

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, January 17, 2006 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Carrie L. Maziarz, Trustee Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Mary Jo Nayman, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer / Village Manager Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED:

ALSO PRESENT: Fire Chief Laurence C. Vaughan, Jim & Joan Hamlin, Hanny Heyen, Roger Young, Janine Craft, Gary Nowakowski, Rodney Davis, Francisco & Linda Borrayo, Fred Webster, Bob Webster, Krystal Cardenas, Katya Fortygyn, Alisha Danin, Nancy Carter, C. Sagusa.

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 January 3, 2006.

➔ Trustee Castañeda moved, Trustee Nayman seconded, Trustee Maziarz abstained due to absence, carried that the minutes of the meeting held January 3, 2006, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT: None

GUESTS:

1. Cornerstone Christian Academy – Janine Craft – re sign proposal – Janine Craft introduced herself as a member of the Cornerstone Christian Academy Planning Board. She said she spoke to S. Zarnstorff and reviewed the Village's sign code, but they found that nothing relates to temporary lawn signs other than political campaigns. She said the school would like to erect 12-15 temporary lawn signs to advertise the open enrollment of Cornerstone Christian Academy. The signs are 18" x 24" and professionally done by Sign of Jonah Sign Shop in Spencerport. They would be on the lawns of parents and grandparents of students. There are 60 students at the school from all over. Approximately 10-15 live in the Village. They would be up 25-30 days prior to school enrollment that is tentatively scheduled for March 17th. J. Craft provided a copy of the Town of Hamlin's sign code that includes not for profit community oriented signs with campaign signs. She said she also has a copy of Albion's sign code that does similar. Since Brockport's sign code does not address it, S. Zarnstorff recommended that she address the Village Board and ask permission.

Trustee Wagenhauser referred to the Village of Brockport sign code as it relates to campaign signs. S. Zarnstorff said this would be the appropriate place to include it. Political signs are allowed for 37 days prior to the election and then must be removed within 48 hours after the election. Trustee Wagenhauser asked if the Village code forbids it. S. Zarnstorff said no, it just does not include it. Trustee Wagenhauser said the Village then has no jurisdiction over it. Trustee Castañeda said the code is silent. S. Zarnstorff said he is currently working on a proposal to update the sign code and this type of signage could certainly be added. Trustee Maziarz said it should be in the same fashion as a political campaign. Trustee Nayman said since the code is silent, then there is no need for a permit. Board agreed. Trustee Wagenhauser thanked her for coming before the Village Board.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Holley Storm Sewer Project – Phase II – Superintendent Donahue reported that work began today on this project of which a \$35,000 grant was received from CDBG. This should help alleviate flooding. Work will progress as the weather allows. Trustee Wagenhauser asked the results of the sewer work done on Holley Street thus far (Phase I). H. Donahue said he has not received a single call regarding a backup. Mayor Wexler said that is certainly good.
2. Fire Hall Roof – Superintendent Donahue reported that due to good weather last week, the contractor was able to continue work. The building is watertight. Work will progress as the weather allows. The stair tower roofing will be finished in the spring.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service - Chief Varrenti said we are only 17 days into the new year. However, he will have the fourth quarter report and annual report for the next meeting.

2. Update on 12/19 Chase Bank Incident – The suspect, Mr. Fragner of Amherst, NY, was arrested. Apparently he was driving 104 Eastbound, took a right at Route 19 and chose Brockport in which to rob a bank with no particular motive. Trustee Nayman asked what the status is. Chief Varrenti said he was remanded to Monroe County Jail for robbery and displaying false bombs. It is likely a psychological defense will be used. To his knowledge, he is still incarcerated.

Chief Varrenti shared that on January 13th at 11am in a ceremony that was planned at the Police Department, but was relocated to the Village Hall; Assemblyman Reilich presented medals of merit and a resolution read into the NYS Assembly record to Sgt. Ziegler, Officer DeToy and Officer Wheat for their efforts in the Chase Bank robbery. These were the first such medals commissioned and presented in New York State.

Mayor Wexler said he and Trustee Nayman were in attendance. He said it is a pleasure to work with Assemblyman Reilich who is there for the Village of Brockport, its Police Department and Fire Department whenever assistance is needed. Mayor Wexler said it must be tough for Assemblyman Reilich who is a registered republican in a democratic assembly. However, he comes through for the communities he represents. Mayor Wexler said he sent him another thank you note for what he does for Brockport.

Chief Varrenti said Assemblyman Reilich really cares. He takes the time to make the calls, find out the facts, and draws generous conclusions. He takes the time to educate himself and represent his constituents. Chief Varrenti said Assemblyman Reilich called the day of the incident to get informed.

Trustee Maziarz said unfortunately the two Trustees that are liaisons to the Police Department (she and Trustee Wagenhauser) were not made aware of this event with Assemblyman Reilich. She said she would have loved to have participated. She said the Police Department did a phenomenal job with this bank robbery and is deserving of recognition. She said she is extremely upset by the lack of communication and asked why she was not informed. Mayor Wexler said he received a phone call about the event to be held at the Police Department. He said he thought the others had received the same information. Trustee Castañeda said she and Manager Coyle had exchanged e-mail regarding something else related to Assemblyman Reilich and learned of the event. Trustee Wagenhauser said this was a big award and he would have liked to have been included.

Chief Varrenti said he would assume some of the responsibility. Word came by phone from Assemblyman Reilich's office and it was originally to be held at the Police Department. He said he was out for a short time with his knee surgery and it must have fallen through the cracks.

Trustee Wagenhauser said he has a growing concern of Village Board members' ability to weigh in on issues because lack of communication is becoming a common occurrence. He said there are day-to-day decisions being made without the knowledge or input of the full Board.

Trustee Maziarz asked Trustee Nayman how she learned of the event. Trustee Nayman said she thinks she heard of it while picking up her mail one day. Trustee Maziarz said the Trustees should not receive information because they were in the right place at the right time. She said she has had big events such as NYS Canal Corporation visits in which she has made sure to notify the entire Board.

3. Explorer Post – Chief Varrenti said the diversity of work from day to day in law enforcement is great. Two days after the Chase Bank incident, members of the Brockport Police Department and Explorer Post presented Christmas gifts to the residents of Lakeside Beikirch Care Center. The seniors truly enjoyed themselves. He thanked the Explorer Post for selling raffle tickets that helped them put on the Police Department appreciation dinner, purchase 120 gifts for LBCC residents as well as a 36" flat screen television for LBCC. He encouraged any youngsters considering a career in law enforcement or firefighting to join their respective explorer post.

4. PESH Inspection – Chief Varrenti reported that the Police Department has voluntarily requested a PESH inspection. Sgt. Philippy has taken the lead on it. He said PESH gave them kudos for being proactive and reactive. He explained that when PESH or OSHA show up announced, violations could become very costly with fines. They were found to be 99% in compliance. There were approximately 100 recommendations made for improvement. He said he would talk to DPW Superintendent Donahue to see what can be done.

5. Knee Surgery – Chief Varrenti reported that he came through minor knee surgery fine. He thanked those who sent him cards and well wishes.

MINUTES OF MEETING HELD January 17, 2006 continued.....page 3

6. 2006-2007 Budget – Chief Varrenti reported that he submitted the proposed 2006-2007 Police Department budget to Manager Coyle. He said the Police Department budget is in three parts – salary, contractual, equipment. He said due to the Stetson Club contract, he has no control over 89.9% of the budget. He said the parts he has control over are budgeted less for next year than this year even after fuel increases are added in. He said he also gives credit to the Sergeants to run a 24/7 operation such as this within this budget.

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

1. Assessment Grievance Day – Tuesday, February 21st 4pm – 8pm – S. Zarnstorff shared that the tentative assessment roll for the year 2006 will be filed with the Village Clerk on February 1st. It will be made available for review during regular business hours until February 21st. On that third Tuesday of February (2/21) from 4pm to 8pm, the Board of Assessment Review and he will meet for the purpose of completing said assessment roll and of hearing and determining complaints. Complaint on real property assessment forms may be obtained at the Village Office or downloaded from brockportny.org.

S. Zarnstorff encouraged the Village Board to continue looking at the option supported by New York State to have the Town do Village assessing. There are many benefits to this including not having the taxpayers have to file exemptions and grievances in two places.

2. Signage – Trustee Nayman asked for a follow up on the signage questions raised at the last meeting. S. Zarnstorff said regarding the large real estate sign on 23 N. Main Street, he is still awaiting further assistance from the Deputy Village Attorney on interpreting the sign code. Trustee Castañeda asked why the Code Enforcement Officer needs to consult the Deputy Village Attorney on interpreting the code. S. Zarnstorff said applying the particular sign in question to the Village's existing sign code is difficult. He cannot determine if that sign violates the sign code. Therefore, he asked F. Aloï, Esq. for his take on it. Trustee Castañeda asked why F. Aloï has not responded. S. Zarnstorff said he did respond that there are complications with the sign code and that he would get in touch with me regarding it. He has had a recent health problem that has taken him away from work.

Regarding signage in general and portable signs specifically, since the Code Review Committee has not gotten to the sign chapter yet, he has taken it upon himself to draft recommended changes over the next month. He has already gathered sign codes from many other municipalities.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Laurence C. Vaughan

1. Membership Adds/Drops/Transfers – Chief Vaughan asked the Board to consider approving the following drops: Chris Fischer from the Explorers, Matthew St. Joseph from mutual aid, Terry Tubbs, Richard Jones, Steven Paulson, Carlos Addison, Stephen Pilgra, Daniel Southcott, Robert Zobel, Linda Menear, Michael Tubbs, Larry Hodge, William Caruso, Kevin Fiduccia, Jon Young, Richard Pardun, Cheryl Tubbs, David Hofstra and the following adds: David Moon and the following re-adds since no approved sheet found: Jorge Magin, Kasey Smith. Chief Vaughan said there is a lot of turnover with a volunteer department. These drops have not been active for some time.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried approving the previously mentioned drops and adds.

2. Call Load – Fire incidents year to date = 44 EMS calls year to date = 61 for a total of 105
3. Miscellaneous – Chief Vaughan reported that they seem to have weathered the officer changeover well. All officers, old and new have gotten settled in. The new ambulance has an expected delivery in mid-March. The work is continuing on getting the new Chief's vehicles set up. Lettering is in progress and they have some needed parts and equipment on order. Both should be ready in the next 2 to 3 weeks if the parts arrive in a timely fashion.

Tower - The Fire Department fully supports the need for a communications tower at the DPW to support not only the police communications, but it will enhance the fire and ambulance communications with the ECD. It will also improve the quality of the new administrative pagers that are due to start arriving in late March or early April. The Fire Department will have representatives at the informational meeting in Ogden on January 31st. If you monitor the Sheriff's primary channel, you will see how terrible the portable communications traffic is in the Village area. Police Chief Varrenti concurred and said that anyone that says no could be voting on their very own life. It is imperative to have this equipment. It solves a long time

Brockport issue.

MINUTES OF MEETING HELD January 17, 2006 continued.....page 4

Air Bottles - Chief Vaughan said they have submitted a request to the Mayor for the authorization to purchase some used SCBA bottles from the Morton Fire District. They have submitted a purchase offer, contingent on the Village Board's ok, to purchase 33 air bottles for \$100 each for a total of \$3,300. Chief Vaughan said the air bottles are over \$900 each when new.

Trustee Wagenhauser asked how many air bottles the department currently has. Chief Vaughan said approximately 80. Trustee Wagenhauser asked how many air bottles are really needed. Chief Vaughan said 12. However, the bottles are hydro tested 5 times and then taken out of service. Chief Vaughan stressed what a good deal they would be getting from Morton.

Besides the bottles, they will throw in backpacks, straps, harnesses and the like. This equipment makes it even more valuable. Trustee Wagenhauser asked if we would be happy with these for 5 to 10 years. Chief Vaughan said yes.

Mayor Wexler reminded all that the cost is split between Brockport, Sweden and Clarkson. The Village's portion would be \$825. Trustee Wagenhauser said he is glad we could help out the other municipalities by saving them money as well.

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to authorize the purchase of 33 air bottles for \$100 each for a total of \$3,300 from Morton Fire District.

Consolidation – Chief Vaughan referred to a recent letter to the Board outlining the consolidation of the five fire companies into one department. He requested some time at the next workshop to discuss the proposal and to answer any question on the status of their efforts. This would unify the department under one name and streamline administration.

E. TREASURER / VILLAGE MANAGER - Ian M. Coyle

1. Code Review Committee – Manager Coyle referred to his recent memo to the Board on the status of Code Review and indicated that several action items are needed. He asked that they review it and be prepared to discuss it at the next workshop.
2. Discussion of PD vehicle purchase – Manager Coyle referred to his recent memo to the Board and recommended the Board consider purchasing one new unmarked police vehicle in the 2005-2006 budget and 2 new marked police vehicles in the 2006-2007 budget. Per the Stetson Club contract, a new car is needed when the old one reaches 75,000 miles. Chief Varrenti said the previous Board decreased the number of marked cars from 5 to 4. That was fine, however, it increases the mileage put on the remaining cars. He said a Chevy Impala for the unmarked car would be fine for him. However, he stands by his belief that the marked cars need to be Ford Crown Victorias. Manager Coyle said there is \$63,000 in the contractual line with \$35-\$40,000 yet to be used. Therefore, there will be enough money to purchase this one vehicle in the current budget. It will be better than buying 3 vehicles in next year's budget.

Trustee Wagenhauser and Trustee Castañeda both said this makes sense. Trustee Maziarz said she did a ride along and realizes the importance of the larger vehicle. Between the height of many of the officers and the equipment they must carry, using the passenger seat is pretty difficult. Chief Varrenti said they are moving offices. He said they would be receiving tax equipment that can scan licenses and registrations with a device. This will be free to the Village through a state grant. Trustee Wagenhauser said he understands as well that new cages and backseats would be needed if they went with Impala's for the marked vehicles. Chief Varrenti concurred as well as a proven track record of less maintenance, less breakdowns and that Ford Crown Victoria's are the choice of the DPW mechanic who works on them.

→ Trustee Wagenhauser moved, Trustee Nayman seconded, unanimously carried to authorize the purchase of one new Chevy Impala for use as an unmarked police vehicle in the 2005-2006 budget.

F. CLERK - Leslie A. Morelli – No report.

G. ATTORNEY – Thomas D. Calandra / DEPUTY ATTORNEY – Frank A. Aloï

H. ECONOMIC DEVELOPMENT –

SUPPORT BOARDS REPORTS:

- A. PLANNING BOARD – Chair R. Scott Winner (absent)
- B. LIBRARY BOARD – President Matthew Minor (absent)
- C. ZONING BOARD OF APPEALS - Chair John Bush (absent)

MINUTES OF MEETING HELD January 17, 2006 continued.....page 5

VILLAGE BOARD REPORTS:

- A. Trustee/Vice Mayor Maziarz
 - 1. Village Advisory Committee – Trustee Maziarz referred to an article in the Brockport Post regarding the Village Advisory Committee to work on strategic planning, Economic Development and Public Safety. Trustee Maziarz said the way she understood it, this was to serve as an advisory group only. Trustee Castañeda concurred and said they will provide input to the Village Board on any number of issues. Trustee Maziarz said strategic planning, Economic Development and Public Safety are Village Board functions – not meant for such an advisory committee. Trustee Castañeda said they might simply have opinions they wish to share. Trustee Nayman said she considered the condition of her street, water and drainage last year to be a matter of public safety. Trustee Maziarz said public safety actually means police and fire.
 - 2. Legal Fees – Trustee Maziarz expressed concern of the escalating legal fees the Village is incurring. She said the Village has a major artery that’s been lacerated and continues to bleed. This year’s line item from June 1, 2005 – May 31, 2006 for legal fees is \$60,000. We are already at \$54,330 with 5 months to go in the fiscal year. The Village has spent \$6,799 per month and has only \$5,604 for the rest of the fiscal year. She said 3 part time attorneys have made \$35,000, \$13,000 and \$7,000 so far. She said this is an extraordinary expense that needs to get under control. According to the bills, there are phone calls to and from the attorneys each and every weekday from the Mayor.

Trustee Nayman asked if these figures included the prior administration. Trustee Maziarz said the fiscal year is June 1st to May 31st. Therefore, only the month of June was from the prior administration. Trustee Wagenhauser said the expenditures of legal fees has increased substantially since this Board took office. Trustee Nayman said this Board was left with issues from the prior administration (i.e. the Police Chief’s contract) that requires legal work.

Mayor Wexler said when last year’s budget was presented, he said \$60,000 was not enough for the legal line. It was then increased to \$110,000, but ultimately got reduced to \$60,000. He said he voted against the budget. Trustee Maziarz reminded him that she also voted against the budget. However, the Board has to operate within the lines. She recalls campaign promises being made that the Mayor and Board would not rely on attorneys for every move. Trustee Maziarz said assessment is down which means taxes will likely need to go up. We must stop the bleeding.

Trustee Wagenhauser said all of the Trustees are not given information on the use of the attorneys. A monthly bill is presented for payment that indicates numerous calls. However, the Board does not receive written or verbal updates as to what these daily calls entail. He said he would not sign off on paying the legal bills any longer unless he is told what the money is being spent on.

Mayor Wexler said many of the legal fees are due to the situation with the Police Chief’s contract. He said he could go into detail now if the Board wishes. Trustee Nayman said details should be discussed in executive session since it is a personnel matter. Mayor Wexler said Manager Coyle has an outline of all attorney conversations; they are simply not detailed out on the bills. Trustee Wagenhauser said, “spoke to T. Calandra” is not enough to go on. Trustee Wagenhauser said this is not the same as continually not letting the Trustees in on information and continual unilateral decision-making. The Village Board is comprised of five elected officials, not one. Trustee Wagenhauser said he thought Mayor Wexler believed in this since he complained of the same when he was a Trustee.

Trustee Wagenhauser said the attorney’s work for the Village Board. They are tools to be used. Each Board member should be kept apprised and should vote on actions to be taken and letters that go out.

Mayor Wexler said each Board member received a copy of a letter received from Chief Varrenti asking for additional compensation time. Mayor Wexler said two Trustees came to see him and asked if he was in favor of granting the request. He said no. He said he did not go to each of the four Trustees to get opinions. Trustee Castañeda said this is not appropriate to be discussed now. It should be discussed in executive session since it is a personnel matter. Mayor Wexler said it would all eventually come out.

Trustee Maziarz said the Trustees should have to ask each and every day what calls have been made and what they entailed. Memos updating the status and an opportunity to weigh in before decisions are made or letters are sent out would suffice. Mayor Wexler said he does put memos in the Trustees mailboxes. Trustee Wagenhauser said only AFTER the Mayor has made decisions – not to solicit Board input. Mayor Wexler said there is no doubt that litigation could be forthcoming.

MINUTES OF MEETING HELD January 17, 2006 continued.....page 6

Trustee Castañeda suggested this conversation continue in executive session at next week's workshop. Trustee Maziarz said she is exercising her right to discuss legal fees in an open meeting. She is not trying to discuss the specifics of any personnel matters. She is talking about out of control legal fees. If litigation occurs, legal fees will only skyrocket. Trustee Maziarz said the Board continues to ask Department Heads to spend less and budget better, yet the elected officials can't get control over legal costs. The Board owes it to the taxpayers to work within the budget. Trustee Maziarz said phone calls do not need to be made to attorneys each and every day.

Trustee Nayman said the monthly attorneys bills usually have a blurb next to the phone calls indicating the issue. It is up to the Trustees to ask questions if they have any. Trustee Wagenhauser said he HAS asked and Mayor Wexler either responds, "I don't remember" or "I made the decision". Trustee Wagenhauser said that is neither helpful nor timely. This is not the way local government should run. Trustee Castañeda asked if they thought Mayor Wexler should call all 4 Trustees after every phone call. Trustee Maziarz said no, but to realize there are 5 people on the Board who need the information and the ability to provide input to come together on decisions.

B. Trustee Castañeda

1. Village Advisory Committee – Trustee Castañeda said she is looking forward to the organizational meeting of this new committee to be held at 7pm Monday, January 30th. She will forward questions, concerns, opinions and ideas of committee members to the Board.

C. Trustee Wagenhauser

1. Village Advisory Committee – Trustee Wagenhauser said he wishes the new committee much success. His understanding is that the representatives will be bringing forth issues important to their street / neighborhood. This has the potential to be very productive.
2. Refuse Collection Proposal – Trustee Wagenhauser said he sees it is on the agenda tonight under Mayor Wexler. He said he had planned on presenting a follow up to the Board at their next workshop. The Town of Sweden has a public hearing tonight regarding whether to continue their recycle center.
3. Water – Trustee Wagenhauser said he would like to discuss water rates at the next workshop and the possibility of either keeping them the same or decreasing them.

D. Trustee Nayman – No report.

E. Mayor Wexler

1. Accept resignation of Marsha Booth from Library Board – Clerk Morelli shared that M. Booth could not accept the appointment to the Library Board of Trustees as she has accepted a promotion at work that takes up her time.

→ Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried to accept the resignation of Marsha Booth from the Seymour Library Board of Trustees.

2. Appointments to Library Board – Mayor Wexler said there are now 3 applications for 2 vacancies. He will solicit input from the Acting Library Director and look to appoint at the February 6th Village Board meeting.
3. Proposed Police Communications System Project – open meeting west side Tuesday, 1/31 5pm – Town of Ogden Town Hall – Mayor Wexler announced this meeting. Fire Chief Vaughan and Police Chief Varrenti spoke in support of it earlier in the meeting.
4. Proposal re Village wide refuse collection – status – As Trustee Wagenhauser requested, this would be on the next workshop agenda. Mayor Wexler said he sent Trustee Wagenhauser a note asking what he wished to see happen with this proposal as the 62-day period since the public hearing has passed.
5. Health Insurance – Mayor Wexler shared that he went to a Council of Governments meeting in Rochester today. The Monroe County municipalities are looking at the possibility of getting

together regarding health insurance like they did with workers compensation insurance at a good cost savings.

6. 2006 Events Schedule – Mayor Wexler thanked Clerk Morelli for taking the initiative again on gathering input from various community groups in order to put together a 2006 Village Events Schedule. Details of any events to be held in the Village and open to the public in 2006 should be provided to Clerk Morelli by March 1st.

MINUTES OF MEETING HELD January 17, 2006 continued.....page 7

PUBLIC COMMENT:

1. Joan Hamlin of 50 Park Avenue questioned the Fire Department consolidation plans. She asked if this would make them able to levy taxes and if a public hearing would be held. Chief Vaughan said there would be a public hearing. However, what she is thinking of is a Fire District. He said consolidating the Fire Department requires a local law by the Village Board with the benefit of a public hearing. He said rather than having 5 little departments each with their own officers, they would truly be one as the Brockport Fire Department. J. Hamlin asked if this includes the Capens. Chief Vaughan said yes. J. Hamlin said from her understanding the Capens own their own fire hall and equipment as well as income property. Chief Vaughan said the Capens own the build and the Village pays truck bay rental. All else belongs to the Fire Department.
2. Linda Borraro of 155 Utica Street said in the past (when Bill Weber was Building/Zoning Officer), she does not recall him calling the Village Attorneys as to how to interpret the code. Mayor Wexler said it is important and wise to do so since if an attorney is going to end up involved (if someone is served a violation notice and asked to appear in court), the Village better be on firm ground legally. He said this should be no reflection on the Code Enforcement Officer. L. Borraro said she understands when it involves a court situation, but wondered if the sign code really requires interpretation by the attorneys. Trustee Wagenhauser said some parts of the Village code are pretty straightforward, some parts are ambiguous and some parts are downright poorly written. He said if an appearance ticket needs to be defended, the Village should be prepared. Police Chief Varrenti concurred citing an example where a parking violations refers back to a Penal Code felony. He said that S. Zarnstorff is smart enough to know what he doesn't know and to avert a potential lawsuit. Mayor Wexler said he sat on the Code Review Committee briefly and it was determined to have General Code Publishers analyze the code and to have the Village Attorneys review any changes recommended to be sure it holds up in court. Words such as "may", "will", "shall" can make quite a difference. L. Borraro said she has noticed both the Village Attorney and Deputy Village Attorney at recent Zoning Board of Appeals meetings and wonders if this is necessary. Mayor Wexler said the Deputy Village Attorney is bringing the new Village Attorney up to speed on Planning Board and ZBA so that he may handle the legalities by himself.
3. Rodney Davis referred to the Spring 2005 Amortization of Rental Housing Proposal and asked the status. Trustee Nayman said that was brought up at the last meeting as well. Three of the five current Board members were not on the Board at that time. She thanked Clerk Morelli for providing the Board members with a copy of the file on this issue. She asked that it be placed on the next workshop agenda for a status update. Mayor Wexler said there is nothing to imply that anything will come of this proposal. It has not been discussed since the public hearing last May.

Miscellaneous:

Clerk Morelli shared that the Village Board meeting scheduled for Tuesday, February 21st (since Monday, February 20th is a holiday) conflicts with the annual date for Assessment Grievance Day set by the State. The conference room and kitchen are used for grievance. Mayor Wexler said further, he is out of town that week. Trustee Castañeda said that is spring break and she will likely not be in attendance. Board discussed options of having the meeting on February 22nd under Vice Mayor Maziarz's leadership, or canceling the meeting. There is a regular meeting February 6th and a workshop meeting February 27th.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to cancel the February 21st meeting.

AUDIT:

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

<u>Village</u> Date	Check #	Amount
1/4/06	172717-172719	\$11,552.00
1/9/06	172724	234.54

1/17/06	172791	1,345.53
1/17/06		

<u>Fire</u>		
1/17/06	172726-172732	\$14,841.41

<u>Third Party Billing</u>		
1/17/06	696-701	\$6,338.23

MINUTES OF MEETING HELD January 17, 2006 continued.....page 8

Capital Projects

Sewer

<u>Water</u>		
1/17/06	1314-1320	\$32,009.16

ADJOURNMENT:

- ➔ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried that the meeting be adjourned at 9:10pm.

Leslie Ann Morelli, Village Clerk