

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, October 23, 2012 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, Superintendent Harry G. Donahue, Attorney Robert S. Leni, Esq.

ALSO PRESENT: Pam Ketchum, Joan Hamlin, Brian Winant, Daniel Cappon, Steve Muhs, Linda Ketchum, 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

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 HEARINGS:

The following notice was published in the Village's official paper (Suburban News), and posted on the Village's official website and at Village Hall.

VILLAGE OF BROCKPORT
Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Tuesday, October 23, 2012**, in the Brockport Village Hall Conference Room, 49 State Street, Brockport, New York 14420 (with the A.D. Oliver Middle School L.G.I. at 40 Allen Street as a backup location only should the Village Hall Conference Room exceed maximum occupancy) to consider proposed Local Laws of 2012 as follows:

- Amendments to Village Code Chapter 46 entitled Trees and Vegetation.
- Amendments to Village Code Chapter 59 entitled Code Enforcement.

Text of proposed local laws will be posted to the Village website at www.brockportny.org and may be examined at Village Hall during regular business hours. All interested parties will be given the opportunity to speak for or against this proposed legislation.

By Order of the Brockport Village Board

Leslie Ann Morelli
Village Clerk
Village of Brockport

Attorney Leni shared that this is a Type II action per SEQRA and not subject to further review.

- Proposed Local Law of 2012 – amending Village Code Chapter 46 – Trees & Vegetation –

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to close the regular meeting and open the public hearing at 7:01pm.

No public comment.

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 to close the public hearing and re-open the regular meeting at 7:01pm.

No public comment.

- Proposed Local Law of 2012 – amending Village Code Chapter 59 – Code Enforcement -

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 to close the regular meeting and open the public hearing at 7:02pm.

No public comment.

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 2

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to close the public hearing and re-open the regular meeting at 7:02pm.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 via roll call to adopt Local Law #2 of 2012 amending Village Code Chapter 46 entitled Trees and Vegetation.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 via roll call to adopt Local Law #3 of 2012 amending Village Code Chapter 59 entitled Code Enforcement.

Trustee Andrews said Historic Preservation doesn't seem to be listed in the text. Codes Officer Zarnstorff said that's because it falls within Chapter 58 – Zoning which is listed.

PUBLIC COMMENT:

- Brian Winant of the Stetson Club regarding fireworks at 12/2 holiday parade – said he spoke again with Young Explosives and had e-mailed the Board with 3 viable locations to launch fireworks with the best option being the north side of the canal between the two bridges. Per Village Code fireworks are not allowed in the Village except for particular groups by consent of the Village Board. Young Explosives would need such on Village letterhead in order to apply for a permit from NYSCC to use their property. Young Explosives would then forward a copy of their insurance and the NYSCC permit to Village Clerk Morelli.

Mayor Castañeda asked if there is a backup plan if NYSCC denies approval. B. Winant said they would consider one of the other 2 viable locations.

Mayor Castañeda said this matter is on the agenda under Old Business and will be continued later in the meeting.

GUESTS:

- Larry Dewine of Elmer W. Davis Roofing – street closure request (part of King St) & noise ordinance exemption request for re-roofing of Chase Bank 7pm-7am for 10-12 days – Daniel Cappon, and Steve Muhs introduced themselves from Elmer W. Davis Roofing. Larry Dewine was unable to attend. They shared that they have been contracted by Chase Bank at 66 Main Street for re-roofing. Since it involves non-friable asbestos removal the bank prefers the work be done off hours so the noise does not disrupt employees and customers and so employees don't get tied up answering questions from concerned customers. The project would take 10-12 days weather permitting and would require the closure of part of King Street (from Main Street to Lincoln Street) during working hours. They would have a crane and dumpster on site and would utilize detour signs for the partial street closure. They are before the Village Board since nighttime work would violate the noise ordinance. The bank asked them to seek a waiver or exemption from the noise ordinance.

Mayor Castañeda asked how much noise this would cause. They said a 5 horsepower and 10 horse power motor would be in operation – a high idling diesel - which is pretty significant noise.

Trustee Blackman said King Street is one way. She asked if King Street residents would have access. They said yes – from Lincoln Street, just not from Main Street.

Trustee Blair asked if they would work 8 hour days beginning at 6pm when the bank closes. They said it would be 7pm to 7am.

Trustee Hannan said there are many residents on King Street and above the commercial businesses on Main Street. She said she understands the bank not wanting to be disrupted during their work day, but a lot of residents would be disruptive during evening and sleep hours.

Chief Varrenti said he is not concerned with the temporary traffic detour of having to close a section of King Street during the project. However, with due respect to the bank, the primary obligation is to the citizens. While their building may be commercial, there are numerous residents. He cautioned the Board against setting a precedent and waiving the noise ordinance for such.

Trustee Hannan asked if this would be 10 to 12 consecutive days which would include weekends. They said 10 business days. They would possibly need a Saturday if they were behind due to poor weather during the week.

Trustee Hannan said that area gets a lot of pedestrian traffic after the bars close. She expressed concern of their leaving their equipment where it could get vandalized or that any of the asbestos material could be accessed. They said they would leave the dumpster and fasten a cover on it that would be secure. The equipment would not be left in the street, but on the sidewalk near the building.

Codes Officer Zarnstorff questioned the dumpster location and securing of it. They said they are amenable to locating the dumpster behind the building in the parking lot if next to the building on the sidewalk is opposed.

Trustee Hannan asked if the work could be done during the day. They said yes.

Village Attorney Leni said they would not be violating the noise ordinance 7am – 8pm.

Trustee Blair asked for clarification if this is the Bank’s request or the contractor’s request. They said it is the Bank’s request. Otherwise, they would consider closing.

Trustee Blackman asked if doing the work on holidays when the bank is closed is feasible (i.e. Veteran’s Day and day after Thanksgiving). Clerk Morelli said she does not believe the bank is closed the day after Thanksgiving. They said it is cost prohibitive to bring equipment out and start the job and then have to bring it out at a later date to continue the job. Once they start, they are there until done.

→ Trustee Andrews moved, Mayor Castañeda seconded to grant the waiver to the noise ordinance as requested.

Trustee Andrews said he is concerned about the threat of the bank closing. That would be problematic for the Village as a whole.

Trustee Blair asked when they planned to start the work. They said they are to report back to the Bank tomorrow and start as soon as possible.

Trustee Blair suggested the bank have alternatives and appear before the Board with such. If time is of the essence, the Board may be willing to hold a special meeting.

Village Attorney Leni asked if there is any NYS DEC involvement due to the asbestos. They said they have myriad documents, but no, since it is non-friable in nature.

Call to Question:
Trustee Andrews voted yes
Trustee Blackman voted no
Trustee Blair voted no
Trustee Hannan voted no
Mayor Castañeda voted yes

Motion fails 2/3

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 via roll call to grant the street closure request for the Main Street to Lincoln Street section of King Street to be closed during the duration of the project.

Chief Varrenti asked Trustee Andrews if he thought they meant the bank would close permanently if this was not approved. Trustee Andrews said yes. They clarified the bank was considering closing during the 2 weeks of the project, not permanently. Trustee Andrews said that makes a big difference.

They will let the bank know of the results and advise the Clerk as to plans.

CERTIFICATES & PROCLAMATIONS:

- School Board Recognition Week – 10/29-11/2

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to adopt the following proclamation and forward such to Brockport Central School District:

VILLAGE OF BROCKPORT
PROCLAMATION

WHEREAS, each year, School Board Recognition Week is observed by the more than 700 school boards in school districts throughout the Empire State; and

WHEREAS, the men and women serving as members of school boards are dedicated to children, learning, and community, and devote many hours of service to elementary and secondary public education as they continually strive for improvement, excellence, and progress in education; and

WHEREAS; the members of New York’s local school boards respond to the educational needs of the communities they serve and, in doing so, these leaders help strengthen our state’s educational system and improve future prospects for our children; and

WHEREAS; during October 29, 2012 – November 2, 2012, special activities and programs will be held in communities across New York State in observance of School Board Recognition Week and it is fitting to join in acknowledging the commitment and contributions of members of local school boards;

NOW, THEREFORE, citizens are encouraged to join with the Village Board of Trustees in this salute to the Brockport Central School District Board of Education giving due consideration to the important role they play to education in our expanding economy and cultural development of this community.

IN WITNESS WHEREOF, we do hereby set our hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 23rd day of October, in the year 2012.

CONSENSUS ITEMS:

• **APPROVAL OF MINUTES:**

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the minutes of the 10/2/12 work session be approved as written.

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the minutes of the 10/9/12 meeting be approved as amended.

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the minutes of the 10/15/12 special meeting be approved as written.

• **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blair moved, Trustee Blackman 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>	10/19/12	\$52,212.25
FUND (F): <u>Water</u>	10/19/12	\$42,309.31
FUND (G): <u>Sewer</u>	-	-
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	-	-
		\$94,521.56 grand total

CLERK REPORT:

- Clerk – Leslie Ann Morelli
 - Tax Collection – Clerk Morelli reported that Village tax collection is at 96% with 77 of the 1,764 parcels still to pay. A second delinquent notice was mailed in mid October as a courtesy. Collection ceases 10/31. Early November she has to turn in the Village tax surrender to Monroe County to relevel onto the January Town/County tax bills. She will be asking for a resolution for such and signatures at the next meeting.
 - Medicare Notice of Creditable Coverage – Clerk Morelli reported that she sent to retirees over age 65 on Medicare the annual Medicare Notice of Creditable Coverage as required by law by 10/15 each year.
 - Updated Rosters- Clerk Morelli reported that she updated the in-house roster of employees, consultants, appointees, volunteers as well as the spreadsheet of Boards and Committees. Officials and staff should delete and shred any old versions.
 - Updates to Emergency Operations Plan - Clerk Morelli shared that she hoped to incorporate the tweaks from the Board to those made by Department Heads so they can give a final review and adopted the updated emergency operations plan next month.
 - The Housing Council - Clerk Morelli shared that 4 people attended the workshop offered by The Housing Council at Village Hall Saturday, 10/20 regarding operating rental property. Village Hall’s I.T. consultant set up a guest log in for presenters to be able to use the laptop, screen

and projector in the conference room.

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 5

○ Seymour Library After Hours at the Library Event - Clerk Morelli shared that the Library thanks the Village Board members for their personal \$50 donation to equal a \$250 sponsorship of a food station at this 11/3 fundraiser. She is gathering items for the Village's basket for the silent auction should any Board members have anything further to include. Mayor Castañeda agreed to provide a basket to put the items in. Trustee Hannan agreed to put it together creatively and list the items and their approximately value. The basket is to be delivered to the Library 10/29.

- **DEPARTMENT REPORTS:** (Treasurer & Department Heads are in attendance the 4th Tuesday of each month)
 - Treasurer – Daniel P. Hendricks
 - Financial reports for period ending 8/31/12 – Treasurer Hendricks referred to the reports included in the packet.

Trustee Blackman said she understands that some budget lines have high percentages early in the year due to timing of receipt of revenue or spending of expenditure. Treasurer Hendricks said yes. Some of those with high percentages are due to purchase orders having been requested and issued which encumbers the funds. It doesn't necessarily mean the funds have been spent. Some of these are blanket P.O.'s with a guesstimate of what funds might be needed with a vendor for the year. Trustee Blackman asked Treasurer Hendricks if he sees any areas of concern. Treasurer Hendricks said no.

Trustee Blackman inquired as to PILOT. Treasurer Hendricks said there are 3 COMIDA properties and 2 PILOT properties. Clerk Morelli said all 3 COMIDA property payments have come in and 1 of the 2 PILOT property payments has come in. Treasurer Hendricks said the 2 PILOT's are Belmont Management (Park Place Apartments and Village Center Apartments). The finance folks at Belmont are reconciling their books and thought they had overpaid 1 PILOT. They should be forwarding payment soon. He and Clerk Morelli explained that in the past it seems that some of these PILOT payments came in at any time of the year that was convenient for the properties. A couple of years ago it got incorporated at Village tax time and we now send out invoices with due dates.

Trustee Andrews questioned sewer. Treasurer Hendricks said it will be shown separated out on the next reports as fiscal year to date it's shown in the General Fund. He needs to do some journal entries to separate it out.

Trustee Andrews asked Treasurer Hendricks what he would say should Village taxpayers ask how the Village is doing financially. Treasurer Hendricks said he would say the Village is now in very good financial standing. Cash is ample. There is money to pay the bills. There is nice fund balance of about a million dollars. Overall, the Village is in good financial shape.

- **Budget Transfers & Budget Amendments** – Treasurer Hendricks reviewed the items included in the packet. He said the one regarding the Seymour Library is due to the account being under funded. Clerk Morelli said that may be why Trustee Blair mentioned at the 6/26 meeting that he thought there was a discrepancy between the Village's budget line for library and what the Library Director included in her report.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to authorize the following budget transfers:

Account #	From	Account #	To	Amount	Explanation of Transfer
A3120.2040	Police-office furn. & equip	A3020.2051	Police-Comp. supplies	\$150.00	Budget Transfer
A1640.4000	Central garage-contractual	A1640.4060	Fuel additives-oil	\$1,750.00	Budget Transfer from centralized code
A1990.4000	Contingency	A4540.4090	Miscellaneous	\$12.65	old bill for ambulance
A5110.4210	Street maint-manhole covers	A5110.4165	Street maint-top soil	\$452.00	Budget transfer
A1990.4000	Contingency	A7415.4000	Seymour Library	\$3,615.00	account under funded

→ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 to authorize the following budget amendments:

Account #	Description	Amount
A6410.4200	Welcome Center	\$2,487.76 (1)
A6410.4200	Welcome Center	\$570.00 (2)
A1620.4060	Bldg Repairs	\$66.15 (3)

Purpose:

- (1) Increase General Fund budget to reflect transfer of balance in asset forfeiture account for purchase of video surveillance system for Welcome Center

- (2) Increase General Fund budget to reflect donation from Bill Andrews to paint billboard
- (3) Increase General Fund budget to reflect electric repairs for Museum, funded from Shafer Trust account

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 6

Trustee Andrews asked why the \$570 in the budget amendments refers to Welcome Center as it has nothing to do with the Welcome Center. Treasurer Hendricks said Trustee Andrews generous donation for painting of the billboard on Main Street had to be charged somewhere. There is no budget line for the billboard. It is a wash anyway. The donation came in. The bill was paid.

- A.U.D. (Annual Update Document) for fye 5/31/12 filed 10/9/12 – Treasurer Hendricks reported that this was filed 10/9. Mayor Castañeda acknowledged receipt.
- Authorization for Mayor to sign engagement letter for services of Raymond R. Wager, CPA, P.C. – Treasurer Hendricks recommended the Board approve such. While it is not required by law, an annual external audit is a good thing to do.

Mayor Castañeda concurred and said the Village always has an annual external audit.

Trustee Blair asked if it was budgeted for. Treasurer Hendricks said yes.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to approve and authorize the Mayor to execute the engagement letter for services of Raymond R. Wager, CPA, P.C. at a cost of \$8,500 for audit for fiscal year ending 5/31/12.

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
 - SUNY Off-Campus Student Engagement & Conduct Board – S. Zarnstorff shared that he was invited to serve on an Off-Campus Student Engagement and Conduct Board and attended his first meeting last week. He said he has had many years of good dialogue with SUNY. He and various Village Board members over the years have met with various SUNY Administrators over the years. He was invited and served a few years ago on the task force regarding a smoke-free campus. He looks forward to the collaboration on student conduct.

Mayor Castañeda said she invited and Michelle Reed has accepted her invitation to attend the December 4th Village Board work session as a follow up to her presentation a couple of months ago.

- FLOBA – Mayor Castañeda congratulated S. Zarnstorff on being recognized by the Finger Lakes Building Officials Association for 20 years of service. S. Zarnstorff received a round of applause.

- Police – Police Chief Daniel P. Varrenti
 - Positive Phone Call - Chief Varrenti shared having received a phone call from a Syracuse woman, mother of a SUNY Brockport student thanking BPD for officers getting her son some necessary help as he was in distress. He said the department always appreciative positive feedback.
 - Traffic Checkpoint - Chief Varrenti shared that a recent traffic checkpoint took place on Main Street. While a dozen or so tickets were issued, more than 300 were not. Good drivers are thanked. Traffic checkpoints have a multi faceted approach and can be beneficial for visibility and positive community relations.
 - Village Financial Condition - Chief Varrenti suggested the Suburban News reporter in the audience print the earlier positive statements of Treasurer Hendricks regarding the Village's financial condition. The Village is no longer a municipality in fiscal distress. It would be nice to spread the good news.

Mayor Castañeda said she and Treasurer Hendricks have had numerous conversations about the Village's financial condition. She said it is important to recognize that it was painstaking to get to where we are now. She credits former Treasurer Lovejoy with putting the Village on the right path by implementing improved processes. She said the Village still faces challenges such as the rising costs of employee benefits and pensions.

Chief Varrenti commended all who helped to improve the Village's financial condition.

- Staffing - Chief Varrenti reported that newest part time officer Tyler Dawson is doing his FTO and has completed about half of his 80 days of training. He is doing well. Chief Varrenti reported that the 3 part time recruits are doing well per weekly reports from the Police Academy.
- Welcome Center - Chief Varrenti thanked Trustee Andrews and reported that the surveillance cameras have been installed. Signage to further deter crime has been referred to DPW

Superintendent Donahue.

Trustee Andrews shared that he received a call this afternoon from a man whose son had vandalized a flag pole by the Welcome Center with graffiti. The father made his son correct the damage he caused.

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 7

It is not to see such responsible parenting.

- STOP-DWI - Chief Varrenti presented to Treasurer Hendricks a check from the STOP DWI Foundation in the amount of \$2,900.92. This check is the reimbursement amount for the July 2012 STOP DWI Crackdown checkpoint. The STOP DWI Foundation funded the special grant received from the Governor's Traffic Safety Committee for checkpoint activities this year. He said it is his understanding that it gets deposited into the General Fund, but not necessarily to the overtime line.

- Public Works – Superintendent Harry G. Donahue

- Bid results from Auctions International for sale of 1998 Dodge 2500 Extended Cab Pickup w/plow -

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to accept the high bid of \$2,550 via Auctions International, Inc. for the sale of the 1998 Dodge 2500 Extended Cab Pickup w/plow VIN# 1B7KF23Z3WJ136008. Should the high bid fall through, the next highest bids of \$2,500 then \$2,350 shall be accepted.

- Water Main Break - Trustee Blackman referred to the recent water main break on Beverly Drive. She noted that he was continuing her education as liaison by inviting her to see it. She commended DPW for their expedient handling of the break. Trustee Blair also commended them.

- **PERSONNEL ITEMS:**

- NYS Civil Service Commission approved Daniel Varrenti 211 waiver request – limited period 7/1/12-6/30/13 – Mayor Castañeda reported that she received correspondence from the New York State Civil Service Commission indicating that they approved the request for the limited period of 7/1/12-6/30/13. If approval beyond 6/30/13 is sought, the eligible list must be re-canvassed prior to the submission of a new section 211 waiver application. If it is determined that there are fewer than 3 reachable non-retirees interested in appointment, the Monroe County Department of Human Resources must request an examination to ensure participation in the March 2013 Police Chief/Assistant Police Chief Examination Series.

- Building Inspector-part time – authorize vacancy notice & form search committee– Clerk Morelli shared that the Civil Service Commission approved the request for the non-competitive title: Building Inspector Part Time. She drafted a vacancy notice for Board consideration. It will be published in the official paper, posted on the Village website, and shared with Civil Service, Clerks Association, Finger Lakes Building Officials Association, etc.

Trustee Blair commended Clerk Morelli for her diligence in working with Civil Service to get this approved.

Mayor Castañeda said the search committee will consist of her, Building/Codes Officer Zarnstorff, Building/Codes Clerk Krahe, and 1 Trustee (one of the 2 liaisons to that department).

→ Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 to approve the following vacancy notice and direct the Clerk to publish it in the official paper and post it on the Village website.

**BUILDING INSPECTOR – Part Time
VILLAGE OF BROCKPORT**

The Village of Brockport seeks qualified individual to assist the full time Building Inspector in a variety of functions. This is a non-competitive Civil Service position. Part time. No benefits. \$8,000/year. \$20/hour. Approximately 8 hours/week.

