

**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, March 30, 2009 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, Treasurer Gina M. Tojek, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti

**EXCUSED:** Clerk Leslie A. Morelli, Village Attorney David F. Mayer, Fire Chief Scott Smith

**ALSO PRESENT:** Building/Zoning Clerk Pamela Krahe, Deputy Fire Chief Michael Henry, Charles Garlock, Norm GianCursio, Kathy Snyder, Jim Hamlin, Kent Blair, Carrie Maziarz, Kathy Kristansen, Mark Kristansen, Kathy Halstead, Mary Jo Nayman, Kelly Smith, Joan Hamlin, Bill Andrews, Jack Wahl, Fred Webster, Jerry Raoul, and several others 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 meetings.

- ➔ Trustee Castañeda moved, unanimously carried 5 to 0 that the minutes of the meeting held February 23, 2009, be approved as amended.
  
- ➔ Trustee Castañeda moved, carried that the minutes of the meeting held March 2, 2009, be approved as written with 3 in favor and Trustee Hunsinger abstaining due to absence and Trustee Wagenhauser abstaining because he did not have his minutes for review.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:**

1. Joan Hamlin, 50 Park Avenue; did not attend February 23 meeting but did read minutes. Regarding J. Matela’s comment on page 11 on Allied’s co-gen project – wondered what was meant by “the piping over the canal east of the bridge” and if the co-gen is selling electricity to the Village; took exception to Trustee Wagenhauser’s comments about assisting downtown merchants during Main Street reconstruction stating her belief that village taxpayers should not have to do that; took exception to Trustee Wagenhauser’s comment that if there is money left over at the end of the budget process then consideration can be given to wages, stating she does not see how that can be done and feels it isn’t correct, adding that Trustee Wagenhauser said the Mayor negotiated the contract; took exception with a comment directed toward Trustee Castañeda about her causing hard feelings between the DPW and the PD stating that is ridiculous and was from two contracts ago, she added that Trustee Wagenhauser is alienating non-union workers all by himself.
  
2. Mark Kristansen, 270 Main Street; regarding the proposed right turn lane at Adams Street, stated he has spoken with the school district and the college and neither of them requested the turning lane and, as a matter of fact, cannot find anyone who does want it. Wondered just what the Village leadership has approved per a meeting hosted by Dan Schwind at the Senior Center on March 18.

Mayor Wexler responded he received a call from the NYSDOT asking only for his opinion about a right turn lane from Adams. The mayor informed the DOT that he would not be in office at the time of the project and the decision would have to be made by the newly elected Board. He did give his opinion in favor of a turning lane but indicated that is not necessarily how the project will pan out.

3. Jerry Raoul, owner with Kevin Truelson of Fair Street Development – stated after watching the board meeting on television, he wanted to clear the air about his “unwillingness to cooperate.” He voiced that he had only received phone calls from the Vice Mayor and the Mayor over the past year and that he had been sent a notice and had made an appointment. He added if someone has questions, they just need to call and ask, and that the Vice Mayor knows his phone number. He also noted he had called CEO Zarnstorff to schedule a meeting, but he was out at a conference, so J. Raoul decided to come tonight. He asked about the status of the Brownfield grant that had been turned in to Village Hall. Trustee Castañeda clarified that the paperwork turned in was actually for the Restore NY program, that only one project could be selected, and that the Mayor chose the Clinton Street project. She also referenced a meeting held on Thursday about which she had emailed both Trustee Hunsinger and CEO Zarnstorff, but that she was the only one who attended. Mayor Wexler

probably the most familiar with the grant process. J. Raoul asked if the grant is issued based on the number of jobs it will provide and Mayor Wexler responded jobs were not mentioned. J. Raoul concluded that they have done lots of work with the DEC, Monroe County, and Black and Decker and that they have had some parties interested in the property. Trustee Wagenhauser clarified that our Code Enforcer said Mr. Raoul was contacted and asked to show up in November and didn't. He

added that Fair Street is a mess. J. Raoul responded that the property has been abandoned for 10 years and it will take more than a year to clean it up; he also referred to trouble they have had with vandals who break in nightly, including some who have used blow torches to get through the doors.

Trustee Wagenhauser stated the owners need to secure the property and clean it up. Mayor Wexler said they would be in touch with the owners and Trustee Castaneda respectfully requested to be invited. Mayor Wexler said they will have to see who the new mayor would be and Trustee Castaneda indicated her preference that action be taken in the very near future. Chief Varrenti wished to add that police should be called to the location if there is trouble and that his officers cannot

assist if they don't know about problems. If trespassers are caught, they will be dealt with.

**GUESTS:**

1. Bill Andrews, Chair of the Historic Preservation Board, VP of the Greater Brockport Development Corporation – Asked the Board to approve the resolution for the Restore NY Program regarding 60 Clinton Street rehabilitation. Trustee Castaneda noted a letter of intent should be followed by the application and wondered if the application had been submitted yet. Mr. Andrews said they had received an acknowledgement for the letter of intent and that the application is due May 4. He noted the application is complicated and that he has contacted Kevin Hurley for assistance, who has stated he feels this project has a good chance at succeeding. Trustee Castaneda said K. Hurley concurred it is very competitive and she understood the Board would need to approve the resolution after the application had been submitted. B. Andrews corrected that the resolution must be included with the application. Trustee Castaneda wondered why the resolution should be approved when we don't know yet if the project will be accepted. She also wondered if Mr. Andrews had proof that our letter of intent was accepted and B. Andrews said he had received an email confirmation. Trustee Legg asked if B. Andrews volunteers his time for this project and B. Andrews affirmed. Trustee Legg asked how many grants Andrews has worked on in the last 10 years and Andrews replied 14-15. Trustee Legg questioned Andrews on the details of the grant and the project.

→ Trustee Legg moved, carried 4 to 0 with Vice Mayor Castañeda abstaining to adopt the presented resolution.

Call to question – Trustee Castaneda noted the grant stipulates the property must revert to private ownership within 5 years and she asked when that would happen for this property. B. Andrews indicated they expect to use the money within 12-18 months. Trustee Castaneda asked how much we have to pay and B. Andrews said they have received \$148,500 from HUD to acquire and rehab the property and that the 10% that the GBDC has to put in would come from that money. Trustee Castaneda asked if the Village would have to do in kind and B. Andrews said the municipality is encouraged to promote the repair and rehab, but that the village would not be doing the work. Trustee Legg asked if the property is on the state and national register and B. Andrews affirmed. Mayor Wexler indicated the notice would go out Wednesday.

**UPON ROLL CALL VOTE:**

Mayor Wexler	Voting	<u>yes</u>
Trustee Castañeda	Voting	<u>abstained</u>
Trustee Wagenhauser	Voting	<u>yes</u>
Trustee Hunsinger	Voting	<u>yes</u>
Trustee Legg	Voting	<u>yes</u>

CARRIED 4 to 0 with Vice Mayor Castañeda abstaining.

**RESOLVED:**

WHEREAS the Village of Brockport has been engaged in major efforts to enhance its attractiveness as a destination for travelers on the Erie Canal since adoption of its Canalfont Master Plan in 1998, and

WHEREAS that Master Plan recommended that the Clinton Street area be redeveloped as a commercial district with businesses appropriate to its historic character, and

WHEREAS that recommendation included conversion of the structure at 60 Clinton Street into a small hotel or bed-and-breakfast, and

WHEREAS a study of that structure commissioned by the Village provided conceptual drawings for its **MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 3**

conversion into a small hotel, a conference center, and condominiums, and

WHEREAS the Greater Brockport Development Corporation (GBDC), a public benefit corporation whose mission includes promoting the economic development of the Village, has acquired that structure and has undertaken its rehabilitation and return to private ownership for commercial or residential use, and

WHEREAS the GBDC has agreed to permit the Village to carry forward that conversion with the assistance of funds from the Restore NY grant program and GBDC funds, now therefore, be it hereby

RESOLVED that this Board finds that the project being proposed to the Restore NY grant program to continue the rehabilitation of that structure is consistent with the 1998 Canalfront Mast Plan and the 2002 Town of Sweden/Village of Brockport Comprehensive Plan; that the proposed financing is appropriate; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and that it will develop and enhance facilities in a manner that will attract, create and sustain employment opportunities in the Village.

Mr. Andrews requested the Board grant permission to approve publication of the notice for public hearing.

→ Trustee Legg moved, carried unanimously, to approve publication of the notice for public hearing for the grant.

Call to question – Trustee Castaneda asked if the public hearing should have been held before the resolution was approved and B. Andrews reiterated the application requires the resolution. Trustee Castaneda continued to question the process and B. Andrews finally indicated that if the public hearing proves to be negative, the Board does not have to accept the grant.

**EXECUTIVE SESSION:**

⇒ At 7:47pm, Trustee Hunsinger moved, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss litigation on the Webster case.

⇒ At 8:05pm, Trustee Castañeda moved, unanimously carried that the Board of Trustees re-enter the regular meeting.

→ Trustee Legg moved, carried 5 to 0 to approve the following resolution:

**UPON ROLL CALL VOTE:**

Mayor Wexler	Voting	<u>yes</u>
Trustee Castañeda	Voting	<u>yes</u>
Trustee Wagenhauser	Voting	<u>yes</u>
Trustee Hunsinger	Voting	<u>yes</u>
Trustee Legg	Voting	<u>yes</u>

CARRIED 5 to 0

RESOLVED:

RESOLUTION

On motion duly made and seconded,

Be it resolved that the March '09 draft Settlement Agreement with Richard Webster (and with his brothers Frederick and Robert Webster, for properties owned jointly with Richard Webster), is hereby and herewith approved by the Board of Trustees of the Village of Brockport, in accordance with its terms, on this 30<sup>th</sup> day of March, 2009.

Be it further resolved that Deputy Attorney Frank A. Aloï, as attorney for the Zoning

Board of Appeals of the Village of Brockport, is hereby and herewith authorized to execute the settlement agreement on behalf of the Zoning Board of Appeals of the Village of Brockport.

Be it further resolved that at such time as the settlement agreement is approved by Order of the Supreme Court in and for Monroe County, the Hon. Harold Galloway, JSC, Deputy Village  
**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 4**

Attorney Frank A. Aloï, is authorized to submit the settlement agreement to the Zoning Board of Appeal, for ratification.

Be it further resolved that Deputy Village Attorney Frank A. Aloï is hereby and herewith authorized to take such other and further steps, and to execute such other and further documents, as are necessary to finally implement this settlement, provided only that any such additional acts and/or documents be deemed ministerial and not a substantive change in the settlement agreement as approved by the Trustees.

Be it further resolved that this approval by the Board of Trustees shall remain in full force and effect for the 90 day period following approval, in which time it is anticipated that all further approvals can be completed in order to make the approval of the settlement agreement final, and without further condition.

Be it further resolved that in the event of any failure of conditions to this settlement, this settlement agreement shall be deemed null and void, and of no further force and effect, and without prejudice to the position of either party to the pending litigation.

Deputy Village Attorney Frank Aloï read the above resolution and clarified the Richard Webster Settlement Agreement settles seven properties, two of them being owned jointly with brothers Frederick and Robert Webster. He further clarified this approval does not affect the remaining litigation of the properties owned by Frederick and Robert Webster and this has no precedential value concerning the remaining parts of the lawsuit that are unresolved.

**DEPARTMENT REPORTS:**

- A. PUBLIC WORKS – Superintendent Harry G. Donahue
  - 1. Authorization to post notice – Water Main Flushing – week of 4/13-4/15 -

→ Trustee Hunsinger moved, carried 5 to 0 to authorize the following posting.

PLEASE TAKE NOTICE that WATER MAIN FLUSHING in the Village of Brockport will take place 13 – 15 April 2009.

As part of our routine maintenance of the water distribution system in the Village, Department of Public Works crews will be flushing water mains on **April 13 thru 15 2009**. We do this periodically to clean the mains and flush out sediment accumulations that may settle out in the mains. The flushing will ensure that you have a safe and healthy supply of drinking water.

Flushing operations will be conducted between 9:00 A.M. and 1:00 P.M. in the following locations on the date indicated:

**Monday, April 13 2009:**

North of the canal.  
All hydrants, EAST and WEST  
of North Main Street (NYS Route 19)

**Tuesday, April 14 2009:**

SOUTH of the canal.  
All hydrants EAST of Main Street.

**Wednesday, April 15 2009:**

SOUTH of the canal  
All hydrants WEST of Main Street

During flushing you may see some cloudiness or color in the water. Please do not use any unnecessary water during this period. The flushing may cause the water to become “cloudy” or “discolored”. While the water will be safe to drink, we suggest that you do not wash clothes if you notice the water is discolored. **ANYONE ON A KIDNEY DIALYSIS MACHINE, PLEASE CALL THE SUPERINTENDENTS OFFICE AT THE NUMBER BELOW!**

If you have any questions, please call the Department of Public Works at (585) 637-1060 between 7:00 AM and 3:30 PM.

2. Authorization to post notice – Spring Pickup – week of 4/27-5/1 –

→ Trustee Castañeda moved, carried 5 to 0 to authorize the following posting.

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 5**

PLEASE TAKE NOTICE  
VILLAGE OF BROCKPORT RESIDENTS  
SPRING 2009 CLEAN UP

*SPRING PICKUP (JUNK & BRUSH) DATES: April 27, 2009 – May 1, 2009*

**RULES:**

Due to very stringent landfill rules, you must separate all trash into distinct, homogenous piles, i.e., brush only in one pile, lumber only in another pile, metal only in another, etc and nothing longer than 8ft in length.

We will not separate material. If it is not separated, we will not pick it up. We will make one pass only for each type of trash. You must have your trash on the curb no earlier than Saturday, April 25<sup>th</sup> and no later than Sunday, April 26<sup>th</sup>. Do not wait until you see us in the area before placing material at the curb, there will be only one pickup on each street.

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The following items will not be picked up:

- paper (recycle)\*                      --cardboard (recycle)\* --55 gal. drums (unless bottom is cut out)
- gas tanks                                      --garbage                                      --liquid wastes
- paint cans                                      --any chemical wastes                      --logs more than eight (8) feet long
- batteries                                      --oil    --propane tanks

\* Make use of Town of Sweden Recycling Center

Arrangements with your individual hauler must be made for other items.

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Arrangements must be made with the Village Office for pickup of freezers, refrigerators, dehumidifiers, and air conditioners. A fee of \$25.00 will be charged for the removal and/or certification of removal of the coolant. This fee must be paid before the appliance will be picked up. Regarding this collection only, two (2) passenger car or light duty truck tires per residence will be allowed. No tractor or heavy-duty truck tires. Tires must be removed from rims or they will not be picked up.

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All debris must be placed between the sidewalk and curb. If this area is too small, the debris should be placed immediately behind the sidewalk. The Village of Brockport reserves the right to not pick up anything we determine as hazardous or beyond the scope of this service.

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*NOTE: EVERY OTHER MONTH BRUSH ONLY PICKUP ARE AS FOLLOWS: June, August & October 2009  
(Last Monday of each month listed above only!)*

**RULES:**

Additionally, the Department of Public Works will be conducting BRUSH ONLY pickups. Beginning, Monday, June 29, 2009, Monday August 31, 2009 and Monday, October 26, 2009 (last pickup), the DPW will be picking up BRUSH ONLY. This is being provided as a service to Village residents to alleviate the continual placement of brush at curbside. Therefore, DO NOT PLACE BRUSH AT CURBSIDE UNTIL THE SATURDAY OR SUNDAY BEFORE THE ABOVE NOTED DATES.

As in past years, we will continue our policy of leaving a small dump truck overnight for those who wish to load their own. Anyone wishing to use this service must call the DPW office and make an appointment.

Any questions may be directed to the DPW garage at 637-1060 between the hours of 7:00 a.m. and 3:30 p.m. or the Village Office at 637-5300 between the hours of 8:30am and 4:30pm.

3. Authorization to enter into Intermunicipal Agreement – equipment sharing –

→ Trustee Castañeda moved, carried 5 to 0 to approve the following resolution:

**UPON ROLL CALL VOTE:**

Mayor Wexler	Voting	<u>          yes          </u>
Trustee Castañeda	Voting	<u>          yes          </u>
Trustee Wagenhauser	Voting	<u>          yes          </u>
Trustee Hunsinger	Voting	<u>          yes          </u>

UNANIMOUSLY CARRIED 5 to 0

Authorization for the Village of Brockport to enter into an intermunicipal agreement, and any amendment thereto, with the County of Monroe to utilize the Monroe County Fleet Services for mechanical, preventative maintenance and body work to its fleet vehicles at a cost of \$55 per hour, plus parts, and further authorizing the Mayor of the Village of Brockport to execute such agreement. **MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 6**

Authorization for the Village of Brockport to enter into an intermunicipal agreement, and any amendment thereto, with the County of Monroe, for access to and the purchase of alternative fuels, for a period commencing January 1, 2009 through December 31, 2033, with the mutual consent of the parties upon each annual renewal and further authorizing the Mayor of the Village of Brockport to execute such agreement.

Authorization for the Village of Brockport, to enter into an intermunicipal agreement, and any amendment thereto, with the City of Rochester, the County of Monroe, the other Towns and Villages within Monroe County, the Rochester Pure Waters District, the Irondequoit Bay South Central Pure Water District, the Northwest Quadrant Pure Waters District, and the Gates-Chili-Ogden Sewer District for the mutual sharing of machinery, tools and equipment for a period commencing January 1, 2009 through December 31, 2033, with the mutual consent of the parties upon each annual renewal, and further authorizing the Mayor of the Village of Brockport to execute such agreement.

4. Report on Albany lobbying trip re: CHIPS funding – \$67,778 was received last year and it is expected to be the same this year, due in part to the large constituency of Highway Supervisors who lobbied. Trustee Castaneda thanked Superintendent Donahue for representing the Village.

5. Donation of old DPW computer for Museum/Historian – Computer is 5 years old and is of no use to the DPW now, but can be cleaned out and used by the museum. Trustee Castaneda indicated the museum could really use the computer.

Mayor Wexler referenced waiting on a \$2,200 grant with assistance being provided by Assemblyman Reilich. The mayor will research it further.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Authorize Mayor to sign 2009 STOP-DWI Enforcement Contract with Monroe County – the Chief stated he did not have the contract with him, but it is consistent with previous contracts and it would provide 100% reimbursement for overtime for approximately \$16,000.

→ Trustee Castañeda moved, carried 5 to 0 to authorize Mayor to sign 2009 STOP-DWI Enforcement Contract with Monroe County.

2. STOP-DWI Recognition Luncheon - Chief Varrenti, Mayor Wexler, Sgt. Philippy and Clerk Zimmerman attended the STOP-DWI Recognition Luncheon on March 4. Officers C. Curley and P. Wheat received awards and the department itself received an award for showing the greatest increase in number of DWI arrests. Mayor Wexler commented that the luncheon was nice and it was great to see longtime Brockport people receiving awards on our behalf.

3. Part-time officer – the department is currently processing a criminal background check on a new part-time officer. Further reports will be coming as information is received. Still looking for a full-time officer and if a lateral recruit isn't found, the Chief will ask to put a recruit in the academy. He added that process takes a long time but the officer would start at the lowest pay grade and that Kelly Smith Sgt. Philippy would be looking into the Cops More grant which will pay the first three years and, of course, the hiring of a new officer will decrease overtime costs.

4. February 14 Homicide Investigation – both officers have returned to duty and the criminal justice process will continue. Chief has submitted paperwork to the Carnegie Hero Fund Commission for recognition of Randall Norman's selfless acts that day and for financial help to go to his family. Chief will keep the Board posted. The Chief also noted that letters of thanks had gone to the following list for their assistance to the Village that day: Albion Police Department (death notification), Brockport Fire Department and Chief Scott Smith (responded without knowing if the gunman was still in the area, assisted officers and offered West Ave. Fire Hall as command post), Fire Police Captain Ken Keim and his officers (traffic assistance), DPW Superintendent Donahue and DPW workers (roadblocks, sawhorses, general assistance), John Merklinger of 911, Mike "Flash" Guerrieri (pizza for officers and staff), Sheriff

Maha (death notification in Genesee County), Mike Green and Doug Randall from Monroe County DA's office (legal direction), Sheriff Pat O'Flynn and Monroe County Deputies, Major Mark Koss of NY State Police, Chief Doug Nordquist of Ogden Police, Ontario County DA Mike Tantello, Sheriff Phil Povero of Ontario County, Harvey VanHoughton (evidence analysis), Chief Dave Moore of Rochester Police, Bob Ryan of Ryan's Big M (subs, soda, coffee), Chief Robert Kehoe of University Police, and Wegmans (cups, plates, napkins, supplies).

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

1. 2008 Inspection Activity Report – Goal last year was to increase number of inspections which was up 22% for a total of 2,737. Commended Assistant Code Enforcement Officer Larry

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 7**

Vaughan on all the work he does and Clerk Krahe for assisting with data entry and administrative duties. CEO Zarnstorff appreciates having the resources and noted the department seems to be on a record pace for 2009 as well. Mentioned taking part in a statewide effort with other Building Officials to reinstate funding for Codes books, which cost \$700-800. He had not included this in his budget because the books have been previously paid for by the state, and he hopes the state will change their decision.

Trustee Castañeda mentioned that on January 14, CEO Zarnstorff reported that Chapter 21 – Garbage, Refuse and Open Burning had gone through legal, Code Review Committee and that a public hearing should be called for and she wondered where that stood.

→ Trustee Castañeda moved to call for a public hearing on April 20 regarding the draft code amendment of Chapter 21 – Garbage, Refuse and Open Burning. Mayor Wexler and Trustee Castañeda voted in favor, Trustee Hunsinger voted no and Trustees Wagenhauser and Legg abstained. Motion was defeated 2 to 1 and 2 abstentions.

Call to question: Trustee Hunsinger inquired if there might be occupancy issues by holding two public hearings on the same night and Mayor Wexler stated no. Trustee Legg asked CEO Zarnstorff if there was any urgency for the public hearing such as a mandated deadline and CEO Zarnstorff said no. Trustee Wagenhauser noted there might be budget action that night as well.

→ Trustee Wagenhauser moved, carried unanimously, to call for a public hearing on May 4, 2009 regarding the draft code amendment of Chapter 21 – Garbage, Refuse and Open Burning.

D. FIRE /AMBULANCE / COMMUNICATIONS – Deputy Chief Michael Henry

1. Calls for Service – 206 Fire calls year to date + 474 EMS calls year to date = 680 year to date
2. Membership Drops & Adds – Deputy Chief Henry asked the Board to consider approving the following drops: Shawnie Shipe and David Johnson; the following adds: Tyler Reed, Amy Johnson, Joy Giardino and Sarah Ayers; and the following exempt certificates: Morgan Smith, Jeremy LaDue and Garrett Roth.

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

3. Authorization to post notice – accept bids to sell ambulance & stretcher & authorize proceeds to go to ambulance capital replacement account –

Trustee Wagenhauser asked if the stretcher would go to the same fund and Deputy Chief Henry said it would be equipment replacement. As there is no fund for that, proceeds from the stretcher would be the same as the ambulance reserve fund.

→ Trustee Castañeda moved, carried 5 to 0 to authorize the following posting:

NOTICE TO BIDDERS

Please take notice that the Village of Brockport desires to SELL and will receive sealed bids for a 2002 Ford E350 Braun Type 3 ambulance (VIN# 1FDWE35F92HA69005) with 66,000 miles and with a 3 year old Stryker MX Pro stretcher loaded with all available options used by the Brockport Fire Department. Appointments to inspect the vehicle are available upon request of the Fire Department 637-1030 or Ambulance Corps 637-1035.

Sealed bids will be received at Village Hall 49 State Street Brockport, NY 14420 until 3:00PM on Wednesday, April 22, 2009 at which time they will be opened and read aloud. The bid selection will be considered at the following Board of Trustees meeting. The Board of Trustees of the Village of Brockport reserves the right to reject any and all bids.

4. Training/Travel authorization – FDIC (Fire Department Instructors Conference) in Indianapolis 4/20-4/25 – Cost will be \$10,476 for 6 members to attend. Trustee Hunsinger asked if the money is already budgeted and Deputy Chief Henry affirmed. Trustee Castañeda asked if the 6 members had attended before and Henry commented 2 were going for the first time and 4 had attended before, adding the 4 will take different courses and all will return home to train those who did not attend.

→ Trustee Wagenhauser moved, carried 5 to 0 to authorize training/travel request.

Trustee Castañeda questioned whether or not cheaper lodging could be found, Deputy Chief Henry said they are staying two per room.

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 8**

5. Pumper 234 - is due to arrive in early May, requested permission to list the current pumper with the broker who would charge 10%.

→ Trustee Wagenhauser moved, carried 5 to 0 to authorize listing the current pumper with the broker.

6. Thermal Imaging Camera - Received correspondence from Assemblyman Reilich about obtaining a thermal imaging camera which would be used to search for people in a building on fire, to look for hot spots once a fire has been put out and to search for people in wooded areas or at night. He added they do have two others that work very well and there goal is to have one in each pumper.

7. Off-road Vehicle – Reported that the off-road vehicle recently acquired through a grant has been used and works great.

Trustee Hunsinger asked about the previously discussed harnesses and M. Henry stated they are still on hold adding they do have the bailout ropes. He reminded everyone the tallest structure in the jurisdiction is Mortimer Hall on the SUNY campus.

**E. TREASURER – Gina M. Tojek**

Mayor Wexler thanked Treasurer Tojek for all her work on the budget. He realizes it is especially difficult given the fact that she has been here such a short time and he appreciates the effort. He encouraged department heads to come in or call within the next 3-4 days to discuss the budget and see what could be done and encouraged Board members to do the same. Mayor Wexler went on to thank Trustee Wagenhauser for the time he put in on his budget concerns.

1. Adopt resolution establishing Reserve #51 – Smith Street Bridge Reserve Fund –

→ Trustee Castañeda moved, carried 5 to 0 to approve the following resolution:

**RESOLUTION ESTABLISHING RESERVE #51 – SMITH STREET BRIDGE**

RESOLVED, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Smith Street Bridge Reserve Fund” (hereinafter “Reserve Fund”). The purpose of the Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the maintenance and repair of the Smith Street Bridge situate in the Village of Brockport, Monroe County, New York.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c [6-g] [of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

UPON ROLL CALL VOTE:

Mayor Wexler	Voting yes
Vice-Mayor Castaneda	Voting yes
Trustee Wagenhauser	Voting yes
Trustee Hunsinger	Voting yes
Trustee Legg	Voting yes

The resolution was thereupon duly adopted.

2. Schedule public hearing on tentative budget (between 4/13-4/15) – Mayor Wexler commented the Planning Board meets April 13 and also that he had been asked to attend a search committee meeting on April 6 at the Brockport Central School District.

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 9**

→ Trustee Wagenhauser moved, carried 5 to 0 to hold the public hearing on the tentative budget Wednesday, April 15 at 7pm.

Trustee Castañeda read the following Legal Notice:

Please take notice that the Board of Trustees of the Village of Brockport will meet at 7:00pm on Wednesday, April 15, 2009 in the Conference Room of the Village Hall, 49 State Street Brockport, New York for the purpose of holding a public hearing on the Tentative Budget of said Village for the fiscal year beginning June 1, 2009.

As previously noticed, the tentative budget was filed with the Village Clerk on March 20<sup>th</sup>. It is available for review on the Village website at [www.brockportny.org](http://www.brockportny.org) and at Village Hall during business hours Monday – Friday 8:30am-4:30pm. Said tentative budget includes compensation proposed to be paid to each member of the Board of Trustees as follows:

Mayor \$9,866  
Trustees (4) \$3,443.25

This replaces the Village Board meeting previously scheduled for Monday, April 6<sup>th</sup>. The Board will then hold a special meeting at 7:00pm on Monday, April 27, 2009 for the purpose of adopting a final budget.

Gina M. Tojek  
Village Treasurer  
Village of Brockport

3. Adjust April meeting schedule – (budget adoption between 4/16 – 4/30) – Trustee Castañeda noted she might have a prior commitment on April 20, which would have been a regular meeting night.

→ Trustee Wagenhauser moved, carried 5 to 0 to adjust the April meeting schedule as follows: eliminate both the April 6 and the April 20 meetings, hold the budget hearing April 15 and the next regular meeting on April 27.

F. CLERK - Leslie A. Morelli

1. Appoint to fill part time cleaner vacancy – Both Trustee Castañeda and Chief Varrenti offered positive comments about interim cleaner Laura Stephens.

→ Trustee Castañeda moved, carried 5 to 0 to appoint Laura L. Stephens to fill the part time cleaner vacancy at \$10 per hour x 20 hours per week to clean Village Hall, Police Department year round and Welcome Center (seasonally).

2. 2009 Events Schedule – extended deadline for inclusion – info to Leslie by 3/31 – announced that all community groups / event organizers did not respond by February 27<sup>th</sup> as requested, so she sent out a notice to them asking for a response by March 31<sup>st</sup>.
3. Village Elections 6/16/09 – notice to qualified voters – read the following notice into the record:

LEGAL NOTICE  
TO THE QUALIFIED VOTERS OF THE VILLAGE OF BROCKPORT

Qualifications of the Voters for the Village General Election on  
June 16, 2009

1. A Citizen of the United States.

2. Eighteen (18) years of age or older.
3. Resident of the Village of Brockport thirty (30) days preceding this General Election.

REGISTRATION OF VOTERS

1. No one whose name does not appear on the Monroe County Register for the Village of Brockport will be eligible to vote.
2. In accordance with Section 15-118 (2) of the New York State Election Law, the voter must be registered with the Monroe County Board of Elections at least ten (10) days prior to the date of the Village General Election. The registration deadline for the above election date is Friday, June 5, 2009.

THERE WILL NOT BE A VOTER REGISTRATION DAY IN THE VILLAGE.

3. Application for absentee ballots may be obtained at the Monroe County Board of Elections 39 West Main Street Rochester by calling 753-1550. Applications must be filed with Monroe

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 10**

County Board of Elections no later than Tuesday, June 9, 2009.

- G. VILLAGE MANAGER - vacant
- H. VILLAGE ATTORNEY – David F. Mayer, Esq.

**VILLAGE BOARD REPORTS:**

- A. Mayor Morton Wexler
  1. Appoint to Village Advisory Committee –

→ Trustee Castañeda moved to appoint Eric Leverenz to the Village Advisory Committee.

Call to question – Trustee Legg questioned the value of the Village Advisory Committee and noted he does not support adding any new members until such time as someone can prove the value of the committee to the Village. He recommended tabling the appointment. Mayor Wexler voiced his support of the committee, of the people who give their time to serve on it, stating it had been approved by the Board of Trustees and it can have any number of members. Trustee Legg replied the Board has no idea what this committee is about. Trustee Wagenhauser mentioned that 3-4 years ago there had been minutes submitted for the meetings and Trustee Legg clarified it was he who wrote those minutes as he was a founding member of the group. Trustee Castañeda indicated she reports every time there is a Village Board meeting on the questions and concerns of the Advisory Committee and talks with Department Heads as needed. She gives her time to address concerns raised and invited other Trustees to do the same. Noting members are busy, she added she doesn't understand the urgency of tabling this appointment. She also questioned Trustee Legg's previous attendance and Trustee Legg was adamant he attended all the meetings. Trustee Castañeda noted she contacted Wade Belltramo from NYCOM who confirmed meeting minutes are not required for the group because it is informal. She added that the group is not a board for "doing" but rather an opportunity for residents to voice their concerns and questions in an informal setting. Trustee Hunsinger pointed out there is a Public Comment time during each board meeting when residents may express their opinions. Trustee Castañeda questioned why the Trustees did not want to approve the appointment. Trustee Legg opined the Village Advisory Committee is most frequently appears in the minutes when someone resigns and that people are not showing up for the committee, but are voicing their concerns in other ways. Trustee Castañeda reiterated the group was not formed for "doing," but rather for sharing concerns and asking questions.

→ Trustee Legg moved to table the appointment until the next meeting, the motion carried 3-2 with Trustees Legg, Hunsinger and Wagenhauser voting in favor, and Mayor Wexler and Trustee Castañeda voting against.

2. Health Reimbursement Account – referenced his March 9<sup>th</sup> memo re: benefits for employees Harry Donahue, Dave Moore and Rick Herzog of the Department of Public Works. The Mayor stated his desire to reinstate their benefits instead of changing the program midway through the year, which he feels is not fair. Mayor Wexler then referenced a similar letter from 2004 regarding benefits for other employees. He added that if the Board wished to change the benefits in 2010 when the contract comes up for renegotiation that would be fine, but he disagrees with changing things in March of this year.

- B. Trustee / Vice Mayor Maria C. Castañeda
  1. Village Advisory Committee - met March 10 and discussed the DPW salt barn (on which construction should begin this spring/summer and grant has been extended per

Superintendent Donahue); lack of budget workshops - residents want more transparency and accountability; meeting between Village Engineer Jason Foote and village merchants – J. Foote addressed concerns, merchants wish to stay updated throughout the project, recommend public information meeting perhaps in May; attended the March 18 Marketing Committee meeting where many ideas were discussed; will meet again April 1.

2. Library - attended March 17 Library Board meeting; reimbursement was discussed; Town of Sweden and Town of Clarkson will be asked for reimbursement for Village's accounting services.
3. Mayors for Meals – participated in this nationwide event March 18.
4. Congressman Lee's Satellite Office Session with Regional Director Paul Cole – attended on March 25; many residents also attended.
5. 4<sup>th</sup> Annual Canal Clean Sweep will be April 19, 9:30am, near the post office; many groups will participate; refreshments provided by Chief Varrenti to follow.

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 11**

6. 6<sup>th</sup> Annual Canalway Trail Celebration to be June 6; Rose Lummis boat may be here again; Bill Andrews to lead a history walk; last year Bill Hullfish and the Golden Eagles String Band played with allocated funds, this year the band can come for 2 hours and would charge \$250, application deadline is April 4.

→ Trustee Castañeda moved, unanimously carried to ask Ernie Capone to participate in the Canalway Trail Celebration on June 6.

Call to question – Trustee Wagenhauser asked if funds for this would come from the Celebrations line and Treasurer Tojek affirmed; discussion followed as that line is over budget perhaps due to bench repair. Trustee Wagenhauser asked if this would be coming out of next year's budget and Treasurer Tojek affirmed.

7. Library After Hours Soiree - attended March 28; thanked Library Board of Trustees and those who contributed toward the Tot Spot.

Quoted President Obama: " Those of us who manage the public's money will be held to account- to spend wisely, to reform bad habits and to do our business in the light of day because only then can we restore the vital trust between the people and their government."

C. Trustee David J. Wagenhauser

1. Replied to Joan Hamlin's earlier comment that he appreciates her opinion but stands by his opinion that we need to help the merchants while Main Street is torn up.
2. Marathon - Thanked those who asked about his running a marathon, finished in under 4 hours.
3. Village Advisory Committee – appreciates the time put in by Trustee Castañeda and the idea of the committee; noted that all are busy; more input received from residents is appreciated.
4. Regarding the letter from Mayor Wexler and the HRAs – is uncomfortable with it being brought up; noted at the bottom of the letter there was a Village motion stating what was offered; if there was something decided in 2004 he didn't know about it and he did not believe it held; salaried employees who have to and will go out at odd hours to perform parts of their job he thinks is fantastic, but to say they got an HRA guarantee in exchange for overtime is not correct because salaried employees don't receive overtime. He continued, saying he does appreciate non-union employees and thinks they do a good job.
5. Budget issues - Received anonymous letter today regarding budget issues, distributed copies to the Mayor and Trustees per the sender's request, stating the issues raised in the letter had already been addressed. Stated he had worked on budget, offered proposed changes which he emailed to Village Clerk and Trustees the previous night, adding that those proposals would be available through the Village Clerk or through himself. Read this statement:

"Per Village law, on March 20, the budget officer for the village filed a tentative budget with the Village Clerk. Per village law, the Village Clerk presented the budget to the board by March 31. Village law then provides for the village board to accept the tentative budget or make changes as it deems appropriate.

I think this board has little choice but to make substantial changes. The board has been presented the 2009-2010 budget that would spend \$5,380,905 and raise the property tax rate over 22%.

That would be over \$200 more for the average homeowner. That's over \$200 per year more for fixed-income seniors and disabled residents. That's over \$200 more per year for our working families already hurt by an economy that has wiped out savings and retirement accounts and threatens to get worse before it gets better.

How did we get here? First, there's almost \$120,000 in new spending for Main Street for our aging infrastructure including our failing clay tile sewers that are over 100 years old. Second, the economy. Brockport, like many municipalities, receives significant revenues from Monroe County and New York State in numerous forms including sales tax and direct aid. These, together with other state and non-state revenues are projected to be the same or, even more likely, down in the coming year. Third, is the unwillingness of some departments to adhere to their budgets resulting in significant overruns. Fiscal challenges like we face require bold and, in many instances, unpopular actions. Trimming around the edges simply won't do in this kind of shortfall.

Over the last four meetings, this board has discussed the budget at great length. We have also received significant information from department heads. To this point we have discussed this year's budget more than any other budget in my previous 3 years combined. Armed with this **MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 12**

information, I've spent a considerable amount of time speaking individually with department heads and preparing a proposal for board review. I sent this proposal to the board last night. Without going into too much detail at this time, I can relate that it would cut spending by almost \$350,000. It would also make changes that could result in a tax cut.

These changes would not come without pain however. The proposed changes would affect every department. Individual village employees would also be affected, not as a reflection of their dedication, commitment or performance, but as a result of the economy and the situation we face. This would be a tight budget, but a responsible budget. If something similar to this were adopted, we would need all department heads to live within their means and stay within their budget.

As an aside, for the remainder of my term, I will not be signing any non-emergency vouchers for those departments who have proved unable to live within their means. Obviously, as only one trustee, the department head would be able to secure their approval from three other trustees. This board is faced with a serious fiscal challenge. It is incumbent on us to protect our seniors, our families, and all residents from unreasonable demands. I've attempted to meet this challenge with this proposal. It will make some people unhappy. Unfortunately there are times when we are faced with a choice between the popular and the prudent. Sometimes even that choice is not available."

Concluded by saying he looks forward to more discussions on this proposal once it is thoroughly reviewed. He will make himself available this week to answer questions with regard to what was done on each line and will speak with Gina in the next couple days as well to answer her questions. Stated we must act decisively on this matter. Mayor Wexler again thanked Trustee Wagenhauser for his time spent on the budget and for getting involved, adding these are not easy times and it is difficult to plan when we don't know what reimbursement we will be receiving; encouraged discussing budget concerns with Village Treasurer and speaking with Department Heads. Concluded by stating no one should be treated like garbage. Trustee Wagenhauser took exception to the comment, stating that no one is treated "like garbage." Trustee Wagenhauser added they are responsible for a budget and responsible to the residents. Mayor Wexler expressed they are also responsible to the employees and for needs such as equipment. Chief Varrenti asked if they could get a copy of the budget and Treasurer Tojek stated she would send it.

D. Trustee Scott W. Hunsinger

1. Discussed a point of law regarding the cancellation and rescheduling of the April 6 and April 20 meetings, that during the public hearing on April 15 there will be a need for a motion to pay the bills during the month.
2. Library After Hours Soiree - attended library function this past Saturday; thanked all who were involved, especially Anne Panning, the local author who attended.
3. 200 State Street/100 Fair Street – has done research last couple of months; had followed the chain of command by asking the Mayor to ask the Code Enforcement Officer; stated his disappointment that Trustee Castañeda met with the new owners, indicating he did not receive the said email that she sent. Trustee Castañeda refuted, saying he did receive it, that she in fact thought he also responded to it, and she probably had a copy of it with her. Trustee Hunsinger replied that he would love to see it. Trustee Hunsinger continued, thanking her for meeting with the owners and wondered if she had gone to the meeting with Code Enforcement. Trustee Castañeda reiterated her first contact with the owners was for the Restore NY grant and that she shared with them during that meeting that the village would like to sit down

with them and discuss the properties and they said no one had contacted them. She said she did speak with CEO Zarnstorff who informed her that a draft letter, which was not sent to her, had been prepared to send to the owners asking for a meeting, which was discussed at the meeting. Trustee Hunsinger was unable to attend. Trustee Castañeda said all she did was pick up the phone and she was able to meet with them regarding the grant. Trustee Hunsinger continued, saying he and CEO Zarnstorff are working to bring this property up to code and stated that this type of unilateral, even counterproductive, action should not be allowed to continue. He recalled her wish to work together, but accused her of "running rogue." He ended by saying he would work with CEO Zarnstorff to set up a meeting, hopefully within the next two weeks, and publicly invited her to attend.

4. Mentioned liaisons, thanked H. Donahue, Chief Varrenti and A. Appleby of the Code Review Committee for assisting him in getting up to speed.

5. Thanked Treasurer Tojek for meeting with him on occasion.

6. Budget – read the following statement (typed verbatim from a written copy):

"As a teenager when I went to visit my grandmother I was fortunate enough to have gotten the **MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 13**

pleasure of knowing my great grandfather 93 years young back then. My last memories were sitting with him in the kitchen of my grandmother's small home listening to the radio. While a TV sat in front of him he was old school. We would listen to the news and then what ever sporting event was on...the red wings typically. The other thing we listened to was the news, he would relate to me stories of the day and how they tied into his life as a boy and a teen. I was and still to this day am amazed at the things he told me. Growing up seeing technology change... phones... radios...tv...he told me stories of seeing movies for a nickel and he told me stories of hard times.

We find ourselves again in a period of hard times. Now when I listen to the radio, I again find myself listening to news radio. While driving to and from work over the past few months, I have heard stories of increased taxes, bailouts, plans for change and even wage freezes. California, Ohio and even here in NY wage freezes are coming at every level.

Hard times make for hard decisions. Decisions that may not be popular with employees but also decisions that need to be made to back up a promise.

Trustee Legg and I ran for our seats last June with a tone of fiscal responsibility. We find ourselves in need of holding true to that promise. What is needed is the key and the cost of doing business has to be reexamined. The ways things are going and being done needs to be changed.

I have spent time over the last few months asking why. Why is our motor pool the way it is. Why is the water department is the way it is. As I have said, I am not going to sit here and not do my home work.

I spent time recently with someone I consider a good friend and someone that could give me perspective historical perspective on the workings of the village. It came down to one comment he made. "I don't envy the position you are in. But I know you will do what is right"

The right thing to do is not pose a 22% tax increase but to tighten our belts and make the tough decisions that in the end will help this community. The community counts. I could not walk down the street knowing that the people of Brockport are faced with a tax increase. I agree with Trustee Wagenhauser, he has done a tremendous job and has given us much to think about.

It is time to decide for the future what is needed and what is right. A tax increase of any amount in these hard times is not right."

Trustee Castañeda noted she looked for the email and couldn't find it, but she remembered what it said. She referred to Trustee Hunsinger's December 17 email and reiterated the meeting with the owners was not to overstep but rather to give information on the grant. She said she did not understand why they just didn't call and that Trustee Wagenhauser had said to go ahead at the last meeting. She indicated she emailed Trustee Hunsinger and was pretty much told to mind her own business and handle the canal celebration activities. Trustee Hunsinger said he would love to see the email and Trustee Castañeda said she would find it. (Trustee Hunsinger verified at the 4/15 meeting that Trustee Castañeda did produce that e-mail.)

Trustee Castañeda continued saying everyone is working independently, yet when she does it, she is scrutinized. She reiterated that she liked the budget workshops the Board used to have and she thinks the Board needs to come together. She concluded by saying she is reprimanded no matter what she

does. Trustee Wagenhauser interjected that she has always worked on her own and noted that there had been one budget workshop last year for one hour regarding trustees' salaries. Trustee Wagenhauser said as an aside that the Mayor should contact the labor attorney regarding the legality of an HRA for salaried workers. He then remarked back to Trustee Castañeda that she talks about talking about the budget and that this budget process has been more transparent than ever.

Mayor Wexler opined that the amount of discussion between the Board members has been minimal. He and Trustee Wagenhauser exchanged heated words and Mayor Wexler stated the Board is asking the Department Heads to make cuts but they don't have the money and that they need something to work with. He specifically referenced the DPW's wishlist of equipment. Trustee Wagenhauser noted the budget shows an increase of 22% and that different scenarios need to be considered. Mayor Wexler reiterated that workers have to be treated well and be given something to work with.

E. Trustee Hal S. Legg

1. Village Advisory Committee – noted there are opportunities for citizens to volunteer and if this is successful in promoting volunteer opportunities, then he will shut his mouth and vote in favor.
2. Budget – read the following:

"I spent part of my Sunday afternoon meeting with Trustee Wagenhauser to discuss many of the **MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 14**

changes that are reflected in the documentation he forwarded to the board yesterday. I followed up with Treasurer Tojek today on a few lingering questions of my own. I expect there will be more questions and I understand now from Trustee Castañeda that now there are.

In any event if I understand the situation correctly, the headline here is that unless this board decides otherwise, the taxes in Brockport will go up more than 22% in the coming year. Trustee Wagenhauser already mentioned some of the main reasons for the village's predicament. Can any of us do anything about the global recession? No, but if you can, please step forward, they need you in Washington. And if the only alternative is fixing Main Street, which is a once in a generation capital project that's taken more than a decade to come to fruition, the only alternative to that is passing the problem on to tomorrow's leaders and I know the Mayor feels strongly about issues such as that. Should we? Again, I don't think so. I think all we can do is better manage the resources we have.

Despite the additional financial burden that Main Street rehab will place on residents and the negative effects of our nation's economic downturn, one budget-related issue that has been more front-and-center than others including tonight, is pay for non-union workers. This board, I feel, is faced with a choice between either asking taxpayers for more money to fund raises as the Mayor and Trustee Castañeda have suggested, or asking employees whose salaries are not set through collective bargaining to accept their current compensation packages for another year.

I don't relish having to make such a decision and I think you can tell by the volume when each of us speaks on this, none of us do. Passion may lie in a different viewpoint, but I think it's fair to say all of us care about Brockport. The differences in opinion or approach do not diminish our commitment.

What I want residents to know is I understand that so many of us are hurting financially. I ran into a former neighbor a few weeks ago at Ryan's Big M. In December, he had been laid off after working the same job for 22 years. I remember when he left his apartment on Gordon Street because he had purchased a house in another neighborhood in the village. I learned last week that another neighbor had lost his job in the latest round of cutbacks at a Rochester-based company that many years ago had been considered virtually bulletproof. I heard from another friend in another village I know with a white-collar job, who was downsized.

I mention this for several reasons. First, it goes to show that in today's tough times, jobs that I think most of us would have considered safe, aren't anymore. Second, demonstrates the length to which organizations, public and private, have needed to go to shore up their finances and protect some vision of their future. And finally, all the folks I'm talking about pay their taxes. They are homeowners trying to hold on to their piece of the American dream. And having been elected to serve them, I'm inclined to support the pursuit of a reduction in spending, not a double-digit increase. In a place where median salaries fall well short of the average earned by Brockport's non-union employees, I would have a hard time looking in constituents' eyes and telling them more money for employees' compensation ought to be near the top of the village's priority list.

One item I would put near the top of the priority list is the water fund. In reviewing the numbers, and while I'm not ready nor inclined to speak at length on the issue tonight, sweeping changes in this area may be necessary. Indeed, faced with a triple-digit shortfall, actually it's six digits, it

seems likely that a fundamental rethinking of village government and the services it's positioned to deliver may be what's necessary to meet tomorrow's fiscal challenges.

Toward that end, and our Treasurer has touched on it in this forum, although not this evening, we will need to examine how the budget document is created so that when next year's tentative budget is presented to the board, we are not staring into such a wide gap."

Stated he feeling that a lot of what residents see from the board at this point is frustration at the position they find themselves in. Concluded by reiterating the proposed tax increase is 22%.

3. Attended Congressman Lee's Regional Director Paul Cole's session and encouraged Kelly Smith to attend as well.

4. Library - Attended Library event, which was fantastic. Also, regarding the Return of Organization Exempt from Income Tax, also known as IRS Form 990 or 995, which former Village Manager I. Coyle had filed for the library. Treasurer Tojek does not feel she has the accounting background to complete that form, 3 quotes have been obtained to have someone complete it. He will forward the information to Trustee Castañeda, the liaison, and to the Mayor who represents the village in contracts.

5. Farmers' Market Manager Job Description – will have a draft proposal ready for the next meeting for the board's consideration.

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 15**

Trustee Castañeda mentioned she had emailed Trustee Legg regarding sewer mains and wondered if he would forward that; Trustee Legg affirmed.

Trustee Castañeda noted she had questions about the tentative budget and asked:

1. General Fund revenues for ambulance – last year was budgeted \$372,000 and the actual was \$491,000; asked what the difference was from. Treasurer Tojek responded she does not know all the intricacies of the third party billing and has spoken at length with Ian Coyle, but that it is volatile revenue and she suspects it was not accurately budgeted for previously.
2. Line A2089, Farmers' Market fees – only \$1,000; Treasurer Tojek was not aware there was an increase; wondered if it should be separate from the General Fund, which was affirmed.
3. Line A2262 – wondered why this line is \$245,000 which is up \$23,000. Treasurer Tojek replied they have to project for 2009 and 2010 as well. The Treasurer opined that historical knowledge is so important in this process; acknowledged that she will fall short in that area this year but thanked her colleagues who have done their best to share much information with her.
4. Noted there is nothing budgeted for computer equipment.
5. Wages – wondered if a pay cut for trustees is legal; stated a motion was adopted last year, there was no amendment to decrease. Also wondered if you voluntarily take a reduction is it considered a donation. Mayor Wexler voiced that the newly elected will have a pre-stated, reduced amount so there won't have to be a reduction mid-term.
6. Trustee Castañeda remarked she has numerous other questions but she will ask the Department Heads about those.
7. Chief Varrenti's 211 Waiver – asked if we need to budget for health insurance. Treasurer Tojek indicated there had been no increase for Chief Varrenti or health insurance in the budget and that those are Board decisions. Mayor Wexler offered that if the Chief doesn't take the waiver, he has to be sure he's covering himself. Chief Varrenti emphasized he does not apply for the waiver, but rather the municipality does. He said he assumes that if the Board should decide as a majority not to apply for the waiver, then they should put in about 20% of his salary into the budget. The chief said he has been denounced for a contract for years, even though he tried to explain how the contract saves the village money and finally last week the mayor told the chief he was right, it does save money and the mayor hadn't realized it until he plugged in the numbers. The Chief stated if he does get the waiver, he would be going back into the retirement system. Trustee Castañeda commented that if the Board does not adopt the waiver, and Chief Varrenti interrupted replying that \$20,000 should be budgeted. Trustee Castañeda reiterated the law has to be followed. Mayor Wexler said the waiver will be determined by the next Mayor and that discussing it now is like beating a dead horse. Trustee Castañeda said the last two waivers were signed but contended the law has changed to indicate we have recruited new applicants. The Chief interjected that three attorneys advised the Mayor to sign the waiver.
8. Trustee Castañeda said she would speak with the Treasurer about her budget concerns and reiterated she wants the five board members to meet prior to the budget vote.

**PUBLIC COMMENT:**

1. Carrie Maziarz of 42 Adams Street - informed the Board they must reschedule Bill's public hearing because it was slated for the April 20 meeting.
2. Katherine Kristansen, 270 Main Street and owns 266 Main Street - noted the suggested right turn lane from Adams Street to Main Street will take a substantial portion of their property at 266 Main. On March 11 she spoke with Mr. Bush of NYSDOT who indicated that after discussing it with the Village of Brockport, they have mutually agreed on a redesign of the turn and at a March 18 meeting, Dan Schwind of NYSDOT had a handout showing the right turn lane without having contacted Kristansen. She indicated she has a meeting with D. Schwind on April 2. She takes issue with the Mayor and his approval of this turning lane and stated D. Schwind is taking this information to others without informing the Kristansens. She noted this should be a team effort and that the Mayor should not do it alone. Mayor Wexler reiterated that he merely offered his opinion. K. Kristansen replied that his opinion could skew the outcome of the project and that no one contacted them to discuss it. Mayor Wexler noted that no contract had been signed yet. K. Kristansen asked why he said what he did if he was going to be gone and the Mayor reiterated he was asked for his opinion and what he thought would be best for the majority of the residents. K. Kristansen indicated that she and her husband cannot find one other person who agrees with that stance. Mayor Wexler said he made a decision and when K. Kristansen asked what it was based on, the Mayor again replied it was his opinion. K. Kristansen indicated they would try to undo what has been done.

**MINUTES OF VILLAGE BOARD MEETING HELD March 30, 2009 continued.....page 16**

K. Kristansen said she had a few questions and the Mayor asked that they be given to him. K. Kristansen continued, asking if the Village Board has to approve the plan before work starts and the Mayor opined he would think so, but that NYCOM says the Mayor can sign contracts. The Mayor noted he would bring it to the Board. She asked if the Village Board knows what the state is proposing and went on to explain there would be cars within 16' of their bedroom window and that there would be disturbance to trees as well as an underground effect and how it will make Adams Street look. She also stated her concern about the Mayor's ability to sign a contract with the state without the backing of the board and she is worried about what happens after June. Trustee Wagenhauser suggested she bring back the information from the meeting. She said she will and stated she may ask the Board for a resolution for peace of mind. Mayor Wexler said the board would need to find out what it could legally do before passing a resolution. Trustee Hunsinger noted that when the Mayor gave his opinion, it became part of someone's proposal and suggested the Mayor owes the property owners an apology. Mayor Wexler said he would take it under consideration.

2. Joan Hamlin made several comments – she asked if anyone could come to the Village Advisory Committee and that they didn't have to be appointed by the board, the mayor affirmed; she stated she wants the minutes from ~2005-2006 that were written by Trustee Legg; regarding the budget discussion she feels that none of it was "meat & potatoes"; she asked about getting a copy of Trustee Wagenhauser's proposed budget and he answered she could get it from the village or from him if she can't get it from there; she asked Chief Varrenti if his contract was up in June. Trustee Wagenhauser interrupted saying this is not a question and answer period. Mrs. Hamlin said this is why they come to the Village Advisory Committee is to ask questions and the Chief replied that according to the mayor it would be illegal for them to do so.

**AUDIT:**

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

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	4/1/09	178603-178662	\$172,889.81
<u>Fire</u>	4/1/09	178663-178675	\$40,373.95
<u>Third Party Billing</u>	4/1/09	001504-001528	\$22,331.76
<u>Capital Projects</u>	4/1/09	002305-002310	\$25,982.57
<u>Water</u>	4/1/09	002232-002248	\$29,632.76

**ADJOURNMENT:**

➔ Trustee Hunsinger moved, unanimously carried that the meeting be adjourned at 11:12pm.

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Pamela W. Krahe, Building/Zoning Clerk