

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Village Hall Conference Room 49 State Street Brockport, New York, July 10, 2012 at 7:00pm.

PRESENT: Mayor M. Connie Castañeda, Trustee William G. Andrews, Trustee Margaret B. Blackman, Trustee Carol L. Hannan, Clerk Leslie A. Morelli

EXCUSED: Trustee Kent R. Blair

ALSO PRESENT: Joan Hamlin, Mary Ann Thorpe, Brian Winant, Pam Ketchum, Susan Smith, Linda Ketchum, Sriram Bakshi, Eduardo Galan, Susan Donk, Darlene Krause Lang, Val Ciciotti, Fred Webster, Norm Giancursio, Dan Donovan, members of William Andrews family

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

MOMENT OF SILENCE: to honor those that serve our Country, enforce our laws, & respond to emergencies

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

OATH OF OFFICE: swearing in of William G. Andrews & Margaret B. Blackman as Trustees

Clerk Morelli said she swore in Trustee Andrews this afternoon. He has asked former Mayor Mary Ann Thorpe to do so ceremonially this evening. She will swear in Trustee Blackman.

Mary Ann Thorpe said she remembers when Bill came to visit her during her term as Mayor some years ago. He didn’t come to complain, but to volunteer his services to the Village. She said she wondered if he could be real.

Mary Ann Thorpe swore in William G. Andrews.

Trustee Andrews read the following prepared statement:

Thank you, Mary Ann for those kind comments.

Madame Mayor, may I take a few minutes for a brief response? Thank you.

First of all, I wish to thank the many friends who made this moment possible. My running mate, Margay Blackman was an indispensable guide through the campaign process. Our campaign was organized and run by a truly excellent, hard-working committee. Hanny Heyen was its chair and was superbly organized and tireless. Jackie Davis was our treasurer. Linda Ketchum organized the petition campaign. Bernie Lo Bracco was in charge of lawn signs. Glenn Emerson produced our flyers. Other members of the committee included Pete and Carrie Maziarz, Sri Ram Bakshi, Ray Duncan, Wally Borowiec, Pam Ketchum, Laura Emerson, Carol Hannan, Scott Winner and Linda Negus. Eighteen people carried petitions and helped with the door-to-door canvassing. Many others were supportive in ways too numerous to mention. Most of all, I wish to thank the 575 voters who expressed their confidence in my ability to do this job, 70 percent of the voters.

I asked Mary Ann Thorpe to do me the honor of this ceremonial swearing-in because—well, because she is more responsible than anyone else—for getting me into this mess. She gave me the first few shoves that sent me sliding down the slippery slope to my present predicament.

As mayor, she responded enthusiastically when Kathy Goetz and I and the other members of the Historic Preservation Committee of the Western Monroe Historical Society proposed that the Village adopt an historic preservation law. She appointed me to that Board. She accepted our proposal to amend the law to make us eligible for Certified Local Government status and access to its grants program. And she appointed me Village Historian.

I was lured into that involvement because I observed and admired her leadership style. I saw how she worked respectfully and collaboratively with the other members of the Board and the Village staff, how she kept open all lines of communication and fostered a spirit of teamwork. And I thought, “Boy, it’s easy and fun to run the Village of Brockport” and I became involved.

Well, I am well aware that it is no longer so easy or so much fun. I’m reminded of the story Abraham Lincoln told of the guy who was such a big troublemaker that his fellow citizens tarred and feathered him and rode him out of town on a rail. As he was passing one of his friends, he was asked, “Well, Joe, how do you feel about things now?” Joe replied, “Well, if it weren’t for the honor of it, I’d just as soon walk.”

Well, I'm not along for the ride. I don't think being a Trustee is easy or fun and I'm not in it for the entertainment. I don't have all the answers to Brockport's problems or even any answers. But I intend to work with all of the other members of the board, respectfully, constructively, and in the kind of collegial atmosphere that existed when Mary Ann lured me down this path. Thank you.

Clerk Morelli swore in Margaret B. Blackman.

Trustee Blackman said she does not have a prepared statement nor did she invite anyone to swear her in ceremonially as she had done so when she last took office. She said she is looking forward to her new term. She welcomed Trustee Andrews to the Village Board. She looks forward to working with him in this capacity and admires his even-handedness in decision making.

GUESTS:

- Eduardo Galan – peddling & soliciting application – taco & enchilada stand at 11 N. Main Street to 12/31/12 – Mayor Castañeda reminded the Board that E. Galan was at the last meeting and was asked to provide some additional information. He did so and it was included in the meeting packet.

Trustee Hannan asked E. Galan if he was willing to close at 2am instead of 3am as discussed at the last meeting. E. Galan said yes. She said that would be good as the same was asked of a previous similar applicant.

Trustee Blackman asked if the concession trailer would sit on his property at 11 N. Main Street all the time or just when it is open for business. E. Galan said all the time for the duration of the permit. It would be situated on the concrete slab from the building that used to be there.

Trustee Blackman said she is concerned that the appearance of the concession trailer is really not in keeping with the Main Street commercial district. However, the Village Code does not address concession trailers, just storage trailers.

Trustee Blackman asked if it operates on propane. E. Galan said yes. There is also electric available.

Mayor Castañeda asked if he was still considering building a building if the concession trailer is successful. E. Galan said yes. He would like to give it time to see if it goes over. He does well with it in Medina.

→ Trustee Hannan moved, Trustee Blackman seconded, carried 4/0 to granted the peddling and soliciting application for 5pm to 2am daily through December 31, 2012.

The Board is in hopes that the business does well and looks forward to the possibility of E. Galan's plans to build an actual building to replace the concession stand.

PUBLIC COMMENT:

- Sriram Bakshi of Evergreen Road – congratulated Trustee Andrews on his election and Trustee Blackman on her re-election and gave all Board members and Clerk a rose.
- Bill Bird of Clark Street – said he attended the July 4th Children's Parade of the Western Monroe Historical Society as part of the Morgan Manning House's events. He expressed concern that the children and parents assembled at Remembrance Park at the Park Avenue triangle and that there was not proper placement of barricades or Police presence. He said the Fire Department wasn't even notified.

Mayor Castañeda said the Department Heads including the Fire Chief were notified and were actually part of the parade route recommendation made to the Board. The route taken was in place of the original request for Main Street.

B. Bird said usually Fire Department members get paged when an event is to take place. He didn't get notified. He said he doesn't want to get involved in the politics as to if and how Police coverage can take place, but he hopes the Board plans for such in the future as there are safety concerns. He said if the Police can't do it, the Village could probably ask the Fire Police to cover.

Mayor Castañeda said the concerns will be taken seriously and discussed at the next Department Heads meeting.

CONSENSUS ITEMS:

- **APPROVAL OF MINUTES:**

Mayor Castañeda said just before this evening's meeting she mentioned to Clerk Morelli that a short conversation between she, Trustee Hannan and Attorney Leni was missed on page 6 of the 6/26

minutes. Clerk Morelli said she is awaiting the statement read by Trustee Blair as well.

→ Mayor Castañeda moved, Trustee Hannan seconded, carried 4/0 to table approval of the minutes of the 6/26 meeting until next time.

• APPROVAL OF BILLS TO BE PAID

→ Trustee Blackman moved, Trustee Hannan seconded, carried 4/0 that the bills be allowed and paid upon audit.

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	7/10/12	\$105,080.37
	7/10/12	\$1,742.79
FUND (F): <u>Water</u>	7/10/12	\$61,691.96
	7/10/12	\$558.70
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	-	-
		\$169,073.82 grand total

CLERK REPORT:

- Clerk – Leslie Ann Morelli
 - Village Code – Clerk Morelli referred to the information she forwarded to the Board, Attorney, Treasurer and Department Heads on July 3rd. She said a couple of months back she met with the General Code representative about various Local Laws adopted since the last code book update in 2008. Some may recall that due to financial constraints and anticipated further changes, she was told to hold off on having the updates done. It really shouldn't be put off much longer. Instead of doing it the same old way, she had learned a while back of e-code 360 at a Village Clerks Association meeting and requested a proposal and some detailed brochures about it. She said she told the General Code rep that she would propose this and give her the opportunity to come to either a Village Board meeting or work session to do a demo and explain the benefits of upgrading rather than simply continuing to insert into our numerous odd-sized Village Code books with no technological features. Then she read the new Sweden town newsletter yesterday and saw an article that they've just gone to it. She suggested the Board allow her to schedule a demo on this at a Village Board meeting in which the Treasurer, Department Heads and Attorney are present.

