

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, September 15, 2008 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, DPW Superintendent Harry G. Donahue, Police Chief Daniel P. Varrenti

EXCUSED: Building/Zoning/Codes Officer Scott C. Zarnstorff, Clerk Leslie A. Morelli

ALSO PRESENT: Village Attorney David F. Mayer, Deputy Village Attorney Frank A. Aloï, Fire Chief Timothy Rombaut, Assistant Code Enforcement Officer Laurence C. Vaughan, Clerk Pamela W. Krahe, Doug Redick, Joan Hamlin, Kathy Snyder, Jim Hamlin, Karl Essler, Jackie Henry, Cheryl Conner, Norm GianCursio, Francisco Borrayo, James Stull, Sue Reber, Michael Morich, Hanny Heyen, Craig Ferguson, Ray and Jackie Morris, Claudia Hagenah, Mary Jo Nayman, Patricia Bennett, Wayne Bennett, Fred Webster, Rod Davis, Roger Young and several others who did not sign in.

PUBLIC HEARING: (6pm)

➔ At 6:02 pm, Trustee Castañeda moved, Mayor Wexler seconded, unanimously carried to open the public hearing.

Clerk Krahe read the following legal notice, which was published in the Village's official paper (Suburban News), on the Village's official website and available at the Village Hall.

**VILLAGE OF BROCKPORT
LEGAL NOTICE**

Please take notice that the Board of Trustees of the Village of Brockport will hold a **Public Hearing beginning at 6:00pm on Monday, September 15, 2008**, in the Conference Room of the Village Hall, 49 State Street, Brockport, New York to consider proposed Local Laws of 2008 as follows:

- Amendments to Village Code
 - Chapter 27 –Storm Water Management & Erosion & Sediment Control
 - Chapter 36 -Minimum Housing & Buildings Code

The text of these proposed Village Code changes is on file in the Office of the Village Clerk, and may be inspected during normal business hours. It is also posted to the Village website brockportny.org. All interested parties will be given the opportunity to be heard.

Mayor Wexler welcomed attendees and clarified guidelines for public comment as follows:

- Speakers will have a maximum of 5 minutes and will be notified when 1 minute remains
- Speakers will give their name and address
- Speakers cannot yield any of their remaining time to another speaker
- Speakers must address the Board as a body, not as individuals
- Speakers may speak again if time allows
- Speakers may say anything within reason

Mayor Wexler opened the floor to comments on Chapter 27 – Stormwater Management and Sediment and Erosion Control, but there were no public comments. Mayor Wexler stated discussion on Chapter 27 was closed.

➔ Mayor Wexler asked for a motion on Chapter 27. No motion was made, no action was taken.

Mayor Wexler opened the floor to comments on Chapter 36 – Minimum Housing and Building Code.

PUBLIC COMMENT:

1. James Stull of 15 Mercer Street (former Mayor) - gave some historical background dating back to

1964 on the growth of Village rental properties in light of the expanding population of college students and the subsequent development of the original Chapter 36. He noted there were two classes of landlords—the very good ones such as the GianCursio family, the Webster family, the Corbins, and Emily and Willis Knapp; and the problematic, transient, non-resident landlords who did it to make money. He stated another problem was that courts started getting very liberal, giving tenants rights that essentially took away the right of a landlord to evict tenants who caused trouble.

He added that he became Mayor in 1973 and at that time, he and long-time friend Ed Riley, who had since become Village Attorney, wrote the first Minimum Building and Housing Code. He indicated that E. Riley said they would never get all of it through and that some of it, indeed, was thrown out. Now after reading proposed Chapter 36, he opined that some of it will be found unconstitutional, some of it should be clarified and he would be happy to share his thoughts with

the Board. He added that he has concerns about single-family houses and environmental codes. He encouraged the Board

MINUTES OF VILLAGE BOARD MEETING HELD September 15, 2008 continued.....page 2

to slow down, to review the proposal, to get the new trustees up to speed, to make changes as necessary, to have a new public hearing and then do what they must. He concluded by stating that students are better now, that we have good base of landlords who are facing challenges and who want to work with us and we should do that so their properties won't be boarded up and remain unsold. He thanked the Board.

2. Wayne Bennett of 142 State Street - stated that while he has not reviewed every item in the code, he agrees that parts of it seem unconstitutional and reading it briefly as he has, he doesn't see how anybody could get a handle on it especially the new trustees who haven't had much time in office. He referenced page 21, section 36-11 and read from the first sentence, detailing the various types of property listed, adding that that must cover every building in the Village which is fine, but in going through the Village, he doesn't see a lot of properties that would have to be inspected. He opined that the Village is kept up great and that probably only a few properties need to be looked at and hears the Zoning Inspector is overworked. He wondered if this is the proper time to throw this at one person or should the Zoning office be expanded to enforce the codes we have now before we put more codes out there. He also said he didn't understand on the website where everything is listed as a draft and wondered whether it is a final draft because he understand this is being voted on real soon. He indicated he doesn't think people in the Village were notified properly of the impending vote and that additional notification should take place. He concluded by stating that he disagrees with a lot of the stuff in the proposal.

3. Karl Essler, Esq. of 295 Woodcliff Drive, Fairport - stated his law firm represents Norm GianCursio and the last time there was a public hearing his partner attended to voice Mr. GianCursio's concerns. He concurred with Mr. Stull and stated his first concern being their belief that the proposal contains an enormous number of areas of legal difficulties and constitutional issues. His second concern also mirrored Mr. Stull's proposal to sit down and talk with the Board. He wanted the public to be aware that the rental property owners reached out since the last public hearing through the attorneys to see if a meeting could be arranged to hammer out differences and they were told flatly that there was no interest in any such meeting. He added the group is still willing to sit down. He noted that, on a procedural matter, the Board could not take action because legally this matter raises sufficient issues of what he considers land use and zoning issues, which should go to the Monroe County Planning Department. He also expressed that perhaps this is overkill and it places enormous burdens and responsibilities on property owners that are unnecessary and that perhaps the Board does not realize. The end result will be vacant properties, and with the Town of Sweden putting in 375 new rental units which will place more burdens on the owners which will increase vacant housing, the state of repair will decrease, foreclosures will increase, the student population in the Village will decrease and business will decrease as well. Village staff will have to increase to enforce, costing additional taxpayer dollars. He concluded by again inviting the Board to participate in conversations and stated their belief that there are too many legal, constitutional, and practical issues for it to be passed.

4. Rod Davis of 6 Old Brook Trail, Honeoye Falls who owns rental property in the Village - complimented the Board on the changes made and his opinion that this version is more appealing. He added that he still has concerns, that he is still willing to meet with the Board and other local businesspeople to reach a compromise and if they would like to make an appointment, they can call 582-1416 anytime.

5. Hal Barrett owning a rental property at 29 Spring Street - said he didn't care for the way Village residents were notified of the hearing. He doesn't pay attention to a lot of things like the local paper and thinks that if you are a landlord and the Village is going to make a major change, maybe you could put a postcard in the mail rather than just publishing something. He was not aware of what time the meeting started. He keeps his apartments in good order and his tenants happy. He also wanted to bring up something that has nothing to do with this, but the fact is that tax rates for residential and rental properties are not the same, that rentals are taxed a lot higher and that gets passed on to the tenants, who are the poorest people in town probably. That is a discrimination against the poorest people in town. It's very, very expensive to keep rental property in shape and he just about breaks even on it. He thinks that while the Board does a great service to the community by being on the Board and being involved in the community, you can't operate in a vacuum. He told the Board they are representatives of the people of Brockport. He thanked the Board.

➔ Trustee Legg moved, Trustee Castañeda seconded, unanimously carried to close the public hearing at 6:24pm after no others came forward to speak.

➔ Mayor Wexler asked for a motion on Chapter 36. No motion was made, no action was taken.

Mayor Wexler announced the public hearing was over, thanked everyone for coming and noted the Board will meet with attorneys to discuss where they go from here. He noted the regular meeting, as

published, would begin at 7:00pm.

MINUTES OF VILLAGE BOARD MEETING held September 15, 2008 continued.....page 3

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

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

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

➔ Trustee Hunsinger moved, unanimously carried that the minutes of the meeting held September 2, 2008, be approved as amended.

PUBLIC INFORMATION MEETINGS: None

GUESTS: None

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Announce Fall Water Main Flushing – Monday, 10/13 - Wednesday, 10/15 – happens twice per year for the entire system, will be published in the paper in advance.
2. Declare surplus / list on Auctions International – 1 AC/DC welder, probably from the 1970s, has not been used in over 10 years.

➔ Trustee Castañeda moved, unanimously carried to declare as surplus.

➔ Trustee Castañeda moved, unanimously carried to list on Auctions International.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Update on injured student investigation – Thorough investigation is ongoing, expected to take 1 to 3 months. It will be some time before there is a criminal resolution.
2. Overview of overtime – Due to the high volume of calls, other department initiatives, and the ongoing investigation into the student case, overtime costs will be up. In the future, the Chief may approach the Board to hire additional help to deal with the overtime.
3. Authorization to hire a part time officer – As detailed in a memo to the Board, Sam Cubiotti, a retired sergeant from the Greece Police Department has recently applied to be a part-time officer. He would be the fifth part-time officer for the department, is a great acquisition, there would be no psychological or medical exam cost involved at this time because he is still within the two-year limit of his retirement and he would only need about 4 weeks on-the-road training maximum. Chief Varrenti requests permission to hire him, effective at a future date, pending a successful thorough criminal background check.

➔ Trustee Wagenhauser moved to hire Sam Cubiotti as a part-time police officer, effective at a future date, pending successful criminal background check.

Mayor Wexler noted that the Police Department can hire as many part-time officers as can be hired by contract, which is 8, as long as the Board approves.

Trustee Castañeda asked for clarification on whether or not we would incur the \$18,000 cost necessary to hire a new officer as referenced in a January 2008 memo from the chief. Chief Varrenti stated there would be no psychological or medical exam necessary and minimal road training, which would be a savings. Chief Varrenti explained when an officer is out of the system more than two years, they must undergo testing and there are expenses related to that. Trustee Castañeda also asked about part-time officers and the requirement to work 32 hours per month or 8 hours/week. Chief Varrenti stated they have grant money to use on specific shifts, i.e. Aggressive Driving, Stop DWI, etc. Mayor Wexler stated if the Union disagrees with a directive from the Chief, he cannot require it be instituted regardless. Chief Varrenti noted they did disagree, but it has since been resolved. He added there is one officer who is not availing himself for work. Trustee Castañeda wondered why the officer is still here. Chief Varrenti replied that he has spoken with the officer once and will speak with him again and with Civil Service law, you can't just let someone go.

Trustee Legg noted that it reflects favorably on the Chief and the way he runs his department that we can hire a part-time officer who is turning away more money to work elsewhere for the opportunity to work here, and that any cost savings realized is just icing on the cake.

MINUTES OF VILLAGE BOARD MEETING held September 15, 2008 continued.....page 4

Trustee Castañeda asked if the part-time retired officer would have to sign the 211 waiver. Chief Varrenti replied that his hours will not be full-time and he won't exceed the number of hours. Trustee Wagenhauser interjected that, while things may change due to recent issues, in looking at the first quarter, the department is under budget and under last year's expenses at this time, even with the increase in fuel costs.

➔ Carried 4-1 to hire Sam Cubiotti as part-time police officer at a future date pending successful background check. Mayor Wexler, Trustee Wagenhauser, Trustee Hunsinger and Trustee Legg voted in favor, Trustee Castañeda opposed.

4. Referring to recent department initiatives - Chief Varrenti described a situation that occurred yesterday where he and Sgt. Cuzzupoli were en route to a situation when they witnessed a group of individuals on the corner of Water and Main Streets who were engaging in a verbal confrontation with an individual who lives upstairs. Three passersby had to walk out into the street to avoid the situation. The Chief and Sergeant approached and placed the entire group under arrest, including the person in the upstairs window. After they arrived on the scene of the original situation, an individual there was also placed under arrest. All of the individuals will go through the court system. He noted that now when a BPD car turns the corner, crowds disperse. He also clarified that skateboarding on the sidewalk is illegal and anyone violating the law in this regard as well as others will be arrested. His officers have been asked to maintain patrols 24/7/365 using issued rain/cold weather gear if necessary. Trustee Castañeda inquired if riding a bicycle on the sidewalk is against the law and Chief Varrenti affirmed, stating his officers use common sense.
5. Letter of Commendation for Police Department Clerk Bambie Zimmerman – Chief Varrenti said that the morning of August 25, B. Zimmerman took a phone call from the Vermont State Police regarding Christopher Chase who was wanted in the questioning of a homicide in Vermont. In part, because B. Zimmerman gave the call due attention, the suspect was located shortly thereafter in Irondequoit and was taken into custody. Chief Varrenti wished to thank B. Zimmerman publicly for her past and present dedication and thoroughness.
6. Mock Situation at Oliver Middle School regarding POD (Point of Dispensing) during an emergency – Sgt. Phillipy is in charge of this program, has undergone NIMS training and states there will be a mock POD drill staged at the Oliver Middle School on an as yet unknown date. The drill will include securing the school, setting up traffic points and significant overtime. Monroe County Sheriff's Department will assist in their own jurisdiction. Unknown if Sweden or Clarkson has received the communication, suggested that Sweden Councilwoman Connors be contacted. Mayor Wexler added that Assistant Fire Marshal Larry Vaughan would also be assisting.
7. Please call 911 – Chief Varrenti reminded residents to please call 911 any time they see something they think is not right or if they are being bothered and BPD will respond as quickly as possible. Mayor Wexler noted he phoned in an accident at Main and Market Streets today and while he was on his way to the police station to inform them personally, he noted Officer DeToy was already on his way.

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

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut

1. Calls for Service – 696 Fire calls, 1458 EMS calls, total 2154.
2. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: Michael Dorgan from Explorers-added to Fire roster last month, and Amy Stanton-remove from rolls; and the following adds: Tyler Reed for Active Fire and Nathan Zilak, Joseph Morabito and Phil Schneider, all college students for mutual aid.

➔ Trustee Castañeda moved, unanimously carried to approve the previously mentioned drops and adds.

3. Declare surplus / list Auctions International – 1999 Crown Victoria 4.6L V8, 90,000+ miles, which is the Village pool car. Should have a new Chief's car by the end of the week.

➔ Trustee Legg moved, unanimously carried to declare as surplus and list on Auctions International

the 1999 Crown Victoria 4.6L V8, 90,000+ miles.

4. Authorize ALS Hire Rachel Weaver – provisional pending Civil Service confirmation, all paperwork has been submitted.

→ Trustee Hunsinger moved, unanimously carried to authorize ALS provisional hire Rachel Weaver pending Civil Service confirmation.

MINUTES OF VILLAGE BOARD MEETING held September 15, 2008 continued.....page 5

5. Authorize Toughbooks purchase – requesting two Panasonic Toughbooks which are on state bid contract, one this month and one next month. The equipment enables EMS staff to process PCR's and get billing done in a timely manner. No taxpayer dollars will be used, strictly third-party billing monies. They have been using two for a period of time and they've held up very well.

→ Trustee Castañeda moved, unanimously carried to authorize the purchase of two Panasonic Toughbooks, one this month and one next month, from third-party billing monies.

Trustee Wagenhauser commented that with the use of these laptops, the change in billing is extraordinary. Last year's revenue for June, July and August was \$18,000, \$25,000 and \$15,000, respectively, and for the same months in 2008, the billing is for \$35,000, \$44,000 and \$48,000, respectively. The units are better, quicker and more efficient.

Chief Rombaut added that volunteers cover about half the jobs received and that a run to Strong Memorial Hospital takes a minimum of 3 to 3 ½ hours. He stated he is grateful for their service.

6. Adopt Career Staff Manual – Started 4-5 years ago, was then waylaid, effort recently resurrected by EMS Chief Lucas Vandervort, has been completed and approved by Village Attorney. Will assist in clarifying rules and expectations for staff.

Trustee Castañeda asked if staff will have to sign for the manual and Chief Rombaut affirmed, stating both new hires as well as current staff would be required to sign.

→ Trustee Castañeda moved, unanimously carried to approve the adoption of the Career Staff Manual.

Mayor Wexler stated he will sign, get it to Dave Noltee for signature and it will be sent in.

7. Participation in Internship Program – Would like to work with current Explorer members Brian Smith and Andrew Moranes from Brockport Central School District. Interns will be covered under school insurance, will ride in the ambulance, work in the office, dispatch, and the Code Enforcement office. They will be here approximately 10-15 hours per week; both want to be professional firefighters. The students will have mentors; quarterly reports will be prepared; noted this is a great program. Trustee Wagenhauser stated the program is successful in Greece, wondered if this program will be modeled after it. Chief Rombaut affirmed.

→ Trustee Wagenhauser moved, unanimously carried to approve participation in the internship program.

Trustee Castañeda asked if this will allow recruitment of new members for the Explorer program and Chief Rombaut stated there is already recruitment being done in the school, this might enhance it.

8. Holiday Inn Express, located in Town of Sweden – FD responded Saturday morning to report of gas odor. Inn reported 73 ill guests, 3 sick employees; CO meters were reading 800 to 1400; transported some to Lakeside for treatment; no reports of pregnant females, whose unborn children are highly susceptible to the fumes; advised parents of two 10-12 month-old infants to be seen by pediatrician for blood work as babies are in four times greater danger; RG&E responded, found faulty water heaters in same room as a/c units for common areas, which were circulating fumes throughout building. Property was ventilated 3 to 3 ½ hours to get meters to read 0. Everyone cooperative; still working with Charlie Sanford from Town of Sweden.
9. Open House – Saturday, 9/20, 10am – 2pm, trying this in September instead of during the usual Fire Prevention Week in October, which has minimal turnout. All are welcome. Trustee Castañeda noted that if the date is predetermined next year, it could be added to the Village calendar, Chief Rombaut stated the decision was made late this year, but was advertised extensively in local businesses and in the schools.

E. INTERIM TREASURER – Kari A. Olson (excused)

- F. CLERK - Leslie A. Morelli (excused – NYCOM conference) Pam Krahe to substitute
- G. VILLAGE MANAGER -
- H. VILLAGE ATTORNEY – David F. Mayer, Esq., (excused)

MINUTES OF VILLAGE BOARD MEETING HELD September 15, 2008 continued.....page 6

VILLAGE BOARD REPORTS:

A. Mayor Morton Wexler

1. September 11 Vigil – Sincere thanks to PIO Christopher Martin and the Brockport Fire, Police and Ambulance for all the work putting together the service. Evening service was crowded, other two well attended; many local and county first responders as well as military were present. Thank you.
2. Accept resignation of David Strabel from Historic Preservation Board –

➔ Trustee Legg moved, unanimously carried to accept with regret the resignation of David Strabel from the Historic Preservation Board.

3. Appoint to fill part time camera operator vacancy – Previous operator has resigned, Clerk Morelli has this evening’s meetings covered through an agreement with a subcontractor associated with Educable. It is being suggested to contract with a provider recommended by Educable to provide the services of taping, technical editing, delivering the tapes to Educable for local broadcast, as well as an archive copy to the Village at a cost of \$50 per meeting, to be billed monthly with an overtime charge of \$15 for meetings over 2 hours in length.

➔ Mayor Wexler moved to accept the agreement to contract with a provider recommended by Educable to provide the services of taping, editing, delivering the video to Educable for local broadcast, as well as an archive copy to the Village at a cost of \$50 per meeting, to be billed monthly with an overtime charge of \$15 for meetings over 2 hours in length.

Trustee Castañeda mentioned Trustee Hunsinger was going to check into utilizing college videographers and she had looked into using high school students for the task and found that M. Maddaleno at BCSD has students who are interested and who could rotate the responsibility; maybe the former camera operator could show the students how it should be done; expressed concern that we’ve gone from paying no money to paying minimum wage and now this is \$50; wishes to look at other more cost-effective possibilities; suggested discussing it at a workshop.

Mayor Wexler noted that the contractors would provide the equipment, the videotaping, a DVD archive copy, and will get it to Educable, relieving Clerk Morelli of the task. Trustee Castañeda expressed her willingness to take the DVD to Educable as she works in the city daily.

Trustee Wagenhauser stated this has been an issue for a couple of years, and we have a proposal by professionals who will give us consistency and quality for a very reasonable price. Mayor Wexler read the simple agreement. Trustee Castañeda asked Trustee Hunsinger if he had any luck at the college and he replied he did speak with the media person at GCC, who has over 25 years in the media business and when he told him of the proposed agreement with the contractors from Educable, he was told the Board should jump at this opportunity.

➔ Motion carried 4-1 with Mayor Wexler and Trustees Hunsinger, Legg and Wagenhauser in favor and Trustee Castañeda opposed.

4. Kleenbrite – There were previous questions regarding an environmental issue. The county feels the Village can perform any testing that has to be done, as the Board decides. CEO Zarnstorff previously advised not going near the facility. The Village Attorney is not an environmental lawyer. Mayor suggests an environmental lawyer be involved, topic could be discussed at the next workshop.

Trustee Wagenhauser said that Mayor Wexler stated at the early September Board meeting that the state still owned the property. The Mayor informed the Board the day after the meeting that it had sold three months prior. Trustee Wagenhauser wonders why this blight on the community has not been cleaned up and has taken similar complaints from Village residents. Feels someone should be telling the owner to clean the place up, hopes the Mayor will do something about it. Trustee Hunsinger referenced a Notice and Order from May 2004 for unsafe conditions, vacant building, structural collapse and stated the situation needs to be remedied expeditiously.

5. Unsigned voucher – Attorney will be submitting some detail on the portion that pertains to Farmer’s Market concerns and a former Trustee. The other portion pertains to ethics discussions and the Mayor opined it would be unethical to disclose details of most of those conversations, including names of those discussed. He did reveal some questions were regarding Trustees Hunsinger and Legg and whether or not they should recuse themselves from decisions about the Farmer’s Market because when they ran for election, they were supported by a member who had a lot to do with running the Farmer’s Market. The attorney explained they do indeed have the right to vote on the issue. The Mayor reiterated his stand that he will not discuss the other issues with anyone other than the attorney and if the remaining Trustees do not want to sign the voucher, he will notify the attorney. Only one additional signature is necessary to submit for payment.

MINUTES OF VILLAGE BOARD MEETING HELD September 15, 2008 continued.....page 7

B. Trustee / Vice Mayor Maria C. Castañeda

1. Village Advisory Committee met September 9 and discussed special Planning Board meeting on 9/29/08; gathering information on a curfew; the September 11 memorial; Seymour Library events sponsored by Walk! Bike! Action Group; Septemberfest.
2. Attended September 11 memorial service opening and closing, thanked all for their service to their community.
3. Attended workshop by John Bero on 9/11 showcasing different architectural houses in Village.
4. Attended show at Seymour Library of walking and hiking trails presented by David Wright of Victor on 9/11. Able to obtain copy of revocable permit and law, passed it on to Village Attorney and Bill Andrews.
5. Staffed Village table at Septemberfest on 9/13, handed out pamphlets, thanked others who assisted, encouraged others to participate next year.
6. Step Up Community Project – thanked high school students, Jackie and Doug for job well done.
7. Phebe the mule was on display at Septemberfest, thanks to Jack Mazzarella for the restoration.
8. Steve Appleton has turned in his statement of success as required by the Celebrate Brockport Grant Program.
9. Received invitation for Department Heads and Board of Trustees to attend next Merchant Association meeting to discuss concerns and Farmer’s Market. May be best to have them address Board at workshop or Board meeting.
10. Apologized for sending out email in which she referred to department heads as a “side board,” she meant no disrespect, explaining she calls it a side board because it is a board that sits to the side of the Board of Trustees and did not realize people did not understand her terminology.
11. Regarding the two public hearings on Chapter 36 – Just as when the Board learned of Main Street renovations by DOT they convened a cross section of residents, she suggests the same with rental property owners, college students, Board members, etc. to be a part of the solution regarding Chapter 36.

C. Trustee David J. Wagenhauser

1. Invitation to attend Merchant Association meeting – intends to go, has asked their major concerns which are the people causing trouble and selling drugs on Main Street. Knows Police Department is involved and attempting to get under control.
2. Attended press conference following student injury; felt it was handled professionally, proud to know we have good people who know how to handle those situations, proud of how the Chief and Chief Kehoe from SUNY University Police worked together.
3. Attended morning September 11 ceremony, very well done.
4. Apologized for not attending Septemberfest because of obligations with his children. Thanks to Trustee Castañeda for her efforts. Did get a chance to see Phebe the mule.
5. Through the Historic Preservation Board, money was received to sponsor Mr. Bero, a historic architect to speak. The 9/11/08 gathering at Seymour was well attended; others can contact Bill Andrews through Village Hall to have experts come to your home to suggest preservation ideas; may be receiving money to help with improvements as well. Wanted to note that first house shown during Mr. Bero’s slideshow was 190 Main Street—the brown house next to Webster Funeral Home, which elicited many groans from the crowd. No one expects that house to be restored to its original grandeur, but minimal property maintenance should be

expected. Has been told Trustees it that something is of O. There are many who exceed, which is a made numerous requests to have something done to this house; has also may not direct the work of Department Heads; hopes the Mayor will see to done in very near future; there are people living there without a current C rental property owners who meet minimum property codes and some credit to them.

6. Looked at numbers for June-August 2008 as compared to budgeted numbers and as compared to numbers for same time period last year. Good news overall; expenses are tens and tens of thousands of dollars under budget this quarter; congratulations to all Department Heads. On revenue side, we are where we should be, not counting property taxes; Police Department is down.

MINUTES OF VILLAGE BOARD MEETING held September 15, 2008 continued.....page 8

D. Trustee Scott W. Hunsinger

1. Attended press conference following the student injury and was also impressed with conduct of Chief Kehoe and Chief Varrenti.
2. Attended September 11 vigil – compliments to Chief Rombaut, Chris Martin, Norm Knapp and many others on a job well done; hopes the ceremonies will continue in years to come so we never forget.
3. Regarding recent comments about his short time on the Board – He has been very active and has taken it upon himself to look into 200 State Street; auction on 7/24 with no result; went to former Trustee Heyen to discuss; has two main items—1) where is the County with this property – will they have another auction or perform testing, what's their vision? 2) testing is due to be done again, processes have been improved, will work with NYSDEC Region 8 on programs for testing, remedial action; knows it concerns constituents as much as it concerns him.
4. Also concerned with Ethics Board as second area needing leadership – sent email to the three members of the Ethics Board asking general questions; only received one response - from Jean Skillings; seems priorities are not in order; there are no minutes, he suggests that Board needs leadership. Will continue investigating until questions are answered.

E. Trustee Hal S. Legg

1. Planning Board – has met with Chair Charles Switzer and spoken about system Board is implementing to follow up on approved applications to ensure Board's conditions of approval are met; agrees with Planning Board that compliance is fair goal. Noted that Code Enforcement Office resources are already stretched with some 2,300 inspections annually in the areas of code enforcement, rental properties, building construction. Code Enforcement Officer Scott Zarnstorff and Clerk Pam Krahe have come up with a way to computerize the reminders for follow up. Better governments create opportunities for efficiencies and that is what is being done here at no cost to taxpayers.
2. Tree Board – Our community now qualifies to become a Tree City, USA; Brockport spends about \$6,300 per year on shade trees, which is supplemented by such things as bonds, private and public donations. Thanks to the Tree Board for all they do.
3. Sweden Harvest Festival 5K run – Trustees Legg and Hunsinger will participate, proceeds to benefit Sweden Farmer's Museum; encouraged all to attend.
4. September 11 ceremony – congratulations to the Fire Department on the efforts to bring about this event; enjoyed the speakers, in particular the Mayor's speech. This ceremony helps preserve the memory of that tragic day.
5. Treasurer opening – have received about a dozen applications; have been in touch with Lou Spiro from SUNY and Ian Coyle, former Treasurer / Village Manager to get started on reviewing hopefully in October.

Trustee Castañeda asked Chief Varrenti if the college is helping in the investigation of the student incident. Chief Varrenti replied that because it is an active investigation he is not at liberty to say much but noted that he is in communication with the college.

PUBLIC COMMENT:

1. Pat Bennett of 142 State Street - commended the Chief on wanting to crack down on things in the Village, but expressed concern that she had phoned police in June about two separate incidents, one involving her van and another involving the vandalizing of her side yard, and the two different officers who responded acted as if she was bothering them. She thinks it's great the Chief encourages residents to call for any reason, but he should ask his officers to address the

complainants in a different manner. Chief Varrenti offered to speak with P. Bennett after the meeting to gather more particulars and to be in touch with her to look into the matter.

2. Wayne Bennett of 142 State Street - stated in listening to the meeting he heard a couple of Trustees complain to the Mayor about Kleen Brite and he feels that Trustees who live in this neighborhood should have been involved with Kleen Brite more than just 3 months ago and instead of complaining and asking the Mayor what is he going to do about it, the entire Board should be helping find a solution together. He added there was another complaint asking the Mayor what is he going to do about Main Street and he feels that may be more of a Zoning Board of Appeals problem rather than a problem for the Mayor. Regarding the Ethics Board, of which he is a member, he was not contacted by email as referenced earlier. He stated he'd be happy to give Trustee Hunsinger his contact information and added that he had been told that anything discussed by that Board is strictly confidential and that meetings are only to be held when there is a complaint about an employee or elected official.

MINUTES OF VILLAGE BOARD MEETING held September 15, 2008 continued.....page 9

3. Kathy Snyder of Lyman Street - regarding ethics commented that after the last Village Board meeting she observed three members of the Village Board having drinks together and then she received a phone call because they were overheard discussing what could be Village business.

Trustee Wagenhauser commented with regard to raising issues with the Mayor, he wanted the public to be aware that the Trustees have been told, by memo and otherwise, that the Mayor directs the Department Heads and that the Trustees may not, and he feels that is founded. Regarding the Ethics Board, he believes that any reports they generate are supposed to come to the Village Board.

Mayor Wexler added that if anyone had a concern with one of the boards but was unable to go the board to tell them, to let him know and he will go on their behalf.

Trustee Castañeda noted that she has gone directly to Department Heads before and she believes that as a Board, if there is a problem, everyone should look at it to brainstorm ideas, evaluate and then pick a win-win solution. Attacking each other or making snide remarks is both unproductive and unprofessional. She thanked Department Heads with whom she has met for their cooperation.

Trustee Hunsinger voiced that with regard to the Ethics Board and the questions he raised, he had done an extensive review of the code and it states that boards will hold a normal meeting where minutes are kept and anything confidential will be taken into executive session. As previously stated, the Village Attorney has suggested the Ethics Board should convene to adopt processes that would give them ways to function properly when it needs to. Trustee Castañeda commented that it was her belief the Chair of the Ethics Board had answered his question and that those guidelines had been set up. Trustee Hunsinger replied that per the Village Attorney, nothing had been finalized.

Mayor Wexler said that before he adjourned the meeting, he noted that at the last meeting, before going to executive session, that Trustee Wagenhauser came up to him saying he didn't like the idea of his name being mentioned on vouchers that were submitted and that Trustee Wagenhauser said to the Mayor "I will get you tenfold." Trustee Wagenhauser interrupted but Mayor Wexler continued, saying he is 73 years old and Trustee Wagenhauser is 50 and we are all going to die and the Mayor will be smiling when they put him into the ground. He finished by saying "Meeting adjourned."

AUDIT:

➔ Trustee Castañeda moved, Trustee Hunsinger in favor, Mayor Wexler in favor, Trustees Wagenhauser and Legg abstained (as they did not hear the motion), carried that the bills be allowed and paid upon audit.

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	9/11/08	177612	\$6,198.91
	9/16/08	177639-177691 &177693-177698	\$53,885.36
<u>Fire</u>	9/16/08	177613-177638	\$43,012.71
<u>Third Party Billing</u>	9/16/08	001331-001343	\$12,952.38
<u>Capital Projects</u>	9/8/08	002251	\$1,550.00
	9/16/08	002252-002265	\$80,110.20

Water

9/16/08

002074-002079

\$4,058.93

ADJOURNMENT:

- Trustee Castañeda moved, Trustee Hunsinger in favor, Mayor Wexler in favor, Trustees Wagenhauser and Legg abstained (as they did not hear the motion), carried that the meeting be adjourned at 9:02 pm.

Pamela W. Krahe, Clerk