

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, September 21, 2009 at 7:00pm.

PRESENT: Mayor M. Connie Castañeda, Vice Mayor/Trustee Kelly A. Smith, Trustee Kent R. Blair, Trustee Scott W. Hunsinger, Trustee Hal S. Legg, Clerk Leslie A. Morelli, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Deputy Fire Chief Michael Henry

EXCUSED: Treasurer Gina M. Tojek, Village Attorney Michael Leone,

ALSO PRESENT: Village Engineer Jason Foote of Chatfield Engineers, Josephine Matela, Carrie Maziarz, Jim & Joan Hamlin, Norm Giancursio, Fred Webster, Mark Kristansen, John Bush, Renee Garnier, Kathryn White, Jason White, Kevin Garrison, Jeff Woodin, Todd Longstreth

CALL TO ORDER: Mayor Castañeda called the meeting to order and led the Pledge of Allegiance.

MISSION STATEMENT: "To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport's unique heritage and historic character."

APPROVAL OF MINUTES OF PREVIOUS MEETING: Mayor Castañeda called for any additions or corrections to the minutes of the last meeting.

➔ Trustee Hunsinger moved, unanimously carried 5/0 that the minutes of the meeting held September 9, 2009, be approved as written.

Trustee Hunsinger said he wished to clarify for the record that the box of contamination information Mayor Castañeda referred to at the September 9th meeting pertained to 200 State Street, not 100 Fair Street.

AUDIT – PAY BILLS:

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

	<u>Date Paid</u>	<u>Beg. Ck #</u>	<u>End Ck #</u>	<u>Amount</u>
FUND (A):				
<u>General</u>	9/22/09	179441	179485	\$18,581.50
				\$18,581.50 Total General
<u>Reserves</u>	09/22/09	178486	179486	\$3,075.00
				\$3,075.00 Total Reserves
<u>Fire</u>	09/22/09	179436	179440	\$1,830.89
				\$1,830.89 Total Fire
<u>Ambulance</u>	09/22/09	1657	1663	\$2,054.81
				\$2,054.81 Total Ambulance
FUND (F):				
<u>Water</u>	09/22/09	2405	2412	\$30,088.66
				\$30,088.66 Total Water
FUND (H):				
<u>Capital</u>	09/22/09	2341	2342	\$ 7,046.69
				\$7,046.69 Total Capital
				\$62,677.55 Grand Total

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

1. Josephine Matela of 76 Adams Street and the Red Bird Tea Shoppe at 25 Main Street – a) said hello to the several DPW personnel in the audience and commented that DPW can't be run with just 9 men. b) is glad to see Jason Foote here regarding the Main Street sanitary sewer and water main project. Wondered if there are any adjustments in the schedule since work started later than expected.

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Suggested posting signage on side streets for motorists to find their way back to Main Street. Commented that it is increasingly more difficult for customers to get to the shops, particularly those not that familiar with the area. Urged the Village to help with better detouring. It wouldn't take a lot to provide better detouring and would be greatly appreciated by all. Commented that this is a precursor to what can be expected next year when NYSDOT comes in. It's an opportunity to problem solve and for the Village of Brockport and the Brockport Merchants Association to work together. Given the economy, the construction projects make things even more difficult for merchants. c) is glad the ZBA approved the application of Mark Lewis for loft apartments. Commented that he is a great landlord. Expressed concern that members of the Village Board not sway the Zoning Board of Appeals, as it is an independent body. d) Expressed concern that she asked several questions at a Village Board meeting about a month ago and has yet to receive any answers.

2. Carrie Maziarz of 42 Adams Street – a) reminded the Board that she spoke under public comment in March and again in August, asked several questions and has yet to receive any answers. b) referred to the March meeting minutes in which then Trustee Castañeda said the merchants want the NYSDOT project done quickly and in which the Village Engineer indicating making application on behalf of the Village for funding through Clean Water/Air fund. She wondered whether she needed to submit a FOIL application to get a response as to whether any funding applications were submitted on the Village's behalf. c) questioned why her street enhancement suggestions weren't taken back to the Main Street Rehabilitation Committee and funding not pursued. She cited STP project eligibility criteria and municipalities with successful funding applications. Since the NYSDOT will not replace the sidewalks in the downtown business district, funding could be secured elsewhere for sidewalks, broadband fiber optic lines and other fringe amenities. d) Questioned whether there has been evidence of any analytical testing at 100 Fair Street and if so, what did it prove. She said this should be determined before any demolition permits are issued.

3. Joan Hamlin of 50 Park Avenue – a) has spoken out for several years about the sandwich type signs that are against Village code. Commented that they are a visual symptom of bigger issues. b) expressed concern of the handling of Fire Department surplus monies and that although it may not be spelled out in the contracts, the Towns of Sweden and Clarkson can show precedent of 30+ years where any surpluses were applied to the following year's contract until a few years ago. Feels it was wrong for the Village to put the fire contract surplus monies into its general fund. The Village should not have used Sweden and Clarkson's money to balance its budget. The Village owes this money to Sweden and Clarkson. c) Commented that word is getting out that the Village is having financial difficulties. Encouraged the Board to make the private external audit and the NYS OSC risk assessment public when they are finalized. Encouraged making informed decisions about affording Village services. Commented that the cost of the new fire truck was obscene and that all the bells and whistles on it probably don't help fight fires any better. Commented that the Board's decision to approve a 10 year contract for the Police Chief was obscene and that it ties the hands of the next Boards. Questioned the Board's decision to take over ownership and responsibility of the Smith Street Bridge after it is rehabilitated. The Village will have to pay for its upkeep and may even not keep it open year round. So is it to become a fair weather bridge? Said she is appalled by the general lack of respect of Village Board members at meetings. Each should act as adults and work as a team to solve the mess. There should be no ego trips, power plays or game playing. She encouraged those that only watch the meetings on television to attend in person to pick up on the body language, to ask questions and to demand answers. Taxpayers deserve an accounting of their tax dollars. It should not be legitimized by absence. The Village can't afford to wait until the next Village elections. Only 1/3 of properties are taxable. Citizens need to become informed.

4. John Bush of 157 Barry Street – said he agrees with most of what J. Hamlin just said except for the comments regarding the fire truck. He said he was an outsider, but knows more since he began taping meetings and training for the Fire Department. He said Brockport Fire Department is the best bargain the community gets. It's free labor. The volunteers deserve the equipment they need to protect the community. It's certainly cheaper than having a paid Fire Department.

GUESTS:

1. Renee Garnier of SUNY Student Social Work Organization – procession application – 10/29 – R. Garnier reviewed the annual application for the Take Back the Night violence against women procession. They utilize sidewalks and do not require any street closures. They appreciate a Brockport police car following along as in the past. They changed the route this year so that they walk past the downtown bars.

→Trustee Legg moved, unanimously carried 5/0 to approve the procession application for Thursday, October 29th 7:15pm – 9pm.

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2. Village Engineer Jason Foote of Chatfield Engineers – Update on Main Street Sanitary Sewer & Water Project – J. Foote provided the following update.

Water Main:

- Cleaning and relining of the existing water main between Coleman Creek Road and the south side of the railroad bridge is complete.
- Currently making water main connections between the side streets and the newly lined water main within that area.
- Water main work will progress toward the north.

Sanitary Sewer:

- Sanitary sewer main and manholes from Monroe Avenue to approximately the north side of the railroad bridge.
- A second crew will begin the installation of sanitary laterals for that section starting the week of September 21st.
- Sanitary sewer installation will continue to progress toward the south.

Other:

- Motorists can continue to expect to experience daily road closures and traffic disruptions between Holley Street and Coleman Creek Road.
- Motorists should utilize the posted detour.
- Local traffic will be permitted to travel Village streets around the work area.
- SUNY Brockport parade on September 26, 2009 – street will be presentable.

J. Foote commented that if they tried to maintain a little traffic through the work zone, the delays would be even longer. They have to get it done and in a safe manner. He said people need to use the posted detours. They can still get to the central business district. He explained that they cannot legally direct State route traffic onto Village streets because it is a liability issue.

J. Foote reminded the Board that there is a contingency in the project of \$187,000. Therefore, there is money for unforeseen items such as the following. A 300' section of sewer main Monroe Avenue to College Street was found to be 10", not 8". This would require Board approval and a change order for \$1,162. Some of the laterals were found to be 6 inches, not 4 inches. This would require Board approval and a change order for \$11,442. The Village DPW has to mark out underground utilities and the locator is quite old and inaccurate. This can be purchased through this project and would require Board approval and a change order not to exceed \$4,280.

Trustee Blair commented that he purchases utility locators through his work and feels the \$4,200 cost is high. DPW Superintendent Donahue said they got 3 quotes and this was the middle of the road. J. Foote explained that it needs to be purchased through the contractor. The \$4,280 is the worst case price. The contractor may be able to get it cheaper. Trustee Blair asked where that piece of equipment would go once this project is completed. H. Donahue said it stays with the DPW. It will get use for many years to come. He said the current locator is from the 1980's and is about 2' off. It is important that they be on the mark. Trustee Blair looked up the Metrotech 810 on line at \$2,960. He suggested holding off on approval until the best pricing is obtained. Mayor Castañeda asked H. Donahue if he can hold off. H. Donahue responded that they need accurate equipment as soon as possible. J. Foote reminded the Board that there are funds in contingency for the project. However, if the Village does not wish to purchase it through the project and the contractor, it could purchase through the Village's funds. H. Donahue said there is no money in the budget for it. Trustee Blair said he doesn't want to run a business saying "if there's money in there, we'll use it." J. Foote concurred, but stressed how crucial it is to have accurate equipment right away.

Trustee Hunsinger asked how the water pressure has affected Main Street properties and if there are any problems if there were a fire on Main Street. J. Foote said only the main is shut down. The hydrants are still live. H. Donahue concurred and said they are still active on both sides. Mayor Castañeda shared that H. Donahue sent out a letter to Main Street property owners regarding water pressure and shut offs.

In response to J. Matela's earlier questions and suggestions, J. Foote said the sanitary sewer work is on schedule, but the water work is slightly behind. They plan to meet the completion date by November 30th. Regarding posting additional signs regarding the central business district, if the Village Board feels it is warranted, they could do so. However, additional signage was not in the contractor for Villager Construction to do. They have posted signs at Routes 19 and 31 and at Route 19 and West Avenue and on Redman Road to Holley Street. DPW Superintendent Donahue said he is working on obtaining pricing for inexpensive signage to put on some of the side streets. Trustee Legg asked the time frame. H. Donahue said within a couple of weeks maximum. These are specialty signs that are not in stock. J. Foote stressed that motorists need to follow the posted detour to find the central

business district. Mayor Castañeda concurred and commented that the contractors schedule changes day to day, so it goes without saying that the detours will change as needed. J. Foote concurred and said due to the

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nature of the work, it wouldn't be prudent to advertise very specific closures in case they change. Regarding J. Matela's comment about this being a preview of the 2010 NYSDOT project that is true. There will likely be more traffic problems with that big project.

In response to C. Maziarz's earlier comments regarding funding opportunities, the Village Engineer was never hired to seek outside funding. They did, however, apply for EFC (Environmental Facilities) funding only as a courtesy.

→Trustee Blair moved, unanimously carried 5/0 to approve a change order for \$1,162.13 to upgrade a 300' section of sewer main Monroe Avenue to College Street from 8" to 10".

→Trustee Hunsinger moved, unanimously carried 5/0 to approve a change order for \$11,442.62 to upgrade some of the laterals from 4" to 6".

Board opted to hold off on approving a change order regarding purchase of the utility locator until best pricing options are secured.

Executive Session:

⇒ At 7:45pm, Trustee Hunsinger moved, unanimously carried 5/0 that the Board of Trustees of the Village of Brockport enter into an executive session 1) with Police Chief Varrenti to discuss a Police Department matter specific to an officer regarding GML 207c per (f) "the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation 2) with DPW Superintendent Donahue to discuss a DPW Union grievance matter per (d) "discussions regarding proposed, pending or current litigation". Mayor Castañeda asked Clerk Morelli to sit in.

⇒ At 8:35pm, Trustee Blair moved, unanimously carried 5/0 that the Board of Trustees re-enter the regular meeting.

At 8:10pm Chief Varrenti was excused from the rest of the meeting.

→Trustee Blair moved, unanimously carried 5/0 to settle the DPW Union grievance dated September 16, 2009 in the amount of \$505.49.

Mayor Castañeda announced that a quorum of the Board will meet very briefly in a special meeting tomorrow, September 22nd at 5pm.

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue

1. Authorization to accept high bid of \$1,801 for 2001 Chevy Impala (CEO former car) – DPW Superintendent Donahue reported that the former code enforcement vehicle has been on the auctions international website for 2 weeks. He recommended the Board accept the high bid of \$1,801. This is a good price considering the age, condition and mileage.

→Trustee Smith moved, unanimously carried 5/0 to accept the high bid of \$1,801 for the 2001 Chevy Impala.

2. Authorization to proceed with crack sealing streets at a cost of \$6,895 - \$8,126 – DPW

Superintendent Donahue shared that they usually crack seal 10 or 12 streets each year. It closes up any open cracks that would otherwise allow water into and under the pavement.

Water is what causes potholes to form whether it is in the summer or worse in the winter.

The water gets under the asphalt through these cracks and does damage. Worse damage happens in the winter with the freeze and thaw cycles, but damage can also occur during the summer if water sits under the pavement with nowhere to go. Crack sealing ensures a longer life on the streets. They usually try to do the ones that have more recently been paved to help prolong their surface life. Otherwise, more potholes can be expected, in turn requiring more hot asphalt work in the spring and costing more money. The cost for this crack sealing on the Monroe County bid for \$9.85 per gallon. The company providing the service is Ann Seal. A representative has been out and written a proposal for the work at an estimated cost of \$6,895 and \$8,126 depending on how much sealer will go into the cracks.

→Trustee Hunsinger moved, unanimously carried 5/0 to authorize said crack sealing streets at a cost of \$6,895 - \$8,126.

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3. Authorization to advertise for a full time mechanic to replace retiring mechanic – DPW
Superintendent asked for authorization to advertise for a Head Mechanic, as Kevin Garrison has announced his retirement effective mid-January and will be using up vacation time prior to that. The mechanic is responsible for not only the DPW and Water Department fleet, he does the preventive maintenance on all of the Police Department vehicles including all tire changes and ordering. He has his NYS inspection license and is authorized to inspect the heavy fleet. With the title comes the responsibility of overseeing the fuel tanks, both maintenance wise and adding fuel additives after each delivery. He must also keep accurate records of the repairs done to each piece of equipment. He also does some work on the Fire Department's equipment, usually on a moment's notice. He has come in to work in the middle of the night to repair equipment during snow emergencies as well as water emergencies. He is also on the call-in rotation for all emergencies. The position is very valuable and cannot be overlooked. H. Donahue asked for authorization to advertise and interview for the position with the help of Kevin and DPW personnel with a goal of filling it by November so there is some overlap time where the new person can work with Kevin for a month or so to learn all the job entails.

Mayor Castañeda asked if it was a Civil Service position. H. Donahue said there is a Civil Service job description, but it is not a competitive position which would require hiring off an eligible list. Mayor Castañeda said the other option would be to contract out the mechanic work. H. Donahue said he would not recommend that, as it would be extremely costly, particular for the middle of the night calls.

→Trustee Hunsinger moved, unanimously carried 5/0 to authorize advertising for a full time mechanic.

4. Fall hydrant flushing – DPW Superintendent Donahue announced the semi-annual water main flushing will take place October 19-21. He asked for authorization to advertise such notice.

→Trustee Smith moved, unanimously carried 5/0 to authorize advertising fall water main flushing.

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Travel request – Sgt. Philippy – STOP DWI conference – Saratoga Springs – Per Chief Varrenti's memo - good exposure for the Police Department, good opportunity to collaborate with other command officers relative to DWI issues, no cost to the department for travel, lodging, etc., no overtime incurred for back filling.

→Trustee Smith moved, unanimously carried 5/0 to authorize said travel request.

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

1. Mark Lewis 3rd floor renovation projects – S. Zarnstorff shared that he and Trustee Blair each attended an open house Mark Lewis had to showcase his conversion of the 3rd floor of 57 Main Street into two loft apartments. He said it was quite a transformation. Both apartments were rented to young professionals prior to completion. M. Lewis just received ZBA and Planning Board approvals to do the same with the 3rd floor of 23 Main Street. This is great use of these unused spaces downtown – getting renewed life.

2. Work load – S. Zarnstorff shared that his department is looking forward to getting back on track to where they need to be. He thanked the Board for their insights and assistance.

3. 100 Fair Street – S. Zarnstorff reported that there is a lot of work being done by disassembling equipment, not demolition per se. He said he has very little involvement and is a very small part of the equation. There are on site reviews, investigations, samplings, reports, monitoring by higher authorities (state and federal agencies).

Mayor Castañeda said S. Zarnstorff keeps on file the EPA report indicating no hazardous chemicals.

Trustee Blair asked what NYSDEC says. Trustee Hunsinger said NYSDEC relinquished authority to the EPA to evaluate.

D. FIRE / AMBULANCE / DISPATCH – Deputy Chief Mike Henry

1. Calls for Service – Deputy Chief Henry reported 701 fire calls year to date and 1,489 ems calls year to date.

E. TREASURER – Gina M. Tojek (excused)

1. Authorize Public Official Bonds – for staff acting in fiduciary capacity – Clerk Morelli reminded the Board that per the Employee Handbook and the recent audit, the Village needs those staff acting in a fiduciary capacity bonded. Bonding applications have been filed for Village Treasurer, Village Clerk, Deputy Treasurer, Water Clerk. The estimated cost totals \$1,375.

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→Trustee Legg moved, unanimously carried 5/0 to authorize said bonding.

2. Bernard P. Donegan Proposal – long range planning – Trustee Legg referred to the proposal of Bernard P. Donegan, Inc. for long-range planning that the Board received a few weeks ago. They would assist the Village with completing a long-range plan to get the General Fund back on track by doing a 5 year retrospective of revenues and expenses, fund balance analysis, historical tax base changes, history of tax rate, further define the capital improvement plan, equipment replacement schedule, etc. Mayor Castañeda said the rate is \$126 per hour and they estimate 40 to 80 hours totaling \$5,040 to \$10,080. Trustee Legg urged the Board to review it and contact Treasurer Tojek with any questions before moving forward.

3. Letter of Credit Draw #5 – engineering – Sunflower Landing Section 2A \$343 –

→Trustee Legg moved, unanimously carried 5/0 to authorize said letter of credit draw #5 for Sunflower Landing Section 2A in the amount of \$343 to Canalside Developers.

4. Received \$40,000 Member Item grant – salt barn – The \$40,000 member item grant funds for the DPW salt barn have been received.

F. CLERK - Leslie A. Morelli

G. VILLAGE MANAGER – (vacant)

H. ECONOMIC DEVELOPMENT COORDINATOR – (vacant)

I. VILLAGE ATTORNEY – Michael Leone, Esq of Harris, Chesworth, O'Brien, Leone, et al. (excused)

VILLAGE BOARD REPORTS:

A. Mayor M. Connie Castañeda

1. SEQR – revised – concur as to lead agency re SUNY Special Events Recreation Center project

→Trustee Blair moved, unanimously carried 5/0 to again concur that the State University Construction Fund be designated as Lead Agency on SEQR for the SUNY Special Events Recreation Center Project, citing no environmental concerns.

2. Appoint to fill vacancies – Ethics Board – Mayor Castañeda reminded the Board that 2 vacancies remain on the Ethics Board and 3 people have submitted position interest forms.

→Mayor Castañeda moved to appoint Rhett King and Carol Hannan to the Ethics Board.

Trustee Legg commented that he would rather nominate and appoint separately.

→Trustee Legg moved to amend Mayor Castañeda's motion by striking Rhett King's name. Trustees Legg, Hunsinger, Blair in favor. Trustee Smith and Mayor Castañeda opposed. Carried 3/2.

→Mayor Castañeda moved to appoint Carol Hannan to the Ethics Board to complete a term to June 30, 2012. Trustees Legg, Hunsinger, Blair, Smith in favor. Mayor Castañeda opposed. Carried 4/1.

→Trustee Smith moved to appoint Rhett King to the Ethics Board to complete a term to June 30, 2013. Trustee Smith and Mayor Castañeda in favor. Trustees Legg, Hunsinger, Blair opposed. Motion defeated 3/2. Vacancy remains.

3. Update on Smith Street Bridge – Mayor Castañeda reported that she met with Chatfield Engineers and NYSDOT September 14th at 4pm regarding the Smith Street Bridge rehabilitation. NYSDOT awarded the contract to Ramsey Construction who will begin work in November. There will be a 3 month overlap of time with this project and with the commencement of the NYSDOT project to rehabilitate Main Street. However, the Main Street Bridge will remain open.

4. Parking Ticket Collection – authorize Mayor to negotiate an amended contract with ProAcct for full-collect (after 30 days) services only & proceed with collect efforts on old tickets – Mayor Castañeda reminded the Board that she met with Clerk Morelli, Treasurer Tojek, Sweden Finance Director Strabel, Sweden Court Clerk Gay, and ProAcct's Geoff Klahn on August 18th. One of the recommendations resulting from that meeting was to negotiate an amended contract with ProAcct for full collect (after 30 days) services only. ProAcct is amenable to this. Trustee Legg questioned the need for Board approval since by law the Mayor is supposed to negotiate contracts anyway.

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→Trustee Smith moved, unanimously carried 5/0 to authorize the Mayor to renegotiate the Village's contract with ProAcct for full-collect (after 30 days) services only.

Approval of an amended contract and the matter of collection on very old parking tickets will be addressed after the Village Attorney confirms appropriateness.

5. Code Enforcement – Mayor Castañeda shared that in executive session at a special meeting held August 24th, she and the Board members in attendance (Trustees Legg, Hunsinger, Blair) agreed and directed her to begin the process to eliminate the position of part time Assistant Building Inspector/Code Enforcement Officer. She met with S. Zarnstorff and L. Vaughan thereafter and explained the need to suspend L. Vaughan's hours due to budgetary constraints. Apparently the Trustees feel they acted in haste and have since reviewed the department's workload and wish to maintain the position. Mayor Castañeda asked if there is a motion to that effect.

Trustee Legg reminded Mayor Castañeda that there was no official Village Board motion/action sought to reduce L. Vaughan's hours or to eliminate the position. Therefore, a motion to maintain the position should not be necessary. Mayor Castañeda said she feels it is appropriate as she feels she was directed by the Board to take the action to suspend the hours. Trustee Legg disagreed, but said if that's what it will take to resolve the issue, so be it.

→Trustee Legg moved to return the staffing level of the part time Assistant Building Inspector/Code Enforcement Officer to the levels established in the current fiscal year budget: 15 hours per week. Trustees Legg, Hunsinger, Blair in favor. Mayor Castañeda opposed. Trustee Smith abstained. Carried 3/1/1.

6. Septemberfest 9/12 – Mayor Castañeda reported that she staffed the Village Hall table at the recent Septemberfest and had some nice contact with the public. She said she hopes Village Board members will participate in the future. She thanked Village Historian Jackie Morris and Museum Volunteer Doug Wolcott for having the museum open and for their continued commitment and dedication.
7. Fire Department Open House 9/26 – Mayor Castañeda encouraged attendance at the Brockport Fire Department Open House this Saturday. She commended the department on the job it does educating the public on fire prevention.
8. International Walk to School Day 10/7 – Mayor Castañeda encouraged volunteer participation in the Walk Bike Brockport Action Group's Walk to School Day event Wednesday, October 7th. The route has been changed to avoid Main Street construction points. The main table will be at Ryan's Big M.
9. Monroe Ambulance – Mayor Castañeda reported that she and EMS Chief VanDervort met with Tom Coyle and Tim Frost of Monroe Ambulance regarding a proposed billing agreement. In order to comply with Medicaid rates, Monroe Ambulance needs to increase their rates for assisting the Village with ALS calls. This is regardless of what the Village determines to charge for renting space at Market Street. Monroe Ambulance is exploring options of possibly parking elsewhere, such as Lakeside Memorial Hospital. She asks the Board give consideration to charging rent of \$7 or \$8 per square foot of space rather than the \$12 proposed.
10. Fire Service – Mayor Castañeda made reference to a letter dated September 16th from the Town of Sweden and Town of Clarkson Supervisors. In it, they request the following by October 9th:
 - a. A plan for the restitution of surplus funds (including 2009, if necessary)
 - b. A contract with language addressing future surpluses and deficits
 - c. A plan permitting meaningful representation of Sweden and Clarkson taxpayers regarding the expenditure of equipment reserves
 - d. Equitable distribution of dispatch expenses based on call volume

Mayor Castañeda stressed that although the Village may not be legally obligated to refund the surpluses since it was not in the contracts, rolling over surpluses/deficits had apparently been a matter of practice for many years up until 2004. The Towns took it in good faith that the practice would continue. Mayor Castañeda asked if there is a motion to set forth a plan for restitution of surplus funds.

→Trustee Smith moved to set forth a plan for restitution to the Town of Sweden and Town of Clarkson of any surplus funds.

Trustee Legg asked Mayor Castañeda why she would request such a motion when she made it clear to Sweden and Clarkson in her correspondence that the Board did not favor this.

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Mayor Castañeda said Sweden and Clarkson would like the Village Board to vote on it. Trustee Legg responded that it interesting. Trustee Smith said she believes the Towns would be willing to work with the Village on a restitution plan over time so we can move forward.

Trustee Legg said the Village can't just fork over \$223,337 from 2004-2008. Trustee Hunsinger agreed and commented that this is not the right way to do this. Mayor Castañeda said the Village should adopt a corrective action plan regarding this matter. Contracts from this point forward will include language that addresses surpluses and deficits.

Mayor Castañeda commented that a disservice was done to the Towns and to the Fire Department. Although the Village does not have the money to pay it back, maybe it could reduce the contract amount over time.

Trustee Blair said he would be more comfortable to see it in contract form rather than a separate motion.

Mayor Castañeda said the Towns want action and we seem to be at a standstill.

Trustee Legg asked for clarification as to whether Mayor Castañeda and Trustee Smith are proposing paying the \$223,000, and if so, where would the money come from, or reduce the contract amounts over time, and if so, how long, or put a line in the budget to pay back over time, and if so, how long.

→ Trustee Legg moved to table, as the terms of the motion are very vague. Trustees Legg, Hunsinger, Blair in favor. Trustee Smith and Mayor Castañeda opposed. Carried to table 3/2.

11. Budget – Liaisons/departments – Setting Priorities – Mayor Castañeda referenced her memo dated September 17th to the Board and Department Heads and Trustee Legg's recommendations made at the August 17th meeting. She said the recent external audit is painting a very dreary picture. There is very little in reserves. There is a deficit in the general fund balance. This should be looked at as an opportunity to move the Village forward, do things differently, and determine truly essential services. Once the audit results are finalized, the community will be made aware. She urged that everyone work together as a unit – a team - instead of individually.

12. Official communications – Mayor Castañeda referenced that she will be sending out a memo to local print media and will copy the Board and Department Heads. Official communications (press releases, news releases, legal notices, advertisements) from the Village of Brockport are forwarded to appropriate media by the Village Clerk only after approval by the Mayor. Such communications are also posted on the Village's website.

B. Vice Mayor/Trustee Kelly A. Smith

1. Police Department – Trustee Smith commended the Police Department on the handling of a recent significant incident.
2. Public Works – Trustee Smith commended the DPW for their part in the Main Street sanitary sewer and water project.
3. Fire Department – Trustee Smith commended the Fire Department for their September 11th vigil which was well attended by the community and various dignitaries including County Executive Maggie Brooks and State Fire Chief Floyd Madison as well as the radio's Tony Infantino for emceeding the Noon ceremony. She referenced T. Infantino's words "Be kind to everyone. You never know the personal war they're fighting."
4. Involvement – Trustee Smith thanked those for attending this evening's meeting, as it is nice to see citizens interested and involved.

C. Trustee Kent R. Blair

1. Statement: Trustee Blair read the following statement into the record.

“Fire Department –

Re: Parking a Fire Truck and Pool Car at Capen Hose Company & ISO

On August 26th I met with the Mayor and Deputy Chief Henry as well as Deb Hoy to review the contract for housing the fire truck at the Capen Hose Company. During this meeting Deputy Chief Henry referred to the regulations set forth by the ISO (Insurance Services Office) and also the PPC (Public Protection Classification) and what recommendations are specific to the fire service.

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What is the PPC Program?

ISO collects information on municipal fire protection efforts in communities throughout the United States. In each of those communities, ISO analyzes the relevant data using our Fire Suppression Rating Schedule (FSRS). We then assign a Public Protection Classification from 1 to 10. Class 1 generally represents superior property fire protection and Class 10 indicates that the area's fire-suppression program doesn't meet ISO's minimum criteria. Brockport is currently rated a "5".

What this means to the residents that live within the Brockport Fire Department footprint is this – depending on the rating set forth by the ISO in turn affects your home owners insurance premiums. In other words, the lower the rating, the better your home owners insurance premiums would be. We are working to collect more data on this.

With the assistance of the Fire Chiefs, they were able to set up a meeting with Gates Fire Chief Jim Harrington. In Chief Harrington's previous career he spent roughly 18 years working for the ISO directly. So he is considered an expert in this area.

On September 16th Assistant Chief Marenus and I met with Chief Harrington at his office with a laundry list of questions to ensure we had a complete understanding of what the ISO looks for as well as making sure we do not make any decisions that could affect our residents (which includes Sweden, Clarkson, and of course the Village of Brockport) home owners insurance premiums.

This is what we learned. The ISO reviews 3 key areas when it comes to the overall rating: Fire Alarm – 10% - equipment and methods that are used to notify the Fire Department of an alarm. Water Supply – 40% - reviews available water supply from hydrants or other sources available for fighting fires. Fire Department – 50% - reviews the fire engines, ladder and rescue trucks, personnel and training available to provide fire protection in the community.

Just about 15 years ago Jim was actually the person assigned by the ISO to come into Brockport and collect data on our fire service. He has very detailed information we reviewed while meeting with him. Brockport is actually due for a visit from the ISO within the next 1 to 2 years to update our information. Generally these inspections are performed every 10 to 15 years. From what we learned, the ISO rating would not be affected if we moved the fire truck out of the Capen Hose Company due to the close proximity of the main fire station. My recommendation at this point is this:

In reference to the outstanding contract with the Capen Hose Company, I would like to take this on a year by year basis due to the construction that is and will be taking place on our Main Street with continuous road closures and detours as well as the visit coming soon from the ISO. This will allow us time to make sure we are keeping all aspects of protection in mind when making any changes.

We also left this meeting with an updated list of recommendations that the ISO will be reviewing at the time of their visit. The Fire Chiefs and I feel comfortable that by setting a stretch goal, the Fire Department will work as a team and try to strive to hit the rating of 4 or better.

Chief Smith assigned Assistant Chief Marenus to be point of contact for all ISO research and data. Assistant Chief Marenus has submitted the request to the ISO Mitigation website to receive and review all files in reference to the ISO and PPC.

Re: Vehicle/Equipment Fleet

On Sunday morning, September 20th, I met with Fire Chiefs Smith, Henry and Marenus to review the information that was gathered at the Tuesday, September 15th meeting and also to review the priority of budget related items due to the Village's financial distress.

While reviewing the budget with the Chiefs, they quickly understood the need to make concessions and to prioritize projects to help the Village in this difficult time and at the same time maintain the amount of protection needed to assist in protecting us.

Currently the fleet of fire trucks, yet shiny and red, have their fair share of mechanical issues. For example, the 1998 ladder truck that is used for all college calls, major fires and alike is becoming tired. The hydraulic system has needed to be repaired, another engine needed the fuel tank replaced and yet another needs the generator replaced causing the budget line item 4051 labeled "Firefighter Equipment Maintenance/Repair/Replace" to go over by 8% already this year. While working with the Chiefs they have agreed to move the variance of \$6,689 in budget line item 4270 (Radio/Wireless Communications Upgrades) to 4051 to assist in the unforeseen repairs.

Due to the short notice of the next 2 items I suggest, I would understand if the Board would like to table these votes until the next meeting to allow time to absorb the information provided.

→ Trustee Blair moved, unanimously carried 5/0 to move the variance of \$6,689 in line item 4270 (Radio/Wireless Communications Upgrades) to line item 4051 (Firefighter Equipment Maintenance/Repair/Replace) to cover the overage.

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While reviewing vehicles with the Chiefs, the on-call officers vehicle that is a 2003 Ford Explorer has recently been in the shop for repairs and is coming to the end of its service life for the Fire Department. This vehicle is generally on the road each and every day for the officers to respond to calls.

Again, due to the short notice of this item, I would understand if the Board would like to table a vote until the next meeting to allow time to absorb the information provided.

→ Trustee Blair moved, unanimously carried 5/0 to declare surplus and authorize the sale of the 2003 Ford Explorer (currently the on-call officers car), reassign the Deputy Chief's Ford Explorer to become the on-call officers car, and reassign the EMS Chief's 2008 Ford Explorer to the Deputy Chief.

Re: Call Load and Professionalism

During the meeting we reviewed call activity for the Brockport Fire Department. For 2008 the Brockport Fire Department responded to 1,012 fire calls and 2,105 ambulance calls, for a combined call activity of 3,117. Based on the activity alone on the combined total, Brockport ranked 9th out of all Monroe County agencies. This is based on 38 Fire Departments and 24 Ambulance Corps.

I am completely impressed with the Chiefs professionalism and leadership abilities of juggling a career outside of the Fire Department, maintaining their family lives (in a lot of cases, the Fire Department is family) many required hours of training and spending the time to support neighbors in a time of need. Hats off to the fire fighters, Chiefs and EMS personnel.

Welcome Center –

Jo Matela reached out to Drew Coleman from Walmart and arranged to have a furniture set donated to the Welcome Center. Well done Jo. Thank you.

We now have the Welcome Center log book on line with the help of Sunnking. We are now able to run reports to show revenue per day, month, etc., break down the information based on name and address or even e-mail. It automatically flags if we have a guest visiting us multiple times and also will help us with mailers to send updates of the events in the Village.

Volunteer Opportunity –

I received an e-mail from the Office of Leadership and Community Development at SUNY Brockport. They have offered support for any projects that we need help with on October 24th from Noon – 1pm. Students can clean, organize, fix or anything else we have in mind.

D. Trustee Scott W. Hunsinger

1. September 11th Vigil – Trustee Hunsinger commended the Fire Department for its annual vigil. It was an honor and pleasure to attend the morning ceremony.

2. Septemberfest 9/12 – Trustee Hunsinger commended the Septemberfest organizers for a successful event. He was out of town and unable to participate.

3. Public Works – Trustee Hunsinger reported that he and Trustee Smith, as liaisons to the DPW, met with DPW Superintendent Donahue and Foreman Moore. The Village is a quarter way through its fiscal year. They are working together to prioritize jobs and move forward being fiscally responsible.

4. Police Department – Trustee Hunsinger reported that he continues to meet with Chief Varrenti regarding department operations, re-accreditation, and researching the possibility of establishing a Village Court.

E. Trustee Hal S. Legg

1. NY Times Article – Trustee Legg shared the positive press the Village of Brockport received in a September 18th New York Times article regarding the canal and downtown district. The efforts of many, such as the Welcome Center Greeters, Walk Bike Brockport Action Group, Tree Board and the like are paying off.
2. NYS OSC Risk Assessment – Trustee Legg shared that he met with one of the NYS OSC auditors regarding the risk assessment they are conducting. They indicated that they are happy to meet with any interested Board member while they are here.
3. Seymour Library – Trustee Legg reported that he shared with the Library that it is likely there would be no funding increase from the Village in 2010. He said he wanted to give them a heads up sooner rather than later, since the Town of Sweden and Town of Clarkson are working on their budgets now.

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4. Dispatch – Trustee Legg shared that he spoke with the Town of Sweden and Town of Clarkson Supervisors to see if they would be interested in being represented on a body regarding dispatch. Supervisor Kimball seemed interested. Supervisor Milner said he would probably be interested. Therefore, Trustee Legg urged Mayor Castañeda to include them when rounding up a potential committee.
5. Funding Opportunities – Trustee Legg shared that he happened to attend a dairy pricing meeting that was held at his workplace and picked up a guide to funding water projects. There is \$1.38 billion available for rural water projects serving less than 10,000 people. He said Treasurer Tojek indicated she was familiar with the program through the Town of Barre.

ADJOURNMENT:

- ➔ Trustee Hunsinger moved, unanimously carried 5/0 that the meeting be adjourned at 9:45pm.

Leslie Ann Morelli, Village Clerk