

**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, March 17, 2003 at 7:30pm.**

**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:** Village Attorney Edward W. Riley, Deputy Village Attorney Frank A. Aloj, Fire Chief Gregory B. Wing, Planning Board Chair / Economic Development Coordinator Scott Winner.

**ALSO PRESENT:** Assistant Fire Chief Mark Warner, Library Board Vice President Sarah Hart, Ken Pike, John Lessord, Ray & Jackie Morris, Jim & Joan Hamlin, Bill Weber, Fred Webster, Bob Connors.

**CALL TO ORDER:** Mayor Matela called the meeting to order and led the Pledge to the Flag. Mayor Matela asked for a moment of silence to contemplate the country possibly going to war and our men and women in the military everywhere.

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

➔ Trustee DeToy moved, Trustee Knapp seconded, unanimously carried that the minutes of the meeting held March 3, 2003, be approved as written.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:** None

**GUESTS:** Several Brockport High School seniors introduced themselves. Trustee Wexler congratulated senior C. Bush for his wrestling championship.

**PROCLAMATIONS:** Mayor Matela read the following proclamations that were presented at events this past weekend.

**PROCLAMATION**

WHEREAS, the citizens of the Brockport area are gathered this day to recognize the accomplishments of the Brockport High School Ice Hockey team coaches and members; and,

WHEREAS, the Brockport High School Ice Hockey program has distinguished itself in the last three years of competition by amassing an overall record of 65 wins, 8 losses and 4 ties in the Monroe County Section Five league and the New York State Championship Tournament, and;

WHEREAS; in the 2002-2003 season, the coaches and members of the Brockport ice hockey team compiled an overall record of 23 wins, 3 losses and 2 ties and did win the Section Five title by defeating the Greece Thunder team 2 to 1 on February 22, 2003. They defeated Seton Catholic of Plattsburgh, New York 3 to 2 in double overtime in a regional playoff on March 1, 2003, Ithaca High School by a score of 3 to 1 in the semifinal round on March 7, 2003 and Williamsville North of Buffalo in a single overtime game by the score of 5 to 4 on March 8, 2003 to win the New York State large schools championship, and;

WHEREAS; we gather today to acknowledge and praise the accomplishments of the coaches and players in winning the first New York State team championship for Brockport High School and all who reside here;

NOW, THEREFORE, I, Josephine C. Matela, Mayor of the Village of Brockport do hereby proclaim this day shall be set aside to honor their accomplishments and urge all citizens to join with the Village Board of Trustees in their congratulations.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 15<sup>th</sup> day of March, in the year 2003.

**PROCLAMATION**

WHEREAS, the citizens of the Brockport area recognize Nat "Bud" Lester; and,

WHEREAS, the community congratulates him on receiving the first annual Bill Corbin Award at the Brockport Basketball Boosters banquet on March 16, 2003, and;

WHEREAS; he has been involved in Brockport High School Basketball as player, spectator and overall enthusiastic supporter of Varsity, JV and CYO teams, and;

WHEREAS; we gather today to acknowledge and praise his accomplishments;

NOW, THEREFORE, the elected officials of the Village of Brockport, Town of Clarkson and Town of Sweden do hereby proclaim this day shall be set aside to honor his accomplishments and urge all citizens to join in their congratulations.

IN WITNESS WHEREOF, we do hereby set our hands, and cause the Corporate Seal of Brockport to be affixed this 16<sup>th</sup> day of March, in the year 2003.

Josephine C. Matela, Mayor    Paul M. Kimball, Supervisor    Nat O. Lester, III Supervisor  
Village of Brockport            Town of Clarkson            Town of Sweden

**DEPARTMENT REPORTS:**

A. PUBLIC WORKS – Superintendent Bradley B. Upson

1. Federal Phase II Stormwater Regulation Intermunicipal Agreement with Monroe County – B. Upson shared that the “management practices” mandated by the Federal Phase II stormwater regulations for Municipal Separate Storm Sewer Systems (MS4s) include public education and outreach programs that will involve expensive public information efforts. Such undertakings can be very expensive for a small community such as Brockport if we were to do them on our own. Since many of the communities in Monroe County are required to implement such public education and outreach programs, it is proposed to pool resources with these other communities meet these requirements. This would be accomplished through the existing *Monroe County Stormwater Coalition* that the Village of Brockport previously joined. The New York State Department of Environmental Conservation has agreed that the work of the coalition will meet the requirements for the Village.

However, the agreement for the coalition expires in March 2003 and needs to be extended. The coalition has proposed extending the agreement through 10 March 2004. Attached to this report is a draft copy of the proposed amendment.

After carefully evaluating the Federal requirements and discussions with other members of the coalition, I recommend that the Village of Brockport accept the proposed amendment to the Federal Phase II Stormwater Regulation Intermunicipal Agreement to extend the agreement through 10 March 2004. B. Upson requests the Village Board authorize the Mayor to execute the amendatory agreement.

Trustee DeToy asked if there were any fees involved. B. Upson said no – just participation.

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried authorizing the Mayor to execute the amendatory agreement.

2. Canal Wall Rehabilitation – Change Order 1 – B. Upson shared that Crane-Hogan has requested two changes to the contract for the Rehabilitation of the Canal Wall in Harvester Park. The first change, involving additional work requested by the Canal Corporation, will have a monetary impact. The second change, time extensions, will not cost any additional funds.

Railing Support Pedestals – The New York State Canal Corporation has requested that Crane-Hogan install concrete support pedestals under the ladder railing supports for each of the recessed Canal Wall Ladders. This is being proposed to provide additional stress resistance on the ladders. Crane-Hogan has agreed to perform the additional work for \$850 per each support pedestal. This will result in an additional cost of \$5,950.00. The Canal Corporation has agreed to fund this additional work out of the existing grant. Chatfield Engineers and myself have evaluated the proposal, the costs, and the project budget and concur with the changes requested.

Time Extension – Crane-Hogan has requested an extension to the contract Milestone of substantial completion because of the delay in getting the Canal Corporation permit, which was not received until 18 February 2003. They are asking that the date of substantial completion be extended from 5 April 2003 to 12 April 2003. They have also requested that the Milestone for final completion be extended from 12 April 2003 to 19 April 2003. We have confirmed with the Canal Corporation that the proposed changes in dates will not adversely impact t their operations and they concur with the changes.

Recommendation – After carefully evaluating the requests, consulting with Chatfield Engineers, and discussions with the staff of the NYS Canal Corporation B. Upson recommends that these changes be approved and incorporated into Change Order 1 to the Contract for the Canal Wall Rehabilitation. He requests the Village Board approve Change Order 1 for \$5,950.00 and extensions of time to 19 April 2003, and authorize the Mayor execute it. Funding for this change order will be from the grant New York State Canal Corporation construction grant previously approved.

Trustee DeToy asked if extending to April 19<sup>th</sup> is a problem. B. Upson said no. Trustee Whipple said it is a reasonable request considering the frigid winter weather we have had.

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried approving Change Order 1 for \$5,950.00 and extensions of time to 19 April 2003 and authorize the Mayor execute it.

B. POLICE / COMMUNICATIONS CENTER – Chief Daniel P. Varrenti

1. Apology – Chief Varrenti extended an apology for the way in which he said something at the last Village Board meeting. He said he does not apologize for what he said, but for the tone in which he said it.
2. Promotion of Acting Sergeant Mark Philippy to Sergeant – Chief Varrenti asked that this item be postponed until the next meeting due to posting requirements of the Stetson Club contract.
3. Request to Purchase One (1) 2003 Ford Crown Victoria – Chief Varrenti said in accordance with his contract with the Village of Brockport, he requests permission to purchase one (1) 2003 Ford Crown Victoria from DeLacy Ford, Elma, NY at a cost of \$21,612.00. The vehicle will be purchased in accordance with a bid awarded to Orleans County and with their written permission. The New York State Bid for this vehicle is \$22,330.75. The Village will save \$718.75 by purchasing via the Orleans County bid vs. the New York State Bid. This purchasing process is in accordance with conversations with Mr. Mitch Morris of the New York State Comptrollers Office.

Trustee Knapp asked how many miles are on the existing vehicle. Chief Varrenti said 60,000. The Stetson Club contract allows a maximum of 75,000 miles on each vehicle. Trustee Knapp asked how many miles was on the existing vehicle when Chief Varrenti assumed it. Chief Varrenti said he does not know. Trustee DeToy asked if the new vehicle has a fuel tank shield on it as now required. Chief Varrenti said yes and all of the Police Department vehicles have been brought up to specification with it. Chief Varrenti further shared that an extended warranty of 5 years / 75,000 miles comes as part of the purchase price. The existing car will be used as a pool car since they can still run 15,000 miles on it. DPW Superintendent Upson has indicated a need for the existing Jeep for his department. Trustee Knapp asked the delivery date. Chief Varrenti said as soon as possible since it is in stock.

→ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried approving the purchase of one 2003 Ford Crown Victoria from DeLacy Ford at a cost of \$21,612.00.

