

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, December 16, 2002 at 7:30pm.

PRESENT: Mayor Josephine C. Matela, Trustees Morton Wexler, James E. Whipple, Norman J. Knapp; and Peter C. DeToy, DPW Superintendent Bradley B. Upson, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Treasurer Scott D. Rightmyer, Clerk Leslie A. Morelli.

EXCUSED: Village Attorney Edward W. Riley, Planning Board Chair / Economic Development Coordinator Scott Winner

ALSO PRESENT: Fire Chief Gregory B. Wing, Historian Emeritus William Andrews, Assistant Building Inspector Larry Vaughan, Bill Weber, Kathy Snyder, Louie Smith, Joanne Marcello, Marc Marcello, Jon Marcello, John Lessord, Fred Webster, Robbie Hess (Suburban News), Bill Pettine (Brockport Post).

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

REVIEW OF MEETING MINUTES: Mayor Matela called for any additions or corrections to the minutes of the regular meeting held December 2, 2002.

➔ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried that the minutes of the meeting held December 2, 2002, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT (1st opportunity):

1. Bill Weber of 333 Main Street asked if a study had been commissioned regarding relocating the museum to 60 Clinton Street. Mayor Matela said yes. A CLG grant of \$15,000 was obtained and \$10,300 was paid to Bero Associates for the study. B. Weber asked if the Village has placed any verbal or written offers in on 60 Clinton Street. Mayor Matela said the Greater Brockport Local Development Corporation (GBLDC) has made an offer to property owner Chuck Ladue.

GUESTS:

1. Joint Recreation Commission – Certificates of Appreciation for Brockport Representatives – Current Brockport representatives to the Brockport-Clarkson-Sweden Joint Recreation Commission (Jarl Boyst, Neal Kemp, Lynwood Vandenberg, Diane Wexler, James Whipple) and director Scott Fake were invited to attend the meeting if they wished. Only Trustee Whipple was in attendance. Mayor Matela read the following certificate of appreciation to be sent to each of them. Certificate of Appreciation Presented in recognition for Volunteer service to the Village of Brockport as a member of the Joint Recreation Commission. With gratitude from your community. Presented this 16th day of December 2002. Signed by the Mayor and Trustees.

Trustee Knapp said he fully supports the certificates of appreciation, but questioned whether the Joint Recreation Commission needed to be officially dissolved by resolution. He said he is still against the dissolution of the Joint Recreation Commission. Mayor Matela said Supervisor Lester was to forward information regarding the dissolution including a financial accounting. Trustee Knapp said he does not recall Supervisor Lester being the supreme commander of the Commission. Mayor Matela asked Treasurer Rightmyer to follow up on this. Trustee Whipple said he knows there is some money left over as well as some assets that need to be liquidated. These include such things as gators and golf carts. Trustee Wexler said he thanks all involved in making the program successful for so long. He had hoped it would end in a better fashion. Trustee Whipple said JRC programs are still in session through December 31st. Director Fake had hoped the new Sweden – Clarkson Community Center would replace the programs offered by the JRC. It appears many programs will not be replaced. They will be greatly missed by the community.

2. Jon & Marc Marcello of the Village Pantry at 58 North Main Street shared that they have completed the paperwork that changes their “doing business as” DBA from the Village Pantry to 58 Main. They understand that the Village Board has some concerns about their proposed exterior signage referring to the name 58 Main when the address of the business is 58 North Main Street. There is a 58 Main Street in the historic commercial district down the road, which is a law office. They feel 58 Main is catchy, but 58 North Main is not. The Marcello’s said 911 has them as 58 Main Street and does not include the North. They propose the awning script will read Fifty Eight North Main, but the protruding sign will not include north.

Trustee Whipple said he is concerned about confusion in the case of emergency of two businesses with the same address and wondered if they thought it would be confusing. L. Vaughan said they should be sure the telephone company lists them as 58 N. Main Street. Chief Wing suggested that 911 be updated with the new business name and specific address for their commonplace files. Trustee Knapp asked if the pay phone outside is theirs of Frontier’s. M. Marcello said there is one Frontier pay phone outside. He further said they would

cover all bases with a fine toothcomb. Chief Wing said having 58 N. Main along the front would be helpful. Other than that, he has no problem with it. S. Zarnstorff said it could cause confusion, particularly in a high traffic area and with a lot of commuter traffic and cell phone use. Response times could be delayed a bit. S. Zarnstorff said the address would need to be on the front of the building in numbers as well since cursive writing does not satisfy the requirement. L. Vaughan commented that if an unfamiliar emergency responder goes to the wrong 58 Main, at least they are not far from each other.

J. Marcello said eventually he wants everyone to know the business as "58 Main". Mayor Matela said the Board and staff want to protect all interests. Trustee DeToy asked if they had made a decision on the wording of the front sign. They previously changed their minds about "bar" after speaking with the Planning Board. J. Marcello said they have 24 hours to come up with the wording before they order the signs. They may go with "fun, food, and drink".

→ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried to allow the signage as proposed by Marc and Jon Marcello for the Village Pantry at 58 North Main Street, now to be known as 58 Main.

Trustee Wexler thanked the Marcello's for their involvement with the Candlelight Walk. They provided the chili.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Bradley B. Upson

1. Happy Holidays – drive carefully!

B. POLICE / COMMUNICATIONS CENTER – Chief Daniel P. Varrenti

1. Request permission to hire part-time officer Jeremy J. Tanner – Chief Varrenti reminded the Board that they approved the hiring of 2 additional part-time police officers. Two candidates have been identified. An extensive background investigation has been completed by the Brockport Police Department relative to Jeremy J. Tanner. He currently is employed as a part time Monroe County Sheriff's Deputy assigned to the Monroe County Airport. He is also employed on a full time basis by the Irondequoit Police Department as a booking clerk. His background is impeccable and he comes highly recommended by both the Monroe County Sheriff's Department and the Irondequoit Police Department. Chief Varrenti recommended that the Village hire Mr. Tanner as one of two pre-approved additional part time police officers for the Brockport Police Department.

Trustee Knapp asked how many hours he would be working and what his availability is. Chief Varrenti said per the current Stetson Club contract, which he indicated he is not happy with, but bound by, a part-time officer cannot work more than 33 hours for 8 consecutive pay periods. Chief Varrenti said regarding his availability, Mr. Tanner indicated that if Brockport hired him, he would give up the 20 hours per week he works at the Monroe County Sheriff's Department. His full time position with Irondequoit is Monday through Friday 8am to 4pm.

→ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried authorizing the hiring of Jeremy J. Tanner as a part-time police officer.

2. Stop DWI Checkpoints – Chief Varrenti reported that the 3 checkpoints within the Village over the last couple of months have been very successful and provided mostly positive interaction with the public. They made 3 DWI arrests. One refused to take the test and their license was revoked. One had a .14 blood alcohol content and one had a .18 blood alcohol content. In addition, 4 traffic summons were issued. Chief Varrenti distributed a copy of the flyer distributed to those checked.
3. Neighborhood Empowerment Teams – Chief Varrenti reported that another meeting was held recently and Block Captains were appointed. Information will be forthcoming on the website. The next meeting is January 30th. A complaint form has been generated where neighbors can fill it out and get it to their Block Captain who then gets it to the Police Department and on back. Chief Varrenti thanked S. Zarnstorff and Trustee Wexler for participating in the meetings.
4. Stetson Club – Chief Varrenti reminded everyone that the Stetson Club is sponsoring a free movie at the Strand on December 21st at 11:30am for 12 and under. Santa may stop by for a visit as well.
5. Happy Holidays!

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

1. Monthly Report – S. Zarnstorff said he would review the year-end report to come in January.

- 2. Property Maintenance issues – former Kleen Brite – 100 Fair Street – S. Zarnstorff and L. Vaughan shared that they have been monitoring the former Kleen Brite property at 100 Fair Street since late summer, once the buildings were empty of employees. There is no heat or electricity and a great potential for large loss of water if pipes should freeze and burst. The property owner, James Manno, has not satisfactorily responded to concerns raised to him. The owner does not appear to have the financial ability to maintain the buildings in the appropriate condition. The Village has no right of entry. Fences and gates prevent being able to tell what is going on. There is a potential for a catastrophic fire due to wood/timber construction. The water has been shut off and there is a report of barrels of chemicals having been left behind. A maintenance plan is necessary, but is not coming voluntarily. Therefore, court actions need to be pursued. Code Enforcement has tried to make it very clear to the property owner that this is serious. Besides health and safety, the property needs to be kept economically viable for potential buyers.

Kathy Snyder asked if the Village has contacted NYSDEC since there are chemicals in the building and asked if anyone knows what the chemicals are. L. Vaughan said they just learned of the chemicals and were told they are old lab chemicals. Chief Varrenti said there might be enough to go on to give a deposition to the NYSDEC for them to execute a federal warrant. Chief Varrenti suggested they also contacted Monroe County Health Department officials.

Mayor Matela agreed that this is an unsafe and dangerous public nuisance. S. Zarnstorff said they have tried for voluntary compliance and would like a mitigation plan. There are immediate and long-term issues. L. Vaughan said it has been complicated and time consuming. It is a new situation for the Village.

The Board reviewed a proposed resolution. Trustee Knapp said he is in favor of the resolution, but suggests interjecting “contacting other agencies as needed such as NYSDEC, NYS or Monroe County Health Department and OSHA. S. Zarnstorff said it is implied in the body of the resolution by “local and state”. Trustee Wexler said the Village should do whatever needs to be done.

→ Trustee Knapp moved, Trustee DeToy seconded, unanimously carried adopting the following resolution:

RESOLUTION REGARDING KLEEN-BRITE PROPERTY AT 100 FAIR STREET

- WHEREAS, Kleen-Brite Laboratories, Inc. has been closed for approximately 18 months; and
- WHEREAS, owner James Manno and Associates abandoned the property; and
- WHEREAS, attempts to discuss certain public safety issues with the owner concerning the safety of the buildings and grounds have gone unanswered; and
- WHEREAS, as of this date no meaningful discussions and/or acceptable remediation have occurred to assure the property is in a safe and secure condition.

NOW, THEREFORE, BE IT RESOLVED:

That the Village Board hereby declares the abandoned industrial property at 100 Fair Street in the Village of Brockport as an un-safe and dangerous public nuisance.

The Village Board authorizes the Building Department to proceed with administrative and/or judicial proceedings in local court and/or New York State Supreme Court, or any other agency deemed necessary such as NYSDEC, OSHA, NYS or Monroe County Health Department, etc. to obtain the necessary order(s) permitting inspections and to seek enforcement of applicable local and state code provisions regarding vacant/unsafe/abandoned buildings/properties.

Said resolution also states that based on the actions of the owners, and the exclusion of the Village code enforcement officers from said premises, that the Village of Brockport takes no responsibility for damages to persons or property that may result from unsafe conditions of the buildings/properties, and the Village of Brockport also disclaims all responsibility and liability therefore to the owner and any third parties who may become involved.

Any costs incurred by the Village shall be borne upon the property.

Motion for adoption of this resolution by Trustee Knapp. Seconded by Trustee DeToy.

VOTE BY ROLL CALL AND RECORD:

Trustee Morton Wexler Aye
Trustee James E. Whipple Aye
Trustee Norman J. Knapp Aye
Trustee Peter C. DeToy Aye
Mayor Josephine C. Matela Aye

UNANIMOUSLY CARRIED.

D. FIRE - Chief Gregory B. Wing

1. Membership Adds/Drops/Transfers – None
2. Call Load – YTD Fire: 1,015 YTD Ambulance: 1,527 There have been 70 fire and 60 ambulance calls in the last two weeks alone. So far they are 400 jobs combined more than last year's total. The final year-end report will be available in January.
3. Replacement of Assistant Fire Chief's Vehicle – Chief Wing shared that it is time to replace the Assistant Fire Chief's vehicle. The current one is 8 years old with over 90,000 miles and the brakes just failed. The best state bid price for a new Ford Explorer is \$21,098 from Motors Fleet in New Jersey. Brockport Ford, who can usually beat state bid price, cannot. The best they can do is \$800 higher. Mayor Matela asked what amount was budgeted for this. Chief Wing said \$23,000. Mayor Matela asked if they usually purchase an extended warranty. She said it is often worth the few hundred dollars. Trustee Knapp commented that an extended warranty now runs \$1,500 to \$1,800, but that it should be considered. Treasurer Rightmyer said the Village is not required to go out to bid if it is on the state bid list. Trustee Knapp said this saves the cost of a legal notice. Mayor Matela asked if they plan to bid out the old vehicle. Chief Wing said yes, the same as is done with the old police cars. Chief Varrenti commented that particular dealers usually buy old fire and police vehicles for pool fleets. Chief Varrenti further shared that these cars are run very hard. The transmission on the 3-year-old Chevy just went at a tune of \$3,000. He said the Chevy Impala police cars are junk compared to the Ford Crown Victoria police cars. Superintendent Upson said the warranty work could be done locally (Brockport Ford). Chief Wing said yes.

Bill Weber said it is worthwhile to ask the vendor if they are willing to take the old vehicle in trade. Chief Wing said he would pass the information and questions on to Assistant Chief Warner.

→ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried authorizing the purchase of a new Ford Explorer for the Assistant Fire Chief at state bid cost of \$21,098 from Motors Fleet in New Jersey with the proviso that he look into the extended warranty and trading in the old vehicle.

4. Death of Former Member Richard (Rick) Sanderson – Chief Wing thanked everyone for his or her support after the car accident death of former Fire Department member Richard (Rick) Sanderson. The Strong Memorial Hospital Employee Assistance Program (EAP) was great. There was a representative at the firehouse within 45 minutes to help members with the loss.
5. Happy Holidays! Drive carefully. Drink responsibly. Designate a driver.

E. TREASURER - Scott D. Rightmyer

1. Med Ex Renewal Contract – Treasurer Rightmyer said there are a few changes in the renewal contract. He has forwarded it to Attorney Riley for review. The Board can consider its renewal at the next meeting. The Fire Department needs to complete a few forms.
2. Med Ex Billing Rates - Treasurer Rightmyer said the average increase is 4%. He has applied 5% to the rates for consideration. They show the lows, highs and averages of the charges among the different municipalities. The Board can set the rates at the next meeting.

→ Trustee Knapp moved, Trustee Wexler seconded, unanimously carried, to table the contract renewal and rate setting until the January 6, 2003 meeting.

F. CLERK - Leslie A. Morelli

1. Happy Holidays!

G. ATTORNEY – Edward W. Riley / 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 Leslie Zink (absent)
- C. ZONING BOARD OF APPEALS - Chair Jennifer Skoog-Harvey (absent)

VILLAGE BOARD REPORTS:

- A. Vice Mayor Wexler
 - 1. Happy Holidays!
 - 2. Candlelight Walk – Trustee Wexler thanked Inga Songbird and everyone involved in this year’s Candlelight Walk.
 - 3. Fire District – Trustee Wexler suggested the Board and Fire Chiefs discuss the possible Fire District at their next workshop meeting, January 27, 2003.
 - 4. Dispatchers – Trustee Wexler said for planning purposes and fairness to all, the direction the Board is going regarding dispatching needs to be finalized soon.
- B. Trustee Whipple
 - 1. Happy Holidays! Be kind to outdoor workers in such cold weather.
 - 2. Board of Water Commissioners – Rate Increase – Trustee Whipple shared that the Board of Water Commissioners has to pass along a rate increase from Monroe County Water Authority. Beginning February 1st there will be a rate increase of 5 cents per 1,000 gallons. Treasurer Rightmyer said this translates to a 1.7% increase. Trustee Wexler asked if the MCWA provided any advance notice of their rate increase. Treasurer Rightmyer said they usually do, but did not announce it this time until it came with the bill received December 11th.
- C. Trustee Knapp
 - 1. Happy Holidays! Drive safe and drive sober.
- D. Trustee DeToy
 - 1. Happy Holidays!
- E. Mayor Matela
 - 1. Requested Use of Sagawa Park – Board agreed to further consider a policy at their January 27th workshop. Any non-Village sponsored requests to use Sagawa Park until a policy is put in place will be denied.
 - 2. Authorize CLG grant application – concept plan for Main Street reconstruction – Historian Emeritus and Historic Preservation Board member William Andrews asked the Board for a commitment to spend up to \$2,000 toward a \$5,000 estimated cost for a conceptual plan of the reconstruction of Main Street. In 2006, the NYSDOT plans to reconstruct Brockport’s Main Street and West Avenue. They have indicated that if the Village were to produce a plan, they would view the proposal sympathetically.

The cost of putting the plan together would be eligible for Certified Local Government (CLG) grant money. Chatfield Engineers estimates the cost of the study to be no more than \$5,000. The Village of Brockport is one of only 45 Certified Local Governments in the state and one of two in Monroe County besides the City of Rochester. Brockport has received 6 CLG grants – more than any other in the state. They have a requirement of a 40% match. However, the requirement has never been enforced. Therefore, none of the Village’s CLG matching commitments have had to be used. CLG is funded by the National Parks Service through the State Historic Preservation Office. This particular grant would be for \$3,000 with a matching commitment of \$2,000. The planner would not necessarily be Chatfield Engineers. The group would work closely with B. Upson and would involve community input. An idea discussed thus far has been paving the Historic Commercial District of Main Street with red brick. Other ideas would be incorporated to preserve and enhance the Historic District.

Trustee Knapp asked if any other community had undertaken such a project. W. Andrews said the CLG Director told him of a similar project in Morrisville.

→ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried to commit to 40% matching not to exceed \$2,000 for said CLG grant.

Mayor Matela further shared that there is also a grant application in the works for \$50,000 in CDBG monies to subsidize property owners in the Historic Commercial District to restore and improve their facades.

3. Fire District – appoint citizen representative – hold until workshop
4. Candlelight Walk – Mayor Matela thanked Inga Songbird and all who participated in this year’s Candlelight Walk. The turnout was not great because the weather was so bad.
5. Happy Holidays!

PUBLIC COMMENT (2nd opportunity): None

AUDIT:

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

<u>Village</u>		
Date	Check #	Amount
12/16	166803-837	198,957.35
12/16	166838-856	8,269.22
 <u>Fire</u>		
12/16	166777-802	17,363.95
12/02	166762-763	57,232.70
 <u>Ambulance</u>		
12/16	166771-776	750.58
 <u>Capital Projects</u>		
12/11	1549-1550	82,016.23
12/16	1551-1552	2,495.00
P.35	82,016.23	
P.27	2,495.00	
P.49	6,707.07	
 <u>Third Party Billing</u>		
12/16	138	1,905.80

ADJOURNMENT:

➔ Trustee Knapp moved, Trustee Wexler seconded, unanimously carried that the meeting be adjourned at 9:10pm.

Leslie Ann Morelli, Village Clerk