

Special 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 30, 2011 at 4:00pm

PRESENT: Mayor Maria Connie Castañeda, Trustee Margaret B. Blackman, Trustee Carol L. Hannan, Trustee Scott W. Hunsinger, Clerk Leslie A. Morelli

EXCUSED: Trustee Kent R. Blair

ALSO PRESENT: Jim & Joan Hamlin, Kristina Gabalski

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

Village Attorney Leni noted for the record that during the meeting held September 27th, the completed SEQR paperwork was delivered by Attorney DiRaddo on behalf of the Clarkson Town Board.

RESOLUTION TO ESTABLISH THE BROCKPORT FIRE DISTRICT

WHEREAS, The Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden, and the Town Board of the Town of Clarkson, Monroe County, New York (The Boards) having determined it to be in the public interest of the citizens of the Village of Brockport, the Town of Sweden and the Town of Clarkson, to participate in a joint meeting to consider the proposal regarding the establishment of a joint fire district, to be called the Brockport Fire District, and

WHEREAS, The Boards having met at such joint meeting held on August 9th, 2011, whereby the Boards determined it to be in the public interest to make the proposal to establish a joint fire district to be called the Brockport Fire District, and

WHEREAS, said proposed joint fire district shall encompass the entire Town of Clarkson excepting Lots 7, 8, 9, 10, 11, 12 and 13 of Section 15; Lots 6 and 12 of Section 18; and all lots comprising Section 19; (those portions of the Town of Clarkson lying within the bounds of the Walker and the Hilton Parma Fire Districts); the entire Town of Sweden, including the Village of Brockport, all located within the County of Monroe, State of New York, and

WHEREAS, the object and purposes for which it is proposed that a new fire district be created is to provide fire protection within the areas of the proposed Brockport Fire District, and

WHEREAS, at said joint meeting held on August 9, 2011 the Boards determined it to be in the public interest to hold a public hearing on the proposal to establish the Brockport Fire District, pursuant to Town Law and Village Law, which fire district would encompass the Village of Brockport, the Town of Sweden and a portion of the Town of Clarkson, and

WHEREAS at said joint meeting held on August 9th, 2011 the Boards designated the Town Board of the Town of Clarkson as lead agency for the purposes of environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) regarding the establishment of the joint fire district, and

WHEREAS, a joint public hearing was held at the Auditorium of the Brockport Middle School, 40 Allen St., in the Village of Brockport, State of New York on September 6, 2011, at 7:00 P.M., at which time all persons interested in the establishment of the joint fire district were heard, and

WHEREAS, the following resolution was presented for discussion at the public hearing:

A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, THE TOWN BOARD OF THE TOWN OF SWEDEN, AND THE TOWN BOARD OF THE TOWN OF CLARKSON, MONROE COUNTY, NEW YORK, TO ESTABLISH A JOINT FIRE DISTRICT TO BE KNOWN AS THE BROCKPORT FIRE DISTRICT, WHICH FIRE DISTRICT WILL ENCOMPASS THE VILLAGE OF BROCKPORT, THE TOWN OF SWEDEN AND PORTIONS OF THE TOWN OF CLARKSON, SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE PROPOSAL DATED JULY 28, 2011 AS AMENDED AUGUST 9, 2011, and

MINUTES OF VILLAGE BOARD MEETING HELD September 30, 2011 continued.....page 2

WHEREAS, The Town Board of the Town of Clarkson, as lead agency, pursuant SEQRA has determined that the establishment of the joint fire district will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared. Accordingly, The Town Board of the Town of Clarkson, pursuant to SEQRA, has issued a Negative Declaration and Notice of Determination of Non-Significance, regarding the creation of such joint district prior to the adoption of this resolution.

NOW THEREFORE BE IT RESOLVED THAT,

1. The Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden, and the Town Board of the Town of Clarkson, Monroe County, New York (The Boards), hereby establish a joint fire district pursuant to Town Law and Village Law, to be known as the Brockport Fire District, which fire district will encompass the Village of Brockport, the Town of Sweden and portions of the Town of Clarkson, subject to the terms and conditions as set forth in the proposal dated July 28, 2011 as amended August 9, 2011, and

2. On the motion of the Boards, this resolution is subject to a favorable vote of the electors of the Village of Brockport, the electors of the Town of Sweden outside the Village of Brockport and the electors of the Town of Clarkson located outside the Hilton Parma and Walker Fire Districts and the Village of Brockport, who are the electors affected thereby, and

3. A Special election is to be held on November 29th, 2011 commencing at 8:00 a.m. and ending at 9:00 P.M. at the following locations:

For the resident electors of the Village of Brockport, Brockport Village Hall, 49 State Street, Brockport New York 14420, and

For the resident electors of the Town of Sweden, located outside the Village of Brockport, The Sweden Town Hall, 18 State Street, Brockport, New York 14420, and

For the resident electors of the Town of Clarkson, located outside the Hilton Parma and Walker Fire Districts and the Village of Brockport, The Clarkson Town Hall, 3710 Lake Rd., Clarkson New York 14430, and

4. The proposition that will be voted upon will be as follows:

SHALL THE RESOLUTION BE APPROVED AUTHORIZING THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, THE TOWN BOARD OF THE TOWN OF SWEDEN, AND THE TOWN BOARD OF THE TOWN OF CLARKSON, MONROE COUNTY, NEW YORK, TO ESTABLISH A JOINT FIRE DISTRICT TO BE KNOWN AS THE BROCKPORT FIRE DISTRICT, WHICH FIRE DISTRICT WILL ENCOMPASS THE VILLAGE OF BROCKPORT, THE TOWN OF SWEDEN AND PORTIONS OF THE TOWN OF CLARKSON, SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE PROPOSAL DATED JULY 28, 2011 AS AMENDED AUGUST 9, 2011 ?

5. This resolution shall take effect immediately and the dates set forth below shall be deemed the respective effective dates for purposes of establishing the date for the special election.

MOTION for adoption of this resolution by Trustee Blackman

Seconded by Trustee Hannan

Discussion:

Mayor Castañeda read the following prepared statement into the record:

The questions read by a resident during public comment at the September 27th Village Board meeting are all based upon the false premise that the Village is giving away assets. The fact is that the Village is not giving away Village assets, they are being transferred to the proposed joint fire district just the same as the Towns are also making contributions. These proposed transfers are specifically authorized by law. In addition, there are significant additional concessions to the Village, all which were fully detailed at the public hearing held September 6th. This is a collaborative effort between the Towns and the Village which we believe will ensure that the excellent fire service we have come to enjoy will continue for generations to come.

MINUTES OF VILLAGE BOARD MEETING HELD September 30, 2011 continued.....page 3

Trustee Blackman said this is the kind of thing that needs to be clarified.

Village Attorney Leni confirmed that the transfer of assets is authorized by law. They are not being given away.

Trustee Hannan said the questions posed by the resident, Valerie Ciciotti, involved whether the transfer of assets will affect the Village’s credit rating, have a negative effect on future borrowing interest rates, current bonds like the Main Street water and sewer project, and general financial integrity.

VOTE BY ROLL CALL AND RECORD

VILLAGE OF BROCKPORT

Mayor Maria Connie Castaneda	Voting yes
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Voting absent
Trustee Scott W. Hunsinger	Voting no
Trustee Carol L. Hannan	Voting yes
Dated September 30, 2011	Adopted

BALLOT

SPECIAL ELECTION TO VOTE ON THE RESOLUTION TO ESTABLISH THE BROCKPORT FIRE DISTRICT

November 29, 2011

SHALL THE RESOLUTION BE APPROVED AUTHORIZING THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, THE TOWN BOARD OF THE TOWN OF SWEDEN, AND THE TOWN BOARD OF THE TOWN OF CLARKSON, MONROE COUNTY, NEW YORK, TO ESTABLISH A JOINT FIRE DISTRICT TO BE KNOWN AS THE BROCKPORT FIRE DISTRICT, WHICH FIRE DISTRICT WILL ENCOMPASS THE VILLAGE OF BROCKPORT, THE TOWN OF SWEDEN AND PORTIONS OF THE TOWN OF CLARKSON, SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE PROPOSAL DATED JULY 28, 2011 AS AMENDED AUGUST 9, 2011?

Yes []

No []

RESOLUTION

WHEREAS, The Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden, and the Town Board of the Town of Clarkson, Monroe County, New York (The Boards), having each passed a resolution establishing a joint fire district pursuant to Town Law and Village Law, to be known as the Brockport Fire District, which fire district will encompass the Village of Brockport, the Town of Sweden and portions of the Town of Clarkson, subject to the terms and conditions as set forth in the proposal dated July 28, 2011 as amended August 9, 2011, and

WHEREAS, on the motion of the Boards, this resolution is subject to a favorable vote of the electors of the Village of Brockport, the electors of the Town of Sweden outside the Village of Brockport and the electors of the Town of Clarkson located outside the Hilton Parma and Walker Fire Districts and the Village of Brockport, who are the electors affected thereby, and

MINUTES OF VILLAGE BOARD MEETING HELD September 30, 2011 continued.....page 4

WHEREAS, for the resident electors of the Village of Brockport, a special election is to be held for that purpose on November 29th, 2011 commencing at 8:00 a.m. and ending at 9:00 P.M. at the Brockport Village Hall, 49 State Street, Brockport, New York 14420, where the proposition that will be voted upon will be as follows:

SHALL THE RESOLUTION BE APPROVED AUTHORIZING THE BOARD OF TRUSTEES OF THE VILLAGE OF BROCKPORT, THE TOWN BOARD OF THE TOWN OF SWEDEN, AND THE TOWN BOARD OF THE TOWN OF CLARKSON, MONROE COUNTY, NEW YORK, TO ESTABLISH A JOINT FIRE DISTRICT TO BE KNOWN AS THE BROCKPORT FIRE DISTRICT, WHICH FIRE DISTRICT WILL ENCOMPASS THE VILLAGE OF BROCKPORT, THE TOWN OF SWEDEN AND PORTIONS OF THE TOWN OF CLARKSON, SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE PROPOSAL DATED JULY 28, 2011 AS AMENDED AUGUST 9, 2011 ?

NOW THEREFORE BE IT RESOLVED THAT,

1. With respect to said special election, on November 29, 2011, for the Village of Brockport, the sole polling place shall be Brockport Village Hall, located at 49 State Street, Brockport, New York 14420, where the polls shall be open from 8:00 a.m. – 9:00 p.m., and
2. With respect to said special election, on November 29, 2011, for the Village of Brockport, Brockport Village Clerk Leslie A. Morelli shall act as the designated election commissioner for all purposes, including but not limited to the registration of electors and the certification of the results of the special election, and
3. That the Village Clerk shall make and file the registration list of electors in alphabetical order on or before November 19, 2011, the date ten days prior to the special election, which shall at all reasonable times then be made available upon request to any qualified village elector. Applications to revise the registration list of electors may be made to the Village Clerk by qualified voters up to and including November 29, 2011, the date of the special election, and
4. That applications for absentee ballots may be applied for at the Office of the Village Clerk, 49 State Street, Brockport, New York 14420. Applications for absentee ballots must be received by the Village Clerk on or prior to 4:00 P.M., Prevailing Time, on November 22, 2011, the date seven days prior to the special election, if the absentee ballot is to be mailed to the voter, or on or prior to 4:00 P.M., Prevailing Time, on November 28, 2011, the day before the Special Election, if the absentee ballot is to be personally obtained by or on behalf of the voter. Completed absentee ballots must be received by the Village Clerk not later than 9:00 P.M., Prevailing Time, on November 29, 2011, the date of the special election.
5. That with respect to said special election, on November 29, 2011, for the Village of Brockport, voting machines may be utilized if feasible to do so.

MOTION for adoption of this resolution by Trustee Blackman

Seconded by Trustee Hannan

Discussion:

Trustee Hannan said she has heard criticism that non-property owners can vote in the special election. Trustee Hunsinger expressed concern of SUNY students being able to vote as well. He said he believes students will be enticed to vote and that the registration list from June to November will be drastically different.

Village Attorney Leni said being a property owner is not a requirement. They need to be a resident of the Village 30 days prior to the election. If college students register to vote in their college location, it would strike their registration at home. Further, the college students might have a vested interest as they have occasion to utilize the services of the Brockport Fire Department. Residency is the measure, not property ownership.

MINUTES OF VILLAGE BOARD MEETING HELD September 30, 2011 continued.....page 5

VOTE BY ROLL CALL AND RECORD

VILLAGE OF BROCKPORT

Mayor Maria Connie Castaneda	Voting yes
Trustee Margaret B. Blackman	Voting yes
Trustee Kent R. Blair	Voting yes
Trustee Scott W. Hunsinger	Voting yes
Trustee Carol L. Hannan	Voting yes
Dated September 30, 2011	Adopted

ADJOURNMENT:

→ At 4:25pm, Trustee Hunsinger moved, Trustee Blackman seconded, carried 4/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk