

**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, June 20, 2005 at 7:00pm.**

**PRESENT:** Mayor Josephine C. Matela, Trustee/Vice Mayor Carrie L. Maziarz, 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 Norman J. Knapp, Deputy Village Attorney Frank A. Aloj, Planning Board Chair / Economic Development Coordinator Scott Winner.

**ALSO PRESENT:** Deputy Fire Chief Laurence Vaughan, Rich Miller, Ray & Jackie Morris, Sharon Kehoe, Scott Hunsinger, Joanne Marcello, Mary Ann Rogers, Jim & Joan Hamlin, Bill Andrews, Mary Jo Nayman, David Noltee, Francisco & Linda Borrayo, Norm GianCursio, Jack Wahl, John Bush, Fred Webster, Sharon Kehoe, John Lessord, Kathy Snyder.

**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 meetings held May 9 and May 16, 2005.

- ➔ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried that the minutes of the public hearings held May 9, 2005, be approved as written.
- ➔ Trustee Wexler moved, Trustee Whipple seconded, Trustee Maziarz abstained due to absence, carried that the minutes of the meeting held May 16, 2005 be approved as written.

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:**

1. Rich Miller said he reviewed this evening's meeting agenda earlier today and has several comments. Regarding sewer rent, he believes it is really a tax and should be placed on tax bills. He congratulated Harry Donahue on his promotion to DPW Superintendent and knows he is right for the job. He congratulated Chief Varrenti for his work and said he is more cop than the Village is used to. He asked if Deputy Village Attorney becomes Village Attorney since Keith O'Toole resigned. Mayor Matela said no. A new Village Attorney will likely be appointed at the organizational meeting in July. R. Miller referred to Mayor Matela's re-election campaign materials and said she should not take credit for bringing Grandpa Martin's Pickles to the Village. He said it was an effort of Scott Winner and Scott Zarnstorff. However, they have yet to re-locate here. He wished Trustee Knapp a speedy recovery from today's hip replacement surgery. He wished Jennifer Skoog-Harvey well in her move to the Town of Sweden. She will be a loss to the Village's ZBA, but a gain for the Town. Regarding certificate of occupancy fees, he said the Village should not increase revenues on the backs of the landlords. Regarding the Village Manager position, he questioned the need since those functions should be done by the Mayor. He commended Treasurer Coyle for being a dynamic addition to the staff and hopes he will not leave if he is not given the Village Manager's position since it would be a great loss to the Village. He wished all candidates for office and the voters the best of luck in tomorrow's Village elections. He said he hopes the people can find a way to make this level of government (Village) unnecessary. He said the vote in Naples to merge the Village with the Town would be interesting.
2. Bill Andrews, Historian Emeritus updated the Board on the Welcome Center canal front hospitality program. He said it is entirely staffed by volunteers. There are approximately 70 volunteers. They began Memorial Day weekend and cover 2pm to 10pm 7 days a week. They are off to a good start and have had an overwhelming positive response from boaters, bikers and hikers. He read 2 letters from boaters indicating how pleased they are. One was from an architect from North Carolina and another from a world traveler. B. Andrews said if there are no boats docked at 8pm, the volunteer scheduled from 8 – 10pm is let go. They will be changing their hours July 1<sup>st</sup> to 10am to 8pm 7 days per week.

Mayor Matela thanked B. Andrews for doing a fine job coordinating this volunteer program. B. Andrews said if he had known just how many details needed to be worked out, he might not have taken on the responsibility. However, as with any new venture, there are bugs to be worked out, and they are doing just that.

B. Andrews distributed a roster of the Welcome Center volunteers that Clerk Morelli put together. He asked that they accept this roster of volunteers and list them under the umbrella of the Village's employee / volunteer directory.

⇒ Trustee Maziarz moved, Trustee Wexler moved, unanimously carried to accept the roster of Welcome Center canal front greeter volunteers.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 2**

B. Andrews asked that the Welcome Center fees be added to the Village's fee schedule. Clerk Morelli referred to a recent memo from NYSCC indicating that municipalities cannot charge docking fees. Any boater is allowed to dock on the canal wall for a maximum of 48 hours. However, the municipalities have every right to charge for the amenities and services they provide. If boaters wish to be connected to water, electric or use the Welcome Center (showers, restrooms) they will be charged. B. Andrews said they gathered information on other communities canal fees. He said they started with Fairport's fees and raised them a bit because Brockport has more amenities. He reviewed the fees: Boats 16' or less \$5, 17-30' \$8, 31-40' \$11, 40+' \$15, Commercial boats \$25

⇒ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to adopt the fees as presented and have Clerk Morelli add them to the Village's fee schedule.

On a different note, B. Andrews in his work on the Historic Preservation Board asked that the Board authorize the Mayor to sign the grants for various property owners in the Main Street Historic Commercial District to participate in the CDBG grant of \$40,000 for the façade improvement program.

⇒ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried authorizing the Mayor to sign the CDBG \$40,000 façade improvement program grant contingent on Historic Preservation Board and SHPO approvals.

3. Mary Jo Nayman of 5 Carolin Drive said she has been a squeaky wheel for the past 9 months in her efforts to get the Caroline Drive rehabilitation project approved and completed. She commended the DPW for their hard work when they are put on the project. They have been cordial and polite. She said H. Donahue as DPW Superintendent has proven himself a leader. She said even when not on the clock H. Donahue checks on the project and responds to calls. She said besides being promised last September that the project would be completed before the snow flew, they were promised additional street lighting. She said she is not against the boaters, but can't help but notice how nice and lit up that area is when Carolin Drive still has residents having to drive across the street to visit their neighbors because it is too dark. She questioned the Village's priorities.

**GUESTS:**

1. Joe Hoffman, Manager of Lift Bridge Book Shop – Sidewalk Event – front parking spaces – J. Hoffman introduced himself and explained that the store is planning an event for Saturday, July 16<sup>th</sup> from 3:30pm to 5:30pm with BBQ Author Steven Raichlen. He distributed flyers on the event. This author comes with a BBQ bus. It will take up 2 parking spaces in front of the store. He will do a BBQ demonstration and provide free samples. He said he had already contacted Clerk Morelli who put him in touch with S. Zarnstorff and Chief Varrenti. They posed some questions and concerns for him to address. Regarding trash, the store will clean up. Regarding blocking off the 2 parking spaces, the store will do that. Regarding water needs, they will have 5-gallon containers of water nearby. Regarding the food giveaway, the author has arrangements in place since he does this across the country. Regarding smoke, it will only last 2 hours. If it becomes a major concern, they will simply have to stop.

Mayor Matela asked about fire extinguishers. J. Hoffman said they have them in the store and will have them nearby. S. Zarnstorff asked if the author needs to connect to water or if he brings it with him. J. Hoffman said he brings the water he needs with him. Mayor Matela suggested that J. Hoffman contact Monroe County Health Department's Jim Crayton to be sure everything is ok with them. Deputy Fire Chief Vaughan asked if fuel, propane or charcoal would be used. J. Hoffman said he would ask and let S. Zarnstorff know. Trustee Maziarz asked what he needs from the Village Board. J. Hoffman said simply the approval to hold the event and to utilize the 2 parking spaces in front of the store for those 2 hours.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried approving the event and the use of the 2 parking spaces in front of Lift Bridge Book Shop on Saturday, July 16<sup>th</sup> 3:30pm to 5:30pm.

2. Art Brennan – Petition for dedication – sanitary sewer – A. Brennan said he met with the Board at a recent workshop meeting and reminded them that his attorney delivered a petition requesting that the Village accept sewer dedication to then Village Attorney O'Toole. This is for a small senior housing development he is planning on East Avenue in the Town of Clarkson. He said Mr. O'Toole jumped the gun and recommended the Board not get involved. However, although the property is outside the Village, it has been an out-of-district sewer user for the last 102 years providing revenue to the Village. He asked that the Board consider accepting the easement agreement as written. He said this has held up his project by 2 or 3 months. He said

it makes no sense to him for Clarkson to take the revenue and Brockport to get the sewage.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 3**

Mayor Matela shared that Deputy Village Attorney Aloï and Town of Clarkson Attorney Olson indicated today that they are working out the fine points. Attorney Aloï recommends the Board table decision until the next meeting. A. Brennan said this holds him up another month. Mayor Matela said she imagines the Board would be amenable to holding a special meeting. Trustee Wexler suggested the Board give approval contingent on the attorneys. Trustee Whipple said he would prefer the legal work being settled before the Board gives any approvals.

**PUBLIC HEARINGS: 7:30pm** Placing sewer rents on water bills

Sharon Kehoe of 320 Main Street asked if the Board is aware that by placing the sewer rent on Village tax bills it can count as an expense for those who itemize their tax returns. This would benefit property owners.

Mike Conner of 186 East Avenue said he purchased his home in the 70's from his mother. He said at that time sewer was on the Village taxes and they did not even have sewer. His father fought to have it removed from his tax bill. Then it disappeared from the Village tax bill, although taxes haven't gone down. They now have sewers.

Mayor Matela commented that most landlords have the tenants pay the water. This way the tenants will also be paying the sewer.

John Bush of 157 Barry Street said water bills go to the property owner, not the tenants. Mayor Matela said in her case property owner Sharon Kehoe has her as tenant pay the water bills.

Trustee Whipple said there is a difference between a tax and a user fee. He said 63% of properties in the Village are tax-exempt. These are churches, schools and the like. However, those entities get water bills. It is best to associate sewer rent with water, especially since it is based on water consumption. By putting sewer rent on monthly or quarterly water bills, it is based on current consumption.

Trustee Maziarz agreed and said just like water, if sewer rent is not paid, it can get re-levied onto the Village tax bill.

Joan Hamlin of 50 Park Avenue said when sewer rent was first proposed last year, then DPW Superintendent Upson did not realize that SUNY and Brockport Central School District were not on Village sewer. She said it seems that not many tax-exempt properties were picked up. Treasurer Coyle confirmed that SUNY is not connected to Village sewers, but a portion of BCSD (Middle School) is. J. Hamlin said it seems the Village didn't make the "killing" they thought they would. Treasurer Coyle said they never anticipated nor advertised that they would make a "killing". The original intent was to segregate out the sewer and to get revenue from sewer rent from users including tax-exempt properties.

Trustee Wexler questioned the ramifications of placing it on tax bills. Mayor Matela concurred with Trustee Whipple that it is a rent not a tax. It is a user fee based on consumption.

Sharon Kehoe said event it is specified as sewer rent, it should go on tax bills to be a little benefit to taxpayers.

Jim Hamlin said when sewer rent was established last year he was told there was no time to get it on the tax bills, so a separate bill was sent out.

John Bush said if there were enough revenue coming into the Village, they would not have had to establish sewer rent.

⇒ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried to close the public hearing at 7:45pm.

Mayor Matela said they would postpone beginning placement of sewer rent on the water bills that were prepared for July 1<sup>st</sup> until the Board votes on it July 18<sup>th</sup>.

**DEPARTMENT REPORTS:**

- A. PUBLIC WORKS / COMMUNICATIONS CENTER – Provisional Superintendent Harry G. Donahue
  - 1. Payment Application #2 for \$41,871 to Steve General Contractor – H. Donahue said Steve General Contractor is 53% complete with Harvester Park Improvements.

⇒ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried authorizing Payment

Application #2 for \$41,871 to Steve General Contractor for Harvester Park Improvements.

2. Authorization to hire seasonal laborers – H. Donahue reminded the Board that they gave him approval to hire 3 seasonal laborers. He has hired Jonas Locke, Scott Mattison and J. Vitilian and asked for Board approval. He said they went through drug testing and are fine.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 4**

⇒ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried to hire Jonas Locke, Scott Mattison and J. Vitilian as seasonal DPW laborers.

3. Carolin Drive – H. Donahue reported that the curbing is completed and they hope to pave by June 30<sup>th</sup>. Mayor Matela asked if he would look into the additional street lighting issue with Niagara Mohawk as the Board did approve this. H. Donahue said he would and indicated that he believes the hold up is an access issue with Niagara Mohawk.
4. Niagara Mohawk Tree Trimming – Mayor Matela shared that Niagara Mohawk has been doing extensive tree trimming along their wires in the area. She said they massacred some Village trees so she complained to them about it. Trustee Wexler said he received a complaint from a Westwood Drive property owner that material was left and their yard was ripped up.
5. Crosswalk Striping – Trustee Maziarz asked H. Donahue if they would be striping crosswalks soon. H. Donahue said NYSDOT plans on doing a mini-paving project on Main Street beginning July 18<sup>th</sup>, so it might make sense to wait until that is done. Chief Varrenti said the Police Department couldn't rightly issue tickets for failure to yield if crosswalks are not properly striped. If a pedestrian were to be hit, the Village could be held liable for negligence since they assume a responsibility and fail to do. Trustee Maziarz agreed and said until the former DPW Superintendent last year the crosswalks were not striped until end of summer. She also asked about the status of purchasing and installing the flexible knock down pedestrian crossing signs. H. Donahue said he has not yet completed research or ordered them. Trustee Maziarz said Chief Varrenti researched this 2 years ago. Chief Varrenti said H. Donahue has all of the information.

Mary Jo Nayman of 5 Carolin Drive commented that having a crosswalk just north of the Canal Bridge is very dangerous. Joan Hamlin of 50 Park Avenue agreed and said cars simply do not stop there. Mayor Matela replied that the Village has not placed it there and does not stripe it. New York State Canal Corporation does. They have been made aware of the concerns.

**B. POLICE DEPARTMENT – Chief Daniel P. Varrenti**

1. Calls for Service – Chief Varrenti reported 6,238 calls for service year to date. He said he has 1 officer out on extended sick leave. He reported that Officer Rivoli is doing well on his own and the Department's response time is getting even better.
2. Purchase of new 2005 Ford Crown Victoria – Chief Varrenti said as presented in his budget packet to the Board a few months ago, he will be reducing the vehicles from 5 to 4 marked cars. He reminded the Board that the Stetson Club contract requires retiring a vehicle when it reaches 75,000 miles. It is time to purchase one new vehicle. He said state bid is \$22,000. Vision Ford has come in at \$21,101, but he can purchase from New Jersey at \$20,598. This is a budgeted item and there is money available in the budget. He said one car will go out of service and one car will be stripped of red lights, MDT, shot gun and the like and be dedicated for use by SPARTAC. He reminded the Board this was all in his budget proposal that they have had since first of the year.

Trustee Wexler said he is glad that the number of vehicles will be decreased, but has a concern with a car being kept and used by SPARTAC. There will still be costs such as maintenance, fuel, and insurance. He said he appreciates the volunteer service that SPARTAC members perform, but that it should remain a walking patrol. He further questioned if all police vehicles need to be Ford Crown Victorias. He suggested half be Ford Crown Victorias and half be Chevrolet Luminas. He said 75,000 miles is not really a lot to have on a vehicle and that our police do not engage in high speed chases.

Chief Varrenti said he wished Trustee Wexler had come to him several months ago. He has already had the car striped at a cost of \$400. He said on all of his correspondence he asks for and encourages feedback. However, he rarely gets any. When he does not get a response, he moves forward with action.

Trustee Wexler said he did discuss this with Treasurer Coyle at budget time and reminded Chief Varrenti that just because something is part of the overall budget, does not mean the money actually needs to be spent.

Chief Varrenti said he believes that the people who volunteer their time for the community in SPARTAC do so to help reduce crime. The best way to reduce crime is by visibility. A walking

patrol lacks the same visibility that an official vehicle provides. This is particularly so in inclement weather. He said other law enforcement agencies provide a vehicle to shield volunteers from the elements, enhance visibility and reduce crime. He said this is no different than volunteers of the Fire Department. Trustee Whipple agreed that this is no different than the Fire Department "duty car".

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 5**

Trustee Maziarz asked if they would be insured at a different rate. Chief Varrenti reminded the Board that he did his homework, worked with Insurance Consultant Baty and that it was all outlined in his budget proposals.

Trustee Maziarz said the Village could sell the vehicle instead and get money from the sale.

Mayor Matela commented that it would be worth more to the Village for use by SPARTAC than to sell it. She said SPARTAC has come a long way. Crime is down. The Village should get use out of an existing vehicle.

Trustee Whipple commented that he recently followed a Town of Greece "safety patrol" vehicle and concurred that other law enforcement agencies have such programs.

Kathy Snyder asked if the driver's licenses of SPARTAC members are checked. Chief Varrenti said yes – through the DMV LENS program.

Chief Varrenti said SPARTAC does not respond to calls for service. However, by having a vehicle, he can utilize these volunteers (at no cost to the Village) to help out with special events such as parades. This helps reduce overtime.

Treasurer Coyle confirmed that Trustee Wexler approached him with concerns of not selling this vehicle. He relayed those concerns to Chief Varrenti. Chief Varrenti reminded the Board that he welcomes dialogue, but it is their choice to ask questions and provide feedback.

Regarding vehicle choice, Trustee Wexler asked Chief Varrenti if all vehicles need to be Ford Crown Victorias. He said these are likely more expensive. Chief Varrenti said the other option he believes Trustee Wexler was referring to are Chevy Impalas, not Luminas. He said Dodge also makes a police vehicle. Chief Varrenti said experience has proven that Ford Crown Victorias are best. Others have proven to have costly transmission problems. He said although 75,000 miles may not seem like a lot, there is an exorbitant amount of idle time on police vehicles. Ford Crown Victorias hold up best.

Mayor Matela added that having gone on ride alongs with the Police Department, she could say that the vehicle is the officer's office and there is not a lot of room. Chief Varrenti said there is a push in the County to remove the passenger seat due to room needed for equipment.

Trustee Wexler asked if next time a car needs to be purchased that Chief Varrenti do a comparison of both vehicles and their prices. Chief Varrenti said he would be prepared with all three options.

Trustee Maziarz said she supports the purchase of one new police vehicle, but would like to see both old cars sold instead of one being sold and one being used for SPARTAC.

Mary Ann Rogers of Perry Street said she knows what it is like living in an area of the Village with college students and believes a SPARTAC vehicle would be more effective than 2 walkers. Trustee Maziarz said she lives on Adams Street. Therefore, she, too, lives in an area of the Village with college students.

Chief Varrenti asked Trustee Maziarz to see this as a step in the right direction. Trustee Maziarz said she is not trying to deter volunteers. She said she volunteers her time in many ways for the community. She said she questions how a vehicle is not fit for police duty but is okay for SPARTAC duty. Either way the Village is still stuck with maintenance and repair bills. Chief Varrenti explained that the uses are very different. Although retired from police use, it will be fine for SPARTAC use. Trustee Whipple agreed. Chief Varrenti said the homework has already been done.

⇒ Trustee Maziarz moved, Trustee Wexler seconded authorizing the purchasing of one new Ford Crown Victoria police vehicle for \$20,598 with the sale or trade of the 2 old vehicles. Trustee Whipple and Mayor Matela opposed. Motion died.

Chief Varrenti asked that the Board not make the purchase of the new vehicle contingent on the disposition of the old ones.

⇒ Trustee Whipple moved, Mayor Matela seconded, unanimously carried to authorize the purchase of one new Ford Crown Victoria police vehicle for \$20,598.

3. Watch Your Car Program – Chief Varrenti reported that Sgt. Cuzzupoli attended a free class to learn how to etch vehicle identification numbers into windshields. This and a sticker program that indicates that a vehicle is not driven between 1am and 5am are intended to deter car theft and will be voluntary by interested residents. He said there would be more information to come.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 6**

4. Distribution of Salary Information – Chief Varrenti shared his dismay at certain residents distributing excerpts of his employment contract and police department salaries being distributed throughout the community this election season. He said he has no problem with someone obtaining this public information through the FOIL process. However, when only certain segments of the information instead of the accurate entirety, it is upsetting. He said he is not ashamed of his employment contract. It comes from legal basis – much of it from the Chiefs of Police Bill of Rights. It is protected by law. He and every member of the Police Department work for every dollar they earn.

In the Suburban News recently was a nice, positive article about two officers retiring from the Ogden Police Department. Contrary to that is the negativity of a few unhappy people in the Village of Brockport. He said he does not care about the political ads and campaign tactics that go with election season. He does care, however, about the Police Department. He outlined some of the mis-information and said the one part time officer and one part time clerk did not make a dime in overtime. The one full time clerk, a 15-year employee, was not even on the list.

He asked where the information was that shows the Police Department coming in \$89,000 under budget this year. He said it is malarkey to attack the people paid to protect you and reminded everyone that the Board voted for the Stetson Club contract against his recommendation. Trustee Maziarz commented that she was not a Trustee when the contract was voted on. Chief Varrenti said that is correct and Mayor Matela voted against it.

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

1. Monthly Reports – May – S. Zarnstorff reviewed his May reports. He said he and L. Vaughan stepped up their efforts and did a record 255 inspections. Enforcement efforts concentrated on high grass and trash issues. He said Clerk Morelli keeps a binder of his reports available for public review. S. Zarnstorff commented that a building permit would be issued tomorrow for Ryan's Big M expansion project. This is a great asset to the Village.

2. Certificates of Occupancy – Trustee Maziarz said she has volunteered some of her time towards updating information on c of o status. The data collection has been tedious as it is taken from an outdated system. She said many letters have been sent out and the response rate is moving in the right direction. This has had better results than the initial letter sent by former Village Attorney O'Toole. S. Zarnstorff said they hope to have the database completed within 45 days. Trustee Whipple commended them, as this update has been greatly needed.

Trustee Wexler asked if the inspections have found most in compliance. S. Zarnstorff said problems found have been minor, not major.

**D. FIRE DEPARTMENT – Deputy Chief Laurence Vaughan**

1. Membership Adds/Drops/Transfers – Deputy Chief Vaughan asked the Board to consider approving the following exempt certificate: Mark Depferd. Trustee Whipple said any volunteer fire fighter with 5 or more years of service qualifies for exempt status.

→ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried approving the previously mentioned exempt certificate.

3. Call Load – 414 fire calls and 762 ambulance calls = 1,176 calls year to date. Deputy Chief Vaughan said they are 150 calls off last year's pace at the half way point of the year.

4. Authorization to hire Robert Blank for paid ambulance –

⇒ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried to hire Robert Blank as permanent part time with paid ambulance.

5. Clarification of Employee Handbook Section 801 re holidays – part time dispatch and paid ambulance personnel – L. Vaughan and L. Morelli reviewed their memo's regarding the need to clarify Section 801 of the Employee Handbook. When the handbook was first implemented,

there were not paid part time ambulance personnel and paid part time dispatch personnel to be accounted for. The section should indicate that part time personnel ARE eligible for holiday pay and that the holiday pay be for the actual holiday itself since both of those operations are 7 days per week.

Mayor Matela said L. Vaughan's recommendations regarding shift differential and overtime have not been budgeted for and should be addressed in the future prior to budget season. Trustee Wexler suggested they work with their Fire Department liaison and address this in workshop setting.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 7**

Trustee Maziarz asked if the part time police officer gets holiday pay. Chief Varrenti said they abide by the Stetson Club contract. Mayor Matela said the part time ambulance and dispatch staff is not covered by Union contract, but by the Employee Handbook.

⇒ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried to amend Section 801 of the Employee Handbook to indicate that part time personnel (not covered by Union contract) ARE eligible for holiday pay on the physical holiday.

6. Request brief Executive Session re paid ambulance personnel issue

7. Miscellaneous – Deputy Chief Vaughan shared the following. The department's four new members in the recruit class are now exterior firefighters and working on their interior firefighter certification. The department has started to purchase some equipment off the North Greece Fire Department cooperative buying bid list. On behalf of the ambulance officers and ambulance members, we thank the board for their favorable consideration on the purchase of the new ambulance. They are anxiously awaiting the delivery of the new Thermal Imaging Cameras. The MSA Corporation is telling their dealers that they have a backlog of 600 orders to fill. Over three quarter's of the cost is being covered by a grant from Assemblyman Reilich. The department is participating in a national stand down for safety night tomorrow evening. It is designed to draw attention to the number of fire fighters who die annually while on duty – either during training or at incidents. All non-emergency activities will be suspended as they emphasize firefighter safety, wellness and readiness.

Deputy Chief Vaughan said the Fire and EMS Communications Board would be making a decision on whether the narrow banding of the fire and EMS channels would happen on 1/1/06 or would there be a need to postpone it. When all the agencies reported, including the Public Safety Communications Department, it was decided to move the changeover to 9/1/06. This is for several reasons: some fire and EMS agencies would not have their radio equipment in place to be ready, the new digital paging system has run into some delays in getting tower sites to support the new system and the prototype of the new digital pagers is still to be refined to make it fireman proof. They feel that they need to continue to move forward in the procurement of the needed equipment, but it gives them another budget year to reach that goal.

Deputy Chief Vaughan reported that they received preliminary information in the mail from Assemblyman Reilich who is funding almost \$8,500 towards the projects the Fire Department has targeted. More information will be forthcoming.

Tuesday, May 24<sup>th</sup> was a proud day for the Village and the Fire Department. Deputy Chief Vaughan shared that they were the recipients of 6 tickets for President Bush's "town meeting" at Greece Athena High School. It was an honor to be a part of it, and it was an even bigger honor to have stage seating. They had hoped to present the President with a framed portrait of the Memorial Monument, but it could not be arranged. Therefore, they put together a letter and a proclamation from the Fire Department that will be forwarded to the White House and hopefully end up in his office or in his library in a few years.

Deputy Chief closed by wishing all candidates in tomorrow's Village Elections the best of luck. He said the Fire Department has had the opportunity to work with the current board members and get to know many of those running for office. He says they fully realize that there may be some subtle changes to the make-up of the board or there could be a wholesale change. No matter the outcome, you will find the Brockport Fire Department a proud and dedicated group of people, dedicated to public safety with what we hope is strong leadership on both the fire side and the ambulance side, willing to work with the village administration to continue to give residents the best possible service.

**E. TREASURER - Ian M. Coyle**

1. Budgetary Changes – Treasurer Coyle reviewed the final budgetary changes for the 2004-

2005 fiscal year, which ended May 31<sup>st</sup>. Treasurer Coyle said year-end figures would be forthcoming. He said the Village is under budget for the first time in many years.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried approving said Village budgetary changes totaling \$239,447, water budgetary changes totaling \$35,627 and sewer budgetary changes totaling \$308.

2. Close out and reopen Project 24 – Treasurer Coyle asked for authorization to close out Project 24 as it is known as DPW equipment and replacement and reopen it to be known as Village Vehicle and Equipment Replacement Reserve per the NYS Comptroller’s recommendation per Article 2 Section 6C of General Municipal Law.

⇒ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried to close Project 24 and reopen it as Village Vehicle and Equipment Replacement Reserve.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 8**

3. Congratulations – Mayor Matela introduced Treasurer Coyle’s wife Cassandra in the audience and congratulated them on their first born, Christopher Francis Coyle born May 19<sup>th</sup>.

**F. CLERK - Leslie A. Morelli**

1. FOIL – Mayor Matela referred to an update memo provided by Clerk Morelli regarding FOIL requests during her first term as Mayor. She said until her arrival there was no formal FOIL policy and no tracking of requests. Clerk Morelli has tracked the “frequent foilers”, those that have placed 10 or more requests for information over the last four years. There are 5 with number of requests at 203, 164, 63, 25, and 17 respectively. Treasurer Coyle estimates that the “difficult” requests (those that are not handy) can cost the Village up to \$90 per hour.

Trustee Wexler said he believes the information should be available without having to FOIL it.

Clerk Morelli responded that the Village adheres to the state law on FOIL and adopted a policy and a simple one-page application a few years back. Those requesting information complete this simple form and submit either in person, by e-mail or by fax. A response is provided within 5 days. If it is going to take time to gather the information, it is promised within 20 business days. The only time the Village Attorney is consulted is when there is question if the information requested can be released. This includes information such as personnel issues or pending litigation. Additionally, Clerk Morelli shared that as a courtesy she has put together several 3 ring binders of information available for public review at the Village Hall at any time during business hours. Although the FOIL process can be time consuming for her as Records Management Officer for the Village, and FOIL is sometimes considered a “four letter word”, it should not be considered a cumbersome process and meets all laws. Clerk Morelli jokingly said her tombstone someday would likely say “Foiled again.”

**G. ATTORNEY – / DEPUTY ATTORNEY – Frank A. Aloï (excused)**

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

**SUPPORT BOARDS REPORTS:**

- A. PLANNING BOARD – Chair R. Scott Winner (excused)
- B. LIBRARY BOARD – President Matthew Minor (absent)
- C. ZONING BOARD OF APPEALS - Chair Jennifer Skoog-Harvey (absent)

**VILLAGE BOARD REPORTS:**

**A. Trustee/Vice Mayor Maziarz**

1. Farmers Market – Trustee Maziarz reported that the 2<sup>nd</sup> season of the Farmer’s Market began yesterday. All of last year’s vendors returned plus two additional. New this year is Gregry’s Bakery. This is not considered direct competition with Java Junction, as there was a need for specialty breads that they can provide. Gregry’s did so well that they sold out early and will need to bring more with them. The Ladies Auxiliary under the coordination of Charlene Whipple held their Strawberry Social and it was a big success. Trustee Maziarz said she was able to get strawberry donations from the various vendors.

2. NYCOM Annual Meeting – Trustee Maziarz said upon encouragement from the Mayor of Fredonia and learning that no other Brockport official planned to go, she attended the NYCOM Annual Meeting recently. They re-instituted a college communities roundtable. She said it was a real eye opener. It was like a support group. Although the Village of Brockport has its share of problems related to SUNY, we have a lot of programs in place that other college communities are envious of. There is a real push to get rid of the “us versus them” negativity. Trustee Maziarz commended the Committee on University Relations (formerly called the Good Neighbor Committee). It is a model for other SUNY communities, which may be able to collectively work together for state initiatives and funding.

3. Board Complexion – Trustee Maziarz said she has just completed her first year as Trustee. She said although it has been heated at times, it has been rewarding. She thanked her fellow Board members and extended her best wishes to all in tomorrow's elections.

B. Trustee Knapp (excused)

C. Trustee Wexler

1. Village Elections – Trustee Wexler just completed his fifth year as Trustee. He thanked all those running for office and encouraged each and every one to stay involved even if they should not win. The community is better served with involvement.
2. Contract Negotiations – Trustee Wexler said the Stetson Club contract was brought up earlier. He said when it comes to negotiating Union contracts; it is imperative that ALL work together. You cannot make filet mignon out of hamburger.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 9**

D. Trustee Whipple

1. BISCO's Request for donation of old van used by Fire Department – Trustee Whipple said this was discussed at recent Board workshops. This old Fire Department van was suffered substantial damage and has been sitting at the DPW. Insurance covered the damage. He said BISCO supports the community in many ways and would make good use of it.

⇒ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried to donate the old Fire Department van as is to BISCO and remove it from the Village's insurance rolls.

E. Mayor Matela

1. Accept resignation of Jennifer Skoog-Harvey from ZBA & Code Review Committee – Due to moving out of the Village and into the Town of Sweden, Jennifer Skoog-Harvey has resigned from the Zoning Board of Appeals and Code Review Committee effective June 30<sup>th</sup>.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to accept the resignation of Jennifer Skoog-Harvey from the Zoning Board of Appeals and the Code Review Committee with regrets.

Trustee Wexler asked if the ZBA vacancy would be advertised. Clerk Morelli said yes.

2. Bienvenida 2005 – Proclamation – Clerk Morelli read the proposed proclamation.

**PROCLAMATION**

WHEREAS, agriculture is the number one industry in New York State; and

WHEREAS, the approximately 1,000 migrant farm workers who come to the Hamlin, Clarkson and Brockport area constitute the backbone of our area's agriculture workforce; and

WHEREAS, the farm workers are members of our community for approximately six months of each year, during which time they plant and harvest our crops; and

WHEREAS, as residents of the Hamlin, Clarkson, Brockport community, migrant farm workers make a substantial contribution to our local business economy.

NOW THEREFORE, The Village of Brockport Board of Trustees designates the week of June 19<sup>th</sup> – June 26<sup>th</sup> as a week of recognition of the presence and contributions of our local farms and farm works, and proclaims Sunday, June 26<sup>th</sup> as a Day of Welcome to the migrant farm workers.

ADOPTED by unanimous vote of the Brockport Village Board on June 20, 2005.

IN WITNESS WHEREOF, I have here unto set my hand and caused the Corporate Seal of the Village of Brockport to be affixed this day, June 20, 2005.

⇒ Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried adopting said proclamation.

3. Brockport Merchants Association Sidewalk Sale – request for donation – Mayor Matela shared that the Merchants Association has requested a donation towards their annual Sidewalk Sale and Street Fair scheduled for July 7, 8, 9. Last year the Village donated \$500. Trustee Maziarz shared that there will be an additional Farmer's Market on July 8<sup>th</sup> as well as July 9<sup>th</sup>.

⇒ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried to donate \$500 to the

Merchants Association for the annual Sidewalk Sale and Street Fair scheduled for July 7,8,9.

4. Authorization to hire substitute part time Village Custodian – Richard Dalheim – Mayor Matela reviewed the memo from Deputy Clerk Coopenberg recommending the hiring of a substitute part time Village Custodian to fill in for the regular part time Village Custodian when she is off. This part time position cleans the following buildings: Village Hall, Police Department, DPW office, Welcome Center.

She used to clean the Fire Department at 38 Market Street, but when the part time dispatchers were hired they agreed to do so. Deputy Chief Vaughan has recently expressed concerns of that arrangement that will need to be addressed shortly.

⇒ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried to hire Richard Dalheim as substitute part-time Village Custodian at \$10 per hour.

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 10**

5. Walk Bike Brockport Action Group – confirm committee members – Mayor Matela asked that the roster of volunteers on the Walk Bike Brockport Action Group be approved and added to the Employee / Volunteer Directory.

⇒ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried to accept the roster of volunteers of the Walk Bike Brockport Action Group as submitted.

6. Add Ian Blount to Tree Board – Mayor Matela received a recommendation from Pam Ketchum to appoint Ian Blount of Spring Street to the newly formed Tree Board. He has a biology background and is passionate about trees.

⇒ Trustee Maziarz moved, Trustee Wexler seconded, unanimously carried appointing Ian Blount as a member of the Tree Board.

7. Proposed local law to amend certificate of occupancy fees – Clerk Morelli reminded the Board that a public hearing was held on amending the Village Code to match the fees set for Certificates of Occupancy at last July’s organizational meeting. This is not another increase, but a way to update this section of the Village Code. S. Zarnstorff said by not placing a monetary figure for c of o’s in the Code, the Board can continue to amend them through the adoption of the fee schedule at the annual organizational meeting.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to adopt the local law to amend Chapter 36 of the Village Code regarding Certificate of Occupancy fees.

8. Proposed local law to amend Chapter 5 re dogs – Clerk Morelli reminded the Board that a public hearing was held on amending the Village Code Chapter 5 regarding dogs. The recommended revisions were proposed by the Code Review Committee and Dog Control Officer as well as reviewed by then Village Attorney O’Toole.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to adopt the local law to amend Chapter 5 of the Village Code regarding Dogs.

9. Proposed local law to create position of Village Manager – Clerk Morelli reminded the Board that a public hearing was held to create the position of Village Manager.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, to approve the position.

⇒ Trustee Wexler moved to table the vote until the July 18<sup>th</sup> meeting.

Trustee Maziarz said she recognizes that the complexion of the Board might change after tomorrow’s Village Elections. However, the rest of the Village’s business has not been tabled due to that. Mayor Matela agreed. Trustee Wexler said he thinks this is more significant than amending the dog chapter in the Village Code. Mayor Matela said the Village went through the process. If it is right for the Village, it is right, no matter who the elected officials are.

Trustee Whipple said there has been adequate research, discussion and public comment on the issue. Many other municipalities have such a position. From a customer service perspective, this is a big step in the right direction for the Village of Brockport.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, Mayor Matela in favor, Trustee Wexler opposed. Motion carried to create the position of Village Manager.

⇒ Trustee Maziarz moved, Trustee Whipple seconded, Mayor Matela in favor, Trustee Wexler opposed

to appoint Treasurer Ian M. Coyle as Village Manager.

Various people congratulated Ian.

10. Gateway Billboard – Mayor Matela announced that the billboard near 222 Main Street by the railroad pass would be dedicated tomorrow at 10:30am. Local artist Helen Smagorinsky lent her artistic talent and several volunteers provided their labor to make this a welcoming gateway into the Village. It is a welcome improvement and something to be proud of. The artwork is permanent, but there is room underneath the art to advertise upcoming Village events.

**PUBLIC COMMENT:**

- 1. Kathy Snyder of Lyman Street commented that it is not fair that the Brockport Police Department, its Chief and Officers continue to take the heat each election year for the Village's financial woes. She said the Board members who voted for the Stetson Club contract should take some responsibility. She said her son had an accident recently and those responding from the Police Department and the Fire Department were great. Chief Varrenti has worked hard to

**MINUTES OF MEETING HELD June 20, 2005 continued.....page 11**

reduce overtime and came in under budget. He should be commended.

- 2. Linda Borraro of 155 Utica Street commented that it seems the Board gives no regard to public comment at public hearings. She said they should have tabled decision on create the position of Village Manager until the next meeting. Going ahead with a decision shows that public input is not valued.
- 3. Jackie Morris of 46 Maxon Street said just because someone does not speak up does not mean anything. Most times the few that speak are those who have an axe to grind.
- 4. Francisco Borraro of 155 Utica Street said a public hearing is to be heard – pro or con. Everyone is allowed to voice his or her opinion.
- 5. John Lessord of 56 Lyman Street had his hand raised earlier but said he does not care to speak since he believes the Mayor has treated him badly in the last four years. He is in hopes that the elections will change things.

⇒ At 9:30pm Trustee Whipple moved, Trustee Maziarz seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel and legal matters.

I, Leslie A. Morelli, Clerk for the Board of Trustees of the Village of Brockport, do hereby certify that the Board met in an executive session and did discuss the matters as expressed in their motion, and I further certify that no formal action regarding public funds was taken thereon.

\_\_\_\_\_  
Leslie Ann Morelli, Village Clerk

⇒ At 9:55pm Trustee Maziarz moved, Trustee Whipple seconded, unanimously carried to exit executive session and re-enter the regular meeting.

⇒ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried upon recommendation of Career Staff Coordinator Noltee and Fire Chiefs McCullough, Vaughan and Rombaut to terminate the employment of part-time paid ambulance member Rommel Kirchoff.

**AUDIT:**

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

| <u>Village</u> |               |            |
|----------------|---------------|------------|
| Date           | Check #       | Amount     |
| 5/31/05        | 171604        | 14,119.00  |
| 6/7/05         | 171609        | 55.52      |
| 6/20/05        | 171611-171721 | 185,854.43 |

| <u>Fire</u> |            |           |
|-------------|------------|-----------|
| Date        | Check #    | Amount    |
| 6/20/05     | 171722-756 | 79,078.71 |

| <u>Third Party Billing</u> |         |           |
|----------------------------|---------|-----------|
| Date                       | Check # | Amount    |
| 6/20/05                    | 576-591 | 27,179.73 |

Capital Projects

|              |           |           |
|--------------|-----------|-----------|
| 6/7/05       | 1874      | 973.46    |
| 6/20/05      | 1875-1900 | 74,509.31 |
| <u>Sewer</u> |           |           |
| 6/20/05      | 1045      | 2,869.00  |

**ADJOURNMENT:**

- ➔ Trustee Maziarz moved, Trustee Wexler seconded, unanimously carried that the meeting be adjourned at 10pm.

---

Leslie Ann Morelli, Village Clerk