

**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, September 22, 2010 at 7:00pm.**

**PRESENT:** Mayor M. Connie Castañeda, Trustee Kent R. Blair, Trustee Carol L. Hannan, Trustee Scott W. Hunsinger, Clerk Leslie A. Morelli, Treasurer Mary Beth Lovejoy, Police Chief Daniel P. Varrenti, DPW Superintendent Harry G. Donahue, Building/Zoning Officer Scott C. Zarnstorff, Assistant Fire Chief Don Marenus

Trustee/Deputy Mayor Daniel P. Kuhn – joined after 8:15pm

**EXCUSED:** Fire Chief Scott Smith

**ALSO PRESENT:** Mary Jo Nayman, Tom & Darlene Lang, Margay Blackman, Jim & Joan Hamlin, Bernie LoBracco, Val Ciciotti, Tom Mangan, Karen Maynard, Jim & Lisa Juby, Pete & Susan Smith, Pam Ketchum, Norm Giancurcio, John Bush, Riley Sullivan, Kristina Gabalski, Harry Snyder, Connie and Tim Collins, Ray & Jackie Morris, Fred Webster, several members of the Brockport Police Department and Sgt. Mark Cuzzupoli's family.

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

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

**GUESTS:**

- Mark Cuzzupoli – non-competitive promotion motion & swearing in – from Sergeant to Lieutenant –

→ Motion by Trustee Blair, seconded by Trustee Hunsinger, to accept the recommendation of Police Chief Varrenti and the results of the Monroe County Civil Service Commission to approve the non-competitive promotional appointment for Mark Cuzzupoli to the title of Police Lieutenant. Sgt. Cuzzupoli is eligible for this appointment pursuant to Rule XII Section 52(7) of the Monroe County Civil Service Commission, due to the fact that he has permanent competitive status in the lower title of Police Sergeant and he is in a limited promotional field. Said promotion shall be effective September 26, 2010.

Upon roll call vote:

Trustee Blair	yes
Trustee Hannan	yes
Trustee Hunsinger	yes
Mayor Castañeda	no

Carried 3 to 1

Mayor Castañeda said she realizes that this is an honor for M. Cuzzupoli and his family and while she does not wish to dampen their joy, she must state for the record that she believes a Lieutenant position to be unnecessary at this time and that the Police Department's expenses should be reduced.

The Oath of Office was administered ceremonially by M. Cuzzupoli's father while his mother held the bible and his wife pinned his Lieutenant's stripes on him.

- Margay Blackman, Tree Board Chair – briefed the Board on her memo below:

**1) Arbor Day Tree planting and Fund Raiser**—This year for Arbor Day, in commemoration of the college's 175<sup>th</sup> anniversary we have planned a planting of 21 trees on College Street and a portion of Utica Street. Because there are no funds in the shade tree purchase line, monies must be raised by donations. Accordingly, we are hosting a fundraiser which we hope you will all attend at the Alumni House on Friday October 8, 2010, 7-9pm. In addition, downtown businesses are hosting donation jars between now and November and again in the late winter-early spring. We are also approaching the college service clubs, fraternities and sororities about raising the funds to plant a tree. Maintaining a schedule of tree planting is important to the health of our community forest and essential to maintaining our status as a Tree City USA, so we urge the members of our community to contribute to this effort with their donations.

**2) Increasing the size of the Tree Board from 7 to 10 members**—We are petitioning the code review committee to increase the size of the Tree Board from a maximum of 7 members as specified in Section 46-4 of the Village Code to a maximum of 10. Given public interest, as well as the work that falls to us and our desire to achieve our mission of community forest planning, tree planting, and public education, we could use additional members.

**3) Encumbrance of National Grid reimbursement for tree purchase**—For participation in National Grid’s program of planting appropriate trees under utility lines, National Grid will reimburse the village \$50 for each appropriately planted tree. To date, we have applied for and received \$2450 which has been returned to the village. This year we are entitled to receive \$300 for the six trees planted by the High Street cemetery on Arbor Day. We are requesting that the village board encumber this anticipated \$300 for the express purpose of tree purchases. Provided the village guarantee this encumbrance, the Tree Board will complete the necessary application for the reimbursement.

**4) Barry Street Park MOU and tree planting**—At the November 29, 2007 public meeting, residents, and later the Parks Committee in consultation with Harry Donahue, Superintendent of Public Works, determined a list of park projects & upgrades in the Barry and Lyman Streets area. The costs encumbered would be paid from the \$62,000 of the Memo of Understanding (MOU) between the Village of Brockport and GE/Black & Decker. Three trees @\$180 each for the Barry Street playground were on this list. I ask for a motion to go ahead and order these trees in consultation with Harry Donahue and the MOU budgetary allowance.

As of 9/10, about \$27,000 remains in the MOU account. Many of the upgrades—aside from the work being done now on the tennis courts, basketball court, and the placement of the high fences—are complete and paid for. Upon further review, and the availability of left-over MOU funds, the Tree Board recommends an additional (2) trees in the park, and another (5) trees along the northern line of Barry St. across from the park to balance the loss of the locust trees outside of the park when the new asphalt parking lot was put in.

M. Blackman said in talking with DPW Superintendent Donahue today she learned that the trees at the Barry Street playground referenced above under 4) have already been planted. She said they would love to see a couple more trees planted in the park or across the street from the park.

DPW Superintendent Donahue said he talked to EAC and confirmed that they will replace trees.

Mayor Castañeda commended the Tree Board for taking the initiative to raise funds. Unfortunately, due to the Village’s financial position, the Board could not allocate funds in the 2010-2011 fiscal year budget for trees.

→ Mayor Castañeda moved, Trustee Hunsinger seconded, carried 4/0 to authorizing the Tree Board fundraising.

Trustee Hannan asked if donations can be made in memory of someone and if so, who the check should be made payable to. M. Blackman said there is a form available from the Tree Board page from the Village’s website as well as at Village Hall. Checks are payable to the GBDC Tree Fund. There are not funds for a fall planting, but they are working towards the spring planting.

→ Trustee Blair moved, Trustee Hannan seconded, carried 4/0 to designate the anticipated \$300 from National Grid be allocated to the shade tree budget line.

Treasurer Lovejoy said you cannot encumber what you do not yet have. Therefore, designating it is appropriate. Once the funds are received, she will prepare a budget transfer / amendment for the Board to encumber the funds.

NYS DOT Main Street Reconstruction project – Trustee Hunsinger said he has had numerous residents express their surprise by the number of large trees removed from South Main Street recently. He asked if M. Blackman could enlighten everyone.

M. Blackman provided the following explanation:

Many people have inquired about what is happening with the Main Street Reconstruction Project in regard to the removal of a number large trees. Are these removals necessary, are the trees cut down going to be replaced, and what about the trees that have fences placed around them?

In short, the trees that have been taken down needed—for various reasons—to be removed, and they will all be replaced. The fences are protecting trees that will be saved. The rest of the story follows.

Since April of 2009 the Village of Brockport Tree Board has been working closely with Bruce Cunningham, landscape architect for the DOT (NYS Department of Transportation). Together we walked Main Street, discussing the trees DOT had identified to be taken down. Removal was indicated for three reasons: 1) construction impacts (e.g. widening a turning lane); 2) condition of the tree—all our trees are on a database with their state of health recorded; or, 3) tree roots were significantly

impacted, and the tree compromised, by the sewer laterals installed last year. Last fall every Main Street property owner in the impacted area received written notice of a public meeting held at Oliver Middle School on

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 3**

October 22, 2009 to present the Main Street Reconstruction tree plan. Unfortunately, the turnout for that meeting was very slim.