Board concurred and suggested scheduling this presentation at the beginning of the 8/28 meeting.

• PERSONNEL ITEMS:

- Welcome Center membership add:
- Trustee Hannan moved, Trustee Blackman seconded, carried 4/0 to appoint Judith Waldock as a Welcome Center Greeter.

OLD BUSINESS:

- Historic Preservation Board – upper loft apartments feasibility study – downtown historic commercial district – authorize grant application through NYS Consolidated Funding Application system for partial subsidies and authorize Village Attorney to proceed to arrange for tax abatement provisions –

Trustee Andrews shared that the architectural study portion of the loft apartments feasibility study is nearing completion and the owners of the properties listed below in the historic commercial district have expressed the wish to continue to participate in the program by exploring the possibility of creating loft apartments or similar upgraded spaces in their buildings. Therefore, on behalf of the Historic Preservation Board, he asks the Village Board to instruct the Village Attorney to proceed to arrange for tax abatement provisions at the Village, Town, School District, and County levels for eligible participants in the study as it agreed to do in authorizing the application for the funding that financed this project.

The eligible properties are: 60 Clinton Street, 73 Main Street, 71 Main Street, 17 Market Street, 14 Market Street, 46-50 Main Street, 84-88 Main Street, 78 Main Street, 82 Main Street. At the same time, HPB has initiated the fourth phase of this project which is to seek outside grants to subsidize the costs of the necessary conversions.

→ Trustee Blackman moved, Trustee Hannan seconded to adopt the following resolution:

RESOLVED

That the Historic Preservation Board of the Village of Brockport is hereby authorized to apply for a grant

through the New York State Consolidated Funding Application system to finance partial subsidies for

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upgrading upper-floor space in eligible buildings in the historic commercial district of the Village for use as loft apartments or other appropriate purposes. It is understood that this entails no financial commitment by the Village other than modest in-kind support to administer any grants received.

Discussion:

Mayor Castañeda said she spoke with Village Attorney Leni on this. She said the Board should be provided with a copy of the feasibility study when completed. He was fine with pursuing the grant application, but suggests holding off on the tax abatement component work at this point.

Trustee Andrews said that would be fine. There is no urgency on the tax abatement component.

VOTE BY ROLL CALL AND RECORD

Trustee William G. Andrews	Voting yes
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Absent
Trustee Carol L. Hannan	Voting yes
Mayor Maria Connie Castaneda	Voting yes

Carried 4/0

NEW BUSINESS:

- o Bid Results – One (1) New 2012 Backhoe/Loader – Board reviewed the bid results. Clerk Morelli shared that DPW Superintendent Donahue and Treasurer Hendricks met on this today. DPW Superintendent Donahue recommends the purchase from Milton CAT as per bid. They were the lowest bid that meets the bid specifications outlined.

→ Trustee Blackman moved, Trustee Hannan seconded to award the bid to Milton CAT for the purchase of one (1) new 2012 Caterpillar 420F IT backhoe loader at \$93,711 minus \$70,000 trade allowance for 2009 Caterpillar 420E ST backhoe loader for a net trade price, delivered \$23,711.

Discussion:

VOTE BY ROLL CALL AND RECORD

Trustee William G. Andrews	Voting yes
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Absent
Trustee Carol L. Hannan	Voting yes
Mayor Maria Connie Castaneda	Voting yes

Carried 4/0

VILLAGE BOARD REPORTS:

- o Mayor M. Connie Castañeda
 - 100 Fair Street – Mayor Castañeda shared that she has learned the former Kleen Brite property at 100 Fair Street has been sold. The new owner is cleaning up and improving the condition of the property. More information to come as to the new owners plans.

- Sidewalk Sale - Mayor Castañeda encouraged support of the Brockport Merchants at their annual Sidewalk Sale this Thursday through Saturday in the Downtown Historic Commercial District.

- o Trustee William G. Andrews
 - Salary – Trustee Andrews said he is pleased to serve on the Village Board. He said he plans to regard his service as a volunteer activity like he has all his other efforts. He intended not to take the Trustee stipend, but understands the Village must cut him the monthly check.

Therefore, he plans to do what some recent Trustees have done and that is to donate it to various good causes throughout the Village.

- o Trustee Margaret B. Blackman
 - SUNY SERC – Trustee Blackman shared that SERC (Special Events Recreation Center) has opened on the SUNY campus. It is open to the public. They are offering a very

inexpensive trial membership from 7/9 – 7/31 and then regular reasonable membership rates begin August 1st. She encouraged the public to check it out. It is a great addition to the campus and the community.

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- Building/Code Enforcement Office - Trustee Blackman expressed concern of the Mayor's intention to have the Building/Codes Officer and part time Clerk move from the Police Department back to Village Hall. She said since it moved from Village Hall to the Police Department in April of 2011 Code Enforcement has been more effective and efficient. Another relocation would be an unnecessary expense to be borne by the taxpayers this time.

- Trustee Kent R. Blair (excused)

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- Trustee Carol L. Hannan

- Building/Code Enforcement Office – Trustee Hannan expressed concern of the Mayor's intention to have the Building/Codes Officer and part time Clerk move from the Police Department back to Village Hall. She referred to information that Chief Varrenti provided to the Board:

“When the code enforcement officer and his assistant were moved to the police department, offices had to be built, phones lines moved and IT lines added, etc. The total cost to accomplish this, including the building of the offices by DPW was \$3,983.89.

The total cost of the renovation and other additional costs were obtained from the Federal Asset Forfeiture line. Federal Asset Forfeiture money is obtained via the Federal Government, specifically the Drug Enforcement Administration, and is money that has been seized during narcotic investigations and ultimately returned to police departments that have participated in said investigations. There are very strict guidelines as to what the money can be spent on, insurances that the money doesn't supplant the budget of the municipality, that the money spent is used to enhance enforcement efforts by the municipality, etc.

In order to ensure that we were allowed to expend a portion of this fund for the relocation of the Code Enforcement Offices, I obtained permission o do so from the U.S. Attorney's Office located in the Western District of NY and also the U.S. Attorney's Office located in Washington, D.C. before any construction began.

Since it is my understanding that the Code Enforcement Office may now be relocated back to Village Hall at 49 State Street it would appear that the money wasn't spent as originally intended or as conveyed to the U.S. Attorney's Offices. Should the relocation of the Code Enforcement Office occur back to 49 State Street, then without question the Federal Asset Forfeiture Fund must be reimbursed in the amount of the original move \$3,983.89.

Failure to reimburse this fund may violate Federal Asset Forfeiture Guidelines and prohibit us from continuing to participate in this very worthwhile program.”

Trustee Hannan said per the Village's purchasing and procurement policy, projects over a certain threshold require Board approval.

Mayor Castañeda reminded the Board of the Village Attorney's recent confirmation to them, supported by NYCOM, that the motion made by then-Trustees and opposed by her to relocate that office from Village Hall to the Police Department was illegal as the Trustees had no authority to direct that move. They should have waited until the referendum on supervision of the Code Enforcement took place. Trustees have no authority to direct employees. She said she looks at the results of the referendum as a public mandate. Many members of the public have feel uncomfortable and inconvenienced having to go to the Police Department for Building/Codes matters and still having to go to Village Hall for paperwork or to pay permits/fees.

- Welcome Trustee Andrews - Trustee Hannan welcomed Trustee Andrews. She said he is certain to find many worthwhile Village groups or projects to donate his stipend to, like she does. She suggested he consider helping to sponsor a Village float in this year's holiday parade.

- Efforts - Trustee Hannan said in her 2 years so far as Trustee she has worked on many of the issues and promises she made at campaign time. The work is challenging and not a day goes by where she doesn't do something in her capacity as a Village Trustee. She has 1 year to go in her term and will continue to give it her all. She said one thing she did not do was advocate for the removal of the Water Department. However, improvements have been made as to staff efficiencies and

cost effectiveness by purchasing new water meters and remote reading system. She said she has enjoyed working on the matters involving Village parking tickets, Village Court research and Clinton Street redevelopment planning. Before you know it Union contracts will expire 5/31/15 and contract negotiations will be needed.

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- Ad Hoc Housing Committee - Trustee Hannan shared that the committee continues to work towards a Habitat for Humanity house project and is looking for ways to save residents monies (i.e. energy).

ADJOURNMENT:

→ At 7:35pm, Trustee Andrews moved, Trustee Blackman seconded, carried 4/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk