

**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 20, 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, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer / Village Manager Ian M. Coyle, Clerk Leslie A. Morelli.

**EXCUSED:** DPW Superintendent Harry G. Donahue

**ALSO PRESENT:** Fire Chief Laurence C. Vaughan, Village Attorney Raja N. Sekharan, Robbi Hess (Suburban News), Jim & Joan Hamlin, Bob Canham, John Lessord, Kathy Snyder, John Bush, Linda Borrayo, Norm GianCursio, Fred Webster

**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 6, 2006.

➔ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried that the minutes of the meeting held November 6, 2006, be approved as amended.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:**

1. John Bush of 157 Barry Street said the Board doesn't need to guess why he's here. He said he has encouraged the Board many times to sharpen their pencils when it comes to the budget since many Village taxpayers can't bear any more tax hikes. He said he hopes it doesn't fall on deaf ears. He said we are almost halfway through the fiscal year. He wished everyone a Happy Thanksgiving.
2. Linda Borrayo of 155 Utica Street thanked Deputy Chief Tim Rombaut for his coordination of the training fire at 3752 Redman Road. She said it was very well organized. She also commented that EduCable does not always air the entire Village Board meeting. Some of the Village Board reports are cut off. She suggested that Department Heads limit their reports so that those watching can hear all of the Village Board reports. L. Borrayo also commented that she hopes the Village Board spends the GE MOU money on the neighborhood affected by the contamination. She said improvements to the Barry Street Playground and the addition of sidewalks are good ideas. She wished everyone a Happy Thanksgiving.

**GUESTS:**

1. Dr. James Goetz – follow up on Walk to School Day - Dr. Goetz said he thought it would be polite and instructive to return to the Village Board with feedback on the 2006 Walk to School Day held October 4<sup>th</sup>. He distributed a handout that summarized the event. This was an initiative of the Walk to School Committee of the Walk Bike Brockport Action Group. He, Sara Silverstone and Dave Ball coordinated the event. Participation was good with 35 volunteers and 300 walkers. Volunteers were comprised of community leaders, college students and retired educators. He said Mayor Wexler was a volunteer. There are approximately 200 walkers on a normal day. Thunder and lightning had an impact on turnout. They conducted a survey from the International Walk to School Committee which was a checklist to rate your neighborhood's walk ability. Fifty three surveys were returned. Questions included:
  - Did you have room to walk? Overwhelming positive responses. Comments: "no sidewalks, paths or shoulders", "sidewalk broken or cracked", "cars blocked walkway".
  - Was it easy to cross the street? Overwhelming positive responses. Comments: "traffic signal made us wait too long or did not give us enough time to cross."
  - Did drivers behave well? Mostly positive responses. Comments: "Cars sped up to make it through traffic lights", "some drivers didn't stop", "drivers did not yield to people crossing street", "drove too fast".
  - Could you cross at crosswalks or where you could be seen by drivers? Overwhelming positive responses.
  - Could you stop and look left, right and then left again before crossing streets? Overwhelming positive responses.
  - Could you walk on sidewalks or shoulders facing traffic where there were no sidewalks? Mostly positive responses. Comment: "Trouble crossing when light was red and drivers kept turning."
  - Could you cross with the light? Mostly positive responses.
  - Was your work pleasant? Mostly positive responses. Comments: "rain and thunder", "scary dogs", "dirty air due to automobile exhaust", "not well lighted".Dr. Goetz shared that future plans include recruit more committee members, fundraising, and

community outreach.

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Mayor Wexler said 5 out of 6 walkers were pleased. He commented that the early weather was fine but then it turned poor. He said he was on a busy corner and that there was a police presence. He said he thought it went well for a first time. He did not see or hear of any problems. He said it was nice to see some parents walking with the younger children.

**DEPARTMENT REPORTS:**

A. PUBLIC WORKS – Superintendent Harry G. Donahue (excused)

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service – Chief Varrenti reported 10,611 calls for service year to date. He said the Department has been very busy and that this is not unique to Brockport. He said other college communities have also seen an increase in calls. Many are quality of life issues. He said SUNY Brockport has raised its academic standards, but there seems to be increased partying.
2. Appreciation Dinner – Trustee Maziarz asked Chief Varrenti if he wished to share what awards were given. Chief Varrenti said he had submitted to the NYS Governor’s Officer nominations for the 3 Officers involved in last December attempted bank robbery. The Governor and Director of Criminal Justice Services forwarded certificates to those officers. Also recognized were explorers and various community members who regularly do so much for the Police Department.

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

1. 26 Brockway Place and 60 Perry Street – S. Zarnstorff reported that Judge Cody of Town Court rendered a decision in favor of the Village on the occupancy violations of property owner George Brocious. He awarded substantial fines and penalties and ordered G. Brocious to pay the Village \$11,500. G. Brocious has filed an appeal. Ongoing violations have been discovered at those same properties. G. Brocious was notified and failed to respond. Therefore a search warrant was executed that confirmed the occupancy violations. The residents are all SUNY Brockport students and a victim of circumstances – not part of the violation. This is, of course, of concern to those students since they were led into this without their knowledge. The Village will proceed in Court again and aggressively pursue its codes.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Laurence C. Vaughan

1. Calls for Service – 812 fire incidents year to date and 1,581 EMS calls year to date for a total of 2,393 year to date. They are averaging 7.4 calls per day.

Chief Vaughan said as they approach the end of the year, they are busy trying to tie up loose ends and year-end items such as evaluation of members activity levels. Training will move back inside as the weather gets bad.

2. Membership Drops & Adds - Chief Vaughan asked the Board to consider approving the following drops: Charles Connors (life status only), Ronald Koss (life status only), Eric Perkins, Kasey Perkins, Thomas Billington and the following adds: Mark Stoughton to fire, Douglas Flow to fire, Sean Dunlap to mutual aid, Bart Joseph to mutual aid, Mackenzie LoMonaco to Explorer Post and the following name change due to marriage: Alicia Sampson is now Alicia McNamara.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to approve the previously mentioned drops and adds.

3. Department Elections – Chief Vaughan said the slate of candidates for the Chief’s and Line Officers for the December 7<sup>th</sup> election is in place. This will be the first department-wide election under consolidation. Prior to now, only the Chief’s were elected by the entire department. Captains and Lieutenants were elected by their respective companies.

Chief Vaughan shared that since consolidation, the transfer of responsibilities continues and the President and Board members continue to make progress in going about the business of running the department.

4. FEMA Fire Act Grant – Chief Vaughan said they are in the final phases of gathering information and getting prices for new self contained breathing apparatus. The \$306,000 FEMA Fire Act grant will cover 94% of this purchase. There are some industry-wide changes coming to all SCBA units in the next eight months or so and they are evaluating these to see their impact, both in safety and in price.
5. Police Department Appreciation Dinner – Chief Vaughan said they were appreciative of the invitation to participate in the recent Police Department Appreciation Dinner. He said it is always nice to interact with other Village disciplines.

6. Capen Hose Company Station – Chief Vaughan said there was a lot of activity at the Capen Hose Company station the weekend of November 10<sup>th</sup>. A complete roof job was done for the upper roof areas. Since the station is not a Village owned fire house, repairs and maintenance is their responsibility and their membership was able to secure help in the project from Rick Davis of Repair N Remodel. He said between vendor donations and some other generous people, the roof job was virtually free.
7. Happy Thanksgiving – The officers and members of the Fire Department wish the community, Village Board and all department heads and employees a Happy Thanksgiving as we all have much to be thankful for.

**E. VILLAGE MANAGER / TREASURER - Ian M. Coyle**

1. Approval of Lease Purchase Agreement w/ National City Municipal Finance – Manager Coyle asked if any Board members had any additional questions that hadn't already been addressed in his memo or in conversation regarding the proposed lease purchase agreement to finance the purchase of the recently approved one-ton dump truck.

Trustee Castañeda said she is not against the purchase of this needed piece of equipment, but is against leasing it. If the Village has the money, it should pay for it. If other equipment needs to be purchased, then that should have been taken into consideration. She said it seems like this is spending money to keep money to spend money.

Trustee Heyen said she does not like to do this either, but it is not healthy to have a zero balance in that line. Trustee Castañeda said she spoke to DPW's Dave Moore and he indicated that there is money in other lines for incidental breakdowns. Manager Coyle said he spoke with Trustee Castañeda earlier today and explained why the lease purchase agreement makes sense in this situation.

Trustee Wagenhauser said it is recommended that a certain percentage be maintained. Manager Coyle said they need to keep at least a 10% balance. Some money must be saved for unknown eventualities.

Trustee Castañeda said it appears by leasing there will be annual interest of \$806. Manager Coyle said that is correct.

→ Trustee Heyen moved, Trustee Wagenhauser seconded, Trustee Maziarz in favor, Trustee Castañeda opposed Carried to approve the entering into a lease purchase agreement for the one-ton dump truck.

2. Appointment of Barry Watkins as Labor Negotiator for Stetson Club Negotiations – Manager Coyle asked if the Board had any further questions.

Trustee Castañeda said she feels the Village needs a Labor Negotiator. She said it is regretful that the Board opted to replace former Labor Attorney David Lippitt since he had experience having negotiated with the Stetson Club the last time.

Trustee Wagenhauser commented that B. Watkins is extremely experienced and recommended by many municipalities including the City of Rochester.

Village Attorney Sekharan said he reviewed this employment agreement to hire Barry Watkins as Labor Negotiator for Stetson Club negotiations. He said it is customary for a minimum charge for time spent and recommended that the agreement recite this and pro-rating for less than an hour. Mayor Wexler said B. Watkins would not charge for mileage or travel time.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded, Trustee Heyen in favor, Trustee Castañeda against, Carried to appoint Barry Watkins as Labor Negotiator for Stetson Club Negotiations.

**F. CLERK - Leslie A. Morelli**

**G. ATTORNEY – Raja N. Sekharan / DEPUTY ATTORNEY – Frank A. Aloï**

1. 26 Brockway Place and 60 Perry Street – Attorney Sekharan confirmed that he was served with a motion to settle the record in the Brocius case to County Court. The Village is proceeding with the continued occupancy violations on these properties regardless of the status of the appeal.

**SUPPORT BOARDS REPORTS:**

- A. PLANNING BOARD – Chair R. Scott Winner
- B. LIBRARY BOARD – President Matthew Minor
- C. ZONING BOARD OF APPEALS - Chair John Bush

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**VILLAGE BOARD REPORTS:**

**A. Trustee Maziarz**

- 1. Farmers Market – Trustee Maziarz shared that she has been asked to speak at a one day Farmers Market Federation conference in Albany in March to educate municipal officials on the value of farmers markets, the rewards to the community and local businesses and how to start one. They would like to use the Village of Brockport’s Farmers Market as a model.

Trustee Maziarz also shared that she has applied for a grant to attend the 2-day NYS Department of Agriculture’s Market Managers Training School in Utica.

- 2. Police Department Appreciation Dinner – Trustee Maziarz congratulated all who were recognized. She said her son, James, received the Explorer of the Year award.
- 3. Rotary Club – Trustee Maziarz said although she is not a Rotarian, she promised to encourage everyone to purchase their holiday poinsettias through the Brockport Rotary.

**B. Trustee Wagenhauser**

- 1. Downtown Main Street – Trustee Wagenhauser commented on how great many of the Main Street buildings look. He thanked the Historic Preservation Board for applying for and coordinating the CDBG Façade Improvement Program and for the building owners for participating and matching funds with the grant monies.
- 2. Website – Trustee Wagenhauser encouraged everyone to visit the Village’s website at brockportny.org. It was recently improved. He and Manager Coyle have created an Economic Development component that links to community properties. They will next work on single-family homes.
- 3. Holiday Lighting / Decorating Contest – Trustee Wagenhauser encouraged everyone to participate in the 2<sup>nd</sup> annual contest. Details will be announced soon.
- 4. ECNY – Trustee Wagenhauser shared that he and Manager Coyle have been looking at energy costs. The Energy Cooperative of New York has been in existence for 9 years and has 1,000 members. Changing electric suppliers by becoming a members of this energy co-operative can save the Village \$4,000 per year. If the Village is not satisfied, it can withdraw within 30 days.

Trustee Heyen asked if there are other municipalities in Monroe County that are members. Manager Coyle said no. Spencerport, Hilton, Churchville and Fairport have their own electric in one form or another. Trustee Wagenhauser said Brockport looked into teaming with Hilton, but learned that the dividing line between Rochester Gas and Electric and National Grid is here. Brockport is with National Grid. The savings would not be that great to have teamed with Hilton. Mayor Wexler said they had a meeting scheduled with Hilton to learn of their plans, but then it was cancelled once it was learned that Brockport was with National Grid.

Mayor Wexler said there is nothing to lose. The Village can change back if unhappy.

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to change the Village’s electric supplier to the Energy Cooperative of New York.

**C. Trustee Heyen**

- 1. BISCO – Trustee Heyen said she attended the recent BISCO meeting and shared with them that their plans for a pavilion at the Utica Street Playground back in 2001 (in which they gave the Village \$3,000 towards) was going to come to fruition. Petsmart is donating 2 pavilions to the Village. One will be for the Utica Street Playground. The other may be for the Barry Street Playground.
- 2. Brockport Toy Shelf – Trustee Heyen said she learned that the Brockport Toy Shelf ran short last year of toys and mittens. She said she would like to have a receptacle at the Village Hall.
- 3. Barry Street Playground – Trustee Heyen said she attended a meeting on November 18<sup>th</sup> at the Barry Street Playground. Also in attendance were Mayor Wexler, Trustee Castañeda, Parks Committee members Andrea Perry and Bob Canham, DPW’s Dave Moore, a newspaper reporter and a few residents. She said they had a good discussion about revamping the park and possible ways to utilize the GE MOU funds. She said the

suggestions need to be cost-factored, put on paper and then discussed at a future Board workshop along with the other suggestions received.

D. Trustee / Vice Mayor Castañeda

1. Village Advisory Committee – Trustee Castañeda said the meeting of November 7<sup>th</sup> was cancelled. The next meeting date is to be determined and will be made available on the website and through e-mail.

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2. Glendale Road – Trustee Castañeda shared that the Village received a letter from Michael Lloyd of Glendale Road requesting sidewalks. She said she admires his intention when he suggests possibly involving the community in fundraising, but they should not have to raise money for sidewalks.

Trustee Heyen said she and DPW's Dave Moore looked at the possibility of sidewalks on Glendale Road. Superintendent Donahue stressed that there are many trees where the sidewalks would have to go. Trustee Castañeda said this would also be an issue for the Street Park as there are a lot of mature trees there.

Barry

3. Citizen Survey – Trustee Castañeda said she would like to revisit the idea of implementing a citizen survey to assess people's satisfaction with Village services, costs and quality of life issues. She said she spoke with Professors Sing and Weaver of SUNY Brockport who indicated a willingness to have a SUNY market research class assist in this endeavor. She asked that the Board discuss this at the next workshop.

4. Village Hall Repairs – Trustee Castañeda asked the status of the repairs needed at Village Hall and cited the \$10,000 authorized in early September. Manager Coyle said the various Village Hall repairs as well as the installation of new windows on the upper floors are on the DPW's radar screen, but they have been rather busy.

5. Welcome Center Environmental Certification – Trustee Castañeda asked the status of the certification needed regarding the Welcome Center. Trustee Heyen said she recently contacted K. Pike of Earthworks Environmental and learned that he had a death in the family and is out of town. Work will continue upon his return.

6. Workshop Agenda Items – Trustee Castañeda asked that the following be placed on an upcoming workshop agenda: mission statement, Board of Ethics, Communications Plan, In Bloom program.

Trustee Castañeda said the Village has a small tax base and should concentrate on providing the best possible service at the lowest possible cost.

E. Mayor Wexler

1. Accept Resignation of Hal Legg from Village Advisory Committee –

→ Trustee Castañeda moved, Trustee Heyen seconded, unanimously carried to accept the resignation of Hal Legg from the Village Advisory Committee with regret.

2. Accept Resignation of Jim Sutton from Ethics Board –

→ Trustee Castañeda moved, Mayor Wexler seconded, unanimously carried to accept the resignation of Jim Sutton from the Ethics Board with regret.

3. Police Department Appreciation Dinner – Mayor Wexler thanked the Chief Varrenti and the Stetson Club for an enjoyable event.
4. Fire Department Fundraiser for Deb Hamlin – Mayor Wexler thanked the Fire Department for the fundraising dinner for Deb Hamlin. He said \$4,000 was collected.
5. Holiday Kick Off Weekend – Mayor Wexler reminded everyone of the holiday kick off weekend December 1<sup>st</sup> – 3<sup>rd</sup>. The Christmas Tree Lighting will be December 3<sup>rd</sup> at 5pm. Assemblyman Reilich will be lighting the tree.
6. Birdseye Foods – State Street - Mayor Wexler said he contacts Birdseye Foods regularly to be sure they are working on sales leads. He said he is told that they are working aggressively to sell. Once a sale is finalized, they will notify the Village.
7. Kleen Brite Properties – State Street - Mayor Wexler said Monroe County Legislature President Zyra has committed to the County reimbursing the Village the money for emergency enclosures. They will also try to push the evaluation of the property regarding eligibility for Brownfields funding.

8. Walk Bike Brockport Action Group Poster Contest – Mayor Wexler said he helped judge the annual safety poster contest with Joan Fenton and Lori Skoog. The winning artwork is currently hanging in the conference room.
9. Stetson Club Negotiations – Mayor Wexler reported that he has sent a letter to the Stetson Club President asking to start contract negotiations in December. This is 6 months before the current contract expires May 31, 2007.

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10. Happy Thanksgiving – Mayor Wexler wished everyone a Happy Thanksgiving and encouraged safe driving and safe holiday decorating.

**PUBLIC COMMENT:**

1. John Bush of 157 Barry Street said the 10,601 number of police calls reported earlier in the meeting sounds impressive, but asked if those are real police calls or if they include everything.

Chief Varrenti said the calls are soup to nuts – anytime police service is performed it is documented. J. Bush asked how many of those calls are frivolous. Chief Varrenti said whether it is frivolous depends on if you're the one making the call. He said there is no such thing as a frivolous call. It is all documented accordingly.

2. Kathy Snyder of 38 Lyman Street asked the pay rate for the attorney approved earlier to handle Stetson Club negotiations. Mayor Wexler said \$100 per hour.

K. Snyder further commented that Chief Varrenti puts out a quarterly report that highlights the calls for service. J. Bush said he is not trying to pick on the Police Department, he's just never seen a breakdown. K. Snyder said he could request one.

Chief Vaughan said being both a call taker and a responder gives him a good perspective. Every time someone calls, it is a situation to them. It is good to track activity. Nothing is frivolous.

**AUDIT:**

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

Village

Date	Check #	Amount
11/7/06	1742787	120.00
11/7/06	174292	1,946.98
11/7/06	174296	60.00
11/21/06	174303-174364	27,813.06

Fire

11/7/06	174291	187.63
11/8/06	174297	265.21
11/13/06	174299-174300	189.16

Third Party Billing

11/7/06	882	116.90
11/8/06	883	74.33

Capital Projects

11/21/06	2037-2044	5,984.62
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Water

11/7/06	1558	78.78
11/8/06	1559	16.54
11/9/06	1560	17.61
11/21/06	1562-1571	42,513.73

**ADJOURNMENT:**

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