

**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, Tuesday, February 22, 2005 at 7:00pm.**

**PRESENT:** Mayor Josephine C. Matela, Trustee/Vice Mayor Carrie L. Maziarz, Trustee Norman J. Knapp, Trustee James E. Whipple, DPW Superintendent Bradley B. Upson, Treasurer Ian M. Coyle, Clerk Leslie A. Morelli.

**EXCUSED:** Trustee Morton Wexler, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Planning Board Chair / Economic Development Coordinator Scott Winner, Village Attorney Keith O'Toole, Deputy Village Attorney Frank A. Aloï

**ALSO PRESENT:** Sgt. Douglas Ziegler, Deputy Fire Chief Laurence Vaughan, Ray & Jackie Morris, Joan Hamlin, Mary Jo Nayman, Elaine Bader, David Wagenhauser, Laura Emerson, Fred Webster, John Lessord, Merv Beaney.

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

**REVIEW OF MEETING MINUTES:** Mayor Matela called for any additions or corrections to the minutes of the regular meeting held February 7, 2005.

→ Trustee Maziarz moved, Trustee Knapp seconded, unanimously carried that the minutes of the meeting held February 7, 2005, be approved as written.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**GUESTS:** None

**PUBLIC COMMENT:** None

**DEPARTMENT REPORTS:**

A. PUBLIC WORKS / COMMUNICATIONS CENTER – Superintendent Bradley B. Upson

1. Resolution authorizing purchase of a 10-foot one-way steel Tenco plow from Cyncon in the amount of \$5,674 [per Procurement Policy 3(a) & 3(b)] – B. Upson said during the prolonged snowstorm between the middle and end of January, the DPW had two instances when one of the 10-foot plows for the 6-wheel trucks was out of service due to repairs. In both these cases, we got behind because we only had one plow available. These plows are old (circa 1972) and were adapted to the new trucks from old Mack trucks. They are requiring more and more repairs. To prevent such occurrences in the future, we believe it is prudent to purchase a third plow as a backup. Harry Donahue spent considerable time researching plows and found one available at Cyncon Equipment that meets our needs. As shown on the quotation sheets, the best price is not through the NYS OGS contracts. After carefully evaluating the proposed equipment, the OGS bids and consultation with DPW staff, I recommend the purchase of one Tenco model TCO-11S-55-SR-ST 10-foot, one-way steel plow from Cyncon. Funding for this purchase will be from Project 24 – DPW Equipment Replacement. Since the cost exceeds the \$5,000 threshold in the procurement policy, B. Upson requested the Village Board authorize the purchase.

Trustee Knapp asked if it would be readily available and put into service immediately. B. Upson said yes. Trustee Maziarz asked if we are giving up purchasing something else to make this purchase. Treasurer Coyle said no. He confirmed there are funds more than adequate to handle this purchase.

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried to purchase one Tenco model TCO-11S-55-SR-ST 10-foot, one-way steel plow from Cyncon at a cost of \$5,674.00 from Project 24 – DPW Equipment Replacement.

2. Resolution approving Change Order #1 to Contract D (Electrical) for the construction of the Harvester Park Visitors Center for an extension of time to May 1<sup>st</sup> at no additional cost – B. Upson said as you are aware, the construction of the Visitors Center has taken longer than originally anticipated. All of the Contractors have requested time extensions. They are asking that the Date of Substantial Completion be extended from December 29, 2004 to May 1, 2005. This contract time extension is at no additional cost to the Village. After carefully reviewing the contractors' request and the Village Engineers comments, B. Upson recommended that this change order be approved and incorporated as Change Order 1 to the General Construction contract previously awarded to Steve General Contractors, Inc., Contract B plumbing construction contract previously awarded to O'Brien Mechanical Contractors, Inc. and Contract D – electrical construction contract previously awarded to Concord Electric Corp.

→ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to approve Change Order 1 to the General Construction, plumbing and electrical contracts of the Harvester Park Visitors Center at no additional cost and authorize the Mayor to execute same.

3. Resolution accepting, as a member of the Stormwater Coalition of Monroe County, the Environmental Protection Fund grant – B. Upson said in September 2003 the Stormwater Coalition of Monroe County applied for a \$314,000 Environmental Protection Fund grant to accomplish several compliance projects. The grant was approved and awarded to the Coalition. Over the next 18 months, funds from the grant will be used by “partner agencies” to develop and accomplish certain projects that will meet the requirements of the Federal Phase II SPDES regulations. B. Upson provided a copy of a report showing how the funds will be used. A condition of the grant award is that all communities in the Coalition must pass a standardized municipal resolution furnished by the County. He recommended that the Village Board approve the resolution and authorize the Mayor to execute it.

B. Upson said this was an unfunded mandate, but the coalition has some money coming. Trustee Knapp asked the impact on DPW. B. Upson said water quality testing of 56 different areas in the Village would be an increasing burden. The public needs to be educated to not abuse the stormwater systems. Trustee Knapp agreed and asked if the testing would be contracted out. B. Upson said yes. B. Upson shared that he was appointed to the task force responsible for applying for grant funding.

1996 Clean Water / Clean Air Bond Act – Title 3 Section 56-0303  
Water Quality Improvement Projects and  
Environmental Protection Fund Article 17-14 Environmental Conservation Law;  
Performance Partnership Grants Public Law 104-134  
Nonagricultural Nonpoint Source Projects  
Municipal Resolution

Resolution authorizing the items listed below pursuant to the Clean Water / Clean Air Bond Act of 1996.

WHEREAS the Village of Brockport, herein called the “Municipality”, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith:

NOW, THEREFORE, BE IT RESOLVED BY the Village of Brockport Board of Trustees

1. That Mayor Josephine C. Matela or such person’s successor in office is the representative authorized to act in behalf of the Municipality’s governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality’s governing body in all matters related to the Project and to State assistance.
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project’s field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation
4. That this Resolution take effect immediately.

→Trustee Knapp moved, Trustee Whipple seconded, unanimously carried.

4. Resolution authorizing the installation of ten additional street lights (for the Harvester Park and the Visitors Center project) to street lighting account 14938-82108 – B. Upson said as a part of the Harvester Park Site Improvements, 10 new area lights are being added to the park. Before they will make the final connection, Niagara Mohawk requires a resolution of the Village Board authorizing the connection to and supplying of electricity for these lights. B. Upson recommended that this authorization be granted.

→ Trustee Knapp moved, Trustee Whipple seconded, unanimously carried

to augment the existing 5; and

WHEREAS, the design of the project calls for the installation of ten 250-watt high-pressure sodium vapor architectural luminaries on 12-foot black fiberglass poles;

NOW THEREFORE BE IT RESOLVED that Niagara Mohawk Power Corporation is hereby authorized and directed to do the following work in the Village of Brockport street lighting account number 14938-82108.

Attach to and supply electric service to the Village of Brockport installed and owned site lighting system serving the Village of Brockport Harvester Park area. The site lighting system will consist of a total of 15 lights (5 presently being billed and 10 to be added) served via underground distribution, all installed, owned, and maintained by the Village of Brockport.

An invoice for the connection fee of \$139.03 for the service point off Niagara Mohawk pole #3 will be rendered from the Niagara Mohawk Syracuse office.

5. Presentation of the Management Innovation Award from the Monroe County / Genesee Valley Branch of the American Public Works Association for Brockport's participation in the Stormwater Coalition of Monroe County – B. Upson presented the Board with a Management Innovation Award for the Monroe County Stormwater Coalition Phase II Stormwater Regulations to all members of the Monroe County Stormwater Coalition. This award was presented by the New York Chapter Monroe County / Genesee Valley Branch of the American Public Works Association.
6. Park Avenue Bridge – B. Upson shared that they learned today that the Park Avenue bridge will be closed for repairs today through Friday 9am to 3pm.
7. NYS Route 19 (Main Street) – Mayor Matela expressed concern over the current and worsening condition of Main Street by way of potholes. She said citizens should not have to endure these terrible conditions long-term. They will have to be held responsible for damaged vehicles. She asked B. Upson to contact NYSDOT and said she would write to them as well. B. Upson suggested citizens call and write NYSDOT and elected state representatives. He said he will get the contact information to Clerk Morelli to have available at the Village Hall and on the website. Trustee Knapp agreed that maybe the more complaints they receive will cause some action.

Mayor Matela commented that the sidewalks throughout the Village are now in much better condition by way of snow plowing. She asked that the DPW continue to pay special attention to sidewalks. Mayor Matela commended the DPW for its snowplowing efforts.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti (excused)

1. Calls for service – Sgt. Douglas Ziegler reported 2,167 calls for service year to date. He said this compares with the numbers at this time last year.
2. Hiring of Anthony Rivoli effective 3/21 – Sgt. Ziegler referred to a memo by Chief Varrenti to the Board recommended the hiring of Anthony Rivoli as a full time police officer to replace Joseph Rozzi who recently retired. Officer Rozzi had the unique luxury of conducting the background investigation on his own replacement. This would be a lateral transfer. A. Rivoli was with the Monroe County Sheriff's Department both road patrol and jail since 1999 and currently works for the Clyde, NY Police Department. He resides in Greece. He is also the security supervisor (nights) at Park Ridge Hospital and St. Mary's Hospital. He has all his certifications. Therefore, the Village does not have to pay for these. It is recommended that he be hired as a lateral transfer through Civil Service effective March 21<sup>st</sup>. Sgt. Ziegler commented that A. Rivoli is incredibly qualified and has a personality that will blend well with the department.

Trustee Maziarz commented that she and Trustee Wexler sat in on some of the interviews and found them very informative.

→ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to hire Anthony Rivoli as a full time officer with the Village of Brockport Police Department effective March 21<sup>st</sup>.

3. Part-Time Officer Candidates – Sgt. Ziegler updated the Board on the search for qualified candidates for part time officer positions. He said they have simply come up short on quality people who have successfully completed the police academy. They are considering sponsoring recruits to attend the Police Academy, at their own cost. This was done in the past and many of the current full time officers were sponsored by the Village at their expense. The next academy begins March 30<sup>th</sup>. They have found two exceptional candidates. One

from Brockport and one from Spencerport.

**MINUTES OF MEETING HELD February 22, 2005 continued.....page 4**

Trustee Knapp commented that it was done in the past and worked out well. It is a good opportunity for the candidate and the Village. However, there is no guarantee that the Village will hire them when they graduate. They are free to seek employment elsewhere. Trustee Knapp asked if there are any liability issues for the Village. Sgt. Ziegler said he is not sure, but they can check with the Village's insurance consultant. He said it is a tremendous opportunity to observe the candidate in action for a year since graduation is not until February 2006.

Mayor Matela commented that planning is everything. There is a possibility of another officer or two retiring in the next year or two.

Trustee Whipple commented that the Village would need to provide them with uniforms and weapons. He asked if there were enough weapons. Sgt. Ziegler said yes, since at one time there were 7 part time officers and now there is only 1.

**C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff (excused)**

**D. FIRE DEPARTMENT – Deputy Chief Laurence Vaughan**

**1. Membership Adds/Drops/Transfers – None**

Deputy Chief Vaughan shared that they graduated 3 new recruits last Thursday as interior firefighters.

**2. Call Load – 130 fire calls year to date and 231 ambulance calls year to date.**

**3. Cooperative Buying – Deputy Chief Vaughan shared that they are participating in a cooperative buying and pricing system being coordinated by the North Greece Fire District with about a dozen local Fire Departments. We submit equipment and supplies we may need or regularly need to be priced by many vendors. The price lists are prepared and it allows you to see and compare pricing not only like items but similar items as well. It satisfied that need for three competitive prices prior to purchasing.**

**4. FEMA Grant – Deputy Chief Vaughan shared that although they are very disappointed in be rejected for the FEMA grant, but learned they were in that last of several hundred rejections. It was not due to the grant being rejected. They ran out of money! They are working with Treasurer Coyle to see where they can secure the needed funds to purchase radio equipment. They are working to pare down the original needs in the FEMA grant request to the basics that will be needed for the narrow banding requirements on January 1, 2006 – a county mandated change prior to the FCC mandated change in 2013.**

Deputy Chief Vaughan said this is to replace the County's administrative paging system. The County has been looking into the new system for three or four years. The FCC sold off so many frequencies years ago, that there is now a shortage of frequencies for emergency purposes. Therefore, wide bands are now going to narrow banding. Some departments will have trouble funding the mandate by 1/1/06. He said the current equipment is over 20 years old and does not owe us a thing. They can try to sell the old equipment, but it will not be compatible with new technology. Deputy Chief Vaughan and Mayor Matela commended Steve Bowman's work with the County. Deputy Chief Vaughan said Brockport needs \$185,000.

**5. New Ambulance Specification Committee – Deputy Chief Vaughan shared that this committee is still working hard and hope to be request to go out to bid in 60 days.**

**6. SUNY BSG Off Campus Housing Forum – Deputy Chief Vaughan said there was some confusion on the time, but all three Fire Chiefs will be in attendance at this forum tomorrow night. Mayor Matela and Trustee Maziarz said they would also be in attendance.**

**7. Dispatchers – Deputy Chief Vaughan reported that of the four new dispatchers, one has completed training, one will complete training next week and the other 2 after that. All will go solo by mid March.**

**E. TREASURER - Ian M. Coyle**

**1. Budgetary Changes – Treasurer Coyle referred to his recommended budgetary changes as of January 31<sup>st</sup>.**

→ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried authorizing the budgetary changes as requested: \$17,150 from the contingency line to various general fund lines.

**2. Designation of authorized representative for 2005 Quality Communities Grant application –**

Treasurer Coyle shared that he and Scott Winner have been working on a grant application that is due Friday. Treasurer Coyle said he needs a Board resolution designating him as the authorized representative for the application.

**MINUTES OF MEETING HELD February 22, 2005 continued.....page 5**

→ Trustee Maziarz moved, Trustee Knapp seconded, unanimously carried to designate Ian M. Coyle as the authorized representative for the 2005 Quality Communities Grant application.

3. Worker's Compensation Insurance – Treasurer Coyle said this year's PERMA workers compensation premiums were \$222,000. They are projected to be \$235,000 next year. Two-thirds of PERMA's members are down state. Last June some of the municipalities in Monroe County formed a pool for worker's compensation coverage. The Village of Brockport considered it then but wanted to wait a year to verify the projected savings and measure the service. Mayor Matela and Treasurer Coyle have met with representatives of PERMA and HRH. The members of the County Pool (HRH) reported a 35 to 40 percent savings on their premiums and were very satisfied with the service. Members say this has far exceeded their expectations. Treasurer Coyle said the Village would immediately save \$40,000 for the 2005-2006 year.

Mayor Matela said this is good for the Village. Trustee Maziarz asked if this impacts the Union contracts at all. Treasurer Coyle said no. B. Upson asked if pre-existing claims would still be handled by PERMA. Treasurer Coyle said yes. Sgt. Ziegler asked if the reporting process would be similar to PERMA's quick fax. Treasurer Coyle said yes. Trustee Knapp asked if there would be a roll out for employees. Treasurer Coyle said new materials will be reviewed with and supplied to Department Heads and the employees would be notified.

Trustee Whipple said he had some concerns last year regarding the level of customer service. It turns out waiting a year provided them with the information and assurances they needed. This will be a good move for the Village.

→Trustee Whipple moved, Trustee Knapp seconded, unanimously carried:

BE IT RESOLVED the Village of Brockport has elected to self-insure under Section 50, Subdivision 4-a of the Workers' Compensation Law. Such election is effective from April 1, 2005.

F. CLERK - Leslie A. Morelli

1. Note from Trustee Wexler – Clerk Morelli read a thank you note from Trustee Wexler to all who sent their condolences in the passing of his sister.

G. ATTORNEY – Keith O'Toole / DEPUTY ATTORNEY – Frank A. Aloï (excused)

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

**SUPPORT BOARDS REPORTS:**

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

B. LIBRARY BOARD – President Matthew Minor (absent)

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

**VILLAGE BOARD REPORTS:**

A. Trustee/Vice Mayor Maziarz

1. Trustee Maziarz shared that last year she and Mayor Matela attended a canal conference. The September 2005 canal conference will be held in Rochester and they have secured a day trip to the Village of Brockport in which over 100 delegates from New York State will see what the Village of Brockport has to offer and enjoy its canal front improvements. Mayor Matela commented that this would show off the Village.

B. Trustee Knapp

1. Snowmobilers on Canal Path – Trustee Knapp said a resident brought to his attention an increased use of the canal path by snowmobilers. This is state property and he questioned what could be done by means of enforcement. Sgt. Ziegler said the individual came to the last Walk Bike Brockport Action Group meeting and the topic was discussed. Unfortunately, the Brockport Police Department does not have snowmobiles and cannot keep up with those on snowmobiles if they are spotted from a vehicle or walking patrol. The complainant named a couple of residences that are in violation and those families have been spoken to. Area snowmobile clubs have permission to use lands just before and after the Village of Brockport. Some complainants do not like to call 911 for this, but they really need to. If statistics are gathered through calls to 911, the NYS Police may send out some enforcement teams like they did three years ago.

2. Private Snowplowers – Trustee Knapp expressed concern about private snow plowers depositing snow in the streets. Sgt. Ziegler said he believes this is against vehicle and traffic law. Deputy Fire Chief Vaughan said he believes it is also in the Village code. Trustee Knapp suggested this be looked into and if it isn't clear in the code, that the Code Review Committee look at strengthening it. Trustee Knapp said he would like to see some enforcement on it.

**MINUTES OF MEETING HELD February 22, 2005 continued.....page 6**

- C. Trustee Wexler (excused)
- D. Trustee Whipple
  1. Brockport Fire Department – Trustee Whipple commended the Chiefs and volunteers with the Brockport Fire Department for their knowledge, dedication and service to the community.
- E. Mayor Matela
  1. Preserve America Designation – Mayor Matela congratulated the community on receiving the designation of being a Preserve America community by First Lady Laura Bush. Mayor Matela commended Bill Andrews, Historian Emeritus for spearheading the application for this designation. Historian Jackie Morris said she is very proud and referred to the well-written article in this morning's newspaper. Mayor Matela said this is another good designation for the community along with the historic commercial district being listed on the State and National Registers of Historic Places.

Mayor Matela also referred to a recent article on home sales and selling prices, which lists home sales in the Village of Brockport up 28% and the average selling price as almost \$101,000. The Village of Brockport is truly becoming the place to live, work and play.

**PUBLIC COMMENT:**

1. Mary Jo Nayman of 5 Carolin Drive said a couple of things at tonight's meeting raised concerns for her. She questioned if the extension of contracts to work on the Canal Side Visitors Center would impede progress on the Caroline Drive project. Mayor Matela and B. Upson said no. MJ Nayman asked the status of the additional street lighting on Carolin Drive. B. Upson said Niagara Mohawk has concerns regarding access and is looking into this. They may need to obtain easements. The additional street lighting will happen. MJ Nayman said the potholes on Main Street don't compare with the horrendous potholes on Carolin Drive. She asked if they could be temporary filled to avoid vehicle damage. She said earlier the Village indicated they would not tolerate the condition of Main Street and will call and write to state officials. She wondered if Carolin Drive needs to start calling and writing Brockport officials about Carolin Drive.

**AUDIT:**

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

<u>Village</u>		
Date	Check #	Amount
2/8/05	171120	2,208.34
2/22/05	171148-171192	22,838.56
<u>Fire</u>		
2/22/05	171123-171147	14,269.64
<u>Third Party Billing</u>		
2/22/05	504-514	6,137.49
<u>Capital Projects</u>		
2/22/05	1789-1795	29,955.12
<u>Sewer</u>		
2/22/05	1021-23	8,345.00

**ADJOURNMENT:**

- ➔ Trustee Knapp moved, Trustee Maziarz seconded, unanimously carried that the meeting be adjourned at 8:10pm.

\_\_\_\_\_  
Leslie Ann Morelli, Village Clerk