

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, August 27, 2007 at 7:00pm.

PRESENT: Trustee/Vice Mayor Maria C. Castañeda, Trustee Carrie L. Maziarz, Trustee David J. Wagenhauser, Trustee Hannelore G. Heyen, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Village Manager / Treasurer Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED: Mayor Morton Wexler

ALSO PRESENT: Fire Chief Timothy Rombaut, Robbi Hess (Suburban News), Renee Taylor (Brockport Post), Donna Zarnstorff, George Brocious, Linda Borrayo, Norm GianCursio, Fred Webster, Mark Guthrie, Quenton McKenzie.

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

REVIEW OF MEETING MINUTES: Vice Mayor Castañeda called for any additions or corrections to the minutes of the last meetings.

- ➔ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried that the minutes of the meeting held June 18, 2007, be approved as written.
- ➔ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the minutes of the meeting held July 16, 2007, be approved as amended.
- ➔ Trustee Maziarz moved, Trustee Heyen seconded, Trustee Wagenhauser abstained due to absence, carried that the minutes of the workshop meeting held July 23, 2007 taken by Trustee Castañeda, be tabled for corrections.

Trustee Castañeda commented that she took notes at the July 23rd workshop meeting in Manager Coyle's place. She e-mailed her notes to the Board 3 days after the meeting and asked for corrections and heard nothing. She said it might have saved some time had she received a response. Trustee Maziarz said that was during the time her computer was down. Trustee Maziarz said one of the corrections needed is regarding the adoption of the updated fee schedule. It refers to increasing the canal front amenities fees. She said those fees were not changed yet and she would not have made a motion to do so mid-boating season. Trustee Heyen concurred that they were to receive information of comparable fees elsewhere. Trustee Maziarz said the Board did not have that information in front of them at the time.

- ➔ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Heyen abstained due to absence, carried that the minutes of the special meeting held August 14, 2007, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

1. George Brocious of 340 Stony Point Road Rochester reminded the Board that in April he asked the Village Board to investigate 181+ possible code violations. To date, he has not received a response. To his knowledge, the Village has not conducted any investigation. According to the job description of the Building Inspector and Assistant Building Inspector, it is their responsibility to investigate complaints on building use and occupancy. He wondered why the Village has not reacted to information they have been alerted to and why they continue selective enforcement. He said he wishes to add to the list of possible code violations as it relates to occupancy. This information is from the 2007 SUNY BSG housing list. The addresses include: 60 Erie Street, 47 Clinton Street, 54 Utica Street #1, 54 Utica Street #3 and #5, 68 Spring Street, 70 Spring Street, 153 Holley Street, 181-383 Main Street #2,3,4. All of these are over occupancy per their descriptions. He said there are more, but since his 3 minutes are up, he will return.
2. Donna Zarnstorff, proprietor of The Ultimate Garage Sale at 48 North Main Street was in attendance as a courtesy to let the Board know that the North end merchants plan to hold a customer appreciation event on Saturday, October 13th from 2pm to 6pm behind 43 N. Main Street that will include a chicken barbeque. She said they are not requesting any street closure or Village assistance. The location should not impact anyone.
3. Mark Guthrie and Quenton McKenzie of SUNY Brockport's Alpha Phi Alpha, Inc. fraternity were in attendance to submit a procession application for "Walk 4 Ghana" – a 4-mile walk to raise funds for a library in Ghana. M. Guthrie apologized for not submitting the application sooner, but hoped the Board would give consideration this evening. The walk would take place

September 8th from 9am to 1pm. They would begin on campus, go North to Redman Road then East on West Avenue, then South on Main Street then west on Erie Street back to campus. They would utilize sidewalks where available. He anticipates 60 walkers and they are accepting sponsors. M. Guthrie said he has already spoken with SUNY University Police Chief Kehoe. Chief Varrenti said he sees no problem.

Linda Borrayo reminded the Board that a portion of Erie Street will be blocked off for September Fest that same day. Trustee Maziarz agreed and recommended that the procession utilize College Street rather than Erie Street when returning back to campus. M. Guthrie said that would be fine.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to approve the procession application as outlined.

GUESTS: None

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Fayette Street – Trustee Maziarz commented that the DPW is doing a fine job on the rehabilitation of Fayette Street. Trustee Castañeda commented that NYSDOT notified the Village that they anticipate re-opening the Park Avenue Bridge on September 14th. She said this is good news since when she and Mayor Wexler met with them they were originally looking at October 1st. Trustee Castañeda questioned the anticipated project completion date for the Fayette Street rehabilitation. Superintendent Donahue said they are on schedule for completion by the bridge re-opening. Trustee Castañeda asked Manager Coyle if the \$80,000 from Senator Maziarz came through. Manager Coyle said yes.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service – Chief Varrenti reported 8,861 calls for service year to date. He said it has been a busy week – typical of the influx of 8,500 or so SUNY students into the community.
2. Reinstatement of Sergeant Douglas Ziegler to part time Officer status – Chief Varrenti reminded the Board that they accepted Sergeant Ziegler's retirement recently and distributed a flyer advertising tickets for sale to his retirement party. D. Ziegler is willing to work as a part time police officer 1 or 2 days per month. Although that is not a lot of time commitment, he is fully trained and qualified and uniformed. Chief Varrenti said there is no cost to the Police Department and they are in need of additional part time officers. There is no mechanism to compel part time officers to work a certain number of hours. Chief Varrenti said he has repeatedly articulated to the Board that he does not believe in part time officers due to the expense and costs associated with training, retention, and availability of hours.

Trustee Castañeda said this was not scheduled on the agenda or discussed at a workshop. She said she would like the opportunity to ask some questions. She asked if D. Ziegler would start at the same rate as any other part time officer. Chief Varrenti said he would be paid per the Stetson Club contract as it relates to part time officers. Trustee Castañeda asked if the Village is required by law to hire a non-retired person. Manager Coyle said in other words Trustee Castañeda is asking if the Village can hire a retiree. Chief Varrenti said yes. Trustee Castañeda said she appreciates part time officers.

Trustee Heyen said she understands the issues with part time officers and the current part time staffing situation. Chief Varrenti said they recently had 2 part time officers, Vandervort and Gleason. Officer Vandervort has been hired as full time and Officer Gleason gave notice that he has taken a full time job with NYS Department of Labor and will need to drastically reduce his hours with Brockport Police Department.

Chief Varrenti said it is easy for some to say they like to hire part time officers, but he feels it is a waste of money. He will follow the Board's direction, but will not endorse the hiring of any non-certified officers. They need to be a NYS certified police officer. There are very few and far between. He said he has another interview session Wednesday. Trustee Castañeda asked how many candidates. Chief Varrenti said 4 or 5 this time and a dozen or so in the recent past. Chief Varrenti said even Mayor Wexler has said the pickings are slim. The next academy is scheduled for February or March of 2008.

Trustee Heyen said she was interested to learn that there is a discrepancy in wages for part officers here as compared with Monroe County Sheriff's Office as they pay about \$7 more per hour. Chief Varrenti said that equates to \$22 per hour compared to our \$16-\$17 per hour.

They also do not perform the full range of law enforcement duties. Therefore, certified part time officers will look to MCSO. Chief Varrenti said the training and outfitting costs equate to \$18,000 per part time officer with no guarantee of hours or how long they'll stay.

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Trustee Wagenhauser said some continue to say hire part time officers, but the Chief recommends not to and justifies it. Money talks and people walk. It's hard to get and hold on to part time officers. Chief Varrenti said the key is to find certified officers with good availability and willing to commit. He has no magic wand.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to hire Douglas Ziegler as a part time police officer.

3. Hiring of Kelly Smith as part time grant researcher/writer from secretarial line funds – Chief Varrenti said there is a lot of grant money that the Police Department is missing out on because they do not have the time or resources to research, write and direct grants. He said the department has done what it can do, but it is not necessary to pay officers \$30+ per hour to do so when they should be doing the job they were hired to do. Chief Varrenti proposed the hiring of Kelly Smith (of the Fire Department and formerly clerical staff at the Police Department) as a grant writer and grant researcher at a rate of \$13 per hour to be paid for out of the part time secretarial line of the Police Department. This would not be adding money to the budget. It would simply be redirected from the part time secretarial line. Some grants even allow for the reimbursement of the grant writer.

Trustee Castañeda said this was not scheduled on the agenda or discussed at a workshop. She said she would like the opportunity to ask some questions.

Trustee Wagenhauser said he believes some grants even relate to police officer qualifying and training. Chief Varrenti said they would look to some sizeable grant opportunities, possibly even monies to build a public safety building. This would allow the Village to sell some Village buildings and put them back on the tax rolls.

Trustee Maziarz said she believes it is worth a try. If it doesn't work out, then it can be re-evaluated. She said K. Smith has a good track record with the Village. Trustee Maziarz asked Chief Rombaut how much K. Smith brought in for the Fire Department last year. Chief Rombaut said \$320,000.

Trustee Heyen asked Chief Varrenti if there would be a cap on it. Chief Varrenti said he anticipates expending \$500 to \$1,000 before knowing if the department is getting a "bang for its buck". Trustee Heyen said the Town of Clarkson has employed a grant writer. Chief Varrenti said the officers administer current grant programs such as STOP DWI and Buckle Up NY. This would free them up to focus on their jobs.

Trustee Castañeda said she is not opposed to the idea – simply that it has not been discussed. She asked if there is a rush to make a decision. Chief Varrenti apologized for not submitting it for the agenda sooner and said there is not necessarily a rush. He said he simply sees it as a no-brainer and does not know what other information the Board would need to render a decision.

Trustee Wagenhauser said the Village has utilized grant monies so well in the recent past for guns, tasers, sidewalks, trees, benches and the like. He said there is no downside to staying within budget and bringing in more money.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded, unanimously carried to hire Kelly Smith as a part time grant writer and researcher at \$13.00 per hour to be paid from the Police Department's part time secretarial line.

Trustee Heyen recommended that Chief Varrenti report to the Board in 6 months on her progress. Chief Varrenti said he anticipates reporting as the information becomes available.

4. Lowering of speed limit in Village – Chief Varrenti shared that through his research he found that by law (Section 1643 of the NYS Vehicle and Traffic Law), a municipality in NYS cannot lower their respective speed limit below the speed of 30 miles per hour unless certain factors exist. One such factor is if the speed limit area is within one-quarter mile of a school zone (not colleges). As such any thoughts of lowering the speed limit to 25 miles per hour is out. The Board could decide to go to 20 mph within ¼ mile of BCSD. Chief Varrenti said while officers use discretionary authority on speeding, they would be less tolerant tomorrow than they were yesterday. Although 30 mph is the speed limit, it is important to note that they can enforce speeds "not reasonable and prudent for the conditions."

Trustee Maziarz wondered how other municipalities get around this. Chief Varrenti said his guess is either they abide by the law or have lowered the speed limit and have not been challenged. Trustee Heyen said it might be beneficial to consider this near the school district.

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5. Recognition to civic organization that donated funds for new signage – Chief Varrenti recognized the Brockport Veterans of Foreign Wars Post as having donated \$900. Of this, \$600 was used for new signage at the Brockport Police Department to more clearly identify the building. The other \$300 is going to preserve Chief Donald Hare’s name by having it re-golded. He said in hindsight he should have spoken with the Hare family about relocating his sign from the front to the side of the building. Once he did so and explained the plans to re-gold it and to identify his picture in the Police Department with a plaque. His son, Peter Hare, is pleased with the total vision. He said it is unfortunate that some people did not gather all of the facts and drew their own conclusions. Trustee Castañeda thanked Chief Varrenti for the explanation as P. Hare had contacted her about this. Trustee Heyen said she had also been contacted and is glad it is resolved to everyone’s satisfaction.

Chief Varrenti said there is a need for directional signage at Main Street and Clinton Street that says Police Department with an arrow. Trustee Maziarz asked Superintendent Donahue if he could get some pricing on such signage.

6. Declaration of surplus equipment – Chief Varrenti said the new AR 15’s obtained through grant money are now in the police cars. The 4 old mounts are no longer of use. However, SUNY University Police could utilize them. As a good interagency gesture, Chief Varrenti asked for authorization to declare them as surplus and sell them to SUNY University Police Department for \$1.

→ Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried to declare the 4 mounts as surplus.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to sell the 4 mounts to SUNY University Police Department for \$1.

7. Events Follow Up – Chief Varrenti reported that all went well from the Police Department’s perspective for the August 3rd – 5th Lois McClure weekend and the August 11th-12th BISCO Arts Festival. There were no crime reports and few officers on duty. He reminded the Board that in the past events such as this used to incur a lot of police overtime. He said volunteer SPARTAC and Explorer members were a big help and made it a collaborative effort. He remarked that the current Stetson Club Union never grieved a loss of wages.

8. Plate Reader Car – Chief Varrenti shared that the Brockport Police Department will be borrowing a car from the Greece Police Department for two weeks in September that is equipped with a \$50,000 plate reader. If they like it, they may apply for a grant. He hopes to have the local papers do a story on it.

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

1. Annual Off Campus Housing Information Blitz – S. Zarnstorff reported that his office plans to conduct its annual information blitz to off campus students on Saturday, September 8th. He and L. Vaughan and volunteers break down and cover the routes. The packets will be prepared a few days before. If they are ready early, some routes may be covered the evenings of September 6th or 7th.

Trustee Castañeda commented that September 8th is a very busy day in the Village and some of the Village Board is helping with other events that day. She wondered if he would consider Sunday, September 9th in the afternoon. Trustee Maziarz said she has enjoyed helping in the past, but will be busy with the Farmer’s Market if it is on Sunday. Trustee Heyen said she is willing to help assemble the packets if notified of a day and time. Manager Coyle said he has some contact information to provide S. Zarnstorff of a fraternity willing to help as well.

2. Travel Request 9/28-9/29 – S. Zarnstorff reported that there are changes to the State Uniform Fire and Building Code related to fire inspections and residential rental properties. He said he is working with Trustee Wagenhauser to draft some language. He said he has consulted with State College Pennsylvania regarding their use of best practices and they have offered him a tour to see their operation first hand. He said he would drive the Village vehicle and require only one overnight stay. More information to come.

3. Work Load – S. Zarnstorff reported 30 building permit applications above the same time last year including 5 to 6 new homes. He reported a significant increase in inspections above the same time last year. In 2006 the inspections totaled approximately 1,500. They just hit that

number with 4 months to go in the calendar year. He said he and Assistant Building Inspector Vaughan are extremely busy. He commended Village Clerk Morelli and Deputy Clerks Herzog and Coopenberg for their assistance.

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4. Remington Woods – Trustee Heyen questioned the status of the punch list regarding Remington Woods subdivision off West Avenue. S. Zarnstorff said that was generated through the Village Engineer, Chatfield Engineers. Superintendent Donahue said completion of punch list items is moving along.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut

1. Calls for Service – Chief Rombaut reported 581 fire and 1,283 ambulance calls for a total of 1,864 calls year to date. He said they are on pace to beat last years call load. He said our ambulances have been doing an excellent job in covering 85 to 90% of the EMS calls.
2. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: Christopher Hammond and the following adds: Nathan Coons, Philip Moore, Daniel Butler, Keith Povitch, Craig Hadden, James Weber, Amy Stanton, Anna Anderson and Ashley Jubly to the Explorer Post.

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

3. Operation Patriot 9/8 – Chief Rombaut shared that he just received word that Operation Patriot plans on driving through Brockport as they did last year and will stop at the monument. There could be as many as 1,500 or 1,800 motorcycles in the procession. Trustee Maziarz said the Board would need to approve a portion of street closure for a short duration. Chief Rombaut said it would likely be a section of Park Avenue. More information to come.
4. September 11th Vigil – Chief Rombaut shared that the bronze statues are completed and have been installed. They will be re-dedicated on September 11th.
5. Equipment – Chief Rombaut said he is waiting on prices to come back for used air packs from a couple of vendors. He said they are grateful to the University of Rochester's Security Services and Flower City for the donation of some old radio equipment.

E. VILLAGE MANAGER / TREASURER - Ian M. Coyle

1. Declaration of surplus equipment – Manager Coyle recommended that the Board declare the following unusable computer/IT/office items as surplus: HP LaserJet 1100A Printer, Serial #USHN102445, Scotch Label Maker #EA200 and EA201 Kit, Panasonic KX-E7000M Typewriter, Serial #6HM10B34236. He said he has begun placing items for public auction on the Village's municipal eBay account.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to declare the following unusable computer/IT/office items as surplus: HP LaserJet 1100A Printer, Serial #USHN102445, Scotch Label Maker #EA200 and EA201 Kit, Panasonic KX-E7000M Typewriter, Serial #6HM10B34236.

2. Bond Resolution – Route 19 Debt Service – Manager Coyle recommended that the Board adopt SEQR and bond resolutions for Route 19 debt service. The SEQR process commenced a few weeks back and is ready to be "closed out" as we received no comments or objections to the proposed project in terms of environmental quality review. The bond resolution was submitted by the Village's Bond Counsel and contains the necessary motions for approving the intent to issue bond anticipation notes and bonds for the Route 19 project. It totals \$1.6 million for sewer infrastructure and \$1 million for water infrastructure. It requires a 2/3 vote of the governing body and is subject to permissive referendum.

Trustee Wagenhauser said it is important to clarify that \$2.6 million is not necessarily the cost. Trustee Heyen said the Village will be applying for any and all possible grants and will continue pursuing assistance from the County. Trustee Heyen suggested the Manager Coyle pursue the County in writing. Trustee Wagenhauser said the sewers are 100 years old and made of clay. This is not simply a beautification project. It is a big infrastructure improvement project. Superintendent stressed that the infrastructure improvements absolutely cannot be held off much longer.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to adopt the following resolution as it relates to sewer:

BOND RESOLUTION DATED AUGUST 27, 2007 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of sewer system capital improvements to include sewer line replacement, authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village has heretofore duly determined that the purpose hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Brockport shall undertake the construction of sewer system improvements, to include sewer line replacement, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$1,600,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$1,600,000 and said amount is hereby appropriated therefore. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any,

and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Brockport.

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Section 7. The faith and credit of the Village of Brockport, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Brockport together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Brockport, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

<u>AYES</u>	<u>NAYS</u>
Trustee Maziarz	
Trustee Heyen	
Trustee Wagenhauser	
Trustee Castaneda	

Form for Publication and Posting
Within 10 Days of Adoption

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 36.00

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Village of Brockport, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board has, on August 27, 2007, adopted, pursuant to the Local Finance Law of the State of New York, a bond resolution stating that:

WHEREAS, the purpose hereinafter described consists of sewer system capital improvements to include sewer line replacement, authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village has heretofore duly determined that the purpose hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, NEW YORK, (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

1. the construction of sewer improvements, to include sewer line replacement, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), is authorized and general obligation serial bonds in an aggregate principal amount not to exceed \$1,600,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are authorized to be issued to finance said purpose; and
2. the maximum aggregate cost to the Village is estimated to be up to \$1,600,000 for said purpose and said amount is appropriated therefore and the plan for financing of said purpose is to

provide all of such maximum cost by issuance of serial bonds and bond anticipation notes as authorized; and

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3. (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by the resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds; and

4. the bonds and notes authorized by the resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount; and

5. the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations, and such is a declaration of official intent under Treasury Regulation §1.150-2; and

6. the power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of the resolution and the provisions of the Local Finance Law, is delegated to the Village Treasurer, the Village's chief fiscal officer, the Village Treasurer and the Village Clerk are authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to the resolution, and are authorized to affix to such bonds and bond anticipation notes the corporate seal of the Village of Brockport; and

7. the faith and credit of the Village of Brockport, New York, are irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; and

8. after compliance with the next paragraph hereof, the resolution shall be published in full by the Village Clerk of the Village of Brockport together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law, and the validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of the resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution; and

9. such bond resolution is subject to a permissive referendum of the qualified electors of the Village of Brockport, pursuant to Section 36.00 of the Local Finance Law and petitions protesting and requesting that it be submitted to the electors of the Village of Brockport for their approval or disapproval, may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By order of the Board of Trustees of the Village of Brockport, New York.

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→ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to adopt the following resolution as it relates to water:

BOND RESOLUTION DATED AUGUST 27, 2007 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of water system capital improvements to include water line replacement, authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village has heretofore duly determined that the purpose hereinafter described constitutes a “type II” action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder (“SEQRA”) which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, NEW YORK (hereinafter referred to as the “Village”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Brockport shall undertake the construction of water system improvements, to include water line replacement, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$1,000,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$1,000,000 and said amount is hereby appropriated therefore. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Brockport.

MINUTES OF MEETING HELD August 27, 2007 continued.....page 10

Section 7. The faith and credit of the Village of Brockport, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Brockport together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Brockport, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

<u>AYES</u>	<u>NAYS</u>
Trustee Maziarz	
Trustee Wagenhauser	
Trustee Heyen	
Trustee Castaneda	

Form for Publication and Posting
Within 10 Days of Adoption

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 36.00

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Village of Brockport, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board has, on August 27, 2007, adopted, pursuant to the Local Finance Law of the State of New York, a bond resolution stating that:

WHEREAS, the purpose hereinafter described consists of water system capital improvements to include water line replacement, authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village has heretofore duly determined that the purpose hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, NEW YORK, (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

1. the construction of water improvements, to include water line replacement, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), is authorized and general obligation serial bonds in an aggregate principal amount not to exceed \$1,000,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are authorized to be issued to finance said purpose; and

2. the maximum aggregate cost to the Village is estimated to be up to \$1,000,000 for said purpose and said amount is appropriated therefore and the plan for financing of said purpose is to provide all of such maximum cost by issuance of serial bonds and bond anticipation notes as authorized; and

MINUTES OF MEETING HELD August 27, 2007 continued.....page 11

3. (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by the resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds; and

4. the bonds and notes authorized by the resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount; and

5. the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations, and such is a declaration of official intent under Treasury Regulation §1.150-2; and

6. the power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of the resolution and the provisions of the Local Finance Law, is delegated to the Village Treasurer, the Village's chief fiscal officer, the Village Treasurer and the Village Clerk are authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to the resolution, and are authorized to affix to such bonds and bond anticipation notes the corporate seal of the Village of Brockport; and

7. the faith and credit of the Village of Brockport, New York, are irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; and

8. after compliance with the next paragraph hereof, the resolution shall be published in full by the Village Clerk of the Village of Brockport together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law, and the validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of the resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution; and

9. such bond resolution is subject to a permissive referendum of the qualified electors of the Village of Brockport, pursuant to Section 36.00 of the Local Finance Law and petitions protesting and requesting that it be submitted to the electors of the Village of Brockport for their approval or disapproval, may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By order of the Board of Trustees of the Village of Brockport, New York.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to adopt the following resolution:

RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Village Board of the Village of Brockport expressed their intent to serve as lead agency to comply with SEQR.

WHEREAS, the Village Board has notified other involved agencies of the proposed Lead Agency designation and the Village Board's intent to issue a Negative Declaration for the project under SEQR pending the receipt of any comments or objections from other Involved Agencies;

MINUTES OF MEETING HELD August 27, 2007 continued.....page 12

WHEREAS, the Village Board has received no comments or objections to its request to serve as lead agency or the Board's intent to issue a Negative Declaration for the Project.

WHEREAS, the Village Board previously accepted the environmental assessment of the Project prepared by Chatfield Engineers, P.C. and determined the significance of the potential impact of the Main Street Water Main and Sanitary Sewer Replacement Project.

WHEREAS, the Village of Brockport intends to complete the Main Street Water Main and Sanitary Sewer Replacement Project, prior to the anticipated re-construction of NYS Route 19 (Main Street).

WHEREAS, the proposed improvements will be completed within the NYS Department of Transportation (NYS DOT) right-of-way. The project area is located on Main Street within the Village of Brockport from the south Village line to the north Village line (West/East Avenue), and consists of the following improvements:

- Replacement of approximately 5,370 linear feet of 8" – 16" sanitary sewer.
- Replacement of sanitary sewer laterals to the right-of-way.
- Replacement of sanitary sewer manholes, frames and covers.
- Replacement of approximately 5,000 linear feet of 8" – 12" water main.
- Replacement of water services to the right-of-way.
- Replacement of valves, fire hydrants and appurtenances.

RESOLVED, that the Village Board hereby designates itself to serve as lead agency, and accepts the Environmental Assessment of this project prepared by Chatfield Engineers, P.C. The Village Board further declares that, based on the Environmental Assessment, it finds that the project will result in no significant adverse impacts to the environment and HEREBY issues a Negative Declaration for the Project. This HEREBY completes the SEQR Process in accordance with 6 NYCRR Part 617 SEQR Regulations.

3. Lakeside Bond Financing – Village Resolution – Manager Coyle recommended that the Board adopt the following resolution approving/providing consent to Lakeside to seek debt financing through the East Rochester Housing Authority. Lakeside counsel and Village counsel has reviewed and approved the documents. Manager Coyle explained that Lakeside hopes to use the proceeds of Bonds issued by the Village of East Rochester Housing Authority to refinance existing indebtedness on Lakeside's facility. This will lower its debt service payments and improve the facility's cash flow. In order for the Housing Authority to issue bonds for a facility outside the Authority's jurisdiction, the host community, in this case the Village of Brockport, must adopt a resolution inviting the Authority into the Village to issue the bonds. None of this imposes any financial obligation on the Village. Manager Coyle said Lakeside also has to hold a public hearing on the matter.

Trustee Heyen asked if the Town of Clarkson has to do the same. Manager Coyle said he is not sure. Trustee Wagenhauser said he would recuse himself.

→ Trustee Maziarz moved, Trustee Castañeda seconded, Trustee Heyen in favor, Trustee Wagenhauser abstained, carried to adopt the following resolution:

RESOLUTION OF THE VILLAGE OF BROCKPORT ADOPTED THE 27th DAY OF AUGUST, 2007 AUTHORIZING EXECUTION OF AN AGREEMENT OF COOPERATION PURSUANT TO SECTION 37[1](aa) OF THE PUBLIC HOUSING LAW OF NEW YORK STATE AND APPROVING THE ISSUANCE OF BONDS BY THE VILLAGE OF EAST ROCHESTER HOUSING AUTHORITY IN ORDER FOR THE INTEREST ON THE BONDS TO QUALIFY FOR EXEMPTION FROM FEDERAL INCOME TAXATION.

Whereas, Lakeside-Beikirch Care Center, Inc., a not-for-profit corporation organized under the laws of New York State (the "Institution"), owns and operates a 120 bed residential healthcare facility on land located at 170 West Avenue in the Village of Brockport, County of Monroe, State of New York (the "Project"). The Project is owned and operated by the Institution; and

Whereas, the Institution financed a portion of the costs of the acquisition, construction and equipping of the Project by entering into various financing documents with the Dormitory Authority of the State of New York ("DASNY") in connection with the issuance by DASNY of its Lakeside/Beikirch Nursing Home, Inc. FHA-Insured Mortgage Nursing Home Revenue Bonds Series 1997 (the "Prior Bonds") in the aggregate principal amount of \$11,880,000; and

MINUTES OF MEETING HELD August 27, 2007 continued.....page 13

Whereas, the Institution now wishes to refinance all or a portion of the Prior Bonds to restructure the debt service payments thereon and achieve debt service savings and has entered into negotiations with the Village of East Rochester Housing Authority (the "Authority") to refinance the Prior Bonds by the Authority issuing its Revenue Refunding Bonds (Lakeside-Beikirch Care Center, Inc. Project), Series 2007 in one or more series in an amount not to exceed \$10,000,000 (the Refunding Bonds") the proceeds of which will be used to retire and/or defease the Prior Bonds; and

Whereas, it is intended that interest on the Refunding Bonds will be exempt from federal income taxation pursuant to Section 145 of the Internal Revenue Code of 1986, as amended; and

Whereas, as special, limited obligations of the Authority payable solely out of the revenues, receipts or other payments derived from or in connection with the Project, the bonds would not be a debt of the United States of America, the State of New York, the County of Monroe, the Village of East Rochester or the Village of Brockport; and

Whereas, under the provisions of Section 37[1](aa) of the Public Housing Law of the State of New York, the Village of Brockport is empowered to enter into an agreement of cooperation with a housing authority which need not be within the territorial jurisdiction of the Village of Brockport to assist with the construction, maintenance, operation or management of a housing project; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT AS FOLLOWS:

Section 1. In consequence of the foregoing, the Village of Brockport hereby determines to enter into the Agreement of Cooperation with the Authority pursuant to Section 37(1)(aa) of the Public Housing Law of the State of New York. The Mayor is hereby authorized, on behalf of the Village of Brockport, to execute and deliver (by manual or facsimile signature) the Agreement of Cooperation and the Village Clerk is hereby authorized to affix the seal (or a facsimile thereof) of the Village of Brockport to the Agreement of Cooperation and to attest to it, all in substantially the form presented to this meeting with changes, variations, omissions and insertions as the Village Manager shall approve. The execution of the Agreement of Cooperation by the Mayor shall constitute conclusive evidence of that approval. In addition, to the extent not inconsistent with this resolution, the Mayor is authorized to execute additional certificates of approval including a Certificate of Public Approval relating to the Project and the Refunding Bonds approved herein.

Section 2. In consequence of the foregoing, the Village of Brockport hereby approves the issuance by the Authority of the Refunding Bonds for the purpose of refinancing the Project.

Section 3. This Resolution shall take effect immediately.

4. National Grid resolution for Arbor Day tree planting reimbursement – Manager Coyle recommended the Board request a reimbursement from National Grid for its Arbor Day planting. We are looking at \$1,050 being refunded.

Trustee Heyen said this is great. The Village already budgets for trees, but reimbursements such as this allow for even more. It is a win-win situation.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to adopt the following resolution:

RESOLVED: That Ian M. Coyle as Manager of the Village of Brockport is hereby authorized and directed to file an application for contributory reimbursement funds as part of the "10,000 Trees...And Growing!" tree planting program, and upon approval of said request, to enter into and execute a project

agreement with Niagara Mohawk, a National Grid Company, for such financial contribution to this municipality.

F. CLERK - Leslie A. Morelli

1. Adopt 2007-2008 fiscal year meeting schedule – Clerk Morelli reminded the Board that they usually adopt the meeting schedule at the organizational meeting. However, due to various thoughts on the summer meeting schedule, it was not adopted on July 16th.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to adopt the following meeting schedule:

MINUTES OF MEETING HELD August 27, 2007 continued.....page 14

August 2007- August 2008 Village of Brockport Meetings

Meetings begin at 7pm and are held at Village Hall 49 State Street

Village Board Meetings

1st & 3rd Monday of each month (September – May) unless otherwise noted
3rd Monday of each month (June – August)

Department Heads are in attendance the 3rd Monday of each month.

Submittal Deadline: Wednesday by Noon before the Monday meeting.

August 27, 2007	January 7, 2008
September 4, 2007 (Tuesday)	January 22, 2008 (Tuesday)
September 17, 2007	February 4, 2008
October 1, 2007	February 19, 2008 (Tuesday)
October 15, 2007	March 3, 2008
November 5, 2007	March 17, 2008
November 19, 2007	April 7, 2008
December 3, 2007	April 21, 2008
December 17, 2007	May 5, 2008
	May 19, 2008
	June 16, 2008
	July 21, 2008 (organizational meeting)
	August 18, 2008

Village Board Workshops

4th Monday of each month (September – May) unless otherwise noted
1st Monday of each month (June – August)

August 27, 2007	January 28, 2008
September 24, 2007	February 25, 2008
October 22, 2007	March 24, 2008
November 26, 2007	April 28, 2008
***December 24, 2007	May 27, 2008 (Tuesday)
	June 2, 2008
	July 7, 2008
	August 4, 2008

Planning Board Meetings

2nd Monday of each month unless otherwise noted

Submittal Deadline: Tuesday by Noon before the Monday meeting.

August 13, 2007	January 14, 2008
September 10, 2007	February 11, 2008
October 29, 2007 (due to 10/8 holiday)	March 10, 2008
November – none (due to 11/2 holiday)	April 14, 2008
December 10, 2007	May 12, 2008
	June 9, 2008
	July 14, 2008
	August 11, 2008

Zoning Board of Appeals Meetings

4th Tuesday of each month (only upon application)

Submittal Deadline: Tuesday by Noon at least 3 weeks prior to meeting.

August 28, 2007	January – tba due to room conflict
September 25, 2007	February 26, 2008
October 23, 2007	March 25, 2008
November 27, 2007	April 22, 2008
December – none due to holiday	May 27, 2008
	June 24, 2008
	July 22, 2008
	August 26, 2008

Historic Preservation Board Meetings

Meets only as needed.

MINUTES OF MEETING HELD August 27, 2007 continued.....page 15

**VILLAGE OF BROCKPORT HOLIDAY SCHEDULE
June 1, 2007 – May 31, 2008
Village Board adopted April 16, 2007**

Floater:	Tuesday, July 3 (Stetson Club only)
Independence Day:	Wednesday, July 4
Floater:	Friday, August 31 (non-Union & CSEA only)
Labor Day:	Monday, September 3
Columbus Day:	Monday, October 8 (non-Union only)
Veterans Day:	Monday, November 12 (Sunday, 11/11 for 24/7 operations)
Thanksgiving Day:	Thursday, November 22
Day after Thanksgiving:	Friday, November 23
Floater:	Monday, December 24 (non-Union & Stetson Club only)
Christmas Day:	Tuesday, December 25
Floater:	Monday, December 31 (Stetson Club only)
New Year's Day:	Tuesday, January 1
Martin Luther King Day:	Monday, January 21
Presidents Day:	Monday, February 18 (non-Union only)
Good Friday:	Friday, March 21
Floater:	Monday, March 24 (CSEA only)
Floater:	Friday, May 23 (non-Union & CSEA only)
Memorial Day:	Monday, May 26

2. Appoint as Welcome Center Greeters: Barbara Cline & Brianna Kandor – In Mayor Wexler’s absence and per Bill Andrews recommendation, Clerk Morelli asked the Board to consider appointment of Barbara Cline and Brianna Kandor as Welcome Center Greeters.

Trustee Heyen commented that the Welcome Center has seen a large increase in visitors over last year.

→ Trustee Heyen moved, Trustee Maziarz seconded, unanimously carried to appoint Barbara Cline and Brianna Kandor as Welcome Center Greeters.

VILLAGE BOARD REPORTS:

A. Trustee Maziarz

1. Farmers Market – Trustee Maziarz reported that the temporary relocation of the Farmers Market to the Water Street parking lot has worked out very well. Both vendors and customers are pleased. Many shoppers have visited the canal front and the Welcome Center. She thanked the Department of Public Works, Fire Department and Police Department for their assistance. Signage was erected regarding the new parking regulation. A few cars have had to be towed. Trustee Maziarz said for the second year in a row, the Farmer’s Market banner attached to the billboard was stolen.
2. Lois McClure weekend – Trustee Maziarz commended Trustee Heyen and committee for their hard work in producing a wonderful weekend of events surrounding the Lois McClure August 3rd – 6th. The number of visitors totaled 2,304 and the entire community benefited.
3. Canal front – Trustee Maziarz said there has been such positive feedback regarding the Village’s canal front and Welcome Center that she suggested the Board give serious consideration to relocating its annual Summer Serenades concert series to the natural

amphitheater at the canal front next year. She said Sagawa Park would still be best for the Cool Kids programs for safety reasons.

4. Welcome Center – Trustee Maziarz commended Duane Beckett of Sunnking, Inc. for donating equipment and assisting with upgrades needed to provide WIFI access to those within a half mile radius of the Welcome Center. If it works well, the Village hopes to offer a blanket signal.
5. SUNY – Trustee Maziarz welcomed the SUNY students back for a new academic year.
6. National Night Out – Trustee Maziarz encouraged everyone to attend the National Night Out to be held at the Vet’s Club Friday, September 14th from 5:30pm to 8:30pm. Approximately 500 people attended last year.
7. Doug Ziegler – Trustee Maziarz encouraged fellow Village Board members to attend Doug Ziegler’s retirement party on September 16th. She said she was glad to learn that the Board would be adopting a retirement proclamation at the next meeting.

MINUTES OF MEETING HELD August 27, 2007 continued.....page 16

8. BISCO Art Fest – Trustee Maziarz commended all involved with making the annual Art Fest a success including the Department of Public Works, Police Department and Fire Department. She said the Fire Department was particularly generous with their time and space. Thanks go to Roger Smith for providing coffee and Brad Alexander for providing donuts to the vendors.
9. Movie Filming – Trustee Maziarz referred to the professional film crew working on a movie with locations in the Village of Brockport. She said she understands that the director made contact with the Mayor and Manager and indicated that their presence would be of little impact. She said their trailers are parked in the Erie Street parking lot and the small lot by the Frontier building, but they utilized a lot of parking spaces on Main Street last Sunday morning. She said the bad news is that there was not much notification, but the good news is that those parking spaces were freed up by 11am. Trustee Maziarz said she realizes it may pose a bit of an inconvenience to some for approximately 3 weeks. Trustee Heyen recommended the Village put out a short press release. She said the Village of Brockport being in a movie outweighs the minor inconvenience. Trustee Castañeda said she contacted Chief Varrenti on Sunday and learned of the last minute decisions regarding parking.

B. Trustee Wagenhauser

1. Housing Revitalization Initiative – Trustee Wagenhauser said he is working on grant opportunities and soliciting expert help. These include working with the Historic Preservation Board on a CLG grant and Rural Opportunities on financial assistance. He hasn’t concentrated on any rental housing work yet, but said there will be involvement by all parties down the road.

Trustee Wagenhauser commented that there has been a lot of work done on various homes in the Village this summer. He said the overwhelming majority of rental property owners are good landlords. He acknowledged the efforts of new landlord Kevin McCarthy who purchased one of three Main Street homes in a row at auction a few months ago. Trustee Wagenhauser said he says and does all the right things. He also acknowledged the efforts of landlord Hank Conradt who added to his property portfolio by also purchasing one of the three Main Street homes in a row at auction a few months ago. Trustee Wagenhauser said he has demonstrated that a landlord can stay in business while maintaining a safe and attractive structure.

2. Brockport Benchmarks – Trustee Wagenhauser reported that this new program where residents can report concerns or request service via the Village’s website or phone system encountered a few early glitches which have all been worked out.
3. Economic Development - Trustee Wagenhauser reported that he, Trustee Maziarz and Manager Coyle have been working on economic development in an effort to help Village businesses prosper. There will soon be an Economic Development and Community Development section to the Village’s website which will include properties for rent.
4. Bridges – Trustee Wagenhauser said the NYSDOT closure of the Smith Street Bridge a year ago and the Park Avenue Bridge on August 13th for 5 weeks of repairs has certainly caused frustration for the community. He said the Village eagerly anticipates the re-opening of the Park Avenue Bridge on September 14th. He said it is worth noting that the State did not ask the Village for its opinion or consent to close the Smith Street Bridge. He said residents should be assured that Village officials are working tirelessly utilizing political and economic capital to work to get the Smith Street Bridge repaired and reopened. He said all one needs to

do is walk underneath it to see the problems. Although pedestrian use has been deemed safe, he said he would be nervous. Bridge maintenance is certainly an issue that should not be taken lightly – particularly in the wake of the tragic bridge collapse in Minnesota.

5. Budget – Trustee Wagenhauser reported that they have the unaudited numbers for 2006. He said when they brought out the 2007 budget last March there was concerns from some who thought expenses were underestimated and revenues were overestimated. He said that is not the case. He said he is happy to report being \$50,000 to \$70,000 in the black and being off to a pretty good start for the first quarter of fiscal year 2007. Many efficiencies have been created including but not limited to savings regarding phone service and looking towards joining a gas consortium for heating Village buildings. He said he feels good about the fiscal outlook and is optimistic that we'll do even better the next time around. He commended Manager Coyle for his work.
6. Lois McClure Weekend – Trustee Wagenhauser commended Trustee Heyen for coordinating the Lois McClure events with meticulous preparation and flawless follow through.

MINUTES OF MEETING HELD August 27, 2007 continued.....page 17

C. Trustee Heyen

1. Farmers Market – Trustee Heyen commended Trustee Maziarz for managing the Farmers Market and commented that the temporary location along the Canal is a great site. She suggested the Board consider relocating it permanently. She also agrees that the Board should consider relocating the Summer Serenades concert series from Sagawa Park to the canal front.
2. Lois McClure Weekend – Trustee Heyen said the coordination of events was challenging but worthwhile. The attendance was high and the feedback was positive. Trustee Heyen commended the committee for working so hard to make it a success. She thanked the DPW, Police Department and Trustee Maziarz and family for their assistance during the weekend and referred to her “epic” thank you letter in the local papers. Trustee Heyen submitted a one-page final budget report that detailed that the Village Board allocated \$1,400, expenditures of \$1,338, and anonymous donations of \$700 for a total cost of \$638.
3. Parks – Trustee Heyen reported that one of the two pavilions donated by Pet Smart has been placed at the Utica Street Playground. She thanked DPW Superintendent Donahue and Sweden Highway Superintendent Fred Perrine for the relocation and installation. A portion of the \$3,000 donated by BISCO some time ago will be utilized for two handicapped accessible picnic tables.
4. Emily L. Knapp Museum & Library of Local History – Trustee Heyen reported that electrical work is almost complete and that two air conditioners have been donated for use in the museum.
5. Soap Box Derby – Trustee Heyen reported that the 2nd annual Soap Box Derby sponsored by the Kiwanis Club on Smith Street was a success. The neighbors on the short stretch by the bridge were notified and some enjoyed a free chicken barbeque for the inconvenience. Some were generous enough to offer electric hook up.

D. Trustee / Vice Mayor Castañeda

1. Village Advisory Committee – Trustee Castañeda said the next meeting is scheduled for September 18th. She reminded the Board that they have an application from Merchant Pat Kutz of the Lift Bridge Book Shop. Although she is not a Village resident, she is a Village merchant and owns the building and pays Village taxes. Trustee Castañeda said she has a vested interest in the community and deserving of appointment to the Village Advisory Committee.

→ Trustee Castañeda moved that Village merchants be eligible for appointment to the Village Advisory Committee

Trustee Heyen said she looked back at the information presented by Trustee Castañeda when the Board created the Village Advisory Committee and the focus was on residential neighborhoods and the sharing of information with neighbors. She said the mission and participation of members should be reviewed for every Board and Committee each year.

Trustee Heyen said Pat Kutz is one of the smartest, most creative people she knows. However, merchants have opportunities for participation through the Brockport Merchants

Association and the Greater Brockport Chamber of Commerce. They, like anyone, are welcome to attend Village Advisory Committee meetings. Trustee Heyen said she would love to see membership and activity of the Village Advisory Committee grow and flourish and focus on their original mission before looking to expand to another population.

She said she sees no problem appointing a merchant if they are interested and willing to make the commitment. It would not hinder the group.

Trustee Wagenhauser said he too likes P. Kutz, but if the Village Board created the committee for Village residents, then that's where the focus should be. He said opening it to non-residents, could then open it to non-Village resident landlords.

Trustee Castañeda said P. Kutz submitted an application for consideration. She has a vested interest and is a Village taxpayer. Trustee Wagenhauser asked Trustee Castañeda if her motion was to open the committee membership to anyone. Trustee Castañeda said those who place an application and have a vested interest in the Village. She said it could be similar to the Main Street Rehabilitation Committee where each member represents a vested interest.

→ No second. Motion dies.

Trustee Castañeda said the meetings are open to the public and invited anyone interested to attend.

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Trustee Heyen asked Trustee Castañeda how the Village Advisory Committee is going. Trustee Castañeda said they took the summer off from meeting due to member's vacation schedules. She said the committee is somewhat informal and members are not forced to attend. She said she has contacted various Department Heads with comments, questions and concerns of committee members as they are brought to her attention.

2. September Fest – Trustee Castañeda said she met with Norm Frisch who coordinates September Fest about having a Village table at the event in an effort to show what we have to offer and recruit volunteers for vacancies on various Boards and Committees. She said it is sometimes hard to get volunteers and this would be another recruiting tool. Trustee Heyen commented that Brockport is fortunate to have a phenomenal number of volunteers, activities and events. Trustee Castañeda said Village Historian Jackie Morris has agreed to offer tours of the Emily L. Knapp Museum and Library of Local History during September Fest on September 8th.
3. SUNY – Trustee Castañeda congratulated SUNY College at Brockport on their August 15th ribbon-cutting event that opened the new apartments on campus.
4. Summer Serenades – Trustee Castañeda thanked Trustee Heyen for hosting the August 23rd concert in her place as she represented the Mayor at the Monroe County Association of Village Mayors dinner meeting. She said she has kept track of attendance at the concerts she has hosted and received several suggestions from concertgoers. She said she would like the Board to dedicate some time at a workshop this winter discussing Summer Serenades. She agrees that consideration should be given to relocating the concerts along the canal front. She also suggested the last concert of the season be combined with SUNY in an effort to welcome the college students to a new academic year.
5. Farmers Market – Trustee Castañeda apologized to the Main Street property owners and tenants who back up to the Water Street parking lot for the short notice on having to relocate the Farmers Market during the Park Avenue Bridge closure. She reminded the Board that last March she recommended relocating the Farmers Market permanently so as to not obstruct emergency equipment egress in any way. She said she has also heard positive feedback about the temporary location including a letter to the Editor from Jean M. Brooks. Trustee Castañeda suggested the Board consider the temporary location permanently.

E. Mayor Wexler (excused)

PUBLIC COMMENT:

1. Linda Borrayo of 155 Utica Street questioned the canal front amenities fees and said she thought the Board was going to increase them. Trustee Maziarz said when the Welcome Center first opened the fees were set at a higher rate and then lowered soon after. They have remained the same ever since. The Board is contemplating raising them to keep them in line with the fees

charged in Fairport.

L. Borraro questioned whether Village Board approval is required to relocate something such as a sign or statue that had been dedicated previously such as the sign on the Police Department building at 1 Clinton Street that honors former Chief Donald M. Hare. Chief Varrenti said you don't need a Board resolution to move a sign from one side of a building to another and he won't be asking for a resolution to put a plaque under the photo of Chief Hare inside the Police Department. Trustee Maziarz said the Village Board reviewed and approved the new signage. Trustee Wagenhauser said the site was dedicated, not the exact location on the site. L. Borraro said she personally liked the D. Hare sign as it was more in keeping with the Village. Trustee Heyen said the Police Department building needed to be more readily identifiable from the street.

L. Borraro reminded the Board that she is a member of the Village Advisory Committee. She said they came up with an inventory list that member Scott Hunsinger was working on. She said she was surprised to all of a sudden see something similar on the website from Manager Coyle. Manager Coyle said a service request form has been on the Village's website for a year and a half. He said he suggested to Trustee Castañeda some time back that the Village Advisory Committee create a neighborhood inventory form. L. Borraro said regarding the application of Merchant Pat Kutz to be a member of the Village Advisory Committee, she believes it should be open to anyone. She said she was disappointed that the Village Board spent so much time picking apart the Village Advisory Committee earlier in the meeting, but believes it is because it's Trustee Castañeda's.

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AUDIT:

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

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>			
	7/19/07	175557	1,000.00
	7/23/07	175560	54.31
	7/24/07	175562	14.52
	7/27/07	175568-175578	17,102.84
	8/3/07	175593-175599	1,536.50
	8/8/07	175619	144.50
	8/9/07	175620	161.50
	8/14/07	175634-175676	50,641.86
	8/14/07	175677	75.00
	8/14/07	175678	1,177.35
	8/15/07	175679	250.00
	8/16/07	175680	315.00
	8/21/07	175684	28.14
	8/27/07	175711-175770	34,454.98
<u>Fire</u>			
	7/23/07	175559	97.85
	7/27/07	175563-175567	5,628.78
	8/7/07	175600-175612	10,778.05
	8/8/07	175617-175618	118.85
	8/14/07	175622-175630	2,546.24
	8/14/07	175631	27.70
	8/14/07	175632	2,206.97
	8/20/07	175682	92.70
	8/21/07	175683	117.50
	8/27/07	175685-175710	17,067.71
<u>Third Party Billing</u>			
	7/27/07	1059-1060	187.85
	8/14/07	1062-1067	2,496.18
	8/27/07	1069-1079	13,681.22
<u>Capital Projects</u>			
	7/27/07	2099-2101	11,302.33

8/14/07	2102-2108	39,094.97
8/27/07	2109-2118	34,295.30

Water

7/27/07	1772-1774	385.80
8/14/07	1779-1785	42,969.16
8/21/07	1787	28.13
8/27/07	1788-1797	7,843.85

ADJOURNMENT:

➔ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the meeting be adjourned at 9:30pm.

Leslie Ann Morelli, Village Clerk