

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Village Hall Conference Room 49 State Street Brockport, New York, January 22, 2013 at 7:00pm.

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

EXCUSED: DPW Superintendent Harry G. Donahue

ALSO PRESENT: Kevin McCarthy, Joan Hamlin, Pam Ketchum, Susan Smith, Brian Winant, Mary Jo Nayman, Jack & Chris Mazzarella, Sriram Bakshi, Ruby Foote, Zoe Foote, Ann Cavallo, Jimmy Napoleon, Harry Snyder, Fred Webster, Norm Giancursio, Kristina Gabalski

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

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

Mayor Castañeda said also in honor of recent deaths including Clifford G. Donahue. Jr., Village resident and father of DPW Superintendent Harry Donahue, Margery E. Hovey, mother of DPW Laborer Bruce Hovey, and James H. Stull, a great man who cared and contributed greatly to the Village he served as Mayor for 20 years. She said he was a good friend and advisor and that she respected him greatly and will miss him. Sympathies go out to those families.

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

PUBLIC COMMENT: None

GUESTS:

- Results of Selection Committee/Presentation - Monika W. Andrews Creative Volunteer Leadership Award –

Selection Committee member Helen Maier presented awards and read the following from Selection Committee Chair Mary Ann Thorpe who was unable to attend:

On behalf of the Selection Committee I wish to congratulate each of you for your outstanding contributions to community, family, friends and neighbors. It was a difficult decision to make. Each nominee gave so much of herself/himself to others.

Pam Ketchum: The beautification of our village parks, working with the court system to help supervise community service, time spent on historic preservation are just a few of the many ways Pam has enriched our community. The motivation in her volunteerism has been for the betterment of Brockport.

It was obvious by the application that Pam's love for community and the work she performs is to make our community a better and more beautiful place to live.

Chris and Jack Mazzarella: Chris and Jack have been helping others longer than many of us can remember. They have given of themselves to church, service clubs, Lakeside Hospital, Morgan Manning House, and the Welcome Center just to name a few. Jack has rebuilt bikes and offered them to strangers, young and old. He has chaired the Lakeside Golf Tournament for many years. Chris is a regular in the halls of Lakeside Hospital, delivering mail, welcoming people, helping in any way she can. Jack and Chris have set the standard for volunteerism.

These are just a few of the many reasons that the committee recommended that Pam Ketchum and Jack and Chris Mazzarella share the Monika Andrews Award.

It was also the recommendation of this committee that Ruby Foote be recognized for her outstanding work. When Ruby was 12 years old she raised \$400.00 through school activities for the victims in Darfur. She has worked for Americorps caring for homeless in Rochester, recruited volunteers for such programs as Jeans for Teens, Spa night for girls, and babysitting services so that young mothers could continue their education. The committee was quite impressed with what this young woman has accomplished in a very short time but had concerns about a modest compensation she may have received through Americorps invalidating the award criteria. We all agreed that we would hear more of this young lady's achievements in years to come.

Respectfully submitted,
Mary Ann Thorpe, Committee Chair

Mayor Castañeda thanked Trustee Andrews for sponsoring the award and the Selection Committee for reviewing the nominations and presenting the awards. She also thanked the award recipients for their dedication to the community.

Trustee Andrews thanked the Village Board for agreeing to the award and the members of the Selection Committee for agreeing to serve. Those members include Mary Ann Thorpe from the Village, Helen Maier from the Town of Sweden and Kermit Mercer from the Town of Clarkson. He said Monika's helping others was instinctual and that she would be pleased to be remembered in this way and with the inaugural recipients of the award.

CONSENSUS ITEMS:

- **APPROVAL OF MINUTES:**

→ Trustee Blackman moved, Trustee Hannan seconded, Trustee Blair abstained due to absence, carried 4/0/1 that the minutes of the 01/08/13 meeting be approved as amended.

- **APPROVAL OF BILLS TO BE PAID**

→ Mayor Castañeda moved, Trustee Blair seconded, carried 5/0 that the bills be allowed and paid upon audit.

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	1/18/13	\$328,272.36
FUND (F): <u>Water</u>	1/18/13	\$115,314.71
FUND (G): <u>Sewer</u>	1/18/13	\$121.00
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	1/18/13	\$500.00
		\$444,208.07 grand total

CLERK REPORT:

- Clerk – Leslie Ann Morelli
 - Support letter – LGRMIF – Local Government Records Management Improvement Fund -

→ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 encouraging Clerk Morelli to send the following letter.

Governor Cuomo, Assembly Member Hawley, State Senator Maziarz:

At their meeting held January 22nd, the Brockport Village Board authorized sending this letter.

We are asking for your help concerning the New York State Local Government Records Management Fund ("LGRMIF") which was created in the late 1980's to receive monies collected by each County Clerk to pay for grants for records management to local governments across our state. The Legislature dedicated these funds to be used only for local records management. LGRMIF grants are highly competitive: only \$4 of every \$10 requested was recommended for funding in the current cycle, overseen by the State Education Department's Archives unit. Grants are awarded annually for the July 1 – June 30 period that is typical of all Education Department programs. Normally, applications for these grants are due on February 1, but the Division of the Budget has inexplicably refused to authorize the application process for the 2013-14 cycle.

New York State has long recognized the economic and social value of New York State's history, and the LGRMIF grants program has been instrumental in preserving that rich documentary heritage of our state. Cities, counties, towns, villages and school districts across New York use these grants to greatly improve public access, document preservation, and records management. The program has made the conditions of local records in New York a positive example for other states.

Unfortunately, it appears that our state government has not valued this program as highly as we in local government have. The necessary Budget Division approvals of this cycle's grants from this dedicated fund did not occur until Thanksgiving – nearly five months after these grants were supposed to start. Now, they are holding up the application process for the next cycle. Next, they will "sweep" a large portion of this dedicated fund into the State General Fund, pretending the money is "surplus" despite the intense competition for these grants. This is not the way our state should treat its local governments.

We are asking for your direct help in securing Budget Division authorization of the LGRMIF

grant application process for 2013-14. Your assistance in supporting the work of this vital program is much

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 3

appreciated. Thank you very much for your efforts on our behalf.

Sincerely,
 Leslie Ann Morelli
 Village Clerk

o NYS ERS – reporting requirements Elected & Appointed Officials - Clerk Morelli shared that NYS ERS notified her of the need to file this. She reminded the Board that on 8/12/09 a requirement went into effect. It does not apply to current Elected Officials (Village Board members) unless they took office after 8/12/09 and participate in the retirement system through the Village. A rep at NYS ERS confirmed that the only ones applicable at this time are the Clerk and Deputies. After the next Village election, elected officials who participate in the retirement system through the Village will be required to keep a 3-month log of their hours and be included in such resolution.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to adopt the following resolution:

BE IT RESOLVED, that the Village of Brockport / Location code 40143 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social	Reg	Standard	Term	
Participates		Sec. #	#	Work Day (Hrs/day)	Begins/ Ends	in Employer's Time
Keeping						System (Y/N)
<u>Elected Officials</u>						
None						
<u>Appointed Officials</u>						
Village Clerk	Leslie A. Morelli			8	07/01/11-06/30/13	Y
Deputy Clerk	Deborah C. Herzog			8	07/01/11-06/30/13	Y
Deputy Clerk-Treasurer	Ann T. Draper			8	06/04/12-06/30/13	Y

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

- o Treasurer – Daniel P. Hendricks
 - Financial reports for period ending 12/31/12 – Treasurer Hendricks referred to the

financial reports for period ending 12/31/12 included in the packet. The Village is on track, in good shape.

Trustee Blair noted that encumbrances absorb in appropriates so Department Heads should take that into account so as not to go over budget.

Trustee Blair also noted that fuel is over. Treasurer Hendricks said he noticed that as well. Clerk Morelli reminded that DPW bills Fire and Ambulance each month for fuel. Treasurer Hendricks said that is right and he has to make some journal entries to account for this.

- Budget Transfers & Budget Amendments – Treasurer Hendricks said he will have

some budget transfers and budget amendments at the last meeting in February.

- Budget – “knowns” per contracts & rates: employees payroll & benefits / retirees benefits – Treasurer Hendricks distributed a report and showed it on the screen (attached to end of minutes). Treasurer Hendricks said the Village’s funds: General, Water, Sewer are shown. No salaries come out of the Sewer Fund. There are 3 employee groups which include 2 Unions: Stetson Club (Police), CSEA (DPW), and non-union. Payroll and employee/retiree benefits are a significant part of any municipalities budget. The increasing cost of health insurance and retirement are a challenge for all. Retirement includes the Employees Retirement System and the Police & Fire Retirement System. The 21% and 25% respectively are a reflection of what has happened with the stock market. Hopefully rates will drop when the economy recovers. The Village was creative a couple of years ago with changing plans and implementing an HRA to better manage costs. Debt service is also shown.

Mayor Castañeda thanked Treasurer Hendricks for coming to the recent Department Heads meeting and reminded Department Heads that their budget requests/estimates are due to the Treasurer by 1/24. The Treasurer and Department Heads are included in the 2/5 Village Board work session regarding budget.

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 4

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
 - 2012 Reports – Codes Office Summary & Application Activity – CEO Zarnstorff referred to the 2012 reports included in the packet. It will also be posted to his departmental page on the Village website. The inspection numbers don't waiver much from year to year. He made 1,300 stops in 2012. Application activity numbers increased in some areas such as residential rental registrations whose fees provide revenues to help support the department. The department is diligent with residential rentals as it is important to the community. Construction activity was way down in 2012. Hopefully developers/builders will do better as the economy continues to improve. He said new construction is positive for the Village. He foresees no major program changes this year.

- New Codes Software - CEO Zarnstorff shared that the new Codes Office software has been installed and part time Clerk Krahe is doing data entry and getting acclimated to it. He thanked the Board for authorizing the purchase of this software to better meet their needs.

- Police – Police Chief Daniel P. Varrenti
 - Proposed MOU w/ BFD re facility/vehicle use – Chief Varrenti referenced the document reviewed at the last couple of Village Board meetings and said that he would not have wanted his officers to engage in the original MOU with so many stipulations and liabilities. He said the Mayor had questioned why he would want to rent a vehicle at \$50 or \$100 a couple of times a year instead of borrowing one (the van) from the Fire Department. There were far too many liabilities and responsibilities in the document drawn up by attorneys right down to officers checking fluid levels of the vehicle they borrow. He said he discussed the situation with Fire Department/District officials and that as first responders both police and fire are always available to help each other when needed.

- Review of DCJS audit – Chief Varrenti referred to the report included in the packet. He said e-justice replaced what was formerly known as NYSPIN. The Division of Criminal Justice Services conducted an audit and found they comply with all 15 criteria. He thanked Sgt. Philippy with this.

- Donations and Treats – Chief Varrenti shared that the Police Department recently received a letter of appreciation and \$30 donation from Village residents Ronald and Ilene Weiss. He read his response letter into the record saying a donation is appreciated but unnecessary and returning it to them as their taxpayer dollars are sufficient to fund the Police Department. Chief Varrenti also expressed thanks to all those who dropped off treats to the Police Department during the holidays.

- Review of police department cost & overtime review – Chief Varrenti shared that the Police Department operates on over \$100,000 less today than it did 5 years ago. He said the numbers pretty much tell the truth. In the early 1990's there were 14 full time officers. There are now 11. There must be at least 2 on at a time. He believes Brockport Police Department to have one of the best staffs of all law enforcement agencies in Monroe County. He continues to set the goals of coming in within or below budget and decreasing overtime. In looking at the lasts 5 years, they have come in below budget and have decreased overtime. Operating Costs: 2008-2009: \$1,343,611, 2009-2010: \$1,280,327, 2010-2011: \$1,138,299, 2011-2012: \$1,155,715. This is a savings over 4 years of \$187,896. Hours of overtime: 2008: 4,924, 2009: 4,372, 2010: 3,588, 2011: 3,754, 2012: 3,390. Decreasing the hours of overtime decreases the cost to the Village. He is proud to have produced those numbers for the Village. He thanks the Command Staff (Lt. and Sgts.) and the Stetson Club under the leadership of President Brian Winant. He said what the Stetson Club gives back to the community is unprecedented. Further, they are the only PD he knows of that actually took a pay cut.

Chief Varrenti said 91% of the PD budget is salary and benefit based. Every hour of overtime is looked. They start the budget process at the start, not the middle of a fiscal year. By Thursday he will provide the department budget requests/estimates to the Treasurer and will copy the Village Board and add some historical information and goals and objectives.

- 4th quarter and 2012 Reports – Chief Varrenti referred to the reports provided to the Board and that they will be available on the Police Department page of the Village website.

He noted that code enforcement numbers went down significantly in the 4th quarter. He believes this is a result of the Mayor's relocation of the Code Enforcement Officer and part time Clerk from the Police

Department back to Village Hall. There was less collaboration between Police and Code Enforcement. He hopes that is rectified as time goes on.

- Request brief Executive Session – Chief Varrenti requested a brief executive session with the Village Board and Village Attorney at the end of the meeting to discuss a potential litigation matter.

- Public Works – Superintendent Harry G. Donahue (excused)

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 5

- **PERSONNEL ITEMS:**

- Building Inspector Part Time – search committee recommendation – Mayor Castañeda shared that the Search Committee comprised of her, Trustee Hannan, Codes Officer Zarnstorff and Codes Clerk Krahe reviewed all applications, selected finalists, interviewed finalists, and then she checked references of top finalists. The committee recommends not filling the position with any of the applicants or finalists at this time. This position has been vacant for some time and waiting to find the right fit will not cause a hardship. The Village will likely re-advertise the vacancy at some point in the near future.

- Mayor’s appointment for EOP – Designated Trustee, Emergency Coordinator, Public Information Officer -

→ Mayor Castañeda announced her appointment of Trustee Andrews as Designated Trustee for EOP purposes.

Mayor Castañeda said she had previously asked Trustee Andrews if he would be willing to represent her should the occasion arise when she is unavailable in an emergency and the EOP is put into action.

→ Mayor Castañeda announced her appointment of Willard Bird, Jr. as Emergency Coordinator for EOP purposes.

Mayor Castañeda said Bill Bird has agreed to accept his appointment as a long time, committed resident of the Village. He brings a good many years of public safety service to the table. As a former Fire Chief, Past President of the Fire Department and having held a variety of officer positions, she said it is her belief that Bill will provide knowledgeable, trusted advice to her as Mayor should the Village be faced with a local emergency.

→ Mayor Castañeda announced her appointment of Christopher R. Martin as Public Information Officer for EOP purposes.

Mayor Castañeda said Chris Martin served as the PIO for the Fire Department for well over 13 years. Mayor Castañeda said he provided some PIO services to Josephine Matela when she was Mayor. He served as a Trustee/Deputy Mayor for Mayor Castañeda and prepared some of the press releases during that time. He serves as PIO for the Emergency Communications Department as part of his professional duties there. His PIO education includes his completing FEMA IS-0029 PIO Awareness and IS-0702 NIMS Public Information Systems on-line as well as attending courses at the State Training facility in Oriskany, NY completing their Public Information in a WMD/Terrorism Incident. Chris also attended FEMA’s G-289 PIO Awareness Course and G-290 Basic PIO course offered by the State Emergency Management Office at the University of Buffalo, and is awaiting confirmation to attend the FEMA Advanced PIO course at Emmitsburg, MD. His emergency management training also includes FEMA IS-100, 200, 300, 400, 700 and 800, many of which are required for public officials in emergency management roles. Mayor Castañeda said it is her belief that these credentials and that he is a life-long Village resident, he brings the knowledge and experience necessary to provide this service

- **OLD BUSINESS:**

- Consider Adopting Updated Emergency Operating Plan (original version adopted in 2002) – Mayor Castañeda said now that she has made the appointments of Designated Trustee, Emergency Coordinator, Public Information Officer for EOP purposes, the Board can consider adopting the amendments proposed by Department Heads. She thanked the Department Heads and staff for their work in updating the 2002 EOP.

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 to adopt the following:

RESOLUTION OF ADOPTION

WHEREAS, the Village Board of the Village of Brockport recognizes that one of the most important responsibilities of local government is to provide for the response to and recovery from emergencies

that abnormally affect the health, safety or welfare of the community; and

WHEREAS, while Brockport is very fortunate to be protected by excellent police, fire, EMS, code enforcement and Public Works departments, the Village Board recognizes that it must plan for extraordinary situations beyond the combined capabilities of these agencies; and

WHEREAS, Section 23 of Article 2-B of *New York Executive Law* authorizes the Village of Brockport to prepare disaster preparedness plans; and

WHEREAS, this Emergency Operations Plan has been prepared in accordance with the Mayor's direction and under the authority of Article 2-B of *New York Executive Law*.

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 6

NOW, THEREFORE BE IT RESOLVED, that this *Emergency Operations Plan* of the Village of Brockport is hereby adopted and entered into force; and

BE IT FURTHER RESOLVED, that adoption of this *Emergency Operations Plan* establishes the following policies to protect the inhabitants of the Village:

- Authority for emergency response activities.
- Classification of emergency situations.
- Command and control structure for disasters.
- Line of succession to ensure continuity of government.
- Designation and establishment of an emergency operations center.
- Authorities to maintain, train, test and update the *Emergency Operations Plan*.
- Authorization to prepare a vulnerability analysis for the Village.
- Authorization to prepare an "all-hazards" mitigation plan.

Clerk Morelli said before she distributes the EOP to involved individuals/agencies she would have Department Heads review Annex A & Annex B at the end of the EOP on pages 40-46 re frequencies and contacts. Once she gets that information, a master copy will be made available for signatures of concurrence. Then it will be distributed.

Trustee Andrews suggested a work session to better understand the EOP.

Mayor Castañeda said the next couple of monthly work sessions are focused on budget, but that a drill or practice of sorts (table top exercise) as it indicates in the document will need to be organized.

- o Authorize Museum electric upgrades out of Shafer Trust – lowest estimate \$1,975 Smith Construction & Electric -

→ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 to authorize the lowest estimate of \$1,975 from Smith Construction & Electric out of the Shafer Trust for electric upgrades at the Emily L. Knapp Museum and Library of Local History.

Clerk Morelli said she would notify DPW Superintendent of this and the okay to proceed.

- o Approve & authorize Mayor to sign amended MOU w/ Brockport Fire District – re snowplowing -

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to approve and authorize the Mayor to sign the amended MOU with Brockport Fire District regarding snowplowing.

AGREEMENT

This agreement, effective as of December 1, 2012, or upon execution by both parties, by and between the VILLAGE BOARD TRUSTEES OF THE VILLAGE OF BROCKPORT, Monroe County, New York, (the "Village") with offices at 49 State Street, Brockport, New York 14420, and the BROCKPORT FIRE DISTRICT, a New York fire district, having an office at 38 Market Street, Brockport New York 14420 in the Village of Brockport, Monroe County, New York (District).

WITNESSETH:

WHEREAS, the District and the Village wish to enter into this municipal cooperative agreement in the spirit of cooperation, and in an attempt to cut costs and share equipment and facilities, and

WHEREAS, the District owns and/or operates property located in the Village, including at 38 Market

Street, Brockport, New York, and

WHEREAS, the Village, as one of its governmental functions provides snow removal and snow plowing to its municipal facilities, and

WHEREAS, inherent in such responsibility the Village maintains the necessary equipment to carry out such functions and the Village has the equipment to plow, salt, and remove excessive accumulations of snow and/or ice, which equipment is available at, during and after snowfalls, and

WHEREAS, the District in its capacity in providing fire and emergency service to its constituents, which include the village residents, is in need of accessibility to the facilities and buildings that store its fire equipment on a 24 hour, 7 day a week basis, and

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 7

WHEREAS, such accessibility is crucial to an adequate response to an emergency anticipated and expected from its constituents, and

WHEREAS, as one of its obligations to the Village, as set forth in the deed from the Village to the District, the District must make some parking spaces in the Market Street parking facility available for public parking, and

WHEREAS, the Village plows village properties located adjacent to and in close proximity to the property of the District;

NOW, THEREFORE, in consideration of the terms and conditions contained herein, and in accordance with the New York State General Municipal Law, Article 5-G, the parties herein do covenant and agree as follows:

SNOWPLOWING

1. The Village will remove snow and/or ice at the District properties in the Village of Brockport located at 38 Market Street, Brockport, New York, 191 West Avenue, Brockport, New York, and the Capen Hose Company No. 4 Property (subject to the Village's receipt of a lease between the Fire District and the Capen Hose Company No. 4) at 237 South Main Street, Brockport New York, when there is an accumulation of snow on the properties of the District, as necessary to keep the parking lots of the properties open for use by the public and Fire District personnel.
2. The Village will plow and/or de-ice ramps, the parking lot and driveway at said sites during and after snow storms and will push back the heavy accumulation of snow on the site using its own equipment and when necessary remove such snow from the property.
3. The Village will not be responsible for the restoration of pavements, or turf damage because of the Village's work.
4. To the extent as reasonably possible, the Village will render such services at times commensurate with the Village's removal of snow or de-icing on its own facilities.
5. The District will not be required to notify the Village when the District needs the Village's services. The Village will schedule the services, taking into account the District's needs. It is anticipated that when the Village will plow and/or de-ice ramps, the parking lot and driveways of its own facility, that it will do the same on the district properties.
6. The consideration exchanged for this service shall be \$1,000.00 and the Village will provide these services under the authority of §119-o of the General Municipal Law.
7. The District waives all damages against the Village and hereby indemnifies and agrees to hold harmless the Village from all liability and damages, including attorney's fees, that the Village may incur due to the service to be rendered by the Village to the District.

GENERAL PROVISIONS

8. This Agreement shall commence on December 1, 2012, or upon execution by both the District and Village, and shall terminate on the 30th day of November, 2013.

9. Either party may terminate this Agreement, with or without cause, upon written notice to the other party.
10. At least ninety (90) days before the end of the term of the Agreement, this agreement may be renewed for an additional one year term, by giving written notice to the other party of its intention to renew this agreement . The terms and conditions of this Agreement shall remain the same unless otherwise amended in writing.

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 8

11. The Village and the District agree to comply with all federal, state and local laws, resolutions, ordinances, codes, rules and regulations applicable to the performance of the terms of this agreement.
12. This Agreement contains the entire agreement between the parties and may be modified or assigned only in writing signed by duly authorized representatives of both parties. This Agreement is binding on the parties, their successors, legal representatives and assigns. Any provision of this Agreement prohibited by law will be deemed amended to conform to such law without in any way invalidating or affecting the remaining provisions.
13. If any provision of this Agreement is held invalid by a court of law, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the laws of the State of New York.
14. This Agreement will be deemed to have been made in and will be construed in accordance with the laws of the State of New York.
15. Any notice required to be given to either party will be written and sent to The District or Village addresses shown on page one, by either registered or certified mail.
16. This Agreement may be executed in any number of counterparts, each of which will be deemed an original and will not become effective and binding upon the District or Village until accepted and executed by the authorized signatory as set forth in the respective resolutions of the Brockport Fire District Board of Fire Commissioners and the Village of Brockport Board of Trustees.

IN WITNESS WHEREOF, the parties herein have executed the foregoing Agreement, pursuant to resolutions of the Brockport Fire District Board of Fire Commissioners and the Village of Brockport Board of Trustees.

Clerk Morelli said she would notify Fire District Commissioners Chair Sauberan and obtain his signature. She said she would also notify DPW Superintendent Donahue of this and to invoice the BFD the \$1,000 for the season.

- o Authorize Village Attorney out of scope of services re COMIDA application now that LL#4-12 is in effect – Village Attorney Leni said according to Trustee Andrews only one property plans to participate. He said he believes the COMIDA application has to be done by the property owner with the Village’s assistance.

→ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 to authorize Village Attorney out of scope of services regarding making necessary COMIDA application related to LL#4-12.

At 8:00pm, Mayor Castañeda excused the Treasurer and Department Heads. Chief Varrenti stayed.

Before the Department Heads exited, Trustee Blair reminded them of the 2/12 deadline for information for the 1st quarter 2013 Village newsletter. He said the Village Board would be asked to review and ok the final version before it goes to print.

NEW BUSINESS:

- o Concur - Town Board as Lead Agency under SEQR re 4574 Lake Rd rezone

& future townhouses -

→ Trustee Blackman moved, Trustee Andrews seconded, carried 5/0 that the Village of Brockport Village Board has no objection to the Town of Sweden Town Board assuming SEQR Lead Agency status for a rezone project involving 4574 Lake Road.

Clerk Morelli said she would return the appropriate form to the Sweden Town Clerk.

Trustee Blackman said the subject property is not within the Village, but could have some impact. She wondered if the Village would have opportunity for review.

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 9

Village Attorney Leni said yes. This is just the step as to who takes Lead Agency on SEQR. It is appropriate that it be the Town of Sweden. The Town will be required to publish and hold meetings and entertain comment.

- Authorize applying for a grant – LGRMIF 2013-2014 records management – Clerk

Morelli shared the summary of the grant application as being prepared by J. O’Connell and Associates:

The Village of Brockport requests funding to hire a Records Clerk to conduct a Records Inventory of the 550 cubic feet of records housed in Village Hall. For the project, the Records Clerk will sort through the boxes and folders of records, and, using MU-1 as a guide, determine retention dates. The Records Clerk will identify and set aside records ready for disposal, and will categorize, box, and properly label records that must still be retained. Obsolete records will be purged. The Village will install the Government Records Management System, a Microsoft Access based automated locator database designed by the NYS Archives, to index and track the remaining and future records. The Records Clerk will input data from records into the database. The Village Clerk/RMO will serve as Project Director. Completion of the Records Inventory project will allow the Village to effectively plan for the construction of a new inactive records room. The purging of obsolete records will create space for which to store additional records, alleviate some of the weight on the second floor, and eliminate or reduce as much as possible the need for storage in staff offices. Organization of viable records will make the records more easily accessible, so that the Village Clerk does not have to spend so much time looking for a minimal number of records. Putting an organizational system into place and training personnel on its maintenance will ensure that future records are stored properly.

→ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 to authorize the application of an LGRMIF Local Government Records Management Improvement Fund grant to hire a Records Clerk to conduct a Records Inventory of the 550 cubic feet of records housed in Village Hall.

Clerk Morelli said she would supply J. O’Connell and Associates who are preparing the grant application with a certified resolution.

- Authorize applying for a grant – Smoke Free NY – parks signage - Trustee Blair reminded the Board of the opportunity to get funding assistance with park signage via the Smoking and Health Action Coalition of Monroe County / American Lung Association of the Northeast. There are a couple of steps in working towards that. The first is to designate all Village Parks and Playgrounds as some free zones.

Village Attorney Leni confirmed this is fine to do. He asked if the Board will be able to review a proof of the proposed signage. Trustee Blair said yes, once it is available.

Mayor Castañeda asked if grant monies are available. Trustee Blair said he was told that it is.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to designate all Village of Brockport Parks and Playgrounds as smoke free zones. This includes Barry Street Park, Corbett Park, Evergreen Tot Lot, Harvester Park, Monika Andrews Children’s Park, Remembrance Parks, Sagawa Park, South Avenue Park.

Clerk Morelli said she would supply the contact at the Smoking and Health Action Coalition of Monroe County with a certified resolution.

- Authorize applying for a grant – Erie Canalway Festival to help fund May canal opening celebration - Trustee Blackman shared the summary of the grant application as being prepared by J. O’Connell and Associates:

Erie Canalway is offering \$500 sponsorship grants for events or festivals taking place from May through December 2013. Municipalities or nonprofit 501(c)3 organizations are eligible. Events that specifically

link to the canal's culture, heritage, and recreational assets will receive favorable consideration. The grant is a matching funds grant; the match can be in volunteer hours, donations, sponsorship by other organizations, etc. We wish to apply for the canal opening celebration to be held in the Village May 1-5. Events currently planned include a Village to Village rowing regatta, 5K run, slide show on the history of the Erie Canal, Art Auction to raise funds for historic canal mural, progressive tasting at 5 downtown merchant stores, musical events, and a poster competition for 4th graders. The funds would go towards paying for the entertainment (music, slide show presenter). The match would more than come from volunteer labor.

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to authorize the application for an Erie Canalway Festival Grant for events or festivals taking place from May through December 2013 – specifically for the Village of Brockport's canal opening celebration events to be held May 1-5, 2013. **MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 10**

Clerk Morelli said she would supply J. O'Connell and Associates who are preparing the grant application with a certified resolution.

Mayor Castañeda mentioned that today she received a letter from Hugh Grant who is Executive Director of the Erie Canal Drama Theatre Inc. inquiring about the possibility of producing their historical outdoor drama "Clinton's Ditch: The Story of the Building of the Erie Canal". Outdoor plays like this one are written and produced for heritage tourism. There is a chance that grant money can be found for tourism projects like this. She said maybe this could be incorporated into the canal season opening events Trustee Blackman is coordinating.

Trustee Blackman said if not then, maybe it could be a separate event later in the summer. She said she knows there are NEA – National Endowment for the Arts grant opportunities.

Mayor Castañeda said she would forward the information to J. O'Connell and Associates.

○ Authorize applying for a grant – Local Government Citizens Reorganization Empowerment – Mayor Castañeda shared that on 1/3 she received and forwarded the Local Government Efficiency Grant Program application to Gary from J. O'Connell and Associates along with an inquiry. She explained in her inquiry that a few years back a group of citizens petitioned for dissolution of the Village. The June 2010 referendum did not pass. Many were opposed as there was no plan or study to show the effects of such – whether there would be a cost savings or loss of services, etc. The possibility of another petition for a referendum on dissolution has been brought up. In order to be proactive and better prepared with data and facts, she said she asked Gary if the Village could apply for the grant. It would provide the funds to study and/or implement municipal consolidation or dissolution. Gary replied and copied the Board that the Village could apply and that upcoming application deadlines are 2/6, 3/6, 4/3. The Village would be required to provide matching funds equal to 10% of total project cost. If we apply for \$50,000, we would need to contribute \$5,000. All grants are reimbursement grants and to receive full funding, awardees must present the findings from the study/plan to the public. Mayor Castañeda said she has since spoken with Gary and before he assigns a grant writer to work on this, they must have Board authorization. He also indicated that while the Village can be the sole applicant, the Town should be involved in any discussions. The O'Connell folks would contact CGR Center for Governmental Research for a quote and scope of services for the study for the purposes of the application. The study/plan would provide the Village Board with facts and data that would be useful to better inform constituents. Mayor Castañeda believes other reasons to apply include:

- We must prepare ourselves with the best information we can find so we can lead our community with certainty and foresight.
- I believe it is our responsibility to apply for a grant from the Local Government Efficiency Program to fund an efficiency study. It will provide us with a detailed analysis of services that currently exist for taxpayers and how each service is provided. It would be important information for the Board and for the community to help decide how we would like to proceed for our future.
- The ultimate goal should be to inform the Board and taxpayers regarding options available to the community to make the area more affordable.

→ Mayor Castañeda moved, to authorize the application for a Local Government Efficiency Program grant.

Discussion without a second to the motion:

Trustee Hannan asked Mayor Castañeda how she could propose such with a straight face. She said all the Mayor has wanted to do is dissolve the Village.

Trustee Blair concurred.

Trustee Blackman said the June 2010 referendum on dissolution failed. This is not even a wolf in sheep's clothing. She said it would require the Town of Sweden to be a co-applicant and a determination of what you plan to consolidate. She said an important piece was left out of Mayor Castañeda's argument and that is that the results of the study have to be adopted, not just presented. She said the first word the Trustees got was by the grant writer copying in the whole Board on his response to the Mayor's inquiry.

Mayor Castañeda said the plan doesn't necessarily have to be adopted.

Trustee Blair said the June 2010 referendum on dissolution failed. He expressed concern that too often Mayor Castañeda works against the Village and not for the Village.

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 11

Trustee Hannan said she would not authorize spending money on a back door to dissolution.

Mayor Castañeda asked how the Trustees can be sure that consolidation or dissolution would not be a cost savings to the taxpayers. While citizens can petition for a dissolution referendum, only the Board can call for a study/plan.

Trustee Blackman again said the Board would need to supply in the grant application information on what they plan to consolidate.

Mayor Castañeda said the grant writer would contact CGR for a scope of services.

Trustee Andrews said there was no second to the motion, so there should be no discussion.

Mayor Castañeda said she understands that, but the Trustees will be unable to say to taxpayers to be against consolidation/dissolution again if they refuse to study the effects. They won't be able to say there is no cost savings since they really don't know.

Trustee Blackman said there are rapid/quick grant opportunities for a plan if a referendum on dissolution of a municipality passes.

Trustee Blackman said the Village is in much better financial shape than it was a few years ago when it was petitioned for a referendum on dissolution.

Trustee Andrews again said there was no second to the motion, so there should be no discussion.

VILLAGE BOARD REPORTS:

- Mayor M. Connie Castañeda
 - Chamber of Commerce – Mayor Castañeda referred to the Board receiving invitations to the annual Chamber of Commerce dinner 6:30pm Thursday 1/31 at Salmon Creek Country Club. They will be sharing what they are planning for the betterment of the businesses and community.
 - Writers and Books Collaboration - Mayor Castañeda shared that she has been in contact with Karen Van Meenen regarding writers and books collaboration. She provided her with Donner Spencer's name who is the Migrant Education Program Director. They will be collaborating on an event around immigration and refugees. Henry Padron, a close friend and colleague, will be conducting a book discussion on the novel Into the Beautiful North by Luis Urea.
 - Assembly – Foreclosure Bills - Mayor Castañeda referred to having received correspondence from Assemblyman Michael P. Kearns of the 142nd District regarding two foreclosure bills current referred to the Judiciary Committee in the New York State Assembly. He proposes a resolution from municipal boards would assist. She will have Clerk Morelli put it on the next agenda for consideration.
 - Recent Association Meetings - Mayor Castañeda thanked Trustee Andrews for representing her at the 1/16 Monroe County Association of Village Clerks meeting to swear in Clerk Morelli as President and Deputy Clerk-Treasurer Draper as Secretary and the 1/19 Monroe County Association of Villages annual meeting to introduce the Brockport attendees. In her 8 years on the Board, this is the first Association banquet she has missed.
 - 100 Fair Street – Mayor Castañeda shared that earlier this evening she, Trustee Blair, Village Attorney Leni, Codes Officer Zarnstorff met with Al Plumb and his engineer and assistant

with regards to their application to the Planning Board regarding 100 Fair Street and questions they had for the attorney regarding their application.

- o Trustee William G. Andrews

- Recent Association Meetings – Trustee Andrews thanked Mayor Castañeda for asking him to represent her by welcoming the Monroe County Association of Village Clerks to Brockport at their 1/16 meeting and swearing in the officers including Clerk Morelli and Deputy Clerk-Treasurer Draper as President and Secretary.

Clerk Morelli said she was happy to have Trustee Andrews attend as he gave a nice welcome and effectively administered the oath of office.

Trustee Andrews said he was also pleased to introduce 14 attendees from Brockport at the Monroe County Association of Villages banquet. Attendance ranged from only 1 from one Village to 34 from another Village.

MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 12

- NYS Historians Association - Trustee Andrews shared that he has been asked to be a presenter at the June convention in Cooperstown.

- Civil War Book – Trustee Andrews shared that he has completed writing his Civil War book and is working with the publisher. He is looking for Brockport related illustrations to include.

- Chamber of Commerce – Trustee Andrews said he plans to attend the 1/31 Chamber of Commerce dinner meeting.

- Landmark Society - Trustee Andrews shared that the 4/20 Landmark Society conference will be held in Brockport and they are looking for partners to help promote it and attract attendance.

- GBDC - Trustee Andrews mentioned that per the Codes Officer at the Mayor's urging, a building condition report was solicited and remedial work is being undertaken at 60 Clinton Street.

- o Trustee Margaret B. Blackman

- Canal Season Opening Events - Trustee Blackman shared that the first meeting of the committee met 1/13 and will meet again 1/25. Organizers include her, Trustee Andrews, representatives from the Morgan Manning House, Stetson Club, Chamber of Commerce, and Brockport Merchants Association. She will be meeting with Spencerport Mayor Joyce Lobene 1/24 as well. She is

in contact with NYS Canal Corp Director Brian Stratton. "Low Bridge, High Water: A Canal Opening Celebration" includes a slideshow presentation on Erie Canal History, musical performance by the Golden Eagle String Band, a 4th grade poster contest, posters, a "Stone Soup" art auction to help fund a

canal themed public mural, an author-led discussion of a book that takes place during Canal construction, a progressive tasting at several local businesses, a 5K race, a Village to Village rowing regatta between Brockport and Spencerport.

- Farmers Market - Trustee Blackman shared that she will be meeting with the Farmers Market Co-Managers to prepare for next season.

- Association Dinner Meeting - Trustee Blackman shared that she attended the 1/19 Monroe County Association of Villages dinner meeting. Trustee Andrews was able to get a plug in for the 4/20 Landmark Society Conference to be held in Brockport.

- o Trustee Kent R. Blair

- Parks Committee – Trustee Blair said the Parks Committee had asked DPW Superintendent for some quotes on equipment and haven't heard back.

Trustee Blackman said she has some of it as she and DPW Spt. Donahue recently reviewed some items regarding budget preparation.

- Possible Canal Hockey Event - Trustee Blair shared that he, Kevin McCarthy and Brian Winant of the Stetson Club plan to attend an upcoming Pond Hockey event in Fairport. A hockey tournament on the Canal might be feasible here. He said he would forward some information from NYS Canal Corporation to Clerk Morelli and asked that she contact the Village's Insurance Broker of Record

as to coverage and any associated costs.

- Emergency Operations Plan - Trustee Blair said he is glad the EOP has been updated since it hadn't been since 2002. He said he finds it odd that it finally got accomplished as the Mayor's term is winding down. Had they been asked, the Trustees would gladly have helped get this accomplished earlier.
- Lakeside Health System - Trustee Blair mentioned that a family member recently had a good experience with Lakeside Hospital – quality care close to home.
- Legal Fees - Trustee Blair expressed concern that the legal fees line for Village Attorney continue to be high. The monthly retainer is \$2,500, but the bills are regularly more than that. He cautioned the Board on so many out of the scope of services approvals.

Mayor Castañeda said the Village Attorney line is always underfunded and this should be taken into consideration during budget preparation.

o Trustee Carol L. Hannan

- Brockport Merchants Association – Trustee Hannan shared that BMA plans to have another Wine Walk event March 9th. She said many of the events BMA has not only benefit the merchants and the downtown district but some proceeds benefit area organizations such as a \$500
- MINUTES OF VILLAGE BOARD MEETING HELD January 22, 2013 continued.....page 13**

donation to the Brockport Food Shelf.

- Seymour Library - Trustee Hannan shared that the condition of the roof at the Seymour Library was a focus of discussion at a recent Library Board meeting.
- Building Inspector Part Time Vacancy - Trustee Hannan said she is sorry the position has yet to be filled. Codes Officer Zarnstorff has been without a part time helper for quite some time. However, it is important to hire a person that is the right fit. The Village may have to wait until after the next election cycle.
- Code Review Committee – Mayor Castañeda reminded that at the last Village Board meeting Trustee Hannan questioned her on having attended a Code Review Committee meeting and being concerned of a lack of quorum. The quorum concern was raised by Village Attorney Leni. She asked Trustee Hannan if she had any questions for him. Trustee Hannan said she did not as she had already clarified such with the Village Attorney. Trustee Hannan said she was surprised that Mayor Castañeda attended a CRC meeting and even took notes. Mayor Castañeda said she can attend any Board/Committee meetings and has done so previously.

EXECUTIVE SESSION:

→ At 8:45pm, Trustee Blackman moved, Trustee Hannan seconded, that the Board of Trustees of the Village of Brockport enter into executive session to discuss potential litigation. Mayor Castañeda asked Chief Varrenti for clarification on the purpose. Chief Varrenti said it is regarding the resignation of Judge Carl Coapman from Sweden Town Court.

Mayor Castañeda said she is not sure that qualifies for executive session as he is not an employee of the Village. She said this is the Town's matter.

Village Attorney Leni said it involves potential litigation and qualifies for executive session.

Carried 5/0

Chief Varrenti and Village Attorney Leni were invited to sit in.

→ At 8:55pm, Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

ADJOURNMENT:

→ At 8:55pm, Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk

**Village of Brockport
2013-14 Budget Development
January 22, 2013**

Agenda

Budget Timeline

Budget Overview

Salaries

Employee Benefits

Debt Service

Village of Brockport	
2013-14 Budget Development	
Timeline	
Thursday, January 10, 2013	Department heads notified to develop budget estimates
Tuesday, January 22, 2013	Treasurer presents "known's" to Village Board
Thursday, January 24, 2013	Department heads submit budget requests to Treasurer
Tuesday, February 05, 2013	Village Board Workshop, to discuss department estimates
Tuesday, February 26, 2013	Village Board Meeting - update public on progress
Tuesday, March 05, 2013	Village Board Meeting with Treasurer- discuss and make revisions to budget estimates
Wednesday, March 20, 2013	Tentative Budget filed with District Clerk
Tuesday, March 26, 2013	Village Board Meeting - Update Public on Progress, Treasurer to provide tentative budget to Village Board and Department Heads
Wednesday, March 27, 2013	Clerk to publish notice of public hearing on tentative budget for publication in April 1, 2013 edition
Tuesday, April 02, 2013	Village Board Meeting with Treasurer- discuss and make revisions to budget estimates
Tuesday, April 09, 2013	Public Hearing on Preliminary Budget - Middle School LGI - Treasurer to present
Tuesday, April 23, 2013	Village Board Meeting - Budget adoption by Village Board (budget must be adopted by May 1, 2013)

Village of Brockport			
2013-14 Budget Development			
Overview			
		2012-13	2013-14 Budget
		Estimated	
		Expense	
	2012-13 Budget		
General Fund Budget			
Total Salaries	1,967,455	1,954,329	Work In Process
Total Equipment/Supplies/Contractual	1,030,587	1,000,000	Work In Process
Library Contract	180,825	184,440	189,052
Employee Benefits	1,468,823	1,264,151	1,401,013
Debt Service	-	-	-
Total	4,647,690	4,402,920	1,590,065
Water Fund			
Total Salaries	176,769	177,077	Work In Process
Total Equipment/Supplies/Contractual	582,759	575,000	Work In Process
Employee Benefits	93,911	90,012	102,036
Debt Service	60,141	60,141	60,952
Total	913,580	902,230	162,988
Sewer Fund			
Total Salaries	-	-	-
Total Equipment/Supplies/Contractual	41,771	40,000	Work In Process
Employee Benefits	-	-	-
Debt Service	96,229	96,229	97,530
Total	138,000	136,229	97,530

Village of Brockport						
2013-14 Budget Development						
Employee Benefits						
General Fund	Acct. Code	2011-12 Actual	2012-13 Budget	2012-13 Estimated Expense	2013-14 Budget	
Employees Retirement	A9010.8000	178,118	244,992	196,245	218,927	
Police Retirement	A9015.8000	223,037	256,979	223,847	252,531	
Social Security	A9030.8000	149,552	185,215	168,000	173,500	
Workers Comp	A9040.8000	86,137	130,140	125,012	130,140	
Life Insurance	A9045.8000	7,554	7,231	7,691	8,076	
Unemployment	A9050.8000	8,339	10,000	8,500	10,000	
Disability	A9055.8000	5,485	5,356	5,390	5,660	
Wellness	A9055.8100	3,580	2,500	1,150	1,265	
Medical	A9060.8000	283,877	439,910	338,065	405,678	
HRA	A9061.8000	102,767	134,000	140,400	140,400	
Dental	A9070.8000	64,571	52,500	49,851	54,836	
Total		1,113,015	1,468,823	1,264,151	1,401,013	
\$ Change from Budget					(67,810.00)	
% Change from Budget					-4.62%	
Water Fund						
Employees Retirement	F9010.8000	9,230	11,000	10,897	11,850	
Social Security	F9030.8000	13,284	14,211	13,685	14,100	
Workers Comp	F9040.8000	9,131	13,000	9,215	13,000	
Life Insurance	F9045.8000	765	1,000	1,000	1,050	
Unemployment	F9050.8000	-	-	-	-	
Disability	F9055.8000	832	1,100	1,050	1,370	
Wellness	F9055.8100	-	-	-	-	
Medical	F9060.8000	17,031	26,000	26,437	31,725	
HRA	F9061.8000	11,230	15,600	15,600	15,600	
Dental	F9070.8000	9,250	12,000	12,128	13,341	
Total		70,753	93,911	90,012	102,036	
\$ Change from Budget					8,125	
% Change from Budget					8.65%	

