

**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, October 25, 2011 at 7:00pm.**

**PRESENT:** Mayor M. Connie Castañeda, Trustee Margaret B. Blackman, Trustee Kent R. Blair Trustee Carol L. Hannan, Trustee Scott W. Hunsinger, Manager/Treasurer Michael A. Giardino, Clerk Leslie A. Morelli, Superintendent Harry G. Donahue, Police Chief Daniel P. Varrenti, Building/Zoning Officer Scott C. Zarnstorff, Fire Chief Michael J. Henry, Attorney Robert S. Leni, Esq.

**ALSO PRESENT:** John Osowski, Paul Tankel, Rev. Aaron Doll, Val Ciciotti, Tom & Cheryl Dreyer, Brian Winant, Pam Ketchum, Lou Spiro, Joan Hamlin, Kristina Gabalski, Norm Giancursio, Fred Webster

**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."

**PUBLIC COMMENT:** None

**CONSENSUS ITEMS:**

- **APPROVAL OF MINUTES:**

→ Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the minutes of the 10/11 meeting be approved as amended.

- **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 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>	10/25/11	\$98,259.43
	10/27/11	\$30,278.13
FUND (F): <u>Water</u>	10/25/11	\$949.65
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust &amp; Agency)</u>	-	-
		\$129,487.21 grand total

**MANAGER/TREASURER & CLERK REPORTS:**

- Manager/Treasurer – Michael A. Giardino
  - Approval of Letter of Credit Release re Sunflower Landing Subdivision -

→ Trustee Blair moved, Trustee Hunsinger seconded, carried 5/0 via roll call upon review and recommendation from the Village Engineer to authorize a release to the Sunflower Landing Developer, from the Letter of Credit as follows:

Statement of Construction #3 for Section 1 in the amount of \$17,775.06 from construction for completion of the final asphalt paving in Section 1 and Statement of Construction #3 for Section 2 in the amount of \$5,718.15 from construction for completion of the final asphalt paving in Section 2.

- Clerk
  - Special Election 11/29 – appoint Election Inspectors & authorize use of Image Cast machines -

**RESOLUTION APPOINTING ELECTION INSPECTORS FOR THE REFERENDUM ON THE CREATION OF A JOINT FIRE DISTRICT**

WHEREAS, a special election (referendum) is scheduled to be held on November 29, 2011, with respect to the proposition for the creation of a joint fire district, and



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Clerk Morelli explained that this is 75% of the ~2,600 registered voters. Better to have more than needed than not enough – just in case there is a big voter turnout.

The Election Inspectors get paid \$10 per hour each to total \$440.

Total estimated cost of this special election = ~\$1,701.50 not including publication of required legal notices. Clerk Morelli reminded the Board this was not budgeted for and will need to be paid through other appropriate lines.

**VOTE BY ROLL CALL AND RECORD**

**VILLAGE OF BROCKPORT**

Mayor Maria Connie Castaneda	Voting yes
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Voting yes
Trustee Scott W. Hunsinger	Voting no
Trustee Carol L. Hannan	Voting yes

Dated October 25, 2011 Adopted

- **DEPARTMENT REPORTS:** (Department Heads are in attendance the 4<sup>th</sup> Tuesday of each month)
  - Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
    - Quarterly Report – S. Zarnstorff thanked the Mayor for allowing this agenda item past the submittal deadline. He reviewed the summary and said he and his part time Clerk are going to attempt to do this report monthly in the future instead of quarterly. They have started to look at tracking notices of violations and appearance tickets and will continue to refine their processes. They want to capture as much data regarding the work. Through September 30<sup>th</sup> of the calendar year he has logged 1,097 inspections compared with 1,209 for all of calendar year 2010 for he and 1,942 for calendar year 2010 and 2,374 for calendar year 2009 for he and former Assistant CEO. The Police Department began assisting with quality of life code enforcement issues in August. He has issued 9 municipal code appearance tickets and is working on more to total 40 or more by the end of October. These take time. The Police Department assistance is benefitting him and the community will see the results.

Trustee Blair expressed concern of the Village Code allowing an unregistered vehicle on properties. S. Zarnstorff said he saw that from the last meeting minutes. He has referred this to Code Review Committee Chairperson Appleby. Mayor Castañeda said she had Clerk Morelli survey the other Monroe County Villages and of those that have responded so far, we are the only ones that allow an unregistered vehicle. A couple allow so very temporarily under extraordinary circumstances.

- Police – Police Chief Daniel P. Varrenti
  - Quarterly Report – Chief Varrenti referred to his quarterly report and provided a few highlights: 3,750 calls for service, 627 arrests, 77 criminal arrests, 153 code enforcement arrests. The numbers involving Code Enforcement concern him. He said the Mayor has reminded him that the Police Department could have been addressing many of the code enforcement issues all along. He apologized and said they are doing so now. There are so many code violations occurring on a regular basis many of which weren't being enforced because a single CEO is simply not sufficient personnel to handle it. He said he is in hopes there won't be talk of more layoffs, but hiring instead to have enough staff to get done what needs to get done.

Chief Varrenti noted that the State is considering changing the legal age for criminal offenses from 16 to 18 years old. Currently, New York State is one of 2 of the strictest states on this as most already go with 18 years old. He said this will cause tremendous impact on juvenile cases as there is approximately 5 times as much paperwork involved and additional training needed regarding juvenile cases. He is among many Police Chiefs concerned with this possible change.

- Request brief executive session regarding a personnel matter – Mayor said the Board would enter into executive session once the Department Heads have concluded their reports.
- Tickets – Chief Varrenti said the issues that the Town of Sweden Court had regarding municipal code tickets including a statement regarding “upon information and belief or upon direct knowledge” has been addressed. As to parking tickets, he continues to be concerned of the lack of pursuit of unpaid parking tickets. Not only is the Village losing revenue, but violators are not being held accountable. He said he hopes the Village Board is working on this as collecting the fines could

help offset ever increasing taxes. This past quarter the department issued 440 parking tickets.

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Mayor Castañeda asked Chief Varrenti if the parking tickets will now include the name of the registered owner of the vehicle so the Court can more easily pull or follow up on the tickets. Chief Varrenti said they would, but they would not include the other language about “upon information and belief or upon direct knowledge” as this is not necessary and parking tickets are of course upon direct knowledge. Village Attorney Leni said the Court still wants that language on the parking tickets going forward.

Chief Varrenti said he is willing to accept the box or boxes of old parking tickets that have gone unpaid and have his sole Clerk or an Intern check the NYSPIN system and put names and addresses on the tickets. Mayor Castañeda said that’s the first time that offer has been made and said that would be helpful. She said moving forward, new tickets need to have the information on them.

Chief Varrenti said he knows of no other law enforcement agency that has to do this for the court in their jurisdiction. He said the Village Attorney knows CPL and what is required and what isn’t. Chief Varrenti said he’d like to see where in the law this is required.

Chief Varrenti said that may be the case, but if the Judges treat the tickets as insufficient, they will only go uncollected.

Trustee Blair said this is an example of the need for a Village Court.

Trustee Hunsinger questioned why it should be different here than other municipalities. He concurs with Chief Varrenti and said he’d like to see where in the law this is required.

Trustee Hannan said Judge Connors is only 1 of 3 Town of Sweden Judges. Do the others have the same issue? Village Attorney Leni said Judge Coapman concurs with the issue.

Village Attorney Leni said it needs to constitute “informations”. Most courts don’t treat as such nor are they enforced on a statewide basis.

Chief Varrenti said he will do what is necessary to meet CPL. He suggested the Village Board not set policy or make a knee-jerk reaction.

Mayor Castañeda said the Village parking tickets have been a concern for several years. She recalls meeting on it in 2006 and following up in 2008. Clerk Morelli concurred and said she recalls the Sweden Court suggesting the Police Department utilize parking ticket guns that print out the information and download to their system.

Village Attorney Leni said he will reach out to the Court as to the box or boxes of old unpaid tickets. The Court indicated that Pro Acct, the agency previously contracted by the Village who has gone out of business, may have a box.

Trustee Blair suggested that if they don’t already do so, the Police Department should keep copies of the parking tickets sent to the Court. Maybe there’s a way to follow up to be sure they get paid.

Chief Varrenti said like so many things it comes down to having the proper staffing to do the research and the paperwork. He said he has never gotten any adjudication reports from the Sweden Court.

Clerk Morelli said since Pro Acct is no longer used, she knows the Treasurer gets a regular report of the parking tickets that have been paid. Sweden pays the Village at the beginning of the calendar year for the parking tickets collected the prior calendar year.

Village Attorney recommended that the Village via the Police Department do whatever leg work or paperwork needed to pursue collection to get the old tickets paid. Then the Town and Village should work towards getting the Town to authorize an agency to assist with collection. They would likely be willing to engage such a service if the Village paid for it out of the parking ticket proceeds. The Village, because it does not have its own court, cannot employ an agency nor can it collect tickets.

Village Attorney Leni said this is a hot issue in other municipalities, particularly New York City where revenues are being lost. The cost of collecting just can’t outweigh the benefit.

Chief Varrenti concurred, but said it is not just a revenue issue but a justice and accountability issue.

All agreed.

- Commend Sgt. Mesiti - Chief Varrenti commended Sgt. Mesiti who on September

29<sup>th</sup> when CVS in Sweden was robbed by an oxycodone seeker, assisted Monroe County Sheriff's Department by taking the photos to other local pharmacies and having Rite Aid identify the suspect. He was arrested within 45 minutes.

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- Drug Bust – Chief Varrenti referred to the result of a long term drug investigation in cooperation with GRANET at 25 Clinton Street in which Eric Spikes was arrested. Not only was he selling drugs, but was a registered sex offender. He is in jail on numerous felony violations. The drug source was located at 8 Locust Drive in Hamlin.

- Plain Clothes Detail - Chief Varrenti said upon suggestion of an officer, they have initiated a plain clothes detail to look for quality of life violations. A recent detail resulted in walking 5 miles in a 330 minute foot patrol with 18 arrests. This is just another way they want to be proactive and get to the problems before citizens even have to call them in. They plan to do more in the future.

- Public Works – Superintendent Harry G. Donahue

- Village Hall Backup Generator – Superintendent Donahue shared that the estimates came in higher than expected. He didn't budget adequately for completion of this long awaited project. He expressed a willingness to attend the November 1<sup>st</sup> work session to discuss this and a couple of other items.

- State University Construction Fund – site improvements – Kenyon Street – Superintendent Donahue confirmed that SUNY is NOT tied into the Village's sewer system.

- Fire / Ambulance – Chief Michael J. Henry

- Chief Henry provided the following report:

Approximate Calls to Date:    Fire: 1090+                      EMS: 690                      Total: 1780+

Calls of significance since the last Meeting:

1. Friday October 7, 2011 5:31 PM Dispatched to the Morton Fire District as a RIC Team for a Working Structure Fire on the Monroe Orleans County Line Road.
2. Saturday October 8, 2011 10:00 dispatched to 44 Spring Street for the basement fire. 2C-23 reported a fire in the wall in the basement. Fire caused by person working on the electrical system from the last fire.

Notes:

- On October 6<sup>th</sup> LT. Tim Russell received a Distinguished Service Award from the Monroe County Chiefs for the rescue of the youth at the 44 Spring Street Fire.
- Fire Prevention Week went well at schools.
- Open House was held last Saturday at HQ.
- New Chiefs Car in Service – Need to surplus 2005 Chiefs Car
- FOB System completed and in service
- Zodiac Boat in service – Linda Baker handling the former boat auction.
- Need Village Board Representation at a Battalion 2 Informational Meeting on November 5<sup>th</sup> at North Greece concerning upcoming digital trunking radio upgrade. This will be a significant cost to all departments.

Trustee Blair said he would be happy to attend the November 5<sup>th</sup> meeting. Mayor Castañeda said she will check her schedule. She may be able to attend as well.

At 7:50pm, Mayor excused all Department Heads except Chief Varrenti.

**EXECUTIVE SESSION:**

→ At 7:50pm, Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a personnel matter at the Police Department. Village Manager Giardino, Chief Varrenti, Clerk Morelli were invited to sit in.

→ At 8:15pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

- **PERSONNEL**

- Appointment
  - Zoning Board of Appeals – 5-year term to 6/30/16

→ Mayor Castañeda moved, Trustee Blackman seconded, to appoint Daniel Kuhn to the Zoning Board of Appeals.

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Discussion:

Trustee Hunsinger said an application for the ZBA vacancy was submitted from a qualified individual that was head and shoulders above the application from D. Kuhn. He said the majority of the Board can compare the applications and conclude who best meets what they are looking for.

Mayor Castañeda reminded the Board that the Mayor brings forth the name for appointment.

Trustee Hunsinger said that is true. However, it doesn't mean the board will vote in favor.

Trustee Hannan concurred with Trustee Hunsinger saying that there is a superior applicant who submitted his application a month prior to D. Kuhn.

**VOTE BY ROLL CALL AND RECORD**

Mayor Maria Connie Castaneda	Voting yes
Trustee Margaret B. Blackman	Voting no
Trustee Kent R. Blair	Voting no
Trustee Carol L. Hannan	Voting no
Trustee Scott W. Hunsinger	Voting no

Failed 1/4

- Re-appointment
  - Seymour Library Board – t-year term 1/1/12 – 12/31/16

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to re-appoint Sri Ram Bakshi to the Seymour Library Board 1/1/12 to 12/31/16.

- Vacancies – interested residents can submit position interest form to Clerk for the following:
  - Ethics Board – 4-year term to 6/30/15
  - Parks Committee – 4-year term to 6/30/15
  - Parks Committee – 4-year term to 6/30/15

**OLD BUSINESS:**

- Trustee Hannan's proposal to amend fee schedule to include a \$50 per property Rental Registration fee –

→ Trustee Blackman moved, Trustee Hannan seconded, to amend the fee schedule to include a \$50 per property Rental Registration fee.

Discussion:

Trustee Blair asked if this is per property or per unit.

Village Attorney Leni indicated it would need to be per property, not per unit. He recommended the Board wait to embed this in the Code itself through the local law process. However, if they do not wish to wait, there is nothing in the existing code that would prevent a fee per property.

→ Mayor Castañeda moved to table until such time as Village Code Chapter 36 is revised per the local law process. No second. Motion fails.

**VOTE BY ROLL CALL AND RECORD**

Mayor Maria Connie Castaneda	Voting no
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Voting yes
Trustee Carol L. Hannan	Voting yes
Trustee Scott W. Hunsinger	Voting yes

Passed 4/1

Clerk Morelli will amend the fee schedule.

- Stetson Club offer & request re Holiday trees lighting in Downtown Historic Commercial District – Discussion took place regarding the Stetson Club’s offer to purchase lights. Mayor Castañeda reminded the Board they did not budget for celebrations. There is no money in the budget for DPW to hang the lights. Mayor Castañeda asked for and obtained an estimate from DPW Superintendent

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Donahue. The estimated electric cost is \$550. The estimated labor cost is \$4,106.

Trustee Blair questioned the estimates. He thought the electric cost is \$800. Trustee Hannan said that includes the Christmas tree and flag at Sagawa Park. All of the wreaths for 6 weeks cost \$97. Trustee Blair said he’d like to see how Superintendent Donahue came to the costs.

Trustee Blair said he’d also like to see how much it will cost for DPW to install new windows on the second floor of the museum and where that money will come from.

Trustee Hunsinger said he would suggest it come from the Shafer Trust regarding the Museum.

Trustee Hannan said there must be a way to come up with a cost effective solution.

Mayor Castañeda said they had a good conversation at the Department Heads meeting. Chief Varrenti offered some suggestions. She said she e-mailed Stetson Club President Winant with some suggestions and hopes they are followed through.

Trustee Hunsinger said his understanding is that it would take 3 to 4 days to remove the existing bad lights and hang new ones.

Mayor Castañeda said again that the Board did not budget for this in the Celebrations line. It could come from a street maintenance line, but that would likely put that line over budget.

Trustee Hannan said her understanding is that DPW labor doesn’t come from the Celebrations line.

Mayor Castañeda asked Trustee Hannan who she got her information from.

Trustee Hannan said a former Mayor.

Trustee Blackman said the DPW budgets by job or project. She asked if the equipment rate and labor rate could be taken from several lines.

Trustee Blair said the Mayor needs to challenge DPW Superintendent to start thinking outside the box.

Mayor Castañeda reminded all that the Board sets the budget after recommendation from the Department Heads and feedback from the public. The Board needs to comply with the budget they adopt. They shouldn’t expect miracles from the Department Heads.

Trustee Blackman said the Stetson Club has come through with several things recently that were previously covered under Public Works in the Village budget.

Mayor Castañeda said the Stetson Club offered to purchase the lights, not to have them installed or pay the DPW labor to install them.

Trustee Blair said the Stetson Club did the fundraising for the Hometown Heroes Banner Project and a member with a bucket truck volunteered his time to hang them. They’ve also purchased nets for tennis courts, organized a military appreciation event, are organizing a holiday parade, etc.

Mayor Castañeda said she will invite DPW Superintendent to the 11/1 work session. He already indicated a willingness to attend.

- Adopt proposed mission statement for Emily L. Knapp Museum & Library of Local History

→ Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 to via roll call to adopt the following mission statement:

The Emily L. Knapp Museum and Library of Local History is an educational institution dedicated to collecting, preserving, and providing access to the heritage and history of Brockport.

- Proposed 2012 Seymour Library Budget – Trustee Hunsinger reported that he attended

the 10/18 meeting of the Seymour Library Board and gained a better understanding of the proposed 2012 budget and request for a 4% increase in funding. He said they are not asking for bells and whistles, but to maintain the status quo. They are dealing with increased costs to the County for the Library System, and increased healthcare and retirement costs. They are looking at future utilization of the Shafer Trust monies.

Mayor Castañeda said as she mentioned at the 10/4 work session, she doesn't see anything out of the ordinary in their proposed budget, but stressed the importance of living within the 2% tax cap.

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→ Mayor Castañeda moved, Trustee Blair seconded to fund the Seymour Library at a 2% increase, not 4% as proposed.

**Discussion:**

Trustee Blair said he knows VM/T Giardino just started, but wondered if he had reviewed the proposed Seymour Library budget.

VM/T Giardino said he had not.

**VOTE BY ROLL CALL AND RECORD**

Mayor Maria Connie Castaneda	Voting yes
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Voting yes
Trustee Carol L. Hannan	Voting yes
Trustee Scott W. Hunsinger	Voting no

Passed 4/1

Clerk Morelli said she will draft a letter to the Library Board and copy the Town Supervisors.

- State University Construction Fund – site improvements – Kenyon Street – Mayor Castañeda referred to correspondence dated 10/13 from SUNY's Lou Spiro including a letter from the SUNY Construction Fund indicating that all funding is in place and that the project bid for the site infrastructure improvements on the East side of campus, including a portion of Kenyon Street that runs through the College is ready to move forward. SUNY Counsel and Village Attorney Leni have been reviewing the request for a transfer of this portion of Kenyon Street to the College.

Lou Spiro asked if the Board had any questions. Trustee Hunsinger asked about consideration to compensate the Village for the \$1,000 or more per year CHIPS money that would be lost. L. Spiro asked if the Board is making a specific request. Village Attorney Leni said he spoke to SUNY Counsel. The options are to move forward with an easement so the project can proceed or acquisition of the street to bypass the need for an easement. L. Spiro said they would prefer acquisition from the get go.

Trustee Blackman said she is an Emeriti of the College and is still very involved. She believes all are in favor of the master plan, but need to discuss the issue of compensation. She mentioned that neither she nor the Village Manager/Treasurer have had the opportunity to see the master plan. L. Spiro said he can certainly get them copies or would be happy to present it to them.

Trustee Blair said the Village is not in a position to give anything away.

L. Spiro said they would need to go forward with an easement. Village Attorney Leni said it probably makes sense to draft proposed easement, but wondered how quickly they could consider proposed consideration. Village Attorney Leni will forward the feedback the Board makes at their 11/1 work session to SUNY Counsel.

**NEW BUSINESS:**

- State University Construction Fund – new academic building – SEQR concurrence and/or comments - Mayor Castañeda referred to 10/5 correspondence re SUCF Project No. 02389 for a new academic building.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 via roll call that State University Construction Fund be designated as lead agency on SEQR, and citing no SEQR concerns.

Clerk Morelli will draft letter as such.

- Layoff compliance with contracts – Mayor Castañeda reminded the Board that the Stetson Club contract requires 180 days (6 months) notice of potential layoffs. The CSEA contract

references Civil Service Law. Civil Service may require a minimum 60 days notice prior to layoffs. In order to comply with contracts, she said she will be submitting letters to the Unions to put them on notice that layoffs will be seriously considered when the Board works on the June 1, 2012 to May 31, 2013 budget. To meet the 2% tax cap, nothing can be off the table.

Trustee Blair said the Board and Department Heads have received no financials since period ending 4/30. That needs to be known first.

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Mayor Castañeda said the Board knows the following: Union salary increases, health insurance premiums are likely to increase 20% and New York State Retirement is increasing. She said she is not saying layoffs are certain, just that it is a possibility.

Trustee Blair said he volunteered to be part of a financial review committee and the Mayor has yet to call for any meetings. Mayor Castañeda said committees are great, but it's up to the Board.

Trustee Blair referred to an MOA with the Stetson Club that was to save in overtime costs. Trustee Hunsinger concurred and said one of the part time officers puts in a lot of hours to cover for full time officers that are out for various reasons.

Trustee Hunsinger referred to the extra legal costs related to the possible Fire District.

Mayor Castañeda said the Village has not saved the \$50,000 it was supposed to save in overtime costs. Trustee Blair asked how she knows that. Mayor Castañeda said she has a report. Trustee Blair and Chief Varrenti said they haven't received anything. Trustee Blair asked that she share this report with everyone. Trustee Hunsinger asked that they receive it before the work session.

Trustee Blair said they haven't received financials in months. Mayor Castañeda reminded the Board that they delayed the VM/T hiring process and that MB Lovejoy served as a hold over in office only 1 day per week doing bare essentials. Trustee Blair said Mayor Castañeda continues to remind everyone that she is the CEO. This falls to her.

Trustee Hannan concurred and said the Mayor can't have it both ways.

Trustee Blackman said the Board and Department Heads need financial information.

Trustee Hannan reminded the Mayor that she was to contact the Union Presidents to ask for further concessions. Mayor Castañeda said she did so and believes the Board was copied on such.

Clerk Morelli concurred and said the 2 items were vacation rollover from one fiscal year to the next and contribution to health and dental premiums.

Mayor Castañeda said she is willing to re-open negotiations, but can't meet alone.

Trustee Hunsinger said the Police Department budget structure went from 3 lines to over 40 lines. Chief Varrenti keeps track internally of his lines. He said he doubts the Mayor's statement that they have not saved on overtime costs.

Chief Varrenti said he would like to see the numbers the Mayor has. He takes overtime very seriously. The Stetson Club took a 2% pay cut one year, then a 0% pay raise for 2 years. The service is second to none. He said he had hoped there would not be talk of layoffs. He'd like to see the numbers. He said he believes the Village of Brockport to typically be last in thinking outside the box. In 1991 they laid off 25% of the Police Department and then realized they laid off too many and had to re-hire. It is one of the smallest departments. The Board needs to decide if it wants a Police Department. He thought they did so by negotiating and ratifying a contract. He said he does not necessarily like the minimum staffing provision and wouldn't want to work without backup. He asked that they stop picking on the Police Department.

Mayor Castañeda said the Village has to comply with the Union contracts. The Stetson Club contract requires 6 months notice of potential layoffs.

Mayor Castañeda said absolutely everything needs to be looked at. Brockport is not the only municipality in fiscal distress. The Board needs to watch out for the taxpayers and adhere to the budget they adopt.

Chief Varrenti said the 2% tax cap can be overridden by a provision in the law. He said New York State is one of the most dysfunctional states when it comes to taxes. The legislature knows that and exempted its retirement system from the 2% tax cap.

Mayor Castañeda said she doesn't disagree about the State's problems, just that the Village needs to look at every option.

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**VILLAGE BOARD REPORTS:**

- Mayor M. Connie Castañeda
  - Main Street Rehab Update – Mayor Castañeda shared that the modern roundabout is open and NYS DOT is doing the finishing touches on paving, striping, and signage. They will return in the spring to plant grass and trees. Farewell to traffic detours!
  - Fire District Update - Mayor Castañeda said that in conversation with Supervisors Milner and Kimball, any interested Village resident willing to serve on the Fire District Board of Commissioners may fill out an interest application and submit it to the Clarkson Town Clerk by November 4<sup>th</sup>. One of the Commissioners will be from the Town of Clarkson, one from the Town of Sweden and 3 from the Village of Brockport. The review committee consists of the Sweden Supervisor and one Board member, Clarkson Supervisor and one Board member, Village Mayor and Trustee Blackman. The special election is Tuesday, November 29<sup>th</sup>. Polls at Village Hall, Sweden Town Hall, Clarkson Town Hall will be open from 8am to 9pm. The Supervisors and Mayor will be drafting another letter to the community regarding the formation of the proposed Fire District.

Trustee Hunsinger asked that the letter to the community indicate that it is coming from the Supervisors and Mayors, not necessarily the Board members.

Mayor Castañeda said the draft letter will be reviewed by the Village Attorney.

Trustee Hunsinger said it should be shared with the Board in advance.

Trustee Blackman said she and Trustee Blair met with the publicity committee of the Fire Department. They recommended that the Village Board come up with a letter. She said Sweden Councilperson Connors was there and didn't mention another letter to the community. There is a tight window of time, so this needs to be resolved.

Trustee Hunsinger said he does not want to be associated with supporting a Fire District as he is opposed to it.

Trustee Blackman asked Mayor Castañeda if she would be sharing the draft letter to the community with the Board before it is published.

Mayor Castañeda said it would be shared with the Village Attorney. She can share the final version with the Board before it goes out.

Trustee Hannan said it will be nice to see it before it goes out, but would be nicer to be able to have an opportunity to provide feedback in case any changes are needed.

- Ambulance - Mayor Castañeda shared that she received word from Ambulance President David Rice that the Monroe-Livingston Regional EMS council (MLREMS) approved the Corps and Village's application to transfer the ambulance operating certificate (CON) from the Village to the Corps. The timeline to formally complete the transfer is in process and hopefully will be only several weeks. As soon as they know, they will pass the information along. He also wanted to follow up to see if there has been any movement on what was discussed previously regarding the contract provisions related to the use of the Fire Department facilities at Market Street. It has not been an issue so far, but it is possible that the State DOH would want the contract finalized before the transfer.

Village Attorney Leni shared that he has not heard from the Corps Attorney in some time. At this point it is best to wait until the 11/29 special election on the Fire District referendum. If it passes, then the

Corps Attorney should provide he and the Mayor with an amended contract that removes any reference to use of the Market Street fire hall since it would then be a matter to be taken up with the Fire District. If it doesn't pass, and the Market Street fire hall remains property of the Village, then that provision will need to be worked out to both parties satisfaction.

Trustee Hunsinger said the Corps Attorney, Kevin Johnson, is running for Sweden Town Board. He asked Village Attorney Leni if this is a conflict of interest.

Village Attorney Leni said it is not for him to comment on another attorney's conflicts of interest.

- Snowmobiling on Canal Path - Mayor Castañeda shared that she received a written request from the Hilton Sno-Flyers for permission to snowmobile on the canal path within the Village limits. This will be forwarded to the Board and be placed on the 11/1 work session agenda for discussion.

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Chief Varrenti suggested the Department Heads be copied on the request and be given the opportunity for feedback. He commented that the noise ordinance needs to be taken into consideration, particularly since within the Village limits there are so many homes close to the canal path.

Mayor Castañeda said she will seek the feedback of Department Heads.

- Holiday Events - Mayor Castañeda shared that the holiday kick off weekend of events is a little different this year. The Medina Railroad Museum has chosen not to do the Santa Train Rides this year. However, there will be the holiday light spectacular parade being organized by the Stetson Club and Trustee Blair.

- Seymour Library - Mayor Castañeda reminded everyone that this Friday evening is the Merchants Association Midnight Madness. Come out and support your local merchants.

- Seymour Library - Mayor Castañeda reminded everyone that this Saturday evening is the After Hours fundraising event at the Library. If you haven't bought your tickets yet, please do so. This year's fundraising is for computer replacement.

- Empire State Games for the Physically Challenged - Mayor Castañeda thanked Trustee Hunsinger for attending in her place the October 14<sup>th</sup> opening ceremony for the 2011 Empire State Games for the Physically Challenged Brockport Regional Competition.

- Welcome Center - Mayor Castañeda reported that the Welcome Center is closed for the season. Thanks to the Welcome Center Management Committee and the volunteers for another successful season.

- Village Officials Save the Date - Mayor Castañeda said she wants to be sure the Village Board and Department Heads get on their calendars the annual dinner banquet of the Monroe County Association of Villages. It will be Saturday, January 21, 2012 at Midvale Country Club. The guest speaker will be Peter A. Baynes, NYCOM Executive Director. Mayor Castañeda shared that she will be serving as 2012 President, so Brockport will be hosting the banquet. Each Village gets 20 dinners paid for by the association.

- Parking Tickets - Mayor Castañeda reminded all that the parking tickets have been an issue for several years. The former Mayor and former Village Manager met with Sweden officials on it. She referenced an e-mail dated March, 3, 2008 to Chief Varrenti regarding the need for names on the parking tickets and his response.

Chief Varrenti said he doesn't recall it, but is sure he was as reluctant to do so then as he is now. He said again that other law enforcement agencies and courts handle things differently.

Mayor Castañeda said she is showing that it has been discussed to be an issue for some time and recommendations were not followed that would have resulted in a solution.

- Trustee Margaret B. Blackman

- New Restaurant – Trustee Blackman shared that a new restaurant will soon be opening on Main Street in the 2<sup>nd</sup> floor location formerly occupied by Chianti's. The owner was well known as the chef at The Carlton Grill in Orleans County.

- Main Street Rehab - Trustee Blackman shared that a ribbon cutting is being planned by the NYS DOT and Merchants Association. The details will be forthcoming. She encouraged Village officials to attend if they are able. This will put closure to the project and celebrate the completion welcoming people back to the Downtown Historic Commercial District. She thanked NYS DOT for posting notice of the Midnight Madness on its sign boards.

- Farmers Market - Trustee Blackman shared that the vendors will be instructed to carry out their trash and not fill up the municipal receptacles. This Sunday is the last of the season and will feature a Halloween event.

- Interns - Trustee Blackman shared that she and Trustee Hannan meet with the interns for Economic Development and Code Enforcement weekly.

- Code Changes - Trustee Blackman said she hopes the Village Attorney will soon have an opportunity to review the various code changes proposed by the Code Review Committee, one of which involves increasing Tree Board membership, and one of which deals with parking.

Clerk Morelli reminded the Board that the proposed parking chapter changes include a parking pass permit process. She encouraged the Board and Attorney review this aspect. She will forward it again.

**MINUTES OF VILLAGE BOARD MEETING HELD October 25, 2011 continued.....page 12**

- Trustee Kent R. Blair

- Fire Department – Trustee Blair mentioned the Fire Department open house. He said the publicity committee will be sending out postcards and such regarding the proposed Fire District and to encourage getting out to vote on November 29<sup>th</sup>. Trustee Blair said a new digital trunking radio system is on the horizon. This would be a responsibility of the Fire District. However, if the referendum fails, it will be a responsibility of the Village and could be a \$300,000 expense. Some have questioned the need for certain equipment. A ladder truck is needed. Ours is at the end of its life. Trustee Blair said the training and requirements to be a firefighter are immense and ongoing. The fear is that if the Fire Department gets divided, the volunteers will go where the action is – where there training can be utilized. If there are not enough volunteers, paid firefighters are the next step. Trustee Blair said people need to be prepared. The service has to be provided or contracted. The Village is at .82 per 1,000 of assessed value for fire protection. The district is proposing .82 to .84. It would be the same equipment the same firefighters, the same cost if we go with a Fire District.

→ Trustee Blair moved, Trustee Hunsinger seconded, carried 5/0 to declare surplus and authorize advertising for sealed bids for the 2005 Ford Explorer, outfitted as is, at a minimum of \$4,000.

Clerk Morelli will draft the bid notice for the Fire Chief's review.

Mayor Castañeda commented that she would have preferred the Trustee or Fire Chief have requested this item be placed on the agenda.

- Trustee Carol L. Hannan

- Ad Hoc Committee on Housing – Trustee Hannan shared that she has asked those she has approached to fill out a position interest form.

- BISCO - Trustee Hannan shared that she attended a BISCO meeting as the new liaison from the Village Board.

- Food Shelf - Trustee Hannan shared that the Food Shelf has opened in its new location and that she attended the recent open house. Clients now have the ability to select their food choices. They are in need of a turkey source for the holidays. Ryan's Big M used to be their source.

- Joint Comprehensive Plan - Trustee Hannan shared that the update committee heard a presentation from the Rochester Community Design Center regarding the charette process. Other communities have used their services.

- Cultural Heritage Workshop - Trustee Hannan shared that she plans to attend a Cultural Heritage Workshop with the focus of bringing tourists into the community.

- Trustee Scott W. Hunsinger

- Empire State Games for the Physically Challenged – Trustee Hunsinger reported having attended the 10/14 event. He was surprised to have been asked to say a few words, but believes he did just fine. He thanked Chief Varrenti for accompanying him.

- Seymour Library - Trustee Hunsinger reported having attended the 10/18 Library Board meeting. The roof and heating are short term needs and a Lego area for children with disabilities is being planned.

- Village Court - Trustee Hunsinger thanked Trustee Hannan for meeting with him recently to discuss the possibility of a Village Court. He clarified that dissolving the ad-hoc committee did not mean that he was abandoning the idea of a Village Court. He has not thrown his hands up. Research is continuing including looking at start up costs.

- Fire District - Trustee Hunsinger thanked Valerie Ciciotti for the questions she posed during a recent public comment and to Village Attorney for his answers to the Board. He believes it would be interesting to ask others the same questions and will share the answers he receives.

- Election - Trustee Hunsinger reminded everyone to vote in the general election on November 8<sup>th</sup> and to consider all candidates, including those running as write-ins.

**EXECUTIVE SESSION:**

→ At 9:40pm, Mayor Castañeda moved, Trustee Hannan seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a Village Hall personnel matter. Village Manager/Treasurer Giardino and Village Attorney Leni were invited to sit in.

**MINUTES OF VILLAGE BOARD MEETING HELD October 25, 2011 continued.....page 13**

→ At 10:00pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

**ADJOURNMENT:**

→ At 10:00pm, Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the meeting be adjourned.

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Leslie Ann Morelli, Village Clerk