

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, August 19, 2013 at 7:00pm.

PRESENT: Mayor Margaret B. Blackman, Trustee Valerie A. Ciciotti, Trustee Carol L. Hannan, Trustee John D. La Pierre, Clerk Leslie Ann Morelli, Treasurer Daniel P. Hendricks, Building/Zoning Codes Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, DPW Superintendent Harry G. Donahue, Attorney Amanda Insalaco, Esq

EXCUSED: Trustee/Deputy Mayor William G. Andrews

ALSO PRESENT: Pam Ketchum, Sriram Bakshi, Marcy Stickles, Hanny Heyen, Kevin McCarthy, Joy Levandowski, Brian Winant, Adam Mesiti and family, many members of the Brockport Police Department, Fred Webster

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

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

Mayor Blackman also expressed sympathies for the recent passing of Village resident Jim Hamlin. She said Jim served on the ZBA for several years and took local government very seriously. If Jim came late to a Village Board meeting it was because he'd just come from the Sweden Town Board meeting. Anyone who walked down Park Avenue in all but the dark of winter was greeted with a wave and a hello from Jim sitting in his chair on the porch looking out on the neighborhood. We'll miss his watchful eye and we extend our sympathies to Joan and the Hamlin family.

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

Brockport Historical Moment: Trustee/Deputy Mayor Andrews provided Mayor Blackman with the following to share:

As this board undertakes to plan the exercise of its authority over the next year or so, it might be amusing to consider the powers that were conferred upon it by its original 1829 charter. They included building and maintaining of streets, sidewalks, wharves, and basins; equipping fire companies, the levying of property taxes,, the providing of street lighting, the exercising of traditional police powers, the issuing of licenses for groceries, victualling houses, oyster houses, and the suppression of vice and immorality, the preventing of theatres, billiard tables, or theatrical or other performances, and the exhibition of wax figures, wild animals, mountebanks (scam artists), and all other shows exhibited by common showmen, to restraining beggars, mendicants, street beggars or persons soliciting alms, and all persons from harboring them, to restraining any riot rout noise, disturbance or disorderly assemblages, and to regulate the trade in spirituous liquors.

OATH OF OFFICE: None

PUBLIC COMMENT: None

GUESTS: None

CERTIFICATES & PROCLAMATIONS:

- Retirement Proclamation – Sgt. Adam Mesiti – Mayor Blackman presented the following proclamation to A. Mesiti.

→ Mayor Blackman moved, Trustee La Pierre seconded, carried to adopt the following proclamation:

PROCLAMATION

WHEREAS; Adam C. Mesiti has been employed by the Village of Brockport Police Department since November 9, 1992; and

WHEREAS; he has worked devotedly on behalf of the people of the Village of Brockport, regardless of the peril or hazard to himself; and

WHEREAS; by the enforcement of our laws, he has safeguarded lives and property; and

WHEREAS; he has set an example and demonstrated his leadership abilities as Sergeant; and

WHEREAS; the Village of Brockport acknowledges the dedication and talent Adam Mesiti has invested in the community; and

WHEREAS; the year 2013 marks the occasion of his retirement;

NOW, THEREFORE, I, Margaret B. Blackman, by virtue of the authority vested in me as Mayor, and on behalf of the Village Board, do hereby tender this proclamation, and congratulate Adam C. Mesiti on his retirement and encourage all our citizens to extend to him their best wishes.

ADOPTED by unanimous vote of the Brockport Village Board on August 19, 2013.

IN WITNESS WHEREOF, we have here unto set our hands and caused the Corporate Seal of the Village of Brockport to be affixed.

Adam Mesiti introduced his parents, wife Amy, and his sons noting one was unable to attend.

On behalf of the Stetson Club, President Brian Winant presented a bouquet of roses to Amy and commended the spouses of police for being so understanding and helping to keep their private lives running smoothly.

Adam's father shared that Adam wanted to be a "mountain man" in Montana until he met Amy. He wanted to help people so he went into police work.

Adam said he and Amy have a vineyard and hope to start a winery.

CONSENSUS ITEMS:

• **APPROVAL OF MINUTES:**

→ Trustee Hannan moved, Trustee La Pierre seconded, carried 4/0 that the minutes of the 08/5/13 meeting be approved as written.

• **APPROVAL OF BILLS TO BE PAID**

→ Trustee Ciciotti moved, Trustee Hannan seconded, carried 4/0 that the bills be paid upon audit.

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	8/16/13	\$38,308.58
FUND (F): <u>Water</u>	8/16/13	\$29,751.80
FUND (G): <u>Sewer</u>	8/16/13	\$127.23
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>Trust & Agency</u>	-	-
		\$68,187.61 grand total

CLERK REPORT: Clerk – Leslie Ann Morelli

○ Local Law #2-13 filed with NYS DOS now in effect – Clerk Morelli noted that the packet includes proof of filing with NYS and the following notice was published in Suburban News.

VILLAGE OF BROCKPORT
LOCAL LAW FILING

PLEASE TAKE NOTICE THAT Local Law #2 of the year 2013 was adopted by the Village Board July 15, 2013 and was filed with the Secretary of State, State of New York with proof of filing dated August 5, 2013. Said law is now in full force and effect in the Village of Brockport.

- Local Law # 2 of 2013 – to establish real property tax exemption for certain new or substantially rehabilitated multiple dwellings as provided in Real Property Tax Law §421-m. The benefit area would consist of those defined in the Clinton Street Master Plan adopted June 2010.

Full text is available for review at the Village Clerk's Office and on the Village website:

www.brockportny.org .

Leslie Ann Morelli
Village Clerk
Village of Brockport

- Update on 2013 Village tax collection – Clerk Morelli shared that 94% of 2013 Village taxes have been collected to date.

DEPARTMENT REPORTS:

- Treasurer – Daniel P. Hendricks
 - Financial reports for period ending 7/31/13 – Treasurer Hendricks referred to the reports included in the packet. Nothing of concern. Early in the fiscal year.

Trustee La Pierre said he noticed some lines having already spent a high percentage. Treasurer Hendricks said some are items due early in the fiscal year, some are encumbrances, and some are blanket P.O.'s.

Mayor Blackman said the line for Mayor phone does not include her having a Village cell phone. She uses her personal cell phone for Village business.

- Budget Transfers & Budget Amendments –

→ Trustee Hannan moved, Trustee La Pierre seconded, carried 4/0 to authorize the following budget transfers:

Account #	From	Account #	To	Amount	Explanation of Transfer
A1990.4000	Contingency	A1450.4030	Election supplies	\$1,040.00	(1)
A1990.4000	Contingency	A8140.4090	Storm Sewers	\$1,050.00	(2)

Purpose:

- (1) Transfer to pay for costs associated with elections
- (2) Dues for Monroe County Storm Water Association exceeded available budget

and the following budget amendments:

Account	Description	Amount
A7450.4000	Museum	\$850.00 (1)

Purpose:

- (1) Revenues from Shafer Trust Account for supply purchases for Museum

Clerk Morelli shared that Monroe County Board of Elections reimburses the Village for costs associated with elections. She recently submitted the claim.

- Shafer Trust – Seymour Library – Treasurer Hendricks referred to the letter in the Packet from J.P. Morgan regarding the Vivian Shafer Trust. Apparently the Seymour Library Board contacted the Trust requesting that funds be sent directly to them for a portion of the net income distributed to the Village. The Trustees of the Village, not the Library, are designated as a beneficiary of the trust with funds received from the trust being used to support the Seymour Library and Emily L. Knapp Museum and Library of Local History. He said that if the Village Board wants a portion of the funds sent directly to the Seymour Library, they would have to adopt a resolution and provide the percentage of future distributions.

Mayor Blackman said this seems to be an attempted end-run around them by the Library Board.

Trustee Hannan shared that the Library Board was disappointed with the reception received by the Village Board and Village Attorney several months ago when they needed to get approval to use Shafer Trust monies for a new roof and learned that their initial attempt was wrong as they hadn't conducted a sealed competitive bidding process as required by General Municipal Law. They were unaware of what was involved and disappointed they hadn't received guidance. Trustee Hannan said they would like to not have to get approvals to spend Shafer Trust monies from the Village Board and would like the Trust worked to their advantage.

Mayor Blackman said she is not yet sure why the Village Board would want to give up control of this.

Treasurer Hendricks suggested the Village Board take no action to give up its role in this unless it is further investigated and discussed. Trustee Hannan suggested the Trust agreement be reviewed. Village Board agreed.

MINUTES OF VILLAGE BOARD MEETING HELD August 19, 2013 continued.....page 4

Chief Varrenti said he felt badly for the members of the Library Board who appeared before the Village Board several months ago. They weren't given good direction.

Clerk Morelli shared that she tried to assist a Library Board member on it prior to their appearance to no avail. Then right after that meeting, she provided them with all the information they needed to conduct the sealed competitive bidding process properly. Hopefully, their Director and Liaisons can be of further assistance in the future as to General Municipal Law.

(Chief Varrenti had to excuse himself for a short time.)

- Authorization for Treasurer to attend NYCOM Fall Training School 9/9-9/12 – Treasurer Hendricks said money was budgeted for one or two out of the Clerk-Treasurer line to attend the annual conference. Clerk Morelli said Treasurer Hendricks has not yet attended. She has attended twice. She said if she were to work toward special Clerk designations she would have to commit to going every single year. The budget and Village Hall staffing has thus far not allowed for such.

→ Trustee La Pierre moved, Mayor Blackman seconded, carried 4/0 to authorize Treasurer Hendricks to attend NYCOM Fall Training School 9/9-9/12 in Saratoga Springs.

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
 - Former Lakeside Memorial Hospital – S. Zarnstorff shared that URMC is working on renovations to open Strong West at 156 West Avenue. They plan to open the Urgent Care and Lab and Imaging Department by September 3rd. He said he has been working closely with URMC and their contractors on the plans and inspections.

- People Versus Castañeda - S. Zarnstorff shared that he and Clerk Morelli and others were called to testify in this case last week and the jury came back with a verdict of guilty on all the code violation charges. He said at the time of the arrest in March 2012 his office was located at the Police Department. He believes the collaboration was beneficial and produced good results. He said the result of the case highlights the strength of the Village Code – that there are good local laws on the books.

- Vacant and Neglected Properties – Trustee Hannan said she noticed S. Zarnstorff has started placarding the vacant/abandoned houses as he recently described. He said he only has 2 more to do. He is surprised he hasn't received calls on them, but believes people understand that the red x or slash serve as a warning to first responders of hazards on the property. He thanked Brockport Fire Department for providing input on his development of procedure.

- Public Works – Superintendent Harry G. Donahue
 - Authorization to replace CAT backhoe per agreement with CAT (WF equipment replacement line) – Spt. Donahue shared that the Village is in the 2nd year of a 5 year agreement with CAT. It's time to turn in the 1 year old and get a new one. It's a win/win.

Trustee La Pierre said it makes the lease process very inexpensive. Spt. Donahue concurred and said with ~500 hours on the machine it requires virtually no maintenance. Trustee La Pierre suggested looking for more equipment opportunities like that. Spt. Donahue agreed.

→ Trustee La Pierre moved, Trustee Hannan seconded, carried 4/0 to authorize replacement of the CAT backhoe at \$6,565 from the Water Fund – earmarked for such.

- Authorization to purchase new generator for Water Dept (WF F8340.2050) – Spt. Donahue said the generator in the back of the water truck is used for water leaks to run pumps and lights. It is 10 years old. He got 3 quotes and the best was Brodner at \$2,369.95.

→ Trustee Hannan moved, Trustee La Pierre seconded, carried 4/0 to authorize replacement of the generator at \$2,369.95 from the Water Fund – earmarked for such.

- Authorization to declare surplus old generator & advertise for sale on Auctions International –

→ Trustee La Pierre moved, Trustee Ciciotti seconded, carried 4/0 to declare surplus and advertise for sale on Auctions International the old generator.

- Authorization for DPW Spt. to attend NYCOM Public Works School 10/21-10/23

–

→ Mayor Blackman moved, Trustee Hannan seconded, carried 4/0 to authorize DPW Spt. Donahue to attend NYCOM Public Works Training School 10/21-10/23 in Lake Placid.

MINUTES OF VILLAGE BOARD MEETING HELD August 19, 2013 continued.....page 5

- Installation costs re electrical at Corbett Park – Spt. Donahue referred to the Village Board having passed a motion to have DPW install electric at Corbett Park. He explained what will be involved and the associated costs involving a licensed electrician and National Grid. He believes the street light would be ~\$175/yr and an outlet becomes a metered service at ~\$211/yr. He will get further information and advise the Board.

- Auctions International proceeds - Spt. Donahue gave the Treasurer the Auctions International check for \$12,808 from the recent sale of a truck and miscellaneous equipment. He suggested the Board direct it to equipment reserve. Treasurer Hendricks agreed with the suggestion.

→ Mayor Blackman moved, Trustee Hannan seconded, carried 4/0 to direct the \$12,808 revenue from sale of equipment to the equipment reserve.

- **PERSONNEL ITEMS:**

- DPW Laborer vacancy – Search Committee hiring recommendation – Spt. Donahue said he and Trustee La Pierre comprised the Search Committee, reviewed all applications, conducted interviews of a select few and recommend the hiring of Dylan Phillips.

→ Trustee La Pierre moved, Mayor Blackman seconded, carried 4/0 to hire Dylan Phillips as full time DPW Laborer at a starting rate per the CSEA contract wage schedule of \$12.69 per hour with benefits.

This is pending successful completion of required pre-employment testing and a background check.

- Deputy Clerk-Treasurer vacancy – Search Committee update – Mayor Blackman said 28 applications were received by the deadline. The Search Committee is comprised of Mayor Blackman, Trustee La Pierre, Clerk Morelli, Treasurer Hendricks and Deputy Clerk Herzog. Each reviewed the applications and the committee met on 9/14 and came to consensus on 5 to interview. The quality of the applicant pool was higher than the last couple of times the position was advertised and filled. Clerk Morelli will share the 5 candidates materials with the Trustees. If the Trustees wish to see all 28 applications they can contact Clerk Morelli. Interviews will take place 9/18 with a second interview of finalists 9/25. A hiring recommendation will be brought forward for the 10/7 Village Board meeting.

- Building Inspector Part Time vacancy – application deadline Noon, 8/29
- Remaining Boards/Committees vacancies – application deadline Noon, 8/15
 - Planning Board – complete a 5-year term in progress to 6/30/17 - still accepting applications
 - Tree Board – complete a 4-year term in progress to 6/30/16 –

→ Mayor Blackman moved, Trustee La Pierre seconded, carried 4/0 to appoint Thomas Nelson IV, as a member of the Tree Board to complete a 4-year term in progress to 6/30/16.

- Tree Board – 4-year term to 6/30/17 (DPW rep) – awaiting DPW Spt to advise
- Ethics Board – complete a 4-year term in progress to 6/30/16 –

→ Mayor Blackman moved, Trustee La Pierre seconded, carried 4/0 to appoint Thomas Nelson IV, as a member of the Tree Board to complete a 4-year term in progress to 6/30/16.

- Parks Committee – complete a 4-year term in progress to 6/30/16 – still accepting applications

- **OLD BUSINESS:** None

- **NEW BUSINESS:** None

(Chief Varrenti returned. He shared that he exited due a suspect having jumped in the Canal to elude Police.)

- Police – Police Chief Daniel P. Varrenti

- Quarterly report – Chief Varrenti referred to the quarterly report e-mailed to the Board, available on the website and through the Village Clerk. Of significant note were the number of DWI arrests – more than similar sized and some larger sized law enforcement agencies in the County. Either Brockport has a particularly large number of DWI drivers or the BPD are particularly aware of them and take appropriate enforcement action – probably a combination of both.

MINUTES OF VILLAGE BOARD MEETING HELD August 19, 2013 continued.....page 6

- Police Office at Middle School - Chief Varrenti said an SRO is a School Resource Officer – a value to the School District, the community and the Police Department. It is a positive and proactive approach. He had approached the BCSD Spt who was excited about the idea of having a small office in the Middle School for Brockport Police. He credits former Trustee Blair for the idea. They are creating a mini satellite office outfitted with table, chairs, phone, computer. Officers will be encouraged to use that space and to interact with students. He believes it's a win/win.

- Active Shooter Training - Chief Varrenti reported that several members of BPD participated with MCSD and SUNY University Police in active shooter training.

- Background checks – Chief Varrenti shared that due to the complexity and legal and liability problems that are associated with “background checks” the Brockport Police Department will no longer conduct individual work related backgrounds. It is suggested that any individual requesting a background check proceed to the local court of the jurisdiction that they want the check to occur in and request a certified record of arrest and disposition from that court. For the Village of Brockport all records of arrest and conviction would be recorded by the Town of Sweden Court located at 18 State Street Brockport, NY 14420. He said Brockport Police Department will still do checks requested by other law enforcement agencies, military, or governmental agencies.

Trustee La Pierre and Mayor Blackman suggested the Village Clerk's Office have such statement available for individuals wanting a background checks. It can also be stated on the website.

Clerk Morelli said the next time the Village Board amends the fee schedule; the \$5 background check will be deleted.

VILLAGE BOARD REPORTS:

- Mayor Margaret B. Blackman

- Monroe County Sales Tax – Mayor Blackman reported having received 2nd quarter distribution of Monroe County Sales Tax in the amount of \$381,561.66. This compares to \$375,228.21 distributed for the same quarter in 2012.

- Share of Town of Sweden Court Funds - Mayor Blackman reported having received notice to expect \$19,575 as the Village's share of funds collected by the Town of Sweden court for the month of July. The breakdown is \$17,710.00 for parking and \$1,865.00 for other.

- Monroe County Association of Villages - Mayor Blackman reported having attended the Mayors dinner meeting 8/15. The 10 Village Mayors of Monroe County meet every other month. This is a great networking opportunity to share problems and solutions.

- SUNY Saturday of Service – Mayor Blackman reminded everyone that some students and officials will be going door to door the afternoon of Saturday, August 24th. Village officials interested in participating should contact SUNY's Michele Reed. It would be a nice show of Village government interest in the College.

- Meet and Greets – Mayor Blackman said since taking office as Mayor her meetings continue and have been productive. She recently met with Sweden Town Supervisor Connors and Councilman Carges and then with Clarkson Town Supervisor Kimball. This is in an effort to open the conversation between the Village and Towns. Discussed among other things was the ambulance issue. As of 8/13 Clarkson has cancelled its contract with Monroe Ambulance and will be negotiating to sign with Brockport Ambulance. Mayor Blackman said she also met with BCSD Spt. Dr. Lesli Myers. She learned that 36% of BCSD students are entitled to free lunch. They discussed BCSD's mission and vision and an idea for a student to have the opportunity to be “Mayor for a Day”. Mayor Blackman said she had a meeting with Parks Committee Chair Andrea Perry and they discussed the need for the Parks Committee to begin to look into and recommend a naming policy for Village Parks and some language for the Village Code regarding Parks. Mayor Blackman shared that she participated in a conference call with Sweden Judge Connors and FBS, the agency contracted by the Village to assist with collection of delinquent tickets. The “rush” will probably conclude in 120 days.

- Student Interns in Local Government – Mayor Blackman shared that an application was submitted to be a student intern regarding website design.

- Brockport Arts Festival – Mayor Blackman commented on a successful Arts Festival and that she participated in the Duck Derby.

- Canal Inspection Tour – Mayor Blackman reported that she participated in a Canal inspection tour on 8/15. Canal communities are complaining of the dearth of boats this season – partly due to the shortened hours by the NYSCC. She learned that the Park Avenue Bridge still has a few issues.

MINUTES OF VILLAGE BOARD MEETING HELD August 19, 2013 continued.....page 7

- Grants - Mayor Blackman reported that the grant writers submitted 2 big grant applications this past week on behalf of the Village. A Main Street grant for \$200,000 and a TEP (Transportation Enhancement Program) grant for \$982,000. The latter grant requires a match from the Village of 20% some of which is in-kind services of DPW and volunteer labor. Some of the funds could also be raised by private donations and by other grants. So we are not looking at this as a big cash contribution from the Village budget. This is a 5-year project. She thanked Pam Ketchum and Harry Donahue for providing costs for pieces of the grant application.

- Seymour Library - Mayor Blackman reported that Seymour Library Director Andrea Tillinghast has resigned effective 8/1 with severance to 8/31 per a sealed agreement with the Library Board. The Library Board will form a Search Committee to find a new Director.

- o Trustee/Deputy Mayor William G. Andrews (excused)

-

- o Trustee Valerie A. Ciciotti

- Liaison Assignments – Trustee Ciciotti shared having communicated with the Parks Committee Chair, BISCO representatives, Planning/Zoning and Code Enforcement about being their liaison. Andrea Perry has coordinated the Parks Committee for an upcoming work day, a survey day and a follow up meeting in the near future. Pat Baker of BISCO provided some feedback about the Arts Festival and brought forth some concerns one being that they used to have a paid Festival Coordinator, but now BISCO handles it. They have a debriefing meeting tomorrow at 5pm, but Trustee Ciciotti said she will be unable to attend. Trustee Ciciotti said she and Trustee Hannan are coordinating

their roles as to Planning/Zoning/Code Enforcement. They are also touring around the Village.

- o Trustee Carol L. Hannan

- Museum – Trustee Hannan shared having met with the Village Historian and members of the Emily L. Knapp Museum and Library of Local History. She presented to them and demonstrated a portable scanner they can use to expand access to unseen materials such as documents of former Village businesses. It will also serve as a separate source in case the actual documents are damaged or deteriorate. They discussed ways to increase visitors to the Museum and access to its holdings.

- o Trustee John D. La Pierre

- Liaison Assignments - Trustee La Pierre shared having met with the President of the Greater Brockport Chamber of Commerce and with one of the co-managers of the Farmers Market.

Mayor Blackman said it was brought to her attention that the Farmers Market needs some “no parking” signs placed on the barriers.

EXECUTIVE SESSION:

→ At 8:12pm, Trustee Hannan moved, Trustee Ciciotti seconded, carried 4/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a personnel matter involving the Police Chief.

Police Chief Varrenti and Treasurer Hendricks were invited to sit in.

Mayor Blackman shared that the Board does not anticipate taking any action after Executive Session this evening. She excused DPW Spt. Donahue and Codes Officer Zarnstorff.

→ At 9:41pm, Trustee Ciciotti moved, Trustee Hannan seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

ADJOURNMENT:

→ At 9:41pm, Trustee Ciciotti moved, Trustee Hannan seconded, carried 4/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk