

**Regular meeting of the Board of Trustees of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, July 7, 2010 at 7:00pm.**

**PRESENT:** Mayor M. Connie Castañeda, Trustee Carol L. Hannan, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli, Interim Treasurer Mary Beth Lovejoy, Police Chief Daniel P. Varrenti, Deputy Fire Chief Michael Henry

**EXCUSED:** Trustee Kent R. Blair, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Fire Chief Scott Smith, Village Attorney Michael Leone

**ALSO PRESENT:** Jo Matela, Tom Mangan, Chris Brucker, Dan Kuhn, Christine Hamlin, Vicki DiMatteo, Annie Crane, Pam Ketchum, Bill & Hanny Heyen, Anita Wicks, Ann Butler, S. Hale, Randy Dumas, Bernie & Karen LoBracco, Brian Winant, Joy Levandowski, Peter & Susan Smith, Diane Wood, Darlene Krause Lang, Jon Marcello, Kathy Kristansen, Pat Kutz, David Markham, Christine Hamlin, Norm Giancursio

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

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

**OATH OF OFFICE:**

Carol L. Hannan was sworn in earlier in the day by Village Clerk Morelli and sworn in ceremonially by Police Chief Varrenti.

**GUESTS:**

- Randy Dumas of Brockport Kiwanis – soapbox Derby – street closure request – 6pm Friday, August 27 to 6pm Sunday, August 29 – Randy Dumas shared that planning is underway for the 4<sup>th</sup> annual Soapbox Derby in Brockport. The past 3 years they have used Smith Street. However, due to the rehabilitation of the Smith Street Bridge, that is not possible this year. They have selected 2 possible locations within the Village. Their first choice is the South Avenue extension from Brook Terrace to Owens Road as it is fully curbed, has few poles and a good surface condition. No residences will be impacted. They have contacted the couple of businesses owners or their realtors and received their blessing and permission to use their properties for the pit and parking and timing booth. They would simply need the right of way grass mowed. If DPW cannot do it, they can make other arrangements. All would be returned to original condition. Their second choice is Oxford Street from Spring Street to State Street. This is a short hill and they would have to use all of it for the race. The low curbs and many driveways would cause them to use a lot of straw to keep the drivers and their cars safely on the road. The surface is rough and would need some patching and a new surface. There are 7 homes that would be impacted.

Trustee Legg noted that these dates likely coincide with SUNY College at Brockport opening weekend, which is a heavy traffic weekend in the Village. The South Avenue extension is a route into and out of the Village.

Mayor Castañeda said she shares Trustee Legg's concern regarding South Avenue and said Oxford Street might be better.

Trustee Hannan said the South Avenue option would not inconvenience any residences accessing their driveways. She said South Avenue traffic could be re-routed to State Street.

Trustee Hunsinger said both options have their pluses and minuses.

R. Dumas said overnight camping in Corbett Park was available when they used Smith Street. A couple of people stay overnight for security purposes since they have to leave a lot of expensive gear at the site. Any Police presence is welcome. Last year they had some things thrown in the Canal.

Trustee Legg said the Smith Street location was more than adequate, but understands it cannot be used this year. Using Oxford Street would be a small annoyance to the few homes, but closing down a well traveled road used for entrance into and exit out of the Village is not ideal. He said they certainly want to retain the event in the Village, but he would prefer the Oxford Street option.

R. Dumas said he does not need a decision this evening and if the Board wished to give it more thought he would be happy to return to the next meeting. Board agreed.

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- Jon Marcello of 58 Main Restaurant, BBQ, Catering – outdoor festivals/events – J. Marcello and his manager shared that they were in attendance as a courtesy to inform the Board that they have applied to the NYS Liquor Authority for approval for outdoor service on several occasions to hold festivals and events under a tent in the parking lot behind the restaurant. The first would be Sunday, July 18<sup>th</sup> billed as the Jimmy Mac Memorial Festival. Other dates include, but are not limited to July 25<sup>th</sup> and August 29<sup>th</sup>. He distributed a hand-drawn plan showing the layout. They would have a food and beer tent and outdoor music which would comply with the noise ordinance and not go past 9pm. All entrances and exits would remain open. They will use temporary fencing and porta potties to keep the crowd inside the tent area. They will sell food, soda and beer outside. Hard liquor would continue to be sold inside. They will have staff, management and 2 licensed security guards for crowd control. Brockport Police presence is welcome. The exit door to the north would be fenced in for safety. Their Health Department permit covers them serving food outdoors. J. Marcello said this might be a way to promote the north end of Main Street.

Clerk Morelli shared that J. Marcello met with Code Enforcement Officer Zarnstorff on this and it was determined that there is no permit process, but that an appearance, as a courtesy, before the Village Board would be a good idea. S. Zarnstorff plans to review the events regarding fire and safety codes.

Trustee Legg asked what they anticipate for attendance. J. Marcello said maybe 50 or 100 people the first time, until it catches on. It would be nice to do these monthly during the nice weather. He said the landlords of the office buildings have been made aware and are ok with it, as Sundays do not really impact them.

Trustee Hunsinger said he worked with the 58 Main manager when they worked at Merchant Street Smoke House and security was a big issue for them with outdoor events. He said he is glad to see they are focused on that.

Trustee Hannan asked about clean up. J. Marcello said all of the employees will pitch in and clean up immediately after the events.

Mayor Castañeda commented that it seems well thought out and thanked him for presenting this to the Board.

**PUBLIC COMMENT:**

- Victoria DiMatteo of Park Avenue read the following prepared statement into the record:

Good evening Mayor Castañeda and Trustees. I am Victoria DiMatteo. I reside at 67 Park Avenue. I am speaking tonight to Ms. Castaneda. I am asking you to recuse yourself from any involvement in a case before our courts. This is the appeal brought by the Brockport/Sweden Property Owners Association contesting the ruling by State Supreme Court Justice Rosenbaum dismissing a suit over Article 78, Chapter 36 of the Village Code by the Property Owners' Association. Judge Rosenbaum dismissed this suit as having no merit. The Property Owners Association has filed an appeal to the dismissal.

I am asking you to recuse yourself because of your acknowledged relationship with one of the officers of the landlords' association. This relationship creates a clear conflict of interest. In the name of fairness and justice, you must appoint a trustee to handle all communication in this matter for our village and to refrain from any involvement in matters pertaining to this case.

Thank you for doing the right and proper thing and stepping aside in this matter.

- Josephine Matela of Adams Street & Brockport Merchants Association read the following prepared statement into the record:

For the past months decorative baskets filled with flowers have been waiting at Sara's Farm Market for the village to pick up, place on the planters and water. However, the Mayor has decided that this is not a worthy endeavor for the village and has instructed the DPW not to do this. She also instructed them not to do any work whatsoever downtown to improve our visibility. Several months ago the NYS DOT painted half the crosswalks, dumped some illuminating sand and fled the scene. Never mind that Villager Construction left the roadway in horrible shape with bumps and potholes and the garbage overflows the cans on the weekends. We have no pedestrian signs place in crosswalks. When was the last time the street sweeper was downtown?

At this time the merchants are spending thousands of dollars improving their building facades, Java Junction, the Lift Bridge Book Shoppe and many more to come. Mark Lewis and Kelly Lewis are sponsoring the Farmers Market at no cost to the village and the flowers around the trees were donated

by the Chamber of Commerce. The Boy Scouts and other volunteers did the work.

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Through the generosity of Wal Mart and Sunnking, the \$700 cost of the baskets are paid for. The Merchants Association has access to \$1,000 through the Greater Brockport Development Corporation to help defray the cost of maintenance of the baskets.

Now I ask you, the Village Board, where is the Village in all of this? Where is the pride in our downtown and in our village? A recent article in the Democrat and Chronicle stated: "The 524-mile State Canal System continues to regain its popularity and importance to canal villages such as Brockport, Spencerport, Pittsford and Fairport that consider the canal their second Main Streets. Studies by the state Canal Corp show canal tourism pumps \$380 million into the state economy annually. Rochester will host its second World Canals Conference September 19 to 24."

If the Canal is considered the second Main Street, why doesn't this Village Board even consider Main Street its first Main Street. It's being overlooked and ignored.

- Tom Mangan of Utica Street read the following prepared statement into the record:

Good evening. I'm Thomas Mangan, and I live at 194 Utica Street.

I want to address the Board about the vote on June 28<sup>th</sup> to transfer \$175,000 into the Fire Department truck replacement fund.

I think you need to reverse that vote.

I'm pretty good at finding out things, and I can't find any justification for the huge numbers that were thrown around last week.

I have read the fire contracts between Brockport and Clarkson and Brockport and Sweden, and there is no justification in either of those contracts for either Clarkson or Sweden to question any budgetary decision made by the Village Board.

The amount paid by the towns each year for fire and ambulance protection is a best guess on what percentage of the fire and ambulance calls will be in Brockport, Clarkson, and Sweden respectively. It varies a little bit every year.

Section 3 of both fire contracts allows the towns to review the past year's fire department budget, but that is all. The fire contract reads as follows:

"3)...an accounting of expenditures and revenues of the immediate past year of the Brockport Fire Department shall be provided."

This annual review allows the towns to examine the past year's expenditures and determine what a reasonable amount will be to pay for the next year's service.

It does not give the towns the right to do anything but review the expenditures and revenues.

The towns and the village are always estimating a year after the fact, but everything works out over time.

If you look at the numbers for 2003 to 2009 you get one picture of how well the towns estimated their cost. But if you look at the numbers from 2001 to 2009, you get a different picture.

So why did the mayor and the town supervisors only look at the numbers from 2003 to 2009? Did it benefit the towns to just look at those years?

It doesn't seem like an intelligent way to do things, especially when the mayor was not represented by legal counsel and the towns were during their discussions about this issue.

I'll bet you a bag full of quarters that the village attorney did not advise her to do that.

Furthermore, the mayor knew this and did it anyway. According to the minutes of the March 15, 2010 Board meeting, Mayor Castaneda said, and I quote:

"Past actions of the Board have had to be reversed and it certainly costs more all around when the Board does not have counsel."

Which leads me to the fire contracts themselves. Brockport, Clarkson, and Sweden are still working under the 2008 fire contracts because Clarkson and Sweden have failed to ratify the 2009 and 2010

fire contracts.

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The Village Board ratified the contracts, but the towns have not. Why?

Let's take Sweden as an example.

According to information obtained through a Freedom of Information Law request, the last 10 payments from Sweden for fire and ambulance protection have been late. Six of the payments were a month and a half late, and two were a month late.

If we pay our Sweden town taxes late there is a big penalty. What penalty does Sweden pay for paying late, and what penalties do Clarkson and Sweden pay for not signing the new fire contracts?

What's good for the goose is good for the gander.

I respectfully request that the Village Board reverse the decision it made last week to transfer that \$175,000.

- Pat Kutz of Lift Bridge Book Shoppe and Brockport Merchants Association – said she wishes to add to what Jo Matela said earlier. She questioned how there is funding to have DPW change banners on the poles in the downtown commercial district time after time, and none to have them hang and water the flower baskets. She cited other communities she's been through recently that have hanging baskets in their business districts such as Honeoye Falls, Scottsville, Oakfield-Alabama, etc. She said Brockport is one of very few Villages on the canal that depend on business to pay taxes. Why not support downtown and hang the baskets already?
- Brian Winant of the Brockport Police Department Stetson Club – congratulated Trustee Hannan on her election and taking the oath of office. He also referred to a resident, Mr. Lang, making mention at the last Board meeting of the lack of funding to outfit the tennis courts at Corbett Park with nets. He announced that the Stetson Club and Chief Varrenti have ordered a net and such will be installed as soon as it comes in.
- Diane Wood of Adams Street – read the following prepared statement into the record:

I am going to keep this very brief. Regardless of how we casted our votes on dissolution; be it save Brockport campaign or the taxcutters campaign, there was a lot of infighting, manipulation and deceit be it by village residents, those claiming to be village residents, neighboring town residents and by members of our village government. To all of us I would like to just say one thing:

To the residents: Facts are important to know. Without them we, me included, draw conclusions that may not be correct. This starts a whole snowball effect escalating into neighbors not speaking, editorials charging false accusations against our village workers (paid and volunteer) and leads to expensive dissolution campaigns.

To the board: I would like to charge this board with this; you were elected by us to represent our future and our children's future in this village. You were elected by us to serve our needs to be able to coexist with our neighboring towns. I would like if going forward what you promised during the dissolution campaign that you continue to come together as a board to accomplish this. I would like to see our board members recognize our mayor as the only mayor of this town. I understand that there will not be 100% agreement on all issues because that is not how democracy works but I would like to see that a bulldozing of what is important to the proud residents of Brockport does not happen again. I ask that no everything be hidden from me, that if we are in debt; let us know before we are so broke we cannot even afford to put fuel in our police cars, our dpw equipment, our fire trucks and our ambulances. Let us know before we can't plant trees and flowers to make our village beautiful. Let us know before our village's state of affairs gets smeared all over the media so that when people ask me where I am from I can hold my head up, smile and say Brockport.

- Pam Ketchum of Park Avenue – read the following prepared statement into the record:

My husband and I have owned 6 houses in the Village for about 25 years; one we live in and the other 5 are rental properties. Last week I wrote accountings of expenses for each apartment we own and sent out the balance of the deposits to our tenants. Our tenants pay for water, garbage, cleaning and any repairs. Typically, there is not a need for repairs. One year, when we sent out the accounting, it included a sewer fee but that was short lived.

The majority of the time that we have owned our rental properties, we have not had to pay for the sewer use and maintenance of the infrastructure that supports the village sewer system. Our rental properties

have been subsidized all these years by the average middle class homeowner in the Village who pays their property tax bill. It is time, way past time, for the Village to put into effect a sewer use fee similar to the fee we pay for water.

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If you use a service you should pay for it. Landlords are making money, making a profit, renting houses that have sewer use. Sewers are utilities in a similar way that water is a utility. It is not fair that homeowners in the village should have to support and pay for indirectly, the use of the sewer by rental properties and other businesses. Non-profits should also pay a sewer fee in a similar way that they pay a water bill. It's time for everyone to pay for what they use.

If the sewer use fee for my house at 91 Park Avenue is similar to my water bill, I might pay about \$400 per year. Since I own 6 houses, I should plan to pay approximately \$400 x 6 or \$2,400 per year for sewer use for all my properties. If I own 10, 20, 30, or 40 houses as some families do, then I should be required to pay approximately \$4,000, \$8,000, \$12,000, or even \$16,000 per year respectively for the sewer use of these houses that I am making money from. With a sewer fee, we could accumulate a fair sum of money to help offset the expense of the bond and perhaps ultimately lower taxes.

It was my decision to buy houses and rent them in an attempt to make money and it would be expected that I need to pay the fees for using village utilities such as water and sewer. It is not a new idea. Many villages and cities in our area charge a sewer fee.

We have had a strong, organized, special interest group lobbying our political leaders for many years to abandon the sewer fee. It is time for that to change and for everyone to pay their fair share for what they use.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**CERTIFICATES OR PROCLAMATIONS:** None

**CONSENSUS ITEMS:**

**APPROVAL OF MINUTES**

→ Mayor Castañeda moved, Trustee Hunsinger seconded, Trustee Hannan abstained, carried that the minutes of the June 21 and June 28 meeting be approved as written.

**AUDIT – PAY BILLS:**

→ Mayor Castañeda moved, Trustee Legg seconded, unanimously carried 4/0 that the bills be allowed and paid upon audit.

A/P Clearing Account Check #880 - 926

	<u>Date Paid</u>	<u>Amount</u>
FUND (A): <u>General</u>	07/07/10	49,742.46
FUND (F): <u>Water</u>	07/07/10	3,651.72
FUND (H): <u>Capital</u>		
FUND (T):		
		\$53,394.18 Grand Total

**PERSONNEL**

Appointments

- Appoint to fill 1 EMT vacancy

→ Mayor Castañeda moved, Trustee Hunsinger seconded, unanimously carried 4/0 to hire Salvatore Tantalo off the Civil Service certification of eligibles list for Emergency Medical Technician at a rate of \$13.33 per hour for a maximum of 24 hours per week.

Terminations

- Resignations - none
- Retirements - none
- Terminations - none

**DEPARTMENT REPORTS: (Department Heads are in attendance the 2<sup>nd</sup> meeting of each month)**

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

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

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

D. FIRE / AMBULANCE / DISPATCH – Deputy Chief Michael Henry

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E. TREASURER – Mary Beth Lovejoy

F. CLERK - Leslie Ann Morelli

1. Recommendation re August 2010 – July 2011 Village Board meeting schedule – Clerk Morelli reminded the Board that the next meeting is the annual organizational meeting and that one component of it is to set the meeting schedule for the coming year. She shared that she discussed with Treasurer Lovejoy and mentioned to Mayor Castaneda her recommendation that the Village Board change its meeting night from Monday to Wednesday. Either the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday or the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday. Either would be fine. The reasoning is that we always have to bump the Monday meetings that fall on holidays (5 of them), Wednesdays have worked well the several that we had this past year, and most importantly administratively the meeting prep and post work would work better for the Clerk and Treasurer. If Wednesdays don't work, the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays would still be better than Mondays.

Trustee Hunsinger said he realizes the Board can change its meeting schedule and that the organizational meeting is the appropriate time to do so. However, he said the public is used to Village Board meetings on Mondays and wondered how they would feel. He said everyone has busy calendars and he knows that the Towns of Sweden and Clarkson hold their meetings on Tuesdays and that many community groups meet on Wednesdays. Clerk Morelli responded that the Wednesday meetings held this past year were well attended and it seemed that the regular public who attend Mondays attended Wednesdays. She asked the Board to give it thought and take her recommendation into serious consideration.

2. Door to Door Soliciting – Clerk Morelli shared that NYPIRG (New York Public Interest Research Group) has notified her of their annual door to door outreach between July 12<sup>th</sup> and July 26<sup>th</sup>. Their activities this year will entail circulating support statements, soliciting small contributions, distributing information and recruiting support primarily on the issue of global climate change policy.

3. Planning Board & Zoning Board of Appeals annual training requirement – Clerk Morelli reminded the Board of the Village Board resolution of February 26, 2007 abiding by Chapter 662 of the Laws of 2006 of the State of New York requiring members of municipal planning board and zoning board of appeals to receive a minimum of 4 hours of training annually. She keeps track of meeting attendance and training. She said such training was suspended due to the non-essential spending freeze implemented in January. She asked that this be lifted and that PB and ZBA members again be allowed to receive appropriate training. These are usually local and require a nominal registration fee. There is one coming up from NYCOM for \$70 each in Geneseo.

Board agreed that said resolution stands and that it not be impacted by the non-essential spending freeze and that individual approvals not be required.

G. VILLAGE ATTORNEY – Michael Leone, Esq. of Harris, Chesworth, O'Brien, Leone (excused)

#### **VILLAGE BOARD REPORTS:**

A. Mayor M. Connie Castañeda

1. Parks Committee – Mayor Castañeda thanked the Parks Committee for their recent review of all Village parks and the written report and recommendations. She asked the Board and DPW Superintendent to review them.

2. Agenda Format – Mayor Castañeda said she had Clerk Morelli to modify the agenda format a bit and that she asked her to add a public comment opportunity at the end of the meeting. She asked the Board if they would be willing to amend the Village Board meeting procedures policy to reflect a public comment period at the beginning and end of the Village Board meetings for 3 minutes each instead of just one at the beginning for 5 minutes each. She said this would give people the opportunity to address the Board who either can't make it at the beginning, or who have comments to make at the end of the meeting rather than having to wait 2 weeks to return to the next meeting.

Trustee Legg asked if she was asking to suspend the current rules for this evening's meeting.

Mayor Castañeda said yes, and that the policy be amended at the organizational meeting to reflect this on a regular basis.

→ Trustee Legg moved, Trustee Hunsinger seconded, Trustees Legg, Hunsinger, Hannan opposed, Mayor Castañeda in favor, defeated 3/1 to suspend the current rules for this evening's meeting and allow public comment at the end of the meeting.

B. Trustee Kent R. Blair (excused)

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C. Trustee Scott W. Hunsinger

1. Downtown Commercial District flower baskets – Trustee Hunsinger said he and DPW Superintendent Donahue put their heads together and found a way to provide the watering of the flower baskets at \$177 per week for watering 3 times per week for 5 weeks. He said there is a DPW laborer emptying the garbage cans in the downtown commercial district at the same time. This will be covered by the \$1,000 the Merchants Association has to work with from GBDC. He asked that the Board consider acting either tonight or at the July 19<sup>th</sup> meeting.
2. Creation of 3 Ad-Hoc Committees – Trustee Hunsinger recommended creating ad-hoc committees to study the feasibility of the following: Village Court, Sewer Use Fee, and Code Enforcement Points and Penalties System.

→ Trustee Hunsinger moved, Trustee Hannan seconded, Trustees Hunsinger, Hannan, Legg in favor, Mayor Castañeda opposed, carried 3/1 to create an ad-hoc committee to investigate the feasibility (pros and cons) of establishing a Village Court. Said ad-hoc committee to be comprised of Trustee Hunsinger, Police Chief Varrenti and 1 member of the public upon submission of a position interest form to the Clerk by August 1<sup>st</sup>.

Mayor Castañeda said Trustee Hunsinger and Chief Varrenti indicated they were researching this previously, but had never reported on any findings. Trustee Hunsinger said that is correct. It was put on hold to focus on the dissolution issue.

Trustee Hannan said it is an excellent idea and that if it is found that it could produce revenues, the Village deserves to have the money.

Mayor Castañeda said she is opposed as she believes it is not in the best interest of the Village, as a Village Court would likely be a huge expense and should continue to be handled by Town Court. Trustee Hunsinger said he would be interested to see Mayor Castañeda's empirical data. Mayor Castañeda said she does not have such, other than information that came previously advising against it. She said establishing a committee is fine, but she doubts the findings will prove that creating a Village Court will be beneficial.

→ Trustee Hunsinger moved, Trustee Hannan seconded, all in favor, carried 4/0 to create an ad-hoc committee to investigate the feasibility (pros and cons) of establishing a sewer use fee. Said ad-hoc committee to be comprised of Trustee Hannan, DPW Superintendent Donahue and 1 member of the public upon submission of a position interest form to the Clerk by August 1<sup>st</sup>.

Trustee Legg said this is simply to form a committee to gather information and will result in no sewer bill at this time.

Mayor Castañeda said she is not opposed to a thorough review, but believes implementing a sewer use fee would require establishment by a local law which would require a public hearing. She said implementing such this fiscal year would result in the equivalent of additional taxation on properties as the budget is already in place.

Trustee Hannan said she believes a sewer use fee to be the fairest way to raise revenues and support the infrastructure that everyone uses, as many property owners/entities contribute nothing right now.

Clerk Morelli commented that she would be happy to gather information on the last time a sewer use fee was established and then shortly thereafter abolished as well as the research the former Treasurer did. Mayor Castañeda said that would be helpful.

→ Trustee Hunsinger moved, Trustee Hannan seconded, Trustees Hunsinger, Hannan, Legg in favor, carried 3/1 to create an ad-hoc committee to investigate the feasibility (pros and cons) of establishing a code enforcement points and penalties system for rental properties. Said ad-hoc committee to be comprised of Trustee Blair, Code Enforcement Officer Zarnstorff and 1 member of the public upon submission of a position interest form to the Clerk by August 1<sup>st</sup>.

Trustee Hannan said if enacted, it would target problem properties. She said many rental properties are responsibly run and well maintained. Such a system might provide incentive to be a responsible landlord.

3. Good Neighbors – Trustee Hunsinger shared some of his thoughts about being a good neighbor, getting along, and rising above being uncomfortable: not leaving land mines on others properties from dogs, not cutting the lawn in the late evening, not cutting neighbors tree limbs that may hang over onto your property, watching each other’s house when away, offering up your pool on a hot summer day, simply saying hello. He said he has rental properties on either side of him and he enjoys a good relationship with the landlords.

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4. Thank Stetson Club for tennis court net – Trustee Hunsinger thanked the Stetson Club for their donation of a net for a tennis court at Corbett Park.

5. Legal Representation – Trustee Hunsinger commented that currently the Village Attorney is paid on an hourly basis as needed. The Village is afforded the opportunity to use or not use counsel, but incurs costs each time advice is sought. He said the Board needs to be in consensus of when it needs legal representation, as sometimes counsel may see something the Board doesn’t.

D. Trustee Hal S. Legg

1. Welcome Trustee Hannan – Trustee Legg welcomed Trustee Hannan to the Board and said he hopes it is everything she expects, and bets it will be more.
2. Farmers Market – Trustee Legg reminded the Board that it held a special meeting just days before the opening of the Farmers Market this season regarding the use of the Water Street parking lot. The Clerk sent notices went to property owners and tenants right after, but one tenant did not receive the notice, had gone out of town, and left his car in the parking lot. His car was towed and it cost him \$108.

→ Trustee Legg moved, Trustee Hunsinger seconded, all in favor, carried 4/0 to reimburse Andrew McMillon of 23 Main Street Apartment B the \$108 towing cost with the Village’s apologies.

3. Welcome Center & Ice Machine – Trustee Legg shared that he had a conversation with GBDC President Gary Skoog regarding the Welcome Center and the ice machine. He said he believes the Village ought not be in the ice selling business and that GBDC has taken responsibility for the ice machine and purchase and re-sale of ice. Further, he suggested GBDC consider leasing the Welcome Center from the Village and taking over management of it. More information to come.

Treasurer Lovejoy commented that the funds collected year to date for ice are in this evening’s bills to pay to GBDC.

4. Unauthorized work on Village property at 38 Market Street – Trustee Legg suggested the Fire Department private funds reimburse the Village for the \$4,137.54 incurred by the Village for DPW labor and equipment on the unauthorized work on the monument at 38 Market Street, as Brockport taxpayers don’t need to pay for this monument.

Mayor Castañeda said she spoke with Fire Department’s Bill Bird and with DPW Superintendent Donahue and the private funds of the Fire Department will be reimbursing the Village for the \$4,137.54 DPW labor and equipment costs.

Trustee Legg said he looks forward to receiving information as to monument plans so it can move forward, as it can’t let sit as it is indefinitely.

5. Fire Department Fundraisers Need Village Approval – Trustee Legg said the Fire Department should come to the Village Board for approval of any fundraisers. He said he is confident that the Village and Fire Department can iron out their relationship as to reporting lines.

D. Trustee Carol L. Hannan

1. Read the following prepared statement into the record:

I would like to thank Village residents for their support and the mandate they’ve given to my campaign platform. Thank you, Chief, for participating in my swearing-in and allowing me to show my support for our Police Department. Please remember, however, my support isn’t a guaranteed vote for everything you may want.

As I walked around the Village, I spoke with many residents who planned to vote against dissolution but who made it clear that changes must be made. I couldn’t agree more. We’ve won only a reprieve from the dissolution question. It will take the efforts of all board members to make a more affordable Brockport a reality. I can’t promise to agree with every opinion or decision, but I will work toward this

common goal with every member of the board.

I must speak frankly to the board and public to say it concerns me that my vote wasn't counted in the decision to pay \$175,000 to Sweden and Clarkson. What compelling circumstances forced that vote to be made in a special board meeting with a lame duck Trustee before the measure was even reviewed

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by counsel? The Towns of Sweden and Clarkson had a right to examine fire department books on a yearly basis. They dropped the ball then followed with threats to sue and slow payments for fire service creating what they knew would be additional financial stress at a time of cash flow problems. If

Sweden

and Clarkson had truly wanted to maintain positive intermunicipal relationships, they would have restrained themselves from engaging in these bully boy tactics. I wish them well in their efforts to establish fire districts or whatever future arrangements they choose to make for fire and ambulance protection, as it certainly appears that, with regret, the cooperative arrangement we had for so many years is no longer possible.

2. Downtown Commercial District – Trustee Hannan said she would be interested in being the Village Board liaison to the business community (downtown commercial district). She believes it is vital that the Village support its merchants and its downtown district as they are part and parcel of the community. The merchants give their best efforts and support so many community endeavors. As to watering of the flower baskets, she supports Trustee Hunsinger's proposal.

3. Ethics Board – Trustee Hannan said she will be submitting her letter of resignation from the Ethics Board for acceptance at the organizational meeting.

Mayor Castañeda said she wished to make a few clarifications:

Downtown Commercial District flower baskets – The decision to not appropriate funds this year for the purchase of, hanging of, or watering of flowers in the downtown commercial district was a Village Board decision made at budget time. It was not a decision of the Mayor.

\$175,000 to Fire Equipment Replacement Reserve – The Village did, indeed, consult with its Village Attorney on the matter. The Attorney met with the Village Board in executive session. Mayor Castañeda and Treasurer Lovejoy met with Sweden and Clarkson officials as recommended by counsel. The \$175,000 is not being given to the Towns. It is being placed where it belongs - back in the Fire Equipment Replacement Reserve over a 5 year period. Fire Service contracts with Sweden and Clarkson have not been re-negotiated yet. Negotiations cannot move forward until this issue is resolved.

**EXECUTIVE SESSION:**

⇒ At 8:20pm, Mayor Castañeda moved, Trustee Legg seconded, unanimously carried 4/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel matters involving the Police Department and a pending litigation matter.

⇒ At 9:05pm, Mayor Castañeda moved, Trustee Hunsinger seconded, unanimously carried 4/0 that the Board of Trustees re-enter the regular meeting.

**ADJOURNMENT:**

➔ Trustee Legg moved, Trustee Hunsinger seconded, unanimously carried 4/0 that the meeting be adjourned at 9:05pm.

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Leslie Ann Morelli, Village Clerk