

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, May 16, 2005 at 7:00pm.

PRESENT: Mayor Josephine C. Matela, Trustee Norman J. Knapp, Trustee Morton Wexler, Trustee James E. Whipple, Provisional DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED: Trustee/Vice Mayor Carrie L. Maziarz, Village Attorney Keith O'Toole, Deputy Village Attorney Frank A. Aloï, Planning Board Chair / Economic Development Coordinator Scott Winner

ALSO PRESENT: Deputy Fire Chief Laurence Vaughan, John Lessord, Norman GianCursio, Mike & Michelle Guerreri, Scott Hunsinger, Ray & Jackie Morris, Jim & Joan Hamlin, Kathy Beaumont, Angelo Conte, Francisco & Linda Borrayo, Kathy Snyder, Rhett King, Sharon Kehoe, Maria Castaneda, Kevin Bush, David Wagenhauser, John Bush, Fred Webster.

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

REVIEW OF MEETING MINUTES: Mayor Matela called for any additions or corrections to the minutes of the regular meeting held May 2, 2005.

➔ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried that the minutes of the meeting held May 2, 2005, be approved as written.

PUBLIC HEARINGS: 7:30pm

1. Proposed Local Law of 2005 to amend Chapter 5 – Dogs
Clerk Morelli read the following:

PROPOSED LOCAL LAW of 2005

A LOCAL LAW TO AMEND CHAPTER 5 OF THE VILLAGE CODE RELATING TO ANIMAL CONTROL.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, MONROE COUNTY

SECTION I. The following new matter is added:

- 1) The following definitions are added to §5-5:

DANGEROUS DOG – In addition to the definitions set forth in §108(24) of the Agriculture and Markets Law, a dog shall be considered a Dangerous Dog and subject to the provisions of §121(3) et seq. of the Agriculture and Markets Law if such dog, without justification, attacks a dog or cat and causes physical injury or death to such dog or cat.

FARM ANIMAL – An animal, other than a household pet, that is typically housed outside the primary residential structure.

- 2) The following is added to §5-6:
L. It shall be unlawful for any person to own, possess, or harbor a Dangerous Dog.

SECTION II. The following shall be amended to read as follows:

- 1) §5-6(B) It shall be unlawful to keep or suffer to be kept on the premises occupied by the owner or harbinger of any dog which engages in habitual howling, barking or whining or to conduct itself in such a manner as to unreasonably disturb the comfort and repose of any reasonable person of normal sensitivities outside the owner's premises. Specifically, no dog shall be allowed to bark or make other noises for a period in excess of 10 consecutive minutes. The barking or other noises may be intermittent and not continuous.
- 2) §5-6(J) It shall be unlawful to own or harbor a dog unless licensed as provided by Article 7 of the Agriculture and Markets Law. Licenses shall not be required for dogs under the age of four (4) months which are not at large.
- 3) §5-6(K) It shall be unlawful for any person who owns, possesses or harbors a dog to suffer, permit or allow such dog to defecate any place, except upon the property of such person, unless the feces are removed immediately in a sanitary manner.

- 4) §5-23. Complaints.
All complaints concerning alleged violations of this Article shall be communicated to the Town of Sweden Dog Control Officer or Deputy Dog Control Officer. All such complaints shall be investigated, and it shall be the duty of the Town of Sweden Dog Control Officer or Deputy Dog Control Officer, in the appropriate case, to proceed with civil or criminal enforcement of the Article or any provision of law pertaining thereto.
- 5) §5-16. Penalties for offenses.
Any person who violates or knowingly permits violation of this article shall be subject to a fine of not more than \$75, except that, where the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding five years, the fine may not be more than \$150; where the person was found to have committed two or more such violations within the preceding five years, it shall be punishable by a fine of not more than \$300 or imprisonment for not more than 15 days, or both. Nothing contained in this section is intended to eliminate, reduce, diminish or replace the provisions set forth in §121 of the Agriculture and Markets Law with respect to fines, civil penalties or imprisonment with respect to dangerous dog violations.
- 6) §5-30. Penalties for offenses.
A violation of this Article shall be deemed a violation, which shall be punishable by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment.

SECTION III. The following shall be repealed.

- 1) §5-25. Enforcement; seizure of cats at large.
It shall be the duty of the Town of Sweden Dog Control Officer or Deputy Dog Control Officer to enforce the provisions of this article and to seize all cats found at large in violation of this article or which are ordered seized by a Town Justice.

SECTION IV. Effective Date.

This Local Law shall take effect upon filing with the New York Secretary of State in accordance with the Municipal Home Rule Law.

→ At 7:40pm Mayor Matela moved, Trustee Knapp seconded, unanimously carried to open the public hearing.

PUBLIC COMMENT: None

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried to close the public hearing.

- 2. Proposed Local Law of 2005 to create the position of Village Manager - Clerk Morelli read the following:

PROPOSED LOCAL LAW of 2005

A LOCAL LAW TO ESTABLISH THE POSITION OF VILLAGE MANAGER

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, MONROE COUNTY

SECTION I. The following new matter is added:

#-1. Position established; purpose.

In order to provide the most economical and efficient overall direction, coordination and control of the day-to-day activities and operations of the Village of Brockport, to minimize the administrative details now handled by the Board of Trustees, to provide centralized direction, coordination and control of the administrative staff and to formalize the staff and advisory functions necessary to the foregoing, the position of employment of Village Manager is hereby established.

#-2. Appointment; Compensation and Residency.

The Village Manager shall be appointed by the Mayor, subject to the approval of the Board of Trustees. The position shall be an unclassified position. Compensation shall be fixed by the Board of Trustees. The Village Manager need not be a resident of the Village of Brockport but shall be a resident

position in and for the Village as an officer or full time employee thereof. The Village Manager shall serve at the pleasure of the Mayor.

#-3. Supervision.

The Village Manager shall report to and be under the supervision of the Mayor and the Board of Trustees.

#-4. Powers and duties.

Subject to the approval, direction and control of the Board of Trustees, or in those instances where approval, direction and control is, by applicable law, reserved to the Mayor, then under the approval, direction and control of the Mayor, the Village Manager shall:

- A. Enforce the rules, regulations, ordinances, handbooks, labor contracts, local laws and codes of the Village and make certain they are administered effectively.
- B. Direct, oversee and coordinate the activities and work of all Village departments in accordance with the policies of the Board of Trustees.
- C. When so designated by the Mayor, prepare as budget officer, the annual Village budget and submit it to the Mayor and Board of Trustees in accordance with the requirements of the applicable laws of the State of New York, and be responsible for its proper administration after adoption.
- D. Regularly report the financial condition of the Village to the Board of Trustees.
- E. Control expenditures within amounts appropriated in the budget by enforcing administrative controls where applicable.
- F. Recommend to the Mayor and Board of Trustees appointments, promotions or dismissals of Village employees in accordance with applicable policies, orders, rules, regulations, resolutions, ordinances and local laws of the Village.
- G. Keep Village residents and stakeholders informed of Village policies, procedures and plans for the delivery of financial services.
- H. Oversee the expeditious response to inquiries by Village residents and other interested persons concerning Village government, operations and services.
- I. Coordinate all local, state and federal grant-seeking initiatives.
- J. Conduct a continued study of all functions and activities of the Village for the purpose of devising ways and means of attaining greater efficiency and economy.
- K. Maintain contacts with all Village boards, and provide any necessary coordination to ensure appropriate administration of policies and regulations.
- L. Perform such additional duties as shall be assigned by the Mayor and the Board of Trustees.

#-5. Budget officer.

In addition to the powers and duties set forth, the Village Manager shall serve as budget officer if and when designated by the Mayor, in accordance with '5-500 of the Village Law.

#-6. Position to be full-time.

The position of the Village Manager shall be a full time position.

#-7. Powers and duties of other officers to be unchanged.

Nothing herein contained shall be deemed or construed as abolishing, transferring or curtailing any powers or duties of the Board of Trustees, other Village boards or commissions or the Mayor, Treasurer or Clerk as prescribed by the Village Law or other applicable laws of the state.

SECTION II. Effective Date.

This Local Law shall take effect upon filing with the New York Secretary of State in accordance with the Municipal Home Rule Law.

→ Mayor Matela moved, Trustee Knapp seconded, unanimously carried to open the public hearing.

PUBLIC COMMENT:

Sharon Kehoe of 320 Main Street asked for clarification on the impact to taxpayers. She asked what the increase in salary would be as well as any increase in benefits, workers compensation, social security, disability and the like. Treasurer Coyle said his current salary is \$45,000. With the 3% raise, it

goes to \$46,350. The position of Village Manager is set at \$52,000. Therefore, the salary increase would be \$5,650. Health, dental, wellness, disability coverage would remain unchanged. Social security increases proportionately as salary increases. S. Kehoe said this is a public hearing and that **MINUTES OF MEETING HELD May 16, 2005 continued.....page 4**

information should have been available. Treasurer Coyle said he would be happy to calculate this and get it to her as soon as possible. S. Kehoe distributed a summary of the Villages in Monroe County, whether they have a Village Manager / Administrator and if so what the salary is as well as the salary of the Mayor. She said the Village of Brockport Mayor is the 3rd highest of the Village Mayors in Monroe County. She said most do not have a Village Manager. She attached a document received from the Village today regarding the same issue. It lists many municipalities elsewhere in the state, but only 4 from Monroe County. She said some do not even have a Mayor. Treasurer Coyle corrected her and said each has a Mayor. S. Kehoe said the average Mayor's salary is \$7,693. She said she has nothing against Ian Coyle, but questions why we need someone to do the job the Mayor and Trustees were elected to do. She said she does not feel the Village needs this position. If they do, then the salary of the Mayor and Trustees should be cut.

John Bush of 157 Barry Street said he does not have anything against Ian Coyle, but feels that a Village Manager is going to run the show and should live in or near the Village of Brockport.

Francisco Borraro of 155 Utica Street said given the Village's economic conditions, it is not wise to spend additional money for a position that is already covered by the Mayor. He said he has no doubt that Ian Coyle is competent, but he has apparently sold the Mayor and Board that they need to establish this position.

→ At 8:00pm Trustee Whipple moved, Trustee Knapp seconded, unanimously carried to close the public hearing.

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

1. John Lessord of 56 Lyman Street referred to the Mayor's state of the Village at the last meeting. In this address she stated that the contamination issue was one of the greatest challenges she faced upon coming into office. J. Lessord said the contamination issue was first dealt with by the previous Mayor. He said Mayor Matela also thanked GE, 3M and the NYSDEC for their cooperation. He asked if these are the same people that she criticized and said were in cahoots with each other. He further commented that it was laughable that Mayor Matela thanked the residents for their patience. He said the residents were the driving force until Mayor Matela came into office and residents were required to FOIL for information and she gave away their legal rights. J. Lessord said Mayor Matela should not take credit for what others have done.
2. Norman GianCursio of 51 College Street referred to an article in a local paper that said a committee will be formed to look at the implications (including economic) of the proposed changes regarding rooming / boarding houses. He said as a taxpayer and businessman, they are entitled to a professional, independent study. He said the Village is not qualified to make these kind of determinations. He referred to an article in today's D&C regarding Poughkeepsie and they said their codes have existed since 1996 and things have not gotten any better. He said he has received many comments from student's parents regarding the safe and affordable housing he offers. He said some have indicated that they won't be able to swing it if rents have to go up. N. GianCursio said shutting down rooming / boarding houses will cause rents to increase. He said some of his properties are for sale. Due to the proposed changes, some buyers have backed out and some have put in reduced purchase offers. He said taxpayers would make up the burden.
3. Michael Guerreri of Flash's Tavern said the Village has been very helpful in the past when he has had questions. He asked if the "sting" operation of his establishment a couple of weeks ago was at the Village's request. Chief Varrenti said no. The NYS DMV contacted Chief Varrenti. It was a state run detail. The Village had nothing to say about it. He asked if all establishments in the Village that serve alcohol were entered. Chief Varrenti said no, only two, at the discretion of the DMV. M. Guerreri asked how he could find out why his establishment was targeted, the purpose and selection process. Chief Varrenti welcomed him to stop by for the name and number to contact to have his questions answered. M. Guerreri thanked the Board and Chief for their help.
4. Joan Hamlin of 50 Park Avenue said she is not sure she understands the proposed changes regarding rooming / boarding houses. She said she attended a ZBA workshop a couple of months ago in which Deputy Village Attorney Aloj presented the proposal. She said she thought

the proposals could work. The affect would be zero on current SUNY students since it would be at least 5 years before the change. She said she thinks some have a misunderstanding regarding how many homes in the Village are rentals. She said 50% of the dwelling UNITS are rental, not 50% of the homes. If you count the apartment complexes, you count each unit.

J. Hamlin also referred to a letter in the local papers from Steve Appleton of Cool Kids saying that the Village is now coordinating the Summer Serenades concerts. She said she remembered this discussion at a Village Board workshop in which the Village could save

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\$10,000 by doing it themselves. She said she thought the Mayor and Trustees were going to make the phone calls to schedule the concerts. She asked why the Economic Development Coordinator was doing this and where the money would come from. Mayor Matela responded that the Village saved the \$5,500 of S. Appleton's salary and was successful in getting sponsors for some of the concerts. She said she and S. Winner have handled the bookings and saved the Village money.

5. Angelo Conte of 172 Main Street said he is a SUNY Brockport student and represents 900 names on the petition against the proposed changes regarding rental properties. He highlighted that the students add a lot to the local economy, are wise and responsible enough to have a say and want to be heard, volunteer in the community often quietly, and are future leaders. He asked that the Board postpone its decision until SUNY returns in the fall.
6. Linda Borrayo of 155 Utica Street reminded the Board that one year that got rid of police dispatchers, then a Trustee suggested the Village not plow snow off sidewalks. She said the Board takes away services, but now suggests adding a part time clerk and a Village Manager.

Treasurer Coyle commented that the position for part time clerk to the Building/Zoning officer was established a few years ago and is now being implemented. This will cost less than \$10,000 per year. The Village Manager position is not a new person. The Board would like to add those responsibilities to his Treasurer position.

7. Rhett King of 20 Adams Street said he wished to re-iterate some comments from the May 9th public hearing on proposed changes regarding rooming / boarding houses. He said he is the head of the Town of Sweden Conservative party and believes in less government and the lowest possible taxes for all, not a select few. He said the lines of communication need to be open and that it is a travesty that taxpayers are not listened to.

GUESTS: None

DEPARTMENT REPORTS:

A. PUBLIC WORKS / COMMUNICATIONS CENTER – Provisional Superintendent Harry G. Donahue

1. Payment Applications for Welcome Center – H. Donahue said he and Chatfield Engineers recommend that the Board authorize the following payment applications. A small retainage is being held until final punch list items are completed.
 - a. O'Brien Mechanical Payment Application #3 – \$2,700
 - b. Testa Construction Payment Application #7 – \$8,158
 - c. Testa Construction – \$6,200
 - d. Electrical – 1,125

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried authorizing the payment applications as specified.

2. Carolin Drive – Trustee Wexler asked the status of Carolin Drive. Mayor Matela asked H. Donahue if he had sent out an update letter to the residents of Carolin Drive as she had asked a couple of weeks ago. H. Donahue said he has not yet had the chance. He said the drainage work is done and the concrete curbing will be done next week. Trustee Knapp asked for best-case scenario on completion. H. Donahue said weather permitting; the entire project should be completed by the end of June. He said the BOWC has authorized a cleaning and religning project in the Clark Street area, but it should not have any impact on the paving project.
3. Potholes – Trustee Wexler commented that winters cause damage to roads and there are many potholes on Village streets. He asked H. Donahue could put pothole filling at the top of their list after the Carolin Drive project. H. Donahue said he would put a crew on patching detail. He shared that the Perry Street area is on the schedule to be redone this season.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service – Chief Varrenti reported 5,280 calls for service year to date.

2. Report on police efforts re: harassment complaint from Holley Street resident – Chief Varrenti updated the Board on the complaint of Bob Collins at the last meeting regarding 52 Holley Street. He said 5 students live there. Amber Nolin admitted in a sworn statement she wrote the harassing letter to him. B. Collins declined to prosecute for aggravated harassment. He was satisfied with the identification and warning given.
3. Report on parking complaints re: Water Street parking lot – Chief Varrenti updated the Board on the complaint of Vicki Sweet a few months ago and again at a recent Board meeting about parking in the Water Street parking lot. He met with H. Donahue on the matter. The limited parking signs were taken down and the lot has been split in two so that overnight parking is

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allowed each night in one half of the lot. Therefore, Main Street residents in that area do not have to walk from another municipal lot late at night carrying packages. Chief Varrenti said V. Sweet was happy with this solution and glad it was resolved.

4. Laptop Study – Chief Varrenti said Brockport Police Department was part of a test by the County on replacing the MDT's in police vehicles with laptops. There will be software where licenses are scanned. Equipment for each car will cost \$3,000. He is confident that grant money will be available through the state.
5. Officer Rivoli – Chief Varrenti reported that Officer Rivoli has successfully completed training and will be on his own beginning next week.
6. Recruit Candidates – Chief Varrenti shared that the two recruit candidates are reportedly doing very well at the Police Academy.
7. Monroe County Bus Drivers Association Awards – Chief Varrenti said he was pleased to attend the annual awards breakfast. Karen Russell was named Brockport Bus Driver of the year.
8. June Overtime – Chief Varrenti reported that considerable cuts have been made in overtime. He has posted for only 6 patrol hours and 7 Sergeant days for the month of June. Qualifying is now done on duty, not overtime.
9. Press Releases – Chief Varrenti reported that it was a busy weekend. There was a burglary and assault with handgun shown at 79 Main Street on Thursday. A search warrant was implemented on Friday at 51 Spring Street for a high volume of traffic in and out of the house. Four were found with crack, equipment and \$2,300 from sales. This “gate” was shut down. Some are still in jail with charges as high as B felony. Mayor Matela congratulated them on the Spring Street bust.
10. NYS Sex Registry Act – Chief Varrenti explained this and General Order 444. Level 1 is considered least likely to reoccur. Level 2 allows notification to be made excluding the offenders address. Level 3 allows notification to be made in entirety. Chief Varrenti shared that Brockport 14420 has a Level 2 offender. Notification will be made to the schools and childcare centers. He stressed that information should not be arbitrarily disseminated.
11. IACP Conference – Chief Varrenti asked for authorization to send Sgt. Philippy to DRE training (while he is on vacation) August 4th – 7th in Alexandria, VA. The only cost of \$45 per day for 4 days for food will come from the STOP DWI fund.

→ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried approving said request.

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

1. Monthly Reports – S. Zarnstorff reviewed the highlights of his March and April reports. There were 7 applications in March and 16 applications in April with 43 applications year to date. Application fees are up \$4,000 year to date. This is partly due to an \$8,800 application fee for Sunflower Landing. He said the indication is that new home construction will be up this season. There have been 299 inspections year to date, up from the same time last year. He said they are showing some results.

Mayor Matela suggested they do the door hanger day again in September when the students return. She said there were some problems with the publication printed by SUNY. Chief Varrenti said he was not happy with that publication. He said if he were satisfied with it, he would be happy to have the officers on duty help disseminate the information. L. Vaughan clarified that SUNY printed the publication, but it did not match what the Village wrote. He said the Village needs to be in control of the publication so that the language does not get watered down. Mayor Matela said this should be worked on this summer.

- D. FIRE DEPARTMENT – Deputy Chief Laurence Vaughan
1. Membership Adds/Drops/Transfers – None Deputy Chief Vaughan said they always like adds but can live with no drops. He shared that they currently have 4 new members in their recruit class.
 2. Call Load – Deputy Chief Vaughan reported 335 fire and 613 ambulance calls for a total of 948 calls year to date. This is 34% of the 2004 call total in 37% of the calendar year.
 3. Cooperative Buying – Deputy Chief Vaughan said they are currently looking at the price quotes from our cooperative buying price list with the North Greece Fire District and should be purchasing some items from it shortly. He said 1.75" hose, grass brooms and some hose adapters are priorities.

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4. Training - Deputy Chief Vaughan shared that they did a live burn on May 7th at the training building with a demonstration of the thermal imaging camera that they wish to purchase with the cooperative purchasing price considerably under what was anticipated, the grant from Assemblyman Reilich combined with some donation money will allow them to purchase 2 units instead of 1. The current camera is 8 years old and the technology is like night and day when the old one and the new one are compared.

They will be using the burn building at the Allied site on Owens Road for department drills on May 17th and 24th. They welcome the Board and public to stop and observe the training activities.

5. Radio Compliance – Deputy Chief Vaughan said the County’s move to narrow band radio channels continues to move forward. The FECB is cross roads as the readiness of all aspects of the systems is evaluated. There may be a decision made Thursday on whether to continue with the January 2006 deadline or postpone it for a few more months. There are some issues with county tower sites as well as with individual agencies being able to have their base, mobile and portable radio equipment complaint.
6. Portable Radio Proposal – Deputy Fire Chief Vaughan said the Fire Chief’s office would like the Board to consider the immediate purchase of 43 Motorola HT-1000 portable radios. The manufacture of these portable radios has been discontinued by Motorola. It is one of the most dependable and popular Motorola radios in use by the fire service. Since Motorola has discontinued the manufacture, their entire stock of thousands of portables has been turned over to a subsidiary and are available for sale until May 27th. There are vendors in the local area that have access to these radios at less than state contract bid pricing. He outlined several reasons why they would like to stay with the Motorola radio, especially the HT-1000 model.

He asked that the Village Board authorize the preparation of a purchase order to the vendor that can provide the 43 Motorola HT-1000 portable radios. Since pricing has been performed by NYSOGS, under generally accepted NYS Department of Audit and Control procedures, with both vendors who responded to the pricing request below the state bid price, they feel that all criteria for purchasing without formal bidding has been met.

Mayor Matela said such radios are the lifeblood of the department and asked if they will be compatible with the January 2006 rollover. L. Vaughan said yes. He said they had really hoped for FEMA grant funding. Treasurer Coyle is looking at the Fire Departments inactive capital reserve accounts to cover the purchase. Trustee Whipple said it is a wonderful deal, but questioned why Motorola is vacating this model. L. Vaughan said due to changes in technology. Trustee Knapp asked if there is any value to the existing portables. L. Vaughan said they could be sold as surplus equipment once replaced with new ones. Trustee Knapp asked if any other department within the Village could use them. L. Vaughan said they would be okay until 2013 when the Village itself has to be narrow banded.

→ Trustee Wexler moved, Trustee Knapp seconded, unanimously carried authorizing the purchase of 43 Motorola HT-1000 portable radios at \$789 each for a total cost of \$33,927.

7. Permission for NYSAFC – Deputy Chief Vaughan asked for authorization to send members to the New York State Association of Fire Chiefs Training and Conference June 9 – 11 in Syracuse. Two members would go for hands on training. Three members would go to the conference and 12 would go for one day. He broke down the projected costs, which would total approximately \$2,670. He said the hands on training is two eight hour days filled with intense hands on training being conducted by certified trainers that are experts in their fields. Hands on training registrations are down two members from last year. Since this is the last year for the conference to be in Syracuse, they would like to offer the embers a chance to see the show with a one-day pass. Conference only registrations are down two members from last year.

Rooming is per room and not per person. This is a considerable savings over other conferences.

Trustee Knapp asked if funds are available. L. Vaughan said yes, it is well within budget.

→ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried authorizing the conference request as proposed.

8. Ambulance Bid Results – Deputy Chief Vaughan introduced Ambulance Corps Captain Lucas Vandervort and President David Rice who provided a report that summarizes the results of the public bidding process to select a new ambulance as well as the activity, results and recommendation of the Ambulance Replacement Committee over the last year. D. Rice said during this time the committee has met with multiple dealers representing approximately 6 ambulance manufacturers, inspected several demonstration units and developed a detailed and inclusive list of specifications for a new ambulance taking into account current and future

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operational needs. The new ambulance will replace the current 1996 Type III ambulance that over the last two years has experienced increasing vehicle maintenance costs and is at the end of its effective life as a first line ambulance in a district with the demographics and call volume of the Brockport Fire Protection District. The bid process was formally closed on April 29th and the committee has met over twenty hours since then to finalize its conclusions and recommendation for a new ambulance. After very careful consideration of the many factors involved in the purchase of a new ambulance, the committee respectfully recommends that the Board approve the purchase of a new Horton Type III ambulance through Empire Emergency Vehicles for a price not to exceed \$132,376.

Mayor Matela thanked the committee for their hard work and for doing an excellent job. She said due to the call volume, demographics and vehicle maintenance rotations, the Village is happy to have kept a third ambulance on. Trustee Knapp commented that the Horton was the most expensive bid. The other bids received were from JW Carney for a 2006 for \$113,020 and from North Eastern for a 2006 for \$119,500 or a 2005 for \$102,500. However, these did not meet the specifications closely enough. D. Rice said North Eastern was considered non-compliant due to the many exceptions to the bid and lack of alternatives. Horton most closely matches the specifications. Trustee Knapp asked if Village Attorney O'Toole had been consulted. L. Vandervort said yes. He, D. Rice and Deputy Chief Vaughan met with him and were advised on the best course of action.

Trustee Knapp asked if there is money available and an anticipated delivery date. Treasurer Coyle said there is more than enough money available in the capital reserve fund. L. Vaughan said it would take 240 to 270 days until delivery. L. Vaughan stated that since the inception of the third party billing where the insurance of the services users pay, there has been no cost to the taxpayers. The entire ambulance operation is self-funding. Trustee Whipple concurred that it is user fee based and within the formal budget money is set aside to pay for equipment. It will be a cash purchase that will not deplete the fund.

Trustee Whipple commented that some people place an importance on brand names. He said it would be nice to have all three ambulances perfectly uniform, but it does not always work out that way. The specifications were reasonable and appropriate and not specialized toward any one manufacturer. The Horton ambulance was the only one to meet the specifications. He also thanked the committee on doing a fantastic job.

Mayor Matela asked if they recommend the Village sell the old ambulance once the new one is put into service. L. Vaughan said it could either be sold or taken to municipal auction. He estimated it would only bring \$2,000 to \$10,000 since the market is flooded with old ambulances. D. Rice said it will be 10 years old by that time and has been maintained, but the right buyer would need to be found.

→ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried to accept the bid of Empire Emergency Vehicles for the purchase of a new Horton Type III ambulance for a price not to exceed \$132,376.

E. TREASURER - Ian M. Coyle

1. Resolution for Tax Warrant – Treasurer Coyle asked that the Board authorize the Mayor to sign the 2005-2006 Tax Warrant. Bills will be mailed May 31st for payment without penalty by July 1st.

→ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried authorizing the Mayor to sign the 2005-2006 Tax Warrant.

2. Congratulations – Mayor Matela commented that Treasurer Coyle and his wife are due for the first baby within the next week or so.

F. CLERK - Leslie A. Morelli (no report)

G. ATTORNEY – Keith O’Toole / DEPUTY ATTORNEY – Frank A. Aloï (excused)

H. ECONOMIC DEVELOPMENT – Coordinator R. Scott Winner (excused – conference)

SUPPORT BOARDS REPORTS:

A. PLANNING BOARD – Chair R. Scott Winner (excused – conference)

B. LIBRARY BOARD – President Matthew Minor (absent)

C. ZONING BOARD OF APPEALS - Chair Jennifer Skoog-Harvey (absent)

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VILLAGE BOARD REPORTS:

A. Trustee/Vice Mayor Maziarz (excused – conference)

1. Statement – Mayor Matela read a written statement from Trustee Maziarz upon her request.

Let me start by telling you all how deeply I regret not being there in person to address this very important issue however, what I have to say should not be put off until our next board meeting in June.

I would like to briefly address three main themes that emerged from last Monday’s Public Hearing held at Brockport High School pertaining to the two newly proposed codes concerning the amortization of no more than three unrelated and the elimination of boarding houses.

They are:

1. Virtually all those who spoke expressed a desire to see an investigative committee established to explore and address all the problems and concerns that may surround the adoption and or implementation of these codes.

As you may be aware, there is a code review committee already in session which I believe would be adequate to head the investigation of these newly proposed codes. However, I believe a rental property representative must be added for this committee to achieve a fair and objective outcome.

2. The second theme that ran throughout the public hearing was the potential effect these proposed codes may have on property values.

This should be one of the main focuses of the code review committee. The potential effect these proposed codes could have should be thoroughly investigated for both rental and residential properties alike.

3. The third and I believe the most important development that came out of last week’s public hearing; and that is the idea that if we just enforce the codes we already have on the books we may be able to achieve the same goal we are looking to achieve by the implementation of these new codes.

These is a welcoming development considering approximately 45% of the Village rental properties currently do not have C of O’s; this figure is down from around 70% just a year ago. I hold the opinion that if those landlords who do not have current C of O’s could help us expedite the process by working with the Code Enforcement Officer perhaps by contacting the CEO to schedule an inspection, we could all reach a more desirable working relationship with one another. Until our new soft ware is operational, the process of notification of every expired C of O is cumbersome at best. Therefore, voluntary compliance is our most certain method.

I believe by working together we can achieve better results then working against one another.

Thank you, Carrie

B. Trustee Knapp – No report.

C. Trustee Wexler

1. Monroe County Stormwater Coalition – Trustee Wexler expressed concern that since the departure of B. Upson as DPW Superintendent, duties related to the Village’s involvement in the Monroe County Stormwater Coalition have been taken on by Ken Pike of Earthworks Environmental. Trustee Wexler said his understanding was that his services would end

once the contamination issues were resolved.

Mayor Matela said due to H. Donahue being new to the DPW Superintendent position, Earthworks Environmental was enlisted to put together the Village's report for the Monroe County Stormwater Coalition due June 1st. To end Ken's responsibilities with such and save the cost, H. Donahue needs to be brought up to speed on the topic. Mayor Matela said it would be helpful if a Trustee would take the lead of working with H. Donahue on this matter. She asked Trustee Wexler if he would be interested. Trustee Wexler said no. Mayor Matela said she hopes I. Coyle will be able to bridge the gap if the Board should approve the Village Manager position. Trustee Wexler said he hopes the Village will finish up with this consultant.

2. Pending Litigation – Trustee Wexler shared that he has twice asked for particular information from Deputy Village Attorney Aloj relating to pending litigation. It is important that this gets finalized. He has not received the requested information and said he would hate to have to FOIL it. Mayor Matela said she would be happy to remind Attorney Aloj of the request.

MINUTES OF MEETING HELD May 16, 2005 continued.....page 10

3. Rooming / Boarding Houses – Trustee Wexler said he read in a local paper that the Mayor would like to form a committee to look at the issue that was addressed at the May 9th public hearing. Trustee Wexler asked that the Trustees be consulted as to whether they want a committee formed and if so that it be separate and independent of the code review committee and have a cross section of the community. He said a dialogue should be started where all sides can scream it out. He said that pending litigation includes amortization schedules regarding rental property. He said he is afraid that this pending litigation will sit and not get resolved. He commented that the process is being done backwards. He said half the community has gotten all excited and maybe the Village should have studied the impacts of the proposal first. Trustee Wexler asked Mayor Matela if the Trustees would be given the courtesy of voting on members of the committee. Mayor Matela said yes.

D. Trustee Whipple

1. Rooming / Boarding Houses – Trustee Whipple referred to a quote that John Major said as a speaker at a Lakeside Foundation dinner a few years ago. "Every action has its consequences." He said this is pretty good advice. A lot of decisions have to be made and he is hopeful that the Village is aware of potential consequences. He said it would not happen over night. The purpose of a public hearing is to hear views. The Board heard many and should not entertain a decision until all views are heard and all parties work together. Trustee Whipple said someone suggested a professional evaluate the impacts. Trustee Maziarz suggests utilizing the Code Review Committee. The Board should discuss this at their next workshop meeting.

E. Mayor Matela

1. The Galley Restaurant – Mayor Matela referred to a letter from Ross Gates of The Galley Restaurant at 51 Market Street. He requested permission for additional signage. S. Zarnstorff provided an interpretation of the code and R. Gates request. Mayor Matela asked that R. Gates provide a rendering with dimensions shown, materials to be used and suggested he utilize historical colors. Clerk Morelli will relay this request and place him on the June 20th agenda.

PUBLIC COMMENT:

1. Sharon Kehoe of 320 Main Street asked if the payment applications approved tonight regarding the Welcome Center are in addition to the total costs shared at the last meeting. Mayor Matela said they were included because they were part of the awarded bid contracts.

S. Kehoe returned to the public hearing topic of Village Manager. She said 3 of 5 on the Board are running for Mayor. When M.A. Thorpe was Mayor the Board at that time, some of whom are still here, raised the Mayor's salary because she put in near full time hours. S. Kehoe said if some of the Mayor's responsibilities are going to be shifted to a Village Manager, the Board should consider reducing the Mayor's salary. This should be regardless of who is elected Mayor.

2. Mary Jo Nayman of 5 Carolin Drive commented that she believes the ground breaking for construction of the Welcome Center took place around the same time as the Carolin Drive rehabilitation project. She said it is nice that boaters will be happy. However, the residents and taxpayers of Carolin Drive are still waiting for completion and dealing with potholes. Their patience is wearing thin and their kids and vehicles have taken the toll. She said she has been a Village resident for 40 years and feels fleeced by the Camelot philosophy of this administration. She further commented that if any department needs more workers, it is the Department of Public Works. She said the Village can well afford Treasurer Coyle's competence as Village Manager and that someone needs to watch the taxpayer's money.

3. Rhett King of Adams Street wished all of the candidates the best of luck in the upcoming Village Election. He reminded all that together the community wins, not divided. He asked that the lines of communication be open and reminded the current elected officials that the people elected them. They serve the people who put their trust in them. He said the faces and non-verbals at Village Board meetings are apparent. Shame on all.

AUDIT:

- ➔ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried that the bills be allowed and paid upon audit.

Date	Check #	Amount
5/16/05	17545-51	34,912.49
	171560-602	36,887.27
<u>Fire</u>		
5/16/05	171552-59	16,032.32
<u>Third Party Billing</u>		
5/16/05	568-72	1,475.08
<u>Capital Projects</u>		
5/3/05	1850	1,200.00
5/6/05	1851	849.10
5/11/05	1852-54	1,200.00
5/16/05	1855-73	24,065.52
<u>Sewer</u>		
5/16/05	1039-41	27,932.60

ADJOURNMENT:

- ➔ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried that the meeting be adjourned at 9:00pm.

Leslie Ann Morelli, Village Clerk