

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, May 18, 2009 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Scott W. Hunsinger, Clerk Leslie A. Morelli, Treasurer Gina M. Tojek, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti

EXCUSED: Trustee Hal S. Legg, DPW Superintendent Harry G. Donahue, Village Attorney David F. Mayer

ALSO PRESENT: Fire Chief Scott Smith, Jim & Joan Hamlin, Norm Giancursio, Bernie Daily, Kelly Smith, Carrie Maziarz, Jo Matela, Pat Kutz, Hanny Heyen, Mark Kristansen

CALL TO ORDER: Mayor Wexler called the meeting to order and led the Pledge of Allegiance. Mayor Wexler announced that the Village just received word that Water Foreman Richard Herzog, and husband of Water Clerk Deborah Herzog passed away suddenly today. He asked for a moment of silence.

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

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the last meeting.

April 27th minutes were tabled in order to give the Board a chance to review them, as they were just finished being typed today.

➔ Trustee Castañeda moved, Trustee Wagenhauser abstained due to absence, carried 3/0/1 that the minutes of the meeting held May 4, 2009, be approved as written.

Trustee Wagenhauser read the following statement into the record:

"Missing from the minutes from the last meeting (besides me) was any mention of a 12% property tax increase approved at a Special Meeting.

At this Special Meeting, there was no camera rolling.

There was no subsequent press release from the village administration.

I believe village residents should know that on April 29th, at a Special Meeting of the board of trustees on the motion of Trustee Scott Hunsinger, who was joined by Vice Mayor Castañeda and Mayor Wexler, an 11.8% increase in the property tax was approved. Voting against was myself and Trustee Legg. Two days before, the Board voted 4-1 against my proposed 2.9% increase.

In troubled times, an additional \$100-\$200 burden on homeowners is unconscionable. A 12% budget increase with no money set aside for capital equipment, and no money for an overextended General Fund balance is just plain wrong."

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

GUESTS:

1. Any sidewalk café permit applications – none
2. Certificate of Special Recognition – Max's Mardi Gras Committee – On behalf of the committee, Bill Andrews was in attendance to accept the following:

VILLAGE OF BROCKPORT
CERTIFICATE OF SPECIAL RECOGNITION

WHEREAS, the citizens of the Village of Brockport are pleased and proud to recognize members of Max's Mardi Gras Parade and Festival Committee over the last 11 years; and

WHEREAS, the first Max's Mardi Gras Parade was held in 1999; and

WHEREAS, the event grew to include a festival component; and

WHEREAS, the event benefited various children's organizations; and

MINUTES OF VILLAGE BOARD MEETING HELD May 18, 2009 continued.....page 2

WHEREAS, the event took the dedication of many with the leadership of William G. Andrews and the inspiration of Max Monaghan whose request to the Make-a-Wish Foundation initiated the event in 1999; and

WHEREAS, the final Max's Mardi Gras Parade and Festival was held on April 25, 2009;

NOW, THEREFORE, I, Morton Wexler, Mayor of the Village of Brockport do hereby urge all citizens to join with the Village Board of Trustees in this salute to the members of Max's Mardi Gras Parade and Festival Committee.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 18th day of May in the year 2009.

B. Andrews thanked the Board and said he is pleased to accept the certificate on behalf of the committee and will be sure Max Monaghan gets his copy. He said it has always been a team effort. The committee has included Joe Richards and Roger Smith re parade, Linda Sperazza and Dody Ballard before her re festival, Bethany Centrone re music, Josephine Matela re reviewing stand, Jack Hall re flatbeds, drivers, pick ups and shelter for floats, Max as parade marshal, and he for recruiting sponsors with generous support from the business community and various organizations. He also thanked the Department of Public Works, the Police Department, the Fire Department, Village Hall office staff, and SUNY who all contributed to its success. The final parade had a great turnout both by participants and observers. It showcased community spirit – not only for individual satisfaction, but was known as the Mardi Gras Parade and Festival with a heart, as it provided support to organizations that serve children with disabilities and life threatening illnesses by bringing attention, awareness and funds to them. B. Andrews said some have expressed disappointment that it is not continuing and from his understanding a Village Board member may be interested in replacing the event with something else. If that happens, he said he would be willing to lend his support.

Mayor Wexler said he has had the pleasure of serving on the Village Board since 2000 and commended B. Andrews for all that he does for the Village. His efforts are greatly appreciated.

Clerk Morelli read the following statement from Trustee Legg:

"I am thankful for having attended Max's Mardi Gras Parade not only because it has been a fantastic family event for these past 11 years, but also because it has been one of our village's signature events. What began as one child's desire to share joy with his community evolved into an event that brought people together in support of children everywhere. Max Monaghan and the Make-a-Wish Foundation reminded Brockport of the meaning and value of charity, and so many volunteers followed his example."

3. Proclamation – Barber's Grill – 80 years in business – Stan Schoeberl was in attendance to accept the following:

VILLAGE OF BROCKPORT
PROCLAMATION

WHEREAS, the citizens of the Village of Brockport are pleased and proud to recognize Barber's Grill in its 80th anniversary year; and

WHEREAS, Barber's Grill first opened in 1929 by Joe and Rita Barber as a lunch counter; and

WHEREAS, Stan Schoeberl and Sam Mandel took the reigns in 1995; and

WHEREAS, on August 4th 2009, tips will be donated to "Tending for Sight", a sight-related fundraising event with the Brockport Lions Club; and

NOW, THEREFORE, I, Morton Wexler, Mayor of the Village of Brockport do hereby proclaim August 8th, 2009 as Barber's Day in the Village of Brockport in recognition of their 80th anniversary and encourage citizens to provide their well wishes.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 18th day of May in the year 2009.

Stan thanked the Board and said it is a privilege to serve Brockport.

Clerk Morelli read the following statement from Trustee Legg:

"I regret that I am not present to voice my enthusiastic support of Barber's Grill. Its unique Balboa

sandwich – in all of its various, deliciously caloric incarnations – is a lunchtime beacon across Brockport. I wish Mr. Schoeberl and Mr. Mandel continued success to which I plan to contribute, and I encourage those who patronize Barber’s Grill on August 4 to tip generously in support of “Tending for Sight.”

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4. Merchants Association – Jo Matela and Pat Kutz –

7/9-7/11 Sidewalk Sale – street closure request– J. Matela shared that the Brockport Merchants Association will be holding its annual sidewalk sale on Thursday, July 9th, Friday, July 10th and Saturday, July 11th. She reviewed the street closure request to close Main Street from State Street to Market Street on Thursday, July 9th from 6pm to 9pm for the High School Band to set up and play and to close Market Street from Main Street to the firehall on Friday, July 10th from 9am to 3pm for the family fun event. The Market Street event will include a bounce house and an opportunity for police and fire equipment to be displayed.

Fire Chief Smith asked if there is any way to avoid closing any of Market Street and closing Water Street or that parking lot instead. P. Kutz replied that the farther away the events are from the merchants’ shops, they lose customers. The merchants need to sell their wares. Chief Smith shared that there are issues of getting the fire trucks and ambulances out and to where they need to be. P. Kutz said they no longer close Main Street and they do not block the fire hall, so the trucks can get out. Mayor Wexler said a couple of years ago if the fire whistle blew, the understanding was that anyone in that section of Market street would have to move out of the way so the trucks could get through to get to Main Street. Chief Smith said it’s one thing for people to move quickly, but you can’t move a bounce house in 30 seconds. J. Matela asked if a Monroe Ambulance unit is still staged there and if it would be possible to stage elsewhere. Chief Smith said he is worried about Brockport Ambulance and its volunteers. P. Kutz asked why turning right out of the Market Street firehall and going to Park Avenue wouldn’t work. Chief Smith said if the call is on Main Street it takes longer to go that way. Chief Smith said public safety is primary and he is not in favor of closing any street, particularly Market Street and Main Street. Trustee Wagenhauser said it has been done for years, is infrequent, and the Village needs to make it work.

→ Trustee Wagenhauser moved, Trustee Hunsinger and Mayor Wexler in favor, Trustee Castañeda opposed, carried 3/1 to grant the street closure request as requested:

Thursday, July 9th 6pm to 9pm - Main Street from State Street to Market Street
Friday, July 10th 9am to 3pm – Market Street from Main Street to firehall

Chief Varrenti stated that it would be his decision, depending on traffic volume, as to where to close Main Street to traffic on that Thursday evening. It may be shut down at East Avenue rather than crossing the bridge and shutting down at Water Street or Market Street. He reminded everyone that he has been criticized in the past, but that he has to make the best decision. The Village cannot make side streets into Main Street. Decisions are not made arbitrarily and he does not have the luxury of affording to station officers at every point to give directions. He said he understands wanting to bring people to the shops, but he questioned whether it is a band event or a shopping event.

J. Matela commented that there is historically lighter traffic on a Thursday evening in July.

7/9 Summer Serenades

P. Kutz shared that she had spoken with Clerk Morelli who forwarded information to Trustee Hunsinger regarding a win/win for the Merchants Association and the Village by relocating the Thursday, July 9th Summer Serenades concert from the Welcome Center to Main Street for the High School Band. No cost and no duplication of efforts. Trustee Wagenhauser commented that High School Band concerts are always well attended.

Downtown Flowers

J. Matela said she has worked with DPW who has ordered the flower baskets for the lampposts and will be hanging them. The Brockport Merchants Association will be purchasing geraniums and planting around the trees.

Trustee Castañeda asked who authorized the \$600+ for the baskets. J. Matela said that is the Village’s portion. The Merchants Association is buying the flowers for the base of the trees. P. Kutz said there have been past issues with watering flowers on weekends. She asked if the Merchants Association should look to raise money to cover the DPW personnel costs. J. Matela said she spoke with DPW Superintendent Donahue who indicated that cutting back to watering on one weekend day for the season would cost \$1,500. P. Kutz said they would solicit donations.

5. Kiwanis – Dave Jewell & Charlie Duschen – 8/29-8/30 Soap Box Derby – street closure request-
D. Jewell and C. Duschen of the Brockport Kiwanis were in attendance to review their street closure request for the 4th annual Soap Box Derby. Brockport has again been selected as a site for a regional rally in which 35 – 40 cars will work to gain points to participate in the international

race in Akron, Ohio. He said last year our driver made it to international. This event brings a lot of people into the community, some from out of town and out of state, and reflects well on all. D. Jewell said last year he spent 5 hours cutting weeds and even broke a DPW tool in their efforts.

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He asked that DPW do this. Kiwanis takes care of port-a-potties and trash receptacles. Auxiliaries to Kiwanis will be involved with the booths and the High School Key Club will be involved. They said they contacted NYSDOT who confirmed that work on the Smith Street Bridge would not begin until fall. They understand that they may need to relocate the event next year. They distributed a 12-point list and asked that the Village extend its usual cooperation. It included: permit to use Smith Street from Clark Street to the bridge, letter to the 3 homes affected by street blockage 8/29 & 8/30, permission to use Corbett Park for original crafts vendors including one food both (Kiwanis), # of vendors allowed?, move concrete barriers so starting gate can be placed next to bridge, skim coat (if necessary) from bridge to Clark Street – derby cars need a smooth surface, permission to place temporary signage on East and West Avenues and Main Street to point way to race location, periodic police patrols starting Friday evening, weeds along guardrails and other parts of race area to be cut to a reasonable height, as they anticipate many visitors to the site and wish to have Brockport put on a good presentation, need to place two portapottys and two trash receptacles in park parking lot closest to duck pond, Kiwanis will perform area lean up after the last race concludes, possibility for lamp post banners?

Trustee Castañeda asked if a letter would be sent to the few affected residences. D. Jewell said yes. Clerk Morelli does that in early August. He said the few residents have been very cooperative the past 3 years. There was only one complaint and it was rectified. At certain points, those residents cars can be let in. Trustee Castañeda suggested Kiwanis place appropriate temporary signage. D. Jewell said yes. Trustee Castañeda asked if they had spoken with Chief Varrenti. Chief Varrenti said he has no problems with this street closure request.

Mayor Wexler said he would be sure to forward the list of needs to DPW Superintendent Donahue.

→Trustee Wagenhauser moved, carried 4/0 to grant the street closure request as requested:

Friday, August 28th 4:30pm to Sunday, August 30th 7pm – Smith Street from the bridge to Clark Street

6. Cool Kids – Steve Appleton – Celebrate Brockport Program – no show.
7. Debra Martin of Regional Attorney General's Office introduced herself. She represents a 7 county area and wanted to apprise the Village of the services they provide. She distributed a list of topics they speak on and a packet that highlights the areas of involvement. They have a great deal of literature and encourage use of their complaint form. They are always very interested to be informed of scams or concerns regarding particular vendors that could involve fraud or deceptive advertising or business practices. She said these involve home improvement contractors, fraud, taking money without doing the work or shoddy workmanship, health care issues, identity theft, etc. She said while they can't always catch, they can educate. They do a smart seniors program that addresses a range of consumer issues and provides for a lot of question and answer time.

PUBLIC COMMENT:

1. Pat Kutz returned after having left the meeting a few minutes earlier and said as Co-owner of Lift Bridge Bookshop she didn't feel very supported. In fact she was given the impression that Village officials consider it a pain. She said the Village is hitting taxpayers with an 11.8% tax increase and are begrudging the Merchants it's street closure requests for it's one stinky weekend for the annual sidewalk sale. She said she hopes officials don't give other community groups such as BISCO for the Arts Fest a hard time. She said her husband is calmer, but she needs to speak up and say the Village should say, "What can we do to help make this a huge success?" instead of indicating the hassles. She said she could understand that maybe the Village can't contribute financially to the event, but it should be able to have its departments employees help.

DEPARTMENT REPORTS:

- A. PUBLIC WORKS – Superintendent Harry G. Donahue (excused)
 1. Authorization to hire 4 seasonal (summer) laborers – In DPW Superintendent Donahue's absence, Trustee Castañeda referred to his recommendation and request to hire the 4 seasonal (summer) laborers per the budget. Trustee Wagenhauser commented that whether in the budget or not, the Village cannot afford these hires.

→ Trustee Castañeda moved, Trustee Hunsinger and Mayor Wexler in favor, Trustee Wagenhauser

opposed, carried 3/1 to hire the following as seasonal (summer) laborers:
Steve Quattrini – returning from last summer - \$8.50 per hour
Trevor Hermance - \$8.00 per hour
Matthew Hess - \$8.00 per hour
Jeffrey Krahe - \$8.00 per hour

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B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. 1st quarter report – Chief Varrenti referred to the 1st quarter report he recently distributed. Highlights include 3,228 calls for service, the February 14th homicides and 16 DWI arrests.
2. Review calls for service re Brock-the-Port event – Chief Varrenti reported that although SUNY's Brock-the-Port event was held on campus this year instead of in the Village as it was in 2008 and 2007, there was an overflow of house parties, drunk and disorderly issues and the like. He commented that in 2007 it seemed to be a college and community family oriented event, and that in 2008 it was a drink fest. He said 2% of the people commit 98% of the crime, but this was a mess. There were 700 to 800 students on the streets. Since it was to be held on campus, he wasn't prepared or properly staffed to deal with the overflow of problems. He said he dropped the ball and unfortunately they had to look the other way on some things. Next time there will be no warnings or looking the other way. To keep the Police Department within budget, they put no extra officers on. No one says thank you for going over budget and they shouldn't. Monroe County Sheriff's Department provided backup where they could. He has received many calls and e-mails and according to Sgt. Philippy, there were 62 calls from 6pm to 4am: house parties, noise, open containers, litter, disorderly, etc. Chief Varrenti stressed the importance of the Village Board being proactive and collaborating with SUNY as this event impacts the Village negatively. He said the Village is only 2.2 square miles and has a very high number of DWI arrests for the County exceeding Ogden, Webster, East Rochester and Fairport. They are only slightly behind Brighton. He said events like this only exacerbate it.
3. Discuss gun point robbery – no mention
4. Discuss / possible authorize purchase of 2009 unmarked car – Chief Varrenti reminded the Board of discussions at budget time and with Treasurer Tojek. His vehicle is only 3 ½ years old and is in physically good condition but has 83,700 miles on it. Code Enforcement Officer Zarnstorff's car is very old and in poor condition and in need of replacement. The arrangement was for his car to go to S. Zarnstorff and for him to order a new car – a 2009 un-marked Chevrolet Impala per state bid cost of \$18,363. One has been located in the Rochester area and is being held. It had previously been discussed that deferring the cost to next year, when the Village's fiscal position will likely not have improved, and then have to purchase a new marked police (Ford Crown Victoria) vehicle as well, will just exacerbate a bad situation and will not solve the need for a better vehicle for S. Zarnstorff.

Trustee Castañeda asked if S. Zarnstorff's current car would be sold. Treasurer Tojek said yes. It was agreed, however, that the Village would likely not get a lot for it.

→ Trustee Hunsinger moved, Trustee Castañeda and Mayor Wexler in favor, Trustee Wagenhauser opposed, carried 3/1 to authorize the purchase of the 2009 un-marked Chevrolet Impala per state bid cost of \$18,363.

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

1. Update on rental registration program – S. Zarnstorff shared that to date 193 of the 213 rental property owners have returned the simple rental registration forms they were sent in January. Great response. They will pursue the remaining 20 and will wrap up the data, which will ascertain the number of tenants, etc. In reviewing the registrations, no serious concerns were found, just a few questions.
2. Brock-the-Port event – S. Zarnstorff said he and L. Vaughan were besieged. There were way too many students, house parties, massive debris, etc. They worked Friday and Saturday and roused students with garbage bags to encourage clean up. He, like Chief Varrenti, encourages Village Board dialogue with SUNY Officials regarding this event, the after affects and the quality of life issues. He said they were not thrilled with what they saw.
3. SUNY year-end move out – S. Zarnstorff commented that trash is always a big issue at SUNY year-end move out time. He suggested the Village's spring clean up be changed to coincide with this. Code Enforcement can't get to all the complaints and residents see the fall out of all the debris. He asked the Village Board to give due consideration to special events and the opening and closing of SUNY and taking care of our own.

Mayor Wexler agreed that would be best.

D. FIRE /AMBULANCE / COMMUNICATIONS - Chief Scott Smith

1. Calls for Service – 303 fire calls and 722 ambulance calls year to date. Chief Smith reported that the County and Brockport Police Department are investigating a possible recent arson of dumpsters and propane tanks.

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2. Membership Drops & Adds – Chief Smith asked the Board to consider approving the following drops: Jordan Bopp, James Weaver from Fire and Heidi McKay from Fire Police and the following adds: Heidi McKay to fire and ambulance.

→ Trustee Castañeda moved, carried 4/0 to approve the previously mentioned drops, adds and exempt certificates.

3. Authorization to accept strategic planning proposal – Chief Smith referred to the strategic planning proposal from Holman Training & Development of Ohio to develop a comprehensive 5 to 10 year strategic plan, provide analysis of budget, equipment inventory, community development, staffing resources, needs assessment and SWOT analysis and assist in establishing strategic initiatives and goals. The cost would be \$6,750 payable when the plan is delivered. He said there was thought some time ago that this might cost \$20 to \$25,000.

Trustee Hunsinger commented that having just taken some Master's level classes in business, this document is very ambiguous. Further the production of 20 hard copies of the plan document may not be necessary as long as it is made available electronically. He said he supports the concept, but needs a more detailed proposal from reputable vendors.

Mayor Wexler asked what amount was budgeted. Chief Smith said \$9,500 was budgeted in 2008-2009 and \$9,500 in 2009-2010. Trustee Wagenhauser said \$10,000 was budgeted and former Chief Rombaut told him that it would likely cost \$10,000. Regardless of whether it was in the budget, Trustee Wagenhauser said he feels it should be delayed, as the Village truly doesn't have the funds. He said we're not the federal government – we cannot print money or spend what we don't have.

Mayor Wexler said Chief Smith had a responsibility to present this to the Board and the Board needs to act on what's been presented. He said Fire Department and Village officials hope to meet with Town of Sweden and Town of Clarkson officials in June to meet the August contract deadline to get a 2010 fire contract in place.

4. Authorization to re-bid sale of ambulance and stretcher – Chief Smith said there were no bids for the April 22nd bid opening. However, they learned of an interested party that did not submit because they heard too late. He recommended re-advertising again for sealed bids.

Trustee Wagenhauser asked if they tried a broker. Chief Smith said no. They were unsuccessful recently with the broker and with Auctions International on another piece of equipment. They can go to a broker if nothing comes of a second sealed bid.

→ Trustee Castañeda moved unanimously carried 4/0 to authorize advertising for sealed bid again.

E. TREASURER – Gina M. Tojek

1. Schedule very brief "fiscal-year-end" meeting 5/29 – to audit bills – Treasurer Tojek shared that it is customary to schedule a brief meeting to authorize payment of the fiscal year end bills. Only a quorum (3 of 5) Board members need be present. Since the Board goes on summer meeting schedule (1 regular meeting June, July, August) and will not meet again until June 15th, they agreed to meet at 8am on Friday, May 29th, the last business day of the fiscal year.
2. Resolution authorizing closure of sewer fund savings and checking accounts with proceeds to general fund – Treasurer Tojek shared that a resolution is needed authorizing closing out of the sewer fund savings and checking accounts and directing the proceeds to the general fund.

→ Trustee Wagenhauser moved, unanimously carried 4/0 authorizing closing out of the sewer fund savings and checking accounts and directing the proceeds to the general fund.

3. Main Street Sanitary Sewer & Water Project – Bond Anticipation Note Renewal – Treasurer Tojek reported that the \$195,000 Bond Anticipation Note (BAN) for the Main Street sanitary sewer and water project renewed on May 13th at a good rate of 1.85% with the Bank of Greene County. Chase and First Niagara also bid. The closing is May 27th.
4. 4th Quarter Sales Tax – Treasurer Tojek reported that the 4th quarter sales tax revenues came in at \$324,000 – at 2007 levels. There is a \$65,000 shortfall for what was projected for 2008-

2009.

- 5. MVP (Preferred Care) 7/1 Rate Increase – Treasurer Tojek reported that the Village received notice from MVP (Preferred Care) of a July 1st rate increase of 5.5% which totals an additional \$4,500.

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- 6. Tax Levy – Treasurer Tojek reported that she discovered a discrepancy when NYS Office of Real Property Services (ORPS) contacted her to verify the tax levy. The assessment roll the Town of Sweden gave the Village last year was the tentative roll, not the final roll as of July 1st. There will be \$6,100 property tax revenue the Village will not get. She said she spoke with the Town Assessor who indicated that he had a staff changeover and this may have been an oversight.
- 7. Checking Account established for HRA debits – Treasurer Tojek reported that the form the Board signed off on today was for a new checking account specifically for the HRA debits. A debit block of Benefit Resource has been placed on all other operating accounts.

F. CLERK - Leslie A. Morelli

- 1. Execution of tax warrant & levy of taxes & unpaid charges to 09-10 tax roll –

Levy of Taxes and Unpaid Charges to 2009-2010 Tax Roll

→ Trustee Castañeda moved, Trustee Hunsinger & Mayor Wexler in favor, Trustee Wagenhauser opposed, carried 3/1 to pass a resolution levying the total taxes and other charges extended and levied against each parcel of real property, shown on the roll prepared and verified by the Town Assessor for the 2009-2010 fiscal year.

RESOLVED, that there be levied and assessed against the real property of the Village of Brockport the following sums for village government and other charges for the fiscal year 2009-10 with a tax rate of \$10.58 per thousand of assessed valuation:

General Fund:

Total Taxes for Current Budget	\$2,113,752.00
For Releived Property Maintenance Charges	\$ 1,225.64

Water Fund:

For Releived Water Rents & Charges	0
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TOTAL REAL PROPERTY TAXES AND OTHER CHARGES ON ROLLS	\$2,114,977.64
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A vote was taken and recorded as follows:

A vote was taken and recorded as follows:

Morton Wexler	Mayor	yes
Maria C. Castañeda	Trustee / Vice Mayor	yes
David J. Wagenhauser	Trustee	no
Scott W. Hunsinger	Trustee	yes
Hal S. Legg	Trustee	absent

This resolution was thereby declared duly adopted.

Execution of Tax Warrant – Resolution May 18, 2009

WARRANT FOR COLLECTION OF TAXES 2009-10

→ Trustee Castañeda moved, Trustee Hunsinger & Mayor Wexler in favor, Trustee Wagenhauser opposed, carried 3/1 that the following resolution be adopted:

TO: Leslie Ann Morelli
Village Clerk – Real Property Tax Law 1426

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll the several sums stated opposite their respective names, being a total of \$2,114,977.64 for the following purposes:

Total Taxes for Current Budget	\$2,113,752.00	
For Releived Property Maintenance Charges	\$ 1,225.64	
For Releived Water Rents & Charges		0

TOTAL REAL PROPERTY TAXES AND OTHER CHARGES ON ROLLS \$2,114,977.64

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A vote was taken and recorded as follows:

Morton Wexler	Mayor	yes
Maria C. Castañeda	Trustee / Vice Mayor	yes
David J. Wagenhauser	Trustee	no
Scott W. Hunsinger	Trustee	yes
Hal S. Legg	Trustee	absent

This resolution was thereby declared duly adopted.

- Deferred compensation – amending & restating of NY model plan document – Clerk Morelli shared she was contacted by Nationwide, the Village’s deferred compensation program, and that paperwork they had forwarded to Manager Coyle in late 2007/early 2008 had not been completed and has a deadline of May 31, 2009. This is a plan offered to employees at their own cost. The paperwork includes the need for the following resolution.

RESOLUTION - VILLAGE OF BROCKPORT

At a regular meeting of the Board of Trustees of the Village of Brockport, Monroe County, New York state held in the Village Hall at 49 State Street on Monday, May 18, 2009 the following resolution was regularly made and carried:

PRESENT: Mayor Morton Wexler, Trustee Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Scott W. Hunsinger

ABSENT: Trustee Hal S. Legg

VOTE:

Mayor Wexler	Voting	yes
Trustee Castañeda	Voting	yes
Trustee Wagenhauser	Voting	yes
Trustee Hunsinger	Voting	yes
Trustee Legg	Voting	absent

CARRIED 4 to 0 to adopt the following resolution:

Deferred Compensation Committee Resolution to Amend and Restate the Model Plan

WHEREAS, the New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Village of Brockport (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS, the Village of Brockport, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Village of Brockport;

WHEREAS, effective December 7, 2007 the Board amended the Model Plan to adopt provisions

- Expanding the eligibility for unforeseeable emergency withdrawals
- Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.

- Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

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WHEREAS, upon due deliberation, the Village of Brockport has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Village of Brockport by adopting the amended Model Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Brockport hereby amends the Deferred Compensation Plan for Employees of the Village of Brockport by adopting the amended Model Plan effective December 7, 2007, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Monroe County, New York this May 18, 2009 and directed that it be filed as appropriate.

3. Village Elections – Clerk Morelli reported that the deadline has passed to file with Monroe County Board of Elections.

**LEGAL NOTICE
TO THE ELECTORS OF THE VILLAGE OF BROCKPORT, NEW YORK
GENERAL ELECTION**

NOTICE IS HEREBY GIVEN THAT THE GENERAL ELECTION IN AND FOR THE VILLAGE OF BROCKPORT, COUNTY OF MONROE, STATE OF NEW YORK WILL BE HELD ON TUESDAY, JUNE 16, 2009 AT THE MUNICIPAL BUILDING, 49 STATE STREET, BROCKPORT, NEW YORK. THE POLLS WILL BE OPENED AT 12:00 NOON AND CLOSED AT 9:00PM

The following officers are to be chosen:

- One (1) Mayor for a term of Four (4) years to 6/30/13
- Two (2) Trustees for a term of Four (4) years to 6/30/13

LIST OF NOMINATIONS

The following is a list of nominations filed in the office of Monroe County Board of Elections of the candidates for the offices to be filled at the General Election in and for the Village of Brockport on Tuesday, June 16, 2009:

MAYOR – 4-year term (vote for one)

Community Counts	Carrie L. Maziarz	42 Adams Street
The People’s Voice	Maria C. Castañeda	332 Main Street
Village Choice	Jo Matela	76 Adams Street

TRUSTEE – 4-year term (vote for two)

Community Counts	Kent Blair	220 Clark Street
Community Counts	Kelly A. Smith	86 Barry Street
Next One Eighty	Bernard E. Daily	98 East Avenue
Next One Eighty	Eric J. Gekoski	75 High Street

G. VILLAGE MANAGER - vacant

H. VILLAGE ATTORNEY – David F. Mayer, Esq. (excused)

VILLAGE BOARD REPORTS:

- A. Mayor Morton Wexler
 1. Appoint new Welcome Center Greeter –

→ Trustee Hunsinger moved, unanimously carried 4/0 to appoint Judy Perkins as a Welcome Center

Greeter.

2. Status of adoption of Identity Theft Protection Program – re municipal utilities – Mayor Wexler reported that Treasurer Tojek, Superintendent Donahue and Water Clerk Herzog have reviewed the NYCOM statement of December 2008, Federal Trade Commission summary and the Village of Hilton Identity Theft Prevention Program that they recently adopted from a boilerplate version that has been used by several municipal agencies. It is clear that the Village must adopt a policy consistent with the criteria outlined in the FTC legislation that specifically includes municipal utilities as “creditors” by definition. They will review the policy taking into consideration compliance with the FTC regulations and make any necessary changes specific to the Village of Brockport. They will provide the Board a copy of the proposed policy in the near future.

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3. NYSDOT Main Street Rehabilitation – re Adams Street – Mayor Wexler shared that he received a call from NYSDOT indicating that they will not pursue the right hand turning lane from Adams Street onto Main Street. There will be a small radius change to make it easier to make a right hand turn.
- B. Trustee / Vice Mayor Maria C. Castañeda
1. Village Advisory Committee – met May 12th – discussed Barry Street Park’s fence damage and DPW’s need to fix.
 2. Something’s Gotta Give Conference – attended and will bring information back to the Board.
 3. Veteran’s Ceremony at the Middle School – will attend May 22nd.
 4. Veteran’s Ceremony at the Vet’s Club – will attend May 23rd.
 5. Canalway Trail Celebration – has coordinated the June 6th event.
 6. Audubon International and RIT Technical Center for Sustainable Communities summit – hopes to attend the upcoming free seminar.
 7. Monroe County Household Hazardous Waste Collection – to be held June 13th by appointment only for Sweden/Brockport residents. Contact 637-2144, 753-7600 or monroecounty.gov.
 8. Main Street Sanitary Sewer & Water Project - Federal Stimulus Funding – shared that the Village received correspondence from Assemblyman Reilich to the Governor regarding the Village’s request for stimulus funding.
 9. Smith Street Bridge – shared that correspondence from NYSDOT indicates letting of the project in July 2009 with construction from September 2009 to late 2010.
- C. Trustee David J. Wagenhauser
1. SUNY Commencement – congratulated recent SUNY graduates and although sometimes it seems like a mixed blessing to have SUNY here, he is glad Brockport is a college town.
 2. Local contest winner – congratulated his daughter, Dana, on being the Genesee County Alcohol and Substance Abuse poster contest winner.
 3. Farewell – shared that he cannot make the June 15th Village Board meeting and that this is his last meeting. He thanked all who encouraged and supported him in his four years as Trustee. He said Brockport is a great place to live, work and raise a family.

Mayor Wexler wished Trustee Wagenhauser well and commented that although they may not always have agreed, his efforts have been appreciated.
- D. Trustee Scott W. Hunsinger
1. Thanks to Trustee Wagenhauser – thanked Trustee Wagenhauser for his guidance and wisdom this past year. He has definitely made a difference. His time and efforts as a Trustee have been appreciated.
 2. Summer Serenades – is working on coordinating the annual concert series. Thanked Trustee Legg and Clerk Morelli for their help.
 3. Parks Committee – has done site visits and inventory and needs of each park. He will be meeting with Chair Andrea Perry.
 4. Department Heads Meeting – thanked Mayor Wexler and those Department Heads for

meeting with him recently.

5. Code Review Committee – reported that the public hearing feedback regarding proposed amendments to Village Code Chapter 21 was reviewed by the Code Review Committee who will be sending any further revisions to the Village Attorney and then to the Board for consideration at the next meeting.
6. Lakeside Memorial Hospital – thanked LMH and commented that they are a blessing to have in the community.
7. Barbers Grill – congratulated Barbers on 80 years in business and wished them continued success. Commented that next year Dunn’s Home Furnishings will reach a milestone anniversary and he hopes to honor them as well.

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7. Passing of DPW Employee Rick Herzog – commented that his thoughts and prayers are with the Herzog family at this difficult time.

E. Trustee Hal S. Legg

1. Main Street Sanitary Sewer & Water Project & NYSDOT Rehabilitation Project - Clerk Morelli read the following statement from Trustee Legg:

“First, I continue to have positive correspondence with Senator Schumer’s office regarding the possibility of receiving federal funding toward the village’s Main Street reconstruction project. I kind of feel like we have a rhythm going, here. The senator’s staff emails me a form. I call the village’s engineering firm for help with some of the questions. Then I complete the form and email it back.

Next on the topic of Main Street, I have asked Clerk Morelli to read into the record the following undated memo, which I received from Bob Ryan, chairperson of the Main Street Reconstruction Committee.

“To the Board of Trustees, Village of Brockport:

This committee hereby respectfully recommends that the Board of Trustees request the N.Y.S.D.O.T. to delete from it’s plans for the Main Street Reconstruction in this village the proposed right hand turn lane from Adams Street onto Main Street for the reason that it would have a negative effect on that part of this Victorian village.

Sincerely,

The Main Street Reconstruction Committee

Bob Ryan, Chairperson”

I am sure that the village board will take into consideration the suggestions of this board on which representatives of various interested parties sit. And I extend my appreciation to Mr. Ryan and the other members for their thoughtful, diligent efforts.

Mayor Wexler said no Village Board action is necessary since NYSDOT will not be pursuing.

2. Farmers Market - Clerk Morelli read the following statement from Trustee Legg:

“I have begun reviewing applications for the farmers’ market manager position advertised recently. With Clerk Morelli’s help, I anticipate communicating the status of the market with potential vendors later this week. I also have sought from DPW Superintendent Donahue and Fire Chief Smith representation on an ad hoc hiring committee from their departments, which have historically been the most likely to interface with this position.

And a postscript: May 17-23 is EMS Week. I hope my colleagues on the board will join me in saying thanks to all of the village’s emergency medical personnel.”

PUBLIC COMMENT:

1. Carrie Maziarz of Adams Street sends her best to the Herzog family at this difficult time. Regarding SUNY’s Brock the Port event, she said she lives in what was deemed “the war zone”. In 10 years there she has never seen the area in such disarray including brawls. She thanked the Police Department for doing what they could with the help of Monroe County Sheriff’s Department and SUNY University Police. There were massive parties all around from Noon until the wee hours of the morning. She said a Red Bull truck pulled up at 6pm. She stressed the need for better communication next time. Regarding the Brockport Merchants Association and their annual sidewalk sale event, she said she believes it is imperative that the Village do all it can to empower the merchants, especially with the upcoming Main Street projects. Yes, there are logistics to work out. Perhaps they could have been worked out in a separate meeting. It will be a tough couple of years.

2. Chief Varrenti referenced a happening on State Street last week in which all sorts of law enforcement officials served an extradition warrant on a violent sex offender. He said you don't really know the people that live near you, so its best to be vigilant and lock your doors. This isn't Mayberry and the Brockport Police Department quarterly reports show many examples of calls for service. Trustee Wagenhauser said the arrest took place across the street from he and Village Hall. He said it is easy to think it doesn't happen on your street or in your neighborhood, but it hits home when it involves a convicted sex offender.

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AUDIT:

➔ Trustee Castañeda moved, carried 4/0 that the bills be allowed and paid upon audit.

<u>Village</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	5/19/09	178846-178899	\$35,336.90
<u>Fire</u>	5/19/09	178837-178845	\$9,418.59
<u>Third Party Billing</u>	5/19/09	001570-001582	\$12,891.06
<u>Capital Projects</u>	5/19/09	002324-002328	\$9,133.10
<u>Water</u>	5/19/09	002279-002290	\$43,530.97

ADJOURNMENT:

➔ Trustee Castañeda moved, carried 4/0 that the meeting be adjourned at 8:55pm.

Leslie Ann Morelli, Village Clerk