

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Village Hall Conference Room 49 State Street Brockport, New York, January 8, 2013 at 7:00pm.

PRESENT: Mayor M. Connie Castañeda, Trustee William G. Andrews, Trustee Margaret B. Blackman, Trustee Carol L. Hannan, Clerk Leslie A. Morelli

EXCUSED: Trustee Kent R. Blair

ALSO PRESENT: Sriram Bakshi, Tom & Darlene Lang, Pam Ketchum, Linda Ketchum, Brian Winant, Susan Smith, Karen Lobracco, Fred Webster, Norm Giancursio

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

MOMENT OF SILENCE: to honor those that serve our Country, enforce our laws, & respond to emergencies

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

Mayor mentioned keeping in our thoughts the family of SSgt Nicholas Reid of Brockport who died in Afghanistan, the West Webster Fire Department, and the Sandy Hook School.

PUBLIC COMMENT: None

CONSENSUS ITEMS:

- **APPROVAL OF MINUTES:**

→ Trustee Hannan moved, Trustee Blackman seconded, carried 4/0 that the minutes of the 12/11/12 meeting be approved as amended.

- **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blackman moved, Trustee Andrews seconded, carried 4/0 that the bills be allowed and paid upon audit.

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	12/21/12	\$134,170.47
FUND (F): <u>Water</u>	12/21/12	\$46,104.39
FUND (G): <u>Sewer</u>	12/21/12	\$3,883.45
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	-	-
		\$184,158.31 total
FUND (A): <u>General</u>	1/7/13	\$82,266.41
FUND (F): <u>Water</u>	1/7/13	\$13,828.57
FUND (G): <u>Sewer</u>	-	-
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	-	-
		\$96,094.98 total

CLERK REPORT:

- Clerk – Leslie Ann Morelli
 - Guardian – Clerk Morelli reported that she just learned that after having reported the 2013 rates to the Board and sending out the annual benefits letters to employees and retirees that Guardian agreed to hold the 2013 dental to 2012 rates and to decrease 2013 life to manual.
 - Local Law #4-2012 – Clerk Morelli reported that she just received proof of filing from NYS Department of State regarding Local Law #4-2012 to establish real property tax exemption for non-residential property upon conversion to mixed-use property. Said law is now in full force and effect in the Village of Brockport.
 - LGRMIF - Clerk Morelli reported that she and Deputy Clerk-Treasurer and Trustee Blackman met with State Records Archives Representative Gail Fischer and members of the O'Connell grants writing firm this afternoon. There is an annual grant opportunity through LGRMIF – Local Government Records Management Improvement Fund. The Village applied and received several grants through this program 1992 – 2006. Application will soon be drafted for an inventory planning project. This is in preparation for a future application for remodeling of existing or construction of a new records storage space at Village Hall. As most government organizations will concur, records management often gets pushed to the "back burner", but needs to be brought better into compliance.

- **OLD BUSINESS:**

- Approve & authorize Mayor to sign amended MOU w/ Brockport Fire District re snowplowing & vehicle & facility use -

Mayor called for a motion to approve and authorize her to sign the amended MOU as it stands. None.

→ Trustee Andrews moved, Trustee Blackman seconded that this Board does hereby authorize the Mayor to instruct the Department of Public Works to perform snow removal operations on the properties of the Brockport Fire District in the Village, as needed, in the same manner as in the past, provided that the BFD agrees to reimburse the Village for the labor and equipment costs incurred in the performance of that service, based on estimates determined in such manner as the Director of Public Works and the Fire District Commission decide, subject to confirmation by this Board.

Discussion:

Trustee Blackman said she likes the idea of treating snow plowing separately from vehicle or facility use. However, as to cost, DPW Spt. Donahue and BFD Commissioner Chair Sauberan had determined \$1,000 for the season would be appropriate. Calculating labor hours, equipment hours, wear and tear on equipment, etc. is impractical. The simpler the better.

Trustee Andrews said that figure is convenient, but not really accurate as it isn't based on true costs. However, if the Board wishes to go with that flat amount, he has no objection.

Mayor Castañeda said the MOU was drawn up by the BFD Attorney and Village Attorney. Is that now being thrown out?

Trustee Blackman said Chief Varrenti recommended the removal of the portion of the MOU related to Police Department use of a vehicle and the facility.

Trustee Hannan said there was language in there that should be common sense and is simply unnecessary. Chief Varrenti relayed to the Board that he does not care for the portion of the MOU related to vehicle and facility use.

Mayor Castañeda said any concern of insurance costs have been put to rest as Village Attorney Leni and Clerk Morelli confirmed with the Broker of Record that the Village meets the requirements. Why would the Police Department rent a vehicle at a cost when they could borrow it from the BFD at no cost?

Trustee Andrews said the BFD has a vehicle use policy and it can be amended if necessary. He said the BFD is in the process of drafting a facilities use policy. The point is neither vehicle use nor facilities use belongs in an agreement regarding snow removal.

Mayor Castañeda said the BFD could adopt such policies and choose not to allow Village use. Trustee Andrews said that is their prerogative.

Mayor Castañeda said the proposed MOU was for the Village and the BFD to benefit from each other. What if the PD needed to borrow the BFD van?

Trustee Andrews said 33 stipulations in a legal document are unnecessary and ridiculous.

Trustee Hannan cited examples in the proposed MOU about the PD not being permitted to operate a BFD vehicle while under the influence of alcohol or drugs or to use the premises for illegal or unlawful purposes. That is insulting to even suggest.

Trustee Blackman said when documents are drawn up in legal form they have to cover all the bases. She cited an example in the proposed MOU that spells out responsibility if pavement is torn up from snow plowing.

Trustee Blackman said a 9 page document might seem silly, but everyone needs to keep in mind that we are now dealing with 2 different government entities, each with an attorney, that have to put some things in legalese and be sure the entities are covered. She said Village Attorney Leni could speak to this at the next meeting.

Trustee Blackman mentioned that DPW will need to know if they or the Treasurer would be responsible for billing BFD for snowplowing.

Mayor Castañeda said she believes DPW should do so – one bill for the season.

Mayor Castañeda reminded that Trustee Blair had shared that the Police Explorers do use 38 Market Street for training and shared events with Fire Explorers.

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Call to Question:

Trustee Andrews	voted yes
Trustee Blackman	voted no
Trustee Hannan	voted no
Mayor Castañeda	voted no

Motion fails 3 to 1.

Mayor Castañeda asked Clerk Morelli to advise Village Attorney Leni that the Board did not approve the revised MOU. That they want anything related to vehicle or facility use removed – just snow plowing for the 1/22 meeting. Vehicle or facility use, if determined necessary, should be addressed either in a separate document or fall under the policies for such that BFD has/is working on. That there is resistance from some as to some of the language in the document (if it's overkill, etc.). That it was suggested that he share at the 1/22 meeting why such is necessary. (that we're now dealing with 2 separate government entities and both have to cover their bases, etc.)

NEW BUSINESS:

- Approve & Authorize Mayor to sign engagement letter for services of Raymond R. Wager, CPA, P.C. re NYSDOT Compliance Audit FYE 5/31/12 -

Wager, CPA, P.C. re NYSDOT Compliance Audit FYE 5/31/12 -

→ Trustee Hannan moved, Trustee Blackman seconded, carried 4/0 to approve and authorize Mayor to sign engagement letter for services of Raymond R. Wager, CPA, P.C. re NYSDOT Compliance Audit FYE 5/31/12. Cost: \$1,500.

VILLAGE BOARD REPORTS:

- Mayor M. Connie Castañeda
 - Happy New Year – Mayor Castañeda wished everyone a Happy New Year.
 - EOP – Mayor Castañeda shared that at the next meeting she plans to appoint a Designated Trustee, Emergency Operations Coordinator and Public Information Officer for purposes of the Emergency Operations Plan. The Board will then be able to consider adopting the recently recommended amendments to the EOP.
 - Building Inspector Part Time – Mayor Castañeda shared that at the next meeting the Search Committee should have a hiring recommendation to fill this vacancy.
 - Monroe County Association of Village Clerks – Mayor Castañeda shared that Clerk Morelli will be sworn in next week as 2013 President of the Monroe County Village Clerks Association. She congratulated her and hopes to be able to accept the invitation to administer the oath of office to the officers. If not, she will ask Trustee Andrews to do so in her place.

Clerk Morelli said the 10 Village Clerks take turns as President just like the Mayors do for the Monroe County Association of Village Mayors. She said Deputy Clerk-Treasurer Ann Draper has agreed to serve as the Secretary. One of her projects is a non-union wage survey.

- Trustee William G. Andrews
 - Hometown Heroes Banners – Trustee Andrews shared that he attended the recent banners retirement ceremony.
 - Stetson Club Dinner – Trustee Andrews shared that he attended the recent Stetson Club dinner.
 - Monika W. Andrews Creative Volunteer Leadership Award - Trustee Andrews shared that the Selection Committee met and reviewed the 3 nominations submitted. Public notice of the decision will be forthcoming.
 - Local Law #4-2012 - Trustee Andrews said now that LL #4-2012 is in full force and effect, the Village can proceed with making application to COMIDA. He believes the Historic Preservation Board would be the appropriate entity to draft the application since they initiated the local law.

→ Trustee Andrews moved, Trustee Blackman seconded, carried 4/0 to authorize the Historic Preservation Board to proceed with the COMIDA application process.

Board had previously authorized Village Attorney assistance.

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o Trustee Margaret B. Blackman

▪ NYCOM's Winter Legislative Meeting – Trustee Blackman shared that she plans to attend NYCOM's Winter Legislative Meeting in Albany February 10-11. She will absorb the cost of transportation, hotel and meals. She asked that the Village cover the \$220 conference early registration fee. She will provide a report on it afterwards.

→ Mayor Castañeda moved, Trustee Hannan seconded, carried 4/0 to approve and authorize covering the early registration fee for Trustee Blackman to attend NYCOM's Winter Legislative Meeting. Cost: \$220.

▪ DPW - Trustee Blackman shared that as liaison she met with DPW Superintendent Donahue to begin discussing budget. He will have some equipment replacement needs next fiscal year.

▪ PILOT - Trustee Blackman shared that the Mayor received and had Clerk Morelli forward to the Board, Attorney and Treasurer a letter from Belmont Management Co, Inc. regarding the need to negotiate an extension of the existing PILOT between the Brockport Village Limited Partnership and the Village of Brockport regarding Park Place Apartments on Park Avenue. She commended Treasurer Hendricks for so quickly putting together a spreadsheet using CPI index figures available. The Belmont proposal is low as compared to CPI. The current 15 year agreement from 1998-2013 was \$450/unit. The Belmont proposal is \$550/unit for 4 years then \$600/unit for 4 years then \$650/unit for 4 years. She suggests \$650/unit to start and not such a long contract. She looks forward to Board discussion on this at the next workshop. The hope is to achieve a PILOT agreement that is fair to all.

▪ Canal Season Opening - Trustee Blackman shared that she has gathered a few people including but not limited to some merchants, the Morgan Manning House President, Trustee Andrews to help her organize a Canal season opening event this spring. She welcomes involvement. The first meeting is at Village Hall this Friday at 1pm.

▪ Parking Tickets - Trustee Blackman shared that she had a phone conversation with Dennis Farrell of FBS, the company recently contracted to assist with enhancing collection of Village parking ticket fines. The Village of Brockport and the Town of Sweden each approved and signed off on the MOU and FBS turned it over to NYS DMV. FBS is awaiting a secure password to be able to access DMV. This has been a slow moving process, but we are getting closer and closer to implementation.

o Trustee Kent R. Blair - excused

o Trustee Carol L. Hannan

▪ Hometown Heroes Banners – Trustee Hannan thanked the Stetson Club for the Invitation to the recent banners retirement ceremony.

▪ Stetson Club Dinner – Trustee Hannan thanked the Stetson Club for the invitation to the recent Stetson Club dinner.

▪ Seymour Library – Trustee Hannan shared that the After Hours at the Library Committee is seeking enhancements to fundraising. She shared that the Image Writer computer is now up and running.

▪ Emily L. Knapp Museum & Library of Local History - Trustee Hannan shared that the Museum will reopen certain hours once the SUNY Brockport student volunteers begin the new semester.

▪ Code Review Committee - Trustee Hannan said the CRC continues its review of Chapter 36. Village Attorney Leni and CRC members had many questions for each other. Trustee Hannan questioned Mayor Castañeda on her or Village Attorney Leni's concern of Code Review Committee meetings sometimes lacking a quorum.

Mayor Castañeda said from her understanding CRC has sometimes held meetings without having a quorum. She will have Clerk Morelli refer this question to Attorney Leni.

Clerk Morelli shared that CRC minutes taken by its Chair and she gets them posted to the website.

ADJOURNMENT:

→ At 7:42pm, Trustee Blackman moved, Trustee Andrews seconded, carried 4/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk