

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, May 15, 2006 at 7:00pm.

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

EXCUSED:

ALSO PRESENT: Village Attorney Thomas D. Calandra, Assistant Fire Chief Scott Smith, Allan Berry, Hanny Heyen, Bill Andrews, Jim & Joan Hamlin, Norm GianCursio, Eduardo Galan, Mary Ann Rogers, Joanne Marcello, John Bush, Linda Borrayo, Kathy Snyder, Fred Webster, Andrew Ottenshot, Tom Billinston, Melanie Mendes, Bob Canham, Jim Sutton, Robbi Hess (Suburban News).

CALL TO ORDER: Mayor Wexler called the meeting to order and led the Pledge of Allegiance. Mayor Wexler welcomed several students from Mrs. Blocker's high school social studies class.

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the action item at the workshop meeting held April 26th and the minutes of the regular meeting held May 1, 2006.

- ➔ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the minutes of the workshop held April 26, 2006, be approved as written.
- ➔ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried that the minutes of the meeting held May 1, 2006, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

GUESTS:

1. Allan Berry – Brockport Museum Board – update & history signage proposal – Allan Berry distributed a memo that read as follows:

“Update on exterior interpretive signs. The Museum Committee is moving forward with plans for exterior interpretive signs that will depict diverse aspects of our community history for residents and visitors alike. These 2 x 3 foot color signs will be placed throughout our community on pedestals or walls. The exterior displays currently contemplated by the committee include the following. The name next to each topic is the name of a person from our history who will be featured prominently on the sign.

1. Canal Commerce – Luther Gordon
2. Clinton Street Then and Now – Heil Brockway
3. Market Street Then and Now – D.S. Morgan
4. Main Street Commerce – Daniel Holmes
5. Religious Life in Brockport – Benjamin Titus Roberts
6. Cultural Life and Entertainment in Brockport – M.J. Holmes
7. Public Education in Brockport – Fred Hill (funding committed and development in progress)
8. Higher Education in Brockport – Ernest Hartwell (funding committed and development in progress)
9. Firefighting in Brockport - ? (funding committed and development in progress)
10. Health Care - ?
11. Women Reformers – Fannie Barrier-Williams
12. African-Americans / Minorities / Diversity - ?

It is anticipated that the sign depicting Public Education in Brockport will be completed and ready for installation this fall with signs depicting higher education and firefighting to follow shortly thereafter.

It is our hope that the sponsor contribution of \$1,000 per sign will account for all costs related to design, production and mounting for the sign. The installation may be undertaken by some of the sponsors as an additional expense; however, the committee feels that in most instances, the installation will be something accomplished by some other source. Therefore, in addition to updating the Board regarding the work of the committee it is our hope that the Village of Brockport will agree to install those signs whose sponsors are unable to install them. In addition, the committee hopes that the Village will also be willing to purchase the signs from the committee for \$1.00 or accept the signs as a gift from the committee and commit itself to maintaining them. Thank you for your consideration.”

Trustee Maziarz said she had an opportunity to see the renderings of the proposed mountings. She said it would be beneficial for the whole Village Board to see them. A. Berry said George Dahl is still working out the details, but that it can be arranged. He said G. Dahl is voluntarily

take.

Mayor Wexler said the Board would consider the proposal further at next week's workshop meeting. A. Berry thanked the Board and thanked Bill Andrews for his leadership of the committee.

2. Bill Andrews reminded the Board that he spoke with them in workshop setting in November about a Preserve America grant opportunity. They were receptive to it. However, a formal resolution was never passed. The application was submitted without it and neither he nor the reviewers realized it was missing. The application was denied. However, there is another opportunity if he can get all in order this week. B. Andrews said this commitment does not affect the budget or the tax rate. It involves time spent by him, the Village Manager and the Village Clerk to administer the planning project. It also requires the Village to apply for a small part of the Village's eligibility for CDBG funding. If the Village were unsuccessful in obtaining CDBG funding, the project would not proceed. Manager Coyle concurred that this is like many other grants in which the Village makes no monetary contribution to the project.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded, unanimously carried adopting the following resolution:

RESOLUTION

WHEREAS the redevelopment of the Clinton Street area could bring important economic benefits to the Brockport community, and

WHEREAS the Preserve America Historic Preservation Grant Program provides funds for planning such redevelopment projects and

WHEREAS an application for such a grant to plan the redevelopment of the Clinton Street area has been proposed and

WHEREAS such grants require a 50-50 match by the applicant and an authorizing resolution by the municipality's governing body

THEREFORE this Board hereby authorizes the submission of the proposed application and agrees to commit \$10,656 of in-kind support and to apply for Community Development Bloc Grant funds in the amount of \$17,522 for the fiscal years 2007 and 2008 to be used for this purpose.

BY ORDER OF THE Village Board of the Village of Brockport

PUBLIC COMMENT:

1. John Bush of 157 Barry Street reminded the Board that they have 11 ½ months to the next budget. He encouraged them to start working on it right away. He said if he moved his house across the line to the Town of Clarkson, the only thing he would lose is the Village tax bill. He said it is crucial that the Village Board deal with the Unions.
2. Linda Borrayo of 155 Utica Street thanked Mayor Wexler, Trustee Castañeda and Trustee Nayman for doing the best they could do on the budget. She encouraged them not to be misled or discouraged by negativism and misinformation. She said they should keep up the hard work and commitment to the taxpayers.

Mayor Wexler said the budget was a joint effort by the entire Board.

DEPARTMENT REPORTS:

- A. PUBLIC WORKS – Superintendent Harry G. Donahue
 1. Hiring / Pre-Employment Testing of Summer Laborer(s) – Superintendent Donahue asked for authorization to hire Scott Mattison and Jonas Locke as summer laborers. They are returning from last summer. He has one spot to fill and is interviewing Josh Locke later in the week. He also asked for authorization to send them for pre-employment testing.

→ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried to hire Scott Mattison and Jonas Locke as summer laborers and send them for pre-employment testing.

2. Authorization to Purchase Parks Mower (Project #41) – Superintendent Donahue said their current parks mower is 6 years old with 1,200 hours on it and it is having some engine trouble. He just received the last of 3 quotes to purchase a new mower. The local Ontrac will take the current one as a trade in and charge \$4,981.36 for a new one. This would come out of Project

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Trustee Castañeda asked the cost to repair the existing mower. H. Donahue said \$1,000 to start. Trustee Nayman asked the amount being offered for a trade in. H. Donahue said \$2,500. Trustee Wagenhauser asked if there is enough money in the line. Manager Coyle said yes. Trustee Maziarz asked H. Donahue if he had provided the Board with anything in writing. H. Donahue said no. He just received the 3rd estimate and could put it in the Trustee's boxes tomorrow. He recommended Ontrac since it is the lowest price, they are willing to provide a trade in allowance and they are local for when parts are needed.

Trustee Wagenhauser asked the expected life of this piece of equipment. H. Donahue said 3 to 4 years. He said they have gotten their monies worth out of the current mower. Trustee Castañeda asked if the new one comes with a warranty. H. Donahue said he is not sure, but thinks it has a 2-year warranty. Trustee Wagenhauser asked the mowing width. H. Donahue said 60" (5').

→ Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried to authorize the purchase of a new parks mower at a cost not to exceed \$5,000 from Ontrac from Project 41.

3. Request brief Executive Session regarding a personnel matter – Superintendent Donahue asked for a brief executive session regarding a personnel matter at the end of the meeting.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Calls for Service – Chief Varrenti reported 4,971 calls for service year to date. He shared that the May 4-7 weekend was a particularly busy one. A 15 year old was forcibly raped. There was a stabbing. There were several assaults and fights. He said at times he has placed 2 officers in each of the 3 cars. This may cut down on patrol visibility, but increases officer safety.

Chief Varrenti reported that 1 officer fell off a roof and fractured his ankle and one officer has a severe case of shingles that has gone into his eye. The shingles are known to require a long healing process from 3 months to 3 years.

2. Hiring of Part Time Clerk – Chief Varrenti shared that the lone full time Police Department Clerk, Bambie Zimmerman, has requested Friday afternoons off in the summer. She has a good deal of vacation and personal time to utilize. He said the timing is right to hire the part time clerk. He asked for authorization to hire Dorothy Passer of Holley at \$10 per hour for a maximum of 15 hours per week. He said she is very accessible as she does not hold or wish to pursue any other employment.

Mayor Wexler asked why the Police Department's doors are locked when Bambie is not there. Chief Varrenti said this is per accreditation standards. Records cabinets and such inside are also locked when she is not there. Chief Varrenti said there is a public restroom in the lobby and if he or an officer on duty is upstairs, they have no knowledge of anyone in the building. Chief Varrenti said he at times covers the road for an officer that is out. There is no way the officer on the road can also handle the phones and complaint window at the office. Mayor Wexler said he does not disagree, but questions why if the Chief is in the office, he cannot leave the door open. Chief Varrenti said there is a phone system at the front door. If someone needs fingerprints done, he would be happy to assist.

Mayor Wexler recalled a time when the Police Department was open 24/7 when the dispatchers were located there. It is unfortunate that although the Police Department is on 24/7, the building itself is only open 8 or so hours per day. Chief Varrenti said he answered his own question. When the dispatchers were there, the door could be open. Mayor Wexler said it was upon Chief Varrenti's recommendation that dispatchers were not needed in the Police Department when they went to 911. Trustee Maziarz asked Mayor Wexler if he is suggesting the fire/ambulance/dpw dispatchers move back to the Police Department. Mayor Wexler said if they had to move in the future and new equipment was required, it should be considered. Chief Varrenti said Brockport Police Department operations are now consistent with other law enforcement agencies in Monroe County. We were the last to go with 911. He said it would be a tremendous cost to relocate the dispatchers again. It was supposed to have been a \$150,000 savings to cut full time dispatchers and relocate the operations to the fire hall.

Chief Varrenti said he asked for authorization to hire the part time clerk. He reminded Mayor Wexler that it was discussed at the last Department Heads meeting and he had no objections. Mayor Wexler agreed, but said he has been thinking about the 24/7 situation. Chief Varrenti said the police are on 24/7, but the administrative offices are open daytimes just like all other

law enforcement agencies in Monroe County. Chief Varrenti reminded Mayor Wexler that the dispatchers, although previously located at the Police Department, were not doing the duties of the police clerk. When the clerk is not there, her duties are not getting done.

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Trustee Castañeda asked the pay scale of the full time police department clerk. I. Coyle said she is hourly and has been with the Village 15+ years, which computes to approximately \$35,000 per year. If she takes benefits, it could add another \$10,000 to \$13,000. (Note: It was later confirmed that she does not take benefits through the Village. She receives the buy out option.)

Trustee Nayman said the hiring of the part time clerk would cost \$7,800 annually. Trustee Wagenhauser reminded the Board that this was discussed in workshop and at budget time. Chief Varrenti said this had been postponed for several months. They got through the budget process, had discussions with the Board and Village Manager and it has been placed on the agenda. He said if there were remaining issues, he would have appreciated a call to discuss them.

Trustee Castañeda said she would have preferred more discussion at the next workshop. She thought they were looking at finding one clerk to work part time at DPW and part time at the Police Department. Manager Coyle said there had been several suggestions, but the one that all agreed on was to fund a part time clerk for DPW, a part time clerk for Police Department and to not replace the part time clerk for Building/Zoning/Code Enforcement until it is determined if some of those duties can be absorbed by the existing clerks. Trustee Nayman asked Manager Coyle if Deputy Clerk Coopenberg could help with Police Department if she loses having to do assessment related paperwork. Manager Coyle said no. However, she may be able to help with Building/Zoning/Code Enforcement filing and such.

Chief Varrenti said B. Zimmerman has scheduled Fridays off through July to use up some vacation time. Trustee Nayman asked the training time for the new Police Department clerk. Chief Varrenti said approximately 80 hours. Trustee Nayman asked if she would handle a Friday alone before her training is up. Chief Varrenti said no.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Castañeda opposed, Trustee Nayman opposed, Mayor Wexler in favor. Carried 3 to 2 to hire a part time clerk for the Police Department – Dorothy Passer at \$10 per hour for a maximum of 15 hours per week.

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

1. Assessment Change – Local Law – schedule public hearing for 6/19 – The resolution that the Village of Brockport will no longer function as an assessing unit made on May 1st was the initial step for the assessment change to formally take place. Notification was given to the Town of Sweden. The next steps are the local law draft and a public hearing on the local law.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the Village of Brockport hold a public hearing at 7:30pm on Monday, June 19th, 2006 to terminate the Village of Brockport's status as an assessing unit for village real property tax purposes. Full text will be available at the Village Clerk's Office.

2. Albany Lobbying Effort – S. Zarnstorff shared that he went to Albany for part of last week with 7 other codes officials to lobby for approval on a bill regarding reimbursement monies to local code enforcement work. The bill has been around for several years and is now being brought back to the legislature's attention. Senator Maziarz and Assemblyman Reilich support it. S. Zarnstorff said 1,700 communities could share \$10 to \$15 million. This money is not from tax dollars, but from fire insurance policy premiums. Therefore, there is no taxpayer impact. The vote is in a couple of weeks and would be for January 1, 2007 implementation. This could mean \$3,000 to \$5,000 or more for the Village of Brockport. He said he met several legislators and was honored to represent Brockport.
3. 7 – 11 North Main Street – Trustee Wagenhauser asked S. Zarnstorff if there is a health and safety concern with the old, vacant building. S. Zarnstorff said yes, any such building encourages rodents at the very least. Trustee Wagenhauser asked what is being done. S. Zarnstorff said he contacted the new property owner for his intentions. He has heard unofficially that he plans to remove the building. Trustee Wagenhauser asked if it is structurally sound. S. Zarnstorff said no and it is also cost prohibitive to make it such. Trustee Maziarz asked if the owner has applied for a demolition permit. S. Zarnstorff said no. Trustee Wagenhauser encouraged S. Zarnstorff to push for demolition and provide an update at the next meeting.

D. FIRE /AMBULANCE / COMMUNICATIONS – Assistant Chief Scott Smith

1. Membership Adds/Drops/Transfers – Assistant Chief Smith asked the Board to consider approving the following drops: Andrew Dillon the following adds: Kyle Eckert to ambulance only, Alicia Sampson to fire and ambulance from ambulance only, Cathy Ryan to ambulance only, Ben Bahr to the Explorer Post.

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→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried approving the previously mentioned drops and adds.

2. Call Load – Fire incidents year to date: 259 EMS calls year to date: 553 for a total of 812 calls year to date. They are averaging 6.7 calls per day. Assistant Chief Smith reported another fatal motor vehicle accident this past weekend. It was another long night of assisting the various agencies as they carry out the investigation. That is three in less than one month.
3. Consolidation – Assistant Chief Smith said consolidation appears to be favorable within the department. Four companies have already voted to approve the new by-laws, with the fifth company meeting on May 17th. They will be polling the companies on May 18th at the regular Fire Council meeting.
4. SUNY Donation – Assistant Chief Smith said it was a pleasure to have the Village Board at their meeting on May 2nd for the SUNY presentation. They are very grateful to President Halstead and the College for their continued financial support. They use their donations to enhance and add to the computer network and other technology improvements. The next project is a podium system to house a computer for the training room. This will improve the quality of training presentations. Instead of transparencies on an overhead, they should be able to move into the age of power point presentations.
5. Monroe County Volunteer Fire Chief's Association – Assistant Chief Smith said Brockport is hosting the Association's regular monthly meeting on May 10th at Market Street. He thanked the DPW for their assistance in getting the station looking good for the visiting chiefs and fire officials.
6. Maintenance – Assistant Chief Smith reported that they are experiencing an engine problem with pumper 232. It is currently at the Cummings Diesel shop in Buffalo as they attempt to locate or trouble shoot the problem.
7. Memorial Day Remembrance Ceremony – Assistant Chief Smith said they would be participating in the Memorial Day Remembrance Ceremony at the Vet's Club on May 27th.

E. TREASURER / VILLAGE MANAGER - Ian M. Coyle

1. Resolution for Tax Warrant – Manager Coyle asked the Board to authorize the Mayor to sign the tax warrant. He said Village tax bills will be sent out June 1st and are due July 5th without penalty.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried authorizing the Mayor to sign the tax warrant.

2. Budgetary Transfers – Manager Coyle said as the fiscal year winds down a few budgetary changes are necessary. Some lines were over and some lines were under. (see end of minutes) \$139,611 general, \$15,887 water, \$2,806 sewer.

→ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried authorizing the budgetary transfers as presented.

3. New York State City & County Managers Association – Manager Coyle asked for authorization to attend the NYS City and County Managers Association conference May 21st & 22nd. The fee is \$195 and he will split a room with a colleague for \$100.

→ Trustee Maziarz moved, Trustee Nayman seconded, unanimously carried authorizing Manager Coyle to attend said conference.

4. Clarkson / Sweden Community Center – Manager Coyle shared that Dave Scott of the Clarkson Sweden Community Center stopped in to see he and Mayor Wexler. He asked that the Village Board consider allowing them to utilize the Corbett Park tennis courts for tennis programs this summer. He said there would be no cost to the Village. They carry the insurance. No restrooms are needed. He said details of dates and times would be forthcoming.

Trustee Maziarz said this is a great idea and she looks forward to getting a written proposal. Mayor Wexler said Jarl Boyst had spoken to him previously about this and the possibility of utilizing some of the Village's playgrounds for programs in the future.

Trustee Nayman said she would just want Village residents to know when the courts would be off limits for their use. Trustee Castañeda suggested approving the request. Trustee Maziarz said she would prefer to see a written proposal first. Mayor Wexler said they would request a written proposal and schedule it on next week's workshop agenda.

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F. CLERK - Leslie A. Morelli

1. Elections – notice re electors – Clerk Morelli shared that the deadline for candidates to file their petitions with Monroe County Board of Elections to run for the one Trustee position is tomorrow end of day. Once the candidates are confirmed, the following notice will be placed in Suburban News. (The candidates were confirmed 5/17.)

LEGAL NOTICE
TO THE ELECTORS OF THE VILLAGE OF BROCKPORT, NEW YORK
GENERAL ELECTION

NOTICE IS HEREBY GIVEN THAT THE GENERAL ELECTION IN AND FOR THE VILLAGE OF BROCKPORT, COUNTY OF MONROE, STATE OF NEW YORK WILL BE HELD ON TUESDAY, JUNE 20, 2006 AT THE MUNICIPAL BUILDING, 49 STATE STREET, BROCKPORT, NEW YORK. THE POLLS WILL BE OPENED AT 12:00 NOON AND CLOSED AT 9:00PM

The following officer is to be chosen:

One (1) Trustee to complete a term of Four (4) years to 6/30/08

LIST OF NOMINATIONS

The following is a list of nominations filed in the office of Monroe County Board of Elections of the candidates for the offices to be filled at the General Election in and for the Village of Brockport on Tuesday, June 20, 2006:

Realistic Party	Name	Mary Jo Nayman	for Trustee
	Address	5 Carolin Drive	
Take Pride in Brockport Party	Name	Hannelore G. Heyen	for Trustee
	Address	142 Frazier Street	

2. Max's Mardi Gras Committee – one drop – Clerk Morelli asked the Board to drop Marcia Kucmerowski from the Max's Mardi Gras Committee. Bill Andrews said she no longer participates in the planning.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to drop Marcia Kucmerowski from Max's Mardi Gras Committee.

3. Code Review Committee & Canal Revitalization Committee – change from 7 to 5 members each – Clerk Morelli said she and Manager Coyle had discussed the fact that many people in the community have committed their time and energies to various boards, committees, and volunteer efforts. The Village has 5 members working on the Code Review Committee and 5 members ready to begin working on the Canal Revitalization Committee. Rather than continuing to advertise for 2 additional people on each of these committees, they recommend changing the membership makeup from 7 to 5 members. Clerk Morelli shared that the Code Review Committee has a set schedule to meet twice a month. She is in the process of gathering availability of Canal Revitalization members in order to schedule an organizational meeting sometime in June.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to change the committee makeup from 7 to 5 members for the Code Review Committee and the Canal Revitalization Committee.

4. Accept Resignation of Museum Director – Mary Lynne Turner – Clerk Morelli referred to the letter of resignation submitted by Mary Lynne Turner. She has been Museum Director for several years. Mayor Wexler said she would be greatly missed.

→ Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried to accept the resignation of Mary Lynne Turner as Museum Director with regrets and appreciation for her service.

G. ATTORNEY – Thomas D. Calandra / DEPUTY ATTORNEY – Frank A. Aloï

H. ECONOMIC DEVELOPMENT

SUPPORT BOARDS REPORTS:

- A. PLANNING BOARD – Chair R. Scott Winner
- B. LIBRARY BOARD – President Matthew Minor
- C. ZONING BOARD OF APPEALS - Chair John Bush

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VILLAGE BOARD REPORTS:

- A. Trustee/Vice Mayor Maziarz
 - 1. College Graduation – Mayor Wexler congratulated Trustee Maziarz on her graduation from SUNY College at Brockport with her Bachelor’s Degree.
 - 2. Canal Revitalization Committee – Trustee Maziarz offered to be the liaison to the Canal Revitalization Committee. Trustee Castañeda said she would also like to be a liaison to this committee.
 - 3. 52 South Avenue – Trustee Maziarz referred to a memo from Village Attorney Calandra. The Board recently removed the surplus designation of this parcel. She asked that the Board take the next step and dedicate it as a park.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded to dedicate 52 South Avenue as a park to remain as a green space and add it to the list of parks in the Comprehensive Plan.

Discussion:

Trustee Castañeda said Attorney Calandra’s memo indicates that once it is dedicated as a park, it cannot be converted without state legislative approval. If this is the case, does she have the required procedures? Trustee Maziarz said no, but compared this to Sagawa Park. Trustee Castañeda said the distinction is that Mrs. Sagawa donated Sagawa Park to the Village and made a commitment to provide an annual maintenance contribution. Trustee Maziarz said the maintenance contribution would not be required. Mayor Wexler said once a parcel is dedicated as a park, the Village couldn’t take away that designation. It must come from the State.

Mayor Wexler said a couple of Trustees had concerns about moving assessment 150’ down the street and possibly losing autonomy. To dedicate this parcel as a park would cause the Village to lose control over it. It would be lost. Trustee Wagenhauser said this is one parcel. The assessment issue relates to all parcels.

Trustee Castañeda said she is in favor of keeping the parcel as it is, but not dedicating it as park. Trustee Maziarz said the Village could be held liable for any injuries on the property. If it were not designated as a park, insurance would likely not cover it.

Trustee Castañeda suggested they discuss this further at the next workshop. Trustee Maziarz said there is a motion and a second on the floor. She would like it voted on. She said it has been a topic of discussion for 3 months. Trustee Castañeda said it has not been that long.

Trustee Nayman said the residents have full use of the parcel now. To dedicate it as a park warrants further discussion at a workshop. She said the Board received petitions, listened to a group of South Avenue residents, and she said she visited the area and contacted some of the residents. She said it is a nice street and a nice parcel. However, there are 8,103 taxpayers in 2.2 square miles. With the economy as it is today and projections of the future; she said she finds it difficult to take a parcel off the tax rolls forever. Keep it for a rainy day – down the road. Trustee Nayman said she has lived here for 41 years and remembers that residents did not want to lose the open area where Willowbrooke, Evergreen Road and Morgan Court are. They hated to see the empty space go, but it has brought money into the Village. She said if she had to vote now, for forever, she would say no. Let the residents enjoy the parcel for as long as possible until a future Board needs to utilize it for sale and tax revenue.

Trustee Maziarz said the 8,103 population in the Village of Brockport are not all taxpayers. Trustee Nayman said she misspoke. Trustee Maziarz said this parcel could hold two houses at most. This is not even comparable to the development of Willowbrooke, Evergreen and Morgan Court that Trustee Nayman spoke of. The revenue generated from sizeable development is substantial. Trustee Maziarz said this part of the Village deserves a park.

Mayor Wexler questioned the definition of a park. He said this parcel held a house on it for many years. It only became green space approximately 8 years ago. The Village Board at that time (according to the meeting minutes) was to remain green space until such time a Village Board chose to sell it for building lots. He said someday the Village Board might need the additional funds from its sale and its annual taxes. For the time being, enjoy it as green space.

Trustee Maziarz read from the December 2003 NYCOM publication entitled Regulation of Parks and Other Municipal Property. "A park is a pleasure ground set apart for the recreation of the public, to promote its health and enjoyment." She said the argument that there was once a house there does not work. Central Park in New York City was manmade. Trustee Wagenhauser said it is likely that at one time there was a house or something on lands currently

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used as parks and playgrounds throughout the Village. At some point, it was decided to make them parks.

Mayor Wexler read from the same publication that the state legislature would have to approve alienating parkland.

Trustee Maziarz said there is a motion and a second and asked the Mayor to call for a vote.

→ ... In favor: Trustee Maziarz, Trustee Wagenhauser. Opposed: Trustee Castañeda, Trustee Nayman, Mayor Wexler. Motion denied 3 to 2.

4. NYSDOT Main Street Rehabilitation – Trustee Maziarz reminded the Board that at a recent meeting she recommended forming a committee with the following makeup: 2 merchants, 2 members of the Walk Bike Brockport Action Group, 2 residents at large. This committee would have access to the Village Manager, DPW Superintendent, Code Enforcement Officer, Police Chief and Fire Chief. She said she is not bringing forward names, but encourages the formation of the committee.

Trustee Castañeda said she recalls receiving correspondence from the Walk Bike group and it seems as though they formed their own group. Trustee Maziarz said the Walk Bike group has a sub-group allocated to Main Street development and pedestrian and bike friendly planning. There is a core of people already educated on the topic. Trustee Castañeda suggested it be placed on the next workshop for discussion. She said the NYSDOT is not ready yet anyway. Trustee Maziarz said she would like to form the committee now and solicit members for consideration at the June 19th meeting.

Mayor Wexler said Manager Coyle had spoken to SUNY regarding a representative coming this fall. Trustee Maziarz said SUNY administration is here in the summer. Mayor Wexler said the names are presented to the Village Board by the Mayor and the Village Board votes on the names. Trustee Maziarz said she knows that, but is just trying to design the complexion of the committee at this point. It will be discussed further at the next workshop.

5. Legal Expenses – Trustee Maziarz said as the fiscal year comes to a close the year to date legal line is \$81,605. This is 130% of the \$60,000 that was budgeted. There are still a couple of weeks to go. She said this is driven by 2 cases of pending litigation.

Mayor Wexler said the duty to defend is broader than the obligation to indemnify. It is the obligation of the Village to defend the Mayor and 2 Trustees cited in the lawsuit from Chief Varrenti. Trustee Maziarz said this is at taxpayer's expense. Mayor Wexler said yes. Trustee Wagenhauser said it is one thing if the suit finds they were acting within the scope of their duties.

Trustee Castañeda said in the last 2 budgets Trustee Maziarz was in favor of raising the budget in the legal line. Trustee Maziarz said yes, but the last time it wasn't needed. Mayor Wexler said he was not born yesterday. When the lawsuit is over and the public is made aware of the details, the Board will see what the community thinks. Meanwhile the 3 members of the Board that were sued have to have protection under the law.

Trustee Maziarz said she feels it is important that the taxpayers know that 3% of the tax rate increase is due to this. Where money was saved elsewhere, it had to be added to the legal line.

B. Trustee Castañeda

1. Village Advisory Committee – Trustee Castañeda said she was unable to stay for the entire last Village Advisory Committee meeting. She will have to get the dates for the next meetings from Lisa Saeva.
 2. Congratulations to the Brockport Garden Club – Trustee Castañeda congratulated the Brockport Garden Club on receiving an Adopt A Trail award. They were one of 11 groups nominated for a state award.
- C. Trustee Wagenhauser
1. Mulch Available – Trustee Wagenhauser shared that the Village of Brockport has mulch available to its residents for free. It is approximately 200 yards past Glendale on the north side.
 2. ESCO Options – Trustee Wagenhauser said he and Manager Coyle are working on ESCO (Energetix) options.

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3. Freedom of Information – Trustee Wagenhauser said he is glad the Village Attorney is at tonight’s meeting and hopes that in executive session he can provide information as to all Trustees receiving information and documentation on the pending lawsuit. He said Mayor Wexler told him today he is not entitled to this information.
- D. Trustee Nayman
1. Corbett Park – Trustee Nayman thanked the DPW for their quick response in alleviating a hazardous situation on a piece of playground equipment at Corbett Park.
 2. BISCO – Trustee Nayman said BISCO is steadily working towards the annual August Arts Festival. They suggested that the Mayor and Trustees who come around to the vendors with free coffee and donuts have a bell. She asked if the Village pays for the coffee and donuts or if they are donated. Mayor Wexler said Brad Alexander donated the donuts. Trustee Maziarz said the Brockport Fire Department donated the coffee.
- E. Mayor Wexler
1. Lions Club Cruise-ins Saturday, 7/22 & 9/9 – enforce 2 hour parking limit to 3:30pm – Mayor Wexler said there have been mounting problems with recent car cruise ins as to participants double parking or getting their early in the morning for a good spot and staying all day. However, the 2-hour parking ordinance is not in effect on Saturdays. He recommended the Board make a motion to place the 2-hour parking ordinance in effect on July 22nd and September 9th until 3:30pm. The Brockport Lions Club Cruise-in flyer states “No double parking on Village streets and the 2-hour parking limit will be enforced on Main Street prior to street closing at 3:30pm”.
- Chief Varrenti said he has discussed this with Al Hammel of the Lions Club as well. He said they are willing to give it a try. He further said he does not know of any other community that closes down a main state road so often. Chief Varrenti said he would authorize the issuance of tickets, but not the towing of show cars. However, this does not prevent show cars from arriving at 1:30pm. Mayor Wexler said it should address many of the concerns of the downtown merchants.
- Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to enact the 2-hour parking limit until 3:30pm on Saturday, 7/22 and Saturday, 9/9.
2. Appointment to Village Advisory Committee – Robin Waller of South Avenue submitted an application to serve on the Village Advisory Committee.
- Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried to appoint Robin Waller to the Village Advisory Committee.
3. Appointments to Ethics Board – Mayor Wexler brought forth the following names for consideration to serve on the Board of Ethics: Wayne Bennett, Linda Johnson, Christine Mazzarella, Jean Skillings, Jim Sutton, Trustee Mary Jo Nayman. Per the Code, the Village Attorney serves ex-officio and has no voting power.
- Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried to appoint Wayne Bennett to the Board of Ethics.
- Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried to appoint Linda Johnson to the Board of Ethics.

→ Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried to appoint Christine Mazzarella to the Board of Ethics.

→ Trustee Castañeda moved, Mayor Wexler seconded to appoint Trustee Mary Jo Nayman to the Board of Ethics.

Discussion: Trustee Maziarz said she spoke with Dr. John Keiser of SUNY. He had forwarded a memo regarding his concerns of the makeup of this committee. He believes the mere presence of a Village Board member on the Board of Ethics, whether serving as a liaison or not, could have an influencing impact. It is not appropriate to have a Village Board member on the Ethics Board. In itself it could be considered unethical. Mayor Wexler referred to this section of the Village Code, which has been in existence for over 30 years. Trustee Maziarz said she realizes it is in the Village Code, but recommends that it be amended. After all this time, the Board of Ethics is now being formed. It is supposed to be non-biased. Village Board members (elected officials) may have obvious biases. Mayor Wexler said that is her opinion. Trustee Wagenhauser said it is not clear to him if the Village Board member is a voting member of the Board of Ethics. It indicates that the

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Village Attorney has no voting power. Trustee Wagenhauser questioned the duties of the Board as a whole and of its members. Mayor Wexler said all we have is what is written in the Code. He said the Board of Ethics will select its own chairperson and lay out duties. Trustee Wagenhauser said they should return to the Village Board for approval of their duties. Trustee Maziarz said the most important thing is that they work within established parameters.

→ Opposed: Trustee Maziarz, in favor if the Village Board member has no voting power: Trustee Wagenhauser, Abstain: Trustee Nayman. Carried 3 in favor to 1 opposed to appoint Trustee Mary Jo Nayman to the Board of Ethics.

→ Trustee Castañeda moved, Trustee Wagenhauser seconded, unanimously carried to appoint Jean Skillings to the Board of Ethics.

→ Trustee Castañeda moved, Trustee Nayman seconded to appoint James Sutton to the Board of Ethics.

Discussion: Trustee Wagenhauser said he has concerns since Mayor Wexler declares J. Sutton his best friend, walking partner and campaign manager. Mayor Wexler said J. Sutton and his family ran a business in the community for many years, he is involved in church, was an educator, is a dedicated member of the Fire Department and so on. Trustee Wagenhauser said J. Sutton as a person or an involved citizen is not in question. Mayor Wexler said he is proud to call him his friend and that he has given more to the community over the years than most. He is an excellent choice. He said he could guarantee that he will be impartial in his decision-making and will recuse himself if necessary. Trustee Wagenhauser said he is sure that J. Sutton is an absolutely wonderful gentleman. Trustee Wagenhauser said he does not make a habit of voting against those who volunteer in the community.

→ Trustee Wagenhauser abstained. Trustee Maziarz and Mayor Wexler in favor. Carried.

PUBLIC COMMENT:

1. John Bush of 157 Barry Street referred to the parking situation during the car cruise in events. He said the double and triple parking is a problem as well since it makes it next to impossible to get by. J. Bush said the Police Department could hire 3 or 4 part time clerks in place of the one highly paid clerk with benefits.
2. Bob Canham of Winston Woods asked that the Village Board recall the petitions submitted by residents not only to take the parcel (52 South Avenue) out of danger of development today, but also to protect it for the future. He said they appreciate the Board's first step, but hope they reconsider dedicating it as a park.
3. Lisa Saeva of 55 Havenwood Drive said she finds it problematic that the Village Board voted on members for the Board of Ethics when it sounds like the duties and responsibilities are nebulous. She said she has some real concerns that they do not know what they are getting into. Does the Village Board member act as a liaison or have voting rights. Do people know there will be an elected official on the Board? How independent can it be? It seems as though it is premature to vote on names. It does them a disservice.

At 9:10pm Trustee Castañeda moved, Trustee Nayman seconded, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss personnel and legal matters.

I, Leslie A. Morelli, Clerk for the Board of Trustees of the Village of Brockport, do hereby certify that the Board met in an executive session and did discuss the matters as expressed in their motion, and I further certify that no formal action regarding public funds was taken thereon.

Leslie Ann Morelli, Village Clerk

At 10:30pm Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the Board of Trustees of the Village of Brockport exit executive session and re-convene the regular meeting.

1. Termination of DPW Laborer Theodore Mosher –

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to terminate DPW laborer Theodore Mosher effective immediately.

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AUDIT:

→ Trustee Castañeda moved, Trustee Maziarz seconded, Trustee Nayman opposed since she had not yet reviewed the bills, carried that the bills be allowed and paid upon audit.

<u>Village</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
	5/15/06	173336-173401	43,809.03
<u>Fire</u>			
	5/15/06	173327 – 173335	8,967.35
<u>Third Party Billing</u>			
	5/15/06	000788-000792	4,237.48
<u>Capital Projects</u>			
	5/15/06	001990-001993	14,936.84
<u>Sewer</u>			
	5/15/06	001087	25,865.44
<u>Water</u>			
	5/15/06	001416-001427	77,038.39
	5/15/06	001428-001431	1,214.44

ADJOURNMENT:

→ Mayor Wexler moved, Trustee Castañeda seconded, unanimously carried that the meeting be adjourned at 10:30pm.

Leslie Ann Morelli, Village Clerk