

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, October 5, 2009 at 7:00pm.

PRESENT: Mayor M. Connie Castañeda, Trustee Kent R. Blair, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli

EXCUSED: Vice Mayor/Trustee Kelly A. Smith, Treasurer Gina M. Tojek, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Village Attorney Michael Leone, Fire Chief Scott Smith

ALSO PRESENT: Kathy Snyder, Jo Matela, Jim & Joan Hamlin, Mary Jo Nayman, Bernie LoBracco, Jimmy Zisovski, Jim Drake, Norm Giancursio, Mary Jo Nayman

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

Trustee Hunsinger commented that while he appreciates John Bush volunteering his time to tape the Village Board meetings and prepare them for airing by Educable / Time Warner Cable, he is concerned for safety and liability standing on a chair. J. Bush said he is alright and commented that the Fire Department bought him a 3 step ladder for when he tapes their meetings and drills.

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

APPROVAL OF MINUTES OF PREVIOUS MEETING: Mayor Castañeda called for any additions or corrections to the minutes of the last meeting.

➔ Trustee Legg moved, unanimously carried 4/0 that the minutes of the meeting held September 21, 2009, be approved as written.

Approval of the minutes of the brief special meetings held September 22 and September 28 were tabled for a quorum of those in attendance.

AUDIT – PAY BILLS:

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

	<u>Date Paid</u>	<u>Beg. Ck #</u>	<u>End Ck #</u>	<u>Amount</u>
FUND (A):				
<u>General</u>	10/06/09	179503	179539	\$65,139.62
				\$65,139.62 Total General
<u>Reserves</u>	10/06/09	179540	179541	\$1,363.12
				\$1,363.12 Total Reserves
<u>Fire</u>	10/06/09	179490	179502	\$3,062.85
				\$3,062.85 Total Fire
<u>Ambulance</u>	10/06/09	1665	1668	\$6,498.86
				\$6,498.86 Total Ambulance
FUND (F):				
<u>Water</u>	10/06/09	2414	2423	\$11,093.67
				\$11,093.67 Total Water
FUND (H):				
<u>Capital</u>	10/06/09	2343	2343	\$9,150.00
				\$9,150.00 Total Capital
				\$96,308.12 Grand Total

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

GUESTS: None

PUBLIC COMMENT:

1. Jo Matela of Adams Street and The Red Bird Tea Shop on Main Street – a) read the following letter into the record from a merchant:

“We would like to express our concerns about the Main Street construction. Our sales have dropped due to the construction. We expected this, but what we were not prepared for was the absolute stillness on Main Street when the road is completely closed. We were told at meetings we attended that at least one lane of traffic would be open at all times. This has not been the case. The road has been completely shut down on several occasions. The construction company is working for the village. Therefore, as a village board, you all should have the right to put limits on what the construction company can and cannot do. At one of our meetings, the question was raised to the engineer, “would the construction go any quicker, if the road was completely shut down?” The answer was “no, it doesn’t work that way.” Therefore, complete road closures should not be tolerated. Please take some action on behalf of the merchants. With your help, perhaps there will still be businesses here on Main Street when the construction is done.

Sincerely,
Jill Leicht-Zulkosky Owner, Jill’s Antiques 65 Main Street
Jean Regan Owner, Yesterdays Antiques 65 Main Street”

J. Matela said these are the sentiments of many merchants who have been significantly impacted by closure of both lanes and lack of appropriate signage.

b) J. Matela commented that there is an anonymous letter out there that apparently singles her out regarding signage. She said she doesn’t believe in anonymous letters and will not waste anyone’s time. She said the next time Joan Hamlin writes a letter, she should sign her name to it. Joan Hamlin responded that she did not write an anonymous letter and that she signs her letters or speaks at public comment.

2. Anthony Peone of Smith Street and Brockport Computers on Main Street – expressed concern that many of his customers unfamiliar with the area do not know how to get to his shop. He urged the Board to erect more explicit signage. He asked what happened to the Main Street Rehabilitation Committee. He said he is a member of it and there hasn’t been a meeting in some time. Mayor Castañeda responded that the MSRC is for the big NYSDOT project that will begin in 2010. The current work on Main Street is the sanitary sewer and water main project that the Village has to have complete before NYSDOT comes in. She said this project is expected to be completed by November 30th. However, the contractor has experienced unforeseen issues and has added another crew to the job. She encouraged merchants to do their best to help inform their customers how best to get to them.

3. Jimmy Zisovski of Jimmy Z’s on Main Street – expressed concern of the street being fully closed and sales being down. He employs 11 people now and will have to downsize if he can’t make payroll.

Mayor Castañeda shared that there was a Main Street sewer and water job progress meeting September 28th and that regular updates by the Village Engineer are published in the local papers and on the Village website. The next progress meeting with the Village Engineer, DPW Superintendent and Contractor is scheduled for next week. She encouraged available Trustees and a few representatives of the Brockport Merchants Association to attend.

DEPARTMENT REPORTS: (All Department Heads are in attendance the 2nd meeting of each month)

- A. PUBLIC WORKS – Superintendent Harry G. Donahue (excused)
 - 1. Water Main Flushing – Mayor Castañeda referred to the notice in the paper and website announcing the semi-annual water main flushing to be October 19th – 21st.
- B. POLICE DEPARTMENT – Chief Daniel P. Varrenti (excused)
 - 1. Re-Accreditation Process – Mayor Castañeda shared that the Police Department has its re-accreditation assessment this week culminating with an exit interview with the assessors and Village officials on Thursday.
- C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff (excused)
 - 1. Staffing – Trustee Legg commented that S. Zarnstorff is pleased with the return of Assistant Building Inspector/Code Enforcement Officer Vaughan for his budgeted 15 hours per week.
- D. FIRE / AMBULANCE / DISPATCH - Chief Scott Smith (excused)
- E. TREASURER – Gina M. Tojek (excused)
 - 1. Independent Audit for fiscal year ending 5/31/09 – adoption of corrective action plan prepared in response to management letter - Trustee Legg shared that the independent audit of the firm of Raymond Wager is made up of two components. The first is a management letter regarding

areas for remediation have already been acted upon and commended Treasurer Tojek, Clerk Morelli and Deputy Clerk Treasurer Olson for their part in acting so quickly to make some of the necessary changes.

→ Mayor Castañeda moved, unanimously carried 4/0 to adopt the corrective action plan prepared in response to the management letter.

2. Establishment / Re-establishment of various capital reserves:

→ Trustee Legg moved, unanimously carried 4/0 to adopt the following resolution to establish / re-establish capital reserve #24 (Village Equipment):

VILLAGE OF BROCKPORT, NEW YORK
RESOLUTION TO ESTABLISH/RE-ESTABLISH CAPITAL RESERVE
#24-VILLAGE EQUIPMENT

RESOLVED, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Village Equipment Reserve Fund". The purpose of the Reserve Fund is to accumulate moneys to finance the cost of a type of equipment/vehicles. The type of equipment to be financed from the Reserve Fund is acquisition of equipment and vehicles for the Department of Public Works, Police Department, and Building Department.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c [6-g] of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice-Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

→ Trustee Legg moved, unanimously carried 4/0 to adopt the following resolution to establish / re-establish capital reserve #26 (Ambulance Replacement):

VILLAGE OF BROCKPORT, NEW YORK
RESOLUTION TO ESTABLISH/RE-ESTABLISH CAPITAL RESERVE
#26-AMBULANCE REPLACEMENT

RESOLVED, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Ambulance Replacement Reserve Fund"

The purpose of the Reserve Fund is to accumulate moneys to finance the cost of a type of equipment/appurtenances. The type of equipment to be financed from the Reserve Fund is acquisition of an Ambulance vehicle and appurtenances.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains

realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

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The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c [6-g] [of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice-Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

→ Trustee Blair moved, unanimously carried 4/0 to adopt the following resolution to establish / re-establish capital reserve #30 (Communications Equipment – Fire & Ambulance):

VILLAGE OF BROCKPORT, NEW YORK
 RESOLUTION TO ESTABLISH/RE-ESTABLISH CAPITAL RESERVE
#30-COMMUNICATIONS EQUIPMENT (FIRE AND AMBULANCE)

RESOLVED, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Communications Equipment Reserve Fund” . The purpose of the Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is acquisition of Fire Department communications equipment and appurtenances.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c [6-g] [of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice-Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

→ Trustee Blair moved, unanimously carried 4/0 to adopt the following resolution to establish / re-establish capital reserve #49 (Streets, Sidewalks, and Curbs):

VILLAGE OF BROCKPORT, NEW YORK
 RESOLUTION TO ESTABLISH/RE-ESTABLISH CAPITAL RESERVE
#49- STREETS, SIDEWALKS AND CURBS

RESOLVED, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Streets, Sidewalks and Curbs Reserve Fund". The purpose of the Reserve Fund is to accumulate moneys to finance the cost of a type of

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capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction and/or reconstruction of Village streets, sidewalks and curbs.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c [6-g] of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice-Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

→ Mayor Castañeda moved, unanimously carried 4/0 to adopt the following resolution to establish / re-establish capital reserve #50 (Computer Equipment):

VILLAGE OF BROCKPORT, NEW YORK
 RESOLUTION TO ESTABLISH/RE-ESTABLISH CAPITAL RESERVE
#50- COMPUTER EQUIPMENT

RESOLVED, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Computer Equipment Reserve Fund". The purpose of the Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is acquisition of computer hardware and related technologies and software.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c [6-g] of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice-Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

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→ Mayor Castañeda moved, unanimously carried 4/0 to adopt the following resolution to establish capital reserve #52 (Workers' Compensation):

VILLAGE OF BROCKPORT, NEW YORK
RESOLUTION TO ESTABLISH CAPITAL RESERVE
#52- WORKERS' COMPENSATION

RESOLVED, that pursuant to section 6-j of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Workers' Compensation Reserve Fund" . The purpose of the Reserve Fund is for payment of compensation benefits or other expenses authorized by Article 2 of the Workers' Compensation Law.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Brockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-j of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. A referendum is not required either to establish the "Workers' Compensation Reserve Fund" or expend moneys from the Reserve.

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice-Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

3. Resolution authorizing withdrawal of funds from various capital reserves:

→ Trustee Hunsinger moved, unanimously carried 4/0 to adopt the following resolution authorizing withdrawal of funds from capital reserve fund #22 (Fire Truck Replacement) for the purchase of miscellaneous fire equipment and appurtenances:

RESOLUTION AUTHORIZING WITHDRAWAL OF FUNDS FROM CAPITAL RESERVE FUND #22
(FIRE TRUCK REPLACEMENT) FOR THE PURCHASE OF MISCELLANEOUS FIRE EQUIPMENT
AND APPURTENANCES
2009-2010 FISCAL YEAR

WHEREAS, the Board of Trustees of the Village of Brockport , on December 1, 1975 approved the establishment of a Capital Reserve Fund known as the "Fire Truck Replacement Reserve Fund" for the purpose of financing the replacement of Fire Department Trucks and Equipment; and

WHEREAS, the Board of Trustees deems it appropriate to expend the sum of \$30,000 for the purchase of miscellaneous Fire equipment in the amount of \$30,000; and

WHEREAS, the resolution authorizing the withdrawal from the "Fire Truck Replacement Reserve Fund" may be subject to a permissive referendum pursuant to the requirements of Section 6-c of the General Municipal Law;

NOW, THEREFORE BE IT RESOLVED, that the Village Treasurer is hereby authorized to withdraw from the "Fire Truck Replacement Reserve Fund" an amount not to exceed \$30,000 for the purchase of miscellaneous Fire equipment; and be it

FURTHER RESOLVED, that the adoption of this resolution shall be subject to a permissive referendum as provided in Section 6-c of the General Municipal Law and that the Village Clerk shall cause notice of

the adoption of this resolution to be published once in the official newspaper of the Village, with notice that this resolution shall take effect 30 days after its adoption or upon approval by the affirmative vote of the majority of the qualified electors of the Village voting on a proposition for is approval if within 30 days of the adoption of this resolution there shall be filed with the Village Clerk a petition signed and acknowledged by electors of the Village in a number equal to at least 20% of such electors as shown on

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the register of electors for the previous Village election protesting against this resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval.

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Vice- Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

→ Mayor Castañeda moved, unanimously carried 4/0 to adopt the following resolution authorizing withdrawal of funds from capital reserve fund #50 (computer equipment reserve fund) for payment toward the upgrade of the Village of Brockport’s financial software:

**RESOLUTION AUTHORIZING WITHDRAWAL OF FUNDS FROM CAPITAL RESERVE FUND #50
(COMPUTER EQUIPMENT RESERVE FUND) FOR PAYMENT TOWARD THE UPGRADE OF THE
VILLAGE OF BROCKPORT’S FINANCIAL SOFTWARE
2009-2010 FISCAL YEAR**

WHEREAS, the Board of Trustees of the Village of Brockport , on October/November, 2009 approved the establishment of a Capital Reserve Fund known as the “Computer Equipment Reserve Fund” for the purpose of financing the acquisition of computer hardware and related technologies and software; and

WHEREAS, the Board of Trustees deems it appropriate to expend an amount not to exceed \$1,500 for payment toward the upgrade of the Village’s financial software; and

WHEREAS, the resolution authorizing the withdrawal from the “Computer Equipment Reserve Fund” may be subject to a permissive referendum pursuant to the requirements of Section 6-c of the General Municipal Law;

NOW, THEREFORE BE IT RESOLVED, that the Village Treasurer is hereby authorized to withdraw from the “Computer Equipment Reserve Fund” an amount not to exceed \$1,500 to be applied to the cost of upgrading the Village’s financial software; and be it

FURTHER RESOLVED, that the adoption of this resolution shall be subject to a permissive referendum as provided in Section 6-c of the General Municipal Law and that the Village Clerk shall cause notice of the adoption of this resolution to be published once in the official newspaper of the Village, with notice that this resolution shall take effect 30 days after its adoption or upon approval by the affirmative vote of the majority of the qualified electors of the Village voting on a proposition for is approval if within 30 days of the adoption of this resolution there shall be filed with the Village Clerk a petition signed and acknowledged by electors of the Village in a number equal to at least 20% of such electors as shown on the register of electors for the previous Village election protesting against this resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval.

UPON ROLL CALL VOTE:

Mayor Castañeda	Voting in favor
Deputy Mayor Smith	Absent
Trustee Legg	Voting in favor
Trustee Hunsinger	Voting in favor
Trustee Blair	Voting in favor

The resolution was thereupon duly adopted.

→ Mayor Castañeda moved, unanimously carried 4/0 to adopt the following resolution authorizing withdrawal of funds from capital reserve fund #41 (parks and playground equipment) for the

purchase of equipment for Barry Street Park Improvements (Phase II):

RESOLUTION AUTHORIZING WITHDRAWAL OF FUNDS FROM CAPITAL RESERVE FUND #41 (PARKS AND PLAYGROUND EQUIPMENT) FOR THE PURCHASE OF EQUIPMENT FOR BARRY STREET PARK IMPROVEMENTS (PHASE II) 2009-2010 FISCAL YEAR

WHEREAS, the Board of Trustees of the Village of Brockport , on March 7, 1994, approved the

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establishment of a Capital Reserve Fund known as the "Playground Equipment Reserve Fund" for the purpose of purchasing park and playground equipment; and

WHEREAS, the Board of Trustees deems it appropriate to expend an amount not to exceed \$3,000 for purchase of equipment for Phase II of the Barry Street Park Project; and

WHEREAS, the resolution authorizing the withdrawal from the "Playground Equipment Reserve Fund" may be subject to a permissive referendum pursuant to the requirements of Section 6-c of the General Municipal Law;

NOW, THEREFORE BE IT RESOLVED, that the Village Treasurer is hereby authorized to withdraw from the "Playground Equipment Reserve Fund" an amount not to exceed \$3,000 for the purchase of equipment for Phase II of the Barry Street Park Project; and be it

FURTHER RESOLVED, that the adoption of this resolution shall be subject to a permissive referendum as provided in Section 6-c of the General Municipal Law and that the Village Clerk shall cause notice of the adoption of this resolution to be published once in the official newspaper of the Village, with notice that this resolution shall take effect 30 days after its adoption or upon approval by the affirmative vote of the majority of the qualified electors of the Village voting on a proposition for its approval if within 30 days of the adoption of this resolution there shall be filed with the Village Clerk a petition signed and acknowledged by electors of the Village in a number equal to at least 20% of such electors as shown on the register of electors for the previous Village election protesting against this resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval.

UPON ROLL CALL VOTE:

- Mayor Castañeda voting in favor
Deputy Mayor Smith absent
Trustee Legg voting in favor
Trustee Hunsinger voting in favor
Trustee Blair voting in favor

The resolution was thereupon duly adopted.

Resolution to establish fixed asset capitalization threshold:

-> Trustee Legg moved, unanimously carried 4/0 to adopt the following resolution to establish fixed asset capitalization threshold:

WHEREAS, the Village of Brockport currently maintains a perpetual inventory to ensure that capital assets are protected from loss, that their value is maintained, and that they are used effectively and,

WHEREAS, pursuant to the Governmental Accounting Standards Board (GASB) Statement 34, the Village is required to maintain an updated/current Group of Accounts known as the "Fixed Assets Group of Accounts" on its financial records recording the value and annual depreciation of such Fixed Assets and,

WHEREAS, GASB Statement 34 also requires that the Village Board establish a Fixed Assets capitalization threshold for Village assets to properly account for the items which are to be included in the Fixed Assets Group of Account,

NOW, THEREFORE BE IT RESOLVED that the Village Board hereby establishes the Fixed Assets Capitalization Threshold in the amount of \$2,500

UPON ROLL CALL VOTE:

- Mayor Castañeda voting in favor
Deputy Mayor Smith absent

Trustee Legg voting in favor
Trustee Hunsinger voting in favor
Trustee Blair voting in favor

The resolution was thereupon duly adopted.

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4. Accept and authorize Mayor to sign BP Donegan Municipal Finance proposal for long-range planning -

→ Trustee Legg moved, unanimously carried 4/0 to waive guideline #3 of the Village of Brockport's purchasing and procurement policy last revised July 201, 2009 for the single purpose of resolving to authorize an expenditure to purchase services described in the August 28th proposal to the Village from Bernard P Donegan Municipal Finance.

→ Trustee Legg moved, unanimously carried 4/0 to accept and authorize the Mayor to sign the Bernard P. Donegan Municipal Finance proposal for long-range planning dated August 28th at a cost not to exceed \$10,080.

F. CLERK - Leslie A. Morelli

1. Adopt Intermunicipal Agreement – Upstate NY Municipal Workers Comp Program – Clerk Morelli referred to the information previously provided to the Board and shared that she has been attending the Workers Comp Program meetings since the Village Manager was not replaced. The Program, its counsel and Village Attorney have reviewed and recommend the Board adopt the following intermunicipal agreement by November 15th to continue participation.

→ Trustee Hunsinger moved, unanimously carried 4/0 to approve the following resolution:

**RESOLUTION TO ENTER INTO AN INTER-MUNICIPAL
AGREEMENT FOR THE UPSTATE NEW YORK
MUNICIPAL WORKERS' COMPENSATION PROGRAM**

WHEREAS, the Village of Brockport has participated in the Upstate New York Municipal Workers' Compensation Plan (hereafter "Plan"); and

WHEREAS, the Plan's participants, consistent with the advice provided to the Plan by the Plan's counsel, have determined to re-organize the Plan through an inter-municipal agreement by and between the Plan's participants; and

WHEREAS, the Village of Brockport's actions herein constitutes continuing management of its Workers' Compensation Plan; and

WHEREAS, the Trustees of the Village of Brockport have determined that it is in the best interests of the Village of Brockport to continue to act cooperatively with the other plan participants in the course of carrying out the Village of Brockport's obligations under the New York Workers' Compensation Law, including to undertake effective risk management techniques, the promotion of safety and the effective administration of claims;

NOW, THEREFORE, BE IT RESOLVED that the Trustees of the Village of Brockport hereby:

- (a) Approves the Inter-municipal Agreement for the Upstate New York Municipal Workers' Compensation Program as presented;
- (b) Designates the Village of Brockport's Mayor or her appointee as the Village of Brockport's member on the Board of Directors of the program;

The appointees shall remain as follows:
Village Treasurer as Director
Deputy Village Treasurer as Alternate Director
Village Clerk as Facilitator

- (c) Authorizes and directs the Mayor of the Village of Brockport to execute all necessary documents to effectuate the intent and operation of this resolution.

- G. VILLAGE MANAGER – (vacant)
- H. ECONOMIC DEVELOPMENT COORDINATOR – (vacant)
- I. VILLAGE ATTORNEY – Michael Leone, Esq of Harris, Chesworth, O'Brien, Leone, et al. (excused)

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VILLAGE BOARD REPORTS:

A. Mayor M. Connie Castañeda

1. Accept & authorize Mayor to sign agreement with Caughlin & Gerhart for 207c matter – Mayor Castañeda said the Board met in a brief special meeting September 22nd and voted to retain the services of Labor Attorney Mary Lou Conrow who specializes in General Municipal Law 207C regarding a Police Department personnel matter at a cost not to exceed \$3,000 with estimated completion within 8 months. The contract was reviewed by the Village Attorney who found it satisfactory, but noted that the \$3,000 maximum was not in the agreement.

Trustee Legg indicated that we could keep track of the cost, and if it nears \$3,000, introduce a new resolution. Clerk Morelli concurred as attorneys usually don't provide an exact quote.

→ Trustee Legg moved, unanimously carried 4/0 to accept and authorize the Mayor to sign the agreement with Caughlin and Gerhart.

2. Accept & authorize Mayor to sign agreement with Monroe Ambulance – Mayor Castañeda shared that the agreement re fly car services and the provision of billing for ALS assists was reviewed by the Village Attorney who requested two very minor changes and has deemed it satisfactory. The fee schedule has increased, as Monroe Ambulance indicated needing to keep up with Medicare rates.

Trustee Legg referred to Exhibit A and said the past rate was \$175 and new rate for ALS interface Medicare primary is \$361.22. BLS reimbursement rate is \$127. Trustee Blair commented that this rate increase didn't come to light until the Village began conversations on charging them rent. Mayor Castañeda said she asked them that and they insist that regardless of whether the Village chooses to charge them rent, they needed to adjust their rates to keep up with Medicare.

→ Trustee Hunsinger moved, unanimously carried 4/0 to accept and authorize the Mayor to sign the agreement with Monroe Ambulance.

3. Town/Gown Committee – Mayor Castañeda shared that she and Chief Varrenti met with SUNY Brockport's Vice President for Student Affairs and Enrollment Management. One of the topics was the re-establishment of a Town/Gown type of committee. She has solicited Sweden Supervisor Milner and Landlords Association Member Tony Perry to serve and will be soliciting interest for a single family homeowner and a SUNY student(s).
4. Welcome Center – Mayor Castañeda commended Bill Andrews and the Welcome Center greeters for a job well done this season.
5. Tree Board – Mayor Castañeda shared that the Tree Board and the landscape architect for the NYSDOT Main Street reconstruction project will be holding a public meeting on October 22nd at 7:30pm at the Oliver Middle School Auditorium regarding the tree removal/replanting portion of the project for the impacted area on Main Street between the southern boundary of the Village to Erie/State Streets.
6. Walk Bike Brockport – Mayor Castañeda shared that Walk Bike Brockport Action Group's annual Walk to School Day is October 7th.
7. Intermunicipal Meeting – Mayor Castañeda reminded the Board of the meeting with the Town of Sweden and Town of Clarkson Boards October 6th 7pm at Sweden Town Hall to discuss fire service.
8. Educable – Mayor Castañeda reported that correspondence was received from Time Warner Cable indicating that any requests to air government meetings would go through them as of October 1st as opposed to Educable. Trustee Legg said he believes the Village's contract with Educable runs through December 31st and may even be paid up. Mayor Castañeda said she

will contact Time Warner Cable and keep the Board apprised.

9. BCSD – Mayor Castañeda reported that she met with Garry Stone, the new Superintendent of Brockport Central School District. They wish to look into the possibility of sharing services and/or purchases where possible (i.e. gas, paper) in order to get the best pricing.

B. Vice Mayor/Trustee Kelly A. Smith (excused)

C. Trustee Kent R. Blair

1. Welcome Center – Trustee Blair commended Jo Matela for securing furniture for the Welcome Center and for the management committee for the picnic for the greeters. He had an opportunity to meet a lot of great people.

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2. Main Street Project – Trustee Blair said he will do his best to attend the next progress update meeting and commented that he is committed to resolving the merchants concerns regarding traffic and decreased business and agrees that next year’s NYSDOT project will be of even greater concern.

D. Trustee Scott W. Hunsinger

1. IT – Trustee Hunsinger reported that each Village Department/location currently utilizes different IT (information technology) vendors. He said he will be looking at IT support and the possible consolidation of services.

2. Police Department Re-Accreditation – Trustee Hunsinger shared that he hopes to attend the exit interview by the assessors on Thursday.

3. Fire Department Fleet – Trustee Hunsinger shared that he and Trustee Blair are working to consolidate the fleet and reduce costs where possible. At the last meeting, the Board resolved to eliminate one vehicle (EMS Chief).

4. Merchants – Trustee Hunsinger thanked Brockport Merchants Association President Jo Matela for their recent conversation and looks forward to open lines of communication.

5. Fire Service – Trustee Hunsinger said he and fellow Trustees are still awaiting the various proposed contracts related to 2010 fire service from the Mayor.

E. Trustee Hal S. Legg

1. Capen Hose Utility Bills – Trustee Legg commented that although the Board does not yet have a formal contract with Capen Hose for 2010, the Board should solidify some kind of agreement and look to cease paying utility bills, as that is a privately owned property – not owned by the Village.

2. Fire Department Vehicle/Equipment Use – Trustee Legg said he has requested a copy of the Fire Department bylaws from the Fire Chief. A policy should be developed and then be affirmed by the Village Board as to use of fire equipment, as Village Law supports fire equipment use at certain appropriate times. He said he’d be happy to work on this.

3. Village Code Chapter 13 – Code of Ethics – Trustee Legg said upon his recommendation, the Code Review Committee has reviewed this chapter and their proposed revisions have been forwarded to the Village Attorney. Then it will come to Village Board for a public hearing and consideration.

4. Grant Opportunities – Trustee Legg shared that Genesee Transportation Council controls some of the ARRA funds, and while the Village of Brockport has missed the boat on a piece of those monies, there is another opportunity through USDA Rural Development. He asked Clerk Morelli to forward a copy to the Village Engineer and Village Treasurer to see if we qualify and should make plans to apply.

ADJOURNMENT:

- ➔ Trustee Legg moved, unanimously carried 4/0 that the meeting be adjourned at 7:50pm.

Leslie Ann Morelli, Village Clerk