4. Request to hire 4 part-time dispatchers – Chief Varrenti referred to the discussion at the last meeting about the importance of hiring a few part-time dispatchers in a timely fashion in an effort to save overtime money to cover the shift once covered by D. Smith. He and Dan Zimmer reviewed the applications of and interviewed the following: Scott E. Wainwright, Gregory B. Wing, Thomas G. Zampatori, Robert J. Zink. They all hold full-time jobs, are all connected with firefighting and emergency response, none have felony or misdemeanor convictions, all have over the minimum 200 hours of radio experience, and all are available anywhere between 10 to 20 hours per week.

Chief Varrenti said in talking with Personnel Clerk Betty Coopenberg, he confirmed that it is a Monroe County Civil Service non-competitive part-time position. The minimum qualifying standard is 200 hours of radio experience. They are Fire / EMS dispatchers, not laborers.

Chief Varrenti said D. Zimmer would like to train 8 people in hopes of retaining 6 or 7 of them. If the Fire/EMS dispatch goes fully part-time, he suggests 16 people be trained in hopes of retaining 12 to 14 of them. Therefore, the four recommended tonight put us a quarter to halfway there. Chief Varrenti said 25 applications were received due to the March 10<sup>th</sup> advertisement. The interview committee of he, Dan Zimmer, Brad Upson, Trustee Whipple, and Betty Coopenberg will review applications and set up interviews.

Trustee Knapp commented the Village ran into problems with its paid EMT's starting off as non-competitive and then Civil Service made it competitive. Mayor Matela responded that none of the paid EMT's or Paramedics are losing their positions. They will all be able to move from provisional to permanent part-time appointments. Those that resigned or failed to take the test of their own choosing were released.

Trustee Wexler suggested the interview committee contact Village Attorney Riley to be certain all the legal bases are covered. Chief Varrenti said he would ask B. Coopenberg to do so since she is the Village's liaison with Civil Service. Trustee Wexler asked how long the training would take. Chief Varrenti said 3 or 4 weeks since the four already have experience.

→ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried to hire the following as part-time Fire / EMS dispatchers: Scott E. Wainwright, Gregory B. Wing, Thomas G. Zampatori, Robert J. Zink.

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5. Authorization for Mayor to sign Stop DWI contract – Chief Varrenti shared that he and Attorney Riley have reviewed the annual Stop DWI contract with Monroe County that will provide a grant of \$12,000 for police overtime and equipment as it relates to stopping DWI. Unfortunately, \$3,000 had to be returned this year due to not having enough officers to work with.

→ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried authorizing the Mayor to sign the Monroe County Stop DWI contract.

6. Voice Mail Systems – Chief Varrenti reported that he has set up a meeting Wednesday, March 26<sup>th</sup> at 11am with Technicom, the company that handles the phone systems, to discuss voice mail needs for the offices.
7. Commend Officers Morabito and Mesiti re Main Street Fire – Chief Varrenti read the police report of Officer Joseph Morabito regarding the fire at 79 Main Street. He commended Officers Morabito and Mesiti for their efforts. They went above and beyond and put their own lives in danger to get residents out of the building. Firefighters did an excellent job of saving the structure and the block.
8. Commendation Ceremony – Mayor Matela commented that she and Trustees Wexler and DeToy were in attendance and that it was a great event. It was nice to see so many of the Officers and Sergeants families there. Mayor Matela commended Chief Varrenti for instituting a rewards and recognition program.

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

1. Monthly Report – S. Zarnstorff asked if there were any questions regarding the February monthly report previously distributed.
2. Main Street Fire – S. Zarnstorff shared that he, Mayor Matela and Assistant Fire Chief Warner were finishing an open forum at SUNY about off-campus living when the call came in. He and Assistant Inspector L. Vaughan were on scene the entire time. He commended the firefighters working in just horrible conditions. He said he knows of these conditions from his 27 years as a firefighter. It was a dangerous situation. Fortunately there were no serious injuries. He has had several conversations with building owner Jose and Jon Mendez who are eager to improve the situation and take steps beyond the minimum required. This includes connecting a smoke detector system and monitoring sprinklers everywhere. He said he appreciates them approaching him on how they can make it better. The apartments were cleaned, painted and re-carpeted and able to be re-occupied March 14<sup>th</sup>. However, some tenants are reluctant to return since there is still odor due to smoke. Although efforts have been made to remove the odors, it will take a while longer. It will be several weeks before the laundry can reopen. Mayor Matela commended all for their efforts.
3. Consider Intermunicipal agreement with Town of Clarkson re: Building Inspector backup - S. Zarnstorff shared that there are times when both he and Assistant Inspector L. Vaughan are unavailable to respond to a situation. When this happens, they would like Town of Clarkson Code Enforcement Officer Doug Scarson to serve as backup. Conversely, when D. Scarson needs backup, S. Zarnstorff and L. Vaughan would help him. There is no cost to this. It is simply a give and take of shared help. Mayor Matela said this is a good idea. Trustee Knapp asked if D. Scarson was a certified Code Enforcement Officer. S. Zarnstorff said yes and he is tied in with the Monroe County Fire Marshall's paging system. Trustee Whipple commented that historically this was done when Bill Weber was here and it is a good thing to do.

→ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried authorizing an intermunicipal agreement between the Village of Brockport and Town of Clarkson regarding Code Enforcement Officer backup.

**D. FIRE – Assistant Chief Mark H. Warner**

1. Membership Adds/Drops/Transfers – Assistant Chief Warner asked the Board to consider approving the following adds: Christopher Fisher of Sweden to Explorer Post, Christopher Grant of Sweden to Hooks, Sarah Yale of Brockport to Hooks.

→ Trustee Knapp moved, Trustee DeToy seconded, unanimously carried approving the previously mentioned adds.

2. Call Load – Year to date fire calls: 187 Year to date ambulance calls: 343  
Assistant Chief Warner shared that there was a small fire at SUNY in the Rakov Center and of course the fire at 81 Main Street. He commended the fine effort by all involved in the Main

Street fire. He said there was ample manpower since there was a Fire Department meeting at headquarters at the time. He said basement fires are usually the worst because there is only one-way in and out. He said it was a great save, but could have been a different story if it occurred in the middle of the night. He thanked the Police Department and Code

Enforcement

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Officers for all their help. Mayor Matela thanked all and shared that she sent a letter of thanks to the 6 mutual aid departments for their help. She further mentioned having had a good time at the Fire Department Banquet recently.

E. TREASURER - Scott D. Rightmyer

1. Set budget public hearing date – Treasurer Rightmyer asked if the Board wished to go with their tentative date of Wednesday, April 9<sup>th</sup> at 7pm in the Village Hall Conference Room for the public hearing on the proposed budget. It will be published in the Suburban News.

→ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried setting the public hearing on the proposed 2003-2004 budget for Wednesday, April 9<sup>th</sup> at 7pm in the conference room of the Village Hall.

F. CLERK - Leslie A. Morelli

1. 2003 Sidewalk Use Permits – Clerk Morelli reviewed the annual applications of Java Junction, Main Street Pizzeria and Seaward Candies and Ice Cream. She has not yet heard from Mythos Café. S. Zarnstorff recommends that the Board include the requirement of providing a smoking receptacle to any approvals. Last year there was a problem at some locations with littering of cigarette butts.

S. Zarnstorff also brought up the fact that according to the code, A-frame signs are not permitted. He expressed concern of Seaward Candies using A-frame signage last summer and it ended up in all sorts of locations. Mayor Matela said Arjuna Florist also utilizes an A-frame sign to advertise specials, but it remains right in front of their shop. S. Zarnstorff said he does not have a problem with A-frame signage as long as it stays in front of the particular store, is secured, and does not pose a problem with pedestrian or vehicular traffic. He said he believes the Historic Preservation Board is considering recommending that A-frame signage be allowed since it can appear antiquish. Trustee DeToy asked S. Zarnstorff to write something up on this for Board consideration to amend the code.

→ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried approving the annual sidewalk use permits of Java Junction, Main Street Pizzeria, Seaward Candies and Ice Cream with the stipulation that they provide a smoking receptacle to avoid littered cigarette butts.

2. Parade Application – Memorial Day Parade – Clerk Morelli reviewed the annual application of the Brockport Area Veterans Club, American Legion, Veterans of Foreign Wars and Auxiliaries to hold a Memorial Day parade on Saturday, May 24<sup>th</sup> at 9:30am with the same route as past years. Chief Varrenti said he is fine with it.

→ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried authorizing a parade license for the Memorial Day parade to be held Saturday, May 24, 2003 at 9:30am.

3. 2003 Events Schedule – Clerk Morelli distributed the 2003 Events schedule for the Village. Copies are available at the Village Hall, will be posted on the website and included in the next newsletter.
4. Parking Tickets – Clerk Morelli reviewed a memo she previously distributed to the Board indicating that after all the years the Village has handled the collection of parking ticket fines and penalties, it was brought to the Village's attention that since it does not have its own Justice Court, this function must be done by the Town of Sweden court. Apparently, this did not come as a surprise to Sweden Supervisor Lester, who indicated he knew this was the case. Therefore, as of June 1<sup>st</sup>, the Village will no longer have anything to do with parking tickets other than the Police Department issuing them. However, just as with Village ordinances, any fines and penalties collected by the Town of Sweden Court for Village tickets get turned over to the Village. They will also be responsible to pay the monthly fee of approximately \$1,000 to Statewide Computers for data entry and sending out delinquent notices.

1987. Clerk Morelli further shared that there are 2,309 outstanding parking tickets dating back to  
\$30 Some of the original fines were \$10, but most are \$25. After 30 days, the \$25 fine gets a  
tickets late penalty added to it. Notices have been mailed to all those with delinquent parking  
has 3 over the years. However, there are few repercussions for not paying unless a person  
unpaid parking tickets within an 18-month period. Then DMV considers them a

scofflaw and they are blocked from re-registering their vehicles until they pay off the tickets. One of the Trustees commented that they thought the College used to block the receipt of grades until the student paid all outstanding fines, including Village parking tickets. It appears they are now blocked only if there are outstanding fines owed to SUNY. Clerk Morelli shared that some communities grant a short "amnesty" period where they waive the late penalties in an effort to collect original fines on outstanding tickets. She said Village Attorney Riley thought this was a good idea. The 2,309 original outstanding parking fines could total between \$45,000 and \$57,000. If the Village could collect half, it would be great.

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Clerk Morelli reported that Statewide Computers could get the notices out by April 5<sup>th</sup> and request payment of original fines by May 1<sup>st</sup>. After May 1<sup>st</sup>, the late penalties would again apply.

→ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried authorizing an "amnesty period" from April 1<sup>st</sup> to May 1<sup>st</sup> forgiving late penalties for outstanding Village of Brockport parking tickets.

G. ATTORNEY – Edward W. Riley / DEPUTY ATTORNEY – Frank A. Aloï - excused

H. ECONOMIC DEVELOPMENT – Coordinator R. Scott Winner - excused

**SUPPORT BOARDS REPORTS:**

A. PLANNING BOARD – Chair R. Scott Winner - excused

B. LIBRARY BOARD – Vice President Sarah Hart was in attendance to update the Board on the search for a new Library Director. Advertisements are out, a 5-member interview committee has been formed and they hope to narrow down the applicants and send out interview letters by the end of March.

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

**VILLAGE BOARD REPORTS:**

A. Vice Mayor Wexler – no report

B. Trustee Whipple

1. Part-time Paid Ambulance Staff – provisional to permanent and interviews -

Trustee Whipple reported that when the part-time ambulance staff was appointed approximately one year ago, they were appointed provisionally. Civil Service since required a "test" of sorts and forwarded the rankings. Three failed to take the test and meet the requirements.

Therefore, they had to be released from employment. These were Michael Carlotta, Michael Meyer, and Thomas Maier. (Thomas Maier's resignation was accepted at the last meeting.)

Four scored high enough to offer permanent status and have accepted. These are Amy Corey, Michael Mullen, David Noltee, Thomas Snowdon. Eight names ranked on the Civil Service eligible list above the rest of our current paid staff. Five of eight responded that they would be interested in being interviewed. Therefore, interviews are being set up for these five candidates. The remaining 13 will be eligible to be promoted from provisional to permanent once the interviews of the other 5 take place. The first 6 of the 13 can be upgraded now. They are: Ronald Kingsbury, Paul Nau, John Prince, Alan DeCarlo, Rommel Kirchoff, Stephen Leuchtner. The last 7 can be upgraded at the next meeting. They are: Aaron Horowitz, Steven Howcraft, Judyann Johnson, Robert Lukens, Gregory Nichols, Tammy Samiec, Donald Wood. Trustee Whipple shared that this process must be completed by April 7<sup>th</sup> (the next Village Board meeting) since that is when the Civil Service list expires.

→ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried making the appropriate appointments of provisional to permanent part time ambulance personnel as indicated above.

C. Trustee Knapp – no report

D. Trustee DeToy – no report

E. Mayor Matela – no report

**AUDIT:**

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

<u>Village</u> Date	Check #	Amount
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3/17/03	167308-167364	33,737.85
3/17/03	167365-373	3,946.06
<u>Fire</u>		
3/17/03	167374	31.34
3/17/03	167277-307	18,962.50
<u>Ambulance</u>		
3/17/03	167270-276	1,637.73

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<u>Capital Projects</u>		
3/17/03	1562-64	247,944.03
	P. 35	141.00
	P. 44	247,803.03

<u>Third Party Billing</u>		
3/17/03	151	4,103.34

**ADJOURNMENT:**

- ➔ Trustee Knapp moved, Trustee DeToy seconded, unanimously carried that the meeting be adjourned at 8:42pm.

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Leslie Ann Morelli, Village Clerk