Department Heads.

M. Davis asked when he could expect to hear. Mayor Wexler said he would contact him on March 8th. M. Davis thanked the Board for their time.

Trustee Wagenhauser said 9 out of 10 times there are no problems. He said, however, that Friday rush hour on Main Street is difficult. Trustee Heyen said she had attended a Department Heads meeting a few months ago in which they discussed the need to establish a street closure process.

4. Gloria Lear – Lakeside Health System – 7/22 bed race event – Gloria Lear and Krys Staub of the Lakeside Foundation were in attendance to request approval to close a portion of Main Street on Sunday, July 22nd from 11am to 2pm for the 2nd Annual Great Lakeside Bed Race. She said the first one was a great success and raised \$2,400 to support the hospital. The event benefits Lakeside and the community as a whole, drawing hundreds of people to our Main Street businesses. Last year Main Street was closed from the bridge to State Street and the coordinators met with representatives of the Fire Department. G. Lear said after hearing the last applicant, she understands that closing Main Street can be troublesome. She said they would be open to considering another location if the Board could recommend such.

Mayor Wexler said they want events to stay in the Village, but the primary concern has to be safety. He said 99% of the time there are no problems, but the Chiefs will always give the worst-case scenario.

Trustee Wagenhauser said most events requiring street closure are without incident. He further

commented that it should be the Village Board's responsibility to keep it positive and work with the Department Heads to make this happen. Trustee Heyen said it is a delightful dilemma. She said she is disappointed, however, that they plan this event in July when there is no college

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participation. However, she recalled that the Farmer's Market stayed open an extra 2 hours last year due to the bed race event.

Mayor Wexler said they would discuss this at the March 7th Department Heads meeting and advise on March 8th.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Authorize stop signs on Brookdale Road – Superintendent Donahue referred to his memo of January 23rd and workshop discussion of February 15th regarding a couple of residents of Brookdale Road requesting a stop sign going both east and west to slow traffic down. There is increased traffic on Brookdale Road since the connection to the South Avenue extension road opening. He said he feels placing them between house numbers 51 and 59 is the best location for the stop signs.

Mayor Wexler said one of those concerned residents, Jack Mazzarella, is in attendance tonight. He also brought it to the Mayor's attention. J. Mazzarella said safety of the children on the street is most important. He said he is fine with the proposed location even though that means he will have to come to a complete stop before turning into his driveway. He said his driveway used to be a roadway. It was an intersection called Morningside Drive years ago. Mayor Wexler said there would likely be some police presence in the area when the sign first goes up. J. Mazzarella said they are welcome to use his driveway.

Trustee Wagenhauser asked if speed bumps would be prohibited. Superintendent Donahue said they are not prohibited, but are not practical. They cause damage to DPW equipment. J. Mazzarella said a recent driver was going between 40 and 50 miles per hour – so fast that you couldn't tell if the driver was a man or a woman.

Trustee Heyen commented that Robbi Hess is here from the Suburban News and suggested that she make an announcement in the paper to help make people aware of the new stop signs.

Chief Varrenti said this is the first he recalls hearing of a severe speeding problem on Brookdale Road. He said he is not opposed to the stop signs, but that typically a stop sign is not intended to slow traffic down. Vehicles often go faster between two points. Chief Varrenti said when made aware, they like to gather as much information as possible such as if there are particular days of the week or times of the day when it happens. Then they can establish a radar detail. He said it might also be a good location for the speed sentry device. He said speed bumps are used in some areas throughout the county to slow down impact. He said he cannot speak to the impact on DPW, but knows that they can cause tire and vehicle damage to speeding drivers. He said one damage incident often curtails drivers from speeding again on a street with speed bumps. Chief Varrenti cautioned the Board not to make a practice of erecting stop signs, as there are many streets that would warrant such signage.

J. Mazzarella said he and a few neighbors have spoken to a couple of the officers they know, and they have been watching. He said some people miss the turn and take out the corner sign. He said this is really not a regular street.

Trustee Wagenhauser said Brookdale Road is a predominantly residential street compared to a street such as East Avenue. It needs to be safe for families. He said, he would not be in favor of putting stop signs all throughout the Village. He suggested that the Police Department and DPW consult each other when future concerns come in. Chief Varrenti suggested tabling the decision until alternative means are attempted.

Chief Varrenti said the Police Department can't monitor the location 24/7, but regardless of whether stop signs are erected, this would be a good spot for the speed sentry device. Trustee Castañeda said she likes the idea of the stop signs and the speed sentry device.

Trustee Heyen asked the location of 30 mile per hour speed limit in the Village. Superintendent Donahue said the Village speed limit signs are posted at every entrance into the Village (just like the no parking on Village streets 2am-6am signs). They are not on each and every street.

- ➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to approve the installation of stop signs going east and west on Brookdale Road between house numbers 51 and

59.

Mayor Wexler thanked J. Mazzearella for bringing this to the Board's attention. Chief Varrenti encouraged J. Mazzearella to contact him with concerns.

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- 2. Consideration of bids to sell 1998 dump truck – Superintendent Donahue shared that 6 bids were received ranging from \$1,603 to \$5,125. In doing some research and discussing with Manager Coyle, they recommend the Board accept the high bid of \$5,125.

Trustee Heyen thanked Superintendent Donahue for his research on this and said she accepts his recommendation and is pleased with the bid.

➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to accept the high bid of \$5,125 of Dan Klafehn of Kendall for the 1998 1 ton dump truck used by the Department of Public Works.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

- 1. Calls for Service – Chief Varrenti reported 1,991 calls for service year to date. He said this is consistent with the same time last year.
- 2. Monroe County Traffic Safety Board & STOP-DWI Program – Chief Varrenti shared that the 10th annual awards luncheon will be held March 7th. Mayor Wexler and Trustee Heyen will be attending with him. The Brockport Police Department will be awarded along with Officer S. Mesiti and Officer C. Curley will be receiving STOP-DWI awards. Sergeant Phillipy will be receiving a community service award.
- 3. Fire Department Banquet – Chief Varrenti expressed appreciation for the invitation to the annual Fire Department banquet, but will be unable to attend. He wished them success.
- 4. Award To Be Announced – Chief Varrenti said he has learned of an award to be announced soon.
- 5. Closing Main Street for Events – Chief Varrenti referred to the requests made earlier in the meeting and said the Village receives many such requests for nice events wishing to close a portion of Main Street. He said you simply can't bring traffic in to the Village from a state route without appropriate planning on how to get that same traffic out. He said experience has shown him that closing Main Street at East / West Avenues is the best way to re-route traffic safely. He also commented that the day of the week and time of the day makes a big difference. A Friday afternoon or evening closure will have a greater impact than a Sunday morning or afternoon closure. It also depends on the number of people the event expects to draw.

Mayor Wexler said it also makes a difference if one or two bridges of the 3 are closed. Mayor Wexler commented that the first annual soap box derby held on Smith Street last year went well. The group plans to do it again.

- 6. DWI's – Trustee Wagenhauser said in reviewing the Police Department's last report it was apparent that DWI numbers have increased. He said he recently spoke with SUNY University Police Chief Kehoe and he said DWI's are up for them as well. Trustee Wagenhauser said it is important to note, however, that these are not all college students. Chief Varrenti said that is correct. Although statistics are not kept, he said he would safely say that 75 to 80 percent are non-college students or young drivers. Most are middle aged or older aged adults. He said a new DWI law went into affect December 2006 called "aggravated DWI". This is for .18 or higher and carries the same penalty as regular DWI, but much higher fines and no ability to plea-bargain down. Chief Varrenti said he always encourages the use of a taxi or a designated driver when drinking may take place.

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

- 1. Quarterly Report (September – December 2006) & 2006 overview – S. Zarnstorff referred to the 4th quarter report for 2006 and the 2006 overview distributed recently. They are broken down into two categories: applications (such as building permits, certificates of occupancy, Planning Board, ZBA) and inspections (such as building, fire safety, code enforcement).

There was almost a 50% reduction in applications in 2006 compared to 2005. He said it has been a challenging year for consumers due to increased fuel, materials and contracting prices. These economic factors contributed to decreased residential home building projects. On a positive note, there were commercial projects such as Lakeside Memorial Hospital's OB renovation and Allied's cogen facility. As the economy improves and gas prices go down,

residential building and projects should pick up. He said this is evidenced by 4 new homes beginning construction in late 2006.

Inspections increased almost 10% with still only one full time inspector (S. Zarnstorff) and one part time inspector (L. Vaughan) in the department. Inspections totaled 1,600, which averages 3 to 4 inspection per day. S. Zarnstorff said it is a busy department for a community our size.

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He said he is making some slight modifications to the process of recording inspections so that he can determine where time is spent and trends. These tweaks to the software program will help tracking and efficiency.

2. Closures – Red Tags – S. Zarnstorff reported that they have had to red-tag 3 properties in the last 30 days – all related to Fire Department incidents. A Holley Street house endured a small fire with minimal damage. The homeowner was very grateful for the help received. A Barry Street house sustained substantial water damage due to frozen pipes. The owners of Kitchen Express and its building at 74 Main Street attempted to fill a kerosene heater with an open 5 gallon bucket of gasoline. Had neighboring merchants not called in the smell of fumes, the building(s) would have likely been leveled. S. Zarnstorff commended L. Vaughan’s quick response and investigation. A couple of more minutes would have required a very different response. Criminal charges have been filed against the property owner and the building was red-tagged due to this and other code violations found. It remains closed. S. Zarnstorff said the Codes Office and Fire Department have an exceptional working relationship.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut

1. Calls for Service - 153 fire year to date and 296 EMS year to date for a total of 449 calls for service year to date. This averages 7.8 calls per day. Chief Rombaut apologized for being a few minutes late to the meeting as there were a couple of motor vehicle accidents this evening due to the weather.
2. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: Robert Faling from Department and Carl Bourke from Explorers, the following adds: Donna Smith and John Bush to Auxiliary and Carl Bourke and Christopher Mros to active fire, Jacob Moore, Christopher Ladue and Timothy Smith to Explorers, the following exempt certificates: Jenna Menear, the following status change: Kelly Smith to Auxiliary.

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

3. New Airpacks – Chief Rombaut reported that the new airpacks that were recently purchased with the FEMA grant were expected in 120 days. However, they got them in 28 days. They are all put together and are being labeled and added to inventory. They hope to get them in service sometime in April or early May.
4. 74 Main Street Closure – Chief Rombaut concurred with S. Zarnstorff’s earlier comments. He said it was only moments away from becoming a parking lot. He said unfortunately the owner/proprietor still does not understand the danger and issues. He commended Arjuna’s for calling as this averted disaster.

Trustee Castañeda suggested that he lack of understanding may be a language barrier. Chief Rombaut said he does not believe so as the Fire Department and Codes Office have been there on other occasions and language has not been an issue.

Executive Session:

⇒ At 8:05pm, Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss pending litigation (Webster Case).

⇒ At 9:03pm, Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried that the Board of Trustees re-enter the regular meeting.

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

E. VILLAGE MANAGER / TREASURER - Ian M. Coyle

1. 2007-2008 Budget – call for 3/19 public hearing – Manager Coyle shared that the tentative budget must be legally filed with the Village Clerk by March 20th. He plans on filing by March 2nd. He recommended the board call for the public hearing on the tentative budget.

➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to call for a public hearing on the June 1, 2007 to May 31, 2008 tentative budget for Monday, March 19, 2007 at 7pm.

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Manager Coyle said copies of the budget will be available at Village Hall and on the website by the end of the week. He said he also plans to hold informal meetings called “A Citizens Guide to the Budget”. Dates and times will be forthcoming.

Trustee Heyen encouraged Manager Coyle to put together the pie chart as he has done previously, as this is a very helpful tool.

2. Employee Handbook §807 – add 2 person medical buyout option to single and family – Manager Coyle reminded the Board that they last made updates to this section in 2006 adjusting upward the buyout amounts for single and family coverage for eligible employees. However, we neglected to include a provision for a two-person buyout. This insurance option was not available when the handbook was first implemented. It is now available and it affects a handful of people with the possibility of affording more people the option. This was discussed in previous workshops.

➔ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to modify §807 of the Village Employee Handbook allowing for a two-person medical buyout.

3. Planning Board and Zoning Board of Appeals training – Manager Coyle said as previously discussed in workshop setting, the laws of 2006 mandate that Village Planning Board and Zoning Board of Appeals members receive at least four (4) hours of training annually. Although the law allows a municipality to opt out, all agree that it is beneficial. Manager Coyle said many of the PB and ZBA members take advantage of training opportunities already. Mayor Wexler said they are usually local, not requiring accommodations. Manager Coyle recommended the Board adopt a resolution of support.

➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to adopt the following resolution.

WHEREAS, Chapter 662 of the Laws of 2006 of the State of New York require members of a municipal planning board and zoning board of appeals to receive a minimum of four (4) hours of training annually; and

WHEREAS, the Village of Brockport has long encouraged, supported and approved training opportunities for its planning and zoning board of appeals members in the past; and

THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Brockport hereby requires that all members of the Village’s Planning and Zoning Boards are to receive at last four (4) hours of annual training per Village fiscal year beginning June 1st 2007, (Fiscal Year 2007-08) as per Chapter 662 of the Laws of 2006 of the State of New York, and pursuant to the following guidelines:

- Acceptable training includes courses and/or classes from trusted providers including: the Genesee/Finger Lakes Regional Planning Council, Genesee Transportation Council, the Department of State, the New York Conference of Mayors and Municipal Officials, and the New York Planning Federation. The Village Manager must approve training opportunities with providers not listed above.
- Topics of training should be specific to the functions of a planning Board and zoning board of appeals.
- Training received in excess of the required four hours per fiscal year can be carried over into succeeding years.
- Members of the Planning Board and Zoning Board of Appeals shall be required to file annual statements of compliance by May 31st of each year, certifying that the training requirements have been met and noting each class or course attended with applicable dates and providers.
- For the purposes of this resolution, one (1) hour of training credit shall consist of at least 50 minutes of instruction, exclusive of introductory remarks, meals, breaks, or other non-educational activities.
- Members of the Planning Board and Zoning Board of Appeals who fail to meet the minimum training requirements are ineligible for reappointment to the Board.

F. CLERK - Leslie A. Morelli

1. Helen E. Simpson Thanks – Clerk Morelli read the following thank you note of February 20th into the record: “Dear Mort, Maria, Carrie, Hanny and David: Thank you for recognizing me with such a heartwarming proclamation and for proclaiming February 18 Helen E. Simpson Day in the Village of Brockport. Brockport has always been a faithful friend and I will miss those streets where my career had its beginning and its finish. Thank you for sharing my career in such a memorable way. Helen E. Simpson”

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

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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 (excused)

B. Trustee Wagenhauser

1. Snow Removal – Trustee Wagenhauser commended Superintendent Donahue and the DPW for its great work in removing snow during the 3rd worst snow event here in 100 years.

2. Housing Initiative – Trustee Wagenhauser shared that he has made some contacts with groups and a financial institution. More information to come.

3. New Housing Starts – Trustee Wagenhauser referred to S. Zarnstorff’s report and earlier comments regarding new housing starts. He said it is good to see building in Brockport, Sweden and Clarkson. He said he hopes that continues.

C. Trustee Heyen

1. Helen E. Simpson Day – Trustee Heyen said she regretted not being able to attend the event for Helen E. Simpson on February 18th but heard it was very nice and that Senator Maziarz was in attendance to present a proclamation and that Assemblyman Reilich forwarded a proclamation.

2. Website – Trustee Heyen announced that there are now pictures of Village parks on the website.

3. Property Remediation – Kleen Brite – Trustee Heyen reported that she, Trustee Maziarz, Mayor Wexler and Manager Coyle met with Bill Fletcher on February 13th regarding the Brownfield application that is due May 1st and possible funding for the slab testing.

4. Committees / Boards Selection Process – Trustee Heyen said she had planned to have the final version ready for Board adoption tonight, but after having received additional input at the last workshop, she has a few changes to make to the proposed document. She hopes to have it in final form for Board consideration at the next meeting.

D. Trustee / Vice Mayor Castañeda

1. Village Advisory Committee – Trustee Castañeda shared that the last meeting was February 13th and that Lisa Saeva has resigned as Chair due to other commitments. She asked the Board to accept her resignation. Since it was unclear as to whether she was simply stepping down as Chair or resigning from the committee altogether, no motion was made.

2. Good Neighbor Committee – Trustee Castañeda shared that she attended the February 21st meeting that included special guests regarding Arbor Day, Walk/Bike to Work Week and Trustee Wagenhauser on the proposed housing initiative.

E. Mayor Wexler

1. Appoint to Historic Preservation Board – Mayor Wexler asked for a motion to appoint James D. Bell, Esq. to fill the attorney position on the Historic Preservation Board to June 30, 2009. Trustee Wagenhauser said he would not vote against any volunteers. He said he just would have liked to not make an exemption to rules regarding member selection that the Board has in draft form and has not yet adopted.

➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to appoint James D.

Bell, Esq. to the attorney position on the Historic Preservation Board for a term to June 30, 2009.

2. Appoint to Code Review Committee – Mayor Wexler asked for a motion to appoint Gordon Fox and Jeff Davignon to the 2 vacancies on the Code Review Committee. Trustee Heyen thanked Clerk Morelli for setting up a meeting and preparing materials and Manager Coyle and Code Review Committee Chair S. Zarnstorff for meeting with G. Fox and J. Davignon.

→ Trustee Heyen moved, Mayor Wexler seconded, unanimously carried to appoint Gordon Fox and Jeff Davignon to the Code Review Committee.

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3. Appoint to Walk Bike Brockport Action Group – Mayor Wexler asked for a motion to appoint the following new members to the Walk Bike Brockport Action Group: Steve Appleton, Carol & George Bott, Sue Bucholz, John Brugger, Robert Canham, Lynda Cochran, Judy Czerenda, Sara & Benton Hart, Jennifer Hecker, Phyliss Kloda, Christine & Michael Lamonica, Sara Silverstone, Michelle Spagnola, Louise Stein, Barbara Thompson, Nadine Young.

Trustee Wagenhauser said he enjoys walking and biking and asked that his name be added to the membership roster.

→ Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried to appoint those named to the Walk Bike Brockport Action Group.

4. Set Tree Board membership at 5 minimum / 7 maximum members – Mayor Wexler referred to a memo from Tree Board Chair Margay Blackman. When the Village created the Tree Board April 30, 2005, 6 members were appointed, one of whom is a non village resident and tree expert to serve as a consulted. She said they would like to see the membership be set at not less than 5 but no more than 7 members.

Trustee Heyen commented that 2 individuals are not Village residents, but could be considered consultants with no voting power. For purposes of establishing a 5 minimum / 7 maximum membership, Trustee Heyen said she is in agreement.

→ Trustee Heyen moved, Trustee Castañeda seconded, unanimously carried to change the number of Tree Board members to a minimum of 5 and a maximum of 7.

5. Village Code §13-25 Board of Ethics - Mayor Wexler said the Board again discussed the possible text changes at their last workshop regarding Ethics Board makeup. He asked if all were in agreement with a 5 person Board that includes the Village Attorney as the Village employee. He said currently it is 5 members plus the Village Attorney, but there is one member vacancy.

Trustee Heyen said she thought the workshop discussion included 2 options. Manager Coyle said the workshop discussion led Trustee Wagenhauser to forward the 2 options in writing the next day, which is similar to Mayor Wexler's description. Mayor Wexler said he just wouldn't want an even number of voting members where a vote could result in a tie. Trustee Wagenhauser said when it comes to an ethics issue; he would feel more comfortable with a unanimous finding. Mayor Wexler agreed that would be best and added that he hopes the Board of Ethics would never need to be convened. Trustee Wagenhauser clarified that it sounds like 5 members one of whom is the Village Attorney and all would be eligible to vote.

Trustee Heyen said she is not trying to stall this and knows Mayor Wexler would like this wrapped up. However, she believes the Village Board should have consensus and agree to the exact text before bringing it to a public hearing.

Mayor Wexler said he understands that some members of the Board had concerns of a Village employee being a member. Trustee Wagenhauser said Village employees derive their livelihood at the behest of the Mayor and shouldn't have to vote on sensitive matters nor should they have to recuse themselves from voting. He said New York State and some other municipalities may think otherwise, but there is a potential for the appearance of impropriety. Trustee Wagenhauser said he would be fine with a Village employee or the Village Attorney as a non-voting member.

Manager Coyle will make the necessary changes to the proposed text for the Board to review on March 5th and call for a public hearing either March 19th or April 2nd.

