

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, February 19, 2008 at 7:00pm.

PRESENT: Trustee/Vice Mayor Maria C. Castañeda, 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

EXCUSED: Clerk Leslie A. Morelli, Mayor Morton Wexler, Trustee Carrie L. Maziarz

ALSO PRESENT: Linda Borrayo, Joan and Jim Hamlin, Norm Giancursio, Mary Jo Nayman, Kelly Young, Mike Costanza, Jarl Boyst, Doris Boyst, Ray & Jackie Morris, Robert Pauly, Lisa Johnson, Joe Richards.

CALL TO ORDER: Vice Mayor 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."

GUESTS:

Chief Varrenti introduced Kelly McCracken, part-time police officer, to the Board, Department Heads and public. Mrs. McCracken, joined by family members, was then sworn in by Vice Mayor Castaneda.

1. Joe Richards was in attendance to present the plans for the 2008 Max's Mardi Gras Parade. The parade will be held on April 26, 2008 from 10:00-11:30 AM.

- Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried that parade/processional permit for the 2008 Max's Mardi Gras Parade be approved as submitted.

2. Robert Pauly and Lisa Johnson from The College at Brockport were in attendance to present the plans for the 2008 Homecoming Parade & 5K Race on October 4th and 5th, 2008.

- Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried that parade/processional permit and plans for The College at Brockport's Campus Life Homecoming and 5K race be approved as submitted.

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

Manager Coyle stated that he erroneously labeled the titles of Mr. Jim and Mrs. Joan Hamlin. This has been corrected. Trustee Castaneda noted corrections as follows: under #1B in her report, the wording she read "she would be writing a letter to" and not "she will ask" Assemblyman Reilich and Senator Maziarz; under #4 of her report, the wording should read "she spoke with someone from the BCSD Board of Education" not that she talked directly with Supt. Fallon; under # 5 of her report, the wording should be "On Friday, Feb 1st I met with the HS principal Dr. Gary Levandowski to discuss 3 possible joint ventures 1. The possibility of having a senior from their technology department work on an independent study to videotape our VB meetings. 2. The possibility of buying office supplies together to save money. Dr. Levandowski said they currently purchase office supplies through BOCES but that the cost of paper has increased and would like to pursue the possibility of purchasing paper together. He will be speaking with Rob Carges who handles this. I am hopeful that perhaps the Village, Town and School would be interested in this. 3. An initiative where we could work on a program to provide work experience skills to village students. I am just initially working on this and will provide the board with more information. I would like to thank Principal of HS Dr. Gary Levandowski for providing me with contacts and for listening to my suggestions. I would also like to thank Vice principal for helping me secure this meeting.

- Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried that the minutes of the meeting held February 4, 2008, be approved as amended.

PUBLIC COMMENT: None

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Supt. Donahue brought forth a letter of credit release in the amount of \$2,047.50 for the McCormick Place subdivision.

- Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried that the letter of credit reduction be approved as submitted.

2. Supt. Donahue requested permission to send four DPW/Water employees to Waterworks Training (Grade D Operator School) in Tonawanda, NY on 05/22-05/23. The cost is \$350/person and the training requirements are per DOH regulations. Funds are to come from the water fund training budget.
 - Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried that the training request be approved as submitted.
3. Supt. Donahue presented the engineering services proposal from Chatfield Engineers for the Clinton Street Sanitary Sewer work. This work was noted as being funded by the CDBG Grant the Village received in 2007. Work had to commence earlier than expected due to a manhole cover cave-in. Trustee Wagenhauser questioned the location of the project. Supt Donahue stated that the project encompasses an area from Utica St to Perry/Clinton and Perry to Erie St.
 - Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried that the engineering services proposal from Chatfield Engineers in the amount of \$12,400 for Clinton Street Sanitary Sewer replacement project (CDBG funded) be approved as submitted.
4. Supt Donahue requested authorization to move forward with a building capital expense for insulation at the truck bay/garage at the DPW compound. The labor will be in-house, saving thousands of dollars. He projects the return on the investment to be approximately five (5) years, through energy efficiency cost-reductions in RG&E bills. Trustee Castaneda inquired if this project was a NYSERDA energy audit recommendation. Supt Donahue replied that yes it was. Trustee Heyen asked for the project cost. Supt Donahue stated \$5,720. Trustee Heyen asked if the other bids were in-hand and available. Supt Donahue replied that yes, three bids were obtained and the lowest bid was selected.
 - Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried, that a building capital expense of \$5,720 be approved for the purchase of R25 insulation at the truck garage on the DPW compound. Said funds to come from Project #43- Building Capital.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Chief Varrenti discussed the availability of the Monroe County Sheriff's Office (MCSO) to respond to police calls in the Village. Below is verbatim report from Chief Varrenti per request of Trustee Castaneda and majority vote of the Village Board.

“The second item on the agenda is relative to the MCSO and response from them into the Village of Brockport should they be so requested. In order for the public and the people to know and those watching on the videotape to understand, there is a little bit of history involved. I ask then for a few minutes of your indulgence so I can explain this. Sometime ago, the Vice Mayor and I had a conversation relative to her requesting the MCSO to respond to a call in lieu of the Brockport Police Department. Through our conversations, I stated to the Vice Mayor that the Sheriff would not respond into the Brockport area, rather the Brockport Village, or into other areas where there was a local police department present. The Trustee, I'm sorry the Vice Mayor, subsequently had a conversation with the Sheriff and the Sheriff corrected my statement, stating that I misspoke, that the Sheriff will respond in any jurisdiction that requests them to do so. I wasn't aware of that. I've subsequently spoken to the Sheriff and I am not going to put words in the Sheriff's mouth but in essence and in sum and substance he stated that obviously anyone in Monroe County who pays taxes certainly has a right to request the MCSO and if so requested, they will respond. I have an issue with that not from a territorial standpoint but from a public safety standpoint. My issue was we are on the MCSO's channel. Now if somebody, like say the Vice Mayor or anybody else in Brockport requests the MCSO for a particular call we will hear that call in Brockport. Now using common sense we would think would prevail. Obviously if that were to happen and a MCSO's car is coming out of Hamlin for even a suspicious vehicle in a neighborhood and a Brockport police car is around the corner, we certainly, and I have an obligation to the community to make sure that we respond to that call as fast as possible. So we would hear that call so it really wouldn't be problematic in the Village of Brockport. But now let's take the Town of Irondequoit for an example. The Town uses their radio frequency and they share it with the Webster PD. If the MCSO's office was requested in the Town of Irondequoit and that sheriff is responding, the Irondequoit PD will never hear that response. So a car could literally be around the corner and never respond to that call for service. I have an issue with that and I raised it amongst the LEC which is the Law Enforcement Council and many of the other Chiefs had the same issue that I had with that, which is basically that if a person wants to have the MCSO let's say in place of the Brockport PD, and want to make a report, I don't have an issue with that. It's a democratic society, you do pay county taxes and if you so wish the MCSO over the Brockport PD, that's something that certainly you have a right to do as an individual. However, if that choice impedes or creates a risk to your neighborhood and/or your community then I have an issue with that and I have a greater responsibility to the entire community. Let's say hypothetically that somebody calls the Brockport PD about a suspicious car and they say I don't want the Brockport PD I want the MCSO and again let's say the MCSO is very busy and the call

been broken into, I'm going to be the one and rightly so, that answers to you as a public as to why that happened or how that happened. The MCSO will not be here to investigate. That's my responsibility as your Police Chief. Furthermore, any and all of those crimes will affect our uniform crime reporting. We are required to report crimes to the federal government and I pride myself on those part I crimes. When I got here six years ago we had 47 part I crimes in the Village of Brockport. The following year we had 46 and in the subsequent years we have had somewhere around 14, 15 and 16. So the crimes, the part I crimes, have dropped dramatically through a number of initiatives that we've been using here. If the caller is able to "cop-shop" as we call it among law enforcement agencies, the ultimate responsibility lies with that local police agency. My crime reporting is now affected by their response time. And because of that, and in talking with colleagues in the LEC what I have instituted here in Brockport, and I did this just last week, is simultaneous broadcasting. If somebody in the Village wants the MCSO, whether it be for a fight, for a domestic dispute or a suspicious car, you will get the MCSO but we will also be simultaneously dispatched so that we can properly assess the situation so that you will get the fastest, most efficient response time that I feel your tax dollars are paying towards. If once we get there and you choose to not to report your crime to us, then you can certainly elect to report it to the MCSO. But I felt it was important for me to make sure that if someone chooses to not use your local service that does not adversely affect the neighborhoods or the community that you reside in. And when I brought this up at the LEC, the Under sheriff was under the impression that if somebody in Penfield wants to use the State Police that the State Police would respond and unfortunately he was corrected at that open meeting by the State Police who basically told him that "no, we're not responding into somebody else's community that has local law enforcement." So while the Sheriff who certainly runs for election and with all due respect has to worry about running for election and votes and such like that, and he should I would if I was a Sheriff, he's going to respond. But the State Police, who don't worry about the political implications of certain things, they're not going to respond. So while I might be able to request a MCSO and they'll respond, you can request a State Police but they won't respond. No more will the FBI, the IRS, the Secret Service or any other law enforcement agency. That being said, there's now a policy in place, by me, that if and when any law enforcement agency is requested in the Village of Brockport, the Brockport PD will be simultaneously dispatched so we can assess the situation at hand. I guess my point, Vice Mayor, is two fold. One, to let you know that I was wrong that I misspoke that they will respond but two, they will not respond without us also responding. That's my policy and will remain my policy. And that's all I have this evening. "

Trustee Wagenhauser asked that a recent memo of Chief Varrenti's be placed into the minutes as part of the record. He stated that there are other issues which are touched on in the memo. Chief Varrenti asked which memo he meant, as he has written several. Trustee Wagenhauser replied that he meant the most recent one. No memo to be inserted.

- C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff
 - 1. CEO Zarnstorff stated that new Clerk Pamela Krahe has been a major asset to the Village, in particular his department. He stated that he is working on his final 2007 reports.
- D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut
 - 1. Calls for Service – Fire, 145 ; EMS, 260
 - 2. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: Cody Howe, Chris Ladue from Explorers the following adds: Chris LaDue, Eric Brown – Active Fire; Andrew Young from Mutual Aid to Active Fire and Matthew Traug to Fire & ambulance.
 - Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried to approve the aforementioned drops, adds and exempt certificates.
 - 3. Chief Rombaut presented a travel/training request to the Board for six (6) members of the Fire Police. This is an annual seminar, a "train the trainer" event that is slated for 03/28-03/29/08. The estimated cost is \$342.
 - Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried, that the Montour Falls fire police training/travel request be approved as submitted.
 - 4. Chief Rombaut presented a training/travel request to the Board for four (4) people to attend the FDIC Conference in Indianapolis, IN on April 6th-12th, 2008. Chief Rombaut stated that this is a full week of training events. He stated that we would take our own vehicles and the estimated cost of the entire trip is \$3,928.00. Trustee Wagenhauser asked if this was the BFD's big training event of the year. Chief Rombaut said yes, definitely. Trustee Heyen asked if this was a budgeted item. Chief Rombaut replied that yes it is.
 - Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried, that the FDIC

Conference training/travel request be approved as submitted.

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5. Chief Rombaut requested permission to declare surplus and put a 1999 Ford Explorer out to bid. This will be done through sealed bid and advertised in the local papers.

➤ Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried, that the 1999 Ford Explorer be declared surplus and sold via the competitive, sealed bid process.

E. VILLAGE MANAGER - Ian M. Coyle

1. Manager Coyle presented to the Board a Legislative Plan for approval. Trustee Heyen recommended that the minutes reflect the wording of the document. All agreed.

➤ Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried, that the Legislative Plan be approved as submitted. The plan is included below:

BUDGET PRIORITIES

- Bring Parity to AIM Funding Allocations

Funding Request: \$162,060 (total AIM funding)

With over eight-thousand residents, the Village of Brockport is by far the most populous village in Monroe County, yet lags behind some other villages in Aid and Incentives for Municipalities (AIM) funding. In Governor Spitzer's 2008 executive budget proposal, Brockport is slated to receive a 5% increase in AIM funding, to \$119,9652 or \$14.77 per capita. As the diagram below details, the next three most populous villages in the county receive more per capita than Brockport. We would support an increase of AIM funding to reflect Brockport's unique place in the county in terms of both population and percent of untaxable assessed value in our village. The above funding request represents an increase to \$20.00 per capita.

Village	Proposed AIM Funding	Population	Per Capita AIM Funding
Brockport	119,652	8,103	\$14.77
East Rochester	111,044	6,650	\$16.70
Fairport	152,086	5,740	\$26.50
Hilton	132,755	5,856	\$22.67

- Secure Multi-Modal #4 Funding for Vital Infrastructure Projects

Funding Request: \$200,000

These Department of Transportation funds would be used to support vital infrastructure projects on Village roadways. While the Village continues to utilize CHIPS funding for the curbing and resurfacing of streets, funding for comprehensive projects (combined-curbing, paving, drainage) is often lacking. These state grants will be used to fund the 2007 Fayette Street Restoration Project and planned comprehensive infrastructure projects on Candlewick Drive and Allen Street. The latter project, Allen Street, is of particular importance as it is adjacent to the Brockport Central School District grounds.

LEGISLATIVE PRIORITIES

- Support Passage of A01736/S03019A to Provide Funding for Local Governments for the Enforcement of the Uniform Fire Prevention and Building Code.

Local enforcement of the state code amounts to an unfunded mandate on municipal governments. This bill would help alleviate the costs incurred by code enforcement officers in regulating fire and building safety. Per the justification section of the Assembly version of the bill: "Until 1992, fire insurance fee money had been traditionally used to reimburse local governments for code enforcement expenses. In 1992, these funds were diverted to the general fund and state assistance for local code enforcement activities were eliminated. This elimination of funding has dealt a devastating blow to local code enforcement efforts and many programs across the state have been dismantled, putting the residents of New York State at risk."

- Support Legislation that Provides State Grants to State Highway Business Owners Adversely

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Many other states provide grants and financial assistance to local businesses affected by a state road reconstruction project. Unfortunately, New York is not one of these states. With the impending (Spring 2010) reconstruction of NYS Route 19 (Main Street) in the Village fast approaching, Village merchants are rightly concerned about the negative impact re-routed traffic and often impassable roads and sidewalks will have on their stores. Grants could be used to make improvements to the back of buildings for alternative means of entrance to stores; improve exteriors and facades; and support events and marketing efforts aimed at curbing the forecasted downturn in pedestrian and vehicular traffic.

- Support Legislation that would permit municipalities to impose service charges, impact fees or some other form of payment-in-lieu-of-taxes (PILOT) for state-level tax-exempt properties.

In 1971, a "service charge" law was enacted in New York but it was never implemented and later repealed. Other states have authorized their municipalities to impose similar charges on certain properties for certain services. Villages have the ability to institute user fees but are prohibited from doing so for some of the most costly services- including police protection.

2. Manager Coyle updated the Board on the status of the DOT communications and the Smith Street Bridge issue. He said that questions remain on the scheduling of the projects and that Chatfield representatives would be in attendance at the Board's workshop next week to go over scheduling. Manager Coyle stated that the draft schedule calls for the Smith St project to begin in June of 2009, and last approximately one year. The DOT reconstruction project will likely commence in April of 2010. Vice Mayor Castaneda stated that her understanding was that the DOT was to replace as much of the bridge as possible and the new correspondence states rehabilitate. She said this is a concern. Trustee Heyen commented that a contract will be forthcoming which will address the issues. Trustee Wagenhauser stated that he was at the meeting and urged the Board to remember that our consultant, who ran the regional DOT for years, recommended temporary closures and said annual costs will be negligible. He stated that the larger costs will be 25-30 years out.

F. CLERK - Leslie A. Morelli (excused)

VILLAGE BOARD REPORTS:

A. Trustee / Vice Mayor Maria C. Castañeda

1. Vice Mayor Castaneda stated that the most recent VAC meeting was canceled due to inclement weather. The next meeting is slated for 03/11/08 at 7 PM.
2. Vice Mayor Castaneda stated that on February 5, 2008 she met with Dean of Arts, Frank Short, and the chairs of Dance and Drama, to discuss cooperatively scheduling events. A suggestion was a joint Village of Brockport/SUNY sponsored dance event in the summer. Vice Mayor Castaneda thought the response was a bit unfavorable at this point but she commented that Mr. Short will be approaching the faculty and staff about a short play, reading or dance. She will report on this at a future meeting.
3. Vice Mayor Castaneda stated that on February 12, she met with Maria Maddaleno who is in charge of the Work Experience Program at the HS to discuss joint Village/HS Community project. The project will be called Step up Community Project. The mission of the STEP-UP Community Project is to provide the initial foundations to foster a partnership between young community members and the Village of Brockport. This will incorporate and combine the talents and skills of young members of this community and the rich resources the community has to offer. By empowering the young members of this community and providing opportunities for healthy choices, life long learning skills, civic responsibility and productivity, we encourage unification and strength which is vital for re energizing and providing growth of our community. We believe that meaningful roles, social commitment, and sense of ownership are the steps to unifying our youth and community. Goals include 1. Provide a foundation for a partnership between young comm. members and the Village of Brockport. 2. Empowerment of young community members. 3. Opportunity for young community members to take ownership of the comm. and recruit other comm. members to participate. 4. Improve productive citizenship 5. Increase knowledge, growth and development of the young community members by providing a responsible role to play within the community's decision making. 6. Partnership of young members and the community. Life Long Learning Skill/Workplace Skills are developed including: social skills, organizational skills, Responsibility, Public speaking, History of

hometown, Community involvement, Problem solving skills, and Civic responsibilities. Trustee Castaneda stated that the main goal is to get BHS students community service hours. Possible partnerships include the Library, Morgan Manning House, the Emily Knapp museum and/or the Senior Center. She stated that she would have more information at a future meeting.

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4. Vice Mayor Castaneda stated that a Main Street Reconstruction Committee (MSRC) was scheduled for 02/13/08 and that Trustee Maziarz cancelled the meeting. The next meeting is on 02/27/08 at 7 PM. The NYSDOT is slated to attend this meeting.
 5. Vice Mayor Castaneda reported that the Mayor was asked to write a letter seeking a MSRC member from the College and that Johnna M. Frosini was recommended by the President's Office to serve as a College representative.
 - Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried, that Johnna M. Frosini be appointed to the Main Street Reconstruction Committee.
 6. Vice Mayor Castaneda stated that she met with Doug Wolcott and Jackie Morris relative to the Emily L. Knapp Museum. She stated that they agreed to write a letter to our state representatives to invite them to tour the museum. She asked Supt Donahue to check on the window costs for the second floor and the number, \$8,946, was a little steeper than she originally estimated. She also reported that due to a generous donation, the museum is home to an antique fly rod, originally made in Brockport at a machine shop on Clinton Street. Vice Mayor Castaneda reported that Jackie Morris had a question relative to the stolen items from the museum theft sometime ago. There is a clock still missing. Chief Varrenti asked for a description of the clock which Jackie Morris kindly provided and Chief Varrenti replied that he will make an addendum to the report and check the evidence areas of the involved police agencies to see if the clock is held somewhere.
 7. Vice Mayor Castaneda thanked Sgt. Cuzzupoli for providing her with a thorough tour of the police department including the attic. She referenced this attic location as a possible resolution to the Village Hall records retention issue.
 8. Vice Mayor Castaneda stated that at the last meeting she brought up the idea of asking the BCSD for funding towards the crossing guards. She commented that she is happy to report that the BCSD has agreed to fund \$5K towards the crossing guard costs.
 9. Vice Mayor Castaneda reported that, per her 01-18-08 meeting with Special Projects Coordinator Bill Fletcher of Monroe County, she would like at the next workshop to discuss Village funding towards the signage for the upcoming auctions.
 10. Vice Mayor Castaneda mentioned a report from Manager Coyle that referenced a long-outstanding grant reimbursement for Harvester Park. She said she had several questions on this item, such as: Why is the grant outstanding? Was the funding booked as an accounts receivable? Why did it take five plus years to get reimbursement? Why did the project have cost overruns? Was money borrowed from the water fund to pay for the cost overruns? Manager Coyle stated that he would be happy to answer her questions. Vice Mayor Castaneda replied that she would appreciate the answers now. Manager Coyle stated the installation of the Bond Act sign, an unknown grant reimbursement requirement until this Fall, was a major factor in the delay of payment. He commented that saying it took five+ years was an erroneous statement as the project itself was not started until 2003 and finished at the end of 2005, early 2006. Grant reimbursement work was started then and we did receive some of the funding. The grant in question was written under the Thorpe administration to fund park improvements, including the formation of an amphitheater. He stated that the entire project, both Welcome Center and Park upgrades, was over budget and that the Project (#44) ran a deficit in this time but the money was not borrowed out of the water fund. He also stated that there was an accounts receivable entry booked.
- B. Trustee David J. Wagenhauser
1. Trustee Wagenhauser referenced the 2007 annual report from the Codes Office and highlighted the ten (10) new home building permits issued last year. There were four (4) such permits in 2006. Trustee Wagenhauser commented that the Village is nearly built out so this is a good sign. He stated that about half of the permits were c of o's and half were for the commencement of new builds. He stated that these have not all hit our assessment totals yet but when they all do, it is new tax money.
 2. Trustee Wagenhauser stated that we continue to receive positive feedback on the 3-11 Brockport Benchmarks program.

3. Trustee Wagenhauser reported that he met with Supt. Fallon last week relative to an interesting project that involves high schoolers and their vision for Brockport. He will report further on this project at a future meeting.

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4. Trustee Wagenhauser stated that while he has the utmost respect for the BCSD he had concerns about asking for the \$5K. for crossing guards. He is thankful for the funding and will not look a gift horse in the mouth but he feels that public safety is a local issue. He realizes that the \$5K is a drop of water in a bathtub in terms of its effect on tax rates but why should Hamlin and Sweden school district taxpayers pay for our kids on our sidewalks? He said in the end he is thankful that we could work together.

C. Trustee Hannelore G. Heyen

1. Trustee Heyen reported that a recent windstorm caused upwards of \$1000 in damages to the Utica Street playground equipment. New parts have been reordered.
2. Trustee Heyen referenced the corner wedge parcel at the intersection of Lyman and Fayette and asked that this ownership/maintenance issue between the Village and State be worked out prior to Arbor Day.
3. Trustee Heyen reported that at least three merchants have individually passed along thanks to her, for the work the DPW did in cleaning the brick areas on Main Street.
4. Trustee Heyen reported that the Seymour Library is a recent recipient of \$5K in grant funding for upgrades to their bathroom area.
5. Trustee Heyen reported that the Tree Board is sponsoring a talk/walk by Rick Lair on 02/23/08. The Tree Board has partnered with the GBDC on tree donations and sponsorships. The Tree Board will notify area residents in the Fayette St area of the upcoming tree planting. There will be a slight street closure. Trustee Heyen asked Manager Coyle to look into the Tree Code drafts that were completed sometime ago. This would be the final necessary component for the Village to receive Tree City USA status.
6. Trustee Heyen read a prepared statement of observations on the 01-28-08 workshop. "I think we all agree that America has become coarser than it was, ruder, less civil—that polite and respectful discussion of issues has often given way to yelling and profanity and even bullying. During the January 28, 2008 workshop meeting, I had my back to the audience. At future meetings, I will sit at the table corner if need be. It was behind my back that individuals ridiculed some of my remarks and at one time, a resident threw a water bottle to the floor and knocked over a chair in anger. This same person several meetings ago lost his temper and pounded our lectern as he was speaking. The woman next to him (on the 28th) said that next time it should be thrown at you (Trustee Maziarz). I will not participate in a public meeting, including budget workshops, where an individual disrupts a discussion by an outrageous display of anger...with potential harm. I said nothing personally to or about the resident. His behavior was unacceptable, and he has not apologized to the Village. I told Mayor Wexler that it is his duty to keep control of the meeting and its setting. The police chief is aware of the resident in question and his disruptive behavior and replied with the following: Trustee Heyen, Just as an FYI there is a law that prevents such behavior: New York State Penal Law Section

240.20-4 states: A person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof without lawful authority, he disturbs any lawful assembly or meeting of persons. The law is written in the "male" gender

but equally applies to females as well. Any board member or citizen at any meeting can have anyone who violates the above section arrested. In my professional opinion the behavior that occurred at the last workshop will continue until people are held accountable or in other words arrested. The statute of limitations for the aforementioned offense is 1 year meaning that anyone has 1 year from the time of offense to file charges against the perpetrator"

Vice Mayor Castaneda stated that she wished to respond to this statement, as the Mayor was not here. A citizen was upset and a water bottle was bounced off of a garbage can because the can was full. She stated that she heard no other comments. She commented that we as public officers become upset and she herself has heard foul language used by Board members leaving meetings and refusing to come back in. She stated that she is in agreement that we need to recognize potential dangers but she did not believe the actions noted were intentional towards Trustee Heyen. Trustee Heyen replied that she is

speaking for herself and that during the meeting in question she did turnaround and people were laughing. She commented that her statement stands by itself. She further commented that she has treated people fairly in her two years on the Board and has always said hello to people and has been gracious. She stated that there is no need for adults to act this way; it is the coarsening of America. She said the actions were both frightening and inappropriate. She stated that she wants good, productive work sessions and that the kind of behavior exhibited at the last work session is behavior that the Brockport community would not want. Trustee Castaneda replied that we need to expect good behavior of not just the audience by ourselves as well.

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PUBLIC COMMENT:

1. Linda Borraro commented on the last workshop. She stated that the Village Board is making a mountain out of a molehill. She stated that Trustee Maziarz looked at her and said, "I bet you would have liked to throw that bottle at me." Mrs. Borraro stated that she has a problem with Trustee Heyen's statement, as it is inaccurate. Trustee Heyen stated that she will scratch that out from the record but she tried to absorb as much as possible out of that night's meeting. Mrs. Borraro stated that she hoped the Village Board members will start waiting for the Mayor to actually call for motions. She said the Village Board should start showing more respect for one another before commenting on the behavior of others.

INTRODUCTION OF VILLAGE ATTORNEY:

Manager Coyle introduced David Mayer, present on behalf of Village Attorneys, Harris, Chesworth & O'Brien. Vice mayor Castaneda apologized for the lack of introduction. Attorney Mayer stated that the firm is happy to be on board and looks forward to working with the Mayor and Trustees.

AUDIT:

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

Fund	Date	Check Numbers	Amount
General Fund	02/20/08	176564-176656	\$140,315.66
Water Fund	02/20/08	1916-1928	\$51,303.62
Ambulance	02/20/08	1185-1193	\$7,020.86
Capital Projects	02/20/08	2189-2197	\$18,539.06
Fire Service	02/20/08	176541-176563	\$20,207.64

ADJOURNMENT:

- ➔ Trustee Heyen moved, Trustee Wagenhauser seconded, unanimously carried that the meeting be adjourned at 8:23 pm.

Ian M. Coyle, Village Manager