

**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, January 5, 2009 at 7:00pm.**

**PRESENT:** Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli

**EXCUSED:** Trustee David J. Wagenhauser, Treasurer Gina M. Tojek, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Fire Chief Scott Smith, Village Attorney David F. Mayer

**ALSO PRESENT:** Jim & Joan Hamlin, Ray & Jackie Morris, Jack Wahl, Bernie LoBracco, Norm GianCursio, Fred Webster, Pete Maziarz, Mark Lewis and several members of Cub Scout Pack 86.

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

Mayor Wexler welcomed the leadership and members of Cub Scout Pack 86 in attendance this evening.

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

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

→ Trustee Castañeda moved, unanimously carried 4/0 that the minutes of the meeting held December 15, 2008, be approved as written.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:** None

**GUESTS:** None

**DEPARTMENT REPORTS:**

A. PUBLIC WORKS – Superintendent Harry G. Donahue (excused)

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti (excused)

C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff (excused)

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Scott Smith (excused)

1. Adopt MedEx 2009 Billing rates for transport – Clerk Morelli reminded the Board it is time to adopt the annual MedEx Billing rates for various levels of service provided.

Trustee Castañeda asked where the suggested rates came from. Clerk Morelli referred to EMS Chief VanDervort's memo and recommendation that was included in the Board's agenda packet. He indicates that we have typically been at a lower rate than surrounding agencies and then were brought up to par rates last year. Due to inflation, he suggests a 5% increase in billed services that equates to rather small increases for each class of service. Trustee Hunsinger said Medicare and private HMO's cover most of these rates with the main patient contribution through co-pays. This is a negligible increase – the cost of doing business.

→ Trustee Hunsinger moved, unanimously carried 4/0 to approve the 2009 Med Ex billing rates for transport as follows:

BLS Non-Emergency	\$395
BLS Emergency	\$500
ALS1 Non-Emergency	\$520
ALS 1 Emergency	\$672
ALS 2	\$737
ALS Interface	\$630
Specialty Care	\$840
Mileage	\$16

E. TREASURER – Gina M. Tojek (excused)

F. CLERK - Leslie A. Morelli

G. VILLAGE MANAGER - vacant

H. VILLAGE ATTORNEY – David F. Mayer, Esq. (excused)

**VILLAGE BOARD REPORTS:**

A. Mayor Morton Wexler

1. Budget process – Mayor Wexler shared that the new Village Treasurer, Gina Tojek, started today. Once she gets acclimated and up to speed, planning for the 6/1/09 – 5/31/10 budget will begin. The Board will need to meet in budget workshops with the first step being wage increases for non-union employees.
2. Historic Designation Plaques – Trustee Castañeda referred to a request received today from Historic Preservation Board Chair Bill Andrews regarding the need to purchase Historic designation plaques. A plaque is display when a property in the Village is designated as historic. Cost has increased since the last order for 30 plaques in 1995. The quote received is for 25 plaques not to exceed \$1,733.40 plus shipping and handling. Additional quotes are forthcoming.

Trustee Castañeda wondered if the funds would come from the home improvement program and suggested waiting until the other quotes are received. She said at a time when some Trustees have challenged the Department Heads to reduce their budgets by 2%, the Board should keep in mind the affect of other costs such as this. Mayor Wexler suggested forwarding these and any other questions to Bill Andrews. Trustee Hunsinger suggested inviting B. Andrews to the next meeting. Mayor Wexler said he is usually more than willing to attend upon request.

B. Trustee / Vice Mayor Maria C. Castañeda

1. Village Advisory Committee – next meets Tuesday, January 13<sup>th</sup> at 7pm – all are welcome.
2. Vacancies on Boards and Committees – reviewed the vacancy list prepared by Clerk Morelli and posted on the Village website and encouraged interested residents to get involved.

VILLAGE OF BROCKPORT  
BOARD OR COMMITTEE VACANCIES

Vacancies currently exist on the following:

FOR VILLAGE RESIDENTS

- Canal Revitalization Committee – 1 vacancy - term to 6/30/13 (currently inactive)
- Code Review Committee – 1 vacancy - term to 6/30/10
- Ethics Board – 2 vacancies - term to 6/30/10 & term to 6/30/12
- Parks Committee – 1 vacancy - term to 6/30/10
- Village Advisory Committee – no limit

FOR GREATER BROCKPORT COMMUNITY MEMBERS

- Walk Bike Brockport Action Group – no limit
- Welcome Center Canal front Greeters (May – October) – no limit

If interested in being considered, please review the Board/Committee descriptions and meeting schedule, download a one-page position interest form from the website: [www.brockportny.org](http://www.brockportny.org) then complete and return it to the Village Clerk at 49 State Street Brockport, NY 14420.

3. Library Board – attended the December 16<sup>th</sup> meeting. Commended Director Guthrie for doing a super job with the budget at a 3% increase. Thanked Bob Getz for his years of service on the Board. Shared that B. Getz recommends the Library By-Laws be changed to allow Board members to serve a maximum of two 4- year terms rather than two 5-year terms. In conversation with Clerk Morelli, she indicated that it is not customary for the municipalities to vote on the Library By-Laws. Trustee Castañeda indicated that If acceptance by the municipalities is necessary, the Library should present such to the three involved municipalities.
4. NYS Comptroller’s Audit – reminded the Board that a vote passed unanimously at the December 15<sup>th</sup> meeting to request a State audit. Read into the record the Mayor’s memo of December 19<sup>th</sup> as follows:

“I am aware that the December 15<sup>th</sup> motion to ask the State Comptroller’s Office to perform an audit passed unanimously. In fairness to our newly appointed Village Treasurer, I am asking that we allow her to get both feet on the ground before we ask the State to consider conducting an audit. The State may not even honor our request.

I believe G. Tojek would appreciate an opportunity to speak with former Treasurer Coyle and Interim Treasurer Olson prior to the State asking questions she may not be able to answer.

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Her primary focus at the present time should be meeting with Department Heads and preparing a budget.

Please let me know your feelings on this matter. Thank you.”

Read into the record the responses via e-mail of Trustees Hunsinger, Wagenhauser, Legg as follows:

“Mr. Mayor, I agree. I think this was the opinion of a couple of Trustees at the last meeting. There is a difference between being “proactive” and calling for an audit in haste. Thank you, Scott”

“Mayor, It was my understanding from the meeting – and the comments stated at the meeting – that time was not of the essence. Obviously, if it was, it would have been noted. Your comments that the new treasurer should be able to “get her feet wet” were well received. I agree and believe that was reflected in the meeting. It would certainly reflect well on the Village if the Treasurer is familiar with the systems and processes and able to accurately provide information. That was my understanding from the vote. dw”

“Mr. Mayor, et. al., I concur with your opinion that ensuring the acclimation of the village’s new treasurer is a more important goal than seeking a state audit. My support of the former supersedes my support of the latter. Moreover, since the stated purpose of the measure to request a state audit was to meet standards set forth by GAAP, no sense of urgency was implied, much less explicit. Hal”

Trustee Castañeda commented that she did not call for a state audit in haste and reminded the Board that she called for such twice before. It has been several years since the Village received a state audit, it is in the Village’s best interest, and it protects the former and current Treasurers and Village Boards. The state may not honor the request, or if it does, it may take months before they get to it. However, a motion was made, voted on and unanimously carried on December 15<sup>th</sup> to request an audit. It was not the Mayor and Board’s place to decide something different via e-mail afterwards. A state audit costs the Village nothing and assures we are doing things in the right manner. She asked that the Mayor move forward and request the audit.

Mayor Wexler said he has nothing against having a state audit and realizes the motion passed unanimously. However, the Treasurer just started today and she would like to get acclimated first. She would like to be sure she’s inheriting a clean slate, but just needs time to look at the books and understand the processes here. He agreed that the state may not agreed to it as they are busy elsewhere with compelling cases such as school districts. The motion and vote on December 15<sup>th</sup> did not stipulate how fast to make the request. He said Jim Hamlin asked a question recently that he has already asked the Treasurer to look into. She deserves some time to get her feet wet.

Trustee Castañeda said let’s get the request in so that if the state agrees, they can get it on their calendar.

Trustee Legg said Trustee Castañeda read the other Trustees responses into the record that detail their thoughts. The Mayor asked for their feedback and they replied. It’s clear where everyone stands.

Trustee Castañeda said the Board decided one thing in an open meeting and voted on it then e-mails afterwards resulted in something else.

Trustee Legg asked Trustee Castañeda if her concern was more with the e-mail correspondence versus conversations at the Village Board meeting. Trustee Castañeda said she is concerned with the Mayor’s memo and 3 Trustees responses to it suggesting waiting. A decision was made at the meeting and the Mayor needs to follow through with a letter to the NYS Comptroller’s Office.

Mayor Wexler asked if she was bringing forth a motion. She said no. The motion was brought forth and voted on at the last meeting. Now, it’s time to follow through. Mayor Wexler said he would come forth, eventually, with a letter.

5. Emergency Operating Plan – thanked DPW Superintendent Donahue for updating the contacts listed in the 2002 Village of Brockport Emergency Operating Plan. This was required by the Health Department relevant to the water system vulnerability assessment. Clerk Morelli disseminated the updated plan via e-mail to the Board and Department Heads. This generated some e-mails in response to the timing of dissemination. Chief Varrenti suggested waiting to disseminate until after the June Village elections. She read the following statement:

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“Much of the EOP looks like a template adapted to the Village. I strongly feel the information with the current updates should be disseminated to the appropriate personnel now and not wait until the election. In the event of an incident between now and the election, people involved should have the most current information. After the election Harry or the Village Clerk will only need to update the pages that have a change and just disseminate the page(s) involved; not the entire document. There should be a cover page for the EOP and notations of the date made on it when the document was last reviewed. That way everyone knows that it’s being reviewed on a regular basis.”

6. 200 State Street & 100 Fair Street – received the environmental attorney’s report and hopes the Trustees have read it through and can put it to rest. Perhaps the only solution is to auction off 200 State Street.

Trustee Legg expressed concern that Trustee Castañeda was paraphrasing a confidential communication from the Village’s environmental attorney. Trustee Castañeda said basically the information was condensed into 6 pages from much information made public over time including the box of binders Trustee Hunsinger recently shared that he was reviewing. She said she believes auctioning the property for a private entity to develop is in the best interest of the Village.

C. Trustee David J. Wagenhauser (excused)

D. Trustee Scott W. Hunsinger

1. 200 State Street – stressed the importance of not taking at face value what you see when you drive by the property, as there is a lot going on underneath. He said he believes auctioning off the property is a vast disservice to the Village and to potential buyers since there is more to it than meets the eye.
2. Capital Improvement Plan – met with DPW Superintendent Donahue on December 30<sup>th</sup> regarding the capital improvement plan and budget and asked for a prioritized list of needs. Plans to meet with Police Chief Varrenti to do the same.
3. DPW Holiday Celebration – thanked DPW for their holiday celebration event – even in the midst of a major snowstorm.
4. Emergency Operating Plan – reminded the Board that Clerk Morelli had informed the Board that the 2002 plan was in need of review and revision, that Manager Coyle had begun to do so after a 2006 OSHA visit, and that when he left in July he recommended Larry Vaughan take the lead on it. Trustee Hunsinger said he plans to meet with L. Vaughan soon and would rather be proactive than reactive.
5. Bills/Vouchers – commented that Joan Hamlin previously commented on bills and questioned the Village holding off paying some of them and that if services were rendered, the Village needs to pay. He explained that the 5 members of the Board review all the bills and it takes 3 signatures to pay. If there are questions they put a post it note on the bill with their question. Staff members are good about gathering the answers and letting the Board know. Then, those who hadn’t previously, may then sign off. However, he said he has noticed that there are times when some Board members simply don’t sign a bill, but don’t put a note with a question on it.

E. Trustee Hal S. Legg

1. Bills/Vouchers – commented that there are a number of reasons a Board member might not sign a bill. For example, if a bill and a receipt don’t match up, if sales tax is charged (the Village is exempt), if we were unfairly billed for a service, or if the service was not in line with the expectations. Lastly, on occasion a bill just gets stuck with another one and gets missed. Review of bills is not willy-nilly and does not single out a vendor.

Mayor Wexler commented that he has an advantage in that he is in the office each day and can ask staff any questions he may have. He further commented that Board members are not obligated to give a reason for not signing a bill.

2. Main Street Rehabilitation – reminded everyone of the January 15<sup>th</sup> NYSDOT 4pm open house and 6:30pm presentation of their plans to renovate Main Street from Village line to Village line. Trustee Legg shared that he has reached out to State and Federal officials such as new Congressman Lee and Senator Schumer to seek help with the Village’s water and sewer project costs related to the project. Senator Schumer’s appropriations paperwork will be available in the next couple of weeks. Brockport is fortunate in that it has strong relationships with its representatives.
3. Treasurer – met with the Treasurer on her first day today regarding the upcoming budget and looks forward to a productive working relationship.

4. Snow Removal - commended the DPW crew for doing a great job with keeping the streets and sidewalks as clean as possible during one of the snowiest winters here.

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5. Parking – referred to a letter submitted to the Village in which the author wishes to remain anonymous – complaining of cars parking illegally on a Village street. While some on-street parking may not create a great hindrance much of the year, with snow it can be difficult for emergency vehicles to sometimes make turns and encouraged parking appropriately.

**PUBLIC COMMENT:** None

**Executive Session:**

⇒ At 7:52pm, Trustee Castañeda moved, unanimously carried 4/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss a personnel matter “(f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation”.

⇒ At 7:59pm, Trustee Castañeda moved, unanimously carried 4/0 that the Board of Trustees re-enter the regular meeting.

⇒ Trustee Hunsinger moved, unanimously carried 4/0 that the Board of Trustees accept the recommendation made by EMS Chief VanDervort regarding a part time paid EMT-Advanced (paramedic).

**AUDIT:**

➔ Trustee Legg moved, unanimously carried 4/0 that the bills be allowed and paid upon audit.

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	12/22/08	178173-178174	\$83,957.01
	12/24/08	178176	1,101.38
	12/30/08	178177-178181	3,231.97
	01/06/09	178207-178263	193,944.59
<u>Fire</u>	12/22/08	178172	682.11
	12/24/08	178175	1,591.64
	12/30/08	178182-178184	7,145.28
	01/06/09	178185-178206	31,579.56
<u>Third Party Billing</u>	12/22/08	001421-001422	5,864.63
	12/30/08	001423-001424	10,363.28
	01/06/09	001425-001428	10,527.69
<u>Capital Projects</u>	01/06/09	002293-002294	394.00
<u>Water</u>	12/22/08	002152-002153	13,730.46
	12/24/08	002154-002155	30,462.74
	12/30/08	002156	35.74
	01/06/09	002157-002167	26,888.89

**ADJOURNMENT:**

➔ Trustee Castañeda moved, unanimously carried 4/0 that the meeting be adjourned at 8:09pm.

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Leslie Ann Morelli, Village Clerk