

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, April 15, 2002 at 7:30pm.

PRESENT: Mayor Josephine C. Matela, Trustees Morton Wexler, James E. Whipple, Norman J. Knapp; and Peter C. DeToy, Acting DPW Superintendent Harry Donahue, Police Chief Daniel P. Varrenti, Clerk Leslie A. Morelli.

EXCUSED: Building/Zoning Officer Zarnstorff, Treasurer Scott D. Rightmyer

ALSO PRESENT: Attorney Edward W. Riley, Fire Chief Gregory B. Wing, Planning Board Chair Scott Winner, Kenneth Pike (Earthworks Environmental), Robbie Hess (Suburban News), Christine Fien (Brockport Post), Ray and Jackie Morris, Scott Warthman, John Bush, Bill Weber, John Lessord, Joan Hamlin, Stuart Dube, Joe Johnston, Inga Songbird, Herb McCauley, Fred Webster, Christine Kadama.

CALL TO ORDER: The meeting was called to order by Mayor Matela. The Mayor led the meeting in the Pledge to the Flag.

REVIEW OF MEETING MINUTES: Mayor Matela called for any additions or corrections to the minutes of the regular meeting held April 2, 2002.

➔ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried that the minutes of the meeting held April 2, 2002, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT (1st opportunity):

1. Bill Weber of 333 Main Street, former Village employee, stated that he has seen a copy of the new Police Chief's contract and had a few questions. Did the Mayor signed the contract with Board approval? Who prepared the contract? Was the Village Attorney consulted regarding the contract? How were particular items gotten to? In regards to the position for DPW Superintendent, he asked if a selection committee has been put together. Mayor Matela said public comment is an opportunity for the public to address the entire board, not to get into a dialogue.
2. Joe Johnston, Judicial Coordinator at SUNY College at Brockport said the College would like to re-activate its Alcohol Task Force and is sending a small group to Albany for training. They have found the largest problem to be excessive drinking at off-campus houses holding parties. He also announced an upcoming Good Neighbor Committee meeting Wednesday at 8pm at the Seymour Library. He shared that he would be working with Building/Zoning Officer Zarnstorff on fire safety / fire prevention programs for on and off campus students and would be working with the Landlords Association to develop a rating system to improve the College – Landlord – Tenant relationship. Mayor Matela thanked him for his participation.

GUESTS:

1. Scott Warthman, Fire Department Historian, updated the Board on the status of the September 11th Memorial Monument planned for the five corners at the Capen Hose Company and said the licensing agreement is ready for Board approval and Mayor's signature. He reported that Allied Builders has graciously volunteered to design and build the base. The lighting will be installed so as not to interfere with traffic. The two existing flag poles have been removed. The Village sign needs to be relocated. Donations are still being accepted. Mayor Matela asked if Village Attorney Riley had reviewed the licensing agreement. E. Riley said he prepared it.

⇒ Trustee Knapp moved, Trustee Wexler seconded, unanimously carried accepting the licensing agreement as prepared and authorizing the Mayor to sign it.

DEPARTMENT REPORTS:

- A. PUBLIC WORKS – Acting Superintendent Harry Donahue
 1. Main Street Sidewalk Beautification Project – H. Donahue reported that work on the project has started up again on the west side of Main Street. This side should be completed in time for Max's Mardi Gras Parade, 4/27 with the east side of Main Street beginning construction after that.
 2. Water Hydrant Flushing – H. Donahue reminded all that this is going on today through Wednesday.
 3. Spring Clean Up – H. Donahue reminded all that this is next week.
- B. POLICE / COMMUNICATIONS CENTER – Chief Daniel P. Varrenti
 1. Quarterly Report – Chief Varrenti thoroughly reviewed the format of his first quarterly report and stressed that reporting and record-keeping standards will now be done consistent with all other

law enforcement agencies. Chief Varrenti highlighted policy changes or adoptions, crime trends, and future projects. He also shared correspondence from a new resident who made a contribution of \$40 to the Police Department for possible use for SPARTAC equipment. Chief Varrenti said he was not accustomed to accepting donations and would be glad to take suggestions from the Village Board on its use. (Report is on file.)

The Mayor and Trustees commended Chief Varrenti for such a thorough report.

C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff (excused due to training)
1. Monthly Report – previously distributed.

D. FIRE - Chief Gregory B. Wing

1. Quarterly Report – Chief Wing reported 72 fire calls and 119 ambulance calls for March. He reported 416 fire calls for the quarter with 44 percent between 6am and 6pm and 56 percent between 6pm and 6am. The breakdown was Village = 110 calls, Clarkson = 133 calls, Sweden = 156 calls, SUNY = 17 calls. He reported 353 ambulance calls for the quarter with 47 percent between 6am and 6pm and 53 percent between 6pm and 6am. The breakdown was Village = 90 calls, Clarkson = 113 calls, Sweden = 129 calls, SUNY = 11 calls. They also gave mutual aid to Bergen on one occasion. Chief Wing said he is still working on the numbers for hours in service.
2. USA Today – Chief Wing shared that James Weaver and James Coopenberg were pictured on page four of a recent USA Today newspaper. They were at a Fire Conference in Indianapolis and represented Brockport at a memorial to those killed on September 11th.
3. New Ambulances – Chief Wing reported that the new ambulances will be arriving this Sunday.
4. Budget Hearing – Chief Wing thanked those Career Staff members who gave of their own time to attend the recent public hearing on the budget.
5. Thanks from SUNY President – Mayor Matela relayed thanks from SUNY President, Dr. Yu for the jackets the Fire Department gave to he and his wife.

E. TREASURER - Scott D. Rightmyer – excused due to vacation

F. CLERK - Leslie A. Morelli

1. Authorization for interested Planning Board / ZBA members to attend workshop – Clerk Morelli announced the annual Spring 2002 Regional Local Government Workshop in Mt. Morris on Friday, May 10th. So far, new ZBA member, John Bush, has expressed interest in going. She has put out notice to all Planning Board and Zoning Board of Appeals members. The registration fee is \$30. Chair Winner said he would know by the next Planning Board meeting April 22nd if anyone else is interested.

⇒ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried authorizing any interested Planning Board or Zoning Board of Appeals member to attend at a cost of \$30 each.

2. Authorization for interested officials to attend NYCOM 6/2 – 6/5 – Clerk Morelli announced the annual June NYCOM conference. She and Mayor Matela expressed an interest in attending. Trustees will review the announcement and advise at the next meeting.
3. Sidewalk Café Permit – Java Junction – Clerk Morelli reviewed the application for a sidewalk use permit for Java Junction from now until October 31st. The application indicates two tables and eight chairs as in the past. The application is complete, insurance certificate provided, and fee of \$200 submitted. Clerk Morelli shared that \$150 of the \$200 fee is returned at the end of the season if there have been no problems.

⇒ Trustee Knapp moved, Trustee DeToy seconded, unanimously carried authorizing a sidewalk use permit for Java Junction for the 2002 season.

4. Parade / Procession Application – SUNY 5K Run/Walk/Roll – Sunday, 4/28 10am – Clerk Morelli reviewed the application. Chief Varrenti said he has no particular problem other than that he thinks the Board should look at parades / processions as a whole and the cost to the Village. How many should the Village allow? At what cost? Trustee Wexler asked if the Fire Police could help out to cut back on Police overtime. Fire Chief Wing said Fire Police Captain Meier is in attendance and can attest that they are fine with traffic control, but are not meant for this, nor are there enough of them. Trustee Wexler asked about assistance from NYS Police or Monroe County Sheriff's like at the Arts Festival. Chief Varrenti said it can not be done for purposes of local overtime reduction. Chief Varrenti said he will be breaking down all costs to his Department for all parades, processions, festivals or special events. This data did not exist previously.

⇒ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried approving the parade / procession license for the SUNY 5K Run, Walk, Roll on Sunday, April 28th at 10am.

5. Parade / Procession Application – CROP Walk – Sunday, May 5th 1-5pm – Clerk Morelli reviewed the application for the annual CROP Walk.

⇒ Trustee Whipple moved, Trustee DeToy seconded, unanimously carried approving the parade / procession license for the CROP Walk on Sunday, May 5th from 1-5pm.

6. Amnesty International & St. Luke's Request to Use Sagawa Park – Friday, April 26th 5:45pm to 6:30pm - Clerk Morelli reviewed a letter requesting approval to use Sagawa Park for a brief ceremony and ringing of the bells to commemorate the 100th exoneration of a death row prisoner because of innocence. The group consists of less than a dozen active members. They promise to leave the park in a clean and orderly condition.

Trustee DeToy asked the Police Chief if he has heard of any counter protests requiring police presence. Chief Varrenti said this is the first he has heard of this. Trustee Wexler commented that whether for or against the death penalty, he is not sure the Village should be involved by allowing its property to be used. Trustee Whipple said it is a public park. The group is not asking for the Village's endorsement. Trustee DeToy said it is a public assembly demonstration that should be looked at before approving. Clerk Morelli commented that the Village's policy on renting the Fire Hall states not for religious activity. Trustee Whipple said he does see this as tied to a religious group other than possibly using their church as a meeting place. He suggested that Chief Varrenti contact the group leader. Chief Varrenti said he would think it is their first amendment right and questioned Village Attorney Riley if we can preclude them from using a public park. Attorney Riley said it is not illegal or covert and even a threat can not justify precluding them from meeting there. Trustee DeToy said in today's world, you never know what could happen. Attorney Riley said they are entitled to the same protections under the law.

⇒ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried allowing the use of Sagawa Park by Amnesty International and St. Luke's Church on Friday, April 26th from 5:45pm to 6:30pm contingent upon the Police Chief contacting the group leader.

G. ATTORNEY – Edward W. Riley / DEPUTY ATTORNEY – Frank A. Aloï – No report.

SUPPORT BOARDS REPORTS:

A. PLANNING BOARD – Chair R. Scott Winner

1. Updates – Chair Winner reported that there is an application to develop the remaining Farash property on West Avenue into 230 single family homes and 6 commercial lots. They will continue review of the application on April 22nd, and will hold a public information meeting on May 6th. In other business, Meli Enterprises has applied for a fill permit to bring in fill being removed from a road project in Greece to its property east of the proposed Havenwood Meadows Section III. Chair Winner said he has grave concerns about the fill and the potential to have been exposed to contamination. Village environmental consultant, Ken Pike, advised against it. There is no testing information yet available, but it is probably not something the Village would want to approve. Trustee Whipple asked why they want to put the fill there. S. Winner said the site has major fill issues and in parts is 8 feet lower than the level of water and sewer connections coming off of the Hibsich project. S. Winner said due diligence would be done and the 5-member Board will come to a determination. Also to be discussed on April 22nd is the Planning Board's feedback on the draft updated Sweden / Brockport comprehensive plan. There is a joint public hearing with the Village and Town Planning Boards on the comprehensive plan on Monday, April 29th in the Village Hall conference room. Then it will go to the Town Board and Village Board for review.

B. LIBRARY BOARD – President Leslie Zink (absent)

C. ZONING BOARD OF APPEALS - Chair Richard L. Aldrich (absent)

VILLAGE BOARD REPORTS:

A. Vice Mayor Wexler

1. Contamination – Trustee Wexler reported that he attended the April 4th meeting regarding the proposed clean up of the former G.E. site. He said they have a long way to go, but at least they are beginning to talk about it and work on plans. Village environmental consultant, Ken Pike, said he just received some background data to review. There are several issues. He encouraged residents to write to the DEC with feedback on the plan.
2. Village Board Working Relationship – Trustee Wexler commented that a letter was submitted from a resident imploring the Village Board to get along and work together. Trustee Wexler said in regards to the budget preparation, all 5 elected officials have worked together and had

opportunity to speak and participate for the best interests of the community. Potential lawsuits played no part in budget preparation.

3. Reconfirmation of Police Chief contract and authorization for Mayor to sign – Trustee Wexler explained that upon researching a FOIL request, we discovered that the minutes of the Village Board do not reflect the prior approval and authorization of the contract with Daniel P. Varrenti and the Village of Brockport or appointment of him as Police Chief. Recollection is that both took place, however, they did not appear in the minutes.

⇒ Trustee Wexler moved, Trustee DeToy seconded, unanimously carried approving the contract between Daniel P. Varrenti and the Village of Brockport, authorizing the Mayor to sign the contract and appointing him Police Chief so that the minutes will reflect same and reconfirm the matter nunc pro tunc (“as if from the beginning with full force and effect”).

B. Trustee Whipple

1. Annual Community Service Award Banquet – Trustee Whipple shared that the Joint Recreation Commission has nominated Nancy Duff, Director of the Sweden Senior Center as this year’s recipient of the Community Service Award. She has accepted the nomination. Trustee Whipple said she has done a lot over the years to promote inter-generational activities and is very deserving of the award. The banquet is Friday, May 24th at SUNY New York Room. Tickets are \$15 and for sale at the Village. Mayor Matela suggested the Board adopt a proclamation in her honor. Trustee Whipple concurred that would be appropriate.

C. Trustee Knapp – No report.

D. Trustee DeToy – No report.

E. Mayor Matela

1. Authorization to sign contract with Christopher Trento, CPA for annual audit – Mayor Matela shared that C. Trento has kept his fee at \$5,950 for the past few years.

⇒ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried authorizing the Mayor to sign the contract with Christopher Trento, CPA for \$5,950 to conduct the annual audit.

2. Appoint Ben Kendig, Project Manager & authorize funds from Waterfront Capital Reserve – Mayor Matela asked for authorization to appoint Ben Kendig as Developer. Trustee Whipple suggested he be considered Project Manager, not Developer. Mayor Matela agreed and asked for authorization to allow \$10,000 out of the \$225,000 reserve fund. He has met several times with the Canal Revitalization Committee several times and begun work on helping the Village to form an LDC (Local Development Corporation). He will be meeting with the Board again at their next workshop and will then prepare a public presentation.

⇒ Trustee Whipple moved, Trustee Wexler seconded, unanimously carried appointing Ben Kendig as Project Manager for \$10,000 and authorizing the Mayor to sign said contract.

3. Erie Canal Wall Proposal for Concrete Coring Services – Mayor Matela asked for authorization to sign the proposal from Chatfield Engineers to provide coring services of the canal wall. The cost is \$2,890 and is reimbursable from New York State.

⇒ Trustee DeToy moved, Trustee Whipple seconded, unanimously carried authorizing the Mayor to sign the contract with Chatfield Engineers for concrete coring services at a cost of \$2,890 to be reimbursed by the state.

4. Adoption of 2002-2003 Budget – Mayor Matela shared that the comments of the public were taken into consideration and since the April 3rd public hearing on the budget, Treasurer Rightmyer was able to reduce the budget by \$101,000. This was by means of a flat rate reduction of 10%, worker’s compensation insurance reduced increase from 30% to 18%, unallocated insurance reduced increase from 30% to 20%, medical insurance reduced increase from 25% to 20%, not filling the part-time position of Building/Planning/Zoning Secretary, reduction of capital reserve transfers and reduction of contingency. This brings the tax rate to \$7.50 per 1,000 of assessed value which is a 17.74% increase rather than \$8.10 per 1,000 of assessed value which is a 27.16% increase.

Mayor Matela asked the Trustees wished to vote on the 2002-2003 budget. Trustee Whipple said he does not feel prepared to vote since he has not had any part in any budget work since the April 3rd hearing. He was out of town as was Trustees Knapp and DeToy. Trustee Wexler said he has no problem with that, but is concerned of the time constraints involved. Attorney Riley said a budget needs to be in place by May 1st. Trustee Whipple suggested they discuss the budget at the April 22nd workshop and hold a special meeting the following week for consideration of adoption. Clerk Morelli said there is a Sweden/Brockport Planning Boards

public hearing on the comprehensive plan on Monday, April 29th and that ten days notice is required in the official paper. Trustee Whipple suggested, Tuesday, April 30th which gives 8 days notice and also notify the other newspapers and place a notice on the front door.

⇒ Trustee Whipple moved, Trustee Knapp seconded, unanimously carried to hold a special Village Board meeting on Tuesday, April 30, 2002 at 7:30pm for the purpose of considering adoption of the 2002-2003 budget.

PUBLIC COMMENT (2nd opportunity):

1. John Bush of 157 Barry Street said he is disappointed in the budget and that most cuts made over the last week or two were areas that were estimated to begin with. Those areas could still go up, since they are only estimated. He said he sees only one part-time position cut – the new position of Planning/Zoning/Building Secretary. He is afraid the budget will be even worse next year and that residents will be priced right out of the Village. He said he has lived in the Village for 33 years, but could move out of Village boundaries, get the same services and pay less taxes. He commented that the Village Board has a lot of work cut out for them over the next few years.

2. Bill Weber of 333 Main Street said he does not know Chief Varrenti and hopes he realizes that he has nothing personal against him. He said he just feels the salary and benefits awarded the new Chief are a slap in the face to former and current Village employees who have to work 20 or 25 years to come close to receiving the same benefits. He further commented that Trustee Wexler has been very critical of the past administration and it's so called lack of expertise in negotiating contracts. He said if this is any example of what an expert negotiator working on behalf of the Village can do, he fails to see the advantage of going to a "specialist". He asked if there will be a contract for the DPW Superintendent position. He said he would have further comments if he were given answers to his questions so far.

3. Sharon Kehoe of Main Street said up until the April 3rd budget hearing, she had never attended Village Board meetings. The budget has her very concerned. In fun, she is labeled by some as "the richest lady in Brockport". She said if that is true and she is finding it difficult to pay the tax bills, she can not imagine how anyone on a fixed income can afford to remain here. She said the local newspaper article was misleading when it reported on cuts made to the proposed budget. It read as if there were a \$500,000 cut, but instead she found out it was a \$65,000 cut. She repeated her request from the budget hearing and asked that a committee be formed to investigate the possibility of consolidating services. She said she is willing to serve on it as a community member. She said Brockport is the only local Police Department that has kept its own dispatch services. She said she does not know the new Police Chief, but questions what the Village is doing approving such an contract. She said people should not have to leave their community because they can no longer afford the taxes.

On a different note, S. Kehoe complained that the new location for the drive up mailboxes was a very poor choice. It is dark and dangerous.

4. Joan Hamlin of 50 Park Avenue agreed that the mailboxes are in a bad location. She asked how long the Police Chief's contract is. Mayor Matela said eleven years.

AUDIT:

➔ Trustee DeToy moved, Trustee Wexler seconded, unanimously carried that the bills be allowed and paid upon audit.

<u>Village</u>		
Date	Check #	Amount
		29,344.87
<u>Fire</u>		28,689.91
<u>Ambulance</u>		5,763.91
<u>Capital Projects</u>		20,000.00
<u>Third Party Billing</u>		4,079.04

ADJOURNMENT:

➔ Trustee Wexler moved, Trustee Whipple seconded, unanimously carried that the meeting be adjourned at 9:22pm.

Leslie Ann Morelli, Village Clerk