

Special 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 16, 2010 at 5:00pm.

PRESENT: Mayor M. Connie Castañeda, Trustee/Deputy Mayor Daniel P. Kuhn, Trustee Kent R. Blair, Trustee Carol L. Hannan, Trustee Scott W. Hunsinger, Clerk Leslie A. Morelli

EXCUSED: Treasurer Mary Beth Lovejoy, Police Chief Daniel P. Varrenti, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Fire Chief Scott Smith

ALSO PRESENT: Deputy Fire Chief Michael Henry, Assistant Fire Chief Don Marenus, Bernie LoBracco, Pam Ketchum, Pete Smith, Jim & Joan Hamlin, Mary Jo Nayman, Harold Mundy

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

Mayor Castañeda shared that the motion made and tabled August 10th by Trustee Hunsinger was referred to the Village Attorney for review.

EXECUTIVE SESSION:

→ At 5:02pm, Mayor Castañeda moved, Trustee Hunsinger seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss fire service contract negotiations and personnel matters involving Fire and EMS.

→ At 5:37pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the Board of Trustees re-enter the regular meeting.

→ Trustee Hunsinger moved, Trustee Blair seconded to adopt the following resolution:

In accordance with Section 11 of the Fire Protection Contract between the Village and the Clarkson Fire Protection District, and pursuant to Section 184(4) of the Town Law of the State of New York, the Village of Brockport hereby terminates said Fire Protection Contract. This termination will be effective at 11:59 P.M. on December 31, 2010. The Village Clerk is directed to notify the Town of Clarkson of this action, in writing, on or before August 20, 2010, by hand delivery to the Town Clerk's office, followed by United States Postal Service First Class Mail.

Unanimously Carried 5/0

→ Trustee Hunsinger moved, Trustee Blair seconded to adopt the following resolution:

In accordance with Section 11 of the Fire Protection Contract between the Village and the Sweden Fire Protection District, and pursuant to Section 184(4) of the Town Law of the State of New York, the Village of Brockport hereby terminates said Fire Protection Contract. This termination will be effective at 11:59 P.M. on December 31, 2010. The Village Clerk is directed to notify the Town of Sweden of this action, in writing, on or before August 20, 2010, by hand delivery to the Town Clerk's office, followed by United States Postal Service First Class Mail.

Unanimously Carried 5/0

Trustee Hunsinger reminded all that Clarkson Supervisor Kimball pointed out to the Village last year that it failed to take this step as required by Town Law. Trustee Hunsinger said he believes by taking this step it puts all on a level playing field in negotiating a fire service contract in the best interest of all 3 municipalities. Further, it solidifies that this is the Village of Brockport's Fire Department. He said the 2008 contract rates have been in effect for 2008, 2009, 2010. It's almost 2011. He said it's time to put how things have been done previously, whether right or wrong, in the past. This is a new era. The Village has made a commitment to keeping Sweden and Clarkson well informed and has invited them to be involved in large equipment purchases. Trustee Hunsinger said this looks at this as best for the residents of the Village of Brockport and of Clarkson and Sweden – to get the best fire protection possible in a fully funded manner.

Mayor Castañeda commented that she does have some concerns about the risks of canceling the contracts December 31st. The Village had a known amount coming in, even if they were 2008 rates. She expressed concern of the possibility of unsuccessful new contract negotiations. She said negotiations are underway and suggested the possibility of forming an advisory committee to look at future Fire Department expenditures. She said she looks forward to working with the towns in negotiating a contract.

Trustee Blair said the measure of cancelling the 2008 contracts is in the best interest of all 3 municipalities. He questioned why Clarkson would want to consider giving up a first class operation

like the Brockport Volunteer Fire Department. He suggested Clarkson taxpayers ask their Town Board that

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very question. He said this old contract matter has been hanging over everyone's heads. Out of respect to the volunteers it was important to get this resolved, move on, and let them do their work.

Mayor Castañeda concurred and said that moving on is now possible since the Village recently approved the settlement agreement on the surplus funds issue. Trustee Blair said the Towns want wording in new contracts that address surpluses and deficits. That is not possible per the New York State Comptroller's Office. Mayor Castañeda said Village officials are working very closely with the budget. A true accounting will be reflected. There should be no need for surplus or deficit language.

Deputy Mayor Kuhn said his concern had been if the Village was getting a better deal by keeping the 2008 contracts, but operating costs continue to increase and there are diminishing returns. By not voting to terminate the contracts and notify the Towns by August 20th, it would lock the Village into another year with the 2008 contracts. He said he is a proponent of working together. The Village needs to make a long term plan. He said he is here to represent the Village voters first and foremost and he believes they'd like to see finality to all of this. There is a need for a fresh start, as the last couple of years have been riddled with issues regarding the cost of fire protection. New contracts need to clearly spell out things such as local dispatch or not. If it comes back to finding that the 2008 rates work, great, but it is probably not likely.

Trustee Hannan said the termination of the 2008 contracts is a necessary step that will benefit the residents of the Village of Brockport as well as our friends and neighbors in Sweden and Clarkson.

ADJOURNMENT:

→ At 5:45pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk