

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, December 4, 2006 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee Carrie L. Maziarz, Trustee David J. Wagenhauser, Trustee Hannelore G. Heyen, Treasurer / Village Manager Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED: DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Fire Chief Vaughan.

ALSO PRESENT: Village Attorney Raja N. Sekharan, Robbi Hess (Suburban News), Patricia Trek, Matt Minor, Bob Getz, Lori Lessord, Lynne Gardner, Jeff Davignon, Jim & Joan Hamlin, Mary Jo Nayman, John Lessord, Fred Webster, Norm GianCursio

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 November 20, 2006.

➔ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried that the minutes of the meeting held November 20, 2006, be approved as amended.

GUESTS:

1. Seymour Library – Acting Director Patricia Trek and Board members Matt Minor, Bob Getz, Lori Lessord, Lynne Gardner and Jeff Davignon to accept the following proclamation and certificate of special recognition.

PROCLAMATION

WHEREAS, the citizens of the Village of Brockport are pleased and proud to recognize the Seymour Library and its 70 years of Service; and

WHEREAS, the Seymour Library opened its doors in 1936 and registered patrons numbered 860; and

WHEREAS, the Seymour Library joined the Monroe County Library System in 1953; and

WHEREAS, the computer automated library service began in 1987; and

WHEREAS, the new Seymour Library facility opened in 1996; and

WHEREAS, Wireless Internet access began in 2006 and registered patrons number 12,000; and

NOW, THEREFORE, I, Morton Wexler, Mayor of the Village of Brockport do hereby urge all citizens to join with the Village Board of Trustees in this salute to the Seymour Library

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 4th day of December in the year 2006.

Certificate of Appreciation
Presented to

Patricia Trek

In recognition for
30 years of service to the
Seymour Library.

With gratitude from your community.

Presented this 4th day of December 2006

PUBLIC COMMENT:

1. Bob Getz, Village representative on the Seymour Library Board, said he is pleased to announce that they are hiring Charlotte Wright as the Interim Director. He also reported on the successful event held November 25th celebrating 70 years of the Seymour Library, 30 years of service by Patricia Trek and 10 years in the current facility.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS:

Smith Street Bridge Update – Mayor Wexler reported that he received a letter from the New York State Department of Transportation (NYSDOT) in response to the Village’s letter asking for specific information. He said they relayed that it is difficult for them to give specifics. However, the Village Board needs more information before rendering a decision on how to proceed. All bases need to be covered. Mayor Wexler said Trustees Maziarz and Heyen have met with leaders in other municipalities

Trustee Maziarz said the letter from NYSDOT was ambiguous at best. The Village is awaiting concrete information and samples of other municipalities in similar situations. It is important to find out what it will mean for the Village of Brockport.

Trustee Heyen said the NYSDOT letter provided nothing of substance and is unacceptable. This information is very important. She said our state representatives are being kept apprised.

Trustee Castañeda said the NYSDOT letter was very disappointing. She said she hoped by the Village rendering a decision sooner rather than later regarding taking ownership of the bridge, that the NYSDOT would make the necessary repairs quickly. Unfortunately, that doesn’t seem to be the case.

Department Heads:

Mayor Wexler reminded everyone that most Department Heads are excused from the first meeting of the month. They forward any items needing attention to Manager Coyle or their Trustee liaison.

REPORTS:

A. TREASURER / VILLAGE MANAGER - Ian M. Coyle

1. Hire DPW Laborer – Manager Coyle reported that 40+ applications were received for the one DPW laborer position. Six finalists were interviewed. DPW Superintendent Donahue recommends the Board appoint Corey Kepler. Trustee Maziarz asked if this would be contingent on pre-employment screening. Manager Coyle said yes.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to hire Corey Kepler as DPW laborer at a starting wage of \$10.94 per hour contingent on pre-employment screening.

2. Accept Assessment Roll without exceptions but with addition to exemptions – Manager Coyle said it is customary for the Village to formally accept the Town of Sweden’s assessment roll in December of each year. This time the Board would be accepting the assessment roll without exceptions (as is), but with addition to exemptions. He explained that due to the Village increasing the income limit for the senior citizens exemption from \$21,500 to \$24,000, there might be as many as 18 additional households that qualify. They have until the end of December to apply. Manager Coyle reminded the Board that although the Village is no longer an assessing unit, it still has the authority to change income limits for current exemptions or adopt new exemptions.

Trustee Heyen asked if the Town of Sweden’s exemption limits changed this year. Manager Coyle said not to his knowledge. He said theirs are done differently – on a sliding scale.

→ Trustee Castañeda moved, Trustee Heyen seconded to adopt the Town of Sweden assessment roll without exceptions, but with possible additional exemptions.

Discussion:

Trustee Wagenhauser said he was unaware that the Village could no longer make exceptions to the assessment roll. He said that is not how he interpreted numerous press releases. He said before voting on this he would like to see data on who this impacts and how much it affects the Village. Trustee Heyen said she would be interested in that information as well. Trustee Castañeda asked when the Board could get this information. Manager Coyle said he could ask Deputy Clerk Coopenberg to gather it as soon as possible. However, Manager Coyle reminded the Board that the Village is no longer an assessing unit and that this information was provided several months ago when the Village abandoned its assessing unit. He said he recalls that the exceptions totaled approximately \$900,000 in assessed value out of a \$177 million assessment roll. This equates to approximately \$9,000 in taxes. It was all or nothing. The Town of Sweden prepares the assessment roll and the Village of Brockport accepts it. Now properties in the Village will carry the same assessment and one municipality instead of two handles exemptions and grievances.

Trustee Wagenhauser said he would still like to look at the numbers. There was question of whether a motion to accept the annual assessment roll from the Town of Sweden is necessary now that the Village abandoned its assessing unit. Trustee Maziarz said the Village needs to assume the roll from somewhere, so she imagines an annual motion is still necessary.

→ Trustees Castañeda, Heyen and Mayor Wexler in favor. Trustee Maziarz opposed. Trustee

Wagenhauser abstained.

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3. Capital Improvement Plan – Trustee Castañeda asked Manager Coyle if it was too late to adopt his recommended formal language regarding accepting the capital improvement plan. Manager Coyle said yes. It would have had to been done at the meeting following the motion to make the change in the meeting minutes.

B. CLERK - Leslie A. Morelli

1. Zoning Map & Street Map update – schedule public hearing – Clerk Morelli said the Board and Department Heads have had several weeks to review the updated zoning map and street map and that Village Attorney Sekharan is reviewing the proposed related changes regarding the zoning map for the Village Code. The next step is for the Board to call for a public hearing and then adopt the new maps as the official maps. Once that is done it is filed with the Department of State as a local law, then filed with General Code Publishers for a code book update and then new maps will be printed, and made available on the Village's website.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to schedule a public hearing for Tuesday, January 16, 2007 (as Monday, January 15th is a holiday).

C. VILLAGE ATTORNEY – Raja N. Sekharan, Esq.

Attorney Sekharan arrived and apologized for being late. There was an accident holding up traffic.

1. 26 Brockway Place & 60 Perry Street – Attorney Sekharan said he is preparing the record for the Brocius appeal. To stipulate to the exhibits he has to check the court file.
2. Zoning Map & Street Map update – Attorney Sekharan reported that he has a meeting scheduled with S. Zarnstorff to finalize the changes needed to the Village Code in preparation of adopting the updated zoning map as the official map.
3. Board of Ethics – Mayor Wexler asked if Attorney Sekharan had an opportunity to review Attorney Aloï's proposed changes to the Village Code regarding the composition of the Board of Ethics. Attorney Sekharan said he concurs with Attorney Aloï's recommendation that it be a 3-member panel. He said he also recommends that the Village Board not have any control over this committee. It needs to be free and independent with no appearance of influence. Mayor Wexler said they would place this on the January workshop agenda.

VILLAGE BOARD REPORTS:

A. Trustee Maziarz

1. Holiday Events – Trustee Maziarz thanked all involved in making the Village's annual holiday kick off weekend a success. She organized the Santa Train Rides with the Medina Railroad Museum. She said there was record turnout with 3 of the 6 time slots selling out. The Noontime slot on Sunday had to be postponed due to a mechanical glitch. A 4:30pm time slot was offered to make up for it. Trustee Maziarz said Brad Alexander of Northside Service Center and Express Mart allowed the use of his property for ticket and concession sales and donated the coffee and donuts for sales. Walk Bike Brockport Action Group raised \$650 on concession sales. This money will go back into the community for worthwhile projects.

Trustee Maziarz said the tree lighting ceremony and candlelight walk were great. Assemblyman Reilich lit the tree. The Village DPW decorated the tree as well as the trees and lampposts on Main Street. Bill Andrews and Kathy Goetz coordinated the Candlelight Walk. St. Luke's Church allowed use of their parish hall and John Bell and Jim and Ann Sutton prepared the cookies and cocoa. Trustee Maziarz said she purchased the cookies and cocoa on behalf of the Village and only spent \$68 of the \$150 allocated by the Board. She said the Brockport College – Community Choir concert was the cherry on top of a wonderful weekend.

2. Main Street Rehabilitation Committee – Trustee Maziarz recommended that the Board establish the organizational meeting for Wednesday, December 13th at 7pm at Village Hall. Introductions can be made. Goals can be set. A 2007 meeting schedule can be set. Board agreed. Clerk Morelli offered to send out notices to the committee members.
3. Police Chief's Contract – Recent Letter to the Editor – Trustee Maziarz referred to the recent letter to the editor in Suburban News from Mayor Wexler. She said he indicated that the Police Chief's former contract had been "ruled illegal". She said she wished to clarify that at no time was there ever a ruling as to whether the contract was legal or illegal. It never went to court. She said that is among several inaccuracies.

B. Trustee Wagenhauser

1. Holiday Events – Trustee Wagenhauser commented that the holiday events this past weekend were very nice. He reminded everyone of the holiday lighting and decorating contest described

in detail in the recent local papers.

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2. Work in Progress – Trustee Wagenhauser commented that he is working on a rather ambitious project that he hopes to report on in January.
 3. Police Chief’s Contract – Recent Letter to the Editor – Trustee Wagenhauser referred to the recent letter to the editor in Suburban News from Mayor Wexler. He said the term “arbitrary and capricious” was used in referring to the decision made by the majority of the Board. He said it was certainly not arbitrary and capricious.
- C. Trustee Heyen
1. Seymour Library – Trustee Heyen commented that she attended the Seymour Library celebration on November 25th and that it was well attended. She said she is glad the Village adopted the proclamation for its 70 years and the certificate of special recognition for Patricia Trek’s 30 years of service. She said there is nothing better than a common thread in an organization and that P. Trek has been that and more through many changes including Boards, Directors and locations. She said P. Trek is a real stalwart and a positive, calm, accomplished pillar. In other library news, Lori Lessord will be the new President of the Library Board.
 2. Parks and Playgrounds – Trustee Heyen shared that DPW Superintendent Donahue is gathering cost estimates for some of the suggestions received from the public and the parks committee recently. She said Parks Committee Chair Andrea Perry has provided cost estimates for some new pieces of equipment.
 3. Kleen Brite Properties – Trustee Heyen shared that she and Trustee Maziarz are in forward motion on the issue of the vacant Kleen Brite properties. They have met and will meet again soon with officials. She said the State Street parcel is more marketable than the Fair Street parcel. She said it is a top priority to get those properties remediated and re-utilized.
 4. Police Chief’s Contract – Recent Letter to the Editor – Trustee Heyen referred to the recent letter to the editor in Suburban News from Mayor Wexler. She said most people know her as extremely positive and willing to provide and solicit suggestions and ideas. She said M. Wexler has known her for 3 decades. She said since being elected, she has regularly made a point of going in to speak with him. She said he has had numerous occasions to share what is on his mind. She said there is nothing wrong with making statements regarding the contract, but she said she takes offense to mentioning “three people on the Village Board”. She said in speaking for herself, she works hard and it is the first time in her life she has been put in the category of “arbitrary and capricious”. She said arbitrary is defined as on a notion, on a whim, willy-nilly. Capricious is defined as changing abruptly. She said those comments are very bothersome and that she prefers to not be attacked in the newspaper or through word of mouth. She said she hopes the issue is closed and that the Village Board can move on to many important items needing attention and handle things more positively.
 5. Birds Eye Foods – Trustee Heyen commended Birds Eye Foods for working so hard to get a company to take over their locations. Allen Canning Company of Arkansas will be taking over.
 6. Code Review Committee – Trustee Heyen reminded the Board that there are 2 vacancies on the Code Review Committee and that she provided names of 3 Village residents that may be interested in and assets to the committee. She said she would let Mayor Wexler and Building/Zoning Officer Zarnstorff follow up with them.
 7. Brockport Toy Shelf – Trustee Heyen announced that there is a donation box at Village Hall for new, unwrapped toys. She said organizers indicated that they ran short last year, particularly with gifts for teenagers. Clerk Morelli is also collecting cash donations to forward to the Toy Shelf.
 8. Holiday Events – Trustee Heyen commended all who made the holiday kickoff weekend so successful.
- D. Trustee / Vice Mayor Castañeda
1. Village Advisory Committee – Trustee Castañeda said the next meeting would be December 14th at 7pm at her home for a holiday gathering along with the meeting. DPW Superintendent Donahue has agreed to attend and answer any questions the committee has. She said an e-mail would be sent to committee members. Phone calls will be made to those without e-mail.
 2. Good Neighbor Committee – Trustee Castañeda shared that she attended her first Good Neighbor Committee meeting November 29th. She said she was happy to learn that the

committee is exploring other opportunities for “town/gown” collaboration. One possibility is a series of block parties to improve communication between residents and students. She said students have participated in many positive activities in the community recently including a canned food drive and leaf raking. She said it is greatly appreciated.

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3. Lakeside Foundation Gala – Trustee Castañeda said she would be representing Mayor Wexler at the annual Lakeside Foundation Gala. Bill O’Reilly is the keynote speaker.
4. Leadership Excellence – Trustee Castañeda shared that she attended a function with leadership expert Robert Peter. He has agreed to provide information to help the Village Board become a better board.
5. Holiday Events – Trustee Castañeda commended all who helped make the holiday kickoff weekend so successful.
6. Brockport Community Museum – Trustee Castañeda shared that there will be a brief dedication ceremony for the placement of the first Brockport Community Museum interpretive sign at 1pm on Friday, December 15th on the front lawn of the Oliver Middle School. This is part of the Museum Without Walls concept. This sign is dedicated to the history of public education in Brockport; its people, buildings and historic sites across the many towns that define the district. Other signs in production commemorate different historic aspects of life in Brockport.

E. Mayor Wexler

1. Accept Resignation of Bob Canham from Village Advisory Committee –

→ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to accept the resignation of Bob Canham from the Village Advisory Committee.

2. Appoint Main Street resident Sue Ann Bucholz to Main Street Rehabilitation Committee –

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to appoint Sue Ann Bucholz as the Main Street resident representative on the Main Street Rehabilitation Committee.

3. Appoint Lynda Cochran to Historic Preservation Board –

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to appoint Lynda Cochran to the Historic Preservation Board.

4. Resolution re Radio Tower Site Lease at DPW – Clerk Morelli referred to her memo and reminded the Board that a public information meeting was held in April 2006, but a motion was never adopted. Attorney Sekharan agreed to review the lease terms once a proposed lease is submitted from Monroe County.

RESOLUTION - VILLAGE OF BROCKPORT

At a regular meeting of the Board of Trustees of the Village of Brockport, Monroe County, New York state held in the Village Hall at 49 State Street on Monday, December 4, 2006 the following resolution was regularly made, seconded and carried:

PRESENT: Mayor Morton Wexler, Trustee Carrie L. Maziarz, Trustee Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Hannelore Heyen

MOVED BY: Trustee Castañeda
SECONDED BY: Trustee Wexler **UNANIMOUSLY CARRIED**

RESOLVED: Authorizing a lease with Monroe County of a parcel of land, approximately 40’ x 60’ to construct and operate a radio tower for public safety purposes, for a term of 30 years with one 10-year renewal term, for no rent, and assignable to a County-related entity, together with the necessary easements for access and utilities.”

4. Adopt Mission Statement –

→ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to adopt the following as the Village of Brockport mission statement:

“To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport’s unique heritage and historic character.”

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- 5. Amend Employee Handbook re medical / dental buyout option – Trustee Wagenhauser asked if Village Attorney Sekharan had reviewed the new language. Attorney Sekharan said yes.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to adopt the following insurance buyout language change for the employee handbook:

“Unless the availability of an insurance buyout provision is specifically addressed in an employee’s collective bargaining agreement, the above provision shall apply to each employee irrespective of union status.”

- 6. Holiday Events – Mayor Wexler thanked all who made the holiday kickoff weekend so successful. Thank you letters will be sent out as well as a thank you in Suburban News.

PUBLIC COMMENT: None

AUDIT:

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

Village

Date	Check #	Amount
11/21/06	174365	388.50
11/21/06	174375-174379	3,286.91
11/21/06	174381	300.00
12/04/06	174454	136,257.00
12/04/06	174385-174422	19,924.74

Fire

11/21/06	174366-174374	12,422.36
11/21/06	174380	192.94
11/29/06	174384	100.00
12/04/06	174426-174451	24,779.82

Third Party Billing

11/21/06	885	116.90
12/04/06	887-897	3,309.94
12/04/06	898	7,956.00

Capital Projects

12/04/06	2045-2050	12,403.55
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Water

11/21/06	1572-1573	335.02
12/04/06	1575-1581	3,018.01
12/04/06	1582	33,334.00

ADJOURNMENT:

- Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the meeting be adjourned at 8pm.

Leslie Ann Morelli, Village Clerk