

**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, May 28, 2013 at 7:00pm.**

**PRESENT:** Mayor M. Connie Castañeda, Trustee William G. Andrews, Trustee Margaret B. Blackman, Trustee Kent R. Blair, Trustee Carol L. Hannan, Clerk Leslie A. Morelli, Building/Zoning/Codes Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Superintendent Harry G. Donahue, Attorney Ellen J. Coyle Esq.

**EXCUSED:** Treasurer Daniel P. Hendricks

**ALSO PRESENT:** Pam Ketchum, Sri Ram Bakshi, Mary Marone, David Brannigan, Andrea Tillinghast, Patty Good, Mary Jo Nayman, Joan Hamlin, Norm Giancursio, Fred Webster

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

Mayor Castañeda introduced Attorney Ellen Coyle, with the firm of Harris, Chesworth, O'Brien, Johnstone, Welch & Leone, LLP who represents the Village through 5/31/14.

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

Mayor Castañeda expressed sympathies for those impacted by the recent tornado in Oklahoma.

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

**PUBLIC HEARING:**

- Abandonment of designated portion of Kenyon Street to SUNY for proposed public use in order to facilitate the College's accomplishment of its "Facilities Master Plan" for capital improvements -

→ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 to close the regular meeting and open the public hearing at 7:02pm.

The following notice was published in the Village's official paper (Suburban News), and posted on the Village's official website and at Village Hall.

VILLAGE OF BROCKPORT  
Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a public hearing beginning at 7:00 p.m. on Tuesday, May 28, 2013, in the Conference Room of the Brockport Village Hall, 49 State Street, Brockport, New York, to consider its resolution for the abandonment of that designated portion of Kenyon Street, running generally between Monroe Avenue and Residence Drive, as more particularly laid out in the "College at Brockport[,] State University of New York[,] Acquisition Map", dated January 29, 2013, based upon its finding that said designated portion of Kenyon Street is not needed as a thoroughfare or for any other municipal purpose, and upon abandonment to donate said designated portion of Kenyon Street to the State University of New York College at Brockport (the "College"), for the proposed public use in order to facilitate the College's accomplishment of its "Facilities Master Plan" for its planned capital improvements and expansion.

All interested parties will be given the opportunity to be heard.

By Order of the Brockport Village Board

Leslie Ann Morelli  
Village Clerk  
Village of Brockport

Public comment: none

→ Trustee Blackman moved, Trustee Andrews seconded, carried 5/0 to close the public hearing and reopen the regular meeting at 7:03pm.

Village Attorney Coyne provided the Board with proposed SEQR and abandonment resolutions.

Trustee Blair said although they haven't had time to review them, he noticed there is no reference to monetary consideration that had verbally been agreed to from SUNY.

DPW Spt. Donahue said Village Attorney Leni was to work with SUNY counsel to draw up a MOU.

Trustee Blair said he would prefer not to adopt the SEQR and abandonment resolutions until there is confirmation from SUNY regarding the matter of monetary consideration.

Board concurred.

**PUBLIC COMMENT:**

- Joan Hamlin of Park Avenue referred to the end of the 4/23 Village Board meeting in which the Trustees moved to appoint special counsel to be named. She asked the name of the person appointed and what firm, if any, the person is with.

Clerk Morelli said the attorney is Daniel Mastrella and she does not know if he is independent or with a firm. She does not believe any invoice has yet been received. Trustee Blair does not recall if he is with a firm. Chief Varrenti said he believes he is independent and represents the Town of Henrietta.

Joan Hamlin thanked DPW Spt. Donahue for having the American flag hung on the Park Avenue flagpole. DPW Spt. Donahue and Mayor Castañeda thanked Joan and Jim Hamlin for paying for the flag.

**CONSENSUS ITEMS:**

- **APPROVAL OF MINUTES:**

→ Trustee Andrews moved, Trustee Blackman seconded, carried 5/0 that the minutes of the 05/14/13 meeting be approved as amended.

- **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 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>	5/28/13	\$17,485.03
FUND (F): <u>Water</u>	5/28/13	\$37,124.56
FUND (G): <u>Sewer</u>	5/28/13	\$1,128.87
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>Trust &amp; Agency</u>	-	-
		\$55,738.46 grand total

**CLERK REPORT:**

- Clerk – Leslie Ann Morelli
  - ACA – Affordable Care Act (health care reform) compliance update – authorize staying with our plan 9/1/13-8/31/14 – Clerk Morelli shared that she and Treasurer Hendricks had a follow up meeting with the Village's Employee Insurance Broker of Record, Titan on 5/21 in which Mike and Jeremy reviewed their findings/recommendation. Because the Village's deductible year is 9/1 to 8/31, but health plan year is 1/1 to 12/31, Excellus needs to change the plan year to 9/1 to 8/31. This is a good thing as we are then able to continue with our plan as is for 9/1/13 to 8/31/14. We do not have to change plans and deductible amounts to comply with the Affordable Care Act until 9/1/14. This is better than the anticipated 1/1/14. The premium increase is single digit instead of double digit. The increase is 6.09% with the Federal Mental Health rider (Timothy's Law) and 7.16% with it. Clerk Morelli said she and Treasurer Hendricks concur with the Broker's recommendation and advise the Board to authorize signing off on the benefit summary and rate sheet for our existing plan. She also mentioned that the Village's MVP Gold (over 65 health plan), dental, life, disability plan year remains 1/1 to 12/31. The Broker anticipates rate information in October for those.

→ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 to authorize Clerk Morelli as Group Administrator to sign the documents staying with the current Village health insurance plan 9/1/13-8/31/14.

- Civil Service payroll certification – filed & certified – Clerk Morelli shared that annually the Village has to file its payroll with Monroe County Department of Human Resources (Civil

Service) and that the 2013 Civil Service payroll was certified with zero discrepancies.

o Tax Collection notice – Clerk Morelli shared that the following notice was published in the Village’s official paper (Suburban News), and posted on the Village’s official website and at Village Hall.

**VILLAGE OF BROCKPORT  
TAXPAYERS  
NOTICE OF COLLECTION**

The Tax Roll and Warrant for the collection of Village Taxes for fiscal year June 1, 2013 - May 31, 2014 have been filed in the Village Clerk’s Office.

**TAX BILLS WILL BE MAILED ON MAY 31, 2013.**

**In an effort to improve efficiency, please use the return addressed envelopes included with the bills.**

Check or money order for the exact amount should be made payable to the Village of Brockport and mailed with payment stub to:  
Village of Brockport  
Dept. # 117015  
P.O. Box 5270  
Binghamton, NY 13902-5270

**OR**

Payment may be made in person to Village Hall at 49 State Street Brockport, NY 14420 Monday through Friday 8:30am – 4:30pm except holidays.

***PAYMENT OPTIONS***

1) Payment is due in full by July 1, 2013 without penalty

Late penalties:

- July 2<sup>nd</sup> - 31<sup>st</sup> = 5%
- August 1<sup>st</sup> - 31<sup>st</sup> = 6%
- September 1<sup>st</sup> - 30<sup>th</sup> = 7%
- October 1<sup>st</sup> - 31<sup>st</sup> = 8%

November 1<sup>st</sup> - Village taxes remaining unpaid will be turned over to Monroe County to re-levy onto the January 2014 County/Town tax bill with additional penalties.

**OR**

2) Payment may be made in 2 equal installments:

- MUST make 1<sup>st</sup> installment by July 1, 2013 without penalty
- Then make 2<sup>nd</sup> installment due by August 1, 2013 without penalty

Late penalties:

- August 2<sup>nd</sup> - 31<sup>st</sup> = 6%
- September 1<sup>st</sup> - 30<sup>th</sup> = 7%
- October 1<sup>st</sup> - 31<sup>st</sup> = 8%

November 1<sup>st</sup> - taxes remaining unpaid will be turned over to Monroe County to re-levy onto the January 2014 County/Town tax bill with additional penalties.

**IF YOUR TAXES ARE NOT ESCROWED IN YOUR MORTGAGE, AND YOU DO NOT RECEIVE A VILLAGE TAX BILL WITHIN THE FIRST WEEK OF JUNE, PLEASE CALL VILLAGE HALL AT 637-5300 X12.**

Leslie Ann Morelli, Village Clerk  
Village of Brockport

o Village Elections notice – Clerk Morelli shared that the following notice was published in the Village’s official paper (Suburban News), and posted on the Village’s official website and at Village Hall.

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

NOTICE IS HEREBY GIVEN THAT AN ELECTION IN AND FOR THE VILLAGE OF BROCKPORT, COUNTY OF MONROE, STATE OF NEW YORK WILL BE HELD ON **TUESDAY, JUNE 18, 2013** AT BROCKPORT VILLAGE HALL, 49 STATE STREET, BROCKPORT, NEW YORK 14420. **THE POLLS WILL BE OPENED AT 12:00 NOON AND CLOSED AT 9:00PM.**

- The following officers are to be chosen:  
One (1) Mayor and Two (2) Trustees each for a 4-year term to 6/30/17

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 office to be filled at the Election in and for the Village of Brockport on Tuesday, June 18, 2013:

MAYOR – for a 4-year term to 6/30/17 (vote for one)

<u>Party</u>	<u>Name</u>	<u>Address</u>
• Taxpayers First	Maria C. Castañeda	332 Main Street
• Revitalize Brockport	Margay Blackman	73 Park Avenue

TRUSTEE – each for a 4-year term to 6/30/17 (vote for two)

<u>Party</u>	<u>Name</u>	<u>Address</u>
• Taxpayers First	Danny E. Blackburn	55 Fair Street
• Taxpayers First	Richard Ross	16 Havenwood Drive
• Revitalize Brockport	Carol L. Hannan	292 Main Street
• Revitalize Brockport	Valerie A. Ciciotti	104 East Avenue

QUALIFICATIONS OF VOTERS

- A Citizen of the United States.
- Eighteen (18) years of age or older.
- Resident of the Village of Brockport thirty (30) days preceding this General Election.

REGISTRATION OF VOTERS

- Your name must appear on the Monroe County Register for the Village of Brockport to be eligible to vote.
- In accordance with Section 15-118 (2) of the New York State Election Law, the voter must be registered with the Monroe County Board of Elections at least ten (10) days prior to the date of the Village General Election. The registration deadline for the above election date is: Friday, June 7, 2013. There will not be a voter registration day in the Village.
- Application for absentee ballots may be obtained at the Monroe County Board of Elections 39 West Main Street Rochester, NY 14614 or by calling (585) 753-1550 or downloading from [www.monroecounty.gov](http://www.monroecounty.gov). Application for absentee ballot must be filed with Monroe County Board of Elections no later than Tuesday, June 11, 2013.

Leslie Ann Morelli  
Village Clerk  
Village of Brockport

- Boards & Committees Vacancies notice – Clerk Morelli shared that the following notice was published in the Village’s official paper (Suburban News), and posted on the Village’s official website and at Village Hall.

**VILLAGE OF BROCKPORT  
BOARD / COMMITTEE / VOLUNTEER OPPORTUNITIES**

Some vacancies exist and further vacancies may exist after 6/30 on the following:

**FOR VILLAGE RESIDENTS**

- Planning Board – meets 2<sup>nd</sup> Monday eve only upon application
  - Zoning Board of Appeals – meets 1<sup>st</sup> Thursday eve only upon application
  - Historic Preservation Board - meets 3<sup>rd</sup> Thursday eve
  - Tree Board – meets 3<sup>rd</sup> Tuesday eve (at Library)
  - Code Review Committee – meets 4<sup>th</sup> Monday eve
  - Parks Committee – meets as needed
  - Ethics Board – meets as needed
- Deadline: 6/19/13

**FOR GREATER BROCKPORT COMMUNITY MEMBERS**

- Walk Bike Brockport Action Group – meets 2<sup>nd</sup> Thursday eve
  - Emily L. Knapp Museum & Library of Local History Committee – meets as needed
  - Welcome Center Canal front Greeters (May – October) - scheduled as needed
- Deadline: continuous recruitment

Position interest form can be obtained at Brockport Village Hall or downloaded from the Village website: [www.brockportny.org](http://www.brockportny.org).

Completed forms must be turned in to:

Leslie Ann Morelli, Village Clerk  
Village of Brockport  
49 State Street  
Brockport, NY 14420

Monday thru Friday 8:30am to 4:30pm

or [lmorelli@brockportny.org](mailto:lmorelli@brockportny.org)

Whoever is elected Mayor June 18<sup>th</sup> will consider appointment and re-appointment interest and bring forth names for consideration subject to Village Board approval at the organizational meeting in July.

Leslie Ann Morelli  
Village Clerk  
Village of Brockport

- **DEPARTMENT REPORTS:** (Treasurer & Department Heads are in attendance the 4<sup>th</sup> Tuesday of each month)
  - Treasurer – Daniel P. Hendricks (excused)
    - Annual Employee Wage notices re 6/1/13-5/31/14 distributed 5/23
    - Financial reports for period ending 4/30/13 – Reports included in the packet.

Trustee Blair commented on showing good revenues.

Trustee Andrews commented on expenses showing regarding the Welcome Center. DPW Spt. Donahue said those are utility and maintenance costs attributable to the Welcome Center. Trustee Blair said the expenses are under what was appropriated for such, which is good.

- Budget Transfers & Budget Amendments – Items included in the packet.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to authorize the following budget amendments:

Account	Description	Amount
A4540.4090	Miscellaneous	\$2,575.00 (1)
A7460.4000	Loft Apartments Grant	\$750.00 (2)
A7550.4040	Celebrations – Special Events	\$50.00 (3)
A8560.4020	Shade Trees	\$31,00.00 (4)
F8340.400B	Barry Street Project Grant	\$32,250.00 (5)

Purpose:

- (1) Revenues from Brockport Ambulance for telephone service
- (2) Revenues and Expenses from Loft Apartment Grant
- (3) Revenues and Expenses from Canal Celebration
- (4) Revenues and Expenses for Tree Purchases
- (5) Revenues and Expenses for Barry Street – County Grant

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→ Trustee Blair moved, Trustee Blackman seconded, to authorize the following budget transfers:

Account #	From	Account #	To	Amount	Explanation of Transfer
A1990.4000	Contingency	A5110.2000	Equipment	\$85,000.00	(1)
A1990.4000	Salt	A5110.2000	Equipment	\$10,000.00	(2)

- (1) Transfer to pay for costs associated with purchase of truck
- (2) Transfer to pay for costs associated with purchase of truck

**Discussion:**

Trustee Blair expressed concern of not having enough information from DPW Spt. for last meeting and reminded the Board that they approved pursuing purchase of the requested truck not to exceed \$60,000. Now they are told it will cost \$95,000. He said he understands the concept of piggy backing on another County’s bid (Chautauqua County). However, has enough research been done as to outright purchase versus leasing? He said the Board should see some concrete numbers from the DPW Spt. and Treasurer on this.

Trustee Blackman said she had hoped to speak with Treasurer Hendricks about it today, but he was not in. DPW Spt. Donahue said he is not opposed to leasing, but there is no money allocated for purchase or lease in the new fiscal year budget. He said Treasurer Hendricks was of the opinion that purchasing outright is the way to go since there are funds in the current fiscal year.

Trustee Hannan said time is of the essence since the current truck is down.

Mayor Castañeda asked what this particular truck is used for. DPW Spt. Donahue said it is their medium duty sized dump truck used regularly by DPW and Water Dept. Mayor Castañeda said this could be considered an emergency purchase which is what the contingency fund is designed for.

Trustee Blackman suggested approving moving forward with some leeway for DPW Spt. and Treasurer as to purchase or lease.

Mayor Castañeda said purchase was the recommendation of DPW Spt. and Treasurer.

Trustee Blair said the Board has nothing from the Treasurer on this. Clerk Morelli shared a simple e-mail from the Treasurer when he called in sick today indicating “Regarding the board meeting the only item I have are the financials which are straight forward I believe. The transfers for the truck for DPW are necessary so I hope they will approve them.”

**Call to question:**

- Trustee Andrews      abstain
- Trustee Blackman      yes
- Trustee Hannan      no
- Trustee Blair      no
- Mayor Castañeda      yes

**Motion fails.**

Trustee Blackman said the truck is essential and the Village needs to get the best deal possible. She suggested approving it contingent on such.

Trustee Blair concurred and said a healthy discussion is needed that considers all options.

Mayor Castañeda concurs the truck is needed and that she recalls Treasurer Hendricks telling her purchase was best and that the Village should not have too many leases at the same time.

DPW Spt. Donahue said leasing will likely be the way to go with a bucket truck.

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to authorize the budget transfers and truck purchase contingent on Treasurer and DPW Spt. researching and providing the Board with their recommendation and rationale of purchase versus lease.

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff

- Vacant and abandoned properties – CEO Zarnstorff shared that recent amendments to the New York State Fire Code require placarding (posting) of vacant and abandoned properties. He indicated that he and fellow Codes Officials in neighboring municipalities are coming up

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with a process and placards. He will likely purchase 30 2' x 2' placards red with reflective lettering at ~\$6 each from his budget. Fire Chiefs are aware of this. It has to do with emergency responder safety. He and his counterpart in Clarkson and Sweden are designing a template and will work to have it put into the 911 CAD system.

- Police – Police Chief Daniel P. Varrenti

- SUNY year end – Chief Varrenti shared that on 4/27 SUNY College at Brockport had a scaled down version of Brock the Port indoors on campus that went off fine. There were no large problems in the Village. Officers handled what issues there were. Chief Varrenti shared that on 5/10, the last day of classes, the weather was inclement which may have helped keep it quieter than past years. He commended Trustee Hannan and Trustee candidate Ciciotti for doing ride a longs that night. They saw how quickly the resources of the Police Department are absorbed with calls including drugs, threatening dogs, weapons, and a pedestrian struck.

- Morgan Manning House application for street closure - Chief Varrenti referred to a street closure application submitted today and referred by Clerk Morelli and asked for more details on whether a children's parade/procession like last year is planned. His feedback: "I will complete my applicable section and return it to Leslie ASAP. If I'm not mistaken I believe this was the event that Bill Bird addressed the board about saying there was no police presence and it was a dangerous situation. If memory serves me correctly I believe it was either Trustee Andrews or Trustee Blair who was present for the event and felt there were no glaring issues. As I will indicate on my appropriate section I believe we need to barricade South St and Main for NO TRAFFIC and then barricade South St at Park with RESTRICTED TRAFFIC. Then at the Morgan Manning Carriage House a barricade on South St for NO TRAFFIC continuing Westbound to Main. Since I won't be assigning officers at South and Main or South and Park I'd request the board consider the approval with the stipulation that the organizer assign an adult at each barricade to ensure traffic doesn't drive around the barricade."

Clerk Morelli said she will check on this to see if there is a parade/procession component. If feedback is received by all Department Heads by 6/5 via their section on page 2 of the application, she'll place it on the 6/11 agenda for Board consideration.

- Quarterly report - Chief Varrenti referred to the Police Department's 1<sup>st</sup> quarter 2013 report to the Board this afternoon. It includes 4,608 calls for service, 608 total arrests, 502 vehicle and traffic arrests, 72 criminal and violation arrests, 34 Village ordinance arrests, 5 bench warrant arrests, 30 motor vehicle accidents, 318 parking tickets, 9 assisting another agency, 15 DWI, 1 rape, 5 burglaries.

- Village Elections – Chief Varrenti said as he does before any Village election, he extends an invitation to anyone running for office to do a ride along or meet with him for information about the Police Department, scheduling, etc.

- Drug Investigation - Chief Varrenti referred to the 7/25/12 drug investigation that included a business in the Village of Brockport and elsewhere as to the sale of "bath salts". NYS Police was the lead agency. Brockport Police Department assisted. The investigation extended to Phoenix, Arizona in which 2 individuals were indicted for the manufacture and distribution of a controlled substance, intent to distribute, distribution and a number of conspiratorial charges. Sgt. Philippy and Officer Wheat are needed in Arizona 6/25 regarding this. He will inform the Board as to any associated costs, but is in hopes that the Federal government will cover it.

Trustee Hannan asked the effect here re the Arizona indictment. Chief Varrenti said Arizona was the source. New York will handle at a future date as a smaller cog on a large wheel. He said it was a collective investigation with good police work by all. He said the Village will be entitled to a share of the Federal Asset Forfeiture funds.

- Public Works – Superintendent Harry G. Donahue

- Follow up – replacement of 2003 1-ton dump truck with plow – discussed earlier in meeting.

- Authorization to purchase newer style salt controls – DPW Spt. Donahue referred to the request included in the packet to purchase new style controls to be retro fitted into the 2000 salt truck. The DPW mechanic can do the install of the controls saving ~\$3,000. The cost of the salt controls will be \$4,200 to come out of the A5142.4000 budget line. This would use up that line. The advantage to the new controls would be to help cut down on salt usage as they work off of the ground

speed of the truck. Several municipalities around use these. With the current controller it is either on or off. It does not have the variable speed control working off the truck transmission. He is confident that this would be a cost savings each year in salt purchasing. There are only 2 vendors found so he got estimates from both.

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→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to authorize the purchase of newer style salt controls as recommended by DPW Spt. at a cost of ~\$4,200 from A5142.4000.

- Household Hazardous Waste Collection – DPW Spt. Donahue shared that Monroe County Department of Environmental Services and the Village of Hilton, Towns of Hamlin, Ogden, Clarkson, Sweden, and Parma and the Village of Brockport and Spencerport will partner to hold an appointment-only Household Hazardous Waste collection at the Hilton Highway Garage, 50 Henry St., Hilton, NY on Saturday, 6/15 from 7:45am to Noon. A detailed notice is in Suburban News, available at Village Hall and on the Village website. Brockport residents are to call Sweden at 637-2144 to schedule an appointment.

- Downtown Historic Commercial District – beautification – decorative fencing around trees – Mayor Castañeda bumped this up on the agenda to get DPW Spt. Donahue’s input prior to being excused. As she has said at recent meetings, while she thinks it is a great idea, and commend merchants and volunteers stepping forward to work on beautification projects, there are concerns to be addressed. Feedback was solicited from the DPW Spt, the Village Attorney and the Village’s Property and Liability Insurance Broker.

Village Attorney Coyne indicated that the fencing cannot be permanently fixed as it is Village property (and State property when it comes to the Main Street right of way).

DPW Spt. Donahue indicated that sufficient room is needed for snow removal and that the Americans with Disabilities Act require 5 feet of unobstructed width. He believes the Market Street sidewalk might be too narrow for such. He said he had looked at the first one installed in front of Fountain of Youth Organics and had suggested corner markers for winter time.

Trustee Andrews said the fencing is not permanently fixed. Mayor Castañeda asked if the fencing is not permanent, if it can be removed for the winter for snow plowing/shoveling season. Trustee Blackman said it is removable if absolutely necessary, but would cause problems for the plantings.

The Insurance Broker in an email said “the best way to protect the Village is to hire a fencing contractor or other firm with appropriate insurance limits/language in favor of the Village and have a contract that makes them responsible for ongoing maintenance. That’s not always practical. So, if you can’t completely eliminate the risk, try to minimize it. Make sure the fences are well made and well installed and don’t require a lot of upkeep/maintenance. Is it possible to recommend/demand what type of material the volunteers/merchants use for the fencing? The more sturdy/maintenance free the better. Since the Village could be pulled into a claim, you don’t want to be relying on a group of volunteers to maintain fencing that needs a lot of attention/care.”

Mayor Castañeda said she just wants to minimize any risk, responsibility and future cost to the Village.

Chief Varrenti interjected and asked if hold harmless agreements are required for the sidewalk cafes or use of parks, playgrounds, tennis courts. Clerk Morelli said the sidewalk cafes are regulated by Village Code and permits issued by the Village Board – yes insurance certificate and hold harmless agreements are required.

Trustee Blackman said they get hold harmless agreements at the Welcome Center for loaning out bicycles. It is a way to help prevent lawsuits. However, if someone is going to sue, they’re going to sue.

Mayor Castañeda said if the Village acts inappropriately it can be sued – held liable if someone gets hurt. This is a concern, not a laughing matter. Plus, if the fencing gets damaged while plowing or shoveling, is the Village responsible to replace it?

Trustee Blackman said it is important to do these beautification projects, but to do so while paying attention to any potential issues.

Trustee Andrews said it is the Board’s responsibility to weigh the risks against the benefits. This project seems like low risk and high benefit.

Mayor Castañeda said the Board needs an actual plan. They were approved at a recent meeting contingent on feedback from relevant parties and any issues being addressed.

At 8pm, Mayor Castañeda excused the Treasurer and Department Heads.

Trustee Blackman said there will be a need for Chief Varrenti and CEO Zarnstorff in executive session at the end of the meeting. Chief Varrenti stayed. CEO Zarnstorff retired to his office.

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• **PERSONNEL ITEMS:**

- Welcome Center Drops/Add -

→ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 to appoint Linda Hall and Elaine Bader as volunteer Welcome Center Greeters.

- Authorize Clerk to proceed in Police Chief Varrenti 211 waiver application renewal process -

→ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 to authorize Clerk Morelli to proceed with Police Chief Varrenti's 211 waiver application renewal process.

• **OLD BUSINESS:**

- Seymour Library roof replacement – competitively bid – authorization to utilize Shafer Trust monies – Proof has been received that the Seymour Library adhered to the competitive bidding process via the Town of Clarkson with sole bid from Harvey Strassner Contracting, LLC in the amount of \$72,645. The Seymour Library Board requests the amount of \$71,000 be withdrawn from the Shafer Trust Fund toward the roof replacement.

→ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 to grant authorization to utilize Shafer Trust monies in the amount of \$71,000 for Seymour Library roof replacement.

Village Treasurer to work with Library Board Treasurer as to obtaining the \$71,000.

- Downtown Historic Commercial District – beautification – decorative fencing around trees  
– discussed earlier in meeting.

• **NEW BUSINESS:**

- Authorize Mayor to execute 6/1/13-5/31/14 Pro2 agreement (cleaning of Village buildings) – Clerk Morelli referred to the contract in the packet and shared that the contract is the same as last year as to weekly cleaning of Village Hall and Police Department year round and Welcome Center seasonally with the following additions: full cleaning of Welcome Center seasonally (not just bathrooms and laundry room) and twice a year window cleaning of the 3 buildings and twice a year carpet cleaning of the 3 buildings. Pro2's carpet cleaning pricing is less expensive than the current vendor. If the quality of service is not as good as the current vendor, it can be removed from next fiscal year's agreement.

Trustee Hannan said the Emily L. Knapp Museum and Library of Local History has indicated the need for some cleaning. Clerk Morelli said they have requested an estimate from Pro2, but this may be something a specialist in museum artifacts would tackle. She recalls a special cleaning service be contracted ~2000 that did such. Therefore, the contract before the Board this evening does not include the Museum (2<sup>nd</sup> and 3<sup>rd</sup> floors of Village Hall).

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to approve and authorize the Mayor to execute the 6/1/13-5/31/14 agreement with Pro2 for said cleaning of Village Hall, Police Department, Welcome Center at a cost of \$7,692 for the fiscal year.

- Authorize Mayor to execute 6/1/13-5/31/14 J. O'Connell & Associates Grants Consultants agreement – Board referred to the contract in the packet.

→ Trustee Blackman moved, Trustee Andrews seconded, carried 5/0 to approve and authorize the Mayor to execute the 6/1/13-5/31/14 agreement with J. O'Connell & Associates Grants Consultants at a cost of \$32,000 for the fiscal year.

Mayor Castañeda said she is in favor as long as the Board is open to all types of grant opportunities. She also suggested the Board evaluate the grant revenues at this time each year to be sure that the Village is getting in grants at least what it is paying for in grant writing services.

Trustee Blair reminded the Mayor that the grants consultants informed the Board that such results

would take further years.

Trustee Andrews commented that his experience with the grant writers the first 6 months has been quite positive. He has found them to be very proactive in calling to everyone's attention various opportunities and willingness to meet. They even begin working on potential grants before the programs begin.

Mayor Castañeda said she agrees they have been very responsive. She just wants to be sure the Board continues to weigh cost and benefit.

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**VILLAGE BOARD REPORTS:**

- Mayor M. Connie Castañeda
  - Memorial Day Ceremonies – Mayor Castañeda mentioned having attended the Oliver Middle School Ceremony 5/24 and the Vets Club ceremony 5/25 and having helped the Navy Club present awards. She expressed gratitude in honor and memory of those who served our Country.
  - Monroe County Sales Tax Distribution – Mayor Castañeda reported that the Village's share of the first quarter 2013 sales tax receipts was \$375,057.49 compared to \$380,980.22 distributed for the same quarter in 2012.
  - CGI – Mayor Castañeda shared that she had a phone conference last week as to the next steps in the project as to local businesses and would be attending a local businesses appreciation gala.
  - Canal Clean Sweep - Mayor Castañeda shared that she received a thank you letter from NYS Canal Corporation Director Brian Stratton and Parks and Trails New York Director Robin Dropkin for organizing an event as part of the eighth annual Canal Clean Sweep.
  - Veterans - Mayor Castañeda shared that she has reached out to officials regarding the possible re-use of Lakeside Memorial Hospital for Veterans Services.
- Trustee William G. Andrews
  - Sweden Senior Singers – Trustee Andrews shared that he is a member of Sweden Senior Singers and has performed in several recent concerts.
  - Walk Bike Brockport Action Group – Trustee Andrews shared that he is part of the subcommittee regarding BISCO funding for safe routes to school. Recommendations may include construction of a sidewalk along the Adams Street extension where there currently is none and increased signage at particular intersections.
  - Town of Sweden – Trustee Andrews shared that the Sweden Republican Committee has nominated Rob Carges for Supervisor and Danielle Windus-Cook and Bob Muesebeck for Town Board.
  - Police - Trustee Andrews shared that he attended a recent ceremony honoring Police Officers.
  - Adopt a School in Ecuador - Trustee Andrews shared that he and Alicia Fink are approaching local community organizations regarding their idea of adopting a school in an impoverished area of Ecuador. They have received positive feedback thus far.
  - Historic Preservation Board - Trustee Andrews shared that the Historic Preservation Board meeting conflicted with the Rotary meeting recently, so it was the first time in 20 or so years he could not attend.
  - Local Government Workshop - Trustee Andrews shared that he attended the recent GFLRPC Local Government workshop.
  - Pro Brockport - Trustee Andrews shared that he attended recent meetings of the Pro Brockport Political Action Committee and its Executive Committee.
  - Grants - Trustee Andrews shared that he hosted a recent informational meeting for Main Street property owners in the Downtown Historic Commercial District from King Street to Clinton Street and from Market Street to the Canal. Trustee Blackman attended. The grant would be for streetscape improvements for the buildings and such things as replacing the old concrete trash

receptacles and replacing with the newer ones that are more appropriate for the district, as well as possibly the tree fencing. So far the owners of 9 buildings in the target area have expressed interest.

- Memorial Day Ceremonies – Trustee Andrews mentioned having attended the Oliver Middle School Ceremony 5/24 and the Vets Club ceremony 5/25 including that at the High Street Cemetery. He said the OMS ceremony was very moving as 30 or so students read the names of Brockport soldiers and sailors who had died in the service from the Civil War to current. Hhe expressed gratitude in honor and memory of those who served our Country.

- Town of Clarkson – Trustee Andrews mentioned continuing to attend Clarkson Town Board meetings and that he is gathering ideas that may work for Brockport Village Board.

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- Trustee Margaret B. Blackman

- Tree Board – Trustee Blackman mentioned an article in the 5/18 Democrat and Chronicle regarding the Emerald Ash Borer having been found in Rochester, Chili, and Rush-Henrietta and that U of R, RIT and SUNY Brockport have selected and treated their trees. She reminded the Board that the Village has 94 of these trees with 54 of them in Corbett Park. If they go, they will be costly to remove and will change the character of the park. The Tree Board will be taking a close look at this and targeting particular trees to be treated. SUNY Brockport offered to loan the Village the equipment. The chemical costs approximately \$8 per tree and lasts for 4 years. DPW currently has no one certified to apply the chemical. SUNY may be willing to have their person to do and charge the Village. Citizens that have such a tree can call Monroe County Cooperative Extension at 461-1000 for advice.

Trustee Blackman shared that Arbor Day t-shirts, designed by Tree Board Chair Ian Blount, are for sale at Village Hall for \$12.

- Grants - Trustee Blackman shared, as Trustee Andrews mentioned, she attended recent informational meeting for Main Street property owners in the Downtown Historic Commercial District from King Street to Clinton Street and from Market Street to the Canal. She also shared that a committee comprised of she, Bill Andrews, Alicia Fink and Lori Skoog will soon select which of the 3 renderings of Stacy Kirby to utilize for the mural on the DPW building that is partly funded by a grant and matched by the proceeds of the Walk Bike Stone Soup Art Auction.

- Low Bridge High Water - Trustee Blackman shared that the committee held a wrap up meeting to debrief on the May 1<sup>st</sup> through 5<sup>th</sup> events. All committee members have agreed to participate in 2014.

- Memorial Day Ceremony – Trustee Blackman mentioned having attended the Vets Club ceremony 5/25. She said there was some talk of re-instituting a Memorial Day parade.

- Trustee Kent R. Blair – no report

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- Trustee Carol L. Hannan

- Memorial Day Ceremonies – Trustee Hannan mentioned having attended the Vets Club ceremony 5/25 including that at the High Street Cemetery.

- Code Review Committee – Trustee Hannan reported that the committee has completed its work on Village Code Chapter 36 and are awaiting a clean copy from Village Attorney Coyne.

- Project House – 65 Fayette Street - Trustee Hannan reported that she and the Revitalize Brockport volunteers are nearing completion of the rehabilitation of 65 Fayette Street. There are many people to thank for putting in so many hours and great workmanship including Police Chief Varrenti and his wife. She hopes to soon get it on the market and have an open house. Profits after purchase and materials are to go to GBDC in hopes to purchase a next house to revitalize.

**EXECUTIVE SESSION:**

→ At 8:28pm, Trustee Blackman moved, Trustee Andrews seconded, Mayor Castañeda abstained, carried 4/0/1 that the Board of Trustees of the Village of Brockport enter into executive session to discuss pending litigation: People versus Maria Connie Castañeda.

Police Chief Varrenti, Codes Officer Zarnstorff and Clerk Morelli were invited to sit in.  
Mayor Castañeda was asked not to sit in.

→ At 8:56pm, Trustee Blair moved, Trustee Blackman seconded, that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

- 6/4 Village Board work session –

Mayor Castañeda noted that there is currently nothing on the next work session agenda. She said the deadline is Noon tomorrow and asked if any Trustees had any items. They did not. Mayor Castañeda said there is no need to meet. Clerk Morelli will post notice that the 6/4 Village Board work session is cancelled.

- Abandonment of designated portion of Kenyon Street to SUNY for proposed public use in order to facilitate the College's accomplishment of its "Facilities Master Plan" for capital improvements - Village Attorney Coyne said while the Trustees were in Executive Session, she reviewed her file on this and noted that Attorney Leni had indicated that adoption of the SEQR and abandonment resolutions are

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to occur prior to the MOU regarding monetary consideration. SUNY had agreed verbally on monetary consideration, but has not put that in writing yet. She will follow up with SUNY Counsel on this.

**ADJOURNMENT:**

→ At 9:00pm, Trustee Blackman moved, Trustee Andrews seconded, carried 5/0 that the meeting be adjourned.

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Leslie Ann Morelli, Village Clerk