Download job specifications with detailed minimum qualifications from www.brockportny.org.

If you qualify, download an employment application from www.brockportny.org.

Send cover letter and résumé with completed employment application by e-mail to:

Imorelli@brockportny.org or by mail to: Village of Brockport Attention: Village Clerk 49 State Street Brockport, NY 14420.

Application deadline: 4pm Tuesday, November 13, 2012

Leslie Ann Morelli
Village Clerk
Village of Brockport

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 8

- Grant Writer – finalists interviewed 10/15 – hiring decision –

→ Mayor Castañeda moved, Trustee Andrews seconded, carried 5/0 to select J. O’Connell & Associates, Inc. Grants Consultants to be the Village Grants Writer part time.

Mayor Castañeda said \$16,000 was budgeted for the fiscal year. Although getting grant monies doesn’t help the bottom line financially, it can help get things that otherwise may not be able to be budgeted for.

- **OLD BUSINESS:**

- Proposed fireworks as part of 12/2 holiday parade –

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that per Village Code Chapter 18 Firearms, Fireworks and Explosives Section 2 Exception for organizations – to consent to fireworks being a part of the 5pm Sunday, December 2, 2012 holiday parade being organized by the Brockport Stetson Club.

- Approval of street closures & parades/processions – Mayor Castañeda referred to a suggestion made by Chief Varrenti and discussed with Department Heads at their recent monthly meeting as well as feedback from Fire Chief Henry as to adding a second page to the Parades/Processions application and the Street Closure application where Department Heads would sign off and provide their feedback and any estimated associated cost. Board agreed this would be useful. Clerk Morelli will add such second page.

- Status update – replacement of police vehicle – Trustee Blair shared that he, Trustee Hannan, Chief Varrenti and Lieutenant Cuzzupoli met on this matter last week. Chief Varrenti said as expected, the vehicle has been determined as totaled with insurance recovery of about \$17,000 forthcoming. It could be repaired, but the recovery would then be \$3,000 less. The repair estimate came in at about \$14,000. Even then the frame would be considered a salvage frame and have no guarantee with likelihood of having to spend more money on it in the future. Since it will not be a savings to repair the vehicle, replacement is probably prudent. Trustee Blair said he plans to meet with Treasurer Hendricks this Friday morning and will have a recommendation for the next meeting.

At 8:04pm, Mayor Castañeda excused the Treasurer and Department Heads. Chief Varrenti stayed.

- Revised Memorandum of Understanding with Town of Sweden for parking ticket collection – Village Attorney Leni referred to the Board having approved a version at the last meeting. The Town of Sweden was concerned that NYS OSC may raise an issue of pulling out the scoff monies and suggested invoicing separately. He believes they plan to approve the revised version of the MOU at their meeting this evening.

Trustee Hannan asked if that is the case, when the program will be up and running. Attorney Leni said Town of Sweden will then need to register with the Preed program and the Court Clerks will need to receive training by FBS, Fundamental Business Solutions, the company the Village has contracted with to assist with parking ticket collection.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to approve and authorize the Mayor to sign the Memorandum of Understanding by and between the Town of Sweden and the Village of Brockport regarding parking tickets.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING, made and entered into on the ____ day of _____, 2012, by and between the TOWN OF SWEDEN, NEW YORK (the “Town”) and the VILLAGE OF BROCKPORT, NEW YORK (the “Village”).

WHEREAS, all parking tickets issued by the Village are subject to adjudication by the Sweden Town Court, including the collection of all fines paid thereon; and

WHEREAS, all fines collected by the Sweden Town Court with respect to such parking tickets are due to be remitted to the Village; and

WHEREAS, in order to address the issue of outstanding parking tickets, the Village has entered into an agreement with a third-party collection agency, Fundamental Business Service, Inc., pursuant to which enrollment is required on behalf of the Sweden Town Court in the New York State Department of Motor Vehicles “Parking Regulation Electronic Enforcement & Disposition” (PREED) Program.
MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 9

Motor Vehicles “Parking Regulation Electronic Enforcement & Disposition” (PREED) Program.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

1. That all fees and charges assessed by the New York State Department of Motor Vehicles, in connection with the Town Court’s enrollment in the PREED Program, shall be paid by the Town and fully reimbursed by the Village; and

2. That upon payment, copies of all corresponding invoices issued by the New York State Department of Motor Vehicles, together with proof of payment, shall be forwarded by the Town to the Brockport Village Treasurer for reimbursement by the Village to the Town.

IN WITNESS WHEREOF, the Village has caused this MOU to be signed by the Mayor of the Village of Brockport, and the official seal to be hereunto affixed, and the Town has caused this MOU to be signed by the Sweden Town Supervisor, and the official seal to be hereunto affixed.

• **NEW BUSINESS:**

- Call for public hearing on proposed Local Law – abatement component of upper lofts feasibility in downtown commercial district –

Clerk Morelli inquired if the Board wished to utilize the normal location (Village Hall conference room) for the public hearing or if they wished a larger venue be reserved. Board felt the proposed amendments would likely not draw large attendance, but that a backup should be planned for.

→ Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 to schedule a public hearing regarding proposed Local Law of 2012 – to establish real property tax exemption for non-residential property upon conversion to mixed-use property at the beginning of the 7pm Tuesday, November 27, 2012 meeting. Location to be in the Village Hall Conference Room with a backup location of the Middle School LGI should it be over-occupancy.

PROPOSED

A Local Law To Establish Real Property Tax Exemption For Non-Residential Property Upon Conversion To Mixed-Use Property

Be it enacted by the Board of Trustees of the Village of Brockport as follows:

Section 1. Legislative Intent.

The intent of this legislation is to encourage the conversion of non-residential real property to mixed-use property in order to expand and promote downtown residential uses, improve the quality of such property, and to preserve and expand the tax base of the Village of Brockport.

Section 2. Statutory authority.

Pursuant to and in exercise of the authority granted by and under § 485-a of the Real Property Tax Law, the partial exemption from taxation and special ad valorem levies established therein is hereby made applicable to and shall be extended by the Village of Brockport.

Section 3. Definitions.

In addition to adoption of the corresponding terms as defined in Real Property Tax Law § 485-a, the following words, terms or phrases shall have meanings ascribed to them as indicated hereinbelow:

ASSESSOR – The Assessor and the joint and several members of the Board of Tax Assessors of the Town of Sweden.

ORDINARY MAINTENANCE AND REPAIRS – Those routine activities or undertakings designed and intended to keep up and sustain, or prevent the deterioration or breakdown of, the original condition, function, integrity or appearance of a non-residential building and/or its component parts or systems.

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 10

Section 4. Application of statutory provisions; limitations thereon.

A. The partial exemption from taxation and special ad valorem levies established in and under RPTL § 485-a shall be granted and applied in and by the Village of Brockport in accordance with the provisions, conditions, and limitations set forth thereunder, and also subject to the following condition and limitation:

(1) In the event that a mixed-use property granted such an exemption either ceases to be used primarily for mixed-use purposes or shall be used or occupied in any manner which violates applicable sanitary, health, building or fire or zoning or other land use codes, or in the event that title to such property is subsequently transferred to other than the heirs or distributees of the owner(s) granted the exemption, then in any of such events the exemption granted hereunder shall cease.

B. Unless the requirements pursuant to RPTL § 485-a, or as set forth herein, do not continue to be met, whenever any partial exemption shall be granted and applied pursuant to RPTL § 485-a and the provisions of this local law, such an exemption shall not be reduced or repealed or otherwise impaired by any subsequent amendment to or repeal of this local law but shall continue until the expiration of the period for which it was originally so granted.

Section 5. Severability.

If a court determines that any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person, individual, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

○ Consider cancelling 11/6 VB work session (Election Day) – Mayor Castañeda said Clerk Morelli wondered if the Board wished to cancel the 11/6 work session since it is Election Day and the grant writer interviews that were originally planned for this meeting took place at a special meeting 10/15.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to cancel the Village Board work session scheduled for 7pm Tuesday, November 6, 2012.

Clerk Morelli will publish and post notice of such.

VILLAGE BOARD REPORTS:

- Mayor M. Connie Castañeda
 - Brockport Food Shelf – Make a Difference against Hunger 5K run/walk – 9am Saturday, 10/27 – Mayor Castañeda reminded of this event.
 - Seymour Library – After Hours @ the Library fundraising event – Saturday, 11/3 –
Mayor Castañeda reminded of this event.
 - Shop Local – Mayor Castañeda encouraged all to support the local merchants this holiday season and year round.

- Special Counsel – Mayor Castañeda reported that Special Counsel Frank A. Aloï and Robert J. Lunn appointed by the Trustees 6/14 and 7/19 respectively have each used some of their \$5,000 retainer. She had brought to the Trustees attention concern that Attorney Lunn charged for hours prior to his appointment. She also brought to the Trustees attention that the District Attorney’s Office is handling and that there is no need for Attorney Lunn as Special Counsel. She suggested the Trustees terminate his service and request the remainder of his retainer back.

**MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page
11**

→ Trustee Hannan moved, Trustee Blair seconded, carried 5/0 to terminate the service of Robert Lunn as Special Counsel and request a refund of unused retainer.

- Trustee William G. Andrews
 - Rules for Monika W. Andrews Creative Volunteer Leadership Award –

→ Trustee Andrews moved, Mayor Castañeda seconded, carried 5/0 to adopt the following rules for the Monika W. Andrews Creative Volunteer Leadership Award:

RULES

The Monika W. Andrews Creative Volunteer Leadership Award

Purpose. The purpose of this award is to encourage, recognize, and reward outstanding creative leadership by residents of the Towns of Sweden (including Brockport) and Clarkson who have served as volunteer leaders in improving the lives of their fellow citizens and the greater Brockport community.

Eligibility. All residents of the Towns of Sweden (including Brockport) and Clarkson who have been actively engaged as leaders in volunteer work in the greater Brockport community are eligible.

Criteria. This award shall be presented annually to an eligible person or persons who have demonstrated outstanding leadership in volunteer work by undertaking important innovative activities or creating significant new ways to serve the greater Brockport community. The work being recognized may have been accomplished in the year for which the person or persons are being honored or may have extended over a longer period of time. Examples from the volunteer work of the award’s namesake include the creation of the first playground for handicapped children in Monroe County and the transformation of the Brockport Ecumenical Food Shelf to a “client-centered” facility.

Nominations. Nominations of eligible person may be made by individuals or organizations. Self-nominations are acceptable. Nominations must be supported by detailed descriptions of the volunteer leadership activities of the nominee to be recognized by the award. They must include complete contact information for the nominator and the nominee. Supporting letters are encouraged. Nominations must be submitted by postal mail or personal delivery to the Village Clerk, Village of Brockport, 49 State Street, Brockport, NY 14420, by noon on the last business day before the end of the calendar year.

Selection. The award winner(s) shall be selected by a committee composed of one member appointed by each of the participating municipal boards before the end of each calendar year. The member appointed by the Brockport Village Board shall chair the committee and convene it. It shall announce its selection at the first regular meeting of the Brockport Village Board after the January 31st following the close of nominations.

Cash Award. The award winner(s) shall receive the annual proceeds of a trust fund established to support this award and administered by the Brockport Village Treasurer. If more than one award winner is selected the proceeds shall be divided equally among the winners. If no award is made in any given year, the proceeds of that year shall be added to the principal of the trust fund.

- Final report submitted for CLG grant request for reimbursement – loft apartment feasibility project – Trustee Andrews referred to the report included in the meeting packet. Treasurer Hendricks will be submitting the State Aid voucher to secure reimbursement.

Village Attorney suggested that Trustee Andrews correct the report, if not yet submitted, to reflect that the local law on tax abatement has been called for, but not yet adopted.

- Empire State Games for the Physically Challenged – Trustee Andrews reported that he was honored to represent the Mayor at the opening ceremony for the Games. This is an offshoot of the Special Olympics. It is in its 26 year – always at SUNY College at Brockport. He said it was a moving experience to see hundreds of children so excited to participate. He thanked the Mayor for asking him to attend in her place. Mayor Castañeda thanked Trustee Andrews for doing so.

- Tax Credits Workshop - Trustee Andrews reported that he attended a workshop in Binghamton on tax credits and received a lot of good information that he will forward to property owners in the Downtown Historic Commercial District. He hopes some will avail themselves of it.

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 12

- Sweden Bicentennial - Trustee Andrews reported that he is serving on a committee that will be working on the Town of Sweden 2014 Bicentennial.

- Historic Preservation Board - Trustee Andrews reported that at the last meeting, the Historic Preservation Board agreed to look into nominating parts of State Street and Park Avenue to be listed on the State and National Registers of Historic Places. They also may nominate Hartwell Hall at SUNY College at Brockport. They were also encouraged to apply for CLG help with getting the High Street Cemetery listed. The RFP notices are out and Clerk Morelli has been fielding inquiries re the Architectural Consultant and Website Creator. Submission deadline is November 15.

- Landmark Society of Western New York - Trustee Andrews reported that he met with 2 representatives of the Landmark Society of Western New York as well as the Superintendent and a staff member of Brockport Central School District about the possibility of holding the annual conference at the Middle School. The Auditorium has an asbestos issue. They may look to the High School or Hartwell Hall at SUNY.

- GBDC - Trustee Andrews reported that he and 4 GBDC members met with the representative from the American Wind Symphony Orchestra about the idea of having Brockport as one of their stops next summer. They would have a 195' barge here 6/20-6/22 for a concert. Fundraising of \$20,000 would be needed. There would be 45 musicians that would need to stay with families of BCSD students in the music program. He contacted BCSD and they are not inclined. Without that component, GBDC decided not to proceed.

- Clarkson and 2% tax cap - Trustee Andrews shared that earlier this evening he attended the Clarkson Town Board meeting in which an angry group of citizens spoke during a public hearing on the proposal to override the 2% tax cap. He could not stay for the entire meeting, so he does not know the outcome.

- Trustee Margaret B. Blackman

- SUNY Off-Campus Student Engagement & Conduct Board - Trustee Blackman shared that she was invited to serve on an Off-Campus Student Engagement and Conduct Board and attended the first meeting last week as did Building/Codes Officer Zarnstorff and Chief Varrenti. There is good representation from various entities including Lakeside Health System.

- Village to Village Rowing Challenge - Trustee Blackman shared that the 2012 Village-to-Village Challenge on the Erie Canal will be from Brockport to Spencerport this year. She said the Board received word of this through Fire Chief Henry and Police Chief Varrenti. She was contacted by the organizers about the event and asked to coordinate it in Brockport. In the past, such regatta was held on the East side. She said the organizers, Debra Adams and her husband chose the West side of the County this year. It is planned for Saturday, 11/3 at 9:30am. Trustee Blackman said she has offered to open the Welcome Center at 7:30am and have donuts and cider and coffee and bagels available. She is providing the donuts and cider and would welcome someone to provide the coffee and bagels. She will have a better idea of number of participants on 10/31. They are looking for volunteers to walk or bike along the canal to monitor the race. Information and registration to participate or volunteer can be found at VillagetoVillageChallenge@gmail.com. Trustee Blackman said there has been talk about getting rowing out here for some time. BCSD and SUNY have been notified. She said she mentioned her idea of a canal season opening celebration and the rowing group may be interested in participating.

- Farmers Market - Trustee Blackman shared that the 2012 Farmers Market season ends this Sunday. Last Sunday she and Trustee Hannan administered a simple survey to 50 shoppers at the market. This will help with next season's planning. Half are regulars, half spend between \$5 and \$15 there, the majority like the hours, location, parking, music and variety of items available. Suggestions of items to add included more organic produce, eggs, cheese, more nursery

plants and flowers. This Sunday she and the Farmers Market Managers have a meeting with Fire Chief Henry to discuss his concerns of the location. She asked Treasurer Hendricks for the financials on the season and it was self-sustaining, even showing a \$191 profit.

- Grant Writer - Trustee Blackman said she is very pleased with the hiring of a Grant Writer as she has pushed this for some time. The professional grants firm will serve us well.

- Trustee Kent R. Blair

- Farmers Market – Trustee Blair said Fire Chief Henry had previously expressed concerns as to the location of the Farmers Market on Market Street. There had been a suggestion to place the vendors off to one side so that one lane would be open for emergency vehicles to get through

MINUTES OF VILLAGE BOARD MEETING HELD October 23, 2012 continued.....page 13

if needed.

Trustee Blackman said she knows the Fire Department would prefer it be located elsewhere and that one season it was located along the canal in the Water Street parking lot. However, the vendors didn't like it and shoppers couldn't always find the location. There were also complications of having to take up valuable parking space and cars having to relocate or be subject to towing. King Street had been considered but it was found to be too narrow. They will review all the options.

- Grant Writer - Trustee Blair said he is excited about the hiring of a Grant Writer. He said there are opportunities to be pursued. One could be for the purchase of Segues for the Police Department to utilize on directed patrol.

- Communications - Trustee Blair said he and Trustee Blackman had a recent conversation about the lack of communication from Village Administration to the public and possible ways to improve. We do not have a Public Information Officer and Suburban News Reporter Kristina Gabalski who often attends Village Board meetings does not have that responsibility. He said he hopes

the public doesn't base their information on the various local blogs alone. There are so many good things that happen that simply do not get the attention they deserve. He said they are considering re-instituting a Village newsletter and possibly getting a SUNY intern to help.

- Greater Brockport Chamber of Commerce An Evening With Al Plumb – Trustee Blair shared that he attended the recent presentation in which the new owner of 100 Fair Street was featured and shared his plans. It was an open dialogue. Plans include employing up to 60 people, a year round Farmers Market with local produce, mulch, dirt, LP gas, recycling center, resale center, small

offices and the like. They are considering employing a receptionist and bookkeeper for 12 offices for small businesses like individual plumbers and electricians. Trustee Blair said that is a great concept. They have proposed a new parking lot, sidewalks, painting, sandblasting, and really improving the property. A. Plumb said this is a 3 year plan that will take place in phases. Trustee Blair urged people to keep an open mind and give this new property owner a chance to prove himself. He really wants to turn the property around. A. Plumb said the current appraisal is \$400,000 but could end up \$4 million.

- Brockport Fire District – Trustee Blair reported on having attended the recent public hearing on the proposed 2013 Brockport Fire District budget. He said he stills hear some complaints that the Village agreed to the MOU and turned over ~\$600,000 in reserves to the Fire District. However, he can only imagine what the proposed Fire District budget would have been without if they hadn't. It would have hurt the entire district if they had starting with nothing. He said the District has learned through their budget preparation process just all that had to be taken into consideration. Trustee Blair said had the referendum on Village dissolution passed in June 2010, many, many districts would have had to be formed. He said hats off to the Village Board, Department Heads and Staff for turning around the Village's financial situation in a relatively short period of time.

- Trustee Carol L. Hannan

- Code Review Committee – Trustee Hannan reported that the CRC is nearing the end of its review of Chapter 36 – Minimum Housing and Buildings Code. Village Attorney Leni concurred and said he believes one more meeting with them and it will be ready for the Village Board.

- Ad Hoc Committee on Housing – Trustee Hannan reported that as to vacant/abandoned/neglected houses, the northeast quadrant of the Village seems to be the most impacted. She has attempted to work with Habitat for Humanity to find a home to rehabilitate. The process is very complex and was yielding no results.

One of these properties is a vacant single family home Fayette Street in disrepair. Trustee Hannan reported that she has purchased it and is developing it into a volunteer effort to rehab it and sell as a single family home. She will donate the proceeds to GBDC to partner with to use as seed money to

rehab other such homes in need. She said she will use the creative energies of many in the Village willing to volunteer their labor and talents on their own time. She thanked Fran Welch for selling his parents property and for appreciating history, Trustee Blackman who will be providing a sign, Attorney Lynda VanDenberg for handling the paperwork, Insurance Agent Darrell Stewart for securing an insurance policy, and all those including but not limited to Kevin McCarthy and Val Ciciotti, Chief Varrenti and the Stetson Club and other for offering to help in their free time. Trustee Hannan said the home was owned by an employee of the Brockport Democrat Republic who collected old photos, notebooks, articles and such that will be donated to the Museum. Trustee Hannan received a round of applause for her initiative.

ADJOURNMENT:

→ At 8:45pm, Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk