

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 16, 2008 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee Carrie L. Maziarz, Trustee David J. Wagenhauser, Trustee Hannelore G. Heyen, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Village Manager / Treasurer Ian M. Coyle, Clerk Leslie A. Morelli.

EXCUSED:

ALSO PRESENT: Fire Chief Timothy Rombaut, Village Attorney David F. Mayer, Assistant Building/Zoning Officer Laurence C. Vaughan, Fred Montag, Ray & Jackie Morris, Norm GianCursio, Kevin Nunn, Jim & Joan Hamlin, Joe Territo, Wayne Bennett, Tony Perry, Karl Essler, Sharon Kehoe, Joseph Mauro, Norm Frisch, George Radford, Mary Jo Nayman, Margay Blackman, Giff Mosher, Linda Borrayo, William Heyen, Anita Wicks, Kathy Snyder, Tom Mayer, Claudia Hagenah, Everett Shaver, Rich Miller, Craig Ferguson, Gary Pringle, George Brocius, Rhett King, Bhim Madan, Nancy McCann, Jack Wahl, Hank Conradt, Mark Donahue, Vicki Sweet, John Lessord, Bob & Hollis Webster, Fred Webster, Renee Erbe, Ute Duncan, Herb & Phoebe McCauley, Roger Young, Robin Waller, SaraJo Mendez, Jose Mendez, Art Appleby, Cindy DeFelice, Cathy DeFelice, Mark Kristansen, Carol Hannan, Moira Flannery

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

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

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the last meeting.

- ➔ Trustee Castaneda moved, Trustee Heyen seconded, unanimously carried that the minutes of the action items at the workshop meeting held May 27, 2008, be approved as amended.
- ➔ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried that the minutes of the action items at the workshop meeting held June 2, 2008, be approved as written.

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

1. Septemberfest - Norm Frisch of White Road was in attendance to review his application regarding the annual Septemberfest, a community event of information, fun and fellowship hosted by the downtown churches to be held Saturday, September 13th from 10am to 4pm. He said they were pleased to have participation by the Village of Brockport and Town of Sweden as well as various service organizations last year. The street closure request application involves two parts. The first is to close the section of Erie Street between Main Street and Lincoln Alley as has been allowed in the past. The second is to close the section of State Street between Main Street and Park Avenue in an effort to expand and bring more events down State Street to incorporate the churches, Town Hall and Village Hall. Kids activities will take place on the grounds of the First Presbyterian Church, and he hopes the Town of Sweden and Village of Brockport will again have an information booth and that the Emily L. Knapp Museum & Library of Local History above Village Hall will be open for tours. He said he would be interested in involving the Police Department and Fire Department as well. They are also looking at the possibility of hosting antique cars. By being able to utilize this portion of State Street, activity can be brought down the street and not congest the sidewalks. The event will continue its Passport to Fun component with hosting destinations that allows participants to learn interesting facts and information about the community. N. Frisch said this is the first time it does not fall on the same day as the Morgan Manning Peddler's Market or the Operation Patriot motorcycle run.

→ Trustee Maziarz moved, Trustee Heyen seconded, unanimously carried to authorize the following street closures on Saturday, September 13th between the hours of 10am and 4pm:

- Erie Street between Main Street and Lincoln Alley
- State Street between Main Street and Park Avenue

and direct the applicant to contact the appropriate department heads prior to the event and direct Clerk Morelli to notify affected property owners of the street closures via mail a few weeks prior to the event.

2. Harvesting Hope for Farmers Workers Walk – Clerk Morelli said the applicant was unable to attend and asked the Board to consider the annual procession application for the Harvesting Hope for Farm workers fundraising walk to be held Saturday, September 13th between the hours of 9am and Noon. The route is the same as in years past and utilizes sidewalks.

→ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried to grant said procession license.

GUESTS: None

Introduction of camera operator – Mayor Wexler introduced Mark Croce, the Village’s new part time camera operator for Village Board meetings.

Farewell Trustee Maziarz & Trustee Heyen – Each Department Head and Board member gave their thanks and well wishes to Trustee Maziarz and Trustee Heyen for their service on the Village Board. Chief Rombaut presented Trustees Maziarz and Heyen with a certificate from the Brockport Fire Department.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Bid Results – 10-wheel cab & chassis truck – award bid – Request approval to purchase the 10-wheel cab and chassis based on low bid by Regional International at a cost of \$98,378.10, which is significantly, lower than state pricing of \$117,000. Funding to come from Water Department fund project 35.

→ Trustee Heyen moved, Trustee Castaneda seconded, unanimously carried to authorize such purchase.

2. Authorize purchase – dump box for 10-wheel cab & chassis truck – Request approval to purchase a Henderson Mark E dump box for new can and chassis truck, which in this case, is cheapest on state pricing. Made of stainless steel, it will add about 10 years to the overall life of the 15-year box for a total 25-year life expectancy. Total cost with installation and accessories including towing package and safety lighting and tarp system is \$45,185. The truck would have to go to Iowa from the distributor, but will take only 1 month versus 6 months if taken to Watertown. The distributor would pay all costs associated with transport.

→ Trustee Heyen moved, Trustee Castaneda seconded, unanimously carried to authorize such purchase.

Trustee Heyen commended H. Donahue for researching lower costs for the combined \$143,563 of the \$380,000 in the capital improvement program.

3. Authorize purchase – new tractor – Request approval to purchase a new tractor for use in parks and mowing at the former landfill. This would replace two old tractors, a 1997 John Deere and a 1968 Ford. In the past the older Ford was used for landfill mowing and roadside mowing while the John Deere was used for parks mowing, York raking and backup for the sidewalk plow. The new midsize tractor would fill the needs of both old tractors. John Deere has state pricing and has a tractor with a mower to fit our needs. Funding to come from the parks budget project 41. Purchase price of the tractor with mower, loader and cab for winter use is \$41,161.28 delivered. OnTrac, the local dealer, has offered \$9,600 for a trade in on the current John Deere. However, it may bring more through Auctions International.

→ Trustee Heyen moved, Trustee Castaneda seconded, unanimously carried to authorize such purchase.

Trustee Heyen said she was originally concerned of the parks reserve funds, however, there will still be \$50,000 with the sale of old equipment and since some of the Barry Street Park work is reimbursable.

4. Declare surplus – 2 tractors – Request to declare surplus and put on Auctions International website one 1997 John Deere 955 tractor with a mower and front loader and a 1968 Ford tractor with a brush hog. If the JD brings more through trade in, he can go that route.

→ Trustee Castaneda moved, Trustee Heyen seconded, unanimously carried to declare said equipment as surplus and put on Auctions International website.

5. National Grid – billing removals – referred to correspondence from National Grid in response to our street lighting audit by Troy and Banks. Numerous billing errors were uncovered. Troy and Banks estimates the Village’s refund will likely be in the thousands of dollars. Additionally, there were two bills at the Town of Sweden parking lot formerly in the Village’s name that will now be removed.

Trustee Castaneda said she is glad she recommended this audit of buildings and street lighting in 2005 and is happy the Village will be receiving a nice refund.

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→ Trustee Heyen moved, Trustee Castañeda seconded, unanimously carried to adopt the following resolution:

RESOLVED: National Grid is hereby authorized and directed to do the following work in the Village of Brockport, CSS Reference No.89752-92103:

Remove from billing: Pole 2A2 State Street: street light only pole and 250 watt high pressure sodium
Pole 2A3 State Street: street light only pole and 100 watt high pressure sodium

Note: In the event the Town of Sweden does not accept responsibility for these facilities, removal charges will be borne by the Village of Brockport.

6. Storm water Annual Report – for public review & set written comment period – Per NYSDEC regulations, the Village’s annual MS4 compliance report is complete and ready for public review and inspection. The report is available for review at Village Hall and on the Village website. The Village Clerk will accept public written comments until July 14th for consideration of adoption of the report at the July 21st meeting.

→ Trustee Castaneda moved, Trustee Wagenhauser seconded, unanimously carried to open the public written comment period on the draft report until July 14th.

Please take notice that the Village of Brockport will accept written comments to the attention of the Village Clerk 49 State Street, Brockport, New York until July 14, 2008 on its draft annual report for compliance with the Phase II storm water regulations. Complete text is on file in the Office of the Village Clerk, and may be inspected during normal business hours. It is also posted to the Village website brockportny.org. Acceptance of said report will be considered at the July 21, 2008 Village Board meeting.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

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

7:30pm PUBLIC HEARINGS: re proposed code amendments – Chapters: 20, 27, 36, 38, 39, 42, 46

Mayor Wexler said a lot of work goes into proposed code amendments and thanked Code Enforcement Officer Zarnstorff, the past and present members of the Code Review Committee, DPW Superintendent Donahue and Village Attorney Mayer and Deputy Attorney Aloj for their work.

→ Trustee Castaneda moved, Trustee Wagenhauser seconded, unanimously carried to open the public regular meeting and open the public hearing at 7:30pm.

Clerk Morelli read the following legal notice and confirmed that it was published in the Village’s official newspaper (Suburban News) and was posted on the Village’s website and bulletin board.

VILLAGE OF BROCKPORT
LEGAL NOTICE

Please take notice that the Board of Trustees of the Village of Brockport will hold a Public Hearing beginning at 7:30pm on Monday, June 16, 2008, in the Conference Room of the Village Hall, 49 State Street, Brockport, New York to consider proposed Local Laws of 2008 as follows:

- Amendments to Village Code
 - Chapter 20 -Flood Damage Prevention
 - Chapter 27 –Storm Water Management & Erosion & Sediment Control
 - Chapter 36 -Minimum Housing & Buildings Code
 - Chapter 38 –Limited Traffic Streets
 - Chapter 39 –Notification of Defects
 - Chapter 42 –Sewers
 - Chapter 46 –Trees / Vegetation

The text of these proposed Village Code changes is on file in the Office of the Village Clerk, and may be inspected during normal business hours. It is also posted to the Village website brockportny.org. All interested parties will be given the opportunity to be heard.

Village Attorney Mayer shared that the proposed code amendments related to Chapters 20, 27, 36 are largely by New York State mandate and allow the Village to fulfill functions it has been assigned. The New York State Building Code was amended and municipalities must provide provisions in their codes. Chapter 38 relates to keeping some heavy trucks off of residential side streets. Chapter 39 updates the provision to notify the Village of defects to include slips and falls not only on ice, but materials. Chapter 42 relates to sewer. Chapter 46 relates to trees and affects only Village owned property known as the right of way or tree lawn, which is customarily between the sidewalk and the street.

A member of the public expressed concern of the large crowd and questioned the conference room occupancy allowed by the Fire Marshal. Mayor Wexler said the Fire Marshal posted the occupancy as 60 persons seated and 20 persons standing for a total of 80. Mayor Wexler took a count and occupancy was slightly over the limit. A few members of the public exited, but over occupancy remained. George Brocius questioned if that number was new today, as it had previously been posted for 49 persons. Mayor Wexler said the occupancy calculations were based on the new State code.

Mayor Wexler said he was concerned of over-occupancy and last week directed staff to make alternate arrangements with a nearby church within walking distance from Village Hall, just in case relocation was necessary. G. Brocius objected to proper notice of relocation not being noticed in the paper and expressed concern of safety with such a large crowd in the conference room.

→ Trustee Castaneda moved, Mayor Wexler seconded to move the public hearing to the First Presbyterian Church, 3 doors down.

Discussion:

Trustee Heyen said when she heard of the alternate arrangement, she thought it might be in the meeting room of a church, but then learned that room was unavailable and use of the sanctuary was arranged. She said she wants the public to speak and said other viable options should have been looked at besides a church. Trustee Wagenhauser suggested postponing the public hearing to a later date. Trustee Maziarz suggested conducting the hearing at Village Hall as planned, but doing so in an orderly fashion, possibly in shifts, since so many took the time to attend.

Mayor Wexler said he understands there may be concerns of using a church, but more space is needed and the Board owes it to those that showed up to hear their comments. He said if the hearing were rescheduled, there would likely be as many in attendance then. Mayor Wexler reminded the Board that larger venues are limited. The only school building within Village limits is the Middle School and reservations are needed in advance. He said the Board called for this hearing fully aware of the possibility of such a large turnout. Whether the Board agrees with the comments some may make, the public has the right to comment.

Trustee Maziarz agreed, but had the Mayor planned for such, would have scheduled an appropriate alternate location and published it in advance. Mayor Wexler said he was willing to go elsewhere and said the church was chosen due to its proximity to Village Hall – within walking distance, only 3 doors down the street.

Trustee Castaneda asked if any Trustees expressed their concerns regarding use of a church prior. Trustee Heyen said she thought the late plan was to use a meeting room at the church, not the sanctuary. She questioned why the Mayor didn't solicit approval from the Town of Sweden to use the Senior Center. Trustee Wagenhauser said he made his feelings known and that use of a church sanctuary is not appropriate for a government meeting. He said he does not doubt that the public will return to a rescheduled hearing at a different location.

Clerk Morelli shared that although use of a church is not customary and usual, the meeting room at the Market Street fire hall is not handicapped accessible as stairs are involved and that use of it for a meeting in the past involved noisy alarms. The West Avenue fire hall does not hold many more than the Village Hall. The Town of Sweden courtroom is usually in session on Monday evenings. The Senior Center had apparently not been an option since the Village Board used it a few years ago for a public hearing.

Call to Question:

→ Trustee Castaneda, Mayor Wexler in favor, Trustees Wagenhauser, Maziarz, Heyen opposed to move the public hearing to the First Presbyterian Church – 3 doors down. Motion defeated.

→ Trustee Castaneda moved, Trustee Wagenhauser seconded, unanimously carried to adjourn the public hearing and return to the regular meeting at 7:55pm.

Building/Zoning Officer Zarnstorff reminded the Board that to avoid ramifications such as FEMA

proceedings to cancel the Village's participation in regards to those in the Village with flood insurance, Chapter 20 needs to be in place by August 1st per a state mandate.

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→ Trustee Wagenhauser moved, Trustee Heyen seconded, unanimously carried to reschedule the public hearing to a date in July, date, time and location to be determined. Such hearing need not be part of the July 7th workshop or July 21st annual organizational meeting. Notice will appear in the Suburban News and the Village website.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Timothy Rombaut

1. Calls for Service – Fire: 419 EMS: 932 Total: 1,351 year to date
2. Membership Drops & Adds – Chief Rombaut asked the Board to consider approving the following drops: none; the following adds: Chelsea Leigh Ray to the Explorer Post, Samantha Raymond from Ambulance only to Fire and Ambulance; Kyle Rombaut from Fire only to Fire and Ambulance; Robin Waller to Ambulance only; the following exempt certificates: none.

→ Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried to approve the previously mentioned drops, adds and exempt certificates.

3. Bid Results – triple combination pumper – award bid – Recommended awarding the bid to the lowest bidder, Colden Enterprises, for \$436,024. One other bid was received from Churchville Fire Equipment for \$450,327. The truck replacement committee has worked very hard for 18 months on this project. The committee reviewed the bids very carefully and the low bid meets specifications. This pumper would replace one that is 20 years old and would reduce the fleet from 5 to 4 pumpers to fit the needs of the district served.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, to award the bid to Colden Enterprises for \$436,024.

Discussion:

Trustee Heyen said she appreciates the committee having pared down the specifications some and said she knows they are planning to sell two pumpers. Chief Rombaut said one was already sold for \$6,000 and the other will likely sell for \$30,000 to \$50,000.

Trustee Wagenhauser said decreasing the fleet from 5 to 4 trucks is good and will require less maintenance costs. This has a 15-year warranty on the body. As liaison to the Fire Department, he has gotten quite an education and commended the committee for its work. He cited comparable trucks recently purchased by Batavia for \$430,000, Albion for \$480,000, Pittsford for \$475,000, Kendall for \$475,000. Chief Rombaut said the City of Rochester spends less, but only gets 10 years out of a truck. This truck will last 20 to 25 years. Trustee Wagenhauser said this purchase was budgeted for and the money allocated. It is a fiscally prudent plan rather than purchasing a lesser truck that won't last a long with higher maintenance costs.

Chief Rombaut said due to rising steel costs and fuel emissions requirements, the cost went up \$40,000 to \$50,000 just since going out to bid.

Trustee Castaneda said she spoke with Chief Rombaut previously, and she is grateful to the Brockport Fire Department and its dedicated volunteers who risk their lives to save others, and knows the Village has an obligation to equip and train them, she said she has a fiscal responsibility to the taxpayers of the Village of Brockport as well as the Towns of Sweden and Clarkson who contract for services. At times of economic crisis, she questions unnecessary upgrades in specifications and not considering more affordable alternatives to providing a truck to fight fires.

Mayor Wexler said he understands there are differences of paid versus volunteer fire departments and equipment. He said he has received comments from some of the Brockport Fire Department's own members on needs versus wants and costs. He said he certainly does not want to lose the volunteer fire department, but expressed concern of the cost of this truck. In 2003, such truck cost \$275,000. In 2008, it's costing \$436,000. That's a large increase. He said while the truck committee is being praised as a good committee, he stressed the importance of every department of the Village cutting costs where it can. Mayor Wexler reminded the Board that another good committee brought about a library budget that required the Board voting on several times. He said if the Board agrees to this price now, it could plan to pay that price again. He said the Board does not have to accept all recommendations of these good committees.

Trustee Wagenhauser said often buying quality saves money in the long run. He said he is no expert and leaves the recommending to the experts on the truck committee.

Mayor Wexler commented that it says something when some of the Fire Department's own members are concerned and understand the ramifications of such expense.

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Call to question:

→ Trustees Wagenhauser, Maziarz, Heyen in favor, Trustee Castaneda opposed, and Mayor Wexler did not vote, CARRIED 3 to 1 to award the bid.

4. Bid Results – ambulance – reject bids & re-advertise – Recommended rejecting the bids received and re-bidding due to a couple of pages of missing specifications per EMS Chief Vandervort. The bids results were likely artificially low and unacceptable. Manager Coyle said the issue was not price, but that the bidders did not get complete specifications.

→ Trustee Castaneda moved, Trustee Wagenhauser seconded, unanimously carried to reject the bids received and re-advertise for bids by Noon, Tuesday, July 8th.

5. Cleaner – appoint to fill vacancy – Recommended hiring Thomas Fintak to the position of part time cleaner for the Brockport Fire Department at a rate of \$10 per hour for 20 hours per week. He replaces Richard Dalheim who resigned a few months ago.

→ Trustee Wagenhauser moved, Trustee Heyen seconded to hire Thomas Fintak as part time cleaner for the Brockport Fire Department at a rate of \$10 per hour for 20 hours per week,

Discussion:

Trustee Castaneda asked if that is the rate the former person made. Chief Rombaut said yes. She asked if a professional cleaning service had been considered. Manager Coyle said it had been considered in the past, but is more costly. Trustee Maziarz said this gentleman is also qualified to do minor maintenance.

Call to question:

→ All in favor. Unanimously carried to hire Thomas Fintak as part time cleaner for the Brockport Fire Department at a rate of \$10 per hour for 20 hours per week,

6. ALS/Paramedics – appoint to fill vacancies – Recommendation per Ambulance Career Staff Administrator David Noltee to hire Cody Howe, Christopher O'Brien and Christopher Scata-Penny as part time Paramedics (EMT-advanced / ALS). Each received a score of 100% on the last Civil Service listing. Clerk Morelli confirmed receipt of Civil Service eligibility. Manager Coyle said this adds to the pool of available part timers and is not an increase to staffing level.

→ Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried to hire Cody Howe, Christopher O'Brien and Christopher Scata-Penny as part time Paramedics (EMT-advanced / ALS) at a rate of \$15.08 per hour for a maximum of 24 hours per week.

E. VILLAGE MANAGER / TREASURER - Ian M. Coyle

1. Celebrate Brockport Grant Program – Proposal deadline was last week. Two new proposals received. Manager Coyle recommends funding the Cool Kids at \$500 and the Merchants proposal at \$350. These will be placed on the next agenda for consideration.

F. CLERK - Leslie A. Morelli

G. VILLAGE ATTORNEY – David F. Mayer, Esq.

1. Frontier – offer of settlement and liability – Attorney Mayer referred to the Offer of Early “De-Minimus” Settlement received May 9th from the Frontier Chemical Site PRP Group. The Offer of Settlement and Liability Release was reviewed. This involves the Village's potential liability for disposal of hazardous substances at Frontier Chemical Royal Avenue Site from an estimated 400 gallons of materials sent by the Village to the site in the late 1980's. The offer is submitted by a group of large potentially responsible parties, each of whom has been named as a PRP by the NYSDEC. They have formed a working group to negotiate a settlement with the DEC. The amount in controversy is estimated to be approximately \$20 million dollars. The group has offered to waive its right to seek additional contributions from the Village if it pays the sum of \$4,000. This amount will cover litigation costs, remediation costs, and research fees. Since the total remediation costs are unknown, by accepting the offer, the Village won't have to worry about a claim for additional contribution made by any other PRP. The large group agrees to attempt to get the DEC to release the Village and other small PRP's. However, there is no guaranty that the DEC will release the Village, but the risk is somewhat reduced by the fact that the Village will receive credit for the \$4,000 payment against a hypothetical claim from the DEC. The settlement does not insulate the Village from

hypothetical claims filed by third parties. However, the risk is reduced by the practical consideration that a hypothetical third party is likely to sue the large PRP's and there would be an issue of statute of limitations to any such suit. Attorney Mayer recommended accepting the offer, contingent upon the large PRP group supplying a signed copy of the offer, accompanied by their representation that the signatory has the authority to bind all members of the group and an opinion of their counsel to that effect.

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Trustee Wagenhauser clarified that the Village did nothing wrong 1988-1990. It transported substances legally to a licensed site.

→ Trustee Wagenhauser moved, Trustee Castaneda seconded, unanimously carried to accept the Village Attorney's recommendation to accept the offer and pay the \$4,000 contingent upon the large PRP group supplying a signed copy of the offer, accompanied by their representation that the signatory has the authority to bind all members of the group and an opinion of their counsel to that effect.

VILLAGE BOARD REPORTS:

A. Mayor Morton Wexler

1. Parks Committee – appoint to fill vacancy –

→ Trustee Heyen moved, Trustee Castaneda seconded, unanimously carried to appoint Anita Wicks to the Parks Committee to complete a term to expire June 30, 2009.

2. Village Advisory Committee – appoint new members –

→ Trustee Castaneda moved, Trustee Heyen seconded, unanimously carried to appoint Eric Gekoski and Claudia Hagenah as members of the Village Advisory Committee.

3. Letter from Andrew Saul – Mayor Wexler read the following letter dated June 3rd into the record:

“As a Main Street resident, I am increasingly concerned with the amount of litter in the village.

Some of this is from windy trash days. I understand that.

However, much is due to littering. I understand that littering is against the law in Brockport. I was curious as to how many tickets per month are written for littering?

But this cannot be dismissed as a policing problem.

I notice that where I live, (141 Main Street), there are few village trash receptacles. Increasing the number of these might encourage proper litter disposal. The cost of providing these is not high, and the value of adding more to the community would be noticeable. In my opinion, an attractive village means good business and a high tax base. These help justify the cost of placing and emptying additional public trash receptacles.

I respectfully request the following:

- 1) That this letter be read at the next Board meeting
- 2) That a written response be provided to me after said meeting.

I look forward to both your positive action and to your reply.

Sincerely yours,
Andrew W. Saul”

Mayor Wexler commented that the resident means well and wants to keep the area clean. However, 141 Main Street is not in the downtown commercial district and that the Village doesn't usually place trash receptacles in the residential sections of Main Street.

Trustee Wagenhauser suggested this be discussed at the next workshop. Trustee Heyen suggested asking DPW Superintendent Donahue for his feedback.

B. Trustee / Vice Mayor Maria C. Castañeda

1. Updates –

- a. 5/22 – attended Memorial Day ceremony honoring veterans at the Middle School as did Mayor Wexler.
- b. 5/24 – attended Memorial Day ceremony at Brockport Area Vets Club as did Mayor Wexler and Trustee Heyen. Board discussed the BAVC request for funding assistance

to honor area veterans and approved \$1,000 at its last workshop. Donations are being accepted from the community for this monument.

- c. 5/30 - attended dedication of the Town of Sweden's first regulation size baseball field in honor of Coach Ed Nietopski as did Mayor Wexler.
- d. 5/30 – attended Historic Preservation workshop featuring Architect John Bero as did Trustee Wagenhauser.

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- e. 6/7 – coordinated Village participation in the 5th annual Canalway Trail Celebration with a concert by the Golden Eagle String Band and boat rides on the Rose Lummis. While there was not a large turnout due to the extreme heat and competition with other events, there were 50 or so in attendance including Mayor Wexler and Trustee Heyen. The dedication of the Walk Bike Brockport Action Group's Arts & Aesthetics Committee's fiberglass mule was postponed and will be rescheduled.
- f. 6/10 – Village Advisory Committee meeting – 2 issues related to building permits and an application before the Planning Board for a driveway expansion were raised. Trustee Castaneda followed up with S. Zarnstorff for clarification. A memo was sent to VAC members reminding them of the regular monthly meetings held the 2nd Tuesday at 7pm and requesting activity status by June 30th. The next meeting is July 8th.
- g. 6/12 – Summer Serenades concert series kicked off.
- h. Step Up Community Project – distributed flyers advertising Summer Serenades, secured a \$25 Wegmans gift card and is working with Wal Mart to donate flowers for Village Hall and some Village parks. Participants will be volunteering at the museum, Morgan Manning House and the Merchants Association sidewalk sale.
- i. 6/22 – Western Monroe Historical Society will be holding an open house from 3-5pm to celebrate recent renovations to the Morgan Manning House.
- j. 6/17 – Village elections Noon – 9pm at Village Hall – reminded residents to vote.

Mayor Wexler commented that in addition to some of the events listed above, on May 30th, he spoke at the 75th anniversary ceremony of the opening of Brockport's A.D. Oliver Middle School. He said he was there for the 25th, the 50th, and now the 75th.

C. Trustee Carrie L. Maziarz

- 1. BISCO – Arts Festival – Planning is well underway for the annual event to be held August 9th and 10th. There will be a slight change in transportation, as instead of using a small shuttle bus, they will save money and use a larger bus from Brockport Central School District. The turn radius will be larger and it will eat up some parking spaces. It is recommended to allocate the 6 parking spaces in front of the Welcome Center as handicapped parking for the event. She has already discussed this with Police Chief Varrenti.

→ Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried to allocate the 6 parking spaces in front of the Welcome Center at 11 Water Street as handicapped parking for the August 9th and 10th Arts Festival.

The wine tasting has been expanded to a 2-day event this year with Wegmans as a sponsor. It will feature jazz bands and will support the local farmers. Trustee Castaneda asked how they got around the open container law last year. Trustee Maziarz said it is ok under the umbrella of the Farmers Market through NYS Agriculture and Markets and will have a special permit in place to sell bottles of wine.

- 2. Farmers Market – Opened yesterday for the season to run every Sunday 8am – 2pm through October 26th.
- 3. Thanks – Thanked Village residents for the opportunity to serve as Trustee. Has done so to the best of her ability, had a great time, worked with some fantastic people, and will always carry the Village of Brockport with her.

D. Trustee David J. Wagenhauser

- 1. Brockport Benchmarks – 311 Service Request Program – Reminded all that placing a service request is quick and easy through 311 by a call to 637-5300 X311 or brockportny.org. This can be done for a wide range of things including potholes needing attention.
- 2. Proposed Code Changes – Imagines that by the looks of the audience in attendance for the public hearing, Chapter 36 – Minimum housing and buildings - is where most of the questions and concerns lie. Referenced a recent letter to the editor and advertisement regarding concern over inspections. Stressed that this has not changed from what currently exists. In fact, it has added protection, as it requires having to get court documentation for a search. Reference to operating permits for businesses refer to a mandate by New York State.

3. Owner Occupied Single Family Homes converted to Rentals – Expressed concern of the number of owner occupied single family homes that have recently been turned into rentals in various areas of the Village, not just near the college. Stressed that the no more than 3 unrelated rule applies, as does the need for a Certificate of Occupancy for rentals. Stated that owner occupied single family residences are the backbone of quality neighborhoods and are by and large better maintained. He encourages residents to notify Code Enforcement Officer Zarnstorff of any conversions they think may be happening under the radar. He asked S.

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Zarnstorff for a list of owner-occupied single-family homes having been sold and converted into rentals over the last couple of years. Some are noted as having code violations. He said he spoke with the Village Attorney and may be looking at a possible moratorium in the future. He said there is a potential decrease in need for off campus housing since there is increased on-campus housing options available.

The list is as follows:

Single-family rental properties as of 5/19/08

Address	Sale date Approximate	Prior use	Code office problems Trash, tenant/landlord, property PM
38 Adams Street	1/28/08	Was owner/occupant prior to sale	X
48 Adams Street			
26 Barry Street			
104 Barry Street	2006/2005	Was owner/occupant prior to sale	X
112 Barry Street	2006	Was owner/occupant prior to sale	X
135 Barry Street	2006	Was owner/occupant prior to sale	
162 Barry Street			
9 Beach Street			
11 Beach Street			
26 Brockway Way			X
54 Brockport Way			
11 Burroughs Terr	06/07	Was owner/occupant prior to sale	X
10 Chappell Street			
63 Clark Street			
79 Clark Street			X
113 Clark Street			
57 Clinton Street			X
21 College Street			X
28 College Street	2007	Was owner/occupant prior to sale	
78 Erie Street			
100 Erie Street	5/14/06	Was owner/occupant prior to sale	
160 Erie Street			
61 Fair Street			X
15 Fayette Street			X
130 Frazier Street			
21 Glendale Rd.			
27 Gordon Street			X
89 High Street			X
136 Holley Street	4/6/06	Was owner/occupant prior to sale	
22 King Street			X
36 King Street			
56 King Street			X
56 Liberty Street	10/07	Was owner/occupant prior to sale	X
61 Liberty Street			X
248 Main Street			X
254 Main Street			X
285 Main Street	7/27/07	Was owner/occupant prior to sale	X
15 Maxon St			X
49 Maxon St			X
148 Monroe Ave			
17 N. Main Street	2006	Was owner/occupant prior to sale	X
16 Park Ave	7/1/06	Was owner/occupant prior to sale	
182 Park Ave			
186 Park Ave			X
44 Perry Street			X
60 Perry Street	2005	Was owner/occupant prior to sale	
85 Smith Street	2007	Was owner/occupant prior to sale	

86 Smith Street	2003	Was owner/occupant prior to sale	
57 South Ave			
45 South Street	2007	Was owner/occupant prior to renting	X
44 Spring Street			X
65 Spring Street			
40 State Street	2007	Was owner/occupant prior to sale	
29 Union Street			
185 Utica Street			X
206 Utica Street	2006	Was owner/occupant prior to sale	
131 West Ave			
441 West Ave	2005	Was owner/occupant prior to sale	X

MINUTES OF VILLAGE BOARD MEETING HELD June 16, 2008 continued.....page 10

- E. Trustee Hannelore G. Heyen
1. Utica Street Park – Reported that Superintendent Donahue would be putting together a plaque for dedication of the pavilions. Thanked all involved in the project.
 2. Barry Street Park – Reported that work would soon be complete on the drainage pipes.
 3. Brockport Free Methodist Church – Reported that its parishioners would be helping with projects at the Museum and Evergreen Park this weekend.
 4. Erie Street – RGE Remediation Efforts – Referenced a letter of June 12th from RGE regarding renewal of their fence approval, which stated that remediation plans with NYSDEC are under way.
 5. Thanks – Thanked Village residents for the opportunity to serve and Department Heads and Board members for their kind remarks. She said it has been a very educational experience. She appreciated the support of the voters two years ago, the office staff, department heads, and Boards/Committees she was liaison to including the Library Board, Tree Board, Parks Committee, and Property Remediation Committee. She said she hopes she was able to listen and move the agenda forward. She plans to remain involved and encourages others to take the next step and serve on a committee or volunteer on a project.

PUBLIC COMMENT:

1. Margay Blackman, Tree Board Chair, of Park Avenue – Was in attendance and psyched to talk about the proposed Tree ordinance (Chapter 46). Extended her thanks to Trustees Maziarz and Heyen for their dedication and enthusiasm. Some highlights of their service include Trustee Maziarz who leaves a wonderful legacy of the Farmers Market and collaboration with SUNY and Trustee Heyen who worked tirelessly with the Tree Board and Parks Committee and coordinated a wonderful event around the Lois McClure. They will be missed.
2. Wayne Bennett of State Street – Disagrees with the approving \$436,000 for a fire truck as being fiscally responsible. Can't compare to the City of Rochester Fire Department using a truck for only 10 years when the City's calls run it into the ground. In his estimation, a Chevy runs as good as a Cadillac. He said a fire truck doesn't need to look pretty to get the job done. The money may have been budgeted, but it is still taxpayer money and should be spent wisely. With fuel costs at almost \$5 per gallon and rising, maybe the department should save money by not taking trucks to parades. Regarding trees and flowers, he suggested that if the Tree Board were so committed, they should raise money and plant them. Fiscal responsibility is everyone's problem.

AUDIT:

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

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	6/5/08	177174	\$1,312.15
	6/10/08	177175-177176	\$4,909.41
	6/17/08	177199-177258	\$24,156.85
<u>Fire</u>	6/17/08	177178-177198	\$23,702.57
<u>Third Party Billing</u>	6/17/08	001273-001282	\$5,625.07
<u>Capital Projects</u>	6/5/08	002217	\$2,255.76
	6/17/08	002218-002220	\$24,304.58

Water

6/17/08

002013-002016

\$891.11

ADJOURNMENT:

- Trustee Maziarz moved, Trustee Castaneda seconded, unanimously carried that the meeting be adjourned at 9:05pm.

Leslie Ann Morelli, Village Clerk