

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, November 8, 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

ALSO PRESENT: Josephine Matela, Andrea Perry, Jim Hamlin, Mary Jo Nayman, Pam Ketchum, Kristina Gabalski

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 & sympathies go out to Bill Andrews and family for the loss of Monika Andrews, a true asset to our community who will be missed.

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:

- Josephine Matela of the Brockport Merchants Association – announced that the NYSDOT and BMA have organized a ribbon cutting to mark the completion of the Main Street reconstruction. She invited all to bring their scissors and help cut a ceremonial ribbon being provided by Trustee Hannan across Main Street. The ceremony will be on the sidewalk by The Strand movie theater at the corner of State and Main Streets. If severe inclement weather, the event will be inside the St. Luke's Episcopal Church Hall at 14 State Street.

- Andrea Perry of the Parks Committee distributed some information and read the following prepared statement into the record:

My name is Andrea Perry. Thank you for letting me speak on behalf of the Parks Committee of the Village of Brockport.

Our committee desires to place a sturdy lawn swing in Monika's Park on Utica Street. This swing would enhance the park by providing comfortable seating for parents who bring toddlers and a small baby. The parent and baby could enjoy the lawn swing while keeping a watchful eye on toddlers. We feel this lawn swing would also be used by senior citizens and even teenagers who like to sit and converse. I first saw this heavy swing at Kershaw Park in Canandaigua. Three girls were having a chat on the swing.

I have applied to 3 sources to secure the cost of a 4' or 6' swing. The swing is made by Wabash Valley and distributed by Universal Play Systems, Inc. the quote provided is \$1,859 for the 6' swing and \$1,537 for the 4' swing. To date we have received a matching grant of \$768.50 (half the cost of a 4' swing) from the Norm and Charlotte Tooley Benevolent Fund. We have also received a check for \$1,859 from BISCO to purchase a 6' swing. BISCO would like a dedication plaque on the swing.

We have not met as a committee to determine how to spend the extra amount. We have also applied to the Stetson Club for a grant, but have not yet received a reply.

We are requesting approval to have a 6' lawn swing installed in Monika Andrews Children's Park.

Trustee Blair asked if the quote includes the cost of the cement work. A. Perry said it does not. She said she spoke to DPW Superintendent Donahue and he feels the proposal is acceptable.

Trustee Blair thanked A. Perry and the Parks Committee for their continued efforts and for reaching out for donations to make this happen.

→ Trustee Blair moved, Trustee Hunsinger seconded, carried 5/0 via roll call to approve the request to have a 6' lawn swing installed in Monika Andrews Children's Park.

CONSENSUS ITEMS:

- **APPROVAL OF MINUTES:**

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the minutes of the 10/25 meeting be approved as written.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the minutes of the 11/1 work session be approved as written.

• **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blair moved, Trustee Hunsinger 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>	11/8/11	\$47,209.55
FUND (F): <u>Water</u>	11/8/11	\$1,235.89
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	-	-
		\$48,445.44 grand total

MANAGER/TREASURER & CLERK REPORTS:

- Manager/Treasurer – Michael A. Giardino
- Clerk

○ Surrender of delinquent 2011 Village taxes to Monroe County – Clerk Morelli shared that Village tax collection has concluded. The last day to pay the 2011 Village taxes was October 31st. She collected ~96% of our \$2,420,565.52 tax warrant. She referred to the information provided to the Board as to the properties that failed to pay their 2011 Village taxes. The surrender of unpaid 2011 Village taxes is due to the County. Each Board member must sign the certificate of surrender. The account of unpaid taxes, including interest through October 31 has been so compared and found to be correct. The total amount of the unpaid tax, including accumulated interest is: \$91,064.34 (\$84,318.83 unpaid tax and \$6,745.51 accumulated interest). The amounts are re-levied onto the 2012 Town/County tax bills. The County forwards payment to the Village in April. She said the delinquents encompass 54 properties who either paid only the 1st installment or nothing at all. Of the 54 properties, 38 of them were on the surrender list last year. A couple of the properties include relieves for special DPW services due to Code Enforcement that went unpaid (lawn mowing, etc.)

→ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 via roll call authorizing said certificate of village tax surrender.

OLD BUSINESS:

- Decision on request from Hilton Sno-Flyers for snowmobiling on canal path within Village

→ Trustee Blair moved, Trustee Blackman seconded, to approve the request of the Hilton Sno-Flyers for snowmobiling on the canal path within the Village limits.

Discussion:

Trustee Blair said granting this request is not in the best interests here. The Main Street crossing can be treacherous.

Trustee Hannan concurred that it is a dangerous crossing.

Trustee Blackman said there is concern of the pedestrians and cross country skiers that utilize the canal path in the winter. There is also concern of the noise ordinance and how densely populated with houses the Village is. Many houses are within close proximity to the canal path.

Mayor Castañeda referred to the requestor having mentioned the economic benefit to the Village by way of snowmobilers visiting local merchants on their breaks. She said they indicated that they wouldn't be opposed to setting up guidelines and posting appropriate signage for their members.

Trustee Blair said he is a snowmobiler and while it would be nice to have those folks patronize Village establishments on their rest breaks, there are too many concerns.

Trustee Hunsinger said Departments Heads weighed in on the request. DPW Superintendent Donahue had concerns of potential damage and Chief Varrenti had concerns related to noise and having to traverse public roadways.

Trustee Hunsinger said there are too many cons against it here. Even with guidelines or signage, it would likely negatively impact Village residents.

Trustee Blackman said she appreciated the Mayor and Clerk surveying the other Villages in Monroe County situated on the Canal. They responded that they would likely not grant such a request or provide a letter of consent to the State.

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Trustee Blair said it is worth noting that the request letter and attendance by the requestor at the Village Board work session was appreciated.

Trustee Hunsinger said guidelines would be tough for the Village to set. The snowmobile club would need to bring those forth for future consideration.

VOTE BY ROLL CALL AND RECORD

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

Result: 5/0 opposed

NEW BUSINESS:

- o Advertise for bids – materials for the College Street water main project -

→ Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 to authorize to bid and advertise for bids for the College Street water main project materials.

NOTICE IS HEREBY GIVEN THAT separate sealed bids for the

**Contract for the
Village of Brockport
College Street
Water Main Materials**

will be received by the Brockport Village Hall, 49 State Street, Brockport, NY 14420 until **11:00 a.m.** (Local Time) on **December 8, 2011**, and then at said office publicly opened and read aloud.

The Contract Documents may be examined at the following locations:

Brockport Village Hall, 49 State Street, Brockport, NY 14420

Chatfield Engineers, P.C., 2800 Dewey Avenue, Rochester, NY 14616

Copies of the Contract Documents may be obtained at:

Brockport Village Hall, 49 State Street, Brockport, NY 14420

upon payment of **\$10.00** for each set. Checks for Contract Documents shall be made out to Village of Brockport. Copies of Contract Documents will be mailed for an additional **\$5.00** per set. Checks for postage and handling fees shall be made out to Village of Brockport.

Each bid must be accompanied by cash, a certified check, or a bid bond in an amount not less than 5% of the bid in the form, and subject to the conditions set forth in the Contract Documents and Instructions to Bidders.

Upon acceptance of the bid, if the successful bidder fails to enter into a contract pursuant to the requirements of said agency, then the sum deposited as aforesaid shall be forfeited to the Village of Brockport as liquidated damages, or the payment of the bond enforced for the benefit of the Village of Brockport.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO.S, 11,246 AND 11,375 WHICH PROHIBIT DISCRIMINATION IN EMPLOYMENT REGARDING RACE, CREED, COLOR, SEX, OR NATIONAL ORIGIN.

The successful bidder must be an equal opportunity employer, must meet all appropriate State and Federal standards, and comply with all relevant governmental regulations.

By order of the Village Clerk, of the Village of Brockport.

VILLAGE BOARD REPORTS:

- o Mayor M. Connie Castañeda

- Fire District Update – Mayor Castañeda shared that Clarkson Supervisor Kimball forwarded the Fire Commissioner applications received by the November 4th deadline to the Committee.

They have asked her and Trustee Blackman to meet November 10th at 4:30pm. Trustee Blackman is unable to attend. Mayor Castañeda asked Trustee Blair could attend. Trustee Blair said he will need to check with work and let her know.

Mayor Castañeda read the following citizen e-mail dated November 1st into the record:

“I’m writing you as a village resident. When (if) there is a new fire district formed that will directly tax district residents to pay for fire protection, can I expect that my village taxes will be reduced by the amount that is now collected to pay for fire protection by the village fire department?” Mark Rice

Mayor Castañeda read the following citizen letter dated November 8th into the record:

Mayor,

I write as a taxpayer and village resident, with information that has been brought forward from various discussions and concerns voiced about the pros and cons of the joint fire district in the past few weeks.

The most common concern voiced by residents of the village, as well as our fire personnel that are village residents - how does a yes vote or a no vote on the fire district affect the general village budget? Most people are informed enough to know that the village’s portion of the fire budget is included in their tax bill. They also seem to know that if the fire district is approved, that there will be a sizeable amount of money available in the village budget that no longer will be needed for fire protection costs – somewhere between \$150,000 and \$180,000. They also know that they will have a new tax line for fire protection that will cost them about \$0.80/\$1000 of assessed valuation (probably anywhere from \$75 to \$125 a year on average). And they do not seem to understand (or care) that the village cannot go it alone in providing village only fire protection, on the current monies that are budgeted.

I really never gave it much thought until these discussions and concerns have been brought forward to various members of the department, as well as from our outreach to the public to support the fire district proposal.

I am a village resident! And I am a taxpayer! And I would be real concerned that as the 2012-2013 budget process starts to progress in earnest, that that huge chunk of previously allotted fire service monies that are no longer needed, will have a tempting affect, as the boards tries “right the village’s financial ship”, while at the same time we may be paying more in fire taxes.

I ask for the village board to consider an open letter to the editor, or a press release, to as many media outlets as possible, with some explanation on what the village budget process will be for the future, AND, especially for the upcoming budget year. There is a huge need to reverse this thinking, and getting some information out to our residents as soon as possible looks like the only way. The village taxpayers want to know that they will not be paying considerably more in taxes, should they approve a fire district!!!

If there was one thing that will have a huge impact on how the village residents vote on the 29th, in my opinion, this is the one! I personally think that the taxpayers, not knowing that the village budget will be reduced by a \$100,000 or more next year, they will put their X in the NO box! And most of us know what kind of situation that may bring!

Yours Truly,
Laurence C. Vaughan

cc: Trustee Blair
Trustee Blackman
VM Giardino

Mayor Castañeda said she would like to go on the record with her response.

“Thank you both for your question and concern. My hope is that the board will reduce village taxes in the amount of \$163,000 which is what is currently collected to pay for fire protection for the village.

That would be my recommendation but I can't speak on behalf of the board as I am only one vote. I would be in favor of reducing the village taxes by the amount we collect currently to pay for fire protection.

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- Main Street ribbon cutting - Mayor Castañeda said unfortunately she is unable to attend the November 14th event as it is during her work day. She asked Village Manager/Treasurer Giardino to attend and make a few remarks on her behalf.

- Trustee Margaret B. Blackman

- Economic Development – Trustee Blackman said that it has been one year since Ryan's Big M closed its doors as the Village's only grocery store. She shared that she contacted the corporation that owns the building. They indicated that they have contacted many grocery chains and none are interested due to too much competition. She also e-mailed the Save A Lot chain. She said she is open to suggestions and Village Manager/Treasurer assistance as to ways to entice a grocery store to open in this 17,000 square foot location.

- Grants – Trustee Blackman shared that she learned of a grant opportunity through the Art Place Consortium. She will be submitting a letter of inquiry by their November 14th deadline seeking support to enhance our existing arts and historic partnerships to increase community pride and tourism through commissioned external art murals, hand-crafted Victorian iron fencing for downtown plantings, and electronic support and marketing of the arts. She proposes building upon existing strengths through several initiatives in partnership with the college and downtown merchants such as mural mania (on buildings by artists), Victorian iron tree surrounds for Victorian gardens, and electronic support for and marketing of the arts via the village website to include tabs for historic preservation and apps for walking tours of history, trees, and an art walk. The letter of inquiry is required and then they will notify if the Village will be allowed to apply. She will copy the Board on the letter of inquiry. There would be no matching component.

Mayor Castañeda referred to the canal history performance on a barge that she mentioned at a recent meeting. She said she would forward the information to Trustee Blackman to see if funding for such solely or in cooperation with the Village of Spencerport, would be appropriate for this grant opportunity.

- Trustee Kent R. Blair

- Fire Department – Digital Trunk Radio System – Trustee Blair reported on having attended the November 5th meeting of the Monroe County 2nd Battalion Officers Association meeting. The topic was modernizing public safety communications via a digital trunk radio system as it pertains to

fire and EMS services. Trustee Blair said currently there are only 3 fire channels in the County (not including the City). This is not enough. It is an issue on fire grounds and command posts. If there are 2 or 3 events on the same channel it can be difficult to get open air. This is dangerous. The new system is to be rolled out in January 2013 and starts with fire. The police upgrade will take place after that. This will allow police and fire to communicate together. Each radio is \$1,500 to \$4,000. The minimum needs would be met with the \$2,000 or higher version. The Fire Department needs 114 radios at \$2,000 each would be almost \$300,000. Trustee Blair reminded all that if the referendum on

a Fire District does not pass, it will be up to the Village to cover this cost. Trustee Blair proposed entering into the following MOU (Memorandum of Understanding). He forwarded it to the Village Attorney who indicated it was fine. It is simply an agreement to work together to research pricing and funding.

→ Trustee Blair moved, Mayor Castañeda seconded, carried 5/0 via roll call to enter into and authorize the Mayor to execute the following MOU.

This Memorandum of Understanding (MOU) presents the mutual understanding of Monroe County Fire and EMS Battalion #2 ("Battalion 2" consisting of Barnard Fire District, Brockport Fire Department, Greece Volunteer Ambulance, Hamlin Volunteer Ambulance, Hamlin Fire District, Hilton-Parma Fire District, Lake Shore Fire District, Morton Fire District, North Greece Fire District, Ridge Road Fire District, Spencerport Volunteer Ambulance, Spencerport Fire District, and Walker Fire District), and Navitech Services Corporation ("Navitech") collectively referred to as the "Parties", with respect to their participation in an initiative to modernize public safety communications.

Monroe Safety and Security Local Development Corporation (M3SLDC) is responsible for designing and installing a state-of-the-art public safety communications system in Monroe County, serving the Public Service, Fire and EMS, and Law Enforcement entities. M3SLDC has hired Navitech to accomplish this

task.

Monroe County Fire and EMS Battalion #2 recognizes the significant potential for improved communications performance offered by this new system, and desires to take a leadership role in its successful implementation as it pertains to Fire and EMS service providers.

To this end, the Parties agree to participate in the development of a strategy for specification and deployment of this system for Battalion #2 working with other Battalions within the County Fire and EMS service providers.

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Specifically, the Parties agree to:

1. Work together cooperatively to prepare an existing conditions report and a future state evaluation of how each Fire and EMS agency in Battalion #2 can utilize the new Monroe County system from a technical standpoint.
2. Prepare a financial summary identifying the costs associated with any such change, and also investigate grant opportunities for funding any such changes.
3. Provide and share access to information, sites, etc., as necessary to complete this study in a timely and efficient manner.
4. Pay for their own miscellaneous costs associated with collecting data, printing and copying, as well as labor costs to attend meetings and site surveys, as necessary.

Furthermore:

1. Navitech agrees to pay for costs associated with writing grant applications as necessary to secure funding (if available).
2. The Fire and EMS agencies of Battalion #2 agree to assign an individual or small group of individuals to represent Battalion #2 and speak to the interests of Battalion #2, and as necessary make decisions on behalf of Battalion #2 to ensure this effort is completed in a timely and efficient manner.

This MOU is not intended to be a legal or binding contract between the parties. No party associated with this MOU is obligated to make any purchases or commit to any action other than those stated herein.

In Witness Whereof, the parties hereto have caused this MOU to be executed as of November 30, 2011.

▪ Ambulance - Trustee Blair shared that the ambulance corps is actively pursuing separation and getting the appropriate stamps of approval along the way. One of the ultimate goals is to again provide service to the Towns of Clarkson and Sweden. Trustee Blair expressed concern that Monroe Ambulance has set up ambulance and office space⁴ at the Sweden-Clarkson Community Center. He wonders why the Town of Sweden would offer Monroe Ambulance space to set up shop if they intend to return to using Brockport Ambulance soon. The Brockport Ambulance will have a slow death if they cannot provide service to Sweden and Clarkson.

▪ Lighting trees in downtown historic commercial district – Trustee Blair said he realizes the Board did not fund the celebrations/beautification line in this year's budget. However, DPW labor get paid and if the project line in which they get paid from has to be identified, suggested it be reallocated from other account lines yet to be determined. He said DPW is coming into a slower time as to projects, other than plowing. The new holiday parade scheduled for December 4th is gaining momentum and could help put the commercial district on the map. He said he would hate to bring people and potential economic benefit to the community and have spectators stand in the dark when the trees could be lit up for the parade and the holiday season. The Stetson Club has already offered to purchase the lights if the DPW will hang them.

→ Trustee Blair moved, Trustee Hunsinger seconded, to accept the Stetson Club's offer to purchase lights and to have the Mayor direct the DPW Superintendent to have DPW laborers install those lights on the trees in the Downtown Historic Commercial District with funds being reallocated from other account lines yet to be determined not to exceed the original estimate provided at the 11/1 work session (\$4,400).

Mayor Castañeda said the Board should identify what lines the funds should be reallocated from.

Village Manager/Treasurer Giardino said DPW Superintendent Donahue suggests the street maintenance line.

Mayor Castañeda said he also indicated that then that line could go over budget. She said the auditors and financial consultants made clear that we shouldn't bill labor from one department to another or bill to incorrect lines. This was not budgeted for. The Board could make a motion and vote on using contingency funds if they feel it is necessary. She said she is not against the lights, sees the efforts being put into this holiday event that will be good for the community. However, if the Board is so set on it, they should have planned for it or take from contingency funds.

Trustee Hunsinger reminded the Mayor that the Board and Department Heads have not received financials since month ending April 2011. The Board can be creative or think outside the box while staying within financial guidelines. He said the merchants and businesses on Main Street have suffered through the Main Street reconstruction project and survived. This event and decorating Main Street for the holidays could help bring customers back downtown again. This is positive for all.

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Mayor Castañeda asked what happened to the idea of soliciting funding from community groups. Trustee Hunsinger said he knows Chief Varrenti approached SUNY BSG. They may help cover the electric bill. They can still look for assistance from community groups for the labor cost.

Trustee Blair noted that the labor estimate provided by DPW Superintendent Donahue used 2 of the highest paid workers. He said even H. Donahue knows he can utilize lower paid workers just as qualified for the task. Trustee Hunsinger concurred and said that would save money.

Mayor Castañeda said we are not saving money if we are still spending money not budgeted for.

VM/T Giardino said it can be considered deferred maintenance. They have no idea what the snow removal season will bring.

Mayor Castañeda expressed dismay over the Board not sticking to the budget they adopted. Mayor suggested the Board consider reallocating funds from the contingency line due to the fact that this work was specifically left out of the FYE12 budget back in April 2011. However, that contingency is typically used for emergency purposes.

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

Result: carried 4/1 to have the lights installed on the trees in the Downtown Historic Commercial District by DPW. The funds will be reallocated from other account lines yet to be determined not to exceed the original estimate (\$4,400) provided by DPW Superintendent at the 11/1 work session.

▪ DPW vehicle repair – Trustee Blair shared that DPW had a vehicle breakdown this past week. The estimate was over \$3,000 to send it out for repairs. He said he wished to recognize the VM/T, DPW Superintendent, and Mechanic for purchasing the parts for \$714 and doing the work in-house. The Village could enter into an agreement with the County for repairs by their staff, but having our own Mechanic is worthwhile and saves a lot of money. Examples like this happen routinely.

Mayor Castañeda concurred and said this was an emergency repair and she is happy to consent to emergency appropriations as opposed to appropriations as a result of poor planning.

- Trustee Carol L. Hannan
 - Cultural Heritage Workshop – Trustee Hannan shared that she attended a recent Cultural Heritage workshop. She said the Village of Brockport has a leg up having already established an identity as The Victorian Village on the Erie Canal thanks to former Mayor J. Matela.
 - Food Shelf – Trustee Hannan reminded all of the Food Shelf which services the 14420 and 14430 zip codes. To donate or receive, call 637-8169.
 - BISCO – Trustee Hannan said BISCO is excited to move the annual Arts Festival back to the Village now that Main Street reconstruction is done. They are looking to expand on ideas in the future.

- Holiday Parade – Trustee Hannan said a Village float will be entered in the December 4th parade.

- Trustee Scott W. Hunsinger

- Elections – Trustee Hunsinger commented that it is a great day to be a US citizen and have the right to vote. The new voting method takes some getting used to. He said he was proud to write in a vote for David Markham as Sweden Supervisor.

EXECUTIVE SESSION:

→ At 7:55pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a personnel matter regarding the Fire Department. Village Manager/Treasurer Giardino was invited to sit in.

→ At 8:00pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

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ADJOURNMENT:

→ At 8:00pm, Trustee Blackman moved, Trustee Blair seconded, carried 5/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk