

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, November 24, 2008 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti

EXCUSED: Clerk Leslie A. Morelli, Interim Treasurer Kari A. Olson

ALSO PRESENT: Village Attorney David F. Mayer, Fire Chief Timothy Rombaut, Building/Zoning Clerk Pamela W. Krahe, Jack Mazzarella, Bob Muesebeck, Bill Andrews, Bernie LoBracco, Kathryn Peets, Jason White, Ute Duncan, Joan Hamlin, Raymond Duncan, Charles Garlock, Jim Hamlin, Fred Webster, Norm GianCursio and one other who did not sign in.

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

MISSION STATEMENT: "To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport's unique heritage and historic character."

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the last meeting.

In addition to several small changes noted, Trustee Wagenhauser disputed page 3, number 3 under Mayor Wexler's Board Reports, second paragraph, sentences 3 and 4. He noted the statements were not accurate and asked they be removed. Mayor Wexler refuted, indicating the comments were made and they should not be struck from the minutes. Trustee Wagenhauser countered, stating the Mayor did not even make the last statement. Mayor Wexler determined that because Clerk Morelli is not present and cannot voice her opinion, approval of the minutes will be tabled until next week when she returns. Trustee Wagenhauser noted Clerk Morelli does not vote on the minutes. Trustee Hunsinger suggested viewing the DVD of the meeting and transcribing this section of the minutes from there; Mayor Wexler concurred and will ask Clerk Morelli to do so.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

GUESTS:

1. Jack Mazzarella of 51 Brookdale Road – regarding original Morningside Drive stub – Mr. Mazzarella voiced concern regarding the ongoing problem of speeding on his street. He complimented efforts of both the Brockport Police Department and the Department of Public Works in signage each had erected but he thinks that hasn't been particularly effective. He feels the answer may be to reinstall the stop signs that were there years ago when it was thought Morningside Drive, which borders his property, would become an actual road. Since that never materialized, the property containing the stub road was eventually deeded to Mr. Mazzarella. He is currently proposing deeding back a portion of the old Morningside Drive to the Village, thereby allowing that section of road to become a legal intersection once again. That, in turn, will allow legal placement of stop signs. Mr. Mazzarella also asked if the speed limit could be lowered.

Mayor Wexler noted that legal intervention would cost money and Mr. Mazzarella indicated he did not want the Village to incur a financial burden. Mayor Wexler said safety is important and that both the Village Attorney and the Chief of Police had heard the request, that there will be a discussion and it will come back to the Board. Mr. Mazzarella continued, saying he was nearly hit by a car speeding down his road recently and there are no sidewalks on his street. Bob Muesebeck of 43 Brookdale Road voiced that it had been a simple transfer deed with no survey by which Mr. Mazzarella obtained the property and perhaps they could do the same simple process in reverse. He added that when the stop signs were in place, it made a world of difference.

2. Bill Andrews of the Historic Preservation Board addressed the Board, updating them on the historic home improvement program by which grants were obtained and a well-attended workshop held in September by John Bero, which resulted in 10 applications for consultations. Mr. Bero has conducted several of them already and B. Andrews feels the resulting reports are very thorough. Additionally, seven homes have applied for historic landmark designation and the HPB will have a public hearing on December 18 as prescribed.

As for the Clinton Street revitalization RFP (request for proposal) results, B. Andrews reminded the Board that a grant has been received for studying the south side of Clinton Street to the canal for redevelopment. He stated the matching grant allows for the hiring of architectural,

The Historic Preservation Board spent two meetings reviewing the applications and is recommending to offer contracts to John Bero as the architectural consultant and Clark Patterson Lee as both the marketing and planning consultants.

Mayor Wexler asked about the cost and B. Andrews mentioned there would be some in-kind cost, including time by the Village Clerk, by former Village Manager Coyle, by the new Village Treasurer, as well as some of his own time. Trustee Wagenhauser asked if this project has been underway for two years and B. Andrews said it began early in 2007 and added that if it works, it could be a very valuable asset to the Village and potential development in tax revenue. Trustee Wagenhauser opined that in talking with Mr. Bero before, during, and after his presentation, he "knows his stuff."

→ Trustee Wagenhauser moved to accept the recommendation put forth by the Historic Preservation Board for the appointment of John Bero and Clark Patterson Lee.

Trustee Castañeda inquired when the work would get underway and B. Andrews stated there is about a 24-month timeline and they would start when the contracts are lined up. Trustee Castañeda indicated she had received the information on Friday and had not yet had time to go through all of it and would like more time to do so before accepting the recommendation. B. Andrews reiterated the HPB had spent two meetings reviewing the four applications. Trustee Castañeda asked the remaining Board members if they had had time to review the material. Trustee Legg commented that he was a member of the Development Corporation at the time this project came into being and it's exciting to have it before the Board tonight, indicating he would accept the recommendation. Trustee Wagenhauser voiced that having been a member of the HPB previously, he is highly confident in the expertise of the members of the HPB, adding he would accept their recommendation. Trustee Castañeda said she is not questioning the expertise of the HPB, but again expressed her desire for additional time.

B. Andrews outlined the tasks of the three consultants with both a structural architect and a landscape architect coming up with a plan for the redevelopment, the marketing consultant will advise on how to attract business to the area and planning will oversee the process through which the community would be kept informed and so forth. Trustee Legg asked if we had ever worked with CPL before and B. Andrews said no, but indicated Mr. Corby from CPL would be a good match for working with Mr. Bero. Mayor Wexler called for a vote.

→ The motion carried 3-0 with Mayor Wexler, Trustee Wagenhauser and Trustee Legg voting in favor and Trustee Castañeda abstaining and Trustee Hunsinger abstaining as his wife is employed by Clark Patterson Lee.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Authorization to hire Jason White (from part-time to full-time) – Superintendent Harry Donahue referenced his memo of November 4, 2008, reiterating numerous reasons for wanting to move part-time DPW employee J. White to full-time status. In addition, he noted one of his employees will be going out for 7-9 weeks for carpal tunnel surgery beginning December 1.

→ Trustee Castañeda moved to authorize the hiring of Jason White full-time.

Mayor Wexler asked for comments. Trustee Castañeda noted the DPW has struggled and has done well under adverse circumstances such as working short-handed. She opined the Board should show their appreciation by supporting the proposal. Trustee Wagenhauser explained that he does not see how the Village can afford \$18-20,000 right now and while he appreciates what the DPW does, he suggests tabling the request until March or April at budget time when finances can be reevaluated.

→ Trustee Wagenhauser moved to table the decision until March or April at budget time.

Mayor Wexler noted there are two motions on the floor. He further cautioned the Board about saying yes to some departments and not to others, adding this practice is developing animosity between departments. He referred to the memo from DPW Superintendent Donahue and the projects that have to be put off due to a lack of personnel, and reiterated the need for equality. Mayor Wexler went on to say there is a \$500,000 difference between the cost of 2007 compensation and benefits for one department versus another. He said we need all departments, they should be treated equally and he referenced the fact that when the village asked for help in cutting costs a couple of years ago, the DPW came through. He concluded by stating there were a couple of new hires recently in another department and that DPW department employees may feel they are getting the short end of the stick. Trustee Wagenhauser added he does view the departments the same, noted previous approvals for the DPW including trucks, equipment and health care benefits, and would like to see proof of money saved

by hiring. He and Superintendent Donahue continued to discuss the cost differences between a part-time and full-time worker including vacation, sick, and personal time. Trustee Wagenhauser mentioned **MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 3**

how Chief Varrenti was able to show how the Village would save over \$100,000 over 3 years with his recent hires. He reiterated his uncertainty about the request to promote a part time employee who currently works 32 hours (40 when needed) to full time at 40 hours at higher pay and benefits. It makes no sense to spend \$20,000 - \$50,000 to gain 0 to 8 hours per week of work. Trustee Legg offered his appreciation for the DPW employees and their commitment to this community, but declared if this proposal has been crafted as a thinly-veiled attempt to pit the Police Department against the Department of Public Works, then shame on all involved. He added that perhaps once the new Treasurer is in place, the budget process could be looked at.

Trustee Castañeda reminded the Board her motion still stands and she again referenced the cost savings from CSEA re-negotiations stated in the memo from Superintendent Donahue. She also noted that talk of hard financial times and belt-tightening didn't seem to matter previously. Mayor Wexler brought up the police hirings, which will reportedly result in \$100,000 savings over three years, saying he is not yet certain. He also feels those new hires will cost us down the road upon their retirement in 15-20 years. Trustee Hunsinger commented as liaison to the DPW, that he realizes the need for one, if not two, new hires, yet he does not see it fiscally responsible right now and would support tabling the proposal.

Mayor Wexler indicated the Board would be voting on the motion to table as that has precedence.

→ The motion carried 3-2 to table the proposal to hire part-time employee Jason White as full-time until March or April. Trustees Wagenhauser, Hunsinger and Legg voted in favor; Mayor Wexler and Trustee Castañeda were opposed.

Mayor Wexler encouraged Superintendent Donahue to submit a request for hiring for next year's budget. Trustee Hunsinger gave his thoughts on how that might be accomplished and offered his assistance.

2. Authorization to declare surplus & place on Auctions International – Truck #12 1992 International Dump Truck.

Trustee Hunsinger asked if funds received from this will go back into the General Fund and Superintendent Donahue affirmed.

→ Trustee Castañeda moved, unanimously carried 5/0 to declare surplus and place on Auctions International – Truck #12 1992 International Dump Truck.

3. Authorize Letter of Credit Release – McCormick Place \$8,925.30.

Superintendent Donahue stated Village Engineer Jason Foote has signed off on this.

→ Trustee Hunsinger moved, unanimously carried 5/0 to authorize the Letter of Credit Release for McCormick Place in the amount of \$8,925.30.

4. Authorization to purchase Water Department backhoe per 10/07 Board authorization ~\$3,500 and trade in.

Superintendent Donahue gave background information on the use of the backhoe, the contract with Caterpillar and the trade-in agreement it contains. Trustee Hunsinger encouraged the authorization, saying the equipment and the trade-in agreement are great.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to authorize the purchase of a Water Department backhoe per 10/07 Board authorization for approximately \$3,500 and trade-in.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Regarding the comments of Jack Mazzarella, Chief Varrenti stated Mr. Mazzarella had spoken with him about the stop sign and the Chief informed him it was not his decision to make policy within the Village where signs can be erected or taken down, but it is his job to let the Board know when something has been done that is illegal. He referred to Mr. Terry Rice of DOT and correspondence that had been exchanged between Mr. Rice and Mayor Wexler some time ago. The Chief stated that while he has no control over whoever wants to pit his department against the DPW, and they should be ashamed of themselves, but he's not going to let himself be put in a position... At that point he paused and asked the Board if there was something funny, to which Trustee Castañeda replied yes, noting that no one is pitting anyone and that members of the Board have all stated the equal importance of each department and that if anyone is pitting anyone against the police department, it is the police department itself. Chief

Varrenti retorted that of course his department would be blamed, and when Mayor Wexler attempted to stop the exchange, Chief Varrenti voiced that he was being stifled, just as the Mayor stifles everyone else.

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 4

Mayor Wexler reminded the Chief that the discussion is about the stop sign right now and that those seated at the head table are in charge of the Village and those seated at the side table are not in charge. He continued, adding the Board needs the Department Heads and there will not be any arguments now between Board members and Department Heads. Chief Varrenti replied that it takes two people to argue and he does not wish to get put into the middle of a stop sign being erected on Brookdale Road. He will give his recommendation if asked for it and feels there are other ways to control speeding.

2. Distributed posting for another Level 1 sex offender, James Hawkins, residing in the Village. Requested Clerk Krahe to post same on Village Hall lobby bulletin board.
3. Commended Brockport Police Officer Cubiotti on assistance he recently provided to the Greece Police Department during off-duty time, which resulted in the apprehension of the suspects. Stated he is pleased to have Officer Cubiotti on board.
4. Robbery took place at 7:20pm on October 30 at Laundry Time where a 20-year old female was threatened with a knife; the suspect then took her purse. Between the description given by the victim and the images taken from the ATM he tried to use immediately after the incident, Brockport officers on directed patrol the following day were able to identify and arrest Richard Stone of 35 Main Street, Apartment 3. Chief Varrenti stated with higher visibility of his officers through directed patrol and with more officers, his department has a better chance to make these types of arrests.
5. Regarding the October 6 Board meeting, Chief Varrenti said he does not wish to argue but he will correct falsehoods such as comments made by the Mayor that we have the "highest paid officers in western NY." He indicated that upon ratification this evening of the new contract, a full-time Brockport officer at the highest pay step will make \$66,189, effective January 1, 2009. He went on to list the pay of officers from highest to lowest in various police departments around Monroe County, including Greece (\$70,613), Brighton (\$69,866), Rochester (\$69,435), Irondequoit (\$67,727), Webster (\$67,365), Ogden (\$66,194), Brockport (\$66,189), Gates (\$66,090) and Fairport (\$65, 618). Chief Varrenti said he was not sure how this makes his department the highest paid in western NY and Mayor Wexler replied he would show him after the Chief was finished speaking.

Chief Varrenti then referenced the November 3 Board meeting during which the Mayor stated that following contract negotiations, the Brockport Police Chief is "the highest paid police chief around, even more than the City of Rochester." The Chief refuted, stating he would bet he costs this municipality less than the greater majority of police chiefs in Monroe County. Mayor Wexler interjected comments about the Chief not having to pay village taxes and further indicated that he said the Chief's salary was higher and the Chief referenced having had to listen to the fact that he doesn't pay village taxes for seven years and then sarcastically said it would make good sense that his salary is more important than what he costs the municipality.

6. The Chief stated that despite all the childish, petty, back-and-forth baloney that's gone on, he wishes everyone a Happy Thanksgiving and a Merry Christmas as he will not be here for the December meeting.

Mayor Wexler referred back to Brockport's police officers being the highest paid and read from a spreadsheet, without using specific names, that officer #1 had a base salary of \$62,437 and when overtime, comp time, holiday, shift differential, laundry, and longevity were added in, total compensation equaled \$87,730. Chief Varrenti noted he had used base salaries and the two should talk apples to apples. The Mayor said he was quoting the cost to the Village of Brockport and continued listing total salaries at \$113,000, \$144,000 and so on and mentioned that the lowest-paid, full-time police officer makes more than DPW employees, including the Superintendent. He reiterated the fact that he pays village taxes and said he didn't want to argue. Trustee Hunsinger broke in to note the Mayor was indeed arguing and to ask the Mayor if he was talking to the Chief or yelling at him. Trustee Hunsinger suggested that more respect should be used when speaking. Chief Varrenti ended the heated conversation by again wishing happy holidays to all.

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

1. Code Enforcement Officer Zarnstorff recapped the response of his office as well as that of the Brockport Fire Department to the recent house fire at 59 Havenwood Drive. Assistance has been provided to the homeowners and the CEO noted he appreciates the collaboration between his office and the fire department. He added that coincidentally, the Code Enforcement Office had a chimney/woodstove safety project already in the works and turned the tragedy into an

opportunity to educate and communicate with the neighborhood by mailing a cover letter with some facts about the incident and the flyer on chimney and woodstove safety. Has received positive feedback and thanks from residents. Trustee Hunsinger asked if the information could be put in the local papers and CEO Zarnstorff said it may be applicable, but is

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 5

difficult to assess how that method impacts homeowners, whereas with a direct mailing, people are more likely to read the communication.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut

1. Chief Rombaut summarized the response to the fire on Havenwood Drive, noting Captain Henry and Sgt. Philippy had responded within two to three minutes and within eight minutes there was a pumper and a fire truck in the front yard with eight people on board. He reminded the Board that this was 12:48am and firefighters were wakened from sleep, reported to Market Street and were to be able to be there within that short time. He noted the Code Enforcement Office's equally quick response and he immediately teamed the CEO with the homeowner, knowing the homeowner would receive appropriate assistance and the Fire Department could continue to do its job. Chief Rombaut complimented Brockport's volunteer firefighters, police, code enforcement and DPW on all assistance provided. He commented that Monroe County is still investigating and his department had issued a press release with details of the incident and had touched on solid-fuel safety. He noted he had also had positive response from residents following the mailing from the Code Enforcement Office and he appreciated the effort.
2. November 11 saw another fire at 400 Gallup Road about 10:30pm. The sole homeowner, who is being assisted by the Red Cross, left for work in the early afternoon and is unsure how the fire may have started. Chief Rombaut again commended all involved including mutual aid responders, Sweden fire officials and great work by the Monroe County Fire Investigators.
3. Brockport Fire Department responded to an illness/carbon monoxide detector alarm at 196 Main Street. RGE, Code Enforcement and the landlord responded and tenants were taken to the hospital for evaluation. Chief Rombaut noted appreciation for Code Enforcement requiring CO detector installation and landlord compliance.
4. Calls for Service – 895 Fire, 1910 EMS = 2805 total calls year to date, ahead of last year's numbers, which totaled just over 2900 for the year. Commended all who serve the department.
5. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: Dean Tobin, Erica Abram, Colin Ryan, Sara Berkstresser, Zachary Delaney, Christina Furco, Edward Green, Bart Joseph, Lee Ann Blodgett, Kelly Reidy, Gerald Weaver, Brian Spencer, Mark Samiec, Anna Anderson, James Scott Williams; the following adds: Brian Smith (move from Explorers on 18th birthday to active Fire) and Michael Hicks; the following exempt certificates: Donald Ennis.

→ Trustee Castañeda moved, unanimously carried 5/0 to approve the previously mentioned drops, adds and exempt certificates.

6. Accept bids from Auctions International for 5 older light bars. The bars draw a lot of power and are generally replaced with better LED models. Total from the 5 units is \$457.90.

→ Trustee Legg moved, unanimously carried 5/0 to accept the Auctions International bids of \$155, \$56.90, \$55, \$56, \$135 for the 5 light bars.

7. Authorize promotion of recent BLS Hires – Kenneth Keirn & Michael Shipman from provisional to permanent – confirmed by Civil Service.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to promote part time EMT's Kenneth Keirn and Michael Shipman from provisional to permanent since they were confirmed by Civil Service.

8. Polaris ATV Training Class – The department has recently received a Polaris 6x6 ATV and would like to send 6 members to Woodbury, Connecticut for a "train the trainer" class on Saturday, December 6. It is an 8-hour ride, they will take the vehicle in the trailer, leave Friday late afternoon and hopefully return Saturday night after the all-day class. The cost will be \$1500 for the class plus \$119/night for each of three rooms.

Trustee Wagenhauser asked if both ambulance and fire department personnel would attend and Chief Rombaut affirmed. Trustee Wagenhauser noted the cost could then be split between third party ambulance and fire department and again Chief Rombaut affirmed, noting there is also money remaining in the budget for training. Trustee Castañeda asked for clarification if it would be 5 or 6 who are attending and the Chief answered 5, though they are looking for a sixth as they had one cancellation.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to approve the request to attend the ATV training class on December 6 at a cost of \$1500 for the class plus the cost of three hotel rooms.

9. Chief Rombaut mentioned he would be attending a meeting at the Gates Fire Department Tuesday, November 25 for a presentation by the NYS Department of Labor on an unfunded

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 6

mandate regarding life safety ropes recently issued by the DOL. He noted the mandate is confusing and could result in a substantial cost for us of between \$35,000-40,000. The meeting is supposed to straighten out the confusion.

E. INTERIM TREASURER – Kari A. Olson (excused)

F. CLERK - Leslie A. Morelli (excused) Pamela W. Krahe as substitute

G. VILLAGE MANAGER -

H. VILLAGE ATTORNEY – David F. Mayer, Esq.

1. Hiking & Biking Trail – status update regarding agreement for property use. Attorney Mayer noted the trail would cross Village property and that if an easement were to be granted, it is both permanent and irrevocable. He added that may not be appropriate as the county has a license for the rest of the trail, which can be revoked. He is still in the negotiation process at this time. Mayor Wexler noted he had received a call from Walk Bike Brockport President Harry Shifton and the Mayor referred him first to Town of Sweden Supervisor Lester and if something could then be brought back to the Mayor, then he in turn could bring it to the Board. Bill Andrews offered that the talks are currently at an impasse due to this legal complication and suggested a solution whereby the portion of the trail, which is about 8,000', would be built and maintained by the Town and the 2750' that is on Village property would be built and maintained by the Village. The grant is to provide funds for the purchase of the materials for the construction of the trail and the grant stipulates the labor and materials would be provided by the Town of Sweden and that perhaps with this solution, the impasse could be resolved without the lawyers. He continued that timing is an issue as the grant has already been extended once and we may be in jeopardy of losing it. He concluded by asking the Board to support the compromise. Mayor Wexler asked for confirmation on the amount of the grant, which is \$82,000 and noted he would call H. Shifton to see if he has met with Supervisor Lester and Mr. Andrews noted he has tried unsuccessfully to garner the support of the Supervisor.

Trustee Castañeda noted our attorney's suggestion along with that of an insurance binder, which was an issue with the Town of Sweden's insurance carrier because the trail is not policed. She referenced a memo from the Town of Sweden where the Town and Village would enter a simple partnership in which the Town takes the lead and the Village of Brockport would commit the DPW to help the Town's Highway crew during the construction of the trail, the Town would provide regular maintenance after the construction and the police department could provide regular presence. B. Andrews interjected that Supervisor Lester is amenable to the suggestion he (B. Andrews) mentioned earlier, and that the police presence is a non-issue in his opinion, as he never sees police on patrol as he hikes area trails and people are entitled to protection from the Sheriff's Department, which would negate the necessity of having Brockport police on patrol. Trustee Castañeda corrected that it was the insurance company's concern that the trail be policed. Trustee Wagenhauser brought up the fact that the Board had previously been asked to sign off on an agreement like the County's, which was okayed, and that he did not have a concern with the insurance as it would be no different than any other sidewalk we have, for example. He explained he is concerned with the request for assistance from the DPW, reiterating the strains on department resources right now. Superintendent Donahue added he has a \$40,000 grant for a salt barn right now that he can't get started because his department is at it's max. Trustee Wagenhauser said the grant was sought by the Town of Sweden and while it's a great idea, we've offered what we could by allowing our insurance to be used. He opined that he cannot justify using DPW personnel for this and he does not agree with an easement.

VILLAGE BOARD REPORTS:

A. Mayor Morton Wexler

1. Wished Board members, Department Heads and Village residents and their families a Happy and healthy Thanksgiving.
2. Sincere thanks to Trustee Legg on all his effort during the search for the Village Treasurer, including taking charge of the interviews in the absence of the Mayor who was called away on a family emergency.
3. Spoke with a representative from the County today regarding the former GE property at 200

State Street, which will going up for auction again in December or January; there will be no restriction on the dollar amount that can be offered.

4. Received an invitation to attend Lakeside Health System's annual Gala. Trustee Castañeda will be purchasing a ticket and will be attending on behalf of the Village.

5. Update on vacancy on Code Review Committee – Chair Appleby has been asked to phone the
MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 7

interested candidate and to see if he would be acceptable for the committee. When Chair Appleby is in touch with the Mayor, the Mayor will relay the recommendation to the Board.

6. Announce holiday kickoff weekend events 12/5-12/7 – The Morgan Manning House will be open December 5 from 10am-9pm and December 6 from 10am-5pm for Candlelight Christmas. Mayor Wexler encouraged any who have not seen the inside recently to do so. Santa Train Rides on Saturday and Sunday, December 5 & 6 at noon, 2pm and 4pm from Northside Service Center at 165 Park Avenue to the Medina Railroad Museum. Cost is \$10 per person. Also on December 7 at Sagawa Park will be a Christmas Concert at 4:30pm, the Tree Lighting by resident Jack Mazzarella at 5pm, the candlelight walk and, finally, cookies and cocoa with Santa and Mrs. Claus at St. Luke's.

7. Consider offering Cold War Veterans Exemption – call for 12/15 public hearing – Mayor Wexler noted the Town of Sweden has already adopted the exemption and has had 4 people apply. We have no way of knowing just how many would apply if we do adopt it; it affects those serving between 1949 and 1991.

Trustee Castañeda clarified that we would have to have a public hearing to consider adopting it as local law and Mayor Wexler affirmed. Trustee Wagenhauser commented that instead of asking the Village Attorney for his opinion, that perhaps the VA, the USO, the American Legion or some military organization should be asked if they know how many people we could be talking about and hopefully those facts could be presented at the hearing. Mayor Wexler offered to attempt to obtain that information.

→ Trustee Castañeda moved, unanimously carried 5/0 to call for a public hearing to be held December 15th to consider offering a Cold War Veterans Exemption.

8. Village Treasurer – Mayor Wexler deferred comment on this to Trustee Legg, as it was Trustee Legg who assisted with the interviews.
9. Vote on Stetson Club Contract – the remaining unresolved item has since been taken care of and the contract has been signed by Stetson Club President Curley.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to accept the agreement between the Village of Brockport and the Brockport Stetson Club June 1, 2007 – May 31, 2010 and authorize the Mayor to sign it.

Mayor Wexler noted that in less than a year both the Stetson Club and DPW contracts come up for renewal. Trustee Hunsinger commented it is unfortunate that it has taken so long to resolve and that in August, one of the first things he did was to reach out to the Mayor and offer his assistance with this matter, an area with which he is familiar, but got nowhere. He characterized the Mayor as a "lone gunslinger" and noted that approach didn't work in the old west, and it didn't work here, and hopes that in the future, if a similar offer of help is extended, the Mayor would accept it. The Mayor replied that with Trustee Hunsinger coming in mid-way through the negotiations, he would not have been privy to earlier conversations. Trustee Hunsinger countered, saying he gets up to speed quickly, is well-educated and he doesn't feel that just because someone is new, they should be excluded.

Trustee Legg congratulated the Mayor on the resolution, noting we have saved costly arbitration. He added that having participated in contract negotiations at work as a vice president of a labor union, he appreciates having the contract resolved.

Trustee Wagenhauser mentioned he has never assisted the Village in negotiating any agreements, but commented that "stepping" is good and will save about \$100,000 over three years; what will happen in the fourth year is unknown and is difficult to predict; health care agreements also will save money for the Village; glad it is over though we will be back at the table in a short time; has concerns over how we got here and read the following statement:

"I am sincerely disappointed to read the police union proposal the Mayor brings us after more than two years of his (solo) efforts.

From the beginning, I was against the Mayor leading the police union negotiations - not because

he didn't have the authority - but because of his "history" with the police. How effective and objective would a negotiator be, I reasoned, when he has advocated for the other side's elimination?

To brazenly go it alone, without assistance from the village board - a board that would be charged with voting and paying for the contract - shows a lack judgment. Going it alone when there are board members and others that who could have facilitated positive outcomes - contributing expertise in employee benefits, for example - shows a lack of concern for the taxpayer's dollar.

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 8

I can understand the Mayor's naiveté that he could singlehandedly outmaneuver and outsmart the union and bring the Stetson Club to its knees.

I have concerns, however, when it appears he did not do his homework. The Mayor was recently admonished by a mediator who told him he would not win the concessions he sought - the same thing others and members of his team told him two years before. The Mayor's response to the mediator? "I just needed someone else to tell me that." Thus, a deal that could have been done two years ago is presented to us this evening.

The cost of the Mayor's obstinance? To date, exorbitant health insurance, legal and other costs bring the total to \$60,000.

As I support the DPW and Fire Department, I also support the police department and understand it is indispensable to ensuring the safety of our families. That being said, we need to reduce its costs to village taxpayers.

Unfortunately, we can't turn the clock back 2 years. Likewise, we can't afford the continued thousands in legal bills and squandered opportunities to save tens of thousands in health care costs.

So, with that, I will hold my nose and vote for this agreement. Time has run out. The contract we vote on tonight needed to be approved by June 2007. Sadly Mayor, you come to us two years too late and offer us no real alternative. Unnecessarily costly, unfortunate and sadly disappointing."

Mayor Wexler commented that everything the Trustee just said was known by the other side before negotiations even started. There were times the Mayor wondered where the Board stood on this matter. He said he was not being admonished, but rather that Mr. Bantle was merely making a statement to the Mayor. He continued that it takes two to make an agreement; that the cost is excessive; that he is a public employee and that one of these days, someone will price themselves out of existence.

B. Trustee / Vice Mayor Maria C. Castañeda

1. Village Advisory Committee met November 11; discussed Smith Street bridge hearing December 1; wondered if DOT has provided past maintenance records that would help future budgeting for repairs as well as future teardown costs, if ever necessary. VAC also discussed there were no bids on 200 State Street at the last auction.
2. Attended Veteran's Day ceremony and memorial monument dedication at Lakeview Cemetery along with the Mayor. Thanked all who participated in the memorial as well as guest speaker Assemblyman Bill Reilich.
3. On November 18, the Seymour Library Board met for their organizational meeting. New officers are Jeff Davignon, Lynne Gardner, Matt Miner and Becky Donahue; thanked Laurie Lessord for her service.
4. Attended Public Health Emergency Plan seminar with the Mayor on November 19 regarding POD (Point of Dispensing) Site at the A.D. Oliver Middle School in the event of the need for mass dispensing to area residents.
5. Wished to remind residents to shop locally this holiday season.

C. Trustee David J. Wagenhauser

1. Thanked Trustee Legg for all his efforts regarding the Village Treasurer search.
2. Hopes the Town of Sweden does construct the hiking trail and noted he would help with construction.
3. Regarding the 200 State Street auction, he wishes it would not be done at an auction.

4. Noted he will be on the Santa Train, the weekend of December 5th.
5. Regarding the yearly budget; noted our annual audit by Christopher Trento, CPA, is complete and we are in "good shape financially" with some areas needing attention regarding equipment and plans. Trustee Wagenhauser explained to Mr. Trento that the Fire Department had recently completed their plan and that Trustee Hunsinger is working on tweaking our current plan, which includes many DPW, Police and Code Enforcement vehicles. Another concern brought forward by the auditor is the uncertain economy, with a note of caution about the future. General fund did extremely well last year; Water Department did not fare as well and was over

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 9

budget; working on recommendations and expects to present those to the Board in about a month.

6. Employee/Retiree Health Insurance – open enrollment options for 1/1/09 – have had Bond as our Insurance Broker over the past few years; have spoken with another broker by the name of Titan, believes they can better serve us and help increase office efficiency which will help Village Office; broker services are of no cost to us as the health insurance companies pay them and rates are the same no matter what broker we use.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to change health insurance brokers from Bond to Titan at no cost to the Village.

Mayor Wexler noted that both Village Clerk Morelli and former Village Manager Coyle had recommended this action.

7. New health insurance plan for the Police Department - feels it appropriate for the new broker to present this to the Police Department; will arrange those presentations; would like to ask the Board to offer the current CSEA employees the same terms as approved by the Board tonight for the Stetson Club. This would not cost any additional funds; would actually offer greater benefit at a reduced cost; should the CSEA want to have the same terms as the Stetson Club we could amend their contract.

→ Trustee Wagenhauser moved to offer the current CSEA employees the same health care terms as approved today for the Stetson Club and invite them to the Titan informational meeting and, should they decide to accept the offer, amend their contract.

Mayor Wexler commented that the DPW can certainly be asked to come in and listen, but it has to be agreeable to both parties to be put in the contract; could not comment on the legal aspect of putting in additional programs, though he thinks it still runs between the Mayor and the organization and then the Mayor would bring it to the Board; not sure that a motion can be passed without everyone knowing what is being voted on.

Trustee Wagenhauser said he would withdraw his motion if that's what the Mayor wants him to do and Mayor Wexler tried to explain that we need to wait and see what happens and then we will do it, as he had been told at the Board meeting on the contract two weeks ago. He noted the process must be followed. Trustee Wagenhauser stated this had been done last year without a motion and that this would have been an opportunity to reach out to those employees to bridge the animosity. He continued, saying time is of the essence as enrollment times are limited and withdrew his motion. Mayor Wexler stated he would arrange the meeting if Trustee Wagenhauser did not want to. Trustee Wagenhauser stated he would take care of the meeting and have them contact the Mayor if they would like to amend their contract.

8. NYS Affordable Housing Corporation Grant – in the amount of \$400,000; average of \$12,000 per house; matching funds will be available through other grants which could result in \$600,000-700,000 in improvements; Rural Opportunities Inc. will handle administration and screening applicants with regard to lowest income and severity of need. Can cover such things as roof repair or replacement, foundations, HVAC, windows, doors, insulation, ADA compliance and many others. Thanked Dale Prunoske for his help. Applications will begin in January '09.

D. Trustee Scott W. Hunsinger

1. Complimented work of Trustee Castañeda and members J. Hamlin and N. Giancursio of the Village Advisory Committee on their continued efforts.
2. Inquired of the Mayor whether or not he had contacted the NYSDOT regarding the 5 corners, as Trustee Hunsinger requested at the last meeting. Mayor Wexler said he did call, that our letter had been received and our request was being considered.

3. 200 State Street – no one bid during the County bidding process; remarked as troublesome the fact that there is an attorney bill for a 2.5 hour meeting to which he was not invited after repeatedly expressing his desire to assist in this process and after having completed much research on the project. Asked for a report of the meeting, to which Mayor Wexler replied a report is forthcoming from Attorney Richman regarding the phone calls made and when he receives it, he will pass it along. Attorney Mayer cautioned the Board about attorney/client privilege; Trustee Hunsinger said he would be willing to go into Executive Session if necessary; Mayor Wexler reiterated when the report comes in, he will pass it along. Trustee Hunsinger again voiced his wish to be included in future meetings.

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 10

4. Asked Board members and their families to exercise caution regarding conduct at holiday functions.
5. Closed with this quote from President Woodrow Wilson, “The ear of the leader must ring with the voices of the people.”

E. Trustee Hal S. Legg

1. Complimented both the DPW and the Tree Board on their continuous efforts and commitment, sometimes during inclement weather, to help make Brockport a beautiful place; is optimistic 2009 may see Brockport designated as a Tree City.
2. Holiday Weekend – expressed excitement for the weekend; encouraged all to attend; stated train museum in Medina is a great place; thanked Walk Bike for all their efforts; special thanks to Brad Alexander for the use of Northside Service Center as the “train station” for the Santa Train.
3. Grant writing – Kelly Smith has been working on grants; \$14,000 in checks have been received since she started.
4. Understands Jack Mazarella’s concern about excessive speed; sees it on his street; feels the Village has been diligent about looking into a stop sign on Brookdale Road; admires Mr. Mazarella’s creative suggestion; supports enforcement and education options.
5. Computer hardware and technical support – much of the Village’s equipment is old; centralization to increase efficiency may be appropriate; suggests having an integrator look at our equipment and suggest upgrades; may be able to centralize that on a few budget lines rather than have it dispersed and new Treasurer may be able to accomplish that.
6. New Treasurer - suggested going to Executive Session to discuss matters relating to the hiring of the new Village Treasurer.

Executive Session:

⇒ At 9:55pm, Trustee Legg moved, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel matters, specifically the hiring of the Village Treasurer.

PUBLIC COMMENT:

Mayor Wexler asked for public comment; no one spoke up right away so Chief Varrenti asked if he could address the speeding issue; Mayor Wexler allowed.

Chief Varrenti noted speeding is an arbitrary term with many variables; will order his officers as part of the directed patrol to enforce the speed limit, strictly construed, on Brookdale Road, meaning officers will use discretion and common sense in enforcing the 30mph limit on Brookdale. He added that many times violators live close to home and that may mean our residents. Concluded by saying the extra visibility and enforcement will take care of this problem.

1. Joan Hamlin, 50 Park Avenue, stated her disappointment that approval was not granted for the hiring of the DPW worker with all that that department does; mentioned that all the extra jobs that get delegated to the DPW add up; thought it crazy that the Board would turn down request for just part of a worker.

Now to Executive Session :

The Board entered into Executive Session at 10:01pm.

⇒ At 10:13pm, Trustee Castañeda moved, unanimously carried that the Board of Trustees re-enter the regular meeting.

AUDIT:

➔ Trustee Legg moved, Mayor Wexler, Trustee Castañeda, Trustee Hunsinger and Trustee Legg in favor, Trustee Wagenhauser abstained (as he did not hear the motion) that the bills be allowed and paid upon audit, except those not signed by at least three Board members until requested information is submitted.

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	11/12/08	177947-177956	\$92,618.34
	11/19/08	177959-177961	2,515.98
	11/25/08	177994-178059	67,220.13

MINUTES OF VILLAGE BOARD MEETING HELD November 24, 2008 continued.....page 11

<u>Fire</u>	11/10/08	177946	2,842.50
	11/19/08	177957-177958	1,988.63
	11/25/08	177963-177993	18,520.5
<u>Third Party Billing</u>	11/10/08	1387	2,842.50
	11/19/08	1389	22.10
	11/25/08	1390-1399	13,382.83
<u>Capital Projects</u>	11/25/08	2282-2288	22,588.06
<u>Water</u>	11/12/08	2121-2125	14,968.77
	11/19/08	2126	347.56
	11/25/08	2127-2138	51,348.76

ADJOURNMENT:

➔ Trustee Castañeda moved, unanimously carried that the meeting be adjourned at 10:14pm.

Pamela W. Krahe, Building/Zoning Clerk