

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Village Hall Conference Room 49 State Street Brockport, New York, April 23, 2013 at 7:00pm.

PRESENT: Mayor M. Connie Castañeda, Trustee William G. Andrews, Trustee Margaret B. Blackman, Trustee Kent R. Blair, Trustee Carol L. Hannan, Clerk Leslie A. Morelli, Treasurer Daniel P. Hendricks, Building/Zoning/Codes Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Superintendent Harry G. Donahue, Attorney Eugene Welch, Esq. and Attorney Robert S. Leni, Esq.

ALSO PRESENT: Amy Curran, Korey McNeese, Jordan McNeese, Dylan E., Kirk Warren, Che Young, Eric Warren, Guy Warren, Robert & Sue Currier, Rebecca Rhodes, Amy Prutsman, Bryan Phillips, McKenna O'Keefe, Anthony Marchane, Colleen Farley, Art Appleby, Pam Ketchum, Linda Ketchum, Sri Ram Bakshi, Joan Hamlin, Mary Jo Nayman, Fred Webster, Norm Giancursio, Kristina Gabalski

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

Mayor Castañeda thanked Rob Leni for serving as Village Attorney. He has left the firm of Harris, Chesworth, O'Brien, Johnstone, Welch & Leone, LLP to pursue another opportunity. She introduced Eugene Welch, partner with the firm who represents the Village through 5/31/14.

MOMENT OF SILENCE: to honor those that serve our Country, enforce our laws, & respond to emergencies

Mayor Castañeda expressed sympathies for the family of DPW retiree Ed Coopenberg on his passing and for those impacted by the recent bombing in Boston.

MISSION STATEMENT: "To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport's unique heritage and historic character."

PUBLIC COMMENT: None

CERTIFICATES & PROCLAMATIONS:

- Proclamation – Annual CROP Walk 5/5 -

Mayor Castañeda read into the record and presented Art Appleby with the following proclamation:

VILLAGE OF BROCKPORT
PROCLAMATION

WHEREAS, on Sunday afternoon, May 5th many area residents will "Walk with the World" in the 31st Annual CROP WALK in Brockport; and

WHEREAS, this is done to help provide seeds, tools, water resources, vocational and literacy training and other self-help skills needed overseas through Church World Service; and

WHEREAS; women, men and children throughout the world must walk long distances every day to get water, food and shelter in order to survive; and

WHEREAS; twenty-five percent of CROP WALK funds raised will assist hungry people right in our own area through the Brockport Food Shelf; and

WHEREAS; there have been 30 walks between 1983 and 2012, which have raised the total of over \$233,000 of which \$57,700 (25%) has stayed in Brockport; and

WHEREAS; there continues to be a growing number of people who need assistance at our local food pantry and a need for education regarding poverty and hunger in the world;

NOW, THEREFORE, I, Maria Connie Castañeda, Mayor of the Village of Brockport along with Trustees Andrews, Blackman, Blair, and Hannan do hereby proclaim May 5th, 2013 to be CROP WALK Day in the Village of Brockport and encourage all our citizens to "Walk With the World" by walking, sponsoring a walker or making a gift to "CROP."

IN WITNESS WHEREOF, we hereby set our hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 23rd day of April, in the year 2013.

GUESTS:

- Commander Robert Currier of the Navy Club – request to utilize ½ municipal parking lot on Clinton Street for 6/1 event – Navy Club Commander R. Currier asked for permission to utilize half of

Club's annual pig roast to be held Saturday, 6/1. The past two events were a motorcycle run and pig roast which helped to raise \$1,000 for the PTSD ward of the Veterans Hospital in Batavia. They had no altercations with the law.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to approve the Navy Club request to utilize half of the municipal parking lot on Clinton Street for their event Saturday, 6/1/13.

- Colleen Farley of Genesee Valley Penny Saver – request to bring “Readers Choice horse – C. Farley asked for permission to utilize 1 parking space in front of their office at 15 Main Street for “Reader’s Choice, their equine mascot on a trailer for upcoming events: 4/29-5/6 for the Low Bridge High Water and 8/5-8/12 for the Arts Festival.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to approve the Genesee Valley Penny Saver request to utilize 1 parking space in front of 15 Main Street for “Reader’s Choice” 4/29-5/6 and 8/5-8/12.

- Christina Simmons & Amy Curran – CGI Communications, Inc. – proposal – community video program – Amy Curran introduced herself and provided a handout. She explained a bit about the 25 year old company in partnership with the US Conference of Mayors and the National League of Cities to work with municipalities, counties, and Chambers of Commerce. The Village of Brockport has been selected to be showcased and promoted via a fully produced, no cost program to be featured on the Village’s official website. In addition to the videos they would produce for and about the community, they would reach out to businesses for an opportunity to utilize their various digital media tools and services. For the Village they would produce 4 videos having the Village work with their production team. They would determine the best time of year and be involved with script writing, editing and such. It would be the sole responsibility of CGI to reach out to the businesses, not the Village. Even if they gain no sponsorships through businesses, they will still produce the Village’s at no cost. This is rare. They simply ask for an agreement and letter of introduction.

Trustee Hannan asked if they vet the appropriateness of the advertiser’s (business’s) message. A. Curran said yes.

Trustee Blackman asked how CGI works with the municipality. A. Curran said typically one Village representative is determined whether that be the Mayor or a Trustee or a staff member.

Trustee Blackman asked about timing. A. Curran said it takes approximately 12 to 14 weeks.

Mayor Castañeda suggested waiting to start until after the Village Elections in June. A. Curran concurred.

Trustee Blackman said she reviewed the information in the packet and CGI’s website and solicited feedback from another Mayor that utilized the service and found it to be a win-win.

→ Trustee Andrews moved, Trustee Blackman seconded, carried 5/0 to approve and authorize the Mayor to execute/accept the proposal.

7:20pm – Trustee Blair arrived

- Rebecca Rhodes – SUNY – Gold Leadership Project – recycling project – SUNY College at Brockport students McKenna O’Keefe, Bryan Phillips, David Albaranes, Rebecca Rhodes, Amy Prutsman introduced themselves. They apologized for skipping some important steps with the Village as it related to their Gold Leadership Project. They made a brief Power Point presentation about their vision – “creating a sustainable recycling program using recycling receptacles with the help of local business, community involvement and awareness to create a greener more responsible, informed populous”. They had teamed up with Alpco Recycling who provided them with 20 bins and agreed to collect recyclables and sort through any trash that was included when processing. The students painted the bins and had them placed at various Main Street and side street locations in the Village. They met with DPW Spt. Donahue but didn’t realize they should have proposed such to the Village Board and gotten approval. Their intended impact “increase environmental awareness, create a sustainable project, promote recycling and trash disposal, help to keep the town cleaner, increase a sense of community through merging the campus and town in a common goal”. They presented on Scholar’s Day 4/10 and around 75% of students present said they had used or seen the receptacles that previous weekend which prompted them to send a survey to the larger campus community. They

shared the survey responses with results showing most think that recycling is necessary and needed in Brockport, that they would use recycling receptacles if they were provide around town, that they noticed the

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recycling bins the 4 days there were in place and that some used them. Project aspirations include further coordination with Alpco for a successful program, Village and College collaboration on a sustainable recycling program, assistance from future Leadership Development groups, and a strong bond between the Village and College.

Trustee Blackman shared that she was an initial contact for this and that the students now know the process for such.

CONSENSUS ITEMS:

• **APPROVAL OF MINUTES:**

→ Trustee Andrews moved, Trustee Blackman seconded, carried 5/0 that the minutes of the 04/09/13 meeting be approved as amended.

• **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 that the bills be allowed and paid upon audit subject to Trustee Hannan reviewing and initialing the bills after the meeting.

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	4/23/13	\$27,655.81
FUND (F): <u>Water</u>	4/23/13	\$8,808.74
FUND (G): <u>Sewer</u>	4/23/13	\$10,284.50
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>Trust & Agency</u>	-	-
		\$46,749.05 grand total

CLERK REPORT:

- Clerk – Leslie Ann Morelli
 - 2013 Events Schedule - Clerk Morelli reported that the events schedule is done, posted to the Village website and available at Village Hall, Welcome Center, Town Hall, Senior Center, Community Center, SUNY Welcome Center and provided to local media should they wish to provide any free advertising. She thanked organizations who provided information and volunteer Norm Frisch for formatting the information into the annual poster/handout.

- ACA – Affordable Care Act (health care reform) – compliance update – Clerk Morelli referred to the information in the packet and shared that on 4/12 she and Treasurer Hendricks met with reps from Titan, the Village’s insurance broker of record re employee benefits. As previously mentioned, there is a lot to the Affordable Care Act and compliance by 1/1/14. At the appropriate time, the Mayor will need to reach out to the Union Presidents so we can bring them up to speed. It is preferable to be calculated as a small group. However, we hover close to that without the Library. With the Library, we are considered an ALE – applicable large employer. Lots more involved. Should the Seymour Library pursue the formation of a Library District, as has previously been proposed, the Village would no longer count their employees in its numbers (as currently the Village process their payroll, benefits, Civil Service, Retirement). The Employee Handbook and Union Contracts will have to be updated to reflect changes due to the ACA as to specific health insurance plan, HRA deductible amounts, and the number of hours that constitute a full time employee for ACA / health insurance purposes, keeping part time capped at certain number of hours per week and per year. Letters have to go to employees around late summer for anticipated 10/1/13 open enrollment to comply by 1/1/14. Clerk Morelli said she and Treasurer Hendricks meet again with the Broker on 5/17 and will keep the Board apprised as the process progresses.

- NYSDOT workshop 3/28 - special use permits (i.e. speed contests, special events, parades...) – Clerk Morelli shared that on 3/28 she and DPW Spt. Donahue (as well as DPW Foreman / BISCO member Dave Moore and BISCO member Art Appleby) attended a NYSDOT seminar on special use permits. They are cracking down on use of NYS routes for other than intended use such as parades and festivals. They are trying to improve and simplify their permit process and this was one of several sessions throughout the state that they’ve shared information and received feedback. They hope to soon have their new application forms and process in place for those wishing to use portions of NYS routes (Main Street in our case) for parades, festivals and such. The applying municipality or organization will have to have adequate insurance coverage. Our insurance broker would advise the Board to be cautious and not agree to be responsible when it is for community organizations. She and DPW Spt. will keep the Board apprised as they learn more.

DPW Spt. Donahue said the amount of insurance NYSDOT proposes to require would make it too costly for some non-profit organizations to make it worthwhile.

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Mayor Castañeda mentioned that NYCOM Executive Director Peter Baynes attended the Mayors Association meeting 4/18 and discussed this as well.

- NYCOM Village Officials Workshops 4/19 – Clerk Morelli shared that on 4/19 she and Treasurer Hendricks attended a NYCOM workshop. This was very informative and disappointing that not a single Village Board member could attend (due to work or conflict with the Landmark Society conference being held in Brockport). Clerk Morelli encouraged every Board member to attend the next time it is offered.

- UNYMWCP - Clerk Morelli shared that at the 4/22 UNYMWCP Board of Directors meeting the Village of Brockport received checks for \$15,026 and \$30,481 totaling \$45,507 as our 2012 surplus distribution. The Village has been fortunate to receive surplus distributions thus far and continue to advise placing these in the Workers Comp Reserve so that if a time comes when we have a deficit rather than a surplus, we will be able to cover it. She and Treasurer Hendricks recommend the Village Board adopt a resolution authorizing the Treasurer to transfer the \$45,507 2012 surplus distribution to the Workers Comp Reserve. She said she contacted the Broker and asked how much should be kept in the Reserve and he suggested a minimum of \$200,000 to cover a single catastrophic event. He knows of one of the larger members keeping \$800,000 in their Workers Comp Reserve as worst case scenario if there were a few such events. This \$45,000 will bring ours to ~\$150,000, so we're on the right track.

Mayor Castañeda concurred that this is good planning.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to authorize the Treasurer to transfer the \$45,507 2012 surplus distribution to the Workers Comp Reserve.

- **DEPARTMENT REPORTS:** (Treasurer & Department Heads are in attendance the 4th Tuesday of each month)

- Treasurer – Daniel P. Hendricks
 - External audit for fiscal year ending 5/31/12 – Treasurer Hendricks referred to the report previously provided to the Board and included in the packet. Everyone has worked hard to get on solid financial footing. The audit shows \$1.6 million in unrestricted monies. Without question, we are in the right direction.

- Financial reports for period ending 3/31/13 – Treasurer Hendricks referred to the reports included in the packet. Nothing of concern. Getting close to end of fiscal year.

- Budget Transfers & Budget Amendments – Treasurer Hendricks reviewed the items included in the packet. These total ~\$27,000 for various expenditures – still leaving a good balance in contingency.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to authorize the following budget transfers:

Account #	From	Account #	To	Amount	Explanation of Transfer
A1990.4000	Contingency	A1010.4000	Trustees-contractual	\$400	(1)
A1990.4000	Contingency	A1325.4000	Clerk/Treas-contractual	\$12,000.00	(2)
A1990.4000	Contingency	A1325.4020	Clerk/Treas office supplies	\$725.00	(3)
A1990.4000	Contingency	A1325.4030	Clerk/Treas computer supplies	\$330.00	(4)
A1990.4000	Contingency	A1325.4070	Clerk/Treas copier expense	\$1,900	(5)
A1990.4000	Contingency	A1325.4090	Clerk/Treas miscellaneous	\$85.00	(6)
A1990.4000	Contingency	A1620.4034	Elect-Main St sign	\$15.00	(7)
A1990.4000	Contingency	A1620.4060	Bldgs-repair items	\$2,500.00	(8)
A1990.4000	Contingency	A1640.4080	Hydraulic supplies	\$1,500.00	(9)
A1990.4000	Contingency	A3120.4020	Police-office supplies	\$1,000	(10)
A1990.4000	Contingency	A3120.4032	Police-miscellaneous	\$2,650.00	(11)
A1990.4000	Contingency	A3120.4080	Police-fleet supplies	\$725.00	(12)
A1990.4000	Contingency	A3120.4090	Police-miscellaneous	\$100.00	(13)
A1990.4000	Contingency	A3120.4130	Police-computer supplies	\$50.00	(14)
A1990.4000	Contingency	A3620.4030	Safety Inspec-computer supplies	\$1,315.00	(15)
A1990.4000	Contingency	A5110.4220	St. maintenance-office supplies	\$50.00	(16)

A1990.4000	Contingency	A8189.4002	Sanitation-landfill testing	\$1,413.00	(17)
A1990.4000	Contingency	A8560.4010	Equipment repairs	\$540.00	(18)

- (1) transfer to pay for costs associated with Grant Writer
- (2) transfer to pay for purchase of General Code
- (3) transfer to pay for office supplies

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- (4) transfer to pay for computer supplies
- (5) transfer to pay for copier lease
- (6) transfer to pay for cost associated with shredding documents
- (7) transfer to pay for sign 224 Main St
- (8) transfer to pay building repairs
- (9) transfer to pay for hydraulic supplies
- (10) transfer to pay for office supplies
- (11) transfer to pay for
- (12) transfer to pay for charges associated with vehicle replacements
- (13) transfer to pay for postage
- (14) transfer to pay for computer supplies
- (15) transfer to pay for computer supplies
- (16) transfer to pay for office supplies
- (17) transfer to pay for landfill testing
- (18) transfer to pay for equipment repairs

and the following budget amendments:

Account	Description	Amount
A5142.4015	snow plowing – deicer	\$1,453.00 (1)
A5142.4030	snow plowing – plow parts	\$1,250.00
A7460.4000	grant expenditures – loft apartments	\$743.80 (2)

Purpose:

- (1) Increase General Fund Budget, reflect funds from School District for Deicer
- (2) Increase General Fund Budget, reflect expenses for Grant re Loft Apartments

▪ Budget – resolutions to adopt budget and collect taxes – Treasurer Hendricks said he appreciated the efforts of the Village Board, Department Heads and staff regarding budget preparation. It's down \$43,000, stays within the tax cap, and results in a 3% reduction in rate. This is partially attributed to some assessment changes.

Trustee Blair said this is his 4th year as a Trustee and the best budget process. He commended everyone, particularly Treasurer Hendricks, for doing a phenomenal job.

Trustee Blackman said she appreciated how the budget process was handled this year – a more collaborative effort by all and an opportunity for the Board to meet with the Department Heads. She also commended Treasurer Hendricks.

Mayor Castañeda thanked Treasurer Hendricks for his many meetings with her to work on the budget. She said she is pleased to be able to reduce the tax rate from \$12.09 to \$11.73 per 1,000 of assessed value – a 36 cents per thousand decrease.

→ Trustee Blair moved, Trustee Blackman seconded that the following resolution be adopted:

RESOLVED, that the Brockport Village Board adopts the 06/01/13 – 05/31/14 General Fund budget in the amount of \$4,697,908, the Water Fund budget in the amount of \$1,089,986, and the Sewer Fund budget in the amount of \$142,300 and that there be levied and assessed against the real property of the Village of Brockport the following sums for village government and other charges for the fiscal year 2013-2014 with a tax rate of \$11.73 per thousand of assessed valuation levying the total taxes and other charges extended and levied against each parcel of real property, shown on the roll prepared and verified by the Town Assessor for the 2013-2014 fiscal year:

General Fund:	
Total Taxes for Current Budget	\$2,414,833.00
For Releived Property Maintenance Charges	\$1,315.80
Water Fund:	
For Releived Water Rents & Charges	0
Sewer Fund:	

For Relieved Sewer Rents & Charges		0
TOTAL REAL PROPERTY TAXES AND OTHER CHARGES ON ROLLS	=	\$2,416,148.80

Tax rate dropped from \$12.09 to \$11.73/1,000 of assessed valuation.

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Water rates remain unchanged.

Sewer rates remain unchanged.

A vote was taken and recorded as follows:

William G. Andrews	Trustee	yes
Margaret B. Blackman	Trustee	yes
Kent R. Blair	Trustee	yes
Carol L. Hannan	Trustee	yes
M. Connie Castañeda	Mayor	yes

This resolution was thereby declared duly adopted.

**Execution of Tax Warrant
WARRANT FOR COLLECTION OF TAXES 2013-2014 FISCAL YEAR**

→ Trustee Blair moved, Trustee Blackman seconded that the following resolution be adopted:

TO: Leslie Ann Morelli, Village Clerk
Per Real Property Tax Law 1426

YOU ARE HEREBY COMMANDED to receive and collect from the persons named in the tax roll the sums stated opposite their respective names, being a total of \$2,416,148.80 for the following purposes:

General Fund:	
Total Taxes for Current Budget	\$2,414,833.00
Relevies (property maintenance)	\$1,315.80
	<hr/>
TOTAL REAL PROPERTY TAXES AND OTHER CHARGES ON ROLLS	\$2,416,148.80

A vote was taken and recorded as follows:

William G. Andrews	Trustee	yes
Margaret B. Blackman	Trustee	yes
Kent R. Blair	Trustee	yes
Carol L. Hannan	Trustee	yes
M. Connie Castañeda	Mayor	yes

This resolution was thereby declared duly adopted.

▪ PILOT re-negotiation – Park Place Apartments - Treasurer Hendricks reviewed the items included in the packet. It is important that the Village Board is on the same page before approaching the Town on it. He doesn't anticipate an issue.

Mayor Castañeda thanked Treasurer Hendricks and Village Attorney Leni for working with her on this.

Trustee Blackman asked if the new PILOT agreement for Park Place would be for 15 years like the last one.

Attorney Leni said yes as is the PILOT agreement for Village Centre with the same developer that had an escalator.

Trustee Andrews asked when the Village Centre PILOT expires. Attorney Leni said that is good through 2019.

Clerk Morelli reminded that the invoicing and due date needs to be spelled out as the Village invoicing June 1st due by July 1st – just like taxes. Treasurer Hendricks concurred.

All expressed satisfaction with the proposal. Attorney Leni said he anticipates next step in about a month, but that the current PILOT for Park Place is good through 2013.

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
 - 2013 Residential Rental Registration Statements – CEO Zarnstorff said the Village is in its 4th year of doing “RRR’s”. As of 3/31, the fee has brought in ~\$14,000. He reviewed the following included in the packet.

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2013 RESIDENTIAL RENTAL REGISTRATION STATEMENTS

January 29 - February 5, 2013

- Mailed letters to 215 property owners containing statements for 344 properties
- Response deadline is 30 days from receipt

March 7, 2013 (approximate deadline)

- 58% of property owners are in compliance (124 of 215)
- 48% of statements have been returned (165 of 344)

March 11, 2013

- Reminder Notice sent to 91 property owners (179 properties)
- Deadline to respond is March 18

March 25, 2013

- 87.5% of statements have now been returned (301 of 344)
- 122 statements were returned subsequent to sending the Reminder Notice
- Begin sending Notices of Violation for non-compliance

April 2, 2013

- 92% of property owners are now in compliance or have been in communication regarding compliance (197 of 215)
- 93% statements have been returned or are in the process of being returned (319 of 344)
- Notices of Violation continue

April 16, 2013

- 96% of property owners are in compliance or have been in communication regarding compliance (207 of 215)
- 97% of statements have been returned or are in the process of being returned (334 of 344)

To date, 12 residential property owners (totaling 58 properties) submitted registration forms without the fee.

- Emergency Operating Plan - CEO Zarnstorff said at the last Department Heads meeting with the Mayor he and DPW Superintendent Donahue reviewed the feedback of Fred Rion of Monroe County Office of Emergency Management and were fine with it. CEO Zarnstorff suggested that consideration be given to incorporate social media involvement in cases of emergency. Some other municipalities and districts have had success using social media.

Mayor Castañeda mentioned that this was discussed briefly at the Mayors Association meeting 4/18 and that Honeoye Falls has found it useful.

- Police – Police Chief Daniel P. Varrenti
 - Village Attorney – Chief Varrenti thanked Attorney R. Leni for his service as Village Attorney. He returned phone calls and e-mails quickly and was always willing to discuss, even if there were times they disagreed. He wished him well in his new job. Chief Varrenti welcomed Attorney E. Welch, a senior partner at the firm and former NYS Attorney General.

- Treasurer – Chief Varrenti thanked Treasurer Hendricks for taking time to meet with him and Police Department Clerk Zimmerman today on a matter.

- SUNY - Chief Varrenti said the college year will soon be ending. This Saturday is an event similar to what Brock the Port was on the last day of classes. SUNY moved it to an earlier date and is keeping it indoors. He said they do not know what to expect in the Village. He has ensured that there will be a sufficient number of officers on this Saturday night. He said Trustee Blackman plans to do a ride along. He anticipates there still to be a lot of house parties and such on the last day of classes. He commends SUNY trying to mitigate, but now instead of one night of police overtime, there will be two.

- Lakeside Hospital – Chief Varrenti referred to the announcement of Lakeside Hospital closing. It is unfortunate and affects the community in various ways. It will affect the Police Department by impacting their jobs and overtime as it will take longer to drive to other hospitals to do follow ups. It is not insurmountable, but will spread out the services a bit more. He reminded all that Brockport Police cars are seen outside the Village limits for many reasons including but not limited to runs to hospitals, jails, courts, etc.

Trustee Blair said he was unable to attend the Lakeside informational meeting, but hopes they do their
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best to secure the vacant building(s) and do not encounter break ins including those that steal metals for money.

Chief Varrenti said the PD will do the best they can to keep their eyes on it like they do the various vacant properties in the Village. He hopes the hospital implements precautions.

- Police Vehicles – Chief Varrenti shared that the 2 new police vehicles will soon be on the road. There was a seat fitting issue that's being used as a prototype for the County. One is a car and one is an SUV. He thanked Trustee Blair for his research help.

Trustee Blair said Chief Varrenti and Lt. Cuzzupoli are to be commended.

- BCSD – Chief Varrenti shared that he and Lt. Cuzzupoli met last week with SUNY University Police Chief, and NYS and MCSD representatives to discuss an active shooter scenario. They will get together again over the summer to plan simulations. BPD will be setting up a satellite office within Brockport Middle School to take reports and interact with students, teachers, and staff. The BCSD Spt. thinks it is a fantastic proactive idea that will afford higher visibility. He thanked Trustee Blair for his ideas.

- Public Works – Superintendent Harry G. Donahue
 - Authorization to advertise for DPW summer help (4 seasonal laborers) – DPW Spt. Donahue reminded the Board that 4 seasonal laborers were included in the budget just passed. He typically hires college students and starts them 6/1. However, there is money left in that line this fiscal year and college students can often start the 3rd week of May.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to authorize the Village Clerk to publish the following ad in Suburban News, on the Village website and at Village Hall.

Village of Brockport DPW
Seasonal Employment Opportunity
SUMMER EMPLOYMENT
The Village of Brockport Department of Public Works
is accepting applications for four (4) Seasonal Laborers.
Work week shall be Monday - Friday 7:00am to 3:30pm, 40 hrs/week.
Wage subject to experience. No benefits.
Must have a valid NYS Drivers License. Minimum age requirement is 18.
Applicants are subject to pre-employment and random alcohol/drug testing.

Employment application can be obtained at Brockport Village Hall
or downloaded from the Village website: www.brockportny.org.

Completed applications must be turned in to:
Leslie Ann Morelli, Village Clerk
Village of Brockport
49 State Street, Brockport, NY 14420
Monday thru Friday 8:30 am to 4:30 pm

Application Deadline: Friday, May 10, 2013

- Abandonment of Designated Portion of Kenyon Street to SUNY – R. Leni said he will have the notice language forwarded to Clerk Morelli for the 5/14 Village Board meeting to call for a public hearing for the 5/28 Village Board meeting.

- Parks Signage – Trustee Blair asked DPW Spt. Donahue for an update on installation of the parks signage. Spt. Donahue said he will get them up as soon as possible. Trustee Blair asked to be kept informed for press release purposes crediting the Smoking Coalition / American

Lung Association for covering the costs of the signage since it states each park as a smoke free zone.

- Tennis Courts – Trustee Andrews thanked DPW Spt. Donahue for getting the tennis nets up.

At 8:12pm, Mayor Castañeda excused the Treasurer and Department Heads.

Trustee Blackman said there will be a need for Chief Varrenti and CEO Zarnstorff in executive session at the end of the meeting. Chief Varrenti and CEO Zarnstorff stayed.

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• **PERSONNEL ITEMS:**

- Accept resignation – Caitlin Moore – Historic Preservation Board -

→ Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 to accept the resignation of Caitlin Moore as a member of the Historic Preservation Board with regrets and thanks for her service.

- Welcome Center Drops/Adds -

→ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 to appoint Susan Saucke as a volunteer Welcome Center Greeter.

• **OLD BUSINESS:**

- Newsletter – approve final draft & authorize Trustee Blair to proceed with printing/distribution plan -

Board feels it is best to hold off on the newsletter until after the Village Elections. Trustee Blair will forward the work in progress to Clerk Morelli.

• **NEW BUSINESS:**

- Reappointment of Farmers Market Managers for 2013 season -

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to reappoint Ruthann Tryka and Charlene Veltz as Co-Farmers Market Managers for the 2013 season.

Mayor Castañeda thanked them for doing a good job and the past and said they are urged to work to fill all vendor slots, charging the fees outlined in the Farmers Market Rules and Regulations so that the Market will be self-sustaining and not need Village funding or sponsorship from an outside source.

VILLAGE BOARD REPORTS:

- Mayor M. Connie Castañeda

- Lakeside Hospital – Mayor Castañeda shared that Lakeside Health System Interim CEO James Cumming contacted her yesterday about the closing of Lakeside Hospital. LHS believed they would receive funding from the State in time to allow them to continue operations. Unfortunately their efforts failed. Lakeside no longer has the financial resources to continue its operations and must implement a full closure plan commencing on or around 4/29. This is expected to result in the termination of employment of all employees at the hospital. Mayor Castañeda said this is very sad after 80 years.

- Canal Clean Sweep – Mayor Castañeda shared that her 4/21 Canal Clean Sweep

event drew some volunteers, including a Father and daughters from Batavia and the following SUNY College at Brockport students who are members of Delta Sigma Fraternity: Abel Araya, Nick Langabeer,

Ermias Gebermariam, Jesse Sasiadek, Sammy Martino, DJ Carella, Raul Hernandez, Travis Desilva, Lamont Washington, Rafael Lopez, Matthew Dyrek, Peter Dakin, Joe Licausi, Matt Norris, Kyle Mark, Ryan Carney, Jordan Messemer, Jesse Maher, Angelo Partipelo, Brian Haplin, Justice Uwazurike, James Lapata, Lucas Golden.

- Trustee William G. Andrews

- Landmark Society Preservation Conference – Trustee Andrews reported on a successful conference 4/19 & 4/20 hosted in the Village of Brockport. The theme was preservation – outside the box – innovative preservation practices for the 21st century. It was held at Cooper Hall at SUNY College at Brockport with dinner at the Alumni House. It was one of the best attended in many years. It included a keynote by Dr. Stephanie Toothman of the National Park Service and showcased Brockport via the old Masonic Lodge converted by Kurt Smith into a loft apartment and dance studios, a charrette re the stone warehouse at 60 Clinton Street, a walking tour with nationally renowned Brockport

Native Mark Fenton and so on. He said former Mayor Matela was gracious enough to make brief welcoming remarks. It had good representation by some Village Board and Historic Preservation Board members.

- Historic Preservation Board – Trustee Andrews shared that for the first time in 23 years, the Village had an Audit of the CLG program. He, HPB Chair Kathy Goetz and Clerk Morelli provided the CLG Auditor with much information and an opportunity to review records. She was impressed with the HPB’s work designating structures and was generally complimentary and encouraging of consistency in administrative functions. Her report will be forthcoming in June and he will share it.

- GBDC – Trustee Andrews shared that new GBDC President Jack Kinnicut should prove to be quite effective, and particularly knowledgeable and efficient with State requirements.

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- Walk Bike Brockport Arts & Aesthetics Committee – Trustee Andrews encouraged attendance and participation at the 5/3 7pm Stone Soup Art Auction to raise matching funds for the Canal mural on the side of the DPW building.

- Lakeside Hospital – Trustee Andrews said he attended last night’s informational meeting, but not all questions were answered by it or the article in the Democrat and Chronicle. He spoke with Interim CEO Cummings today and asked if Lakeside had sought funding besides the State and he said no. The Rochester Area Health Foundation doesn’t fund operating expenses and they need \$5 million. He asked if Lakeside is \$25 million in debt and he said they have \$10 million in pension obligations and \$4 million mortgage on the building. The rest is owed to vendors. The D&C implied the State said the application from Lakeside was still pending. However, CEO Cummings said he spoke to the State Monday and was informed there was not enough money to meet Lakeside’s needs in the time required.

- NYCOM – Trustee Andrews said he hopes to get to the next opportunity of NYCOM workshops for Village Officials as the recent one 4/19 conflicted with the Landmark Society conference. He thought it was 4/18, a day earlier, but hadn’t registered in advance.

- Trustee Margaret B. Blackman

- Lakeside Hospital – Trustee Blackman said she attended last night’s informational meeting. She was taken by surprise as there was hope for the funding. She said it is sad to lose such a valuable service and community asset and that various ramifications will be felt for some time to come.

- Low Bridge High Water – Trustee Blackman said after months of planning with a great committee, the events will be 5/1-5/5. She reviewed the various events and reminded of the brochure available at Village Hall and on the Village website.

- Arbor Day – Trustee Blackman reminded all of the 4/26 Tree Board event – to meet at Corbett Park at 10am and plant trees on Clark Street. Then meet at Remembrance Park at 12:30pm for a tree planting in honor of former Mayor James Stull.

- Landmark Society Preservation Conference – Trustee Blackman said she attended the recent conference, learned a lot and made good contacts.

- SUNY – Trustee Blackman said from her understanding the former outdoor Brock the Port event on the last day of classes has been replaced by Party at the Port to be held from 4-11pm this Saturday indoors at the SERC. It is for students with ID by ticket and they will only be allowed 1 re-entry.

- Next Work Session – Trustee Blackman shared that she will be out of town and not at the 5/7 Village Board work session.

- Main Street Streetscape Grant – Trustee Blackman mentioned she and Trustee Andrews having met with grant writers J. O’Connell Associates who suggested applying for such a grant up to \$250,000 for facades, fencing, exterior, interior work. An area of buildings must be contiguous so they will focus on Main Street properties from King Street to the Canal and from Market Street to the Canal. The first step is a letter from the Village to the property owners inviting them to an informational meeting. The next step is getting a commitment from the property owners to participate as it is a matching program.

Mayor Castañeda said she is fine with that. Trustee Blackman said she and Trustee Andrews will share a template of the letter. Clerk Morelli asked that they double check with her on conference room availability before selecting a date.

- Village Elections – Trustee Blackman announced for the record that she is running for Mayor with a team of two others running for Trustee.

- Trustee Kent R. Blair

- Tardy – Trustee Blair apologized for being a little late. He had informed Clerk Morelli of such earlier in the day.

- Events – Trustee Blair commended Trustee Blackman for the various events she is helping to coordinate and said her reports are a ray of sunshine at the meetings.

- Police Chief – Trustee Blair shared that at and after the reception and swearing in of the part time police officers he received several comments about how Police Chief Varrenti gives

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great respect to all members of his department. He commended him for this and said people want to work with and for Dan Varrenti.

- Village Attorney – Trustee Blair wished R. Leni the best of luck in his new position.

- Brockport Ambulance – Trustee Blair said Brockport Ambulance has recently done a great job of improving its staffing to handle calls. The EMS Chief met with Town officials to review information. The closing of Lakeside Hospital will no doubt impact ambulance as they will be gone longer due to having to travel farther with patients. An ambulance can be tied up for 2 to 3 hours or more for a call into Rochester. They can't just drop and leave. Additionally, the miles will be piled on the ambulances. No matter what, they are committed to roll when needed. This weekend they plan to have all 3 ambulances ready and staffed for the SUNY event.

- Village Elections – Trustee Blair announced for the record that he is not seeking re-election. He plans to focus on family and career. He wished all candidates the best of luck.

- Trustee Carol L. Hannan

- Code Review Committee – Trustee Hannan said CRC didn't meet this month.

- Seymour Library – Trustee Hannan said the roof replacement bid selection process is underway. The Director will be attending a workshop in Nashville this summer.

- Landmark Society Preservation Conference – Trustee Hannan said she attended the recent conference and found it extremely worthwhile.

- Low Bridge High Water Poster Contest – Trustee Hannan said she was part of the judging team for the 4th Grade poster contest. The judges had a hard time making decisions because there were so many great entries. There will be a 1st, 2nd, 3rd place and 3 honorable mentions. The posters are displayed throughout the community with some right here in the conference room.

- Village Elections – Trustee Hannan announced for the record that she is seeking re-election as Trustee. She said Valerie Ciciotti is seeking election as Trustee and is one of the people who convinced her to work on 65 Fayette Street. In the 6 months working on the project house, she has gotten to know her very well and can say she is reliable, industrious, independent and an outstanding advocate for the Village.

- Pending Litigation – Trustee Hannan referred to pending litigation (Forsythe case) and said from her understanding the D.A.'s office has requested transcripts being held up by the Town of Sweden Court. This puts the case in jeopardy. She asked if there is anything the Board can do to assist.

Attorney Welch said it is for the D.A. to reach out to the Supervising Judge to get to the Court personnel. It is not a matter the Board can assist with.

EXECUTIVE SESSION:

→ At 8:50pm, Trustee Blackman moved, Trustee Andrews seconded, that the Board of Trustees of the Village of Brockport enter into executive session to discuss pending litigation: People versus Maria Connie Castañeda.

Police Chief Varrenti, Codes Officer Zarnstorff and Clerk Morelli were invited to sit in.
Mayor Castañeda was asked not to sit in.

Trustee Blair commented that he would like the Village Attorney to sit in, but that they had previously recused themselves. He questioned whether anything in the contract with the firm would contradict that.

Attorney Welch said the problem is the Police Chief is charging officer and the Mayor is defendant.

Trustee Blair said the 3rd party is the people – the Village residents.

Trustee Andrews said he feels if the Village Attorney cannot assist, then they should find a solution to get representation.

Attorney Welch said it is a criminal prosecution. Their code of ethics says they can't serve 2 masters – it is a conflict. Therefore, the Village has to retain special counsel or go to the D.A. for assistance.

Mayor Castañeda said they should look to the D.A.

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Trustee Blair said as this involves her, the Mayor really should not have any say.

Trustee Blackman said she feels the firm should cover the cost of special counsel.

Attorney Welch said they cannot, because it is not through their making and if they hire/pay special Counsel, they report to the firm. That is still a conflict.

Carried 4/0/1 that the Board of Trustees of the Village of Brockport enter into executive session to discuss pending litigation: People versus Maria Connie Castañeda.

Police Chief Varrenti, Codes Officer Zarnstorff and Clerk Morelli were invited to sit in.
Mayor Castañeda will not sit in.

→ At 9:55pm, Trustee Blackman moved, Trustee Andrews seconded, that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

→ Trustee Andrews moved, Trustee Blair seconded, upon advice of the Village Attorney, that the Village Board be authorized to engage special counsel, yet to be determined, at the discretion of Trustee Blair at a cost not to exceed \$2,000 to represent the Village in the matter of the People versus Castañeda on matters neither the Village Attorney nor the District Attorney's Office can advise on.

Mayor Castañeda said she stated at the time the Village Board hired Frank Aloï and then Robert Lunn as special counsel that this is not necessary.

Trustee Blair said it is necessary because the District Attorney's Office will not give the Village counsel on the subpoena's served on Chief Varrenti, Officer Winant, CEO Zarnstorff, Clerk Morelli by Defense counsel. Someone needs to advise them and the Trustees.

Carried 4/0/1

ADJOURNMENT:

→ At 10:00pm, Trustee Blair moved, Trustee Blackman seconded, carried 5/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk