

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, November 17, 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: Planning Board Chair / Economic Development Coordinator Scott Winner

ALSO PRESENT: Village Attorney Edward W. Riley, Bill Andrews, Bill Weber, Jim & Joan Hamlin, Ray & Jackie Morris, Tony Perry, Robbie Hess (Suburban News).

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

REVIEW OF MEETING MINUTES: Mayor Matela called for any additions or corrections to the minutes of the regular meeting held November 3, 2003.

➔ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried that the minutes of the meeting held November 3, 2003, be approved as amended.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

GUESTS:

1. William Andrews, Historian Emeritus reported on two of the projects he is working on for the Village. The first is the nomination of the Main Street Historic Commercial District to be listed on the State and National Registers of Historic Places. This was initiated by Robert Englert of NYS Parks and Historic Preservation and authorized by the Village's Historic Preservation Board. The nomination was prepared from information in Cynthia Howk's report. It went to Albany in September. There was a public hearing here on October 7th in which 12 to 15 people were present. No objections were expressed at the hearing. Listing on the State register will be reviewed tomorrow and it will be considered for the National register in the spring. Listing on these registers gains official recognition of the historic quality of the Village of Brockport's Main Street. It also opens up additional opportunities for grant eligibility with no additional restrictions. The IRS code provides for a 25% tax credit for major work for commercial structures listed on the register. This is at no cost to the Village. Mayor Matela commended B. Andrews for taking the lead on this and putting in a lot of hard work. She said she is excited at the prospect of receiving said designations.

Secondly, B. Andrews said he has tried unsuccessfully over time to persuade a local artist to consider designing and creating a sculpture in the Village. SUNY Brockport Professor and renowned local artist Bill Stewart who has a distinguished national reputation has offered to design and build a sculpture for the Harvester Park area along the Canal. He has done work at the County Airport that is well received. B. Andrews shared a preliminary design sketch of "Gateway". The materials would consist of rod or plate steel, iron or aluminum welded and fabricated, two large canal stones, one 8' x 10' x 1' concrete base. Visual symbols are used to set forth a narration relative to the history and present day use of the canal. The entire piece represents a gate, an entrance and exit east and west. The canal stones will physically connect the sculpture to the canal. The girder represents the locks and bridges, the wavy rod the canal water, the duck, goose, fish, turtle and rabbit are obvious symbols of wildlife indigenous to the area. The boat is a symbol for the recreational and commercial use of the canal. The finished size would be 6' x 8' x 12' high. The color would be black. B. Andrews said a private donor has committed \$5,000 and he has applied for a grant up to \$5,000 from the Arts Council of Greater Rochester. B. Andrews said he would undertake soliciting small private donations. This is at no cost to the Village except that DPW Superintendent Upson has agreed to install the sculpture.

Mayor Matela said the Village would be very fortunate to have an artist of Bill Stewart's caliber and reputation design and create a sculpture. Trustee Knapp asked if they foresee any additional needs related to the sculpture such as lighting. B. Andrews said if the proposed Visitors / Community Center is built; the sculpture would be placed where the lighting and security cameras from the building would cover the sculpture. Trustee Wexler said he does not question the artist and agrees a sculpture would greatly enhance the community. However, since there is no final outcome on the community center yet, he wondered if this is premature. B. Andrews said no. This project does not depend on construction of the community center. It can be placed elsewhere in Harvester Park if the center is not built. Trustee Whipple agreed. Boaters, walkers, bikers, etc. could still enjoy the sculpture regardless of the center. Trustee Whipple further added that he likes the title "Gateway" and feels it is appropriate since Brockport was the gateway to the west. He said the sculpture could elicit some interesting stories. B. Andrews said B. Stewart wants to do this as an expression of appreciation to the community for his 30 plus years here. B. Andrews asked if the Village Board would endorse the application.

Again, this is at no cost to the Village.

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→ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried endorsing the application for partial funding through the Arts Council of Greater Rochester for a sculpture by Bill Stewart for Harvester Park.

PUBLIC COMMENT:

1. Joan Hamlin of 50 Park Avenue said she was nervous speaking from the podium but had something important to say. She read an article in the October 19th Democrat and Chronicle about people running for elected office unopposed. Town of Clarkson Supervisor Paul Kimball made a statement regarding public comment at Board meetings. He shared that the public in attendance at Board meetings are allowed to speak at any time during the meeting, not just a specific time at the beginning or end of a meeting. J. Hamlin said recently Mayor Matela made a comment at the end of a meeting that it would be nice to hear the public say the Village is doing something right instead of being quick to find fault. She said she comes to almost every meeting and does not mean to be a "pain in the butt", but when she first started coming to meetings, she didn't know she had rights. She would like the opportunity to question, clarify or comment on anything the Board discusses at any time, not just at the beginning of the meeting. She asked the Board to consider a more open public comment policy. Mayor Matela thanked her for coming and for her comments.
2. Bill Weber of 333 Main Street said when he hears rumors in the community; he comes to the Village Board for answers. He said he recently heard that the Village is considering possible uses for its property on East Avenue that formerly housed the sewer treatment plant. He asked if this was true and if information would come before the public with an opportunity for public comment. Mayor Matela said the Village is in the extremely early idea phase of considering how the property may be used. There are no plans or even sketches yet. As usual the Board will follow all requirements under General Municipal Law if the time comes.

DEPARTMENT REPORTS:

- A. PUBLIC WORKS / COMMUNICATIONS CENTER – Superintendent Bradley B. Upson
 1. Resolution to approve street names in Havenwood Meadows Section III: McCormick Lane and Cyrus Way – B. Upson said the approvals were given on the plans and by 911 for the street names in Don Hibsich's McCormick Place off East Avenue. Now the Village Board needs to approve the names. Mayor Matela and Trustee Whipple both commented that the street names McCormick Lane and Cyrus Way are appropriate since they have historical significance. Trustee Knapp asked if the developer (Don Hibsich) proposed the names. B. Upson said yes. Mayor Matela commended D. Hibsich and his crew. The project is coming along nicely and a model home is eagerly anticipated.

→ Motion by Trustee Whipple, Second by Trustee DeToy, unanimously carried approving the street names McCormick Lane and Cyrus Way for Havenwood Meadows Section III (McCormick Place).

2. Resolution approving street names in Remington Woods – Briar Rose Lane and Cailyn Way – B. Upson asked for Board approval of the street names in the first section of Remington Woods off West Avenue. The developer chose these names. They have no historical significance.

→ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried approving the street names of Briar Rose Lane and Cailyn Way for part of Remington Woods.

3. Resolution authorizing installation of 6 100-watt street lights on Cailyn Way – Trustee Whipple asked the style. B. Upson said they would be the new standard for Niagara Mohawk like the ones on Main Street.

**RESOLUTION
VILLAGE OF BROCKPORT**

At a regular meeting of the Board of Trustees of the Village of Brockport, Monroe County, New York state held in the Village Hall at 49 State Street on Monday, November 17, 2003 the following resolution was moved, seconded and carried:

MOVED BY: Trustee DeToy

SECONDED BY: Trustee Wexler

RESOLVED: Niagara Mohawk Power Corporation is hereby authorized and directed to do the following work in the Village of Brockport street lighting account number 67738-78109:
Install six 100-watt high pressure sodium architectural luminaries on 12-

foot black fiberglass embedded poles with direct burial cable on Cailyn Way at an estimated annual charge of \$1,622.00, and as shown on attached sketch dated September 29, 2003.

UNANIMOUSLY CARRIED.

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4. Call for a public hearing for the discontinuance of Washington Street – B. Upson said he has received a request that the Village discontinue Washington Street which is located between Allied's buildings. To do so, the Village Board needs to hold a public hearing and find no use for the street. Trustee Knapp asked if it involves different owners or easements. B. Upson said there is more paperwork to come. It is all Allied surrounding Washington Street. There are some easements. The sanitary sewer is now being used as a storm sewer. There is a SPDES permit from way back. They are trying to track it down. Anything still in operation will require an easement.

→ Trustee DeToy moved, Trustee Knapp seconded, unanimously carried to call for a public hearing on January 5, 2004 to consider the discontinuance of Washington Street.

5. Resolution retroactively approving reduction #3 to Irrevocable Standby Letter of Credit #0019443 re Remington Woods and execute Certificate of Release – B. Upson said this item was scheduled on the last agenda, but when he heard there the developer owed the Village approximately \$26,000 in fees, he removed it from the agenda. The developer was notified and paid off his fees and the release was signed by B. Upson, T. Carpenter, Schultz Associates, and Mayor Matela. There stands \$445,035.68 in the letter of credit.

→ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried retroactively approving reduction #3 to the Irrevocable Standby Letter of Credit #0019443 re Remington Woods.

6. Leaf Pick Up – Trustee Wexler asked if leaves were still being picked up. B. Upson said yes. They have been completely through the Village 3 times and are starting the fourth time around. They are currently having trouble with the suction machine, but will use the loader if needed. They are also picking up tree limbs that fell from the recent windstorm.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Award bid for one new 2004 police car per specifications – Chief Varrenti and Treasurer Rightmyer reviewed the bids received on November 10th. Four bids were received. The low bidder was Delacy Ford at \$23,280, which includes an extended warranty cost of \$2,500. Chief Varrenti said this dealer was awarded the last bid as low bidder. He recommends the Board accept this bid but not take the extended warranty. The basic warranty is 3 years or 36,000 miles. The dealer has additionally promised at no charge that if a major component breaks they pay 1/3, Ford pays 1/3 and the Village pays 1/3. This would save \$2,500. Trustee Knapp asked if this was in writing. Chief Varrenti said no, but he could request it.

→ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried to award the bid for one new 2004 police vehicle to the low bidder, Delacy Ford without the extended warranty.

2. Accidents – Chief Varrenti reported that one of the police vehicles sustained minor damage from a loose refuse container hitting it in the recent windstorm. Chief Varrenti also shared that they shut down a section of East Avenue for four hours one day last week due to a serious accident whose victims include DPW Foreman Harry Donahue's wife, Robin. All appropriate steps and samples were taken to determine if the driver of the other vehicle was under any influence.
3. General Orders – Chief Varrenti provided Clerk Morelli change orders regarding general orders 502, 530, 545 for the Manual located at the Village Hall.

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

1. Monthly Report (October) – S. Zarnstorff reviewed his monthly report. Year to date inspections between he and L. Vaughan total 791, which is on par with last year.
2. New Subdivisions – S. Zarnstorff shared that both new subdivisions, Don Hibsich's McCormick Place on East Avenue and Calcagno's/ Ryan Homes Remington Woods on West Avenue, are moving forward. Ryan Homes is nearing construction of their model home.
3. Proposed Senior Citizen Apartment Complex – S. Zarnstorff shared that the joint ZBA and Planning Board public hearing for Village Centre Apartments at 222 Main Street is scheduled for Monday, November 24.
4. Brockport Enterprises – S. Zarnstorff shared that M. Duryea is working with he and S. Winner on uses for the buildings on North Main Street and Clinton/Smith Street.

D. FIRE DEPARTMENT – (ABSENT)

E. TREASURER - Scott D. Rightmyer

1. Med Ex Third Party Billing – Treasurer Rightmyer said he provided the package with new rates to the Mayor and Board for review at their next workshop. A 4% increase is projected.

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2. Excellus / BCBS Medicare – Treasurer Rightmyer said he confirmed that a prescription rider is offered, however, the Village does not qualify since it has less than 50 Medicare eligible retirees. He still needs to make contact with Medicare. Treasurer Rightmyer shared that Med Ex is having some difficulty due to the new HIPAA privacy regulations. Clerk Morelli shared that the Village’s BCBS representative said the privacy regulations have gone to the extreme. A husband/wife cannot get information on their spouse unless waivers are signed in advance. S. Rightmyer shared an example of a hospital room number not being given out to the adult child of a parent.

F. CLERK - Leslie A. Morelli

1. Newsletter – Clerk Morelli thanked those who submitted information for the semi-annual newsletter. The next edition comes out Monday, December 1st as an insert in the Tri County Advertiser and will be available at the Village Hall and on the Village website.

G. ATTORNEY – Edward W. Riley

1. First Presbyterian Church at 35 State Street – Attorney Riley presented a license agreement he and attorney Coapman worked on for the Church to use Village property for its north entrance rehabilitation project. A survey and certificate of insurance was included. It is a license, not an easement. It is revocable, renewable every 5 years, and recordable at the Monroe County Clerk’s Office. The Church will pay all recording fees. There is no cost to the Village. Attorney Riley recommended the Board authorize the Mayor to sign it.

→ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried authorizing the Mayor to sign the license agreement between the Village and the First Presbyterian Church at 35 State Street.

2. Executive Session – Attorney Riley said Attorney Lippitt will be arriving soon and requested an executive session at the end of the meeting to discuss collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law).

H. ECONOMIC DEVELOPMENT – Coordinator R. Scott Winner (excused)

SUPPORT BOARDS REPORTS:

- A. PLANNING BOARD – Chair R. Scott Winner (excused)
- B. LIBRARY BOARD – President Sean Wilcox (absent)
- C. ZONING BOARD OF APPEALS - Chair Jennifer Skoog-Harvey (absent)

VILLAGE BOARD REPORTS:

- A. Vice Mayor Wexler
 1. Get Well Wishes – Trustee Wexler said this is one of the few times he is sure he is speaking for the entire Board when he gives get well wishes to DPW Foreman Harry Donahue’s wife Robin and Sgt. Adam Mesiti’s wife Amy.
 2. Proposed Visitors/Community Center – Trustee Wexler asked if there were any updated figures. Mayor Matela said updated figures are expected by the next workshop meeting. Mayor Matela said besides the \$106,000 grant for Harvester Park Improvements and \$25,000 grant for the Visitors/Community Center already obtained, Senator Maziarz has promised \$25,000 and Assemblyman Reilich has promised \$5,000. This totals \$161,000 so far in grant monies for these projects. She said she is also working with Rocco DiGiovanni and Dawn Nettnin of Monroe County for CDBG grant funding of \$50,000, which would bring the grants total to \$211,000.
- B. Trustee Whipple
 1. Board of Water Commissioners – Trustee Whipple announced good news that the DPW has found some large water leaks, one that lost 3 million gallons per month, and made the necessary repairs. They have righted the revenues versus expenditures and the water business is worthwhile once again. They will see that it continues that way.
 2. Dispatchers – Trustee Whipple shared that the first team meeting was held regarding completion of the relocation of the communications center from the Police Department at 1 Clinton Street to the Fire Department at 38 Market Street. He said it was a good first meeting, assignments were given, and they will have a follow up meeting soon.

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C. Trustee Knapp

1. Former Clerk-Treasurer Louie D. Smith – Trustee Knapp said as everyone is aware that former Clerk-Treasurer Louie D. Smith passed away on October 26th. He served as Village Clerk-Treasurer from 1969 to 1989 and then on the Board of Water Commissioners after that. He suggested that the Village Board recognize his many years of service by striking a page in the meeting minute book. He was a true statesman for the community. He WAS the Village of Brockport. All agreed this was very appropriate. Trustee Wexler commented that Louie's family was grateful for the lowering of the flag, flowers and such.

→ Trustee Knapp moved, Trustee Wexler seconded, unanimously carried to strike a page in the minute book to recognize the passing of Louie D. Smith, Village Clerk-Treasurer from 1969 to 1989.

D. Trustee DeToy – No report.

E. Mayor Matela – No report.

Chief Varrenti wished everyone a very safe and Happy Thanksgiving!

⇒ At 8:05pm Trustee DeToy moved, Trustee Whipple seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss collective negotiations.

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

→ At 9:40pm Trustee Whipple moved, Trustee DeToy seconded, unanimously carried that the Board of Trustees of the Village of Brockport exit executive session and return to the regular meeting.

Fire Department Bills – Mayor Matela brought to the Boards attention on November 5, 2003 by phone and provided them with written documentation of Fire Department bills that were submitted for payment and signed off on at the November 3rd Village Board meeting, some of which need further clarification. It was agreed that the Village Board liaisons to the Fire Department, Trustees Knapp and Whipple would arrange a meeting with Chief Wing and Mayor Matela and resolve any issues within 30 days of original notification.

AUDIT:

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

Village

Date	Check #	Amount
11/17	168693-706	10,557.20
11/17	168709	273.25
11/17	168711-718	1,200.00
11/17	168645-685	33,244.61

Fire

11/17	168707-168708	143.67
11/17	168686-692	4,075.83

Capital Projects

11/17	1617-1620	141,451.44
	P. 22	133,599.00
	P. 44	1,602.46
	P. 36	6,249.98

11/12	1616 P.35	16,631.41
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Third Party Billing

11/17	205-210	9,523.38
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ADJOURNMENT:

→ Trustee Knapp moved, Trustee Wexler seconded, unanimously carried that the meeting be adjourned at 9:43pm.

Leslie Ann Morelli, Village Clerk