

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, June 19, 2006 at 7:00pm.

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

EXCUSED:

ALSO PRESENT: Fire Chief Laurence C. Vaughan, Robbi Hess (Suburban News), Jim Cannon, Ray & Ute Duncan, Alicia Fink, Gary & Lori Skoog, Hanny Heyen, Jim & Joan Hamlin, Doug & Dianne Hickerson, Kathy Snyder, James Sutton, Peter Randazzo, Ray & Jackie Morris, Vincent Stalteri, LouAnne Ioannone-Barber, Joanne Marcello, Kate Vineyard, Nate LaFrance, Kate Pike, Mary Ann Rogers, Cindy DeFelice, Norm GianCursio, Harry & Deanna Shifton, Linda Borrayo, Diane Lamonica, Nancy Washer, John Bush, Fred Webster, Merv Beaney, Rich Miller, Benton Hart, Judy Zarenda

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

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the regular meeting held May 15, 2006 and the workshop meetings held May 22, 2006 and June 12, 2006.

- ➔ Trustee Castañeda, Trustee Maziarz seconded, unanimously carried that the minutes of the regular meeting held May 15, 2006, be approved as written.
- ➔ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the minutes of the workshop meeting held May 22, 2006, be approved as written.
- ➔ Trustee Castañeda moved, Mayor Wexler seconded, Trustee Wagenhauser abstained due to absence, carried that the minutes of the workshop meeting held June 12, 2006, be approved as amended.

Trustee Nayman clarified that the funding obtained through the efforts of Pat Kutz was for the cost of watering the flower baskets on Main Street on the weekends, not for the flowers themselves. She commended P. Kutz, B. Andrews and the merchants that donated money for the watering.

PUBLIC INFORMATION MEETINGS: None

CERTIFICATE OF SPECIAL RECOGNITION:

Mayor Wexler presented Brockport High School Wrestling Coach Jim Cannon with a certificate of recognition:

Certificate of Special Recognition
Presented to

Brockport High School
Wrestling Team

For exemplary efforts in painting and refurbishing
the home of Mrs. Beatrice DeRuyscher on the
corner of Park Avenue and Main Street
in the Village of Brockport

The Village Board of the Village of Brockport
is pleased and proud of your commitment and service
to the Brockport community

With gratitude from your Village government.

Trustee Castañeda said this wonderful effort was brought up at the recent Village Advisory Committee. She thanked Coach Cannon and his team for their volunteerism.

PUBLIC COMMENT:

1. Ray Duncan of 23 Brook Terrace kidded that he got excited thinking a certificate of recognition might be going to the Walk Bike Brockport Action Group, but did not think so due to the recent letters to the Editor and campaign materials circulated by one candidate for Trustee in the upcoming Village election. He said the group has been dragged through the coals and characterized as a special interest group. It has been compared to an octopus with tentacles, trying to take over Village government. He said he can't imagine taking over Mayor Wexler or the Board of Trustees. He said they have been falsely credited with spending taxpayer money and single handedly building the Welcome Center.

Mayor Wexler asked if he had a question or statement for the Board and said this is not going to be a deposition or inquisition. Each person has 3 minutes under public comment. R. Duncan said he is trying to make a statement and distributed a report to the Board. He said he has been in the greater Brockport area since 1968, taught at SUNY College at Brockport, and has lived in the Village for the past 12 years. He is a founding member of the 3-year-old Walk Bike Brockport Action Group. R. Duncan distributed a report to the Board and reviewed it. He said the Board of Trustees voted to approve the Walk Bike volunteer community organization as an officially recognized volunteer group on June 20, 2005. It is not a "special interest group" because special interest groups are private groups. It is a public community organization. The Village's official website lists the Walk Bike group as part of its community links. It is listed #2 right behind Brockport area churches. His notes of the Walk Bike report to the new Mayor and Board on September 26, 2005 indicate what this community organization of volunteers has given to the Village.

R. Duncan said this report is part of their honest and open and publicly recognized place among other community volunteers. The Walk Bike 6-page report to the new Mayor and Board distributed with their verbal presentation on September 26, 2005 is in the official public record. This report was made during a Village Board workshop. Mayor Wexler and the Trustees said publicly that they welcomed this report. After their presentation, the Mayor and Trustees congratulated them on their community volunteer efforts. They told them they are a credit to the community and they were proud that Walk Bike was a part of the greater Brockport volunteer organizations. Nowhere in the public record is there any remote suggestion or evidence that Walk Bike is a "special interest group" or that it is responsible for building the Welcome Center.

R. Duncan said the goal of Walk Bike is to promote walking and biking to improve the health of residents. The group consists of various members of the greater Brockport community including physicians, pharmacists, teachers and the like. This effort is going on across America as can be evidenced by the PBS show Walking America hosted by Mark Fenton, son of Richard and Joan Fenton of Sweden. Walk Bike is a not for profit, non-partisan, non-political group. It does not sponsor candidates for office or take political positions. In its report to the Board last September R. Duncan shared all they had done so far which include safety poster contests and raising \$22,000 for benches and the Howdee sculpture. They have since done the walk to work week and other projects. The Village Board commended them for their work. Now they are wrongly labeled.

R. Duncan said the Walk Bike group did not cause the building of the Welcome Center. The Mayor and Trustees at the time voted to do so. Former Mayor Thorpe endorsed plans for an amphitheater, but former Mayor Matela changed that idea the Welcome Center. Boaters, walkers and bikers all like the Welcome Center. It is also revenue raising since those folks spend money in the Village while they are here. Canal Revitalization efforts were in the mill for a long time, beginning with Mayor Thorpe. The crumbling canal wall was repaired through NYS Canal Corporation.

In conclusion, R. Duncan said the members of the committee put in a lot of time and effort. Their projects take work and coordination. This committee is a model nationally. He asked that the group not be vilified. He said he could care less who people vote for, but the group should be recognized for its good works. He asked that everyone keep their heads straight. The facts are the facts.

2. Alicia Fink said she speaks for herself and Helen Smagorinsky from the Arts and Aesthetics sub committee of the Walk Bike Brockport Action Group. Helen could not be here tonight. She said they are troubled by the negative and untrue statements regarding Walk Bike recently. She said she wished to point out their accomplishments. So far they have given 4 major gifts to the Village. One is the sitting pretty bench program of 19 benches at almost \$1,000 each paid by members of the greater community, many as a memorial to loved ones. Another is the Howdee sculpture on the canal near the Welcome Center. A. Fink said a sculpture had been planned long ago. Bill Andrews and Bill Stewart had applied for grant funding with no success. Then Walk Bike held the Stone Soup auction and raised \$12,000 of which \$10,000 was needed for materials. Artist Bill Stewart and contractor Jeff Jubenville donated their time. There was very little cost to the Village for a bit of DPW assistance. Certainly not the \$10,000 cited in articles. Another was the gateway billboard into the Village. H. Smagorinsky did a painting of life on the canal and prints were sold to get it onto the billboard. People contributed their time, money and materials at no cost to the Village. The next project is a sculpture by local artist Jennifer Hecker for Remembrance Park on Park Avenue. She said on Tuesday mornings you would find volunteers reconfiguring the stone and flower garden for the sculpture. This is at little or no cost to the Village. She said all projects were well publicized and approved by the Village Board.

A. Fink said the Village Board should disseminate correct information. Walk Bike is not political, has not spent Village funds and did not build the Welcome Center. However, she pointed out that the Welcome Center has proven to be an asset to the community. They are an active group involved in

many things. The personal involvements of members do not mean that Walk Bike as a whole is involved. She said after the dedication of "Howdee", they were delighted to receive congratulations from the Mayor. They share a common goal for a better and more attractive hometown.

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3. Lori Skoog of Lake Road said she is a member of Walk Bike Brockport Action Group and the Arts & Aesthetics sub committee. She shared that she has recently started a project called "Art Walks on Water", has attended 3 canal conferences and spoke at one – always promoting Brockport. She said the project entails getting a piece of art at every port of the Erie Canal that stretches 524 miles. It will be the longest art gallery in the world. She distributed a letter to the Mayor and Board and read it publicly.

"Dear Mayor Wexler and Village Board Members:

I am concerned about the misinformation that was recently published in the Brockport Post and other local newspapers regarding the Walk Bike Brockport Action Group. I am hoping that with your help the record will be set straight.

It is disappointing that some local residents have negatively targeted an all-volunteer organization. Most communities would embrace volunteerism.

I hope the Board will confirm to the public that the resources WB has delivered to the Village have been at minimal or no cost. To the best of my knowledge, no one on WB or its subcommittees has said that working on the infrastructure is not important. We recognize the importance of safe streets and sidewalks. Without them you can't walk or bike!

It should be noted that there are many people who choose a community based on its amenities. Enrichment broadens an individual's character through exposure to the arts and other recreational enhancements that are offered by a group such as WB. We are trying to do things that set the community apart from others. It is ironic that walking and biking tours, poster contests, gateway billboards, benches and the promotion of health are viewed as negatives. Who can criticize a program for school children that encourages physical fitness and good health through a Walk to School Program? There is much more being brought to this community than art installations...and as I recall, we have had to get the approval of the Board to do so.

I have known Mayor Wexler for nearly 40 years. During that period of time I have admired his tenacity as he went door to door looking for the concerns of residents in the Town of Sweden and the Village of Brockport. When he became Mayor, the Art & Aesthetics Committee made an effort to keep him and the Board informed of local projects. He has congratulated us for some of our accomplishments. Our goal is to work with the local government to make our community a better place to live. In the past three years we have added nearly \$100,000 in assets to the Village of Brockport. I ask that you publish accurate information so that taxpayers will understand that their money is not being squandered on community projects. Furthermore, residents must recognize that WB is an official committee of the Village of Brockport and is answerable to the Board. Board members have been fully aware of any capital improvements such as benches and art installations and have the responsibility to oversee and sign off on such things. WB cannot direct the DPW to do any work without Board approval.

I enjoy the work I am doing with the Art & Aesthetic committee and have a deep respect for the countless volunteer hours that WB committee members have donated to the Village of Brockport. Again, I ask that you assist WB in setting the record straight regarding programs, capital enhancements, revenues and expenditures."

7:30pm - PUBLIC HEARING: To terminate Village's status as an assessing unit for Village real property tax purposes.

Clerk Morelli read the legal notice and full text of the proposed local law.

**Village of Brockport
Legal Notice**

Please take notice that the Board of Trustees of the Village of Brockport will hold a Public Hearing at 7:30pm on Monday, June 19th, 2006, in the Conference Room of the Village Hall, 49 State Street, Brockport, New York to consider a proposed Local Law of 2006 as follows:

To terminate the Village of Brockport's status as an assessing unit for village real property tax purposes.

Full text is available for review at the Village Clerk's Office. All interested parties will be given the opportunity to be heard.

**Village of Brockport
Proposed Local Law #1 of 2006
Per Real Property Tax Law, §1402 (3)**

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A local law relating to the termination of a Village's status as an assessing unit for Village real property tax purposes.

Section 1. Legislative intent. The intent of the Board of Trustees of the Village of Brockport is to implement section 1402 (3) of the Real Property Tax Law providing for the voluntary termination of the Village's status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor (or Board of Assessors) and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Brockport.

Section 2. On or after the effective date of this local law, the Village of Brockport shall cease to be an assessing unit.

Section 3. The position of Assessor in the Village of Brockport is hereby abolished.

Section 4. The Board of Assessment Review in the Village of Brockport is hereby abolished.

Section 5. On or after the effective date of this local law, taxes in the Village of Brockport shall be levied on a copy of the applicable part of the assessment roll of the Town of Sweden with the taxable status date of such Town controlling for Village purposes.

Section 6. Within five days of the effective date of this local law, the Board of Trustees of the Village of Brockport shall file a copy of such local law with the Clerk and Assessor (or Board of Assessors) of the Town of Sweden and with the State Board of Real Property Services.

Section 7. This local law shall take effect immediately upon filing with the Secretary of State, provided, however, that such local law is subject to a permissive referendum and the Village Clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition.

[Note: Villages which operate pursuant to special charter should also include a section or sections to amend the provisions of their charter to conform it to the intent of this local law.]

Trustee Castaneda moved, Trustee Nayman seconded, unanimously carried to close the regular meeting and open the public hearing at 7:34pm.

Mayor Wexler invited the public to comment.

1. Raymond Duncan of 23 Brook Terrace asked what the Village believes are the pros and cons of doing this and who currently does the assessing in the Village.

Mayor Wexler said as it is currently the Village takes 95 to 98% of the assessments from the Town of Sweden's assessment roll. The Village makes very few exceptions. Manager Coyle said this year there was approximately \$100,000 total difference in assessment, which computed to \$950. He said the pros would include the instances of lawsuits, particularly with utility companies, in which the Village, Town and School District are sued. The Town provides the legal representation and the Village pays its share, and less paperwork for the Village staff, one less place for applicants to provide paperwork, consolidation of services, and the Village saving a small amount of money. The cons might include the Village giving up a bit of autonomy. However, since the Village already accepts most of the Town roll, there is very little difference. Scott Zarnstorff holds the title of Assessor, but it is a very tiny portion of his duties. Mayor Wexler said what the Village is proposing is how it is done in most Towns and Villages in Monroe County. Trustee Castaneda said the Village would not be responsible to defend itself in assessment lawsuits.

2. An unidentified person asked if this would affect code enforcement whatsoever. Mayor Wexler said no – strictly assessing.
3. Joanne Marcello asked if the current Village Assessor is certified, has gone to school and the cost. Manager Coyle said the Village Assessor is not certified and is not required to be.
4. John Bush of 157 Barry Street said he thinks this is a good idea. He said he thinks it moves us closer to consolidation and gets rid of a duplication of services. He also said many times rather than raise the tax rate, assessments are raised. It will be easier for residents to grieve their

assessment with only one municipality.

5. Rich Miller of State Street said he has served on the Town of Sweden Assessment Board of Review for over 10 years and thinks this is a great idea. Sweden's Assessment is very accurate. This will free up some resources for the Village. Mary Ann Rogers of Perry Street commented that R. Miller does not live in the Village. R. Miller said he lives on Hollybrook Road in the Town of Sweden.

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Mayor Wexler thanked everyone for their comments.

Trustee Castaneda moved, Trustee Nayman seconded, unanimously carried to close the public hearing and resume the regular meeting at 7:54pm.

PUBLIC COMMENT continued:

4. Vincent Stalteri – Hawking & Peddling concession cart – V. Stalteri submitted an application to have a concession cart on the Village sidewalk in front of Sagawa Park year round from 7am to 9pm daily. The Board reviewed the application at their last workshop and asked him to modify the location (other than Sagawa Park), fewer hours of operation, and seasonal as opposed to year round. He said he still wants that location, but modified the application to 53 hours per week (varying between 9am and 8pm) from May 1st to November 30th including events.

Mayor Wexler shared that Mrs. Sagawa recently donated this park to the Village and that he does not believe her intention would be to sell food by a concession cart there. He said he has problems with the application since there are merchants who pay rent and taxes with storefronts. V. Stalteri said it would cost a lot of money to open a storefront. He is trying to start out as a small business. He said he surveyed many people at Sagawa Park last year and most thought a concession cart there would be a good idea. Trustee Maziarz said he would be operating a private business on

public property. She stated that it is not an appropriate use of that park. She said the Board has granted permits in the past for concession carts, but not in its parks. Trustee Wagenhauser said the last permit holder was located on the Village sidewalk in front of the Post Office. Before that, a concession cart was further down Clinton Street. These permit holders operated at nighttime 3 or 4 nights per week 10pm to 3am and drew the "bar" crowd.

V. Stalteri said he would not be IN the park, but on the sidewalk (brick pavers) in front of it. Trustee Wagenhauser asked the size of the cart. V. Stalteri said it would be 10 feet long. He said he does not have the cart yet. It will cost \$15,000 and he was waiting for approval before ordering it.

Trustee Nayman said the Village permit would cost him \$250 for 6 months.

Trustee Maziarz said it is not likely he would be able to operate there during the annual Arts Festival unless he rents a space through the promoter. She said BISCO uses every bit of space in that area for the annual festival.

Trustee Wagenhauser said he echoes the Mayor's concern regarding not being fair to existing businesses. He said most businesses start out small, but do so with a regular location. He said it would be similar to someone wishing to sell bicycles on the Village sidewalk without having to open a storefront. Trustee Wagenhauser encouraged the applicant to apply the money the cart would cost to opening a storefront.

Trustee Maziarz said there is currently no one holding a permit for the nighttime hours previously mentioned. She asked the applicant if he would be interested in those hours and that location. V. Stalteri said no and chastised the Village for not supporting small business.

Application denied as presented.

5. Mary Ann Rogers of Perry Street expressed concern over NYSDOT closing the Smith Street Bridge and asked for an update. Mayor Wexler said he met with NYSDOT representatives at a merchants meeting this morning and this was discussed. There were many problems with the bridge that warranted the closure to vehicle traffic. It is still open to pedestrians. He said fire trucks and school buses have not used it for some time. He said the NYSDOT might be willing to undertake the repairs and reconstruction in 2007, 2008 or 2009 if they can then turn over responsibility to the Village. They feel that since we have the Main Street Bridge and the Park Avenue bridge and Redman Road within a short distance of each other, that there are other means of getting around. The repairs would last 50 to 75 years.

M.A. Rogers said she would think the state has an obligation and asked if the Village is willing to take this responsibility. Trustee Maziarz said she believes that a study should be done on this as to the resources and engineering needed, the pros and cons. She said we really need to know what is involved with taking it over and involve the public.

M.A. Rogers said canal revitalization efforts are wonderful, but the area of Clinton Street and Smith Street is in disrepair. She said she grew up in the area and has spent 58 years in her house. She said she knows it needs fixing up, and does not want the Smith Street Bridge to remain closed. She expressed concern of kids congregating under and on the bridge and does not want to see anyone hurt or the burden of monitoring the situation placed on the police department. She said it is a heavily used bridge, particularly when there are events downtown that block Main Street. She offered to write to state officials if it would help.

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6. Cindy DeFelice of Erie Street reminded the Board that she appeared before them at this time last year and received approval to hang artful banners of her students through NYSSVA on Main Street during July. It is the school's 30th anniversary and 7th year at SUNY Brockport. Trustee Wagenhauser asked if they would be the same works as last year, or new ones. C. DeFelice said new ones. Trustee Maziarz asked if they would still be the downtown landscape theme. C. DeFelice said yes. Trustee Nayman asked if the Board could preview them before hanging. C. DeFelice said yes. C. DeFelice said she would coordinate with DPW Superintendent Donahue.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to approve the hanging of the artful banners during the first half of July.

7. Judy Zarenda of South Avenue said she is fairly new to South Avenue. Her other home is in Deerfield Beach, Florida. She said she is often asked why Brockport and finds negative writings in the local papers disturbing. She listed off many of the reasons she loves Brockport: the dynamite welcome sign, the Morgan Manning House, the Strand Theater, the charming downtown stores and restaurants, the loners bin at Java Junction, the French toast at Coleen's Café, SUNY, sidewalks everywhere, many gardens, Lift Bridge Book Shop, the benches and flowers on Main Street, the Farmer's Market, the Welcome Center and its greeters, the sculpture with the big blue hand, and the generous, helpful, friendly people.

8. Benton Hart of Adams Street said he is a longtime resident and is just back from overseas. He owns and operates a family run business called Classic Adventures that takes tourists overseas. They have designed a new trip on the Erie Canal and had national and international tourists spend 2 nights in the Village of Brockport. He said he wanted to let Village officials know that the stop in Brockport was better received than anywhere else on the Canal. He said he could not operate tours in the area without the development of the canal front. He said Brockport's efforts are so much superior to the blacktop in the city.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. National Grid resolution for streetlight – intersection of East Avenue and McCormick Lane –

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried that National Grid is hereby authorized and directed to do the following work in the Village of Brockport, CSS Reference No. 67738-78109: install one 150 whps lamp and luminaire on the southwest corner of East Avenue and McCormick Lane at an estimated annual cost of \$135.

2. Village Clock Tower – Trustee Castañeda shared that she spoke with former Mayor Stull recently and he was very excited to see work progressing on the Village Clock Tower. H. Donahue said the hands should be installed on Friday.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service – Chief Varrenti reported 5,853 calls for service year to date. He shared that there was a car and foot and K-9 chase today of 2 burglars that began in Parma and ended up on Sweden Walker Road. It resulted in 2 arrests. Chief Varrenti thanked Chief Vaughan for the water for the hot and dehydrated officers.

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

1. 7 Hillcrest Parkway – Trustee Castañeda mentioned that this residence is having drainage problems and has been waiting several weeks for a response. I. Coyle said H. Donahue and S. Zarnstorff have both been on the site and are monitoring the situation to determine a course of action.
2. High grass – Trustee Castañeda mentioned that the grass next door to M.A. Rogers on Perry Street is awfully long. S. Zarnstorff will address this.
3. 7 – 11 North Main Street – S. Zarnstorff updated the Board that a notice went to the property owner. The high grass and weeds have been abated. Regarding the other exterior maintenance issues, the owner feels he has complied since he inherited it as it is. S.

Zarnstorff said he and Deputy Village Attorney Aloï are working on a response. Fire Chief Vaughan said the owner offered it to the Fire Department for burn drills and they flatly refused.

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

1. Membership Adds/Drops/Transfers – Chief Vaughan asked the Board to consider approving the following drops: Jason Amedick, Claude Carson (deceased) and the following adds:
Shawn Butler of Clarkson to fire company 3, Joshua Kovacs of the Village to fire company 5,
Charles Lester of the Village to ambulance and fire company 5.

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

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2. Call Load – 381 fire incidents year to date and 793 EMS calls year to date for a total of 1,174 calls year to date averaging 6.9 calls per day.
3. 42 High Street – Chief Vaughan said the house fire at 42 High Street was a near miss. Five people escaping out windows onto rooftops, with on falling. They were very lucky. He thanked everyone who helped out, especially Police Sgt. Mark Philippy and Officer Steve Mesiti for their first on scene efforts.

Mayor Wexler thanked S. Zarnstorff for the call. He said Chief Vaughan would like to acknowledge the Police Department involvement and will do so at the August 1st National Night Out.

Chief Varrenti said Chief Vaughan is a very humble man. He said there is no greater volunteer commitment than that of a volunteer firefighter. They respond in the middle of the night in any weather, in dangerous conditions when the rest of us are sound asleep. You make your own luck with the right training, equipment and a local police department that provides a 60 second or less response time. Chief Varrenti congratulated the Brockport Fire Department.

4. Consolidation – Chief Vaughan said consolidation was approved by the five companies and supported by the ambulance corps. Each board member has received a full report from the fire department on where they need to go at this time. They are hoping to meet the tentative time lines, with Thursday, September 21st as the start up date. A seamless transition is hoped for.
5. FEMA/Homeland Security Grant – Chief Vaughan distributed a packet explaining the recent good news on a \$54,652 FEMA/Homeland Security Grant for a portable/transportable radio inter-operational unit. They were pleasantly surprised to receive preliminary news this past Wednesday from senator Shumer’s office and it was the buzz word at the NYS Fire Chief’s conference this past weekend when the word made it out of the various websites. He said it all came together in less than 24 hours when Congressman Reynolds was able to make a formal presentation this past Saturday. There is no cost to the Village. This unit should improve fire fighter safety when we work with either or both Genesee and Orleans counties!!
6. Vehicle Maintenance Issues – Chief Vaughan reported that their recent rash of vehicle maintenance issues seems to have ended. With the exception of the investigation of some needed work on Reserve 235, all front line vehicles are up and running normally.

E. TREASURER / VILLAGE MANAGER - Ian M. Coyle

1. Employee Handbook – double buyout offer – incentive to not take medical and dental – Manager Coyle reminded the Board of their previous discussions at budget time about increasing the buy out for employees who do not take their medical and dental insurance through the Village. Trustee Nayman asked if this would be retroactive. Manager Coyle said no. Clerk Morelli asked if the buy out was being extended to retirees. Manager Coyle and the Board said no.

The wording of paragraph 2 of Section 807 of the employee handbook would read:

Amount of Buy-out – An employee who is eligible for and elects the medical insurance buy-out will receive the following paid on a monthly basis (twelve equal payments):

Coverage Eligibility	Annual Payment	Monthly Payment
If eligible for family coverage	\$3,000	\$250
If eligible for single coverage	\$1,320	\$110

The wording of paragraph 2 of Section 810 of the employee handbook would read:

Amount of Buy-out – An employee who is eligible for and elects the dental insurance buy-out will receive the following paid on a monthly basis (twelve equal payments):

Coverage Eligibility	Annual Payment	Monthly Payment
If eligible for family coverage	\$480	\$40
If eligible for single coverage	\$144	\$12

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to adopt the above change for the employee handbook.

2. National Grid Tree Cost Reimbursement Application resolution –

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that Ian M. Coyle, as Village 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 **MINUTES OF MEETING HELD June 19, 2006 continued.....page 8**

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.

3. Summer Serenades – sponsorship report – Manager Coyle reported that so far 7 vendors have contributed to the Village’s Summer Serenades series totaling \$1,800. Three more have made verbal commitments with a total of \$2,150 anticipated.

4. Police Car(s) purchase – Manager Coyle referred to his recent memo to the Board regarding the purchase of 2 police vehicles that have been budgeted for.

Trustee Castaneda said she does not recall this being discussed at a workshop. Manager Coyle said it was discussed at budget time as a capital item. Trustee Castaneda said she knows there is a 75,000 mile provision in the Stetson Club contract, but suggested the purchase be held off to see if that provision can be negotiated in the next contract. Chief Varrenti commented that the current contract is good for another year and one vehicle is already over the 75,000 mile provision and the other is at 68,000 miles. He reminded the Board that even though 75,000 miles might not sound like a lot, it is double that in idle miles so there is quite a bit of wear and tear on police vehicles.

Trustee Maziarz said three vehicles were discussed. One for the 2005-2006 budget and two for the 2006-2007 budget.

Trustee Castaneda asked how many cars are in the police fleet. Chief Varrenti said 4 marked, 1 unmarked and 1 Chief’s car. This is one less marked car than previously. Chief Varrenti said he also accepted the less expensive Chevrolet Impala than the preferred Ford Crown Victoria for his car since it is not used for road patrol. Trustee Castaneda asked if all cars are out at all times. Chief Varrenti said they often are on weekend nights.

Trustee Wagenhauser asked Chief Varrenti to remind everyone why police cars are kept running while on calls. Chief Varrenti said there is a huge electronic draw on police cars due to needing power to radios, mdt’s (mobile data terminals), lights, etc. It is not like the power drawn on personal cars.

Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Nayman in favor, Trustee Castaneda opposed, Carried to approve the purchase of 2 new police vehicles as budgeted for.

5. Insurance Coverage – Manager Coyle reminded the Board that it was a bid year for insurance carriers. He asked the Board to accept the low bidder Arrowhead. The cost for 6/1/06 to 5/31/07 is \$110,000 with better coverage compared to last year’s \$140,000.

Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to accept the new insurance carrier (Arrowhead).

F. CLERK - Leslie A. Morelli

1. Add Ian Coyle to Welcome Center Management Committee – Clerk Morelli asked for authorization to add Ian Coyle to the 5 member Welcome Center Management Committee. The Board accepted the resignation of Scott Winner from the committee recently. Trustee Castañeda asked what his duties would be. Manager Coyle said he is not yet sure, but it makes sense since he gets the weekday phone calls from the greeters with questions or problems and deposits the money.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to appoint Village Manager Ian M. Coyle to the Welcome Center Management Committee.

2. Adds To Welcome Center Greeters –

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to appoint Lesli

Blanchard, Joel Kutz, and Rick Nicholson to the Welcome Center Greeter Program.

3. Alan Way – Clerk Morelli read the following: To Mayor Wexler and the Brockport Village Board:
I want to thank you for the very beautiful Certificate of Special Recognition presented to me by Mary Jo Nayman on May 6th at my retirement testimonial dinner as President of the Monroe County Volunteer Firemen’s Association. Again thank you. Alan C. Way.

G. ATTORNEY – / DEPUTY ATTORNEY – Frank A. Aloï

SUPPORT BOARDS REPORTS:

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

MINUTES OF MEETING HELD June 19, 2006 continued.....page 9

VILLAGE BOARD REPORTS:

- A. Trustee/Vice Mayor Maziarz
 - 1. Canal Review Committee – Trustee Maziarz said the resurrected Canal Revitalization Committee met June 14th and is reviewing the Canal Master Plan of 1998. They hope to update it and submit it for adoption into the Sweden/Brockport Comprehensive Plan within a year. Trustee Castaneda said committee attendance was light, but should be full by September.
 - 2. Canal Splash – Trustee Maziarz shared that the New York State Canal Corporation is planning a Canal Splash event for August 12 and 13. This is a coordinated series of locally organized events to promote the canal way trail with a statewide media campaign. This fits in well with the annual Arts Festival.
 - 3. NYS Canal Meeting – Trustee Maziarz reported that she went to a meeting on June 8th in Baldwinsville regarding the proposed legislation to separate the Canal Corporation from the Thruway Authority.
 - 4. Promotional Cruise – Trustee Maziarz reported that she went on a Midlakes promotional cruise from Macedon to Brockport on June 9th. It was well attended with 60 participants introducing each community. Bill Andrews jumped on board and gave a very entertaining narrative about Brockport. He is very enthusiastic and credits Brockport for just about everything.
 - 5. Farmer’s Market – Trustee Maziarz reported that the Farmer’s Market kicked off yesterday and will run through October every Sunday from 8am to 2pm on Market Street. She said they are part of the Pride of New York branding campaign in which New York state goods and products are labeled as being made in New York (similar to the Made in the USA campaign). The campaign has partnered with NBC network that has provided discounted commercial rates. Both local senators have agreed to participate.
 - 6. Walk Bike Brockport Action Group – Trustee Maziarz expressed dismay and disappointment over recent local newspaper ads and letters regarding the Walk Bike Brockport Action Group. She said these committee members have contributed their time, energy and money for the betterment of the community. She said the committee is comprised of residents of Brockport, Clarkson and Sweden, but so far all of their projects have benefited the Village. Trustee Maziarz said it hurts to know that she is associated with Village Board members who condemn this group. She said the fact is that we live in the greater Brockport area. Like the Brockport Fire Department and the Brockport Central School District they service more than just the Village of Brockport. Membership on the WBBAG does not have to be exclusively Village residents. Similarly, members of the Welcome Center Greeter Program, Scouts, Morgan Manning, Explorer Groups, Kiwanis, Lions, Rotary, BISCO and so on are made up of residents of the greater community. She said the Village has an obligation to support their volunteer efforts because they save the Village money and better our community. Trustee Maziarz said it has been very emotional to watch this group get punched in the face. It is not done to any other volunteer group. She implored the Village Board members involved to denounce their recent writings.
- B. Trustee Castañeda
 - 1. Village Advisory Committee – Trustee Castaneda shared that several topics came up at the June 13th meeting. She thanked I. Coyle, D. Varrenti and H. Donahue for their quick responses. They included:
 - a. Welcome packet – Doug Wolcott and Marilyn Colby suggested a welcome packet for new residents. The Good Neighbor Committee began working on this a while back. According to Chris Florence of SUNY, it is almost finished. Members of the Village Advisory Committee could possibly help with the delivery. They could also be available at the Village Hall, Town Hall and Welcome Center.
 - b. Hillcrest Parkway drainage problem – addressed earlier.

- c. Flag Banners over Memorial Day weekend – There was concern that the flag banners were not up on Main Street over Memorial Day weekend and hopes that they would be up for the 4th of July. H. Donahue said they have so many banner changes throughout the year. The Board just approved the SUNY art banners during that time, but he can alternate the flag banners with the art banners.
- d. Suburban Disposal – There was concern that some of these trucks drive awfully fast.
- e. The Port – Encouragement to support this new restaurant at 1 Main Street.
- f. Condition of certain streets was discussed.
- g. Playground equipment – There was a suggestion to solicit volunteers to help with the installation of recently ordered playground equipment and a need to set dates.
- h. Walk Bike Group – There was distribution of scheduled walks and bike rides throughout the summer.
- i. Magnolia Tree – A resident offered a magnolia tree.

MINUTES OF MEETING HELD June 19, 2006 continued.....page 10

- 2. Troy & Banks Refund – Trustee Castaneda reported that a \$280 refund would be forthcoming from the most recent audit. They are still looking at RG&E and Frontier negotiations are in process. An audit process on Village buildings is being considered.
- 3. Flower Watering – Trustee Castaneda thanked Pat Kutz of Lift Bridge Book Shop and participating merchants for exploring funding options and coming up with enough money to have Main Street flower baskets watered on weekends.
- 4. Cool Kids Programs – Trustee Castaneda shared that the BISCO sponsored Cool Kids programs are in place for Fridays 7-9pm at Sagawa Park.
- 5. NIMS Course – Trustee Castaneda shared that she and Manager Coyle will be taking the NIMS IS 700 course on June 27th.
- 6. Artwalk Meeting – Trustee Castaneda accepted an invitation to attend a meeting on the Artwalk proposal July 12th.
- 7. Cable Access – Trustee Castaneda said she agrees with a memo from Manager Coyle on utilizing our airtime on cable access television for more than Village Board meetings. It can be used to market the Village, keep the community informed, feature services, merchants, Farmer's Market and the like. She suggested it be discussed at the next workshop.
- 8. Assessment – Trustee Castaneda said the Village Board had a guest from the State Real Property Services at a workshop last winter who made a presentation and distributed a packet on the advantages of having the Town take care of assessment, made a resolution May 1st and has now had the public hearing no opposition in the Village abandoning its function as an assessing unit. Village staff has begun to meet with Town staff to prepare for the possible transition. She suggested the Board render a decision.

Trustee Maziarz said the public hearing was just tonight and suggested a decision be made at the next meeting. Trustee Wagenhauser said he still has a couple of questions that need answering such as the type of grievances the Village Assessment Board of Review heard this year and where exactly we differ with the Town of Sweden roll.

Trustee Castaneda said information has already been provided that approximately 24 – 35 grieve at the Village per year and approximately 75% are granted some form of relief. Trustee Wagenhauser said he would be interested in Sweden answering the same questions.

Trustee Maziarz said she feels this is a significant change and that Trustee Wagenhauser's questions are legitimate and should be researched. She said residents should have the opportunity for input. Trustee Castaneda said there has been sufficient time for research, discussions have been held previously and at budget time and the public was given the opportunity at tonight's public hearing. Trustee Castaneda further commented that the Village Hall staff is in support of this. Trustee Nayman concurred that she has spoken with Village staff. Deputy Clerk Coopenberg, who is the staff member primarily involved with assessment, shared that if the Village continues with assessing it will need to upgrade its hardware and software. Although the Village would continue to levy and collect taxes, Trustee Nayman said the time B. Coopenberg saves not doing assessment related work could go to helping S. Zarnstorff with some clerical work since he has lost his part time clerk.

Trustee Wagenhauser said they have time. Assessments aren't due for almost a year. Trustee Castaneda said it is a duplication of services.

Trustee Maziarz said she wonders if the Village is no longer responsible for assessment, if it is taxation without representation since the Village would not be able to offer tax relief to

residents. She said this would limit the Village from offer PILOT programs or programs to help property owners improve their properties. Trustee Castaneda said the Town of Sweden would likely work with the Village on any recommendations like those. She reminded all that they have only held one intermunicipal government meeting with the Town. This could be an opportunity to work with them. Trustee Maziarz said the Village would lose the privilege of doing it themselves.

Mayor Wexler said he believes that if this were June 21st (the day after Village elections), the Board would not even be discussing this. He said the discussions have been had over and over, it was voted on May 1st, the steps have been taken, and it is time to vote. Trustee Maziarz said she recalls something similar happening the night before Village elections last year when creating the position of Village Manager was on the table. She said M. Wexler as Trustee wanted to table decision until after the election. She said he said he would never do that.

MINUTES OF MEETING HELD June 19, 2006 continued.....page 11

Trustee Castaneda moved, Trustee Nayman seconded, Trustee Mayor in favor, Trustees Maziarz and Wagenhauser opposed, CARRIED to abandon the Village as an assessing unit per Local Law #1-2006.

C. Trustee Wagenhauser

1. Cool Kids Programs – Trustee Wagenhauser shared that they have taken their children to the programs and they are great.
2. Walk Bike Brockport Action Group – Trustee Wagenhauser said he is disappointed with the negative remarks about the Walk Bike Brockport Action Group in recent political ads and letters. He said he is surprised they weren't blamed for global warming. He said they have done some wonderful things and should be thanked and appreciated like all volunteer organizations.

D. Trustee Nayman

1. BISCO – Trustee Nayman said she missed the last BISCO meeting, but was informed that the Arts Festival permits have been secured and organizers will address the Board in July.
2. LMH Bed Race – Trustee Nayman suggested the 5 member Village Board consider sponsoring a \$125 bed. Each agreed to chip in \$25.
3. Parks & Playgrounds – Trustee Nayman reported that the parks committee did a survey June 15th and brought forth some areas of concern.
 - a. Utica Street Playground – Status of fencing off the parking? Status of plans for a bathroom? Coating on the red swing chains has deteriorated.
 - b. Corbett Park – 1 metal slide safety hazard and very hot – recommend removing it.
 - c. New equipment that has been ordered – Does a manufacturer's representative need to be present at the installation? H. Donahue said not for this equipment.
 - d. Mulch under equipment in all parks needed. H. Donahue said he is low and will have to order more.
 - e. Were soccer goals ordered? H. Donahue and I. Coyle were unaware of this request.
 - f. Havenwood Tot Lot – recommend purchase of a handicapped accessible piece of equipment called the easy digger for \$480. Trustee Castaneda said this was due to a letter from a resident expressing concern of no handicapped accessible pieces of equipment at this playground. Manager Coyle confirmed that there is money available in the line. Andrea Perry of the Parks Committee recommends this piece.

Trustee Maziarz suggested providing the Board with the proposal and placing this on the next workshop agenda. Trustee Castaneda said she does not believe it needs to be put off. Mayor Wexler suggested inviting to the workshop Andrea Perry and Linda Johnson who has expertise in working with handicapped children.

E. Mayor Wexler

1. Association of Monroe County Villages – legal counsel – County lawsuit – Mayor Wexler said the Mayors Association met June 15th. The City stands to lose \$54 million. The Villages of Brockport would lose 30 – 40% of 1.4 million dollars. This intercept program would be a disaster. He said he is not blaming County Executive Brooks. The state gave the county unfunded mandates like it does other municipalities.
2. Western Monroe Historical Society 4th of July event – \$300 sponsorship request – Trustee Castaneda said she has nothing against the event or the next event on the agenda and although Manager Coyle indicated that he figured these sponsorships into the budget, she said she does not believe the Village can continue spending taxpayer money this way. These

groups and events should fund themselves. She said she was elected to make difficult decisions and this is one of them.

Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Castaneda opposed, CARRIED to grant the \$300 sponsor request for the Morgan Manning 4th of July event.

3. Merchants Association Sidewalk Sale & Street Faire – \$500 sponsorship and street closure request – Trustee Nayman asked how the \$500 would be used. Trustee Maziarz said toward the entertainment and promotions. Trustee Nayman said this is different than the Arts Festival in that it directly profits the merchants. She said the Village sponsored a high of \$1,000 in 2002 and \$500 since then. Trustee Wagenhauser said it is for the prosperity of the merchants, but keeping the stores open pays rents and taxes. He said you couldn't separate out the success and prosperity of the downtown merchants as it helps the Village. Trustee Nayman suggested sponsoring at a smaller level since the Village is in hard financial times.

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Trustee Castaneda said the budget needs to be analyzed line by line, request by request, and needs versus wants. A little bit here and a little bit there adds up. She said she has nothing against the local merchants. In fact, she shops regularly at the local merchants. However, she does not feel she can give to one and not the other since she voted against the 4th of July sponsorship. Trustee Castaneda concluded by saying that the Village can't keep doing things the same way or it will get the results it has always gotten.

Trustee Maziarz said the Village needs to continue to build public-private partnerships. She said it is ironic that some Board members are willing to spend gobs of money to fill the pockets of lawyers, but not to support its economic development. Trustee Castaneda said there is no one more disappointed than her that 3 of 5 Board members were almost criminally charged for doing what they believe is correct. She said she wanted to Mayor Wexler and Chief Varrenti to meet and settle the case out of court. She said she has been put through the coals, but was elected to make tough decisions. Regarding legal fees, the budget has never been a true representation of that line. Each year more is spent on legal fees than budgeted for.

Trustee Maziarz moved, Trustee Wagenhauser seconded, Mayor Wexler in favor, Trustees Castaneda and Nayman opposed, CARRIED to grant the \$500 sponsor request for the July 6, 7,8 Downtown Merchants Association sidewalk sale and street fair event.

Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried to grant the street closure request as follows: Thursday, July 6th from 6-9pm, Friday, July 7th from 11am-9pm.

4. Emergency Operating Plan Update – Mayor Wexler shared that Manager Coyle and the Department Heads will be working on updated the Emergency Operating Plan by mid August for the Board's consideration.
5. ICMA Designation – Mayor Wexler congratulated Manager Coyle for a successful application to the ICMA in which the Village of Brockport became the 76th New York State jurisdiction to receive ICMA recognition. This is the formal acknowledgement by the membership and Executive Board of ICMA that a local government has established a position of professional management for its appointed executive. The process identifies those local governments, which by ordinance, local law, charter or other legal document have established positions of professional authority. The community is identified as one that provides a legal framework conducive to the practice of professional management.
6. Ducks – Mayor Wexler encouraged residents to heed the signage at Corbett Park and stop feeding the ducks. NYSDEC states this is best for the ducks and the prime way to decrease the growing population of ducks there.
7. Water Quality Report – Mayor Wexler commended Superintendent Donahue and Manager Coyle for putting together the annual positive water quality report.

PUBLIC COMMENT:

1. John Bush of 157 Barry Street asked how many people in the audience do not live in the Village. About half raised their hands. He said they do not receive a Village tax bill. He reminded the Village Board that they should be working on the budget for next year NOW. He said one of the reasons the new housing developments in the Village are not selling is due to taxes. If you cross the border to Clarkson, the new developments are under construction. He also said the Mt. Morris Police Department has 10 officers and a \$400,000 budget. We have about the same number of officers but 4 times the budget.

2. Joan Hamlin of 50 Park Avenue referred to the minutes of January 17th in which Scott Zarnstorff encouraged the Village Board to continue looking at the option of abandoning its assessing unit. She said if it's good enough for him, then its good enough for her.
3. Jim Hamlin of 50 Park Avenue asked the status of the Capital Improvement Plan. I. Coyle said a draft copy is being circulated amongst the Trustees for review. Then the Village Engineer will finalize it.

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Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel and legal matters.

I, Leslie A. Morelli, Clerk for the Board of Trustees of the Village of Brockport, do hereby certify that the Board met in an executive session and did discuss the matters as expressed in their motion, and I further certify that no formal action regarding public funds was taken thereon.

Leslie Ann Morelli, Village Clerk

Trustee Castaneda moved, Trustee Maziarz seconded, unanimously carried to exit executive session and re-enter the regular meeting.

AUDIT:

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

<u>Village</u>		
Date	Check #	Amount
6/15/06	173418	8,020.89
6/15/06	173419-173474	41,397.65
6/15/06	173475-173513	43,569.43
6/15/06	173514-173520	2,905.00
6/15/06	173521-173535	3,162.91
6/15/06	173536-173537	118.06
6/15/06	173538	300.00
<u>Fire</u>		
6/15/06	173417	1,897.86
6/19/06	173539-173589	96,949.92
<u>Third Party Billing</u>		
6/15/06	000796-000806	27,006.23
<u>Capital Projects</u>		
<u>Sewer</u>		
<u>Water</u>		
6/15/06	001438	253.84
6/15/06	001439-001453	41,850.95

ADJOURNMENT:

- ➔ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the meeting be adjourned at 10:30pm.

Leslie Ann Morelli, Village Clerk