

**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, July 18, 2005 at 7:00pm.**

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

**EXCUSED:**

**ALSO PRESENT:** Fire Chief Christian A. McCullough, Planning Board Chair / Economic Development Coordinator Scott Winner, Ken Pike, Jim & Joan & Christine Hamlin, John Lessord, Kathy Snyder, Jack Wahl, Angela Markham, Merv Beaney, Joann Marcello, Robbi Hess (Suburban News), Gary Zimmer, Rob Blair, Norm Frisch, Fred Webster, Francisco & Linda Borrayo, Norm GianCursio, John & Mary Brugger, John Hauck, Margaret Blackman, Jim Sutton, Frank & Julie Lapinski, Karl Zimmer, Jason Mott.

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

**REVIEW OF MEETING MINUTES:** None

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**PUBLIC COMMENT:**

1. Joan Hamlin of 50 Park Avenue welcomed the new Board and said she and others are excited and hope the newly Board will help the Village "heal". She reminded citizens to speak up to their government leaders and remind them of who is boss. Each voice is important. She said she had previously asked the former administration and never received a clear response as to the purpose and nature of the relationship of the Greater Brockport Development Corporation (GBDC) and the Village. Mayor Wexler said as far as he is concerned the Village has nothing to do with the GBDC. Under the previous administration then-Mayor Matela and then-Trustee Whipple took on leadership roles with the GBDC. He asked Economic Development Coordinator Winner to give a brief explanation. S. Winner said the purpose of the GBDC is to solicit grants and funding opportunities for projects in the public interest. The GBDC has a 501C3 designation that makes it eligible for funding opportunities that the Village may not be eligible for. He said he would be happy to provide her with a copy of the statement of purpose. Regarding relationship between GBDC and the Village, new counsel would have to render an opinion. There is no formal relationship between the two.

Joan Hamlin said she heard that Treasurer Coyle had been invited to play a role in GBDC but declined due to a possible ethical conflict or appearance of impropriety. She asked why the former elected officials were not similarly concerned. Manager Coyle said he sought out the opinion of one of the professional associations he belongs to. He said he thought it was out of his purview and declined. He said he couldn't answer why others accepted when invited to serve. S. Winner said the Mayor of Lockport is the chair of Lockport's Development Corporation. Joan Hamlin asked if the current elected officials would become members of the GBDC. Mayor Wexler said none of the current elected officials are on the GBDC. J. Hamlin questioned the checks and balances and commented that she recalls some taxpayer money was used to set up GBDC a few years ago. S. Winner said the Board at that time gave their full blessing to the GBDC.

**GUESTS:**

1. Karl Zimmer & Jason Mott – Merchants Street Smoke House – Outdoor event 8/13 & 8/14 – Karl Zimmer said he was serving as a representative of the owner and manager of Merchants Street Smoke House who was unavailable to attend. Manager Scott Hunsinger had spoken with Ian Coyle and dropped off information packets for the Board and Department Heads to review. The Merchants Street Smokehouse located at 48 Merchants Street would like to host a music and food venue in conjunction with the Brockport Arts Festival from Noon to 9pm on August 13<sup>th</sup> and 14<sup>th</sup>. They would utilize their parking lot next to the Canalside Pub. It would be fenced off along the perimeter. This would not restrict traffic flow. They would have 12 to 14 security personnel and 3 to 4 managers wearing brightly colored t-shirts. There would be a series of bands with volume kept to a tolerable level and adjusted if requested by neighbors or the Brockport Police Department. They will distribute a letter to neighboring housing to inform them. Power needed for the bands will come from the Canalside Pub. They will serve hamburgers, hot dogs, Italian sausage, pulled pork sandwiches. The catering permit covers this. A group of tables and chairs will be provided. Soda, bottled water and alcoholic beverages will be served. An on site liquor license will be obtained for the special event. ID cards will be checked by security and wristbands signifying persons of legal drinking age will be distributed at both entry points. Bartenders will only serve to those with wristbands and sell no

more than 2 alcoholic beverages per person per sale. Security will constantly monitor the area to deter underage drinking and serve as crowd control. Two port potties will be located in the fenced in area. The restrooms in the Merchants Street Smokehouse will also be available.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 2**

K. Zimmer said they have already spoken to Chief Varrenti regarding logistics. He asked that the Village Board forego the noise ordinance for this event that will be entirely on private property. He said J. Mendez plans to put \$3,000 into advertising. They hope to bring in even more people to the weekend event and to donate a percentage of the proceeds to a local charity. If this is successful, they may make it an annual event.

Trustee Maziarz asked if they had spoken with BISCO representatives or promoter Jeff Springut about cross-promotional opportunities. K. Zimmer said not yet, but they are willing to work with them. Trustee Maziarz asked the type of music. K. Zimmer said various bands, many of which the have played at the Merchants Street Smoke House. He said they would not infringe on the entertainment plans for the King Street stage.

Trustee Nayman said she just received this information today, so it is hard to comment. K. Zimmer said they are before the Village Board more as a courtesy. Mayor Wexler clarified that this would take place on private property. K. Zimmer said he hopes the Village would approve this in the spirit of cooperation. He said Jimmy Mac did something similar in conjunction with BISCO organizers on Village property a couple of years ago.

Trustee Wagenhauser asked the target market and the tent size. K. Zimmer said one group would be the 120 plus people who row in the dragon boat races. There would be a few tents within the fenced in area. Mayor Wexler asked if the alcohol would be contained within the fenced in area. K. Zimmer said yes.

Trustee Nayman asked if downtown merchants are allowed to put items out for sale. Trustee Maziarz said that is a question for BISCO.

Trustee Castañeda asked that they work out any details with Chief Varrenti. K. Zimmer said they would. S. Hunsinger made the first contact with I. Coyle and Chief Varrenti. Chief Varrenti concurred, but expressed confusion on the proposed dates. The written proposal referred to the 12<sup>th</sup> and 13<sup>th</sup>, but the Arts Festival is the 13<sup>th</sup> and 14<sup>th</sup>. Jason Mott clarified that it should read the 13<sup>th</sup> and 14<sup>th</sup> to be in conjunction with the Arts Festival. Chief Varrenti said although the event will take place on private property, only the Village Board has the right to suspend the noise ordinance. Trustee Castañeda wondered if the Board would be setting a precedent that would bring additional requests. Trustee Nayman concurred and said serving alcohol outside is different than the Village's Summer Serenades. Trustee Maziarz said she would be willing to give it a try. If there are problems, they can work to resolve them or not do it again in the future.

Trustee Wagenhauser said he is glad to see that they plan to inform the tenants of the residential properties on the street. Trustee Nayman said she hopes this event does not draw people away from the Arts Festival. K. Zimmer said they hope it will bring even more people and that the two events could complement each other. Trustee Nayman expressed concern that other bars may want to do something similar in the future. Trustee Maziarz introduced Rob Blair and Gary Zimmer of BISCO who are here tonight to bring the Board up to date on the annual Arts Festival. R. Blair said they would be happy to work together.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded Mayor Wexler in favor, Trustees Nayman and Castañeda opposed. Carried 3 to 2 to suspend the noise ordinance for this event with the understanding that the volume of music will be kept to a tolerable level and will be adjusted if requested by neighbors or the Brockport Police Department.

2. Cindy DeFelice – NYSSVA at SUNY – Request to display artistic banners – Cindy DeFelice shared that she has been a teacher with the New York State Summer School for the Visual Arts at SUNY for 5 years. She is team-teaching a painting and drawing class. The program is for gifted and talented high school to aged artists living in New York State. Program admission is highly selective. This year there are 130 students. Her 16-student class is currently working on a large-scale color theory project and painting scenes of Brockport. The goal of this project is to learn to construct color with a limited pallet. They would like to display these images as 8 double-sided street-side banners for the community to enjoy from July 20 – 27. It would be a unique experience for the students as well as Brockport residents to see this artwork displayed as public banners. NYSSVA is providing all of the materials and labor needed to produce, install and de-install these works. C. DeFelice showed an example of the artwork.

She asked for Village Board approval and for a DPW employee to help with the installation and de-installation. H. Donahue asked if the banners have loops in them. C. DeFelice said she

would be sewing the loops on Wednesday. Trustee Castañeda asked if the program would compensate the Village for the DPW help. C. DeFelice said they do not have the ability to do that, but can do it without the DPW's help if needed. She said it was brought to her attention that the Village might prefer its own person for insurance purposes. Mayor Wexler agreed and said he would hate to see a student hurt. Trustee Nayman asked if it would be possible to preview the artwork before it goes up. C. DeFelice said that would be fine and distributed her

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 3**

card. She said I. Coyle had already expressed that there could be no sexual or violent content. Trustee Wagenhauser said he has seen the students working on them and they look nice.

Trustee Maziarz said this is a great opportunity to interact with SUNY. She said her only concern is students up on ladders and poles. The DPW has a lot of experience in putting up and taking down banners.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to allow displaying of NYSSSSA artistic banners after pre-viewed from July 20 to 27 with install and take down by the DPW.

3. Jack Barry – Lions Club Car Cruise In 7/23 & 9/10 – NO SHOW.

4. Rob Blair & Gary Zimmer – BISCO Arts Festival 8/13 & 8/14 – R. Blair thanked the Village for the help in years past with the annual Arts Festival. He said it would not be possible without their help. He said BISCO itself is a collaboration of community groups. They along with the Village and the merchants make this so successful. R. Blair said there was a question earlier as to whether merchants can put their wares out for sale during the Arts Festival. He said BISCO is anxious to have the merchants participate and encourage the stores to be open. Small displays to bring people into the stores is fine. However, they are not looking for lots of sidewalk hawking. Each year they make strides on this front. R. Blair said the plans of Merchant Street Smoke House are a step in the right direction to add to the festivities. He said the Lift Bridge Book Shop is planning a children's book fair on Sunday that will add to the event as well. R. Blair said the festival will be 10am to 6pm on Saturday and include the dragon boat races and Cool Kids Day coordinated by Steve Appleton. He said they are seeking sponsors for Cool Kids Day. The festival will be 10am to 5pm on Sunday and include the Lift Bridge Book Shop's children's book fair, the duck derby and the Farmer's Market. There are a lot of little family friendly events going on within the big event. He said the vendor numbers look good. They will be trying some different marketing techniques and concentrating on Orleans County, Greece and Gates. He said they would be contacting the Police Department and Fire Department to set up meetings to work out any logistical details. R. Blair said tonight they hope the Village Board will approve suspending the noise ordinance for the entertainment and street closure as always.

G. Zimmer said it is tradition that the Mayor pulls the first five ducks and the last five ducks in the duck derby. Mayor Wexler agreed to do so and commented that his people are used to walking on water not in it. G. Zimmer said there are booth times available for those interested. Mayor Wexler said it has been tradition for the Mayor and Trustees to serve donuts and coffee to the vendors early Sunday morning. He said he would like to do so again. G. Zimmer said that would be great and that they will provide the golf carts. G. Zimmer said the BISCO by laws hold a Director's position designated for a Village Board member. He said he sent a letter to the former Mayor the last couple of years and never heard back. There is a monthly meeting the 2<sup>nd</sup> Tuesday of each month from 5:30pm to 7pm. Trustees Nayman and Maziarz expressed interest. G. Zimmer welcomed them both. G. Zimmer also thanked the Village included the DPW, Police Department, Fire Department and Code Enforcement for their assistance in the past and their anticipated assistance this year. He said BISCO has kicked a lot of money back into the community for many worthwhile projects.

5. Norm Frisch – Septemberfest 9/10 – request approval to close section of Erie Street – Norm Frisch of the Brockport United Methodist Church shared that Septemberfest, an ecumenical community event, was initiated by his church in 2003 and is held on the second Saturday of September. Last year they welcomed the First Baptist Church of Brockport as a co-host. This year they are please to add St. Luke's Episcopal Church as a third co-host. The event will be Saturday, September 10<sup>th</sup> 10am to 4pm. They will host a variety of activities including craft sales, silent auctions, entertainment, games for children, rummage sales, baked food sales, plant and produce sales and information booths that help promote community service organizations and programs. Lunch and dinner will be served and snacks and refreshments will be available throughout the day.

He requested that they again be allowed the use of Sagawa Park for entertainment activities. He has already booked this with Clerk Morelli. A facilities use agreement is being completed. He requested that the short section of Erie Street again be closed off from Main Street to Lincoln Street from 8am to 6pm. This is for unimpeded and safe pedestrian access between the Methodist Church, Sagawa Park and the Baptist Church. It will also be used to set up tent booths as they did last year. The hours asked for includes two hours for set up and two hours

for take down. He said the Episcopal Church currently plans to conduct their activities on their property. Publicity for Septemberfest will again help promote other community events of the day such as the Peddler's Market and Cruise In. Other good reasons to be downtown that day!

Trustee Nayman asked if this interferes with the diner or other downtown businesses. N. Frisch said no and commented that he spoke with Jack Barry of the Cruise in and the food sales at Septemberfest helped their event. Profits will be returned back to community groups. He said they hope to do more outreach to SUNY and forge a positive relationship with social and service

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 4**

organizations.

→ Trustee Nayman moved, Trustee Castañeda seconded, unanimously carried to approve the requests as presented regarding Septemberfest.

6. Ken Pike – Withdrawal of ATSDR Petition – K. Pike reviewed his June 17<sup>th</sup> letter to the Board stating that the Agency for Toxic Substances and Disease Registry (ATSDR) has requested that the Village of Brockport withdraw its petition for an environmental health assessment regarding potential impacts to residents from the former 3M / Dynacolor and GE hazardous waste sites. The request was made to the ATSDR in a letter signed by former Mayor Thorpe on October 2, 2000. The ATSDR believes that the Village's concerns have been adequately and appropriately addressed and that no further work is necessary. K. Pike's letter outlined the information the ATSDR offered to support their request for petition withdrawal. He said based on his extensive involvement throughout the process, he can attest to the adequacy and thoroughness of the actions taken by the ATSDR, NYSDOH and the MCDOH to the Village's request for an environmental health assessment. The residents were provided well-researched educational materials, including 14 newsletters mailed directly to 500+ homes, to help them make informed decisions. Every resident was provided the opportunity for a private face meeting with leading health experts from 6 different medical fields to discuss their concerns. Blood serum testing was performed for any resident adjoining Tributary 3 that was concerned with PCB exposure. Extensive testing of resident's yards and basements was conducted. In addition, a cancer cluster study was performed at the residents urging and a follow-up study was done to address additional concerns presented at a public meeting. No concerns were identified from the cancer cluster study or the blood serum testing. In summary, he concurs with the ATSDR that the Village's request for an environmental health assessment has been adequately and appropriately addressed and he recommends that the Village Board resolve to withdraw their October 2000 petition. The Village can state in its resolution and correspondence to the ATSDR that the right is reserved to reopen the petition should new evidence become available in the future to indicate that further environmental health assessment is warranted.

Mayor Wexler commented that some people might be leery of withdrawing this petition. He asked if people had enough opportunities for interaction. K. Pike referred to the many interaction opportunities over the last five years.

Trustee Castañeda referred to the item on the letter that states "...Two requests were presented at the meeting by residents, to pursue the incidence of "hairy cell leukemia" in the area and determine if GE previously conducted any health studies of their employees..... GE reported that no health studies of workers were ever conducted." K. Pike said there was no study to be had or reviewed. Trustee Castañeda asked if a public hearing was held to consider withdrawing the petition. K. Pike said no.

Mayor Wexler asked the affect if any if the Village does not withdraw the petition. K. Pike said the ATSDR would like to close the file. It may cause them procedural problems. Mayor Wexler said he has problems withdrawing this and possibly losing any protections. Trustee Castañeda agreed. Trustee Wagenhauser said he would like more information.

Trustee Maziarz questioned why the ATSDR would not have contacted the Village directly since the Village filed the original petition. K. Pike said then-Mayor Thorpe and Village Board has asked him to represent the Village in this matter. The ATSDR was aware of that. He would be happy to ask that they contact the Village directly. He said this has been pro-bono work for him. Trustee Maziarz asked K. Pike if he could provide the Board with copies of correspondence on this matter. K. Pike said he would do so by end of week.

→ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried to table this issue until the next meeting.

7. Kris Schultz & Norbert Hausner re Sunflower Landing Subdivision – rezoning – request 8/15 public hearing – K. Schultz shared that he (engineer), Norbert Hausner (architect) and Michael Ferrauilo (developer) have been working with the Planning Board for the last 7 or 8 months regarding their proposal for Sunflower Landing Subdivision to include 40 single family homes and 134 senior units on 52.92 acres on East Avenue. They have worked on layouts, density,

road alignments, unit styles and the like. They held a public hearing and conducted a coordinated SEQR review. They have granted concept approval and a Negative Declaration (no significant environmental impact) on SEQR. The Village Engineer is conducting a detailed review.

It is now time to apply for rezoning from Residential to Q District through the Village Board. This will require a public hearing. K. Schultz said the Village's Q District zoning works better for condo-type use.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 5**

K. Schultz said this development would be a mix of single-family lots for those of any age with one to four unit buildings predominantly for senior citizens. It will be an opportunity for multi-generations to live close by. There will be a wide range of prices and styles. The development will have sidewalks on one side, street lighting, walking paths, gazebos and 2 access points to the Canal. The east end access point is almost dead level. Therefore, it will be handicapped accessible. There will be one large detention pond. They negotiated an easement with the Town of Clarkson for gravity sewer. This means they do not have to change the grade or utilize a pump station. K. Schultz said the development would have a Homeowner's Association. All exterior maintenance, mowing and driveway plowing will be taken care of with the monthly fee. A reserve will be built up. This will be approved by the Attorney General's office, as law requires.

Trustee Maziarz asked if they have worked with New York State Canal Corporation. K. Schultz said yes and commented that they have been very cooperative. The NYSCC is interested in use and access now and happy to allow access. They just need to review detailed plans.

Fire Chief McCullough asked if a traffic study had been done. K. Schultz said yes. They contracted a traffic engineer early on. It was determined that there will not be a large traffic impact since this will be a predominantly senior oriented development. Seniors tend not to be on the road during peak times. The study showed and Monroe County Department of Transportation concurred that no additional improvements will be required on East Avenue. Chief McCullough expressed concern of the blind rise in the area slated for the entrance. K. Schultz said he understands the concern, but there is adequate site distance. K. Schultz said originally they proposed access from the private drive but some of the residents were not so inclined. Chief McCullough said the engineering numbers are likely based on the posted speed limit in that section. However, locals know that the speed limit is rarely adhered to in that area. He said he strongly believes that will be the next accident-prone intersection. K. Schultz said the traffic engineers actually shoot speeds, not just assume what is posted. The traffic study was verified by Monroe County Department of Transportation and the Village Engineer. He said he would love to see the speed changed to 30 miles per hour. Trustee Wagenhauser wondered how far this proposed intersection is to where the speed turns to 55 miles per hour. K. Schultz speculated. Trustee Maziarz said area residents recently petitioned the County with the Village and Towns support to lower the speed limit on East Avenue. Police Chief Varrenti said his understanding is that there has not been a final decision made yet. Chief Varrenti said he provided the Police Department's data regarding speeds on East Avenue. He said realistically the senior population has slower reaction times. So while the traffic study may show that they are not likely to generate an excessive amount of traffic during high peak times, reaction time should be taken into consideration. K. Schultz said he would forward a copy of the traffic report from SRS Engineering to Chief McCullough and Chief Varrenti. Chief Varrenti said he would appreciate the opportunity to compare the Police Department's study to the engineering study.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to schedule a public hearing on the rezoning application for Monday, August 15, 2005 at 7:30pm.

**ANNUAL APPOINTMENTS AND ADOPTIONS: (8:30pm)**

**Annual Fence Permits –**

⇒ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the following annual fence permits be renewed:

1. GE – 98 Lyman Street
2. RG&E – Perry Street and Erie Street

**Resignations / Do Not Wish Term Renewal:**

⇒ Trustee Nayman moved, Trustee Maziarz seconded, unanimously carried that the following resignations / non-renewals be accepted with thanks for their service:

David Wagenhauser – Zoning Board of Appeals & Historic Preservation Board  
Sarah Hart – Library Board  
Mark Dunham – Tree Board  
Charles Switzer – Zoning Board of Appeals  
Glenn & Laura Emerson – SPARTAC  
Harley Perry – Board of Water Commissioners

**APPOINTMENTS:**

⇒ Trustee Nayman moved, Trustee Castañeda seconded, unanimously carried that the following Deputy/Vice Mayoral appointment be made:

Deputy / Vice Mayor.....Trustee Maziarz

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 6**

**2005 - 2006 COMMITTEE ASSIGNMENTS**

Welcome Center Management Committee

Trustee Maziarz, Josephine Matela, R. Scott Winner, Chris Marks, Peter Maxson, William Andrews

Regarding the Welcome Center Management Committee, Mayor Wexler said that Josephine Matela was serving as a Village Board representative. She will now be serving as a representative of the Merchants Association. He said he checked with current Merchants Association President Coleen Dwyer of Coleen’s Café and she said this was fine. Trustee Nayman referred to a memo from Bill Andrews and asked if it was up to the Village Board to appoint her. Mayor Wexler said yes, with the Merchants Association’s blessing. He said Trustee Maziarz would be serving as a Village Board representative. Trustee Nayman asked if this was related to the Canal front greeters program. Trustee Maziarz said that is one aspect of the Welcome Center at Harvester Park. The Management Committee would oversee that program as well as anything else related to the building.

⇒ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustees Nayman and Castañeda opposed, Mayor Wexler in favor, carried that the Welcome Center Management Committee assignments be made as listed.

⇒ Trustee Nayman moved, Trustee Castañeda seconded, unanimously carried that the following committee assignments be made:

Building / Zoning / Code Enforcement

Trustee Maziarz & Trustee Wagenhauser

Budget and Finance

Trustee Castaneda & Mayor Wexler

Public Works

Trustee Castaneda & Trustee Nayman

Public Safety

Trustee Maziarz & Trustee Wagenhauser

Fire and Ambulance

Trustee Wagenhauser & Mayor Wexler

Personnel

Trustee Castaneda & Trustee Maziarz

Economic Development

Trustee Maziarz & Trustee Wagenhauser

Parks

Trustee Castaneda & Trustee Nayman

Intergovernmental

Trustee Castaneda & Trustee Maziarz

Planning Board

Trustee Maziarz

Zoning Board of Appeals

Mayor Wexler



⇒ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried that the following appointment be made:

**Planning Board**.....five-year term to 2010 Annette Locke

⇒ Trustee Castañeda moved, Trustee Nayman seconded, Trustees Maziarz and Wagenhauser opposed, Mayor Wexler in favor, carried that the following appointment be made:

**Zoning Board of Appeals**.....five-year term to 2010 John Bush

⇒ Trustee Nayman moved, Trustee Castañeda seconded, unanimously carried that the following appointment be made:

**Zoning Board of Appeals** complete term to 2007 James Hamlin

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 8**

⇒ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the following appointment be made:

**Zoning Board of Appeals** complete term to 2008 John Keiser

⇒ Trustee Castañeda moved, Trustee Nayman seconded, Trustees Maziarz and Wagenhauser opposed, Mayor Wexler in favor, carried that the following appointment be made:

**Zoning Board of Appeals** complete term to 2009 Francisco Borrayo

Trustee Wagenhauser explained that his opposition to John Bush and Francisco Borrayo does not concern the individuals but that by appointing them to the ZBA, 3 of the 5 members (including current member Irene Manitsas) will be rental property owners (landlords). This is a direction he does not wish to see with the ZBA.

Mayor Wexler said he selected those applicants that he felt would represent the Village well on this important board. He did not take into consideration if they owned rental property. He said although he does not know John Keiser personally, he has received positive feedback of his service on the Code Review Committee this past year. Regarding Jim Hamlin, Mayor Wexler said he probably knows the Village Code better than any other Village resident. He served on the Code Review Committee in the mid 1990's. Regarding Francisco Borrayo, Mayor Wexler said he has known him through family for many years and knows how much he cares about the Village.

Trustee Maziarz said her concerns are along the same lines that Trustee Wagenhauser expressed. She said she has had the privilege of living next to a Borrayo rental house and one would never know it was a rental. Trustee Maziarz said the Borrayo's take tremendous care of their properties. However, the ZBA has been dealing with many applications regarding continuance of non-conforming use as multi-family homes. Their decisions directly affect a lot of landlords and their livelihood. Trustee Maziarz said she would not want any bias or appearance of bias because the majority of the ZBA would be landlords. This could possibly be considered a conflict of interest.

Trustee Wagenhauser concurred and stated that the ZBA over the last couple of years has fought to verify non-conforming properties. He said F. Borrayo has evidenced his displeasure in meeting minutes at public hearings and clearly stated that he does not believe the ZBA should be enforcing this section of the Village Code. John Brugger of the audience agreed.

Trustee Wexler said Trustees Wagenhauser and Maziarz are certainly entitled to their opinions. However, he said he has no doubt that the applicants chosen will follow the Village Code. Trustee Nayman commented that she thinks it makes for a good cross section on the Board. She said there is nothing that says the ZBA should all be single homeowners.

Trustee Maziarz said it has nothing to do with F. Borrayo personally as she has found him to be an extremely bright and articulate person with a good grasp on the community.

⇒ Trustee Wagenhauser moved, Trustee Nayman seconded, unanimously carried that the following appointment be made:

**Historic Preservation Board**.....three-year term to 2008 William Andrews

⇒ Trustee Castañeda moved, Trustee Maziarz seconded, unanimously carried that the following appointment be made:

**Historic Preservation Board**.....three-year term to 2008 Pamela Ketchum

⇒ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the following appointment be made:

**Historic Preservation Board** complete term to 2006 Judith Jones

⇒ Trustee Maziarz moved, Trustee Nayman seconded, unanimously carried that the following appointment be made:

**Seymour Library Board (Brockport rep.)** complete term to 2006..... David Hale

⇒ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried that the following appointment be made:

**Seymour Library Board (Brockport rep.)**....5-year term to 2010.....Francis Welch

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 9**

**Assessment Board of Review**.....four-year term to 2009 (No applicants)

⇒ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried that the 7/10 list of additional volunteers for the Welcome Center Canalfront Hospitality Program be made: (refer to roster)

**ADOPTIONS:**

⇒ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the following meeting and workshop schedules for the 2005-2006 fiscal year be approved:

2005-2006 VILLAGE OF BROCKPORT MEETINGS

**PLEASE NOTE THAT ALL VILLAGE MEETINGS BEGIN AT 7:00PM.**

Village Board Meetings

Regular meeting nights:

First and Third Monday of each month, unless otherwise noted at 7:00pm:

August 15, 2005	February 6, 2006
September 6, 2005 (Tuesday)	February 21, 2006 (Tuesday)
September 19, 2005	March 6, 2006
October 3, 2005	March 20, 2006
October 17, 2005	April 3, 2006
November 7, 2005	April 17, 2006
November 21, 2005	May 1, 2006
December 5, 2005	May 15, 2006
December 19, 2005	June 19, 2006
January 3, 2006 (Tuesday)	July 17, 2006
January 17, 2006 (Tuesday)	August 21, 2006

Village Board Workshops

The following Mondays at 7:00pm unless otherwise noted:

August 8, 2005	February 27, 2006
September 26, 2005	March 27, 2006
October 24, 2005	April 24, 2006
November 28, 2005	May 22, 2006
December – none	June 12, 2006
January 23, 2006	July 10, 2006
	August 14, 2006

Planning Board

Regular meeting nights: 2<sup>nd</sup> Monday of each month at 7:00pm.

Special meetings available upon request: 4<sup>th</sup> Monday

Submittal Deadline: Wednesday by Noon before the Monday meeting.

Zoning Board of Appeals

Regular meeting nights: 4<sup>th</sup> TUESDAY of month at 7:00pm (Only upon application.)

Submittal Deadline: At least 3 weeks prior to meeting.

Historic Preservation Board

Meets only as needed.

**VILLAGE OF BROCKPORT HOLIDAY SCHEDULE**  
**June 1, 2005 – May 31, 2006**  
**Adopted by Village Board 3/21/05**

The following Holidays will be observed in accordance with the current CSEA and Stetson Club Agreements as well as the Village of Brockport Employee Handbook.

**Employees: Chosen floaters for CSEA and Stetson Club differ this year. Please refer to the schedule that relates to appropriate department.**

VILLAGE OF BROCKPORT HOLIDAY SCHEDULE  
June 1, 2005 – May 31, 2006  
VILLAGE HALL SCHEDULE

(Police Dept. & DPW – refer to their schedule)  
(Part time Dispatch & Paid Ambulance – get actual holiday, but not floaters)

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 10**

Monday, July 4	- Independence Day
Tuesday, July 5	- Floater
Friday, September 2	- Floater
Monday, September 5	- Labor Day
Monday, October 10	- Columbus Day (non-Union)
Friday, November 11	- Veterans Day
Thursday, November 24	- Thanksgiving Day
Friday, November 25	- Day after Thanksgiving
Monday, December 26	- Christmas Day
Monday, January 2	- New Year's Day
Monday, January 16	- Martin Luther King, Jr. Day
Monday, February 20	- Presidents' Day (non-Union)
Friday, April 14	- Good Friday
Friday, May 26	- Floater
Monday, May 29	- Memorial Day

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⇒ Trustee Wagenhauser moved, Trustee Maziarz seconded, unanimously carried adopting the hours credited for NYS retirement purposes:

**RESOLUTION**  
**STANDARD WORK DAY/MONTH**  
**FOR NEW YORK STATE RETIREMENT PURPOSES**

BE IT RESOLVED, that the Village Board be and hereby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

RESOLVED: that the standard work day for the **Mayor** (if enrolled in said retirement system) be established at six (6) hours per day / twenty (20) days per month; and be it

RESOLVED: that the standard work time for the **Trustees** (if enrolled in said retirement system) be established at five (5) days per month; and be it

RESOLVED: that the standard work time for **Planning Board** members (if enrolled in said retirement system) be established at sixteen (16) hours per month; and be it

RESOLVED: that the standard work day for the **Village Clerk** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **Village Treasurer** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **Water Clerk** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **A/P – P/R (Accounts Payable and Payroll) Clerk** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **Building/Zoning Officer** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **Police Chief** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for **Police Officers** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **full-time Police Department Secretary** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work week for the **Crossing Guard** be established at thirty (30) hours per week; and be it

RESOLVED: that the standard work day for the **Department of Public Works Superintendent** be established at eight (8) hours per day; and be it

RESOLVED: that the standard work day for the **Department of Public Works Foreman** be established at eight (8) hours per day; and be it

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 11**

RESOLVED: that the standard workday for the **Department of Public Works Laborers** be established at eight (8) hours per day.

⇒ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried that the following fee schedule for the 2005-2006 fiscal year be approved:

**VILLAGE OF BROCKPORT  
FEE SCHEDULE**

PLANNING BOARD FEES

- Change of use (for the first 1,500 sq. ft.)..... \$25.00 plus .05 per added sq. ft. over 500
- Site plan (new construction) ..... \$500.00 plus .05 per sq. ft.
- Site plan (existing)..... \$250.00 plus .05 per sq. ft.
- Subdivision (per Code)..... \$100.00 plus \$50 per lot
- Special Meeting at request of applicant ..... \$50.00
- Public Hearing if Board deems necessary ..... \$50.00

Note: All engineering costs charged to the Village for review of applicant's plans shall be charged back to the applicant. No building permit shall be issued until all fees and charges are paid.

VILLAGE BOARD FEES

- Rezoning application.....\$500.00

ZONING BOARD OF APPEALS FEES

- Area Variance..... \$150.00
- Use Variance ..... \$300.00
- Interpretation ..... \$150.00
- Other (special permit or authorization required by code) ..... \$150.00

**BUILDING & INSPECTION FEES**

RESIDENTIAL NEW HOME CONSTRUCTION – includes Certificate of Occupancy inspection fee:

- 800 – 1,100 square feet ..... \$200.00
- 1,101 – 1,300 square feet ..... \$250.00
- 1,301 – 1,500 square feet ..... \$300.00
- 1,501 – 1,700 square feet ..... \$350.00
- 1,701 – 2,000 square feet ..... \$400.00
- 2,001 – 3,000 square feet ..... \$450.00
- 3,001 – 5,000 square feet ..... \$500.00

RESIDENTIAL NEW CONSTRUCTION – (additions, remodeling) - includes Certificate of Occupancy inspection fee:

- Value of construction from ..... \$0 - \$500..... \$45.00
- Value of construction from ..... \$500 - \$10,000..... \$65.00
- Value of construction from..... \$10,000 - \$50,000..... \$85.00
- Value of construction from..... \$50,000 - \$100,000..... \$105.00
- Value of construction from..... \$100,000 - \$150,000..... \$125.00
- Value of construction from..... \$150,000 and up..... \$150.00
- ..... plus \$10.00 for each \$10,000 of construction value

RESIDENTIAL ACCESSORY STRUCTURES – includes Certificate of Compliance inspection fee:

- Decks ..... \$30.00
- Above ground pools ..... \$30.00
- In ground pools..... \$40.00
- Sheds (144+sf)..... \$20.00
- Replace gas appliances ..... \$15.00 ie hot water heater, furnace
- New gas appliances ..... \$20.00 ie fireplace, gas log sets, fixed piped home generators

RENTAL PROPERTY CERTIFICATE OF OCCUPANCY

- Single family rental ..... Code 210 ..... \$30.00
- Two family rental ..... Code 220 ..... \$40.00
- Three family rental..... Code 230 ..... \$60.00

- Townhouses ..... Code 411 ..... \$20.00 per unit
- Apartment building..... Code 411 ..... \$100.00 per building
- Inn / rooming house..... Code 418 ..... \$80.00

**MISCELLANEOUS**

- Tax Search ..... \$10.00
- Copies ..... \$.25 per page
- Returned Check Charge..... \$20.00
- Zoning Chapter of Code Book..... \$25.00
- Zoning Map (color) ..... \$5.00
- Sign Permit..... \$15.00
- Sidewalk Use Permit ..... \$200.00
- Hawking & Peddling Permit..... 1 to 7 days ..... \$100.00
- ..... 6 months or less ..... \$250.00
- ..... 1 year..... \$500.00
- Parade / Procession Permit..... no charge
- Fireworks Permit..... no charge
- Appliance with Freon..... \$25.00

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 12**

- Garbage and Trash Pick-Up..... Cost to Village plus ..... \$50.00
- Garbage Cans Pick-Up ..... \$25.00 per can
- Lawn Mowing..\$150 per hour per man plus equipment..... = \$300.00 per hour
- Waste Hauler Annual Permit..... \$1,500.00
- Facilities Use Permit ..... \$25.00 deposit

**PLUMBING & SEWER FEES**

- Plumbing License ..... \$25.00
- Plumbing Permit ..... \$25.00 plus \$2.00 per fixture
- Out of District Sewer Users ..... If on Village water ..... .80 cents /1,000 gallons water used
- ..... If not on Village water ..... \$50.00 per unit (unit = 50,000 gallons water per MCPW)
- Sewer Tap Inspection (Monroe County Pure Waters)..... \$250.00 plus
- ..... If Village installed..... \$200.00
- ..... If contractor installed..... \$125.00

**CANAL FRONT AMMENITIES**

- Boats 16' or less ..... \$4
- Boats 17' – 30' ..... \$6
- Boats 31' – 40' ..... \$8
- Boats 40' ..... \$10
- Commercial Boats ..... \$15

**POLICE DEPARTMENT FEES**

- Copy of Police Report..... no charge
- Fingerprinting (NON-Village residents/merchant) ..... \$15.00
- Record Check ..... \$5.00

Payment for fingerprinting or record check must be to Village Clerk then appointment with Police Department made.

- Parking
  - Illegally Parked ..... \$30
  - Winter Parking Ordinance ..... \$40
  - Fire Lane / Hydrant..... \$50
  - Handicapped Parking... \$60\*

Fines doubled if not paid or contested within 30 days.

\*Applicable NYS surcharges may be applied by the adjudicating agency.

**SEWER RENT:** ..... \$.80 per 1,000 gallons water used

Clerk Morelli commented that the Welcome Center fees have been reduced since adopted June 20<sup>th</sup>. They are now in line with what Fairport's fees.

Chief Varrenti commented that this fee schedule incorporates an increase in parking fines to be more in line with other communities. He referred to his recent memo and research on parking fines. It should act as a greater deterrent while serving as an increased revenue source. Chief Varrenti added that they have devised a new ticket that will be quicker and easier to understand.

**WATER:**

Water Rate Schedule – Effective January 1, 2005  
As Adopted December 8, 2004  
By the Board of Water Commissioners

**Rates for the sale of water to all customers of the Board of Water Commissioners.**

**QUARTERLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:**

All Water Usage \$ 3.63 per M gallons  
**Minimum Billing \$15.00 per quarter**

**QUARTERLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:**

All Water Usage \$ 4.67 per M gallons  
Minimum Billing \$20.00 per quarter

**MONTHLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:**

All Water Usage	\$ 3.63 per M gallons
Minimum Billing	\$15.00 per month

**MONTHLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:**

All Water Usage	\$ 4.67 per M gallons
Minimum Billing	\$20.00 per month

**UN-METERED WATER:**

The rate for un-metered water sales shall be \$6.00 per thousand gallons

**TERMS AND PAYMENT:**

All bills and charges of the Water Commissioners are payable net cash within thirty (30) days.  
A delinquent charge of 10% will be added to the bill for non-payment by the due date.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 13**

**11.9 SERVICE CONNECTIONS:**

A. The fees charged upon application for water service tap (including meter) to the Commissioner's are as follows:

SIZE OF SERVICE

Fee Charge

¾" and 1" with 5/8" or ¾" meter and under.....	\$1,000.00
¾" and 1" with 1" meter.....	\$1,100.00
1 ½" with 1 ½" meter.....	\$1,500.00
2" with 2" meter.....	\$2,000.00
Over 2".....	See Sub-Section.....11.14

The Commissioners will install the service pipe and appurtenances on public streets from the water main to and including the curb box and shutoff. Easements acceptable to the Commissioners must be furnished to them for service installation if private property is involved. Water meters will be furnished and connected by the Commissioners and will remain the property of the Commissioners. (Section IV and Section V)

B. Where a tap already exists, or is being installed under a Main Extension, the fees charged are as follows:

SIZE OF SERVICE

Fee Charge

¾" and under .....	\$200.00
1".....	\$250.00
1 ½".....	\$360.00
2".....	\$530.00
Over 2".....	See Sub-Section ..... 11.14

In addition to the fee charges set forth above for the service taps, there will be an additional charge if, upon installation, the Commissioners have to supply any other necessary parts in order to effect the tap.

C. DELETED

D. SERVICE DISCONTINUANCE

Any water service account which carries an unpaid balance for two billing quarters or more is subject to discontinuance of service, and a fee of \$100.00 will be collected prior to restoration of the service.

E. Any use or attachment to an unprotected, unmetered fire hydrant for other than fire fighting purposes is subject to an Unauthorized Hydrant Use Fee of \$500.00.

F. The rate for unmetered water sales shall be \$6.00 per thousand gallons.

⇒ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried adopting the following stop signs and traffic signals for the Village of Brockport:

- 1) Adams Street at Chappell Street
- 2) Adams Street at Utica Street
- 3) Allen Street at Centennial Avenue
- 4) Barry Street at Fayette Street
- 5) Barry Street at Keable Court
- 6) Beach Street at Erie Street
- 7) Beach Street at Holley Street
- 8) Berry Street at Fayette Street
- 9) Beverly Drive at Idlewood Drive
- 10) Briar Rose Lane at Cailyn Way
- 11) Brockview Drive at Frazier Street
- 12) Brockway Place at Chappell Street
- 13) Brockway Place at Main Street
- 14) Brook Terrace at #24 Brook Terrace
- 15) Brook Terrace at Brookdale Road
- 16) Brook Terrace at South Avenue
- 17) Brookdale Road at Main Street
- 18) Burroughs Terrace at Fair Street

- 19) Candlewick Drive at Havenwood Drive
- 20) Carolin Drive at Clark Street (northbound and southbound)
- 21) Carolin Drive at West Avenue
- 22) Centennial Avenue at Allen Street
- 23) Centennial Avenue at Main Street
- 24) Central School Drive and Centennial Avenue
- 25) Chappell Street at Adams Street
- 26) Chappell Street at Centennial Avenue
- 27) Cherry Drive at Clark Street
- 28) Cherry Drive at Evergreen Road
- 29) Clark Street at Carolin Drive (eastbound and westbound)
- 30) Clark Street at Evergreen Road
- 31) Clark Street at Kimberlin Drive
- 32) Clark Street at Main Street
- 33) Clark Street at Smith Street (eastbound and westbound)
- 34) Clinton Street at Main Street
- 35) Cloverwood Drive at Candlewick Drive
- 36) Coleman Creek Road at Central School Drive

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 14**

- 37) Coleman Creek Road at Main Street
- 38) College Street at Main Street
- 39) College Street at Utica Street
- 40) Cyrus Way at McCormick Lane
- 41) Erie Street at Beach Street (eastbound and westbound)
- 42) Erie Street at Perry Street (eastbound and westbound)
- 43) Erie Street at Utica Street (eastbound and westbound)
- 44) Evelyn Drive at Glendale Road
- 45) Evergreen Road at Clark Street
- 46) Fair Street at Quaker Maid Street
- 47) Fayette Street at East Avenue
- 48) Frazier Street at Fayette Street
- 49) Frazier Street at Glendale Road (eastbound and westbound)
- 50) Frazier Street at Keable Court
- 51) Gardner Alley at Clinton Street
- 52) Gardner Alley at King Street
- 53) Glendale Road at Barry Street
- 54) Glendale Road at East Avenue
- 55) Gordon Street at Spring Street
- 56) Gordon Street at State Street
- 57) Graves Street at Clark Street
- 58) Graves Street at West Avenue
- 59) Havenwood Drive at East Avenue
- 60) High Street at Park Avenue
- 61) Hillcrest Parkway at Main Street
- 62) Holley Street at Main Street
- 63) Holley Street at Perry Street (eastbound and westbound)
- 64) Holley Street at Utica Street (eastbound and westbound)
- 65) Idlewood Drive at Clark Street
- 66) Idlewood Drive at West Avenue
- 67) Keable Court at Barry Street
- 68) Keable Court at Frazier Street
- 69) Kenyon Street at Monroe Avenue
- 70) Kimberlin Drive at Clark Street
- 71) Kimberlin Drive at West Avenue
- 72) King Street at Utica Street
- 73) Liberty Street at Fayette Street
- 74) Liberty Street at Main Street
- 75) Lincoln Street at King Street
- 76) Locust Street at Barry Street
- 77) Lyman Street at Fayette Street
- 78) Lyman Street at Locust Street
- 79) Market Street at Main Street
- 80) Market Street at Park Avenue
- 81) Maxon Street at Kenyon Street
- 82) Maxon Street at Utica Street
- 83) McCormick Lane at East Avenue
- 84) Meadowview Drive at Clark Street
- 85) Meadowview Drive at Evergreen Road
- 86) Mercer Street at Chappell Street
- 87) Monroe Avenue at Holley Street

- 88) Monroe Avenue at Main Street
- 89) Monroe Avenue at Utica Street (eastbound and westbound)
- 90) Morgan Court at Evergreen Road
- 91) Owens Road at State Street
- 92) Oxford Street at Spring Street
- 93) Oxford Street at State Street
- 94) Park Avenue at South Street (east and west of triangle)
- 95) Park Avenue at South Street (northbound and southbound)
- 96) Quaker Maid Street at South Avenue
- 97) Quarry Street at Locust Street
- 98) Queen Street at Clinton Street
- 99) Queen Street at Erie Street
- 100) Queen Street at Holley Street
- 101) Residence Drive at Holley Street
- 102) Residence Drive at Kenyon Street
- 103) Smith Street at Clark Street (northbound and southbound)
- 104) South Street at West Avenue
- 105) South Avenue at Brook Terrace

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 15**

- 106) South Avenue at Main Street
- 107) South Avenue at Owens Road
- 108) South Avenue at Quaker Maid Street
- 109) South Street at Main Street
- 110) South Street at Park Avenue
- 111) State Street at Park Avenue (eastbound and westbound)
- 112) Union Street at Park Avenue
- 113) Utica Street at Adams Street
- 114) Utica Street at Clinton Street
- 115) Utica Street at College Street (northbound and southbound)
- 116) Utica Street at Erie Street (northbound and southbound)
- 117) Utica Street at Holley Street (northbound and southbound)
- 118) Utica Street at Monroe Avenue (northbound and southbound)
- 119) Victory Drive at Barry Street
- 120) Victory Drive at Frazier Street
- 121) Washington Street at State Street
- 122) Water Street at Market Street
- 123) Westwood Drive at Glendale Road
- 124) Willowbrooke Drive at West Avenue
- 125) Winston Woods at South Avenue

Village owned and operated traffic signal – Adams Street at Allen Street.

**DEPARTMENT REPORTS:**

- A. PUBLIC WORKS / COMMUNICATIONS CENTER – Provisional Superintendent Harry G. Donahue
  - 1. Declare former Superintendent’s vehicle as surplus for fall municipal auction – H. Donahue asked for authorization to declare the 1996 Crown Victoria as surplus to take it to the fall municipal auction.
  - 2. NYSDOT Main Street Project – H. Donahue referred to a news release from New York State Department of Transportation indicating they will re-pave Main Street from Barry Dodge north to the Canal Bridge this week between 7:30am and 4pm. There will be no parking allowed on Main Street during the project. It will then be NYSDOT’s responsibility to stripe the crosswalks and parking spaces.
  - 3. 2005 Water Main Cleaning and Relining – Carolin Drive  
 Manager Coyle shared that Village Engineer; Chatfield Engineers is currently working on the contract documents for this project. Due to the relative simplicity of the project, they would like to bid the project as soon as the contract documents are completed, while they obtain Monroe County Department of Health approval.

→ Trustee Maziarz moved, Trustee Nayman seconded, unanimously carried authorizing the Village of Brockport 2005 Water Main Cleaning and Relining for bids, upon completion of the contract documents by Chatfield Engineers.

- 4. Sewer Rent – Trustee Wagenhauser said he had asked H. Donahue what had been done regarding sewers in the last year since sewer rent was implemented. H. Donahue replied routine maintenance. Trustee Wagenhauser said he thought that would mean that there would be a lot of money left over in that fund. However, Manager Coyle said there is not.

Trustee Wagenhauser said he feels that if the Village is collecting money for sewers it should be used for sewers. He said it does not smell good if not. Manager Coyle said the 2004-2005 fiscal year was the first sewer fund budget. He said the former DPW Superintendent had provided him with inflated revenue figures that included SUNY. However, it was later learned that SUNY could not be included. More work would have likely taken place on sewers if the projected revenue had been received. The first year was primarily DPW personnel related since 2 employees were funded through the sewer fund. H. Donahue commented that man-hours are tough to calculate. They spend approximately 1 ½ to 2 months doing the annual flushing. Then there are issues that may arise weekly. Trustee Wagenhauser said he knows the DPW needs to add one employee and that H. Donahue would like to add two. Trustee Wagenhauser said he thinks using sewer rent for personnel is disingenuous budgeting. Manager Coyle said he does not agree and takes exception to that comment. Had the information provided by the former DPW Superintendent been accurate, they would have done more sewer work. It was built on a faulty premise last year. It is important to note that those paid out of the sewer fund do not do 100% sewer work just as those paid out of the water fund do not do 100% water work. Trustee Wagenhauser apologized for using the term disingenuous budgeting.

**B. POLICE DEPARTMENT – Chief Daniel P. Varrenti**

1. Calls for service - Chief Varrenti said there is a bit of a lull now, but they are gearing up for increased activity in the fall.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 16**

2. SPARTAC – Chief Varrenti commented that he appreciated the volunteerism of Glenn and Laura Emerson and all members of SPARTAC. Under the leadership of Sgt. Cuzzupoli, they developed a manual, implemented policies and procedures and have uniforms. The evaluators involved in the Police Department accreditation were so impressed with the SPARTAC manual that they took a copy with them. Chief Varrenti said he was sorry the Emersons chose to resign. He said they hope to continue to build the SPARTAC program.

3. Traffic Safety Award – Chief Varrenti shared that at the June 29<sup>th</sup> Crossing Guard breakfast the Police Department received the AAA platinum award for its traffic safety programs. This is the highest award given. There are only 7 given in New York State. Mayor Wexler congratulated the Chief, Department and Crossing Guards on this award.

4. National Night Out – Chief Varrenti reminded everyone that the annual National Night Out event would be Tuesday, August 2<sup>nd</sup> from 6 to 9pm at the Vets Club on West Avenue. There is no cost to the Village. The Brockport Fire Department and Ambulance Corps will be participating with a crash simulation and a Medivac Helicopter will be brought in. There will be free hot dogs, chips, soda and slushies donated by area merchants. Chief Varrenti commended Kelly Lewis State Farm Insurance on Main Street for a \$500 check to go to the community service line to enhance the National Night Out event. Chief Varrenti presented the check to Manager Coyle for deposit.

5. Lions Club Car Cruise In – Chief Varrenti said although Jack Barry did not show at the meeting as scheduled, the Board needs to authorize closing Main Street for the event. Mayor Wexler said he spoke with Jack Barry previously and knows it has already been advertised. Fire Chief McCullough said the way the cars park is not always conducive to emergency vehicles getting through. They need a minimum width of 8 feet and they need a clear path from the planter box in front of the fire hall going east on Market Street. He said Village assistance in keeping key spots cleared would be appreciated. Trustee Maziarz said many of the participants get here early. Chief Varrenti said the event begins at 5pm, but many participants are here at 1pm, 2pm or 3pm. He said there would only be 1 extra officer brought in. They will block Main Street at East / West Avenue. They will also do the initial blocking at State Street, but then the Lions Club handles that. Trustee Maziarz wondered if it would be possible for them to convene at parking lots at SUNY or Brockport Central School District in the future. Mayor Wexler said the Fire Department has valid concerns regarding getting emergency vehicles through. Board agreed to approve this event and to provide feedback to Jack Barry to better prepare for the car cruise in scheduled for September 10<sup>th</sup>. They requested earlier and more detailed information on the event in the future.

→ Trustee Maziarz moved, Trustee Nayman seconded, unanimously carried approving the closing of Main Street for the Lions Club Car Cruise In on Saturday, July 23<sup>rd</sup> as in the past.

6. Welcome New Elected Officials – Chief Varrenti welcomed the new elected officials and encouraged them to call or stop by any time. He said he looks forward to a harmonious working relationship.

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

1. Appoint Part Time Clerk – S. Zarnstorff asked the Board to appoint Michelle Johnson of Hamlin to the position of part time Building / Zoning Clerk to begin August 1<sup>st</sup>. Clerk Morelli shared

that the search committee include S. Zarnstorff, L. Vaughan and Trustee Maziarz. Manager Coyle sat in on the interviews of the 2 finalists. A total of 18 applicants were received. The search committee selected 6 to interview, interviewed 5, narrowed it to 2 and re-interviewed the 2 finalists. S. Zarnstorff said M. Johnson's skill sets are strong and she has work experience with the Hamlin Building / Zoning department and volunteer administrative experience with the Walker Fire Department. The position is Civil Service Exempt and pays \$8.50 per hour for 20 hours per week.

Trustee Wagenhauser asked S. Zarnstorff how many Certificates of Occupancy he can accomplish with the help of this part time person as opposed to on his own. S. Zarnstorff said that is not a statistic he has generated. He explained that having a part time clerk would relieve him of having to do ALL of the paperwork and allow him more time in the field doing inspections. He said 60 to 70 percent of his office time is currently devoted to clerical duties. If he is not in the field, he will have more time to meet with applicants, property owners, review plans and the like. Mayor Wexler said he would like to see the number of properties subject to having a current Certificate of Occupancy increase. S. Zarnstorff re-iterated that he is working on completing a database of all properties and their c of o status. Mayor Wexler said he will be meeting with all the Department Heads soon and will get a better handle on the issue. Trustee Castañeda asked if the Trustees could sit in on the monthly group Department Heads meetings. Mayor Wexler said one Trustee is welcome to, but if there are 3 or more elected officials, it constitutes a public meeting.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 17**

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustee Nayman in favor, Trustee Castañeda opposed, carried to appoint Michelle Johnson as part time Building / Zoning Clerk at \$8.50 per hour for 20 hours per week.

**D. FIRE DEPARTMENT - Chief Christian A. McCullough**

1. Membership Adds/Drops/Transfers – Chief McCullough asked the Board to consider approving the following add to the Explorer Post: Andrew Marenus of Clarkson.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried approving the previously mentioned add.

2. Call Load – 496 fire calls and 908 ambulance calls year to date.

3. President Bush Event – Chief McCullough shared that he was among a few other representatives of the Brockport Fire Department to receive an invitation to sit on the stage with President Bush at his recent visit to the Town of Greece. Christopher Martin sent a letter, proclamation and photo plaque of the monument to the White House for his future Presidential Library.

4. Grants – Chief McCullough shared that Assemblyman Reilich came through on grant funding recently. Deputy Chief Vaughan had shared the details of this at the last meeting.

5. Emergency Operating Plan – Mayor Wexler said in the past former Trustee James Whipple served as the Emergency Coordinator. Mr. Whipple indicated his willingness to continue to serve in this capacity. Chief McCullough said the Fire Chiefs are in agreement that J. Whipple remain in that capacity. He said it is a good choice as he is very knowledgeable about the Village and Fire Department.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded, unanimously carried appointing James Whipple as the Emergency Coordinator per the Village of Brockport's Emergency Operating Plan.

Clerk Morelli said former DPW Superintendent Upson had prepared the current plan, last adopted in 2002. A few updates and changes will be needed regarding contact information. Chief Varrenti shared that the Police Department now has schematics, satellite photos and contact numbers for all large structures in the Village that could be incorporated into the plan.

**E. TREASURER/ VILLAGE MANAGER - Ian M. Coyle**

1. Sewer Rents being placed on water bills as of 8/1/05 – Treasurer Coyle said he looked into placing the sewer rent onto Village tax bills as a separate line item. The auditor said sewer rent is not an expense that can be written off. Trustee Castañeda said she does not see it as a rent but a tax. Treasurer Coyle said it is a user fee. Trustee Wagenhauser reiterated that his main concern is that the money collected from sewer rent goes to sewer work. Treasurer Coyle said the issue at hand is regarding how to bill the sewer rent. The water clerk has done the work needed to add a line for sewer to the water bills. It will be based on consumption.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, Trustees Castañeda and Nayman opposed, Mayor Wexler in favor, carried to place the sewer rent on water bills beginning August

1<sup>st</sup>.

F. CLERK - Leslie A. Morelli

1. Procession Application – SUNY Homecoming 5K Run/Walk – 9/25 10am – Noon – Clerk Morelli reviewed the annual application. Chief Varrenti said there would be no additional police coverage.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to approve the application as presented.

2. Hawking & Peddling Application – NYPIRG – 7/19/05 – 8/2/05 4-8pm – Clerk Morelli reviewed the annual application.

→ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried to approve the application as presented.

G. ATTORNEY – / DEPUTY ATTORNEY – Frank A. Aloï (excused)

H. ECONOMIC DEVELOPMENT – Coordinator R. Scott Winner

1. Economic Development Report – S. Winner distributed his 6-month report and asked the Board to review it and feel free to contact him with questions or comments.

2. SUNY Student Survey – S. Winner distributed copies of the spring 2005 survey done by students in an Anthropology Research Methods course (ANT 394) taught by Village resident

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 18**

Margaret Blackman. The survey was directed to SUNY Brockport students, long considered an important component of the Village economy. The goal was to gain insight into their perceptions, attitudes and habits regarding downtown Brockport, to learn how and when they use the downtown area and to determine what current and future businesses might serve their needs. The information will assist the Village in planning future downtown program development and business recruitment and retention. The college hosted the survey on their Angel website, where, along with other public surveys, it was available for any SUNY Brockport student. All students were sent an e-mail notifying them of the survey asking them to take it.

S. Winner introduced M. Blackman. S. Winner highlighted a few results. They include: 75% of students spend less than \$50 per month in downtown Brockport. 74% visit downtown after 4pm. 60% spend most of the money in restaurants and bars. Of the top 10 destinations, 7 are bars / restaurants, Lift Bridge Book Shop, the Strand Movie Theater, and Go Ask Alice. The shops they are looking for include deli, sub, bagel, and bakery. S. Winner said M. Blackman's fall class would revise the survey and work toward a larger and broader-based response. They are open to suggested questions. Trustee Maziarz said she would be interested in including the easy money program in the survey as far as how much "easy money" comes into the Village. Trustee Maziarz asked if it would be multiple choice or fill in the blank next time. M. Blackman said a combination of both again.

**SUPPORT BOARDS REPORTS:**

A. PLANNING BOARD – Chair R. Scott Winner

Sunflower Landing – S. Winner reported that the Planning Board granted concept approval to the project and a Negative Declaration (no significant impact to the environment) on the SEQR coordinated review. He commented that the traffic issues are at the County level since East Avenue is a County road. As a resident and user, he said he would like to see a lower speed limit. He agreed that the engineers doing the studies do not drive it like the locals do. A combination of a reduced speed limit and a traffic control device would be helpful.

Chief McCullough said the engineers must be out of their minds. He suggested that they respond to as many car accidents. He said a genius is not needed to know that this will be an accident-prone area. Excavating the road down would help.

B. LIBRARY BOARD – President Matthew Minor (absent)

C. ZONING BOARD OF APPEALS - Chair \_\_\_\_\_

**VILLAGE BOARD REPORTS:**

A. Trustee/Vice Mayor Maziarz

1. Intergovernmental Committee – Trustee Maziarz commented that new on the committee / liaison assignments this year is the intergovernmental committee. She said she contacted Manager Coyle a few weeks ago with the idea of forming such a committee to include representatives from the Village of Brockport, Town of Sweden, SUNY, and Brockport Central School District. He contacted Supervisor Lester, VP DiPasquale and Superintendent

Fallon. All responded positively and an initial meeting is planned for September. The idea is to create a competitive edge with newcomers to the Brockport area and to retain what we have. This can be done through tax rates, diverse housing stock and the like. She and Trustee Castañeda will be serving as Village representatives.

2. Erie Canalway National Heritage Corridor – Trustee Maziarz reported that the Draft Preservation and Management Plan and Environmental Assessment are available for review and comment. A copy will be made available for review at the Village Hall and it is also available on the Internet at [eriecanalway.org](http://eriecanalway.org). This was done by the US Department of the Interior's National Park Service. This will serve as the Village's conduit for federal money.
3. Welcome SUNY Students – Trustee Maziarz suggested that the Village provide some kind of formal welcome to SUNY students. This is something that has not been done in the past. She said she is open to suggestions.

B. Trustee Castañeda

1. Intergovernmental Committee – Trustee Castañeda said she is glad to be a part of this committee as this was part of her campaign platform.
2. Parks Committee – Trustee Castañeda said she and Trustee Nayman would be bringing forth additional volunteer(s) for appointment to the Parks Committee that currently has 3 members.

C. Trustee Wagenhauser

1. Garbage – Trustee Wagenhauser said he hopes to bring forth information for a Village Board public hearing in a few months regarding the formation of a garbage district and potential savings on garbage collection.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 19**

2. Rescind 3% pay raises for elected officials – Trustee Wagenhauser suggested that if the Village of Brockport elected officials are going to ask government to tighten its belts, that they set an example by rescinding the 3% pay increase that was figured into the 2005-2006 budget and began June 1<sup>st</sup>. This amounts to approximately \$1,000 total and could be put into a special fund to help the budget.

→ Trustee Wagenhauser moved, Trustee Maziarz seconded, unanimously carried to rescind the 3% increase for the elected officials adopted into the 2005 –2006 budget and started June 1<sup>st</sup>.

→ Trustee Castañeda moved to reduce the Mayor's salary by \$5,000 to make up the difference in salary for the Village Manager. No second. Motion died.

D. Trustee Nayman

1. Carolin Drive – Trustee Nayman thanked the DPW for their work on the Carolin Drive rehabilitation project. Only the restoration of driveway aprons is left to be done.
2. Parks Committee – Trustee Nayman said she spoke to Parks Committee Chair Andrea Perry and requested a wish list. She and Trustee Castañeda will meet with her next week and tour each park.

E. Mayor Wexler

1. Schedule 8/15 public hearing to consider dissolution of Board of Water Commissioners - Mayor Wexler said he received a letter from retired DPW Superintendent Reynolds congratulating him and recommending that the Village reduce or dissolve the Board of Water Commissioners. Former DPW Superintendent Perrine and current DPW Superintendent Donahue concur. Mayor Wexler suggested reducing the BOWC to one or two representatives at a lower salary who would be accountable to the Village Board. Then the Village Board, not the BOWC, would be responsible for raising rates when necessary.

→ Trustee Maziarz moved, Trustee Castañeda seconded, unanimously carried to hold a public hearing on Monday, August 15, 2005 after the 7:30pm public hearing on Sunflower Landing to consider the dissolution of the Board of Water Commissioners.

2. SPARTAC Vehicle – Mayor Wexler said the issue of utilizing an old vehicle for SPARTAC came up at the last meeting. He said it would be discussed at the August 8<sup>th</sup> workshop. Chief Varrenti asked if the Village Board would like the written facts and research he did to take into consideration. Mayor Wexler said that would be fine. He also offered to be in attendance if the Board wishes.

→ Trustee Wagenhauser moved, Trustee Castañeda seconded, unanimously carried to table the issue of the SPARTAC car for discussion at the August 8<sup>th</sup> workshop and decision at the August 15<sup>th</sup> meeting.

3. NYCOM Certificate – Mayor Wexler read a certificate from NYCOM for Gary Hugelmaier's 30

years of service to the Village of Brockport in the Department of Public Works. He was unable to attend the meeting. H. Donahue said G. Hugelmaier is looking forward to another 30 years with the Village!

4. Voting – Mayor Wexler said although he plans to openly express his opinions and promises that decisions will be made by the entire 5-member Board, he does not plan to vote unless his vote is needed to break a tie. He said the 5 elected officials may differ on occasion, but he hopes they will all get along, be civil and respectful. He said he looks forward to working with the Board for the betterment of the community.

**PUBLIC COMMENT:**

1. John Brugger of Holley Street said he and his wife are raising sons to be responsible for their actions and he must be as well. He apologized for his outburst earlier when discussing appointments to the Zoning Board of Appeals. He said he is concerned that the ZBA is now comprised of a majority of rental property owners.
2. Joan Hamlin of 50 Park Avenue expressed concern that Suburban Disposal is emptying dumpsters on State Street at 4:40am. The Village Code outlines the days and hours waste haulers can pick up. S. Zarnstorff said they have been notified in the past and will be again. Trustee Wagenhauser asked J. Hamlin to re-iterate those concerns when a public hearing is held regarding garbage.

J. Hamlin also expressed concern that the warning light at the Park Avenue railroad crossing does not always turn on. She said she knows Hanny Heyen had a near miss and wrote a letter and worked with former Mayor Matela on getting the problem resolved. Chief Varrenti said he had provided some data at that point. Mayor Wexler said he would follow up on this.

**MINUTES OF MEETING HELD July 18, 2005 continued.....page 20**

**AUDIT:**

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

Discussion took place that the new Trustees review but abstain from signing off on the bills this time. Trustee Wagenhauser expressed concern on one particular bill. Mayor Wexler commented that he has found work contracted that the entire Village Board was not made aware of and did not approve. He said he would not authorize work to be done that results in the expenditure of money unless the Village Board approves it. Mayor Wexler said his top priority is the maintenance of the Village's infrastructure. However, the services have been rendered and the Village is responsible to pay the bill.

<u>Village</u>		
Date	Check #	Amount
7/7/05	171759	1,024.12
7/15/05	171764-171862	74,701.29
<u>Fire</u>		
7/18/05	171863-171888	57,839.84
<u>Third Party Billing</u>		
7/18/05	594-599	7,225.76
<u>Capital Projects</u>		
7/15/05	1901-1910	16,415.70
7/18/05	1911	352.11
<u>Sewer</u>		
7/18/05	1048-1049	64.96

**ADJOURNMENT:**

- ➔ Trustee Maziarz moved, Trustee Wagenhauser seconded, unanimously carried that the meeting be adjourned at 11:10pm.

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Leslie Ann Morelli, Village Clerk