

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, July 20, 2009 at 7:00pm.

PRESENT: Mayor M. Connie Castañeda, Vice Mayor/Trustee Kelly A. Smith, Trustee Kent R. Blair, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli, Treasurer Gina M. Tojek, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti

EXCUSED: Village Attorney, Fire Chief Scott Smith

ALSO PRESENT: Assistant Fire Chief Don Marenus, Bill Andrews, Ruthann Tryka, Charlene Veltz, Jim & Joan Hamlin, Rich Miller, Jo Matela, Tony Peone, Jack Wahl, Kathryn Peets, Norm Giancursio, Mary Ann Thorpe, Mary Jo Nayman

CALL TO ORDER: Mayor Castañeda 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 Castañeda called for any additions or corrections to the minutes of the last meeting.

- ➔ Trustee Hunsinger moved, Trustee Legg and Mayor Castañeda in favor, Trustee Smith and Trustee Blair abstain due to not being on the Board at that time, carried 3/0/2 that the minutes of the meeting held June 15, 2009, be approved as written.
- ➔ Trustee Smith moved, unanimously carried 5/0 that the minutes of the workshop meeting held July 13, 2009, be approved as written or amended.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

GUESTS:

1. 2009 Erie Canalway Heritage Award of Excellence – Bill Andrews – B. Andrews reported that the Village of Brockport received the 2009 Erie Canalway Heritage Award of Excellence which honors and celebrates significant places of the Erie Canalway and recognizes excellence in advancing the goals of the Erie Canalway Preservation and Management Plan. B. Andrews shared that he was accompanied by former Mayors Mary Ann Thorpe and Morton Wexler to receive the award at a luncheon in Ithaca. He credited 3 factors for Brockport’s success: promotion and efforts related to canal revitalization by the New York State Canal Corporation, 3 supportive Mayoral administrations (Mary Ann Thorpe, Josephine Matela, Morton Wexler), and a strong spirit of volunteerism in our community. The Village of Spencerport received an honorable mention for its Depot and Canal Museum and the City of Lockport received an honorable mention for its Erie Canal Discovery Center and Lockport Visitor’s Center.

Complete text of the award write up regarding Brockport:

“A long-term, community-wide effort to make the Village of Brockport a more attractive home, workplace, and destination for travelers has strengthened Brockport’s economy, while preserving the integrity of this Victorian village on the Erie Canal. Brockport’s emphasis on living its history, rather than simply preserving it, led to innovative approaches to heritage development, benefitting residents and visitors alike.

Against the backdrop of a crumbling manufacturing and industrial economic base facing many upstate New York communities in the 1980s and 90s, Brockporters sought a way forward that would capitalize on the village’s strengths. Brockport’s multifaceted plan included four major components: revitalizing its canalfront, preserving historic structures, making Main Street vibrant, and building community pride.

Working through a number of volunteer organizations and with the assistance of the College of Brockport faculty and students, Brockport citizens identified, preserved, and built upon the best elements of the village: its historic architecture and Victorian streetscapes, its access to and from the canal, its walkable neighborhoods, and the spirit of volunteerism of its residents.

Brockport’s 1998 Canalfront Master Plan and enrollment in the NYS Certified Local Government Program provided guidance and access to financial resources. Strategic pursuit of a number of grants and community-wide fundraising efforts enabled the village to rehabilitate its canal wall, institute a historic home improvement program and, in 2005, open its Welcome Center along the canal.

The Welcome Center, staffed by 100 volunteers, now serves 600 boaters annually and has enabled Brockport to become a destination for canal travelers. Simple but clever amenities, such as free

travelers, pumping more than \$100,000 each year into Brockport's economy.

Further, Brockporters developed a museum without walls so that residents and visitors would experience Brockport's heritage as part of the fabric of its present village life. This approach reaches a wide audience, fostering a sense of place and instilling a preservation ethic. Brockport's living museum includes interpretive signs throughout the village, self-guided walking tours, public art, rotating displays in public venues, such as the library, supermarket, and senior center, and more than 50 buildings on the State and National Register and 37 Historic Landmarks.

By living its history, the Village of Brockport honors its past and provides an outstanding model for canal communities seeking to build a strong local economy and community for present residents and future generations.

The 2009 Jury selected the Village of Brockport for its outstanding approach to and successful demonstration of heritage preservation and community revitalization. The jury commended the Village and its Historic Preservation Board for:

- Integrating historic preservation into the character of the village as an ongoing process, rather than a fixed commodity.
- Taking a holistic approach to heritage development with a range of projects, from simple to sophisticated, that could be replicated in other canal communities;
- Providing technical assistance and local tax abatement to property owners to promote preservation of historic structures;
- Citizen driven programs and projects;
- Exceptional efforts to facilitate connections between waterfront and Main Street, including walking tours, free bicycles, and grocery wagons for canal patrons."

Mayor Castañeda shared that she received congratulatory correspondence from the New York State Canal Corporation, National Parks, and Assemblyman Reilich. Board thanked B. Andrews for his efforts.

2. Farmers Market Co-Managers: Ruthann Tryka & Charlene Veltz – introduced themselves and thanked the Board for their appointment as Co-Managers. They are having a ball and the produce this season is amazing. They provided a written report indicating that there are 10 paid seasonal vendors and 4 paid day vendors. Income: \$1,900 from paid seasonal vendors, \$120 from paid day vendors, \$30 from Farmers Market bag sales for a total income to date of \$2,050. They conducted a farmers market survey and vendors provided positive input. They wish to grow the market, but of course, do not want direct competition, but instead other things like coffee and crafters. They also want increased advertising, a permanent sign, and sandwich board signs. They hope to grow the market by increasing day vendors and will be looking for an alternate Village location for 2010 since NYSDOT will have Main Street torn up. They thanked Trustee Legg for being a great liaison and for his advertising efforts.

Mayor Castañeda said the Board thanks the new co-managers for their services thus far and looks forward to further reports.

PUBLIC COMMENT:

1. Josephine Matela of Adams Street and the Brockport Merchants Association said a) she is glad Bill Andrews was able to attend the Canalway Award presentation. She remarked that during Mayor Castañeda's campaign she referred to the Welcome Center as a non-essential project. She said she hopes she now sees how essential it is to visitors and to the local economy. Since 2005 Welcome Center fees have brought in over \$18,000 and has boosted the economy of local restaurants and shops, especially during the summer season. b) Regarding the adoption of amendments to Chapter 36 last year, M. Castañeda was the only nay vote. She understands that of notice of possible lawsuit has been filed by Norm Giancursio on behalf of the Landlords Association and commented that it would be inappropriate, unethical, and a conflict of interest for Mayor Castañeda to have any dealings on this due to her personal and/or professional relationship with N. Giancursio. She suggested the Ethics Board be consulted.
2. Rich Miller of 52 State Street expressed concern with a) possible selective enforcement, b) inquired as to whether 100 Fair Street had applied for a change of use since there seems to be a landscape company operating there with signage and equipment c) application by 76 Monroe Avenue before the ZBA for continuance of a pre-existing non-conforming use as a 2 family – reminded that he and George Brocius were previously denied the same even though they were on the rolls as such. He urged the new Village Board to do a better job, not deny due process & 14th amendment rights and have fair and uniform code enforcement.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 3

3. Jack Wahl of East Avenue shared that May through July of 2007 he spoke with Code Enforcement and the Village Board about concerns of construction dust at Sunflower Landing. He was told then that per Village Code there must be dust abatement during construction. There never was. Even with all the rain we've had of late, there have been dust problems. On July 14th at 3pm he came in and spoke to Code Enforcement about this problem and asked if it would be enforced. He was told "I'll look at it." He commented that looking at and doing something are different things. He spoke with the developer who was very receptive to watering, and although he doesn't have a water tanker, he ran sprinklers from the homes. He said he appreciates that the developer took action from a citizen complaint and that it was more satisfaction than he got from Code Enforcement.
4. Anthony Peone of Smith Street and a Main Street merchant a) referred to a recent blurb in the local paper about how NYSDOT would be paving at night in Spencerport so as to minimize the impacts to the merchants in the Spencerport business district. He wonders why this can't be done in Brockport and why Brockport merchants are treated as chop liver. b) expressed concern regarding the dangerous condition of the steps and risers on the wooden stairway of the Smith Street Bridge – his wife has called DPW and NYSDOT to no avail. DPW Superintendent Donahue shared that this is currently the NYSDOT's jurisdiction and he has complained to them verbally and in writing for 2 months and finally just received a promise from NYSDOT to fix this.

Executive Session:

⇒ At 7:25pm, Trustee Hunsinger moved, unanimously carried 5/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel matters – 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 08:00pm, Trustee Legg moved, unanimously carried 5/0 that the Board of Trustees re-enter the regular meeting.

APPOINTMENTS AND ADOPTIONS:

ANNUAL FENCE PERMITS –

⇒ Trustee Hunsinger moved, unanimously carried 5/0 that the following annual fence permits be renewed:

1. GE – 98 Lyman Street
2. RG&E – Perry Street and Erie Street

ADVANCE APPROVAL OF CLAIMS –

⇒ Trustee Smith moved, unanimously carried 5/0 that the Board authorizes payment in advance of audit of claims for non-discretionary costs such as insurances, public utility services, postage, freight and express charges.

MILEAGE ALLOWANCE -

⇒ Trustee Blair moved, unanimously carried 5/0 that the Board authorizes reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties for travel at the current IRS rate per mile as indicated in the Employee Handbook.

ADOPT MEETING SCHEDULE -

⇒ Trustee Hunsinger moved, unanimously carried 5/0 adopting the following meeting schedule.

August 2009 - August 2010
Village of Brockport Meetings

Village Board Meetings

Meetings begin at 7pm and are held at Village Hall

1st & 3rd Monday of each month unless otherwise noted

Note: Department Heads are in attendance only the 2nd meeting of each month.
Submittal Deadline: Wednesday by Noon prior to meeting date

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 4

August 3, 2009	January 4, 2010
August 17, 2009	January 20, 2010 (Wednesday)
September 9, 2009 (Wednesday)	February 1, 2010
September 21, 2009	February 17, 2010 (Wednesday)
October 5, 2009	March 1, 2010
October 19, 2009	March 15, 2010
November 2, 2009	April 4, 2010
November 16, 2009	April 18, 2010
December 7, 2009	May 3, 2010
December 21, 2009	May 17, 2010
	June 7, 2010
	June 21, 2010
	July 7, 2010 (Wednesday)
	July 19, 2010 (<i>organizational</i>)
	August 2, 2010
	August 16, 2010

Planning Board Meetings

Meetings begin at 7pm and are held at Village Hall

2nd Monday of each month unless otherwise noted (only upon application)

Submittal Deadline: Tuesday by Noon prior to meeting date

August 10, 2009	January 11, 2010
September 14, 2009	February 8, 2010
October 13, 2009 (Tuesday)	March 8, 2010
November 9, 2009	April 12, 2010
December 14, 2009	May 10, 2010
	June 14, 2010
	July 12, 2010
	August 9, 2010

Zoning Board of Appeals Meetings

Meetings begin at 7pm and are held at Village Hall

4th Tuesday of each month (only upon application)

Submittal Deadline: Tuesday by Noon at least 3 weeks prior to meeting date

August 25, 2009	January 26, 2010
September 22, 2009	February 23, 2010
October 27, 2009	March 23, 2010
November 24, 2009	April 27, 2010
December 22, 2009	May 25, 2010
	June 22, 2010
	July 27, 2010
	August 24, 2010

Historic Preservation Board

Meetings begin at 7pm and are held at Village Hall

3rd Thursday of each month unless otherwise noted (as needed)

August 2009 – None	January 21, 2010
September 10, 2009	February 18, 2010
October 15, 2009	March 18, 2010
November 19, 2009	April 15, 2010
December 17, 2009	May 20, 2010
	June 17, 2010
	July 15, 2010
	August 19, 2010

Other Boards and Committees:
meeting schedules and locations vary

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 5

Seymour Library Board (3rd Tuesday 7pm at Library), Tree Board (2nd Tuesday 7pm at Library), Code Review Committee (4th Tuesday 6pm at Village Hall), Village Advisory Committee (2nd Tuesday 7pm at Village Hall), Walk Bike Brockport Action Group (2nd Thursday 7pm at Village Hall), Parks Committee, Welcome Center Management Committee, Emily L. Knapp Museum & Library of Local History Committee, Main Street Rehabilitation Committee, Board of Ethics.

MAYOR TO APPOINT DEPUTY / VICE MAYOR -

Mayor Castañeda appointed Trustee Smith as Deputy / Vice Mayor.

Deputy / Vice Mayor.....Trustee Smith

APPOINT VILLAGE BOARD LIAISONS to departments / areas / boards / committees -

⇒ Trustee Smith moved, unanimously carried 5/0 that the following Village Board appointments be made:

BOARD LIAISONS TO DEPARTMENTS / AREAS / BOARDS / COMMITTEES

<u>Police Department</u>	Trustees Hunsinger & Smith
<u>Fire & Ambulance & Dispatch</u>	Trustees Hunsinger & Blair
<u>Public Works</u>	Trustees Hunsinger & Smith
<u>Building / Zoning / Code Enforcement</u>	Trustees Hunsinger
<u>Budget and Finance</u>	Trustees Legg
<u>Personnel / Human Resources</u>	Trustee Legg
<u>Planning Board</u>	Trustee Blair
<u>Zoning Board of Appeals</u>	Trustee Smith
<u>Historic Preservation Board</u>	Trustee Smith
<u>Seymour Library Board</u>	Trustee Legg
<u>Tree Board</u>	Trustee Legg
<u>Code Review Committee</u>	Trustee Hunsinger
<u>Emily L. Knapp Museum & Library of Local History</u>	Trustee Smith
<u>Parks Committee</u>	Trustee Blair
<u>Welcome Center Management Committee</u> (William Andrews, Josephine Matela, Chris Marks)	Trustee Blair
<u>Walk Bike Brockport Action Group</u>	Trustee Legg
<u>Economic Development</u>	Mayor Castañeda
<u>Intergovernmental Relations</u>	Mayor Castañeda
<u>Main Street Rehabilitation Committee</u>	Mayor Castañeda
<u>Village Advisory Committee</u>	Mayor Castañeda

DISSOLVE CANAL REVITALIZATION COMMITTEE –

Due to inactivity and being somewhat replaced by the Walk Bike Brockport Action Group and Welcome Center Management Committee / Canalfront Hospitality Program:

- ⇒ Trustee Hunsinger moved, unanimously carried 5/0 to dissolve the Canal Revitalization Committee with thanks to its members for their service.

ADD TO PAID TIME OFF –

- ⇒ Trustee Blair moved, unanimously carried 5/0 that the full-time non-union employees be rewarded this year with 2 additional paid days off: Christmas Eve Day (12/24/09) and New Years Eve Day (12/31/09). Note: since Village Hall staff had previously assigned 12/24 as one of their floating holidays, they will get the Friday before Labor Day (9/4/09).

AMEND FEE SCHEDULE -

- ⇒ Trustee Legg moved, unanimously carried 5/0 adopting the following fee schedule.

Mayor Castañeda shared that Department Heads are reviewing the fee schedule and further amendments will be forthcoming.

**VILLAGE OF BROCKPORT
FEE SCHEDULE
Amended 7/20/09**

VILLAGE BOARD FEES

- Rezoning application.....500.00
- Blasting permit.....\$200.00

ZONING BOARD OF APPEALS FEES

- Area Variance.....\$200.00
- Use Variance.....\$300.00
- Interpretation.....\$150.00
- Home Occupations.....\$25.00
- Travel trailer / dumpster approval.....\$25.00

- Other (special permit or authorization required by code).....\$150.00

PLANNING BOARD FEES

- Commercial / Industrial Change of use.....\$45.00
- Residential Change of use.....\$35.00
- Site plan (new construction) (less than 5 acres).....\$300.00
includes stormwater pollution prevention plan review
- Site plan (new construction) (greater than 5 acres)\$600.00
includes stormwater pollution prevention plan review
- Site plan (other).....\$250.00
includes stormwater pollution prevention plan review
- Residential subdivisions (less than 5 acres)\$200.00 plus \$50 per lot
includes stormwater pollution prevention plan review
- Residential subdivisions (greater than 5 acres).....\$600.00 plus \$50 per lot
includes stormwater pollution prevention plan review
- Re-subdivision.....\$50.00
- Residential Fences (front yard).....25.00
- Commercial / Industrial Fences (includes dumpster enclosures).....\$50.00
- Residential / Commercial / Industrial parking lots.....\$50.00
includes stormwater pollution prevention plan review
- Changes to or alteration of or extension of previous approvals.....\$50.00
- Special Meeting at request of applicant
.....\$50.00 in addition to application base fee
- Public Hearing if Board deems necessary
.....\$100.00 in addition to application base fee

ENGINEERING INSPECTIONS & STORMWATER INSPECTIONS

Engineering costs charged to the Village for site inspections or stormwater inspections shall be the responsibility of the applicant / developer. Village engineering inspections are based on time spent and will either be invoiced or utilized from the letter of credit. Village stormwater inspection fee is \$50 per inspection and will either be invoiced or utilized from the letter of credit

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 7

MISCELLANEOUS

- Tax Search.....\$10.00
- Copies.....\$.25 per page
- Returned Check Charge.....\$20.00
- Zoning Chapter of Code Book.....\$25.00
- Zoning Map (color).....\$5.00
- Sign Permit.....\$30.00 per sign
- Sidewalk Café Permit.....\$200.00
- Hawking & Peddling Permit 1 to 7 days.....\$100.00
- 6 months or less.....\$250.00
- 1 year.....\$500.00
- Parade / Procession Permitno charge
- Fireworks Permit.....no charge
- Appliance with Freon.....\$25.00
- Garbage and Trash Pick-Up cost to Village plus \$50.00 for first calendar year
(CY) offense, cost plus \$100 for second CY offense, cost plus \$250 for third CY offense.
- Garbage Cans Pick-Up.....\$25.00 per can
- Lawn Mowing.....\$150 per hour per man plus equipment
- Weekly Commercial Waste Hauler Permit.....\$1,500.00 (annually)
- Other Commercial Waste Hauler Permit.....\$500.00 (annually)
- Facilities Use Permit\$25.00 deposit

CANAL FRONT AMMENITIES

- Boats 16' or less.....\$4.00
- Boats 17' – 30'.....\$6.00
- Boats 31' – 40'.....\$8.00
- Boats 40'.....\$10.00
- Commercial Boats.....\$15.00

POLICE DEPARTMENT FEES

- Copy of Police Report.....no charge
- Fingerprinting (NON-Village resident/merchant).....\$15.00
- Record Check.....\$5.00

Pay at Village Hall for fingerprinting or Brockport record check then go to Police Department.

- Parking
 - Illegally Parked.....\$30.00
 - Winter Parking Ordinance.....\$40.00
 - Fire Lane / Hydrant.....\$50.00
 - Handicapped Parking.....\$60.00*

Fines doubled if not paid or contested within 30 days.

*Applicable NYS surcharges may be applied by the adjudicating agency.

BUILDING / FIRE APPLICATION FEES

RESIDENTIAL NEW HOME CONSTRUCTION – includes Certificate of Occupancy inspection fee:

- 800 – 1,100 square feet.....\$350.00
- 1,101 – 1,300 square feet.....\$400.00
- 1,301 – 1,500 square feet.....\$450.00
- 1,501 – 1,700 square feet.....\$500.00
- 1,701 – 2,000 square feet.....\$550.00
- 2,001 – 3,000 square feet.....\$600.00
- 3,001 – 5,000 square feet.....\$650.00

RESIDENTIAL NEW CONSTRUCTION – (additions, remodeling) - includes Certificate of Occupancy inspection fee:

- Value of construction from \$0 - \$500.....\$45.00
- Value of construction from \$500 - \$10,000.....\$65.00
- Value of construction from \$10,000 - \$50,000.....\$85.00
- Value of construction from \$50,000 - \$100,000.....\$105.00

- Value of construction from \$100,000 - \$150,000.....\$125.00
- Value of construction from \$150,000 and up.....\$150.00
plus \$10.00 for each \$10,000 of construction value

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 8

COMMERCIAL NEW CONSTRUCTION – (additions, remodeling) – includes Certificate of Occupancy Inspection fee:

- Value of construction from \$0 - \$500.....\$65.00
- Value of construction from \$500 - \$10,000.....\$85.00
- Value of construction from \$10,000 - \$50,000.....\$105.00
- Value of construction from \$50,000 - \$100,000.....\$125.00
- Value of construction from \$100,000 - \$150,000.....\$150.00
- Value of construction from \$150,000 and up.....\$200.00
plus \$10 for each \$10,000 of construction value

RESIDENTIAL ACCESSORY STRUCTURES – includes Certificate of Compliance inspection fee:

- Decks.....\$30.00
- Above ground pools.....\$30.00
- In ground pools.....\$40.00
- Sheds (144+sf).....\$20.00
- Gas appliances i.e. hot water heater, furnace.....\$15.00
- Gas appliances..... i.e. fireplace, gas log sets, fixed piped home generators.....\$20.00
- Temporary Construction Trailer.....\$50.00

RENTAL PROPERTY CERTIFICATE OF OCCUPANCY / OPERATIONAL PERMITS

- Single family rental Code 210.....\$40.00
- Two family rental Code 220.....\$80.00
- Three family rental Code 230.....\$120.00
- Townhouses Code 411.....\$20.00 per unit
- Apartment building Code 411.....\$150.00 per building
- Inn / rooming house Code 418.....\$100.00

OPERATIONAL FIRE-SAFETY PERMITS & INSPECTION FEES

- Educational.....\$100.00 (annually)
- Place of Public Assembly 100 persons or greater\$100.00 (annually)
- Assembly uses 50 – 100 persons.....\$50.00 (annually)
- Manufacturing.....\$100.00(annually and/or as local conditions require)
- Fairs/festivals.....\$200.00 (annually)
- Repair/service garages.....\$100.00 (3 year intervals)
- Mercantile over 5000sqft.....\$100.00 (3 year intervals)
- Business use over 5000sqft.....\$100.00 (3 year intervals)
- Food service establishments.....\$35.00 (yearly and/or as local conditions require)
- Other.....\$100.00 (yearly and/or as local conditions require)

PLUMBING & SEWER FEES

- Plumbing License.....\$25.00
- Plumbing Permit.....\$40.00 plus \$3.00 per fixture
- Out of District Sewer Users
 - If on Village water.....80 cents /1,000 gallons water used
 - If not on Village water.....\$50.00 per unit
(Unit = 50,000 gallons water per MCPW)
- Sewer Tap Inspection (Monroe County Pure Waters).....\$250.00 plus
 - If Village installed.....\$300.00
 - If contractor installed.....\$125.00

WATER:

Frozen meter fee \$100

Water Rate Schedule – Effective January 1, 2005
As Adopted December 8, 2004

Rates for the sale of water to all customers of the Board of Water Commissioners.

QUARTERLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:

All Water Usage \$ 3.63 per M gallons
 Minimum Billing \$15.00 per quarter

QUARTERLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:

All Water Usage \$ 4.67 per M gallons
 Minimum Billing \$20.00 per quarter

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 9

MONTHLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:

All Water Usage \$ 3.63 per M gallons
 Minimum Billing \$15.00 per month

MONTHLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:

All Water Usage \$ 4.67 per M gallons
 Minimum Billing \$20.00 per month

UN-METERED WATER:

The rate for un-metered water sales shall be \$6.00 per thousand gallons

TERMS AND PAYMENT:

All bills and charges of the Water Commissioners are payable net cash within thirty (30) days. A delinquent charge of 10% will be added to the bill for non-payment by the due date.

11.9 SERVICE CONNECTIONS:

A. The fees charged upon application for water service tap (including meter) to the Commissioner's are as follows:

SIZE OF SERVICE	Fee Charge
3/4" and 1" with 5/8" or 3/4" meter and under.....	\$1,000.00
3/4" and 1" with 1" meter.....	\$1,100.00
1 1/2" with 1 1/2" meter.....	\$1,500.00
2" with 2" meter.....	\$2,000.00
Over 2".....	See Sub-Section 11.14

The Commissioners will install the service pipe and appurtenances on public streets from the water main to and including the curb box and shutoff. Easements acceptable to the Commissioners must be furnished to them for service installation if private property is involved. Water meters will be furnished and connected by the Commissioners and will remain the property of the Commissioners. (Section IV and Section V)

B. Where a tap already exists, or is being installed under a Main Extension, the fees charged are as follows:

SIZE OF SERVICE	Fee Charge
3/4" and under	\$200.00
1".....	\$250.00
1 1/2".....	\$360.00
2".....	\$530.00
Over 2".....	See Sub-Section 11.14

In addition to the fee charges set forth above for the service taps, there will be an additional charge if, upon installation, the Commissioners have to supply any other necessary parts in order to effect the tap.

C. DELETED

D. SERVICE DISCONTINUANCE

Any water service account which carries an unpaid balance for two billing quarters or more is subject to discontinuance of service, and a fee of \$100.00 will be collected prior to restoration of the service.

E. Any use or attachment to an unprotected, unmetered fire hydrant for other than fire-fighting purposes is subject to an Unauthorized Hydrant Use Fee of \$500.00.

F. The rate for unmetered water sales shall be \$6.00 per thousand gallons.

ACCEPT RESIGNATIONS / or do not wish to be considered for renewal / or inactive -

⇒ Trustee Blair moved, unanimously carried 5/0 that the following resignations / non-renewals be accepted with regret and thanks for their service:

Planning Board – Kent R. Blair

Historic Preservation Board – Lynda Sperazza

Tree Board – DPW's John Streb

Police Explorers – Jessica Abert, Luke Brown, Melynn Vanskiver, Melinda Hermance, Mallory Haynes, David Lyons, Joseph Storms, Nicole R. Kane, Edward R. Kane, Nicholas A. White

SPARTAC – Stacey Bartlett, Jon L. Perez

Max's Mardi Gras Committee – eliminated in its entirety after 4/09 final event

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 10

⇒ Trustee Smith moved, unanimously carried 5/0 that the following appointments be made:

- Official Paper**..... Suburban News
- Official Repositories**.....JP Morgan/Chase
HSBC
- External Auditor**.....one year term.....Raymond F. Wager, CPA, P.C.
- Village Attorney**.....one year term.....Harris, Chesworth, O'Brien, et al
(Note: also to handle Labor)
- Deputy Village Attorney**.....one-year term..... Frank A. Aloï
(Note: pending litigation re Webster case)

⇒ Trustee Hunsinger moved, unanimously carried 5/0 that the following appointments be made:

- Environmental Attorney**.....one-year term.....Underberg & Kessler

⇒ Trustee Blair moved, unanimously carried 5/0 that the following appointment be made:

- Village Clerk**.....2-year term renewal.....Leslie Ann Morelli
- Village Treasurer**.....2-year term renewal.....Gina M. Tojek
- Deputy Clerk-Treasurer**.....2-year term renewal.....Kari A. Olson

⇒ Trustee Smith moved, unanimously carried 5/0 that the following appointment be made:

- Village Historian**.....1-year term renewal.....Jacqueline Morris
- Museum Director**.....1-year term renewal..... Jacqueline Morris

MAYOR TO APPOINT to fill unexpired terms

Mayor Castañeda appointed:

- Planning Board**.....complete unexpired term to 6/30/13.....Bernard Daily
- Code Review Committee**.....complete unexpired term to 6/30/10.....Daniel Kuhn

⇒ Trustee Legg moved, unanimously carried 5/0 that the following appointments be made:

- Planning Board**.....5-year term renewal to 6/30/14..... Chuck Switzer
- Zoning Board of Appeals**.....5-year term renewal to 6/30/14... Francisco Borraro
- Historic Preservation Board** (Historical Society) 3-year term renew to 6/30/12 Kathy Goetz
- Historic Preservation Board** (Archaeologist) 3-year term renewal to 6/30/12 Christine Green
- Historic Preservation Board** (Attorney) 3-year term renewal to 6/30/12... James Bell, Esq.
- Historic Preservation Board**..... 3-year term renewal to 6/30/12 ... David Markham
- Tree Board** (DPW rep.)4- year term to (new) 6/30/2013. Todd Longstreth
- Tree Board**.....4-year term renew to 6/30/13..... Hanny Heyen
- Parks Committee**.....4-year term renew to 6/30/13.....Hanny Heyen
- Parks Committee**.....4-year term renew to 6/30/13.....Anita Wicks
- Code Review Committee** (Planning Board rep.). 5-year term renew to 6/30/14..Art Appleby
- Code Review Committee**.....5-year term renew to 6/30/13.....Gordon Fox

⇒ Trustee Smith moved, Trustee Hunsinger abstained (since Kory is his wife) carried 4/0/1 that the following appointment be made:

- Historic Preservation Board** (Architect) 3-year term (new) to 6/30/12 Kory Hunsinger

⇒ Trustee Blair moved, unanimously carried 5/0 that the following appointments be made to the following committees with no terms or limits:

- Brockport Police Explorers
Ericha B. Hartz, Philip G. Sperandio, Josh D. Carlson, Maurice Aubry, Geoffrey G. Catlin

4. SPECIAL RULES: The USER shall comply with the additional rules of the PROPERTY being used as follows:

A. Village Hall Conference Room:

1. All garbage must be removed by USER.
2. The key must be picked up from the Village Clerk by 4:30 pm the day of the meeting and returned to the Village Hall drop box after the building is locked that evening.
3. Alcohol sales are prohibited. Alcohol consumption is prohibited unless approved by the Board of Trustees for a specific PURPOSE OF USE.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 12

4. Turn lights off and assure doors are locked.

B. Sagawa Park:

1. USER shall vacate the park no later than 9:30 pm.
2. All garbage must be removed by USER.
3. The USER shall not disturb area church services.
4. The USER may not exclude members of the public from simultaneously using the park.
3. Alcohol sales are prohibited. Alcohol consumption is prohibited unless approved by the Board of Trustees for a specific PURPOSE OF USE.

4.1 ALCOHOLIC BEVERAGES: The USER agrees and acknowledges that the sale of alcoholic beverages at the PROPERTY is strictly prohibited. If alcoholic beverage consumption is approved by the Board of Trustees for a particular PURPOSE OF USE, then the USER may provide alcoholic beverages for consumption by the guests of the USER at the event by the USER purchasing the alcoholic beverages, and then the USER may provide the alcoholic beverages to the guests at the event, for free, and without any charge.

5. INGRESS/EGRESS: All portions of the sidewalks, entries, doors, passages, vestibules, halls, corridors, stairways, passageways, and all ways of access to public utilities of the premises must be kept unobstructed by USER and must not be used by USER for any purpose other than ingress to or egress from the premises.

6. DAMAGES AND REPAIRS: The USER agrees to be responsible for all damages to buildings, grounds, fields and equipment incident to the use of the PROPERTY. USER shall make no temporary or permanent modifications to the PROPERTY without the prior written consent of the VILLAGE.

7. COMPLIANCE: The USER agrees to use and occupy the FACILITY in accordance with all VILLAGE policies, regulations, rules, and practices and with all applicable municipal, state and federal laws, including but not limited to fire codes. USER may not use the VILLAGE's names or marks, or imply VILLAGE endorsement or support, without express permission from an authorized VILLAGE official.

8. PARTICIPANTS AND ATTENDEES: The USER is responsible for providing all necessary and appropriate safety instruction to all participants and attendees at USER'S activity. The USER is responsible for any and all damages to buildings, grounds, fields and equipment caused by participants and attendees. If the use of the PROPERTY is open to any non-members of USER, then no person shall be denied the equal privileges and enjoyment of having free and open access to the USER'S event on the basis of race, color, creed, religion, national origin or sexual orientation. Access may not be limited on the basis of age or sex except insofar as the goals or purposes of the activity require such limitation and are lawful.

9. ABANDONED PROPERTY: Any property left on the PROPERTY shall, after a period of ten days from the last day of the scheduled use, be deemed abandoned and shall become property of the VILLAGE to be disposed of or utilized at VILLAGE'S sole discretion.

10. PERSONAL: This agreement is personal and the USER shall not assign this agreement nor allow any other person, group or entity to use the PROPERTY during the scheduled time(s) without the prior written consent of VILLAGE.

11. FORCE MAJEURE: If the PROPERTY is rendered unsuitable for the conduct of the USER'S activity by reason of force majeure, the VILLAGE and the USER are released from their obligations under this contract. Force majeure shall mean fire, earthquake, hurricane, flood, act of God, strikes, work stoppages or other labor disturbances, riots or civil commotions, war or other act of any foreign nation, power of government, governmental agency or authority, or any other cause like or unlike any cause mentioned which is beyond the control of the VILLAGE.

12. INDEMNIFICATION

- A. The VILLAGE shall have no responsibility for the safety and/or security of any property

belonging to USER or to those persons participating in the use of the PROPERTY by USER. USER expressly releases and discharges the VILLAGE for any and all liabilities for any loss, injury, or damages to any such property.

B. The VILLAGE shall have no responsibility for the safety and/or security of any person participating in the use of the PROPERTY by USER except as may arise from the negligence of the VILLAGE. USER expressly agrees to indemnify and hold harmless VILLAGE, its officers, employees, students and agents, from all cost, loss and expense arising out of any liability or claim of liability for injury or damage to persons resulting directly or indirectly from their participation in USER'S use of the PROPERTY, regardless of whether such use was authorized or not, and regardless of whether the liability or claim of liability arises out of the act or omission or USER.

C. In the sole discretion of the VILLAGE, at all times during the use of the PROPERTY, USER may be required to have a policy of comprehensive liability insurance, including public liability, bodily **MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 13**

injury, and property damage, written by a company licensed to do business in the state of New York, covering the use contemplated by this agreement with combined single limits of no less than \$1,000,000 per occurrence and \$3,000,000 aggregate. The USER shall name the VILLAGE, including its trustees, officers, agents and employees as Additional Insureds for the said purpose and use of this agreement. USER agrees that the insurance will be primary coverage and will contain no terms allowing the insurer to be subrogated to the rights of any injured or damaged person or entity insofar as said person or entity may have claims against VILLAGE. The USER shall also maintain Worker's Compensation insurance to meet the requirements of the Workers Compensation laws of New York where applicable. Certificates of Insurance evidencing such insurance coverage shall be provided to the VILLAGE.

D. If USER is a department, division, or other unit of VILLAGE, paragraph 12 and all requirements included within it are null and do not become part of the agreement between the parties. If USER is a state or federal government agency, indemnification is not required where prohibited by law. If USER is an individual, the comprehensive liability insurance certificate required by paragraph 12(C) shall not be required unless the VILLAGE finds, in its sole discretion, that the intended use may negatively impact the Village or its property.

13. CANCELLATION AND TERMINATION: The VILLAGE reserves the right to cancel or terminate the use and retain the use fees and security deposit paid to the VILLAGE if for any reason, within the independent and sole discretion of the VILLAGE, there is or will be, any violation of this agreement, of any rule regarding the use of the PROPERTY, any obligation of the user hereunder, or for any other reason based on health and safety concerns of the Village or its officials.

14. WHOLE AGREEMENT: This writing contains the whole and complete agreement between the VILLAGE and USER.

15. SEVERABILITY: The terms of this Agreement are severable such that if one or more provisions are declared illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.

The undersigned certifies that (s) he is authorized to sign this Agreement on behalf of the USER and the VILLAGE, respectively, and that the USER and the VILLAGE acknowledge and accept the terms and conditions herein and attached hereto.

Dated: _____ 20__ Dated: _____ 20__

USER: VILLAGE:

BY: _____ BY: _____

Position: _____ Position: _____

For office use only:

_____ Approved _____ Denied
_____ Availability Confirmed with _____
_____ Notification Given to _____
_____ Security Deposit Collected (\$25)
_____ Fees Collected
_____ Received Insurance Certificate with Village as Additional Insured (Not required for individual use of facility)

ADOPT STANDARD WORK TIME FOR RETIREMENT PURPOSES -

⇒ Trustee Legg moved, unanimously carried 5/0 adopting the hours credited for NYS retirement purposes:

RESOLUTION

STANDARD WORK DAY/WEEK/MONTH
FOR NEW YORK STATE RETIREMENT PURPOSES

BE IT RESOLVED, that the Village Board be and hereby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

Full time:

RESOLVED; that the standard work time for the full time **Village Manager** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for the full time **Village Clerk** be established at eight (8) hours per day / forty (40) hours per week; and be it

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 14

RESOLVED: that the standard work time for the full time **Village Treasurer** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for the full time **Deputy Village Clerk-Treasurer** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for the full time **Water Clerk** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for the full time **Building Inspector / Code Enforcement Officer / Fire Marshal** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for the full time **Police Chief** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for full time **Police Officers** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work time for the full time **Clerk (Police Department)** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work day for the full time **Department of Public Works Superintendent** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard work day for the full time **Department of Public Works Foreman** be established at eight (8) hours per day / forty (40) hours per week; and be it

RESOLVED: that the standard workday for the full time **Department of Public Works Laborers** be established at eight (8) hours per day / forty (40) hours per week; and be it

Part time:

RESOLVED: that the standard work time for the part time **Mayor** (if enrolled in said retirement system) be established at six (6) hours per day / twenty (20) days per month; and be it

RESOLVED: that the standard work time for the part time **Trustees** (if enrolled in said retirement system) be established at five (5) days per month; and be it

RESOLVED: that the standard work time for part time **Planning Board** members (if enrolled in said retirement system) be established at sixteen (16) hours per month; and be it

Part time (maximum hours allowed for positions as created through Civil Service – not necessarily per fiscal year budget):

RESOLVED: that the standard work time for the part time **Crossing Guard** be established at twenty (20) hours per week; and be it

RESOLVED: that the standard work time for the part time **Assistant Building Inspector / Code Enforcement Officer / Fire Marshal** be established at twenty (20) hours per week; and be it

RESOLVED: that the standard work time for the part time **Secretary to the Planning/Zoning Boards (Building/Zoning/Code Enforcement Office)** be established at thirty (30) hours per week; and be it

RESOLVED: that the standard work time for the part time **Clerk (Department of Public Works)** be

established at twenty (20) hours per week; and be it

RESOLVED: that the standard work time for the part time **Paid Ambulance Personnel** be established at twenty (24) hours per week; and be it

RESOLVED: that the standard work time for the part time **Dispatchers** be established at twenty (24) hours per week; and be it

RESOLVED: that the standard work time for the part time **Economic Development Coordinator** be established at twenty (20) hours per week

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 15

ADOPT STOP SIGNS & TRAFFIC SIGNALS -

⇒ Trustee Blair moved, unanimously carried 5/0 adopting the following stop signs and traffic signals for the Village of Brockport:

- 1) Adams Street at Chappell Street
- 2) Adams Street at Utica Street
- 3) Allen Street at Centennial Avenue
- 4) Anita's Lane at Anita's Lane
- 5) Anita's Lane at East Avenue
- 6) Barry Street at Fayette Street
- 7) Barry Street at Keable Court (eastbound and westbound)
- 8) Beach Street at Erie Street
- 9) Beach Street at Holley Street
- 10) Berry Street at Fayette Street
- 11) Beverly Drive at Idlewood Drive
- 12) Briar Rose Lane at Cailyn Way
- 13) Briar Rose Lane at West Avenue
- 14) Brockview Drive at Frazier Street
- 15) Brockway Place at Chappell Street
- 16) Brockway Place at Main Street
- 17) Brook Terrace at #24 Brook Terrace
- 18) Brook Terrace at Brookdale Road
- 19) Brook Terrace at South Avenue
- 20) Brookdale Road at Main Street
- 21) Burroughs Terrace at Fair Street
- 22) Candlewick Drive at Havenwood Drive
- 23) Carolin Drive at Clark Street (northbound and southbound)
- 24) Carolin Drive at West Avenue
- 25) Centennial Avenue at Allen Street
- 26) Centennial Avenue at Main Street
- 27) Central School Drive and Centennial Avenue
- 28) Chappell Street at Adams Street
- 29) Chappell Street at Centennial Avenue
- 30) Cherry Drive at Clark Street
- 31) Cherry Drive at Evergreen Road
- 32) Clark Street at Carolin Drive (eastbound and westbound)
- 33) Clark Street at Evergreen Road
- 34) Clark Street at Kimberlin Drive
- 35) Clark Street at Main Street
- 36) Clark Street at Smith Street (eastbound and westbound)
- 37) Clinton Street at Main Street
- 38) Cloverwood Drive at Candlewick Drive
- 39) Coleman Creek Road at Central School Drive
- 40) Coleman Creek Road at Main Street
- 41) College Street at Main Street
- 42) College Street at Utica Street
- 43) Commencement Drive at Holley Street
- 44) Cyrus Way at McCormick Lane
- 45) Erie Street at Beach Street (eastbound and westbound)
- 46) Erie Street at Perry Street (eastbound and westbound)
- 47) Erie Street at Utica Street (eastbound and westbound)
- 48) Evelyn Drive at Glendale Road
- 49) Evergreen Road at Clark Street

- 50) Fair Street at Quaker Maid Street
- 51) Fayette Street at East Avenue
- 52) Frazier Street at Fayette Street
- 53) Frazier Street at Glendale Road (eastbound and westbound)
- 54) Frazier Street at Keable Court (eastbound and westbound)
- 55) Gardner Alley at Clinton Street
- 56) Gardner Alley at King Street
- 57) Glendale Road at Barry Street
- 58) Glendale Road at East Avenue
- 59) Glendale Road at Frazier Street (northbound and southbound)
- 60) Gordon Street at Spring Street
- 61) Gordon Street at State Street
- 62) Graves Street at Clark Street
- 63) Graves Street at West Avenue
- 64) Havenwood Drive at East Avenue
- 65) High Street at Park Avenue

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 16

- 66) Hillcrest Parkway at Main Street
- 67) Holley Street at Main Street
- 68) Holley Street at Perry Street (eastbound and westbound)
- 69) Holley Street at Utica Street (eastbound and westbound)
- 70) Idlewood Drive at Clark Street
- 71) Idlewood Drive at West Avenue
- 72) Keable Court at Barry Street
- 73) Keable Court at Frazier Street
- 74) Kenyon Street at Monroe Avenue
- 75) Kimberlin Drive at Clark Street
- 76) Kimberlin Drive at West Avenue
- 77) King Street at Utica Street
- 78) Liberty Street at Fayette Street
- 79) Liberty Street at Main Street
- 80) Lincoln Street at King Street
- 81) Locust Street at Barry Street
- 82) Lyman Street at Fayette Street
- 83) Lyman Street at Locust Street
- 84) Market Street at Main Street
- 85) Market Street at Park Avenue
- 86) Maxon Street at Kenyon Street
- 87) Maxon Street at Utica Street
- 88) McCormick Lane at East Avenue
- 89) Meadowview Drive at Clark Street
- 90) Meadowview Drive at Evergreen Road
- 91) Mercer Street at Chappell Street
- 92) Monroe Avenue at Holley Street
- 93) Monroe Avenue at Main Street
- 94) Monroe Avenue at Utica Street (eastbound and westbound)
- 95) Morgan Court at Evergreen Road
- 96) Owens Road at State Street
- 97) Oxford Street at Spring Street
- 98) Oxford Street at State Street
- 99) Park Avenue at South Street (east and west of triangle)
- 100) Park Avenue at State Street (northbound and southbound)
- 101) Quaker Maid Street at South Avenue
- 102) Quarry Street at Locust Street
- 103) Queen Street at Clinton Street
- 104) Queen Street at Erie Street
- 105) Queen Street at Holley Street
- 106) Residence Drive at Kenyon Street
- 107) Smith Street at Clark Street (northbound and southbound)
- 108) Smith Street at West Avenue
- 109) South Avenue at Brook Terrace
- 110) South Avenue at Main Street
- 111) South Avenue at Owens Road
- 112) South Avenue at Quaker Maid Street
- 113) South Street at Main Street
- 114) South Street at Park Avenue
- 115) State Street at Park Avenue (eastbound and westbound)
- 116) Union Street at Park Avenue
- 117) Utica Street at Adams Street
- 118) Utica Street at Clinton Street

- 119)Utica Street at College Street (northbound and southbound)
- 120)Utica Street at Erie Street (northbound and southbound)
- 121)Utica Street at Holley Street (northbound and southbound)
- 122)Utica Street at Monroe Avenue (northbound and southbound)
- 123)Victory Drive at Barry Street
- 124)Victory Drive at Frazier Street
- 125)Washington Street at State Street
- 126)Water Street at Market Street
- 127)Westwood Drive at Glendale Road
- 128)Willowbrooke Drive at West Avenue
- 129)Winston Woods at South Avenue (privately owned)

Village owned and operated traffic signal – Adams Street at Allen Street

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 17

AMEND PURCHASING / PROCUREMENT POLICY –

⇒ Trustee Legg moved, unanimously carried 5/0 to make the following changes to the 9/1/03 purchasing / procurement policy:

Guideline 3 (b)

From: Purchases in excess of \$5,000 will also require approval of the Village Board.

To: Purchases equal to or in excess of \$2,000 will also require approval of the Village Board.

Guideline 3 (c)

From: Purchases of less than \$5,000 are at the discretion of the Department Head.

To: Purchases of less than \$2,000 are at the discretion of the Department Head.

Guideline 10

From: This policy shall be reviewed annually by the Village Board to determine any necessary changes.

To: This policy shall be reviewed annually or as deemed necessary by the Village Board.

**Village of Brockport
Purchasing / Procurement Policy
Amended 7/20/09**

Section 104-b of the General Municipal Law (GML) requires every municipality to adopt internal policies governing all procurement of goods and services not subject to the bidding requirements of GML Section 103 or any other law. In accordance with that requirement, the following guidelines are established for use by the Village of Brockport.

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every village officer, board member, department head or other personnel with the requisite purchasing authority (the Purchaser) shall adhere to this policy. An employee wishing to make a purchase on behalf of the Village must have the purchase authorized by the appropriate department head.

Guideline 2. All purchases of:

(a) Goods, services, equipment or public works contracts shall be executed through a purchase order, which will be preceded by a Request for Purchase Order.

(b) Purchases which will exceed the threshold amount set forth in GML Section 103 (\$10,000 for equipment purchases and \$20,000 for Public Works Contracts) shall be formally bid pursuant to this law and shall be executed only after appropriate Village Board approval has been obtained.

Guideline 3. All purchases of goods, services, equipment or public works contracts:

- (a) Less than \$10,000 but greater than \$500 require a written request for proposal (RFP), written/fax quotes from three (3) vendors.
- (b) Purchases equal to or in excess of \$2,000 will also require approval of the Village Board.
- (c) Purchases of less than \$2,000 are at the discretion of the Department Head.
- (d) Any written RFP shall be from a reputable vendor, and must describe the desired goods, quantity and particulars of delivery. The Purchaser shall use the Quotation Log to compile a list of all vendors from whom written/fax quotes have been requested; and the written/fax quotes offered, and all information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the RFP. The Quotation Log must be signed by the employee and the Department Head.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification as to why it is in the best interest of the

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 18

Village and its taxpayers to make an award to other than the low bidder. If a vendor is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. However, if the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made. In no event shall the inability to obtain the required proposals or quotations be a bar to the procurement.

Guideline 6. In the event that there is only one supplier for a particular good or service, care must be taken to document that the item or service is unique in its benefits as compared to other items or service available in the market place. The Purchaser must be sure that no other item or service provides a substantially equivalent or similar benefit. These facts must be documented on the Quotation Log and filed with the purchase request.

Guideline 7. In the event a good or service can be obtained under a city, county or state contract bid, the Purchaser must document the **current year** contract number, whether it is a city, county, or state bid, the price per unit and the total cost of the purchase.

Guideline 8. Except when directed by the Village Board, no solicitations of written proposals or quotations shall be required under the following circumstances:

- (a) Emergencies;
- (b) Goods purchased from agencies for the blind or severely handicapped;
- (c) Goods purchased from correctional facilities;
- (d) Goods purchased from another governmental agency;
- (e) Goods purchased at auction - shall be done at or below any established limit agreed upon by the Village Board.

Guideline 9. Additional exceptions apply to the use of purchase orders by the Fire Department and the Ambulance Corps as follows:

- (a) The Fire Department and Ambulance Corps are required to use purchase orders for the purchase of new items in excess of \$50.00.
- (b) Fire Department and Ambulance Corps purchases of repair or replacement parts or services or of supplies can be made without the use of a purchase order.
- (c) Fire Department purchase orders must be signed by the Village Mayor.
- (d) Ambulance Corps purchase orders can be signed by the Village Treasurer.

Guideline 10. This policy shall be reviewed annually or as deemed necessary by the Village Board.

AMEND VILLAGE BOARD MEETING PROCEDURES –

⇒ Trustee Legg moved, Trustees Hunsinger, Blair and Smith in favor, Mayor Castañeda opposed, carried 4/1 to make the following changes to the 7/21/08 Village Board meeting procedures:

Section 2 Special Meetings

From: Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by the Mayor or any Trustee upon notice to the entire board. Notice shall be given by telephone, in person, or in writing.

To: Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by a quorum of said Board as defined in section 3 Quorum upon notice to the entire board. Notice shall be given by telephone, in person, or in writing.

Section 6 Voting

From: Pursuant to Village Law, each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 19

An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter.

A vote upon any question shall be taken by a show of hands, and the names of the members present and their votes shall be entered in the minutes.

To: Pursuant to Village Law, each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.

An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter.

A vote upon any question shall be taken verbally, and the names of the members present and their votes shall be entered in the minutes.

⇒ Trustee Legg moved, Trustee Hunsinger & Trustee Blair in favor, Trustee Smith & Mayor Castañeda opposed, carried 3/2 to make the following changes to the 7/21/08 Village Board meeting procedures: (eliminates 2nd public comment period)

Section 8 Order of Business

From: Call to order

- Pledge to the Flag
- Approval of minutes of previous meeting
- Public comment period
- Report of officers and committees
- Old business
- New business
- 2nd Public comment period
- Auditing
- Adjournment

To: Call to order

- Pledge to the Flag
- Approval of minutes of previous meeting
- Auditing
- Public comment period
- Report of officers and committees
- Old business
- New business
- Adjournment

⇒ Trustee Legg moved, Trustee Hunsinger & Trustee Blair & Trustee Smith in favor, Mayor Castañeda opposed, carried 4/1 to make the following changes to the 7/21/08 Village Board meeting procedures: (returns public comment remarks to 5 minutes as opposed to 3 minutes)

Section 10 Guidelines for public comment:

From: The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.

Speakers must be visible.

Speakers must give their name, address and organization, if any.

Speakers must be recognized by the presiding officer.
Speakers must limit their remarks to (3) three minutes on a given topic or extended if recognized by the presiding officer.
Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
All remarks shall be addressed to the Board as a body and not to any member thereof.
Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.
To: The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.
Speakers must be visible.
Speakers must give their name, address and organization, if any.
Speakers must be recognized by the presiding officer.
Speakers must limit their remarks to (5) five minutes on a given topic or extended if recognized by the presiding officer.
Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 20

All remarks shall be addressed to the Board as a body and not to any member thereof.
Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.

**VILLAGE OF BROCKPORT
VILLAGE BOARD
MEETING PROCEDURES
Amended 7/20/09**

INTENT: Every public body has an inherent right to regulate its own procedures. Legislative bodies need rules so that the will of the majority is expressed and the rights of the minority are protected.

Section 1. MEETINGS: The Board of Trustees for the Village of Brockport, New York shall hold regular meetings on the first and third Mondays of each month. Such regular meetings shall commence at 7:00pm and be conducted in the board room of the Municipal Hall at 49 State Street, Brockport, New York. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees.

Section 2. SPECIAL MEETINGS: Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by a quorum of said Board as defined in section 3 Quorum upon notice to the entire board. Notice shall be given by telephone, in person, or in writing.

Section 3. QUORUM: A quorum shall be required to conduct business. A quorum of the (5) five member Board of Trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

Section 4. EXECUTIVE SESSIONS: Executive sessions shall be held in accordance with the New York State Public Officers Law Section 105. All executive sessions shall be commenced in a public meeting.

Section 5. AGENDAS: The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk by the Wednesday at noon preceding the Monday meeting. However, items may be placed on the agenda at any time, including during the meeting. The agenda shall be prepared by noon on the Friday before the meeting. If necessary, a supplemental agenda shall be distributed at the beginning of the meeting.

Section 6. VOTING: Pursuant to Village Law, each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.
An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter.

A vote upon any question shall be taken verbally, and the names of the members present and their votes shall be entered in the minutes.

Section 7. MINUTES: Minutes shall be taken by the Clerk. Minutes shall consist of a record or

summary of all motions, proposals, resolution and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon, provided, however, that such summary need not include any matter which is not required to be made public by the New York State Freedom of Information Law. (See attachment)

MINUTES SHALL INCLUDE THE FOLLOWING:

- Name of the Board
- Date, place and time of the meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment.
- Name and title of other Village officials and employees present.
- Names of attendees.
- Record of communications presented to the Board.
- Record of reports made by Board or other personnel.
- Time of adjournment.
- Signature of Clerk or person who took the minutes if not the Clerk.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 21

Minutes shall contain only a summary of the discussion leading to action taken but shall not include verbatim comments. Officials desiring that a verbatim statement be included must provide such statement electronically to the Village Clerk the day following the meeting.

Minutes shall be approved at the next Board meeting. Amendments to the minutes shall require Board approval.

Section 8. ORDER OF BUSINESS:

- Call to order
- Pledge to the Flag
- Approval of minutes of previous meeting
- Auditing
- Public comment period
- Report of officers and committees
- Old business
- New business
- Adjournment

Section 9. GENERAL RULES OF PROCEDURE: The Mayor shall preside at the meeting. In the Mayor's absence, the Deputy/Vice Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members shall not be required to rise but must be recognized by the presiding officer before making motions and speaking. Motions do not require a second. A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, were called to order, he shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question.

Motions to close or limit debate may be entertained but shall require a two-thirds vote.

Section 10. GUIDELINES FOR PUBLIC COMMENT: The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.

Speakers must be visible.

Speakers must give their name, address and organization, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to (5) five minutes on a given topic or extended if recognized by the presiding officer.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the Board as a body and not to any member thereof.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.

Section 11. AUDITING: The approval of the Board to pay the bills upon audit must be done by motion.

Section 12. ADJOURNMENT: The meeting shall be adjourned by motion.

Section 13. AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority vote of the Board.

ATTACHMENT TO Section 7.

OPEN MEETINGS LAW “SUNSHINE LAW”

Effective in New York State in 1977. Amendments that clarify and reaffirm the public’s right to hear the deliberations of public bodies became effective on October 1, 1979.

A public body cannot close its doors to the public to discuss the subject of its choice, for the law specifies and limits the subject matter that may appropriately be discussed in executive session. The eight subjects that may be discussed behind closed doors include:

- (a) matters that will imperil the public safety if disclosed;
- (b) any matter which may disclose the identity of a law enforcement agency or informer;
- (c) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- (d) discussions regarding proposed, pending or current litigation.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 22

- (e) collective negotiations pursuant to Article 14 of the Civil Service Law, (the Taylor Law);
- (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;
- (g) the preparation, grading or administration of examinations, and
- (h) the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

These are the only subjects that may be discussed behind closed doors; all other deliberations must be conducted during open meetings.

A public body can never vote to appropriate public monies during a closed session. Although a public body MAY vote during a properly convened executive session, any vote to appropriate public monies must be taken in public.

NOTE: If a vote is taken during a properly convened executive session, minutes of the executive session must be taken and included in the meeting minutes.

DEPARTMENT REPORTS:

Each Department Head welcomed the new Board members and look forward to a positive working relationship.

- A. PUBLIC WORKS – Superintendent Harry G. Donahue
 - 1. Authorize hiring to fill Working Foreman vacancy – DPW Superintendent Donahue reminded the Board of Working Foreman Herzog’s passing May 18th, and of their authorization June 15th to advertise within the department. He asked for authorization to fill the vacancy and is curious how the Board wishes to proceed.

Mayor Castañeda said she has spoken to Department Heads about the Village’s fiscal challenges, the audit it is undertaking and that it would be best to await the audit findings and delay filling any vacancies for at least a couple of months, regardless of whether monies were budgeted for positions. She asked the Board to support a tentative hiring freeze until it reviews the audit findings and plans a course of action.

No motion to fill the vacancy.

- 2. Approval for Sunflower Landing Section 2 lighting resolution -

→ Trustee Legg moved, unanimously carried 5/0 to adopt the following resolution:

RESOLVED: National Grid is hereby authorized and directed to do the following work in the Village of Brockport, CSS Reference No.67738-78109

Install: One-100 watt high-pressure sodium architectural street light fixtures on direct embedded fiberglass poles along with associated direct buried cable in Sunflower Landing URD-Anita’s Lane.

Estimated Annual Cost: \$330

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Chase Bank Robbery – Chief Varrenti reported on the robbery with weapon of a large amount of money from Chase Bank July 17th. He is happy to report the woman responsible was arrested at 4:25pm today. The police tracked her to another state. She was taken into custody as she stepped off the plane. Trustee Blair congratulated them.
2. Authorize hiring 2 part time clerks (to share 20 hrs/wk) to fill vacancy – Chief Varrenti asked for authorization to hire Charlene Kurzrock and Rachel Blair to share the \$10 per hour 20-hour per week part time clerical position totaling \$7,000 per year which is in the budget. The position was last held by Kelly Smith and has been vacant for several months. The position was advertised, 30+ applications received, interviews conducted and hiring was held off. He said it has been suggested to temporarily freeze hiring and await the audit results. He said he is not sure what in the audit would produce enough evidence as to whether to provide or deny a service. Both candidates are highly qualified, willing to job share and even live in the Village. This is filling a position, not creating a position. He said he met with the Mayor and has spoken with all Trustees on the matter. He gave an example of last Friday being a particularly busy day dealing with the Chase Bank robbery. The full time clerk was on a vacation day, and he had to call in 2 officers on overtime to handle the office duties (phones, paperwork, etc.). This was not cost effective, but had to be done. He said he has heard citizen complaints when the Police Department offices are closed. However, there is only 1 clerk and she is certainly entitled to

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 23

take vacation time. Spending monies for officers to do clerical work does not make good common sense.

He said he hopes DPW gets any help they need and is glad they got their part time seasonal help for the summer. Yes, the Village is in financial straights – probably moreso than we think.

He said he suggested to the Board a few months ago that they institute a spending moratorium. He said it seems the Village trips over quarters to pick up pennies. It's just not good business. He said he loves the Village of Brockport and doesn't have to live here to give 100%. He hopes to be here many years to come, but if an opportunity arises, he would consider it and would surround himself with good people, such as the full time clerk to go with him. If the full time clerk were to leave, no one could do the multitude of tasks she does.

Mayor Castañeda reiterated the challenges ahead and would like the Board and Department Heads on the same page. While it may be ideal to fill the vacancies, she asks the Board and Department Heads to be understanding and patient.

→ Trustee Legg moved, Trustee Hunsinger in favor, Trustee Smith abstained, Trustee Blair abstained due to R. Blair being his wife, Mayor Castañeda opposed, motion fails 2/1/2 to hire Charlene Kurzrock and Rachel Blair to job share the part time Police Department clerical position of 20 hours per week at \$10 per hour.

→ Trustee Legg moved, Trustee Hunsinger in favor, Trustee Blair in favor, Trustee Smith opposed, Mayor Castañeda opposed, motion carried 3/2 to hire Charlene Kurzrock to fill the part time Police Department clerical position at 20 hours per week at \$10 per hour.

At 8:40pm Chief Varrenti left the meeting to return to the Police Department for work regarding the robbery arrest.

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

1. Grace Bible Fellowship ZBA Application Fee Waiver Request – S. Zarnstorff referred to the request placed today for a waiver of a \$200 ZBA application fee regarding 204-212 Main Street. No motion to grant such fee waiver.
2. 100 Fair Street & 200 State Street – S. Zarnstorff referred to recent activity and dialogue with new property owners over the 4th of July holiday weekend. He indicated that communication has been difficult and that there needs to be some transparency as to what is going on with these properties. There was a supposed attempt to contact him 24 hours prior. However, he has no record of any voice mails or emails. He said he does have concerns and does know what's going on there on a day to day basis.

Mayor Castañeda said she understands that the owners came in to meet with S. Zarnstorff after that. S. Zarnstorff said yes. However, there are still components that haven't come to fruition. He said he has made it clear that he needs to see progress as to property maintenance.

Mayor Castañeda said she will contact the property owners and involve Trustee Hunsinger and S. Zarnstorff in a meeting.

S. Zarnstorff said the 200 State Street property was put up for auction and had a bid opening. He hears rumors, has reached out to the County and received no stellar responses. The Village has expended itself enough. Mayor Castañeda said she spoke with Tim Murphy of Monroe County Real Property Services regarding Board concerns of mowing and maintaining 200 State Street. He indicated that the property has not closed yet; therefore, they are not obligated to mow or maintain it. The Village mows and bills. Then the unpaid bills are relieved onto the Village taxes. S. Zarnstorff said it warrants investigation. Trustee Hunsinger said there was a meeting set up with Tim Murphy, but it got cancelled at the 11th hour and there was no attempt to reschedule. Trustee Hunsinger asked Mayor Castañeda to contact T. Murphy to reschedule. Mayor Castañeda said T. Murphy wasn't able to provide much information other than that the property hadn't closed yet and that the potential buyers may be looking for NYSDEC assistance. She agreed to call for a meeting.

3. Local Law #1-2009 – S. Zarnstorff shared that he is working on an informational piece to educate the public about the amended Chapter 21 – Garbage, Refuse and Open Burning. Clerk Morelli shared that she filed the local law with the Department of State and just received confirmation of filing today. The law is not in effect.
4. Miscellaneous – Trustee Hunsinger asked Mayor Castañeda to direct S. Zarnstorff to look into Rich Miller's earlier comments and also noted that there is a large black unlicensed, unregistered truck on the property on the west side of Fayette Street at East Avenue.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 24

D. FIRE /AMBULANCE / COMMUNICATIONS – Assistant Chief Don Marenus

1. Calls for Service – 480 fire calls year to date and 1,080 EMS calls year to date
2. Membership Drops & Adds – Chief Smith asked the Board to consider approving the following drops: Amanda Holdridge; the following adds: ElHadji Wane to fire and ambulance, Nate Bartell, Sam Spragins, Scottie Waller to Explorer Post:

→ Trustee Blair moved, unanimously carried 5/0 to approve the previously mentioned drops, adds and exempt certificates.

3. New Pumper – is in and will be in service within 2 weeks.
4. Pager Cases – requested permission to purchase 100 nylon pager cases at \$11 each. The entire order would be for 130, as a portion would be going to Morton Fire Department to get the best discounted price. There is money in the budget.

→ Trustee Blair moved, unanimously carried 5/0 to approve said purchase request.

5. 2010 Fire Department Budget & Fire Services Contract – Mayor Castañeda thanked Trustee Hunsinger, Trustee Legg, Treasurer Tojek and Fire Chiefs Smith, Henry and Marenus for their work on the Fire Department Budget.

→ Trustee Legg moved, unanimously carried 5/0 to approve the 2010 Fire Department budget with total expenditures of \$752,169.

E. TREASURER – Gina M. Tojek

1. Letter of Credit Sunflower Landing Sec 2A – Draw #3 \$602 6/9 engineering services -

→ Trustee Legg moved, unanimously carried 5/0 to authorize said letter of credit release.

3. Check Signing Authorization -

→ Trustee Blair moved, unanimously carried 5/0 to require 2 original signatures on checks with Treasurer Tojek, Mayor Castañeda and Vice Mayor/Trustee Smith as authorized signers.

4. Bond Anticipation Note (BAN) Sale – Treasurer Tojek reported that for the \$2.4 million bond, Chase came in at 1.71% which is an excellent rate. The rate was originally estimate at 5.5%, so there will be significant savings.

5. Audit – Treasurer Tojek reported that the external audit for 6/1/08 to 5/31/09 begins tomorrow by the new firm appointed recently. She said she has spent the last month conducting her own internal audit of the last Treasurer's books. It has been challenging and time consuming. She

said she had requested an audit when she was hired, as is standard protocol with a change in Treasurers. It protects the Village, the previous Treasurer and the new Treasurer. She said she is confident the new Auditor, an accounting firm with expertise in municipal government, will be thorough. The results should be in by the end of August.

Mayor Castañeda said for the last 4 years that she served as a Trustee, she has been asking for an audit by the New York State Comptroller's Office as well.

F. CLERK - Leslie A. Morelli

1. Andrew W. Saul letter – read the following letter into the record:

“July 16, 2009

Dear Mayor and Trustees,

- 1) In the interest of public safety, I would like you, or whomever you might designate, to please look into having the NY Canal Corp install grab-cables, permanently attached into the cement, along the surface of the canal, everywhere the frontage drop-off is steep. Although the Village's new dock areas do have safety ladders, in my opinion there is a considerable amount of frontage elsewhere with no way out for a child or adult that might fall into the very deep water. We know that not all people can swim; the canal is at least 9 or 10 feet straight down. Grab cables could save a life.

The NY Canal Corp has previously installed safety grab-cables in other villages when they were formally asked, in writing, by those villages' officials. This was done at no cost to the village.

- 2) I would like to thank those persons responsible for planting flowers along Main Street. The hanging boxes and the flowers around the trees look very good. This is an inexpensive way

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 25

to help our downtown economy, and it adds to the beauty of the village for residents and visitors alike. I submit that a formal letter of thanks from the Mayor and trustees to those who have done this work would be very appropriate.

I also respectfully request the following:

- 1) That my letter be read aloud and put in the minutes of the next Board meeting.
- 2) That a written response from the Mayor be provided to me after said meeting. I would, of course, also welcome a letter from each Trustee.
- 3) That I be provided with a copy of correspondence related to my two concerns above.

I look forward to both your positive action and to your reply.
Sincerely yours, Andrew W. Saul”

Board agreed to have Clerk Morelli send a letter to NYSCC requesting grab cables. The Village purchased, hung and waters the hanging flower baskets on the lampposts in the downtown commercial district. The Brockport Merchants Association is soliciting flower and financial donations for flowers around the base of the trees. Christ Community Church will be assisting with flowers for the base of the trees during its upcoming Bless Brockport events the week of August 2nd.

G. VILLAGE MANAGER - vacant

H. ECONOMIC DEVELOPMENT COORDINATOR - vacant

I. VILLAGE ATTORNEY – Harris, Chesworth, O'Brien, et al. (excused)

VILLAGE BOARD REPORTS:

A. Mayor M. Connie Castañeda

1. Main Street Sanitary Sewer and Water Main Replacement Project – Mayor Castañeda reported that she attended the June 29th public information meeting given by Jason Foote of Chatfield Engineers. The contracts are in, being reviewed by the Village Attorney, and almost ready to sign. A pre-construction meeting will be held with involved contractors.
2. Door to Door – Mayor Castañeda shared that New York Public Interest Research Group (NYPIRG) has notified the Village that they will be going door to door through August 31st. They are exempt from needing a permit.
3. Energy Efficiency – Mayor Castañeda shared that New York State Department of Public Service is asking that the word be spread about the importance of energy efficiency as an

effective way to lower energy bills. Their website is www.AskPSC.com and their toll-free information line is 1-888-AskPSC1.

4. Bless Brockport – Mayor Castañeda reminded that Christ Community Church has plans to do Bless Brockport again this year – the week of August 2nd.
 5. Fire Department Budget & Fire Service Contracts – Trustee Castañeda said she and Assistant Fire Chief Marenus and Treasurer Tojek have a meeting set up with the Sweden and Clarkson Town Supervisors tomorrow.
- B. Vice Mayor/Trustee Kelly A. Smith
1. Transition – Trustee Smith thanked everyone for their support and patience as she gets acclimated as a new Board member. She said she looks forward to hearing what everyone has to say and is open to being contacted anytime.
- C. Trustee Kent R. Blair
1. Transition – Trustee Blair thanked everyone for their support and is confident that it will be a good four years.
 2. Fire Department – Trustee Blair reported that he will be reaching out to similar communities with SUNY colleges as to any potential for remuneration for fire services. He shared that RIT, although private and not state, pays a penalty fee for all false alarms based on a Henrietta town ordinance. He said it's worth looking into.
- D. Trustee Scott W. Hunsinger
1. Fire Department Budget – Trustee Hunsinger thanked Trustee Legg, Treasurer Tojek and the Fire Chiefs for working together collaboratively on the Fire Department budget.
 2. Police Chief Benefits Contract – Trustee Hunsinger reminded the Board that Chief Varrenti's contract expired June 30th. He and Trustee Legg have been working on this with him and it will soon be proposed to the Board for consideration.

MINUTES OF VILLAGE BOARD MEETING HELD July 20, 2009 continued.....page 26

3. Farmers Market - Trustee Hunsinger commended the new Co-Managers on the Farmers Market.
 4. 100 Fair Street & 200 State Street – Trustee Hunsinger looks forward to working with Mayor Castañeda and Code Enforcement Officer Zarnstorff on matters regarding these properties.
 5. Andrew Saul correspondence – Trustee Hunsinger referred to the letter submitted by resident Andrew Saul and encouraged the Mayor to respond, as his prior e-mail correspondence to the former Mayor did not always receive a response.
- E. Trustee Hal S. Legg
1. New Business – Trustee Legg shared that he is always encouraged when a new business opens in the Village and that Marvin Mozzeroni's has just opened at 39 N. Main Street behind 24/7 Fit Club.
 2. Bicyclists – Trustee Legg commended Brockport for being so hospitable to the bicyclists from Niagara Falls this past weekend.
 3. Fire Department Budget – Trustee Legg recognized all involved, particularly Chief Smith, for their solid work on the Fire Department budget. The figure is less than last year even factoring in \$20,000 being added to the expense line from DPW.
 4. Police Chief's Benefits Contract – Trustee Legg said he is in hopes that the Village Board can resolve this by the end of August.

PUBLIC COMMENT:

1. Mary Jo Nayman of Carolin Drive said public comment at the end of meetings was added a few years ago for the public to comment on what occurred at that Board meeting. She said she would like to hear at the next meeting the logic of the Trustees voting that voted to get rid of it.
2. Rich Miller of State Street said he a) commends the Board for committing to meeting twice per month year round b) agrees with MJ Nayman and feels cutting the public comment period at the end of the meetings is counterproductive. He further commented that it seems sometimes the Board sweeps things under the rug too quickly. He suggested letting the new Village Board get up to speed before making some decisions such as this. c) shared that 100 Fair Street is being offered for sale in component parts – encouraged the Village stop it and that the owners be made to apply to proper Boards and secure proper permits. He said if things

aren't done right regarding 100 Fair Street and 200 State Street (old Kleen Brite properties), it will come back to haunt the Village. d) again expressed concern as to past treatment of him and what seems to be selective enforcement. Wondered if this is a softer and gentler side of Village Code Enforcement.

AUDIT:

➔ Trustee Hunsinger moved, unanimously carried 5/0 that the bills be allowed and paid upon audit.

<u>Village</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	07/21/09	179147-179171	\$104,322.95
<u>Fire</u>	07/21/09	179172-179185	\$7,147.08
<u>Third Party Billing</u>	07/21/09	001620-001627	\$6,423.12
<u>Capital Projects</u>			
<u>Water</u>	07/21/09	002344-002356	\$43,068.22

Executive Session:

⇒ At 9:21pm, Trustee Hunsinger moved, unanimously carried 5/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel matters – 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 09:53pm, Trustee Hunsinger moved, unanimously carried 5/0 that the Board of Trustees re-enter the regular meeting.

ADJOURNMENT:

➔ Trustee Hunsinger moved, unanimously carried 5/0 that the meeting be adjourned at 9:53pm.

Leslie Ann Morelli, Village Clerk