

**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, September 7, 2004 at 7:00pm.**

**PRESENT:** Mayor Josephine C. Matela, Trustee/Vice Mayor Carrie L. Maziarz, Trustee Norman J. Knapp, Trustee Morton Wexler, Trustee James E. Whipple, DPW Superintendent Bradley B. Upson, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer Ian M. Coyle, Clerk Leslie A. Morelli.

**EXCUSED:** Planning Board Chair / Economic Development Coordinator Scott Winner

**ALSO PRESENT:** Village Attorney Keith O'Toole, Fire Chief Christian A. McCullough, Ken Pike, Bill Andrews, Jon Mendez, Kathy Beaumont, Ray & Jackie Morris, Jim & Joan Hamlin, Robbie Hess (Suburban News), Elliotte Bowerman (Brockport Post), Dorothy Keable, Mary Jo Nayman, Jim Balmer, Patricia White, Vic & Ruby Miller, Norm GianCursio, Inga Songbird, Kathy Snyder, John Lessord, Tony Perry, Robert Connors, Fred Webster.

**CALL TO ORDER:** Mayor Matela called the meeting to order and led the Pledge of Allegiance. Mayor Matela shared that the Village Board meetings are now being videotaped and will be aired on community cable access (Channel 15).

**REVIEW OF MEETING MINUTES:** Mayor Matela called for any additions or corrections to the minutes of the regular meeting held August 16, 2004.

➔ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried that the minutes of the meeting held August 16, 2004, be approved as written.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:**

1. Mary Jo Nayman of 5 Carolin Drive said she has been a Village resident for 39 years, 34 of it on Carolin Drive. She said she became the messenger of a petition presented to the Mayor and Board and DPW Superintendent recently. This petition is signed by most Carolin Drive residents regarding the condition of the street, curbing, and drainage. She said she also called the Mayor and each Trustee and commented that they all came down to evaluate the problem. She commented that the DPW crew are excellent workers barely even taking a lunch break. They have milled the street. Problems have arisen. Some pipes are corroded. She distributed pictures. The DPW put the tv camera through and marked places where the pipes had to be replaced. There was curbing on the street, but it has been buried by many repaving jobs over the years. The curbing is 4 inches lower than the current road as milled. Homes, especially in the cul de sac are getting flooded. Some homes have standing water in the basement, one has mud on the floor, several backyards are like ponds. M. Nayman said the residents deserve more than a band aid job or resurfacing. She asked that the Mayor, Board and Superintendent meet with the concerned residents of Carolin Drive on September 20<sup>th</sup> at or before the Village Board meeting. M. Nayman asked for a progress update on obtaining estimates for curbing and such.

B. Upson said they tv'd the sewers and identified 5 or 6 spots needing to be dug up and repaired. The new pipe has a better flow characteristic and will increase the flow capacity by a third. If the surface is properly compacted, frost heaving should not be a problem. He concurred that the curbing is there, but that it settled. He said he does not know why. As to the curbing estimate, curbing would cost \$2,500 for the cul-de-sac and \$17,000 for the entire street.

Mayor Matela thanked her for bringing this forward. She said the Village is very interested in trying to remediate any thing that is within its jurisdiction and control. Mayor Matela suggested meeting at the September 27<sup>th</sup> Village Board workshop.

B. Upson suggested they not wait too long. He does not want to lose the paving season. M. Nayman collected her photographs. Trustee Knapp asked B. Upson if engineering work is needed regarding the drainage problem. B. Upson said part of the problem is runoff from Corbett Park. He said DPW would be cutting back the swale farther, making the ditch deeper so that it intercepts some of the water. They can then install a drainage catch basin. There is a possibility of tying in to the large storm sewer at Clark Street, depending on the grades. Trustee Knapp said the existing pipe is corrugated, perforated metal pipe. He asked if the new pipe would be perforated. B. Upson said the new pipe is not perforated. It is a smooth flow interior. They may need perforated drain tiles in some of the catch basins. Trustee Wexler asked if waiting to meet until the September 27<sup>th</sup> workshop would pose a hardship on the DPW's timeline. B. Upson said they need to pave as soon as possible since it is weather dependent. Last year, paving was going on until November 15<sup>th</sup>. Trustee Wexler suggested meeting at 6 or 6:30pm on September 20<sup>th</sup>, just before the 7pm Village Board meeting. He said he would like to see it get resolved. M. Nayman said she would offer September 20<sup>th</sup> or 27<sup>th</sup> to the residents and contact the Mayor

with a preferred date. (Note: She called the next day, selecting 6pm on Monday, September 20<sup>th</sup>.)

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2. Jim Balmer of 4 Carolin Drive said he is the one with a layer of mud on his floor. He said he needs to take some of the responsibility since it was his choice to live on the Canal. He is willing to do his part, but would like the Village's assistance where possible. He said in March the sewers were cleaned out and mud back flowed up the pipe. He suggested cutting a lateral like was done between two other houses on the street. He said his basement is unusable. The walls are covered with black fungus. There is standing water. All is rotting including the furnace and water heater. He said the water comes in so fast from the canal side that it sounds like he has a waterfall in his basement.

Trustee Knapp asked if he has a sump pump. J. Balmer said no. It is a floating slab that drains into the sewer. Trustee Knapp said a sump pump would likely alleviate some of the problem. It might require some logistics getting a sump pump crock installed in the basement, but it would be worthwhile. Trustee Maziarz asked if piping has been considered. B. Upson said yes. Mayor Matela said they would gladly discuss the situation further.

Due to having another meeting to attend, Chief McCullough requested permission to make his report first and leave.

**FIRE DEPARTMENT - Chief Christian A. McCullough**

1. Membership Adds/Drops/Transfers – Chief McCullough asked the Board to consider approving the following drops: Robert Beebe, and the following adds: Albert DeRoller, Ronald Koss, Brad Smith all to Fire Police.

→ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried approving the previously mentioned membership drops and adds.

2. Call Load - Chief McCullough reported 1,168 ambulance calls year to date and 600 fire calls year to date. He mentioned the recent plane crash on Sweden Walker Road with fatality of its pilot.

3. EAP Strong Health Annual Contract Renewal – Chief McCullough said he received the annual renewal for the EAP (Employee Assistance Program) contract and forwarded it to Village Attorney O'Toole for his review. K. O'Toole was fine with it. Mayor Matela asked if the program suits their needs and if members are using it. Chief McCullough said it is a very good service. They are very accommodating and in tune with the Brockport Fire Department. It has definitely been used. Mayor Matela asked the cost. Chief McCullough said it is \$18 per member. It is based on 150 members, so it is \$2,700 for the year. It is in the budget.

→ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried to authorize the annual renewal of the EAP Strong Health contract.

4. Ambulance Ride Along Observer Program – Chief McCullough said he referred the proposal to Village Attorney for his review. K. O'Toole said it is a Village Board policy decision. The risk can be mitigated if there is enough benefit to the program. Trustee Knapp asked who the observers would be. Chief McCullough referred to the proposal and said the person would have to fulfill all requirements (3 pages worth) and would have to be a person with a genuine interest in getting involved as an ambulance volunteer. Trustee Knapp asked if it would serve as a feeder program to Ambulance Corps recruitment. Chief McCullough said yes.

Chief Varrenti said the Police Department has a ride along program as well. They find it very beneficial. It helps those who are on the fence of deciding if police work is the career for them. Chief Varrenti said it is well worth any risk. They have the participant sign off on a hold harmless waiver. Chief Varrenti further commented that he would hate to see the Ambulance program denied since the Police program has been so successful.

Trustee Knapp said that is good to hear. Mayor Matela agreed. Trustee Whipple said it would be a valuable program and probably the best introduction to a service you can get.

Chief McCullough said a waiver is included in this proposed program. He foresees a couple ride alongs per month.

→ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried to approve the Ambulance Ride Along Program as proposed.

5. Vital Signs Conference – Chief McCullough said he provided additional information on this conference to Board members as requested. Mayor Matela thanked him for the information. She commented that the conference program looks intense. Mayor Matela asked that at least

one representative bring back information and provide feedback as to whether the conference was productive and worthwhile.

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Trustee Wexler said the Fire Department and Ambulance Corps survives due to volunteerism. If this training will help them serve the community better, then it is worth it. They give of their time. The conference is an inexpensive way to help them continue their service.

Trustee Whipple said this particular conference is by New York State Department of Health. A couple of our paramedics need their 12 lead certification. Trustee Whipple said when it was presented at the last meeting; it was an initial shock to have 20 members express interest. The registration is \$80 each and the overnight hotel cost adds up. There was a suggestion of not staying overnight since it is only in Buffalo. However the conference goes until 8:30pm and then starts up again at 7am. If personal vehicles were taken, the Village would be responsible for mileage costs. This conference cost was placed in the ambulance budget, which has no bearing on taxpayers since it is self-supporting through third party billing.

Trustee Maziarz said she had an opportunity to talk with the Fire Chiefs about this. She was originally under the impression that no credit was given. However, she learned that hours could be earned for re-certification purposes. It was originally proposed at 2 nights hotel at \$120 per night. The Chiefs have gotten the hotel cost down to \$99 per night.

Trustee Knapp said although career staff is on from 6am to 6pm daily and volunteers from 6pm to 6am, the volunteers supplement the career staff when needed. That says something for the relationship of the career staff and the volunteers. He said the third party billing system works well. This conference is another opportunity to enhance their skills.

Trustee Wexler said according to the conference program, Brockport Police Sgt. Philippy is one of the instructors. Trustee Knapp said that is a credit to the community as well.

→ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried to approve attendance for 16 to attend the Vital Signs Conference in Buffalo at \$80 each registration fee and \$99 per 2 people per night hotel.

**GUESTS:**

1. Jon Mendez – signage request for Merchants Street Smoke House  
S. Zarnstorff introduced J. Mendez and shared that he had brought in drawings some time ago for proposed signage on all four sides of the tower at the Merchants Street Smoke House. According to the Village code, if an applicant wants more signage than the code allows, he needs to request approval from the Village Board. It does not go to the Planning Board or ZBA as you would think. S. Zarnstorff asked the board to look at building orientation and site visibility for identification purposes, day versus night, and aesthetics rather than sheer number of square feet of signage. He said three of the four signs are up on the tower. He encouraged the Board to look at it and delay decision until the September 20<sup>th</sup> meeting.

Mayor Matela agreed that one size does not always fit all and those are good things to take into consideration. Trustee Wexler asked what the code requires and what J. Mendez is asking for. S. Zarnstorff said he did not have the information regarding square footage in front of him, but would put that in the Trustees mailboxes this week. Trustee Wexler said if the code allows a certain maximum square footage of signage, that's what it should be. Otherwise, the code should be changed. He said he has a problem with saying "we know its in violation, but that's okay".

S. Zarnstorff said codes could be appealed. The ZBA deals with area variances, use variances, etc. According to Village Code, the Village Board hears appeals regarding signage. The Village Board has the right to grant it or not. That can also be changed to ZBA if the Code Review Committee chooses to recommend such.

J. Mendez said besides identification purposes, signage is proposed on all four sides of the tower because it will cover up the air conditioning system while allowing air to get through the sides.

Trustee Maziarz asked if Clinton Street and Merchants Street are in the Historic District. S. Zarnstorff said no. If it were, signage would be addressed by the Historic Preservation Board. Trustee Maziarz commented on having had a good dinner at this new restaurant last weekend.

Mayor Matela asked that the Board review the signs, the code and the information that S. Zarnstorff will provide for a decision on September 20<sup>th</sup>.

2. William Andrews, Historian Emeritus – Request resolution to accompany application for *Preserve America* Community Designation  
On behalf of the Historic Preservation Board, Bill Andrews asked the Village Board to adopt a resolution to assist their application in being recognized as a Preserve America community.

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W. Andrews said the Village was invited by officials to apply for this designation. The proposed resolution is fairly innocuous in that it makes a commitment to continue the historic preservation efforts that the Village has been doing over the last 8 to 10 years. There is no money involved. However, the President has \$10 million proposed in the next budget for a grant program of which the Village and/or its properties may be on the receiving end. W. Andrews shared that several letters of support for the application have come in from the Town of Sweden, Western Monroe Historical Society, Brockport Merchants Association, Bob Englert of Albany National/State Historic Register Program, and elected officials.

Trustee Whipple said he is in favor. He asked if there were any not so obvious principles that the district or community will have to adhere to. W. Andrews said no. The designation makes no control over a property, district or community. It is simply a recognition program with no restrictions or legislation.

→ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried to adopt the following resolution regarding designation as a Preserve America community.

*Resolution to Accompany Application for Preserve America Community Designation*

WHEREAS, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with our community's interests and goals related to historic preservation; and

WHEREAS, designation as a *Preserve America* Community will improve our community's ability to protect and promote its historical resources; now therefore be it

RESOLVED, that the Village of Brockport Board of Trustees will apply for the designation of the Village of Brockport as a *Preserve America* Community; and be it further

RESOLVED, that the Village of Brockport Board of Trustees will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

3. Kathy Beaumont, Dog Control Officer – recommendation of new ordinance  
Kathy Beaumont introduced herself as the Dog Control Officer for Clarkson, Sweden and Brockport. She shared that the Town of Sweden just increased some dog-related fines in their Code. She hopes the Village and the Town of Clarkson will do the same. Further, she distributed a copy of NYS Section 121 regarding "Dangerous Dogs". She shared that she has had a lot of problems this summer with dangerous dogs. Unfortunately, the code forces them to address it as "running at large" since there is no dangerous dog provision. This needs to be placed in the code to strengthen it.

Mayor Matela said her suggestion comes at a good time since the Village has just formed a Code Review Committee. She thanked her for bringing this to the Board's attention. Trustee Knapp asked if she knew of any other communities that have a dangerous dog provision on the books. K. Beaumont said her proposal is modeled after the state and she plans to present it to the Town of Sweden and Town of Clarkson boards at their upcoming meetings. She has a state inspector visit her annually. There are provisions to deal with dog against human but not dog against dog or dog against cat.

**DEPARTMENT REPORTS:**

- A. PUBLIC WORKS / COMMUNICATIONS CENTER – Superintendent Bradley B. Upson
  1. Declare Surplus and authorize destruction – old Village equipment – B. Upson reviewed a list he provided to the board of old miscellaneous computer parts and equipment that was removed

when he worked with Clerk Morelli on the recent clean up of the 2<sup>nd</sup> floor storage and records room at the Village Hall and the basement of the Police Department. They were cleared as being obsolete by the Village's department heads and computer consultant. An old coin sorter and counter was found and offered to the Historian for the museum.

→ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried to declare said items surplus and authorize their destruction.

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2. Museum Signage – Trustee Wexler commented that some letters need replacement on the sign in front of the Emily L. Knapp Museum and Library of Local History.
3. 10-Wheel Truck – Trustee Knapp asked the status of research on what it would take to repair the existing truck or replace it. B. Upson said they are still gathering information and should have it available for the next meeting.
4. MCWA Fire Hydrants – Trustee Knapp commented on the very poor painting job the Monroe County Water Authority did on its hydrants in the commercial Main Street area. It is a disgrace and paint was slapped on and splattered all over the brick walk. He said this is not the first time such a bad job has been done and asked B. Upson to communicate this to them.

B. Upson agreed and said they were contacted. He will follow up with them more formally. Trustee Knapp said the Village should ask that some of the bricks be replaced. B. Upson said 50 hydrants in the Village were recently painted by volunteers from Christ Community Church. They did an excellent job, even putting protection down on walks and grass.

**B. POLICE DEPARTMENT – Chief Daniel P. Varrenti**

1. Calls for service – 9,684 calls for service year to date.
2. Hiring of Crossing Guard - Chief Varrenti said only one application was received for the Crossing Guard position. Fortunately, the one applicant is a very good candidate. He asked for authorization to hire Bonnie McArthur of 611 Ellis Drive. She is a former employee of Monroe County Department of Social Services and has experience dealing with the public.

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried to hire Bonnie McArthur as a part time Crossing Guard at \$8.71 per hour.

3. Part Time Clerk – Chief Varrenti thanked the Board for authorization at the last meeting to advertise for a part time clerk to replace the one who recently resigned to go back to school. However, he shared that the one part time clerk they have, Kelly Smith, is willing and able to work all 20 hours that 2 to 3 part timers used to share. Therefore, no hiring is needed. Besides weekdays, the Police Department office will be able Wednesday evenings, Friday evenings, Saturdays 10am to 2pm.
4. Part Time Officers – Chief Varrenti shared that he has applications on file for 3 candidates for part time officer positions. He said he would like to interview them before advertising. This may save the cost of advertising.
5. Records Clean Out – Chief Varrenti thanked Clerk Morelli and Superintendent Upson for clearing out the section of the basement at the Police Department that was used for Village Hall records and storage. For accreditation purposes, fencing is being erected to create a property room and a records retention room. This was cheaper than having walls built since that would have also required heat, air, lighting and such.
6. Police Department Interior Painting – Chief Varrenti said he saved the Village some money and strapped on his tool belt and filled some holes and did small repairs at the Department. He obtained 4 quotes for interior painting. The best quote came from Gary Skoog. He said this is for information purposes only. It is well within the purchasing and procurement policy.
7. Weekend Report – Chief Varrenti reported over 300 calls for service and 32 arrests over the past weekend. He said he hopes this is not setting a tone for the academic year. The Village needs to set the tone. Chief Varrenti said he has added officers on particular shifts since there is no option but to keep the community safe.

Mayor Matela commended Chief Varrenti and his officers for doing a fine job over such a busy weekend.

8. Stop DWI / Traffic Safety Conference – Chief Varrenti asked for authorization for Sgt. Philippp to attend this conference October 17-20. There is no cost to the Village as it is paid for by the Stop DWI program. Even the backfilling of his time will be paid for out of this program.

→ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried authorizing Sgt. Philippp to

attend the October 17-20 Stop DWI / Traffic Safety conference at no cost to the Village.

9. Taser Deployments – Chief Varrenti reported that the Department has had 4 taser deployments since acquiring the tasers. This does not mean the tasers were shot. They are considered deployed once they are unholstered. They are keeping records of taser deployment to effectively gather data. The four instances included an unauthorized person in a home who has a history of running from police, a 6' 4" 320 pound mentally ill patient that left Lakeside Memorial

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Hospital and was found at The Landing with a knife, a person fighting with a Monroe County Sheriff's Deputy, and a person coming at an officer with a claw hammer.

10. Speed Sentry – Chief Varrenti said the speed sentry has worked very well on Main Street. Soon it will be moved elsewhere. Mayor Matela said she has received calls from some moms on Barry Street and Lyman Street concerned about speeding. Trustee Knapp asked if the device could be used all year round. Chief Varrenti said yes, it is weather tight.

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

1. Busy Weekend – S. Zarnstorff shared that he and L. Vaughan were out for 5 or 6 hours this past Friday and Saturday nights. There were many house parties and hundreds of college students out on the streets. He concurred with Chief Varrenti in hoping that this is not setting the tone of things to come. Trustee Whipple said the nice weather probably encouraged everyone to be outside. S. Zarnstorff said he and L. Vaughan would be out the next couple of weekends as well. This is not overtime, but a desire to be out in the community. He said the community changes its face at midnight. He encouraged the Village Board to see it for themselves. Code Enforcement and the Police Department had their hands full.

Trustee Maziarz said she has been dismayed by the condition of the Village these last two weekends. Students have left a mess behind including cans, pizza crust, boxes, wrappers, bottles and broken glass. She has had to sweep the sidewalks and street and pick up litter before the Farmer's Market gets set up on Sunday morning. She questioned the littering code. S. Zarnstorff said littering is addressed in the code. Chief Varrenti said they made 5 littering arrests. However, when you have a limited number of officers on due to budget concerns, littering must fall behind many other crimes and violations. Chief Varrenti said the Village Board can choose to do differently, but it will be expensive. However, it is costly NOT to address it. It is a quality of life issue and priorities need to be set.

Trustee Wexler asked if Chief Varrenti could ask for assistance from SUNY University Police. Chief Varrenti explained that their jurisdiction lies with the college campus. If they were willing and able to assist, they might want their time reimbursed just as they reimburse the Village for Brockport Police Department time assisting with big name concerts. They back up for the unusual dangerous call like the bank robbery, but it is not routine. Chief Varrenti said you can't add 8,000 to your population of 8,000 in 2 square miles for 9 months of the year and NOT have a big impact.

Trustee Wexler said the Village has to take a stance with SUNY Brockport. They should have some responsibility for their students. Chief Varrenti said apparently case law shows that the college can't act against the students for what they do off campus. This would be like double jeopardy – punishing twice. Trustee Wexler said it is a quality of life issue.

Trustee Maziarz suggested the DPW schedule clean up on Saturday and Sunday mornings at the beginning and end of the college year. It is hard to ask residents and families to come to the Farmer's Market after church on Sunday mornings when they have to walk over and through litter to get there. Trustee Maziarz said she voluntarily gives up her Sundays to put on this market and does not feel she should have to be sweeping and picking up garbage at 5:30am. Chief Varrenti said no one should have to do that. Those making the mess should be held accountable.

Mayor Matela said this needs to also be addressed at the Committee on University and Community Relations (formerly known as the Good Neighbor Committee). She knows of a beautiful picket fence that has been vandalized for no reason. There is no excuse for it. Mayor Matela said she would suggest that members of the committee ride with the Police Department and Code Enforcement to see what goes on. Chief Varrenti said the onus is still on the Village. Trustee Wexler agreed that the Village needs to look to resolve this problem. Chief Varrenti asked if they want more officers assigned on the weekends. Trustee Knapp commented that there was a time when NYS Police helped out on certain big weekends. The added presence was beneficial. Chief Varrenti said he has not heard of any current plans. Trustee Knapp said the Mayor is involved in a task force on college communities. Maybe they have more suggestions. It is true that we double our population 9 out of 12 months of the year.

2. Code Review Committee – S. Zarnstorff reported that the first meeting of the Code Review Committee would be held September 9<sup>th</sup>. He said there are many weeks the Village could use 10 Code Enforcement Officers. Manpower is needed to back up the codes. Otherwise, priorities need to be set as to what must be addressed. Doing more with less is a challenge.
3. Village Centre – S. Zarnstorff reported on the progress of 222 Main Street. It is coming along nicely. Belmont is good to work with. He is doing daily inspections there. Trustee Maziarz expressed concern about pedestrians using the sidewalk in front. It is rather torn up. S. Zarnstorff said it should be clear by mid November before bad weather hits.

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4. Kleen Brite – S. Zarnstorff shared that the EPA plans to visit Brockport September 13-15 regarding Kleen Brite at 100 Fair Street. They will be doing some sampling. There is a quantity of dry soap. It will be analyzed and then a clean up plan determined. It will be presented to the owners who will have the option of hiring it done or letting the EPA contract it out. The structural engineer's report verified that it is okay to go in to do this type of sampling work. The structural engineer was a condition he imposed on the owners at their expense. S. Zarnstorff said the EPA is aware of the importance of getting all resolved. They have been very helpful and cooperative. S. Zarnstorff said the NYSDEC is also being kept informed and involved regarding the remediation work. He will keep the Board apprised.

D. FIRE DEPARTMENT – see earlier in meeting

E. TREASURER - Ian M. Coyle – No report.

F. CLERK - Leslie A. Morelli

1. Records Project – Clerk Morelli thanked Superintendent Upson and Chief Varrenti for their assistance with the junk and records purging and relocation project at the 2<sup>nd</sup> floor of the Village Hall and basement of the Police Department. B. Upson commented that 3 dumpsters of junk accumulated over many years were taken away. Clerk Morelli shared that a professional shredding company is destroying the records that are allowed to be destroyed by the state records retention schedule.

G. ATTORNEY – Keith O'Toole

1. Fence Agreement – K. O'Toole shared that he had been asked by the attorney for the new owners of 45 State Street (next door to Village Hall) if the Village would sign a fence agreement regarding a fence located at their property. The issue relates to the fence located between their backyard and the Fire House on Market Street. Since the fence is pulled back from the surveyor's boundary line, there is a question of whether the Village has "squatter's rights" on a 1.6 foot strip of land between the boundary line and the fence. K. O'Toole said he has reviewed the agreement and recommends that it be signed.

→ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried

Whereas, the owners of 45 State Street have a fence located along its northern boundary line which it shares with the property owned by the Village on Market Street, and

Whereas, while the fence is located entirely on 45 State Street, it is pulled back from the property line which creates a concern whether the Village has a legal claim on a strip of land between 1.6 feet and 3.4 feet wide located between the fence and the true surveyor's boundary line, and

Whereas, the Village makes no claim of adverse possession on this strip of land and is willing to sign a fence agreement at the request of the owners of 45 State Street.

NOW THEREFORE, BE IT RESOLVED:

1. That the fence located along the northern boundary line of 45 State Street does not establish a common boundary line between 45 State Street and Village property on Market Street and
2. That the Mayor is authorized to execute the Fence Agreement which affirms the true surveyor's boundary line between the two parcels as shown on a survey map by AJ Barea dated July 28, 2004.

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

**SUPPORT BOARDS REPORTS:**

A. PLANNING BOARD – Chair R. Scott Winner (excused)

B. LIBRARY BOARD – President Matthew Minor (absent)

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

**VILLAGE BOARD REPORTS:**

A. Trustee/Vice Mayor Maziarz

1. SUNY New Student Orientation – Trustee Maziarz reported that she and Chief Varrenti spoke at SUNY New Student Orientation and that it was a worthwhile endeavor. Mayor Matela thanked Trustee Maziarz for filling in in her absence.

2. Farmer’s Market – Trustee Maziarz reported that the Farmer’s Market is going very well.

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B. Trustee Knapp

1. 9/11 Vigil – Trustee Knapp shared that two granite stones will be unveiled. One in memory of Past Chief D. Scott Warthman who was killed in a car accident last winter and one honoring Everett Kenyon. Ceremonies will be held at 8am, Noon and 7:30pm.

C. Trustee Wexler

1. Code Review Committee – Trustee Wexler announced that the organizational meeting of the newly formed 7-member code review committee is scheduled for Thursday, September 9<sup>th</sup> at 7pm.

Trustee Wexler commented that he believes it is important to be fair and consistent when enforcing the codes. What is done for one should be done for another.

D. Trustee Whipple

1. September 11<sup>th</sup> Events – Trustee Whipple reminded everyone that there are many events taking place in the Village on Saturday, September 11<sup>th</sup>. Events include the 9/11 Vigil at the Memorial Monument, the Morgan-Manning Peddler’s Market, Septemberfest held by the First Baptist and United Methodist Churches, and the Lions Club Car Cruise In.

2. School’s Back In Session – Trustee Whipple reminded everyone that school is back in session and 130 Brockport school buses are on the road. Travel carefully and cautiously.

E. Mayor Matela

1. Request authorization to attend New York State Canals Conference 9/22-9/24 – Mayor Matela reviewed her memo to the Board requesting authorization for she and Trustee Maziarz to attend the NYS Canal Conference September 22-24. Registration for 2 is \$290. Hotel for 2 nights (shared room) is \$178. The total cost is \$468. Mayor Matela said she had the honor of speaking at the conference last year.

Trustee Knapp encouraged Mayor Matela to put in for mileage at 37.5 cents per mile as is customary when using your own car. Trustee Knapp said he is unavailable those dates, but may have been interested to go as well. Mayor Matela said the conference brochure was put in all Trustees mailboxes.

**PUBLIC COMMENT:**

1. Joan Hamlin of 50 Park Avenue commented that vehicles are not even slowing down at the Park Avenue and State Street intersection. Chief Varrenti said he would instruct the Police Department to keep an eye on it.

**AUDIT:**

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

Village

Date	Check #	Amount
8-18-04	170226	225.00
8-18-04	170227	200.00
8-19-04	170229	18.00
9-7-04	170246-170292	39,864.86

Fire

9-7-04	170237-170245	19,695.64
9-7-04	170293	220.00

Third Party Billing

9-7-04	395-400	2,800.41
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Capital Projects

9-7-04

1671-1679

17,987.05

**ADJOURNMENT:**

- Trustee Whipple moved, Trustee Wexler seconded, unanimously carried that the meeting be adjourned at 9:12pm.

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Leslie Ann Morelli, Village Clerk