The tree board met with the landscape architect to determine species of replacement trees. Tall trees (e.g. Ginko, Zelcova, Kentucky Coffeetree) will be planted where there are no utility lines. Under utility lines, smaller trees (e.g. Crabapple, Pear, Goldenraintree) that will not grow into the lines and suffer disfiguring pruning will be planted. The DOT will also be planting trees in spaces where there had been none. All new trees will be 1 ¾" to 2" in diameter, the size of the trees we planted on Monroe Ave, Fayette, Gordon and Spring Streets during previous Arbor Day tree plantings. When the project is completed, Brockport will have more trees along Main Street than we did, and more diverse species, all to the good of our community forest.

Current activity on the Main Street Reconstruction project can be accessed through the village's website, [www.brockportny.org](http://www.brockportny.org), by using the pulldown menu labeled "NYSDOT Main Street rehab." If anyone has more questions about the Main Street trees, please contact me.

Margay Blackman, Chair  
Village of Brockport Tree Board  
[mblackma@brockport.edu](mailto:mblackma@brockport.edu)

- o Jo Matela, Merchants Association President – 10/29 Halloween event – procession & use of fire hall – Mayor Castañeda shared that Josephine Matela was unable to attend this evening. Trustee Blair said condolences are in order as her mother-in-law passed.

→ Trustee Hunsinger moved, Trustee Blair seconded, carried 4/0 to approve the annual procession license and use of the Market Street Fire Hall for the Brockport Merchants Association Halloween parade and party.

**PUBLIC COMMENT:**

- o Pam Ketchum of Park Avenue – read the following letter to the editor into the record that she recently had in Suburban News:

A change is occurring in the Village of Brockport; a slow, quiet conversion of single family, owner occupied houses to rental properties. It can happen in a number of ways.

- Buying single family houses for your college aged child to live in, is a common way that owner occupied single family houses are being "converted" to rental property.
- Another vehicle for conversion is for a family to own one house, buy another and rent the first house.
- Buying inexpensive "distressed" / foreclosure properties at a cheap price and renting to college students creates an instant money maker and removes yet another single family house from the village.
- Estates (houses) of older, long time village residents are being "brokered" by the estate's attorney to local landlord investors for a "quick" sale and resolution of the estate.
- Single family houses are being auctioned and possibly picked up for a cheap price, financed with a bank that holds its' own portfolio and doesn't require a high standard for condition and meeting municipal requirements.

Many of the buyers/investors don't live close by. They are absentee landlords; not available to monitor and maintain their properties and the behavior that occurs to a high or even acceptable level.

The strength of a village is in the actions and civic involvement of its population. I know of many renters / tenants who are concerned and actively involved in both the condition of their rented homes and also civic projects. But typically, it is the single family, owner occupied home owners who put their hearts into their properties and into the well being of the community. Their involvement helps increase quality of life through pride in their property, development and use of village amenities such as stores, restaurants, services such as libraries, police / fire protection, plus communication and positive interaction with others in the community. Also, single family property owners add stability and a wealth of ideas because of their diversity through their varied educational, professional and familial backgrounds. In the Village of Brockport the ratio of rental to single family owner occupied houses is lopsided. There is a high percentage of multiple family houses plus, perhaps, 5-10% more when you factor in the single family conversions.

As a real estate agent, owner of rental property and resident in the Village of Brockport for 25 years, I

can walk up and down the streets in the village and point out countless houses that were owner occupied but are now part of the rental stock.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 4**

What can be done to curb this conversion? Possible ideas:

- Require an application, regular inspections and C of O's any time a house is rented no matter if it is single family or multi family.
- Strictly enforce the rule of not renting to more than 3 unrelated tenants.
- Implement an annual "rental certificate" for every "unit" in the village signed by the landlord, tenants and municipal representative to acknowledge the number of tenants renting the property and verify compliance for condition, use and zoning.
- Re assess all rental properties; single family and multiple-family as income producing.
- Assess a hefty fine if property is rented and it has not been inspected, does not have a C of O and "rental certificate" and is not reassessed as a rental.
- Instate an idea that was researched a few years ago; amortize rental properties that were grandfathered in prior to the 1985 rule of not more than 3 unrelated people occupying a "unit". After a 10 year period, all units in the village, with no matter how many bedrooms, would not be rented to more than 3 unrelated people. Additionally, when ownership is transferred, whether from one person to another person or from one person to a limited partnership, etc. any grandfathered allowances would be lost and the use of the property would be required to meet current standards and laws.

Perhaps these ideas are not the solution but it is important to "talk" about what is happening and what we can do to help the Village of Brockport move in a positive direction. In order to turn around the high percentage of rental properties it makes sense to make it less desirable and less profitable to own and run rental property. There is a stronghold of local landlords who can pay cash and avoid many of the checks and balances that standard bank financing require. Also, they have a head start in making a profit no matter how many municipal hoops they have to jump through. As the college and large corporations build new facilities to house students, a new direction and higher level of quality will be required of owners of village rental property. And perhaps, if a house has a reasonably sized yard, a garage, stable neighborhood location, interesting historic detailing, etc., it makes sense to convert it back to a single family, owner occupied residence; a place that inspires pride of ownership and civic involvement.

- o Karen Maynard of Main Street – K. Maynard said she lives above 60 Main Street and reminded the Board that she spoke under public comment at a meeting last spring as to parking for residential tenants above the shops on Main Street. She said she never heard back from anyone and was hoping her concerns had not been dismissed. She said the tenants who live above the shops on Main Street in the commercial district have to move their vehicles every night from one municipal parking lot to another. She said while she can understand this from November through March due to snow removal needs, she believes it is unnecessary April through October. She had suggested the Board consider issuing parking permits or something so the tenants do not have to move their vehicles every night.

Mayor Castañeda asked how many people or vehicles this impacts. K. Maynard said any and all tenants above Main Street shops that have vehicles.

Trustee Hannan said she knows the residents of the Corn Hill area in the City of Rochester are issued stickers. She said if the Village is looking to encourage converting upper floors of the Main Street buildings into loft apartments, this issue will affect even more people.

Code Enforcement Officer Zarnstorff reminded the Board that proposed amendments to Village Code Chapter 34 regarding parking were presented to the Board and a public hearing held in June. It was tabled for further amendments including this situation. CRC is looking at it and plans to have something to the Board soon. The changes will be significant enough to warrant a new public hearing.

K. Maynard said she was glad to hear that something is in the works. Even if the tenants have to purchase a permit, it will be worth it.

- o Tom Lang of Carolin Drive – shared that he has lived in the Village for 20 years and previously mentioned that he was surprised to learn that so much is tax exempt in the Village and that maybe only 30% carry the load of Village taxes. He questioned just what the % of people paying taxes is. He said the Village needs more people paying their fair share of taxes. He asked what the plan is.

Treasurer Lovejoy said there is a difference between parcels and people. Mayor Castañeda said approximately 2/3 of the properties in the Village are tax exempt. This includes SUNY, schools, churches, and those eligible for exemptions such as the senior citizen exemption, veteran exemptions,

etc.

Trustee Blair said much of this is out of the Village's control since schools and churches are tax exempt.

Trustee Hannan said expenses related to sewer infrastructure are currently born only by taxpayers. Re-implementing a sewer user fee would cause any property, even if tax exempt, to pay for it. She said why should an elderly lady with a nicely kept home subsidize the tenants of a ramshackle house. She said the Ad hoc committee investigating the feasibility of a sewer user fee is exploring options.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 5**

Mayor Castañeda said the former Treasurer/Village Manager several years ago encouraged the Board to implement a sewer user fee. The Board voted unanimously to eliminate it a couple of years later. SUNY is exempt as they are not connected to the Village's sewers. She said the fee acted as a tax on the already overburdened taxpayers.

Trustee Hannan disagreed with the Mayor's point of view, said the committee will present its findings, and it will be up to this Board.

