

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, February 2, 2009 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli, Treasurer Gina M. Tojek

EXCUSED: DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Fire Chief Scott Smith, Village Attorney David F. Mayer

ALSO PRESENT: Katherine Kristiansen, Joan Hamlin, Norm Giancursio, Mary Jo Nayman, Bill & Hanny Heyen, Pete & Carrie Maziarz, Fred Webster, Kathy Snyder

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 Hunsinger moved, unanimously carried 5/0 that the minutes of the meeting held January 20, 2009, be approved as amended.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT: None

GUESTS: None

DEPARTMENT REPORTS: (most Department Heads are excused from the 1st meeting of the month)

A. PUBLIC WORKS – Superintendent Harry G. Donahue (excused)

1. Accept resignation of part time cleaner Tina Newbould – Clerk Morelli referenced the letter of resignation received today from part tie cleaner Tina Newbould. She worked approximately 15 hours per week cleaning the Village Hall, Police Department year round and Welcome Center May through October. Replacement options include offering the additional hours to Thomas Fintak who cleans the Fire Hall as long as the hours remain part time or advertising to fill the vacancy.

→ Trustee Castaneda moved, unanimously carried 5/0 to accept the resignation of Tina Newbould as part time cleaner with regrets.

Board authorized Mayor Wexler to offer the additional hours to T. Fintak. If he is not interested, then authorization to advertise to fill the vacancy will be considered at the next meeting.

2. Declare surplus & authorize sale of parts to former dump truck – Trustee Hunsinger said he spoke with Superintendent Donahue who indicated that there are some unneeded parts and equipment that go to the dump truck that was recently declared surplus and sold. The buyer of the dump truck is interested in purchasing the parts and equipment at the cost the Village paid for them. This includes 4 brake drums, 4 core charges, 4 venture seals for a total of \$824.44. If the Village were to sell them back to the vendor there would be a 25% restocking fee. Therefore, Superintendent Donahue recommends the Board declare these parts and equipment surplus and sell them to the buyer of the dump truck.

→ Trustee Hunsinger moved, unanimously carried 5/0 to declare said parts and equipment as surplus and authorize their sale to the buyer of the dump truck.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti (excused)

1. Mutual Aid to Greece Police – Trustee Wagenhauser said he spoke with Chief Varrenti who shared that Brockport Police Department assisted Greece Police Department in a mutual aid capacity when Greece and Irondequoit Police Departments provided mutual aid to the Rochester Police Department this past weekend - the night Rochester Police Officer Anthony Diponzio was shot in the line of duty. Prayers and best wishes go to Officer Diponzio, a SUNY Brockport graduate, and his family. Trustee Wagenhauser said mutual aid occurs on occasion between agencies and is a good thing, so if any Brockport residents saw a Brockport Police car in western Greece, that is why.

C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff (excused)

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Scott Smith (excused)

1. Training/Travel Request – VFPASNY Fire Police Seminar 3/21 – referred to Deputy Chief Henry's request to send 6 members of the Brockport Fire Police to the annual VFPASNY Fire Police Seminar at the State Academy at Montour Falls March 21st. They will travel there in the Fire Department van on March 20th and leave after the seminar March 21st. The cost for registration, lodging and meals is \$57 per person for a total of \$342.

→ Trustee Castaneda moved, unanimously carried 5/0 to authorize the training/travel request.

2. Central Air Conditioning Proposal & Quotes – 1st floor Market St Fire Hall – referred to EMS Chief VanDervort's proposal and quotes for central air conditioning to be installed on the first floor of the fire hall at 38 Market Street.

Trustee Wagenhauser shared that there have been serious ventilation problems for a number of years and currently a number of small units run non-stop May through September at a high expense of replacing the units and high utility bills. Further, the small units do not fully cover the area in need. The problem has been studied for a year and 3 quotes were solicited.

Trustee Castaneda asked for clarification on which quote is being recommended. Trustee Wagenhauser said the low bid by 2 is \$10,000. He suggested leaving the decision to EMS Chief VanDervort as he would have a better sense of which best meets their needs. Trustee Castaneda asked if this was budgeted for. Trustee Wagenhauser said he is not sure, but that the \$10,000 cost could be split equally between 3rd party billing funds and fire department funds or even the buildings line since it is a Village building.

Trustee Castaneda referred to the proposal that includes DPW having to do some preparation work to modify the ceiling space. DPW's time is not included in the proposals. She said she would have liked to see a total cost for the entire project that includes DPW's time.

→ Trustee Wagenhauser moved, unanimously carried 5/0 to authorize the proposal for central air conditioning on the first floor of the Market Street firehall - DPW's preparation assistance and \$10,000 low bidder of EMS Chief VanDervort's choice with \$5,000 to come from 3rd party billing funds and \$5,000 to come from Fire Department and/or building line funds to be determined by the Treasurer.

E. TREASURER – Gina M. Tojek

F. CLERK - Leslie A. Morelli

1. Notice for Electing Village Officers – Village Elections 6/16/09 – Clerk Morelli shared that the following notice has been published in the Village's official paper and on the Village website.

VILLAGE OF BROCKPORT
NOTICE FOR ELECTING VILLAGE OFFICERS

PLEASE TAKE NOTICE:

That the Annual General Village Election in and for the Village of Brockport will be held on Tuesday, June, 16, 2009 with the following officers to be chosen: One (1) Mayor for a term of four years July 2009 to June 30, 2013 and Two (2) Trustees for a term of four years July 2009 to June 30, 2013, and

That the first day to circulate independent nominating petitions is Tuesday, March 31, 2009, and the last day to file said petitions at Monroe County Board of Elections is Tuesday, May 12, 2009. Petitions must indicate the office(s) and term thereto, for which it is filed, and

That the applications for absentee ballots will be accepted by Monroe County Board of Elections no earlier than February 17, 2009 and no later than June 9, 2009 for applications to be mailed or June 15, 2009 for personal applications by applicant of his/her agent. Questions should be directed to Monroe County Board of Elections at (585) 753-1550.

G. VILLAGE MANAGER - vacant

H. VILLAGE ATTORNEY – David F. Mayer, Esq. (excused)

VILLAGE BOARD REPORTS:

A. Mayor Morton Wexler

1. Parking Tickets – has scheduled a meeting with the ProAcct representative to review their services related to collection of parking ticket fines since being implemented last spring. He asked Trustees to forward any questions to him before Thursday.

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2. 200 State Street – attended the County’s recent auction on January 29th, that there were 2 bidders including Allied and Kevin Truelson et al. It went for \$80,000 to Kevin Truelson et al, the same people that purchased 100 Fair Street at Monroe County auction last spring.
- B. Trustee / Vice Mayor Maria C. Castañeda
1. Congressman Lee – attended the open house for Congressman Christopher Lee on January 24th, asked him to keep the Village of Brockport in mind for grant opportunities, particularly regarding the water and sanitary sewer upgrades in connection with the Main Street rehabilitation. Reported that she and Mayor Wexler met with Paul Cole of the Congressman’s office on January 29th. Mayor Wexler will request project lists from Department Heads to try to match up with funding opportunities. Reported that she is arranging for Congressman Lee to conduct an outreach visit to Brockport on Wednesday, March 25th from 3:30-5pm at which time he’ll be available at Village Hall conference room to meet with officials, staff and taxpayers.
 2. Monroe County Association of Villages – attended the annual Monroe County Association of Villages banquet on January 24th along with Mayor Wexler, Code Enforcement Officer Zarnstorff, DPW Superintendent Donahue, DPW Foreman Moore and DPW Clerk Baker – a great opportunity to meet and share ideas with other Village officials. She will be attending the February 19th executive meeting in Mayor Wexler’s place.
 3. 200 State Street – attended the County’s recent auction along with Mayor Wexler on January 29th – is pleased that 100 Fair Street and 200 State Street are sold and back on the tax rolls.
 4. Village Advisory Committee – next meets Tuesday, February 11th at 7pm – all are welcome.
 5. Main Street Rehabilitation Committee – Marketing Subcommittee – next meets Wednesday, February 4th at 8am at Java Junction.
 6. 4th Annual Canal Clean Sweep – announced the April 18th – April 19th event – will be contacting Step Up Community Project, the High School Environmental Club and SUNY to participate. More information will be forthcoming.
- C. Trustee David J. Wagenhauser
1. Employees and Alcohol Use – reported that he has drafted a resolution that has been reviewed by Trustee Legg and Labor Attorney Watkins related to employees and alcohol use. He will refer it to the Union representatives for review and then to the Village Board for consideration of adoption.
 2. Seymour Library – announced an upcoming fundraiser “After Hours @ the Library – a Community Soiree” to be held Saturday, March 28th 7-10pm with featured speaker Anne Panning at 8pm. This will be a fun evening of music, wine pairings and hors d’oeuvres to benefit the library. Tickets are \$25. Proceeds will help create “The Tot Spot”, an exciting new children’s early literacy area for ages birth to five. Support will help purchase books, computers, software and other learning materials. There are sponsorship opportunities including a \$250 level with featured recognition at the event as a sponsor of a food pairing station or other event element such as music. The Sweden Town Board and the Clarkson Town Board have agreed to sponsor at this level. Trustee Wagenhauser commented that the Village Board wanted to increase its contribution to the library this year and inquired as to whether Village Board members would be willing to donate \$50 each of their personal funds. Board expressed interest. Payment arrangements were not specified.
 3. E-mails issue – commented that the last meeting was rather odd and that he was surprised that Trustee Castaneda read employee e-mail correspondence into the record and with the content of her response. She asked that her fellow Board members stand by her side. However, her lack of judgment making personnel matters public is reckless and embarrasses herself, the Board and the residents and would be better handled in executive session.
 4. 200 State Street & 100 Fair Street – commented that Trustee Castaneda continues to refer to 100 Fair Street and 200 State Street as “getting these properties back on the tax rolls”. Clarified that both properties have been on the tax rolls and we continued to get paid for property taxes. Auctioning off the properties has let the County off the hook for paying those taxes. He said he is not doing cartwheels over the sale of these properties. He regrets the inaction of the County in allowing the properties to go to seed and place them up for “fire sale”. The County has washed its hands of the albatross rather than responsibly clean up and develop them. This is yet another example of an unfounded mandate as the Village’s Code Enforcement Officer now has more responsibility. Further, he shared that the 100 Fair Street property has a for sale sign. The listing is apparently \$495,000 which was the assessed value – although the current owner bought it at auction for \$150,000.

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5. Housing Rehabilitation Program – reminded all of the \$400,000 grant funds and that Village homeowners can contact PathStone (formerly Rural Opportunities) at 442-2030 for an application for grant funding to finance structural repairs, the installation of updated heating, plumbing, electrical and energy conservation systems; modifications to increase accessibility, and other improvements necessary for safety or code compliance.

D. Trustee Scott W. Hunsinger

1. ZBA application re 85 Clinton Street – encouraged attendance at the February 24th ZBA public hearing regarding an application to locate billiards hall at 85 Clinton Street. The application materials are available for review at Village Hall. Legal notice was published and property owners within 500' notified.
2. 200 State Street & 100 Fair Street – feels it is in the best interest of the Village to continue his work with NYSDEC and Code Enforcement and will make an effort to sit down with the new owners of 100 Fair Street and 200 State Street.
3. DPW budget – met with Superintendent Donahue and looks forward to efforts to decrease the budget by at least 2 percent.
4. Main Street Rehabilitation – referred to issue raised at the last meeting by the Kristiansen's of 270 and 266 Main Street regarding NYSDOT's plans to add a turning lane on Adams Street – believes it is a genuine concern.
5. Reference to fellow Board members – referred to Trustee Castaneda's references to fellow Board members in her report and asked that she let him know in advance so that he can save time in his report.
6. E-mails Issue – referred to Trustee Castaneda's concerns regarding being left out of e-mail correspondence – said he decides when and when not to include her as he is doesn't always know where correspondence may end up and that sometimes this includes items of pending or potential litigation.

E. Trustee Hal S. Legg

1. E-mails Issue – read a statement as to concerns with Trustee Castañeda recently having read Chief Varrenti's January 8th memo, an internal document, into the record and her response. Would have preferred the matter have been dealt with in private. Although he has no official standing in the matter and is not a party to the dispute, he seeks to distance himself publicly from her remarks and make clear that he has a healthy working relationship with Chief Varrenti. Supports her right to air dirty laundry in public, but warns that it carries with it deleterious effects. Suggests all apply the golden rule.

Mayor Wexler said he is not looking for a confrontation, but has mentioned on several occasions that while he cannot direct Trustees to include each other on correspondence, he can direct Department Heads to include all Village Board members on correspondence, since the Mayor supervises and directs Department Heads and employees and the Trustees do not.

PUBLIC COMMENT: None

Executive Session:

⇒ At 7:50pm, Trustee Wagenhauser moved, unanimously carried 5/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss a personnel matter. Clerk Morelli cited (f) "the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation".

⇒ At 8:02pm, Trustee Legg moved, unanimously carried 5/0 that the Board of Trustees re-enter the regular meeting.

PUBLIC COMMENT:

1. Mary Jo Nayman of Carolin Drive – asked if a letter was sent to the New York State Comptroller's Office requesting an audit per the December 15th Board meeting. Mayor Wexler responded that he did, indeed, send a letter January 6th. She asked if a copy could be obtained. Mayor Wexler said yes, through FOIL.

AUDIT:

➔ Trustee Castañeda moved, unanimously carried 5/0 that the bills be allowed and paid upon audit.

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	1/26/09	178357	611.36
	2/3/09	178376-178419	67,891.93
<u>Fire</u>	1/26/09	178355-178356	1,330.69
	2/3/09	178358-178375	9,642.34
<u>Third Party Billing</u>	1/26/09	001439-001440	1,207.39
	2/3/09	001441-001458	24,394.99
<u>Capital Projects</u>	2/3/09	2299	219.11
<u>Water</u>	1/26/09	2182	34.83
	2/3/09	2183-2191	11,598.59

BUDGET WORKSHOP: Village Board and Treasurer

Treasurer Tojek requested an opportunity to meet with the Board on matters of the budget and other financial matters at the end of this meeting.

Budget:

Trustee Legg indicated he was ready to receive the re-formatted budget proposals they requested, but was not ready to review them in a workshop setting. Trustee Hunsinger asked if the information reflects the 2% decrease and “wish lists” that were requested.

Treasurer Tojek distributed the packets and shared that she wished an opportunity to address the Board regarding the budget process and a few housekeeping items including policy regarding signatures on checks. As to whether they are “wish lists”, that is up to the Board to determine. She shared as Treasurer she would customarily begin the budget process in November. Former Treasurer/Village Manager Coyle shared with her that he began the process in October. She began employment one month ago with the Mayor having already directed the Department Heads to submit their budget proposals upon her arrival. She was surprised to see that standard budget input sheets had not been requested and learned they had never been done before. She immediately recognized that she would need to standardize the process next year and work with Department Heads to develop a standard protocol – one that is usual and customary in municipal government and recommended by the NYS Comptroller’s Office. Department Heads were rightly surprised that some Board members rejected their budget formats at the last meeting, as their formats had been deemed acceptable in years past and they had not received any direction or instruction to provide their information differently. Therefore, she worked with Department Heads and what was just distributed are standard budget input sheets – line by line. However, she discovered that line item budgeting was not done for all departments in the past, that the Village has no budget information on its financial software, and that the financial software has not been updated in a number of years. The report the Village Board gets each month is a separate excel spreadsheet. It is imperative to update the financial software to be able to produce reports of what has been budgeted and where we stand at any given moment. It is particularly important for the Department Heads who should be tracking the information. That is why the new budget input sheets have a column for 2008-2009 that is blank, as a budget number was not necessarily developed for each line.

Treasurer Tojek reminded the Board of the tentative budget schedule she had proposed which includes holding budget workshops. The first step is usually to establish payroll and benefits. This includes determining the wage increase for all non-union employees. The second step is usually to meet with each Department Head to review their budget proposals. This is intended as a positive experience – an open communication opportunity - a collaborative effort to get to know each department a little bit better and gain understanding as to why certain funds are being requested for certain items. Whether or not they are “wish lists” or not is not for her, as Treasurer, to decide. The Board and Department Heads need to meet out what is believed to be valid and legitimate to decide what it takes for departments to meet operating expenses. Clerk Morelli commented that this was the process until just a couple of years ago.

Treasurer Tojek commented that her predecessor served as both Village Manager and Treasurer and took what the Department Heads gave him to develop a budget. As Treasurer, she said she does not

have the same authority as a Village Manager, who serves as Budget Officer. She said in her first month on the job she finds herself frustrated and isolated with very little communication with the Board. She has met with each Department Head twice and has gleaned some history as to how the budget process has worked here in the past.

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Trustee Wagenhauser remarked that I. Coyle was initially hired as Treasurer and that he only served as Village Manager for a couple of years (since mid-2005).

Clerk Morelli said with all due respect, she finds the term “wish lists” insulting, as she believes Department Heads proposals likely include what funds are needed to operate their departments in order to successfully provide taxpayers with the services they have come to expect.

Treasurer Tojek said access to information is extremely limited, but thanked Clerk Morelli and Deputy Clerk-Treasurer Olson for being so willing to help where they can. She said it took her a week and a half to simply weed through the office she inherited to be able to create a usable workspace. There is still quite a ways to go. She is working with Department Heads to learn about the Village in an effort to embrace the organization as a whole. Developing a budget isn't simply plugging numbers in to a chart. There must be a thorough understanding of needs and services. Financial data must be interpreted and revenues and expenditures studied, as there is a history and story behind each line item. She must rely on Department Heads and Village Board for assistance. She has put in long hours and worked every weekend. She said she shares this so the Board will understand the importance of the budget process and that it is a collaborative effort. She said she wouldn't think any Board member would want to decide without having the opportunity to be sure each Departments needs are met.

Her recommended path forward would be to schedule the first workshops to determine payroll and meet with Department Heads.

Mayor Wexler offered his availability other than being out of town February 13th – 20th. He said he is willing to meet at any time and would be willing to buy pizza. Trustee Castaneda offered her availability. No response from Trustees Wagenhauser, Hunsinger, Legg on availability. Mayor Wexler asked them to e-mail Treasurer Tojek in the next couple of days.

Treasurer Tojek thanked the Board and said she needed to have this conversation.

Signing of Checks:

On a housekeeping matter, Treasurer Tojek asked the Board's preference as to signatures on checks. Currently the Village requires 2 live signatures on each and every check. This is neither required by the Comptroller's Office or the Banks, nor practiced by colleagues she checked with in other municipalities. She recommended that this be changed to one signature, that of the Treasurer with the Mayor and one Trustee that is available locally during the day as back up, and that the signature not be live, but by stamp. Signing a check simply means the signer is verifying that funds are available.

Mayor Wexler and Trustee Castaneda said they were fine with Treasurer Tojek's recommendation. Trustee Legg questioned if it was really a matter for Board decision. Treasurer Tojek said it is basically an internal policy that should be approved by the Board. Trustee Wagenhauser said he likes 2 signatures. Trustee Hunsinger concurred and prefers live signatures. Determination: 2 live signatures (Treasurer and Mayor) with all 4 Trustees as authorized signers if needed. She will solicit the appropriate form from the banks and have all sign off as signatories. This will have to change again each time there is a change in Village Board members.

ADJOURNMENT:

➔ Trustee Legg moved, unanimously carried 5/0 that the meeting be adjourned at 8:30pm.

Leslie Ann Morelli, Village Clerk