

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, October 20, 2003 at 7:00pm.

PRESENT: Mayor Josephine C. Matela, Trustees Morton Wexler, James E. Whipple, Norman J. Knapp; and Peter C. DeToy, DPW Superintendent Bradley B. Upson, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer Scott D. Rightmyer, Clerk Leslie A. Morelli.

EXCUSED:

ALSO PRESENT: Village Attorney Edward W. Riley, Village Labor Attorney David W. Lippitt, Deputy Fire Chief Christian A. McCullough, Planning Board Chair / Economic Development Coordinator Scott Winner, Ken Pike, Ray & Jackie Morris, Jim Hamlin, Giff Mosher, John Lessord, Fred Webster, Bill Weber, James Weber of Brockport High School, Daniel Cole, Gitesh Gohel and Bill Sachman of SUNY Brockport.

CALL TO ORDER: Mayor Matela called the meeting to order and led the Pledge to the Flag.

REVIEW OF MEETING MINUTES: Mayor Matela called for any additions or corrections to the minutes of the regular meeting held October 6, 2003.

➔ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried that the minutes of the meeting held October 6, 2003, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT: None

GUESTS: None

DEPARTMENT REPORTS:

A. PUBLIC WORKS / COMMUNICATIONS CENTER – Superintendent Bradley B. Upson

1. Water Flushing – October 20, 21, 22
2. Final Brush Pick Up – October 27
3. Leaf Pick Up – after final brush pick up
4. Seymour Library – Trustee Wexler asked Superintendent Upson to get together with his counterparts in Clarkson and Sweden to coordinate services and responsibilities.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Quarterly Report – Chief Varrenti distributed the quarterly report, highlighted crime trends and DWI arrests. Brockport Police Department led the County in per officer DWI arrests. He shared that Officers DeToy and Cyr have been trained in NYSPIN. Officer Rozzi will be going out for another surgery and rehab on a recurring problem due to an on the job injury some years back. He could be out 6 to 8 months. The department received 200 free gunlocks through Project Child Safe and gives them out upon request. He asked the Board to review the report and contact him with any comments or questions.
2. Additional General Orders - Chief Varrenti provided Village Clerk Morelli with some new and replacement orders for the General Orders manual at the Village Office.
3. Authorization to go out to bid for one new police vehicle – Chief Varrenti asked the Board's permission to go out to bid for one new 2004 police vehicle that is in the budget. He reviewed the specifications and commented that he much prefers the Ford Crown Victoria to the Chevrolet Impala. The 3 Impalas they tried each had to have their transmissions replaced. Trustee Wexler asked the mileage on the current vehicles. Chief Varrenti said 62,000, 54,000, 37,000, 28,000, and 20,000. The new car would replace the car with 62,000 miles on it. By the time it is bid, ordered, and delivered, the current car would be close to the 75,000 mile limit per the Stetson Club contract. Trustee Wexler asked Attorneys Riley and Lippitt if they felt that clause of the contract would change with negotiations. They said no. Chief Varrenti said he would also be bidding out a 5-year bumper-to-bumper warranty. Trustee Knapp asked if the dealership from the Buffalo area that was awarded one of the last bids would participate. Chief Varrenti said the bid process will be extended to him, but whether he will be the successful bidder is yet to be seen.

→ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried authorizing Clerk Morelli to advertise for bids for one new 2004 police vehicle per the specifications.

4. Traffic Safety Board / STOP-DWI Awards – Chief Varrenti shared that Sgt. Philippy, Officer Mesiti, and Officer Morabito will be receiving awards on October 22nd.

5. Ride Alongs – Chief Varrenti thanked Mayor Matela for riding with officers over the last two weekends. He also thanked Trustee DeToy for attending the Police Department staff meeting.
6. Good Neighbor Committee – Chief Varrenti said he, Mayor Matela, Trustee Wexler, and Economic Development Coordinator S. Winner attended the revamped Good Neighbor Committee meeting. They are reviewing the mission statement and working on ways the Village and College can collaborate. There is an excellent working relationship and they hope it will only get better.

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

1. Open Burning – S. Zarnstorff said he and L. Vaughan have been looking at local laws regarding open burning in the Village. The current code on this topic is inadequate and needs revision. L. Vaughan provided a proposal for review and consideration. Mayor Matela asked the Board and department heads to review it. The Board could call for a public hearing at the same time it is ready to revise the hawking and peddling and sidewalk café use sections of the code.
2. Fire Safety Report regarding the former Kleen Brite Laboratories – S. Zarnstorff shared that Robert Montgomery of the EPA visited in June and returned last week to conduct a site visit of the property and buildings and meet with officials. Since June probably 90 percent of the chemicals have been removed. The EPA will follow up as to how and where they were disposed. Dry soap remains in the western part of the building. The EPA's attorneys will be working with the property owner's attorneys to negotiate remediation and securing of the buildings. They are hoping for voluntary compliance. The Fire Department did a pre-plan of the site as to how to handle it should there be a fire there. S. Zarnstorff further commented that it would be hard to find new tenants for the site in its present condition.

Trustee Wexler shared that the EPA representative commented on how diligent and helpful Village officials have been and that it has made their job easier. He thanked S. Zarnstorff, E. Riley, B. Upson, L. Vaughan, the Fire Department and Ken Pike for all of their efforts.

3. CEDAR Program – S. Zarnstorff introduced Steve McDaniel of the City of Corning, 2nd Vice President to New York State Building Officials Conference and CEDAR Program Coordinator. S. Zarnstorff reminded the Board that he had discussed the CEDAR Program at a meeting several months ago and the Board had some questions. Trustee DeToy asked about liability if S. Zarnstorff were to travel to another jurisdiction and was injured or his actions caused unintended property damage. S. McDaniel said that S. Zarnstorff's participation in the program would fall back on the Village of Brockport. Similarly, if CEDAR were called in to assist Brockport after an emergency event and a CEDAR participant were injured, it would fall back on their municipality. However, S. McDaniel shared that the hazards should have been cleared by the time CEDAR goes in to do damage assessment. S. Zarnstorff said he assisted after last spring's flood in Newark while employed here and 2 others while employed elsewhere. CEDAR participants are highly trained experts to help a community recover more quickly. There are always potential hazards, but they are not there during the emergency.

Mayor Matela asked if they work with the Red Cross. S. McDaniel said CEDAR is a state agency that is usually in and out within 3 days. However, the Red Cross is often the group that provides the meals for the workers. Trustee Wexler congratulated S. Zarnstorff on completing the program in June. He further commented that it is nice to have such a group, but that he hopes Brockport never needs to call them in. Trustee Knapp asked how many communities are participating. S. McDaniel said he has 30 plus municipalities – 120 people have been trained, 30 have authorized participation and 17 more are up for adoption right now.

Resolution to authorize participation in CEDAR
Village of Brockport, County of Monroe, State of New York

I, Leslie Ann Morelli, Village Clerk of the Village of Brockport, County of Monroe State of New York, do hereby certify that at a regular meeting of the Village of Brockport Board of Trustees of the aforesaid Village, on the 20th day of October 2003 at the Village of Brockport Village Hall, 49 State Street Brockport New York 14420, the following resolution was adopted, every member present voting therefore, to wit.

→ Motion by Trustee DeToy, seconded by Trustee Wexler to adopt the following resolution:

WHEREAS, in the event of a disaster, many communities do not have enough sufficiently trained Code Enforcement Officials to inspect buildings affected by such disaster; and

WHEREAS, Codes Division, in partnership with the New York State Building Official

Conference, has program to render volunteer assistance to disaster stricken communities known as CEDAR (Code Enforcement Disaster Assistance Response); and

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WHEREAS, The Village of Brockport supports the CEDAR program and supports the participation in the program by code enforcement officials employed by the Village who meet the qualifications of Cedar; and

NOW THEREFORE BE IT RESOLVED, that Code Enforcement Officer Scott C. Zarnstorff is authorized to submit application for membership to the Code Enforcement Assistance Response program and to which as he has completed all the required training; and

BE IT FURTHER RESOLVED that the Village of Brockport agrees to provide indemnification and insurance coverage for said Code Enforcement personal while acting as part of the CEDAR Team for aid purposes.

I do further certify that I have compared the foregoing with the original minutes of the adjourned regular meeting of the Village of Brockport of said Village held on the 20th day of October 2003 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by the Village Board of Trustees are on file in the Village of Brockport.

I do further certify that the following members of the Village of Brockport were present at such meeting, namely, Mayor Josephine C. Matela, Trustee Morton Wexler, Trustee James E. Whipple, Trustee Norman J. Knapp and Trustee Peter C. DeToy being all the persons constituting said Village Board of Trustees of the Village of Brockport, County of Monroe, State of New York.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Village of Brockport, County of Monroe, State of New York this 20th Day of October 2003.

D. FIRE DEPARTMENT – Deputy Chief Christian A. McCullough

1. Membership Adds/Drops/Transfers – Chief McCullough asked the Board to consider approving the following drops: Fred Seiler the following adds: Carlos Addison of Holley to fire and ambulance (Capen), Sara Files of Brockport to fire and ambulance (Silsby) the following to Fire Police: Ronald Patt of Brockport (Hooks) transfers: none Explore adds: Lauren Brown of Brockport, Amanda Hoy of Clarkson.

→ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried approving the previously mentioned adds, drops, transfers.

2. Call Load – 693 Fire calls year to date and 1,273 Ambulance calls year to date with one recent fatal motor vehicle accident on West Sweden Road.
3. New Pumper Truck – Chief McCullough reported that the new pumper truck should be delivered by March.
4. Ladder Truck – Chief McCullough reported that the ladder truck is in for maintenance. Spencerport Fire Department will send their ladder truck for any of our structure fires in the interim.
5. Halloween Party – Chief McCullough reported that the annual Halloween party would be Friday, October 24th at the Market Street fire hall. The dispatchers will open up the building for those to prepare. Mayor Matela said the set up group would need to use several tables. C. McCullough said they are free to use the tables at the fire hall.
6. Memorial Monument Vandalism – Chief McCullough thanked Chief Varrenti and Officer Morabito for making 2 arrests of those that recently caused vandalism to the memorial monument. It means a lot to the community.

E. TREASURER - Scott D. Rightmyer

1. Closure of one Ambulance Service Account – Treasurer Rightmyer shared that per instruction of the Board at the last meeting, he checked with the NYS Comptroller's Office who said it was perfectly fine to close the ambulance service account and run all ambulance expenditures through the Third Party Billing account.

F. CLERK - Leslie A. Morelli

1. Semi Annual Newsletter – Clerk Morelli asked for items due by 11/3 for 12/1 publication.

G. ATTORNEY – Edward W. Riley / DEPUTY ATTORNEY – Frank A. Aloï – no report.

H. ECONOMIC DEVELOPMENT – Coordinator R. Scott Winner
Economic Development Activity Report for period ending 10/20/03

- Passenger Train Tours
Train tours are on, duration of rides, destination and dates are being firmed up.
- Agri-Business Child Development
Next Steps: Will be meeting here with representatives of ABCD on October 23rd to scope alternative sites for their new childcare facility within the Village and, due to lack of appropriately zoned open acreage within the village, we will be looking at property on West Avenue in Clarkson.
- Allied Group
Have received an inquiry from a food-processing firm interested in expanding and moving its operations in to the Village. Have arranged to tour the Allied Empire Zone campus this week. Have engaged MonCo Empire Zone Coordinator, COMIDA and Empire State Development reps to assist in determining what programs the candidate may qualify for.
- Allied Group
Representative of Canadian robotics manufacturer has made preliminary tour of EZ sites in WNY, several sites have been eliminated. Brockport has made the cut and will be visited by a larger client team in the near future.
- Antique Store
Am working to assist prospect with search for 2-3 thousand square feet of space within the village to relocate their existing high-end antique store from its current location in a neighboring city. Expect to site scout with prospects early next week.
- Toy Store
Have received inquiries from an individual interested in opening a classic toy and collectible store in the village. Very preliminary discussion. I encouraged development of a business plan and directed the individual to SBDC for assistance in doing so.
- SUNY Brockport
Have met with Director of Marketing Communications to discuss and identify cross- and co-marketing opportunities between the village and the college. Prospects are very good for this effort.
- Community/Visitor's Center
Met with Dan Hogan, Paul Chatfield, Norbert Hausner, Brad Upson and Mayor Matela to discuss we may reduce construction costs and access additional funds for the completion of Harvester Park and Community/Visitor's center.

Additionally, S. Winner shared that Jimmie Z's has volunteered to host a turkey day event for the needy in the area. Merchants are considering working through GBDC to do some radio advertising to encourage shoppers to come to Brockport. The spots should air for the holidays. S. Winner said he is part of a group of Downtown Business Development Professionals who will next meet in Geneva on November 6th.

Trustee Knapp asked when they anticipate progress regarding the Community Center bids. S. Winner said that Crane-Hogan hopes to look at the numbers and get back to us within two weeks. They will look at dividing up responsibilities by contractor capabilities. Trustee Knapp asked if this would come before the Village Board. S. Winner said yes. Trustee Wexler asked if the time extension on the bids is okay. S. Winner said the bidders are amenable to the extension. B. Upson said it is perfectly fine as long as the extension is mutually agreeable. Trustee Knapp asked if it is in writing. B. Upson said yes. The only one who was not interested in continuing was the electrical contractor. Trustee Wexler asked if it is legal. B. Upson said yes and commented that it is not unusual to extend for up to 6 months. The only clause is any rise in material costs over that period of time.

SUPPORT BOARDS REPORTS:

- A. PLANNING BOARD – Chair R. Scott Winner
S. Winner shared that due to the October 13th holiday, the Planning Board meeting will be held October 27th after the ZBA meeting. It is the first time they will test the idea of utilizing the same night since 2 or 3 of the applications each board has are in common and one member serves on both boards.

One of the Planning Board agenda items is a proposal to reopen 38 Merchants Street as a bar called the "Maliboo Lounge". The ZBA and Village attorneys determined that the ABC law allows a bar and overrides the Village zoning code restriction on no bars within 300 feet of each

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other. S. Winner encourages public input. The written description sounds aesthetically challenged. Champion Moving and Storage at 100 Owens Road will be coming in regarding a lighting plan. S. Winner thanked S. Zarnstorff for beginning enforcement efforts regarding unfinished plans on that property. The Planning Board appreciates it as they often place conditions on approvals and need the enforcement arm to be sure they are completed. Lakeside Health System began mechanical upgrades and installation of concrete pads without any building permits or Planning Board approvals. They have been asked to apply to the Planning Board.

S. Winner shared that Canalside Pub have done some exterior renovations that have improved the look of the building. J. Mendez worked cooperatively with the Planning Board and S. Zarnstorff. The outdoor deck was driven by the new smoking regulations. They look forward to breaking ground on the new restaurant along the canal this spring.

B. LIBRARY BOARD – Vice President Sarah Hart

S. Hart referred to a letter she dropped off to the Mayor and Trustees as well as the Sweden and Clarkson Boards requesting \$2,000 additional funding from each of the three municipalities. She said it is a small amount and both Towns have agreed to it. Mayor Matela said Treasurer Rightmyer advised the Board that there was sufficient operating capital and does not recommend the additional allocation. S. Hart said it is a small amount and they cannot ignore the effects of inflation. Treasurer Rightmyer agreed to attend the Library Board meeting tomorrow night.

S. Hart shared that the new Director's husband had a delayed start due to her husband having to go on a heart donor list.

C. ZONING BOARD OF APPEALS - Chair Jennifer Skoog-Harvey (absent)

VILLAGE BOARD REPORTS:

A. Vice Mayor Wexler

1. Seymour Library – Trustee Wexler said he stopped down to meet the new director, but since she was not in, he spoke with her by phone. He relayed some concerns she had regarding a stop sign and the laboratories to Superintendent Upson who will be meeting with Clarkson and Sweden Superintendents to split up responsibilities.

B. Trustee Whipple

1. Dispatchers at 38 Market Street – Trustee Whipple said the 24/7 fire/ambulance/dpw dispatch operation staffed by part-timers was moved from 1 Clinton Street (Police Department) to 38 Market Street (Fire Hall) early September. There are still several things to be accomplished. He proposed a meeting with he, Superintendent Upson, one of the Fire Chiefs and 2 dispatchers to work together to formulate a list of tasks to be completed and a chain of reporting and liaison. B. Upson agreed that was a good idea. Chief Varrenti asked if they would complete the tasks left undone at the Police Department related to this move.

Trustee Whipple said yes.

C. Trustee Knapp

1. Presidents Village Apartments – Trustee Knapp shared that the Clark Street side of Presidents Village apartments has had the driveway and parking areas re-sealed and striped. However, they have included the Village sidewalk in the parking. Therefore, when cars park there, they are on the Village sidewalk preventing pedestrians from using it. This could also cause trouble come snowplowing season and could prove dangerous since Clark Street is fairly narrow. He asked that the DPW identify the sidewalk as such to avoid people from parking there.

2. Garbage issue – Trustee Knapp thanked S. Zarnstorff and B. Upson for taking care of the garbage issue at 26 Holley Street. B. Upson said the garbage was picked up and the property owner has been billed.

D. Trustee DeToy

1. Ambulance Career Staff – Trustee DeToy said Village Attorney Riley reviewed the latest draft of the proposed policy and provided his comments in a recent memo. The committee meets again soon and hopes to have an update for the next meeting.

E. Mayor Matela

1. Adopt World Children's Day proclamation –

→ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried adopting the following proclamation.

PROCLAMATION

WHEREAS, the citizens of the Village of Brockport embrace the opportunity to support the observance of World Children’s Day on Thursday, November 20th; and

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WHEREAS, on that day, McDonald’s restaurants in this region will join 30,000+ Golden Arches locations across the globe in conducting a simultaneous, one-day fundraiser dedicated to improving the lives of children everywhere; and

WHEREAS; World Children’s Day, now in its second year, is expected to raise more than \$20 million worldwide for children in need; and

WHEREAS; it is fitting and appropriate that the citizens of this community recognize the positive impact this has on the lives of all of us;

NOW, THEREFORE, I, Josephine C. Matela, Mayor of the Village of Brockport do hereby urge all citizens to join with the Village Board of Trustees in declaring Thursday, November 20th World Children’s Day.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 20th day of October, in the year 2003.

2. Received Outstanding Asset-Builder Award – Mayor Matela shared a certificate presented to the Village of Brockport Board in recognition of outstanding efforts to build assets for youth and families in our community. It was signed by the County Executive, Director and Asset Network Coordinator of the Rochester-Monroe County Youth Bureau.

3. Authorize Mayor to sign Intermunicipal Technology Services Agreement – Mayor and Board reviewed the standard agreement. Attorney Riley okayed its form.

→ Trustee Knapp moved, Trustee DeToy seconded, unanimously carried authorizing the Mayor to sign the Intermunicipal Technology Services Agreement and return it to Monroe County.

4. Request Executive Session – Mayor Matela requested an executive session to meet with attorneys to discuss collective negotiations.

⇒ At 8:23pm Trustee Whipple moved, Trustee DeToy seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law).

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

⇒ Trustee Wexler moved, Trustee DeToy seconded, unanimously carried that the Board of Trustees of the Village of Brockport exit executive session and reconvene the regular meeting at 10:12pm

AUDIT:

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

<u>Village</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
	10/8	168480	15.00
	10/14	168481	25.00
	10/01	168366	10,000.00
	10/20	168505-560	28,110.29
<u>Fire</u>			
	10/17	168487-168504	12,657.28
<u>Ambulance</u>			
	10/17	168482-486	774.48
<u>Capital Projects</u>			
	10/8	1612-1613	77,762.19
	10/20	1614	100.84
<u>Third Party Billing</u>			

10/20

193

175.00

ADJOURNMENT:

- ➔ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried that the meeting be adjourned at 10:15pm.

Leslie Ann Morelli, Village Clerk