Mayor Castañeda reminded the Board that the Public Comment section of the meeting is not meant to be a dialogue, but simply an opportunity for the public to make statements or ask questions that can be responded to at a later time.

- John Bush of Barry Street – referred to a letter to the editor of former Trustee/Deputy Mayor Christopher R. Martin in a recent edition of Suburban News. He concurred that the current Board is not looking at ways to cut costs.

- Brian Winant of Brockport Stetson Club –

Hometown Hero Banner Program -

The Stetson Club is working with Connie Collins and Thomas Mangan in an attempt to locate families in the 14420 zip code area who have family members actively serving in the military. We are also looking for financial support from the community in an effort to raise money to honor local military members by hanging banners in the Village of Brockport similar to the "Hometown Hero" banners that are hanging in Spencerport.

The banners would have the military member's photo in the center along with the rank and branch of service that person is enlisted with and the location of where they are currently stationed.

The Stetson Club will act as the point of contact for collecting the member's information as well as collecting the donation money. Once we have the information on the military personnel and we are able to cover the cost of printing the banners, buy the support poles to hang the banners from, we will be ordering the banners and getting them displayed.

Anyone who has been in the Village of Spencerport has no doubt seen these banners honoring their brave men and women who are actively serving our great Country. Ms. Collins has a son, Tim, who is currently serving in Afghanistan. Ms. Collins has suggested this idea at a recent Village of Brockport Board meeting. She was seeking guidance and support. The Stetson Club and Thomas Mangan, a Vietnam War vet, were quick to acknowledge that this is an outstanding idea. After meeting with Ms. Collins it was learned that her son was also a former member of the Brockport Police Explorer Program. The members of the Stetson Club are humbled to be working with Ms. Collins and Thomas Mangan in what we feel is a very honorable cause.

If anyone has any information of any local people actively serving (they do not need to be deployed overseas) please contact the Stetson Club. If you would like to donate money, or know of anyone who would like to donate money toward the purchase of the banners please contact Brian Winant 637-1020 X47. Make checks payable to The Stetson Club and write "banner" in the memo line.

B. Winant said many questions need to be answered. In the downtown commercial district, the Village has about 18 banner locations that are currently in use. The Village also has 23 Village owned light poles that could be equipped to allow banners. He asked the Board to agree to use of the current banner locations for display during a period of time that would fit into the village's banner rotation plan. He also asked the Board to agree allow use of the village owned light poles with priority given to military members who live in the Village. Those could remain up from early summer until after September 11<sup>th</sup>. He asked for Board approval to allow DPW to hang the brackets and banners.

Mayor Castañeda said she thinks the Hometown Heroes Banner Program is a wonderful idea and thanked B. Winant, C. Collins, and T. Mangan for stepping up to organize it. However, she believes it needs further discussion, as funds have not been appropriated into the beautification line – meaning there is a cost for DPW labor each and every time banners are changed. She said she recently met

with DPW Superintendent Donahue about banners, the rotation schedule, and the costs involved. It takes 2 workers 4 to 5 hours each time banners are changed. That's for the current number of banners, not the proposed additional poles.

Trustee Blair asked DPW Superintendent Donahue how often DPW changes banners currently. H. Donahue said roughly on a monthly basis. Trustee Blair said these people are fighting for our country. Mayor Castañeda said she is fighting for our Village. Again, it is a good idea, just not one the Village has money for. Trustee Hunsinger said B. Winant has said the Stetson Club would be soliciting donations for the banners and any necessary hardware. B. Winant said they know a guy with a bucket truck that would probably be willing to hang them if the Village cannot see their way to having DPW do so. Mayor Castañeda said she would want the Village Attorney to weigh in on this. Clerk Morelli said **MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 6**

the Attorney would likely recommend a hold harmless agreement as done with other volunteers working on Village property as well as proof of insurance.

→ Trustee Blair moved, Mayor Castañeda seconded, carried 4/0 to allow use of Village poles for the Hometown Hero Banner Program on the condition that the Stetson Club solicit funding and secure a reputable company to hang the banners and brackets with proof of insurance, at no cost to the Village.

Food Drive –

B. Winant shared that from October 11 – 25 the Stetson Club will have a non-perishable food drive. The proceeds of this drive will be turned over to the Brockport Food Shelf to help those in need during the holiday season. The boxes will be picked up on October 26<sup>th</sup>. If you are willing to allow the Stetson Club to place a drop off / collection box in your business or would like to donate money to this cause

please contact Brian Winant 637-1020 X47. Make checks payable to The Stetson Club and write “food drive” in the memo line.

Clerk Morelli asked B. Winant if he could see that Village Hall gets a donation box.

**PUBLIC HEARINGS:** None

**PUBLIC INFORMATION MEETINGS:** None

**CERTIFICATES OR PROCLAMATIONS:** None

**CONSENSUS ITEMS:**

- **APPROVAL OF MINUTES:** 8/25, 9/8, 9/14

→ Mayor Castañeda moved, Trustee Hannan seconded, carried 4/0 that the minutes of the August 25, 2010 meeting be approved as amended.

→ Mayor Castañeda moved, Trustee Hannan seconded, carried 4/0 that the minutes of the September 8, 2010 meeting be approved as written.

→ Mayor Castañeda moved, Trustee Hannan seconded, Trustee Hunsinger abstained due to absence, carried 3/0/1 that the minutes of the September 14, 2010 work session be approved as written.

- **APPROVAL OF BILLS TO BE PAID**

→ Mayor Castañeda moved, Trustee Hunsinger seconded, carried 4/0 that the bills be allowed and paid upon audit.

A/P Clearing Account

	<u>Date Paid</u>	<u>Amount</u>
FUND (A): <u>General</u>	9/23/10	\$48,765.80
FUND (F): <u>Water</u>	9/23/10	\$33,866.92
FUND (H): <u>Capital</u>	-	-
FUND (T): -	-	-
		\$82,632.72 grand total

**CLERK & TREASURER REPORTS:**

- Clerk
  - Local Law #1-10 re Village Code Chapter 51 (Trailers, Trailer Camps, Camping) filed with DOS – in effect – Clerk Morelli shared that Local Law #1 of the year 2010 was adopted by the Village Board July 19<sup>th</sup>, filed with the New York State Secretary of State September 15<sup>th</sup> and is now in full force and effect in the Village of Brockport. Local Law #1 of 2010 amended Chapter 51 of the Village of Brockport Code: Trailers, Trailer Camps and Camping.

- 2010 Village Tax Collection Update – Clerk Morelli shared Village tax collection Has gone well and that last week she sent out delinquent notices to 92 of 1,742 properties who have not yet paid their Village taxes. The Village, through bank lockbox, collects through October 31<sup>st</sup>. Those Village taxes not paid by then are presented to the Board for submittal to Monroe County to relevy onto the 2011 Town/County tax bills.

- Treasurer
  - Purchasing Practices – Treasurer Lovejoy reported that at the September 14<sup>th</sup> Department Heads meeting the purchase order / requisition system / encumbering funds concept was explained. The first purchase order has been issued and the Village is now using an encumbrance system. The final touches are being put on it before the Mayor issues in writing an administrative order / management director for all departments to follow. The next set of financials the Board receives will look a little different.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 7**

**DEPARTMENT REPORTS:**

- Building / Zoning / Code Enforcement
  - Liaisons – CEO Zarnstorff commented that his current Board liaisons (Trustees Hannan and Hunsinger) are more active than ever before. He appreciates the open communication and interest in the every changing workload of his department.

- Conference – CEO Zarnstorff shared that he is interested in attending a Center for Campus Fire Safety conference. He has not attended this in the past, hadn't budgeted for it, and it does not provide him with mandated training requirements. However, much of his work is tied to fire safety. He will seek funding from other sources so that it does not cost the Village. He asked that he be allowed to attend on work time.

Board concurred that no motion of approval is necessary and that CEO Zarnstorff simply file a time off request with the Mayor.

- Police Department vehicle assistance – CEO Zarnstorff thanked Chief Varrenti for allowing use of the Police Department's unmarked vehicle one day per week for the Assistant CEO since the Fire Department "pool car" has been declared surplus and has been put out to auction. A Village logo is placed on the vehicle when the Assistant CEO uses it.

- Proposed amendments to fee schedule – CEO Zarnstorff shared that he met with his Board liaisons (Trustees Hannan and Hunsinger) and the Board's packet includes updated proposed amendments to the fee schedule.

Mayor Castañeda said she had not had an opportunity to thoroughly review the latest version, but that it is on the agenda for the Board to consider under Old Business.

- Police
  - Informational meeting regarding scheduling and overtime – Chief Varrenti reported that 3 of 5 Board members and several residents attended his informational meeting on September 9<sup>th</sup>. It seemed to be well received and all agreed that are lots of holes to fill and not a lot of pegs to fill them.

Trustee Hannan said she attended the presentation and is impressed with the job that Brockport Police Department does 24/7 with limited staff. She said she would like to see Chief Varrenti work up the numbers for additional part time or full time officers for Board consideration.

- Rash of larcenies from unlocked vehicles – Chief Varrenti reported that there have been a rash of larcenies from vehicles. There were 10 in one day in the northeast quadrant of the Village. They caught a 16-year old individual with drug and alcohol problems who is going through the criminal justice system. Chief Varrenti said the vehicles had one thing in common: they were unlocked. He urged citizens to lock their homes, their vehicles, and keep a light on.

- 2010 STOP DWI law enforcement contract amendment – Chief Varrenti referred to the amendment to the 2010 STOP-DWI Law Enforcement Contract between Monroe County and the Village. The "revised budget" now includes Instructor for DRE Training.

→ Trustee Hunsinger moved, Trustee Blair seconded, carried 4/0 to accept and authorize the Mayor to sign the 2010 STOP DWI law enforcement contract amendment between Monroe County and the Village of Brockport.

- Public Works

- Main Street sanitary sewer & water main project – pay estimate #8, change orders #3 & #4 & closeout – DPW Superintendent Donahue referred to correspondence from the Village Engineer indicating completion of the project.

→ Trustee Hunsinger moved, Trustee Hannan seconded, carried 4/0 to approve and authorize the Mayor to execute pay estimate #8 (final) in the amount of \$155,517.73, change order #3 pertaining to extras and unforeseen conditions in the amount of \$110,765.83, change order #4 in the amount of \$19,112.11 and closeout of the Main Street sanitary sewer and water main project with Villager Construction.

It was noted that \$3,306.92 of the \$110,765.83 change order #3 relates to the Monroe County Water Authority's portion of work which will be reimbursed back to the Village via the agreement with MCWA.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 8**

- Agreement with MC DOT for installation of pavement markings & signs – DPW Superintendent Donahue referred to the agreement between Monroe County and the Village of Brockport to provide pavement marking and sign services to the village as requested.

→ Trustee Hunsinger moved, Trustee Blair seconded, carried 4/0 to approve and authorize the Mayor to execute the agreement with Monroe County Department of Transportation for installation of pavement markings and signs as requested.

- Intermunicipal agreement w/ MC DOT for fleet services machinery, tools, equipment & services sharing access & sale of alternative fuels – DPW Superintendent Donahue referred to the intermunicipal agreement between Monroe County for fleet services machinery, tools, equipment and services sharing access and sale of alternative fuels. He said this agreement now renews every two years and adds municipal corporations and public authorities. The rate has changed from \$55 to \$65 per hour.

Trustee Blair asked what we use this for. DPW Superintendent Donahue said this allows the Village to use County or other municipalities equipment for a short duration and it covers our equipment at their locations. Trustee Blair asked if it would be cheaper for us to maintain our equipment or send it out. DPW Superintendent Donahue said it is cheaper for us to have the Village's mechanic do so since he is currently at \$20 per hour. Trustee Blair asked if he could calculate our mechanic's time with benefits. Treasurer Lovejoy said she can do this. Trustee Blair wondered if they could work on the Fire Department's ladder truck. DPW Superintendent Donahue said he does not know if they would be qualified for that.

→ Trustee Blair moved, Trustee Hunsinger seconded, carried 4/0 to approve and authorize the Mayor to execute the intermunicipal agreement with Monroe County Department of Transportation for fleet services machinery, tools, equipment and services sharing access and sale of alternative fuels.

- Hydrant flushing – 10/18 – 10/20 – DPW Superintendent Donahue shared that they conduct semi annual water main flushing as part of routine maintenance of the water distribution system in the Village. This flushes out sediment accumulations that may settle out in the mains and ensures a safe and healthy supply of drinking water.

→ Trustee Hunsinger moved, Trustee Hannan seconded, carried 4/0 to approve the semi annual water main flushing October 18<sup>th</sup> – 20<sup>th</sup>.

Information will be published in the paper and on the Village website.

- Final brush pick up of the season – 10/25 – DPW Superintendent Donahue reminded all that the final brush pick up of the season is scheduled for October 25<sup>th</sup>.

Information will be published in the paper and on the Village website.

- G.E. M.O.U. re Barry Street and park – DPW Superintendent Donahue distributed

the results of the quotes obtained to replace the tennis court fence at Barry Street Park. Quotes came in at \$13,900, \$13,500, \$11,100. The low bid was from All American Fence in Spencerport for \$11,100. He said County bid price was \$2,400 more which goes to show that going off County or State bid is not always the cheapest way to go. The funding will come from the G.E. M.O.U. monies.

- Annual Tug of War – Village of Brockport DPW versus Town of Sweden Highway Department – Golden Pitchfork Award – Mayor Castaneda congratulated the Village of Brockport DPW



for winning this year's Golden Pitchfork Award in the annual tug of war competition with the Town of Sweden Highway Department.

Trustee Hunsinger said he plans to deliver a sheet pizza to DPW for lunch tomorrow.

- Fire / Ambulance / Dispatch
  - Calls for Service – 651 fire calls year to date and 1,434 EMS calls year to date for

a total of 2,085 calls year to date. Call of note includes a house fire at 3848 Lake Road – basement fire in a raised ranch home was contained to the room of origin.

- Proposal to reprogram radio equipment – Assistant Chief Marenus shared that the base radios at the Dispatch Center will need to be reprogrammed when the switch to narrow band frequencies takes place on October 17<sup>th</sup>. He received a quote from Flower City Communications for \$1,575. There is \$2,500 in the radio upgrade line.

→ Trustee Blair moved, Mayor Castañeda seconded, carried 4/0 to authorize said purchase.

- Surplus radio equipment – Assistant Chief Marenus recommended the Board declare surplus and allow placement on Auctions International some unneeded radio equipment.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 9**

→ Trustee Hunsinger moved, Trustee Hannan seconded, carried 4/0 to declare surplus and allow placement on Auctions International some unneeded radio equipment.

- Fire Department copier – Clerk Morelli distributed a summary of quotes gathered by the Fire Department in preparation of leasing a new copier. This information was not submitted in time for inclusion in the Board's packet, but is time sensitive since their current copier lease expires sometime in October. Clerk Morelli shared that historically each department of the Village has solicited information and quotes for copiers on their own. She assisted the Fire Department by putting various copier vendors in touch with them.

Mayor Castañeda shared that she spoke with Clerk Morelli and Treasurer Lovejoy and they feel there may be an opportunity for savings if the Village were to lease all copiers (one at Village Hall, one at the Police Department, one at the Fire Department) through a single vendor.

Trustee Hunsinger said the same could be done with I.T./computers. All agreed. The I.T. representative that currently handles Village Hall and DPW has suggested same and is more than willing to work towards that goal.

Mayor Castañeda suggested allowing Treasurer Lovejoy to look into these consolidations. Board concurred. Treasurer Lovejoy said she would bring back copier findings at the late October meeting.

**Department Heads excused:** Mayor Castañeda excused Department Heads from the remainder of the meeting.

- **PERSONNEL**

- Vacancies

- Deputy Clerk-Treasurer (part time) – search committee hiring recommendation – Mayor Castaneda shared that 30 applications were submitted. The Search Committee comprised of her, Clerk Morelli and Treasurer Lovejoy, reviewed all applications, interviewed 5 finalists, and will present their 1<sup>st</sup> and 2<sup>nd</sup> hiring recommendations to the Board in Executive Session later in the meeting.

- Appointments

- Re-appointment of Village Attorney & Environmental Attorney – quarterly basis – Clerk Morelli reminded the Board that at the organizational meeting, they only appointed the Village Attorney and the Environmental Attorney for a quarter instead of the year. A Deputy Village Attorney was not appointed.

→ Trustee Hunsinger moved, Trustee Blair seconded to re-appoint the firm of Harris, Chesworth, O'Brien et al as Village Attorney for another quarter.

Upon roll call vote:

Trustee Blair	no
Trustee Hannan	yes
Trustee Hunsinger	no
Mayor Castañeda	yes

2 to 2. Not carried.

Mayor Castañeda said discussion could continue once Deputy Mayor Kuhn arrives and could break the

tie.

Trustee Blair said he thought the Mayor votes only in a tie. Clerk Morelli said per law, the Mayor must vote in the case of a tie, but can vote at anytime he or she wishes. Mayor Castañeda said she has always felt it was important to cast her vote so that people know where she stands.

- Volunteer Drops/Addds
  - Fire / Ambulance – none
  - Police Explorers – none
  - SPARTAC – none
  - Welcome Center Greeters – none
  - Walk Bike Brockport Action Group members – none
  
- Terminations
  - Resignations – none
  - Retirements - none
  - Terminations - none

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 10**

**OLD BUSINESS:**

- Fee Schedule – further proposed amendments –

Code Enforcement Officer Zarnstorff shared that he and his Liaisons, Trustees Hunsinger and Hannan, met yesterday to further refine the recommended amendments. The fee changes emphasize safety and the time involved in inspections and such. He had provided the Board with benchmarks from other municipalities and found that we were way under. The proposed fees are reasonable, fair and just while insuring safety.

Mayor Castañeda said the biggest jump appears to be in new home construction. CEO Zarnstorff said that is correct. Much is involved with all phases of new home construction.

Trustee Hunsinger said the CEO provides a punch list and guidelines to people when they apply for building permits or Certificates of Occupancy. The owner needs to meet those. It is not the CEO's job to babysit.

→ Trustee Hunsinger moved, Trustee Hannan seconded, carried 4/0 to adopt the amendments to the fee schedule recommended by DPW Superintendent and Code Enforcement Officer Zarnstorff.

**VILLAGE OF BROCKPORT  
FEE SCHEDULE  
AMENDED 9/22/10**

To be noted on invoices: All bills and charges are payable net cash within thirty (30) days. A delinquent charge of 10% will be added for non-payment by the due date. Failure to pay may result in the re-levy of said charges plus delinquent charges on your next Village tax bill.

VILLAGE BOARD FEES

- Rezoning application.....500.00
- Blasting permit.....\$200.00

ZONING BOARD OF APPEALS FEES

- Area Variance.....\$200.00
- Use Variance.....\$300.00
- Interpretation.....\$150.00
- Home Occupations.....\$25.00
- Travel trailer / dumpster approval.....\$25.00
  
- Other (special permit or authorization required by code).....\$150.00

PLANNING BOARD FEES

- Commercial / Industrial Change of use.....\$45.00
- Residential Change of use.....\$35.00
- Site plan (new construction) (less than 5 acres).....\$300.00  
includes stormwater pollution prevention plan review
- Site plan (new construction) (greater than 5 acres) .....\$600.00  
includes stormwater pollution prevention plan review

- Site plan (other).....\$250.00  
includes stormwater pollution prevention plan review
- Residential subdivisions (less than 5 acres) .....\$200.00 plus \$50 per lot  
includes stormwater pollution prevention plan review
- Residential subdivisions (greater than 5 acres).....\$600.00 plus \$50 per lot  
includes stormwater pollution prevention plan review
- Re-subdivision.....\$50.00
- Residential Fences (front yard).....25.00
- Commercial / Industrial Fences (includes dumpster enclosures).....\$50.00
- Residential / Commercial / Industrial parking lots.....\$50.00  
includes stormwater pollution prevention plan review
- Changes to or alteration of or extension of previous approvals.....\$50.00
- Special Meeting at request of applicant  
.....\$50.00 in addition to application base fee
- Public Hearing if Board deems necessary  
.....\$100.00 in addition to application base fee

**ENGINEERING INSPECTIONS & STORMWATER INSPECTIONS**

Engineering costs charged to the Village for site inspections or stormwater inspections shall be the responsibility of the applicant / developer. Village engineering inspections are based on time spent and

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 11**

will either be invoiced or utilized from the letter of credit. Village stormwater inspection fee is \$50 per inspection and will either be invoiced or utilized from the letter of credit.

**MISCELLANEOUS**

- Tax Search.....\$20.00
- Copies.....\$.25 per page
- Returned Check Charge.....\$20.00
- Zoning Map (color).....\$5.00
- Sign Permit.....\$30.00 per sign
- Sidewalk Café Permit.....\$200.00
  - \$150 of the \$200 is returnable at the end of season if no violations.
- Hawking & Peddling Permit 1 to 7 days.....\$100.00  
6 months or less.....\$250.00  
1 year.....\$500.00
- Parade / Procession Permit .....no charge
- Fireworks Permit.....no charge
- Appliance with Freon.....\$25.00
- Garbage and Trash Pick-Up cost to Village plus \$50.00 for first calendar year  
(CY) offense, cost plus \$100 for second CY offense, cost plus \$250 for third CY offense.
- Garbage Cans Pick-Up.....\$25.00 per can
- Lawn Mowing.....\$150 per hour (1 hour minimum) per man plus equipment  
- plus \$50.00 for first calendar year (CY) offense, plus \$100 for second CY offense, plus \$250 for third CY offense.
- Weekly Commercial Waste Hauler Permit.....\$1,500.00 (annually)
- Other Commercial Waste Hauler Permit.....\$500.00 (annually)
- Facilities Use Permit .....\$25.00 deposit
- Electrical Inspection Agency Permit.....\$150.00 (annually)
- Demolition permit – Residential structures.....\$30.00
- Demolition permit - Commercial structures.....\$50.00
- Demolition permit – Industrial structures.....\$100.00

**CANAL FRONT AMMENITIES**

- Boats 16' or less.....\$4.00
- Boats 17' – 30'.....\$6.00
- Boats 31' – 40'.....\$12.00
- Boats 40'.....\$15.00
- Commercial Boats.....\$20.00

**POLICE DEPARTMENT FEES**

- Copy of Police Report.....no charge
- Fingerprinting (NON-Village resident/merchant).....\$15.00
- Record Check.....\$5.00

Pay at Village Hall for fingerprinting or Brockport record check then go to Police Department.

- Parking

- Illegally Parked.....\$30.00
- Winter Parking Ordinance.....\$40.00
- Fire Lane / Hydrant.....\$50.00
- Handicapped Parking.....\$60.00\*

Fines doubled if not paid or contested within 30 days.

\*Applicable NYS surcharges may be applied by the adjudicating agency.

**BUILDING / FIRE APPLICATION FEES**

**RESIDENTIAL NEW HOME CONSTRUCTION – includes Certificate of Occupancy inspection fee:**

- 800 – 1,100 square feet.....\$400
- 1,101 – 1,300 square feet.....\$550
- 1,301 – 1,500 square feet.....\$650
- 1,501 – 1,700 square feet.....\$700
- 1,701 – 2,000 square feet.....\$750
- 2,001 – 3,000 square feet.....\$800
- 3,001 – 5,000 square feet.....\$850
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 12**

**RESIDENTIAL NEW CONSTRUCTION – (additions, remodeling) - includes Certificate of Occupancy inspection fee:**

- Value of construction from \$0 - \$500.....\$65
- Value of construction from \$500 - \$10,000.....\$85
- Value of construction from \$10,000 - \$50,000.....\$105
- Value of construction from \$50,000 - \$100,000.....\$125
- Value of construction from \$100,000 - \$150,000.....\$145
- Value of construction from \$150,000 and up.....\$175  
plus \$10.00 for each \$10,000 of construction value
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item

**COMMERCIAL NEW CONSTRUCTION – (additions, remodeling) – includes Certificate of Occupancy Inspection fee:**

- Value of construction from \$0 - \$500.....\$100
- Value of construction from \$500 - \$10,000.....\$120
- Value of construction from \$10,000 - \$50,000.....\$140
- Value of construction from \$50,000 - \$100,000.....\$160
- Value of construction from \$100,000 - \$150,000.....\$180
- Value of construction from \$150,000 and up.....\$200  
plus \$10 for each \$10,000 of construction value
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item

**RESIDENTIAL ACCESSORY STRUCTURES – includes Certificate of Compliance inspection fee:**

- Decks.....\$35
- Above ground pools.....\$50
- In ground pools.....\$100
- Sheds (144+sf).....\$30
- Gas appliances i.e. hot water heater, furnace.....\$20
- Gas appliances..... i.e. fireplace, gas log sets, fixed piped home generators.....\$20.00
- Temporary Construction Trailer.....\$50.00
- Inspection deficiency – 3 or more non life-safety items.....\$25.00 each item
- Inspection deficiency – any life-safety items.....\$50.00 each item

**RENTAL PROPERTY CERTIFICATE OF OCCUPANCY / OPERATIONAL PERMITS**

- Single family rental Code 210.....\$50
- Two family rental Code 220.....\$100
- Three family rental Code 230.....\$150
- Townhouses Code 411.....\$20.00 per unit
- Apartment building Code 411.....\$150.00 per building
- Inn / rooming house Code 418.....\$100.00
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$10.00 each item

- Re-inspections for non-compliant results after 30 days will double the C of O fee

**OPERATIONAL FIRE-SAFETY PERMITS & INSPECTION FEES**

- Educational.....\$100.00 (annually)
- Place of Public Assembly 100 persons or greater .....\$100.00 (annually)
- Assembly uses 50 – 100 persons.....\$50.00 (annually)
- Manufacturing.....\$100.00(annually and/or as local conditions require)
- Fairs/festivals.....\$200.00 (annually)
  
- Repair/service garages.....\$100.00 (3 year intervals)
- Mercantile over 5000sqft.....\$100.00 (3 year intervals)
- Business use over 5000sqft.....\$100.00 (3 year intervals)
- Food service establishments.....\$35.00 (yearly and/or as local conditions require)
- Other.....\$100.00 (yearly and/or as local conditions require)
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item
- Re-inspections for non-compliant results after 30 days will double Operating Permit fee

**PLUMBING & SEWER FEES**

- Plumbing License.....\$25.00
- Plumbing Permit.....\$40.00 plus \$4.00 per fixture

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 13**

- Out of District Sewer Users
  - If on Village water.....80 cents /1,000 gallons water used
  - If not on Village water.....\$50.00 per unit  
    (Unit = 50,000 gallons water per MCPW)
- Sewer Tap Inspection (Monroe County Pure Waters).....\$250.00 plus
  - If Village installed.....\$300.00
  - If contractor installed.....\$125.00

**WATER:**

**Water Rate Schedule – Effective January 1, 2010 Billing**

Rates for the sale of water to all customers of the Board of Water Commissioners.

**QUARTERLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:**

All Water Usage                                 \$ 4.66 per M gallons  
 Minimum Billing                                   \$20.00 per quarter

**QUARTERLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:**

All Water Usage                                 \$ 5.99 per M gallons  
 Minimum Billing                                   \$25.00 per quarter

**MONTHLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:**

All Water Usage                                 \$ 4.66 per M gallons  
 Minimum Billing                                   \$20.00 per month

**MONTHLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:**

All Water Usage                                 \$ 5.99 per M gallons  
 Minimum Billing                                   \$25.00 per month

**UN-METERED WATER:**

The rate for un-metered water sales shall be \$6.00 per thousand gallons

**TERMS AND PAYMENT:**

All bills and charges of the Water Commissioners are payable net cash within thirty (30) days. A delinquent charge of 10% will be added to the bill for non-payment by the due date.

-----  
 Frozen meter fee \$100 plus equipment and labor  
 -----

**SERVICE CONNECTIONS:**

The fees charged upon application for water service tap (including meter) to the Commissioner's are as follows:

SIZE OF SERVICE	Fee Charge
-----------------	------------

3/4" and 1" with 5/8" or 3/4" meter and under.....	\$1,000.00
3/4" and 1" with 1" meter.....	\$1,880.00
1 1/2" meter and above.....	to be charged a fee equal to the time and materials used to render the service plus 10%

The Commissioners will install the service pipe and appurtenances on public streets from the water main to and including the curb box and shutoff. Easements acceptable to the Commissioners must be furnished to them for service installation if private property is involved. Water meters will be furnished and connected by the Commissioners and will remain the property of the Commissioners. (Section IV and Section V)

Where a tap already exists, or is being installed under a Main Extension, the fees charged are as follows:

SIZE OF SERVICE	Fee Charge
3/4" and under .....	\$250.00
1".....	\$300.00
1 1/2" meter and above.....	to be charged a fee equal to the time and materials used to render the service plus 10%

In addition to the fee charges set forth above for the service taps and water installation, there will be an additional charge if, upon installation, the Water Department has to supply any other necessary parts in order to effect the installation.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 14**

**SERVICE DISCONTINUANCE**

Any water service account which carries an unpaid balance for two billing quarters or more is subject to discontinuance of service, and a fee of \$100.00 will be collected prior to restoration of the service.

-----  
Any use or attachment to an unprotected, unmetered fire hydrant for other than fire-fighting purposes is subject to an Unauthorized Hydrant Use Fee of \$500.00.

The rate for unmetered water sales shall be \$6.00 per thousand gallons.

- o National Grid – local municipal gross receipts tax – amended settlement agreement – revised – Mayor Castañeda reminded the Board that NYCOM advised not executing the settlement agreement until receipt of a couple with their recommended revisions. We will wait until the revised agreement comes in.

**NEW BUSINESS: None**

**VILLAGE BOARD REPORTS:**

- o Mayor M. Connie Castañeda
  - \$25 on the 25<sup>th</sup> campaign – statewide effort to support Main Streets across NY – Mayor Castañeda shared that she learned very late of said campaign and joined and put notice out as soon as she heard.

BROCKPORT MAYOR CASTAÑEDA JOINS  
"\$25 ON THE 25<sup>TH</sup>" CAMPAIGN  
Statewide Effort Will Support  
"Main Streets" Across Empire State

*New York—Sept. 2010...* Mayor Castañeda urges residents of the Village of Brockport to participate in an upcoming promotional event on Saturday, September 25<sup>th</sup> called "\$25 on the 25<sup>th</sup>" to support Main Street business across New York State during this stubborn economic downturn. The "\$25 on the 25<sup>th</sup>" campaign is being jointly sponsored by The New York State Conference of Mayors, the New York Press Association, and the New York State Economic Development Council.

The "\$25 on the 25<sup>th</sup>" campaign will give New Yorkers a concrete way to support struggling local merchants. It will encourage New Yorkers to shop locally this September 25<sup>th</sup>, spending at least \$25 at a local store or stores. If successful, the "\$25 on the 25<sup>th</sup>" campaign will be repeated.

"Mark your calendars for September 25<sup>th</sup>," said Mayor Castañeda. "This will be a day to support and celebrate Main Street businesses that give Brockport so much of its charm and warmth. I am proud to join mayors across New York in helping make "\$25 on the 25<sup>th</sup>" a tremendous success."

The New York Press Association (NYPA) has created print advertisements for the campaign, which will

run in community newspapers around the state. It also has designed banners and logos for store windows to encourage as many local businesses as possible to create special shopping incentives for the day.

“New York’s independent businesses are the heart and soul of this state, and the New York newspaper industry is doing everything it can to stand behind our small businesses,” said Michelle Rea, NYPA’s Executive Director. “Twenty-five dollars may not seem like a lot to spend, but it can make a real difference for a Main Street merchant. Community newspapers across the state already are working with mayors, shop-owners, and business associations about making September 25<sup>th</sup> a significant shopping day in New York State. So spread the word!”

- World Canals Conference – report on 9/22 visitors to Brockport – Mayor Castañeda reported on today’s visit of conference attendees to Spencerport and Brockport. She thanked the committee members and merchants for their efforts. Originally 200 visitors were anticipated, then 75, but it turned out to be about 50. The first bus ran late from Rochester so they have very little time here. She said one visitor from France toured the Village’s museum and she, Clerk Morelli and Treasurer Lovejoy attempted to speak a little French. At the last minute, Bill Andrews organized a dedication of the Canal mural on the façade of Lift Bridge Book Shop. Trustees Hunsinger and Hannan participated.

Mayor Castañeda referred to criticism that Brockport was not represented at the Conference. She said she and Spencerport Mayor Lobene met with conference organizer Rick Rivers and agreed to focus efforts on hosting the visit to their communities. It would have cost \$500 to have a table at the conference. It would have cost \$250 to attend a day of the conference.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 15**

- HCR Home Care – training/employment opportunities – Mayor Castañeda shared that she was contacted by a Human Resources Associate with HCR Home Care. They are looking for citizens interested in working as Home Health Aides and will provide training. If interested, call 272-1930.
- Trustee / Deputy Mayor Daniel P. Kuhn
  - RFP for Village Attorney services – Board reviewed the request for proposals for Village Attorney services drafted by Deputy Mayor Kuhn.

→ Trustee Blair moved, Trustee Hannan seconded, carried 4/0 to authorizing the request for proposals for Village Attorney services.

Clerk Morelli reminded the Mayor that she will need an application deadline and list of whom to send it to.

- RFP for Grant Writing /Administration services – Board reviewed the request for proposals for Grant Writing services drafted by Deputy Mayor Kuhn.

→ Trustee Blair moved, Trustee Hunsinger seconded, carried 4/0 to authorizing the request for proposals for Grant Writing services.

Clerk Morelli reminded the Mayor that she will need an application deadline and list of whom to send it to.

Trustee Hunsinger reminded the Board that per Police Chief Varrenti, the grant writing firm the Village used years ago did not do much to proactively seek grants. Clerk Morelli said that was simply one firm. There are many firms and individuals in the field.

- Proposal for public message board – to be discussed once Deputy Mayor Kuhn arrives.

- Trustee Kent R. Blair
  - Ad Hoc Committee on the feasibility of Code Enforcement Points and Penalties system – Trustee Blair said he went in not knowing what to think and found many precedents set. Such a system isn’t with the mindset of levying fines but holding people accountable. There are variations as to what constitutes a point. He shared an example in Plattsburgh of a smoke machine being left on requiring police, fire, ems and code enforcement to come out. Those responsible had to face those that responded and be held accountable. Trustee Blair said the committee may get the assistance of SUNY interns to help with some research.

- Village vehicles and equipment – Trustee Blair referred to having reviewed the inventory at DPW. He suggested the Board liaisons to DPW work with DPW on conducting a physical inventory of everything they have.

Mayor Castañeda said the Village has a paper inventory of vehicles and major equipment to compare to. Trustee Blair said it is worth seeing what we actually have, and determining what can be declared surplus and sold.

- Village dumpsters at DPW – Trustee Blair referred to having witnessed people dumping their personal trash in the Village dumpsters at DPW since they are accessible during the day. He reminded all that these are not for personal use and that the Police Department can address the issue if need be.

Mayor Castañeda said she would contact DPW Superintendent Donahue to inquire if there is a way to keep these locked at all times.

- Fire Department - Trustee Blair shared that he recently attended a service at the West Avenue Fire Hall. There is a nice plaque with history of the Fire Department and that building which used to be a gas station. People can purchase a brick. He mentioned that Sweden Town Supervisor Milner and a couple of Town Board members were there.

- Trustee Carol L. Hannan

- Report on 9/20 Shovel Ready meeting – Trustee Hannan reported on attending New York State’s Shovel Ready Certification Program presentation to the Monroe County Council of Governments. Originally, Trustee Hunsinger planned to attend, but was called out of town. She mentioned that she is often available during the day when other Board members might not be and that she is willing to attend meetings or seminars should anyone wish her to. Information was provided to the Board on the presentation. She spoke of the importance of making it more attractive to businesses and citizens to relocate here and that there is acreage available in the Village zoned light industrial.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 16**

Two parcels will soon be going up for sale. The program is a lengthy process with no one readily available to do it. One option would be to create a Q- overlay district as was done in two other areas of the Village. This would allow the parcels, which are nice, wooded areas, to be used for residential housing.

- Update on ad-hoc committee on feasibility of sewer user fee – Trustee Hannan reported that the committee is collecting information. She clarified that although they are collecting some information related to the Water Department, their purpose relates to sewer.

- Webster Case – enabling resolution of 9/8 – Trustee Hannan said there is a rumor that the Village has dropped the litigation regarding the Webster family properties. This is not true. She explained that at the September 8<sup>th</sup> meeting, the Board authorized Attorney Frank Aloï to proceed to settlement of the Robert Webster portion. Tonight the Board may deal with the Fred Webster portion. F. Aloï’s fees have changed to a contingent basis. The Village is working toward resolution.

- Brockport Merchants Association – Trustee Hannan shared that it is important to make the downtown commercial district attractive, particularly during the holiday season. She plans to donate holiday decorations and large wreaths that can be used year after year.

- Use of Village letterhead - Trustee Hannan said she is by nature an independent person. It is not her mission to step on anyone’s toes. However, she doesn’t need to be hampered or micromanaged. She knows she has much to learn, but does not believe she needs to wait for permission or clearing. She referred to comments made publicly by the Mayor as to her using Village letterhead to write a letter to SUNY. She said she posed a general question to Wade Beltramo of NYCOM as to Trustees authority and use of letterhead and thought it would benefit all to hear it. There was no cost to the Village for this contact. Trustee Hannan read an excerpt of W. Beltramo’s response: “If village trustees are corresponding with the public in their official public position, then the use of village letterhead is appropriate. Moreover, as an elected official, a trustee, acting within their powers as authorized by New York State law, is not subject to control or supervision by the mayor.”

Mayor Castañeda said she does not know how the question was posed to W. Beltramo of NYCOM, but reminded the Board of the Village Attorney’s response and of the media/communications policy the Board passed last year. She said she would follow up with the Village Attorney and if she finds she misspoke, she will, indeed, owe Trustee Hannan an apology.

- Trustee Scott W. Hunsinger

- World Canals Conference – Trustee Hunsinger thanked all involved with the



conference visit and Bill Andrews involved with the Canal mural dedication at Lift Bridge Book Shop.

He was honored to have served as emcee of the dedication.

- Police Chief's Information Meeting on scheduling and overtime – Trustee Hunsinger said the meeting held September 9<sup>th</sup> provided great information, particularly when you start out the fiscal year \$138,000 in the hole due to inadequate staffing. It certainly is a red-flag to re-evaluate.
- Ad hoc committee on feasibility of Village Court – Trustee Hunsinger reported that the committee met last night and reviewed a plethora of information and has access to experts. More information to come.
- Flower Power - Trustee Hunsinger commended volunteers for watering flowers in the downtown commercial district this season. They are unsung heroes. He said he helped put the flower baskets up and is willing to coordinate their being taken down. Volunteers are welcome at 9am on Saturday, October 2<sup>nd</sup>. Let him know if you wish to help.
- BCSD Transportation - Trustee Hunsinger contacted BCSD Transportation Director Joe Lamarca and had a good conversation. They will meet to discuss school buses and the impact of traffic flow related to their new bus garage being constructed on Owens Road. He asked that this be placed on the next agenda under his name.
- Response to Chris Martin's letter to the Suburban News - Trustee Hunsinger read the following prepared statement.

Tonight I would like to address a letter from former Trustee, Chris Martin, which was published this week in the Suburban News.

In his letter, Martin criticized three members of the Village Board because they are trying to raise revenues to meet the fiscal needs of the Village.

He will criticize, but he won't propose any alternative solution of how to reduce expenditures.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 17**

Martin was soundly defeated at the polls in June, in part because he never proposed any solutions to any of the problems facing the village during his short tenure on the Board.

Moreover, he has never bothered to sit down and study the pros and cons of any of the proposed solutions being investigated by the board.

He says a Village Court would be the biggest expense, but he fails to mention that research by NYCOM and by the Democrat and Chronicle indicates that a Village Court would also be the biggest revenue producer.

Preliminary investigations by the ad hoc committee indicate that Village Courts across New York State are genuine revenue producers for the local municipalities.

When he was a Trustee, Martin had ample opportunity to reduce expenditures, and did not. So he is criticizing himself.

If you're not part of the solution, you're part of the problem.

Mayor Castañeda responded that at the last meeting she reported on the result of the Village's health care changeover – an estimated \$160,000 per year savings. Christopher Martin was involved in that. He diligently attended meetings and looked into ways to reduce expenditures.

Mayor Castañeda reminded the Board of the NYS OSC report which points out that Police Department overtime has consistently not been budgeted for appropriately. However, Chief Varrenti stated he was comfortable with the overtime numbers placed in the budgets. She said there are alternatives – ways to reduce expenditures. The Stetson Club could agree to reopen their contract as to the minimum staffing clause. The Police Chief could agree to reopen his contract to adjust his work hours from 9am to 5pm to 6am to 2pm Monday through Friday allowing him to fill a patrol shift when needed and not incur department overtime. For the Board to consider adding officers is troublesome. It adds costs in the short term and in the long run as there are legacy costs when they retire. The mission should be to get the Village financially stable. Reducing the cost of the Police Department and overtime would help. Other Village departments are already at bare bones as to staffing and equipment needs. The

Stetson Club and Chief could make concessions without harming their livelihood. Mayor Castañeda said she is not against the Police Department, but is against the cost of the Police Department. The cost could possibly cause the Village to become extinct.

Trustee Hunsinger replied that if the Mayor truly wanted to understand what all is involved with the Police Department, staffing and scheduling, she would have accepted the invitation to attend the September 9<sup>th</sup> informational meeting held by the Chief. He offered to meet with her and Chief Varrenti to review the material and help her better understand.

Mayor Castañeda said she was unable to attend that evening as she was previously committed to two other meetings. She said she does understand. She said she believes there are other options besides hiring.

Trustee Blair asked Mayor Castañeda if she had recently been on a police ride along. Mayor Castañeda said she is out and about on the weekends and sees what goes on in the community.

- Trustee / Deputy Mayor Daniel P. Kuhn

- Late - Deputy Mayor Kuhn apologized for being late to the meeting and reminded the Board that he had notified them of such due to a school meeting with his son. He said it is said that he was mentioned in a local blog for trying to appear a nicer guy by bringing up church and family involvements at Board meetings. He said those passions are a lot more fun than this. He explained his planned tardiness because he believes the Board and public deserve to know why he is not in attendance or late to a meeting.

- Proposal for public message board - Deputy Mayor Kuhn referred to the September 14<sup>th</sup> work session in which he presented the details of his proposal for a public message board off the official Village website. He said registration would be required with a non-anonymous & verifiable e-mail.

→ Deputy Mayor Kuhn moved, Mayor Castañeda seconded to adopt a trial basis for said public message board until end of this fiscal year.

Discussion:

Trustee Hunsinger said he will try to be as calm and polite as he can. He said this is one of the worst ideas he's ever heard.

**MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 18**

Mayor Castañeda said that wasn't polite at all.

Deputy Mayor Kuhn said the idea came from something Trustee Hunsinger and then-Trustee Legg said about electronic communication being a good way to do things – a communication method.

Trustee Hunsinger said citizens stop him on the street, at stores, at restaurants, at events. They call him at home. They e-mail him. There are many ways for people to share their concerns and their ideas with the Board. Some come to meetings and speak under Public Comment.

Trustee Hannan said she is not a great fan of some of the comments, tone, insults, propaganda, and outright lies on some blogs, websites, message boards. She said she wouldn't want that type of negativity connected in an official way with the Village. She suggested Deputy Mayor Kuhn set up a site independent of the Village and see how it goes. The odds of it being negative are overwhelming.

Trustee Blair suggested Deputy Mayor Kuhn use his time more wisely doing other things rather than moderating a public message board.

Deputy Mayor Kuhn said he is capable of managing his own time. He offered his time and no expense to the Village. It is a form of communication. It seems that when the opinions are in some Trustees favor or when the inaccuracies aren't affecting them, it's ok. Many of those inaccuracies on blogs affect he and the Mayor. Again, this would be a non-anonymous system. As if people were face to face. He has been on message boards that are Disney family oriented and some that could make a sailor blush. This one would have rules to it. He said he wouldn't allow one or two jerks to ruin what could be a good form of communication. He said one jerk ruined a Village Board meeting a while back and was told he was not welcome. Weeding out jerks from the message board would require no police involvement or rescheduling of meetings.

Deputy Mayor Kuhn said he feels he could say he has an anonymous donor willing to give the Village \$10 million dollars and 3 Trustees would vote no.

Mayor Castañeda said the message board could foster open and convenience communication. She believes it is worth granting on a trial basis.

Upon roll call vote:

Trustee Blair	no
Trustee Hannan	no
Trustee Hunsinger	no
Deputy Mayor Kuhn	yes
Mayor Castañeda	yes

Defeated 3 to 2

- Re-appointment of Village Attorney & Environmental Attorney – quarterly basis –

→ Mayor Castañeda moved, Deputy Mayor Kuhn seconded to re-appoint the firm of Harris, Chesworth, O'Brien et al as Village Attorney for another quarter.

Discussion:

Trustee Hunsinger suggested tabling until the October 13<sup>th</sup> meeting. The appointment was made at the July 19<sup>th</sup> organizational meeting which runs until October 19<sup>th</sup>. In the meantime he suggested contacted Frank Aloï to see if he would step up to the plate until an appointment is made as a result of the request for proposals that will be put out soon.

Deputy Mayor Kuhn said most firms should be able to pick up the business of the Village quickly. Board agreed to table.

#### **EXECUTIVE SESSION:**

→ At 9:30pm, Trustee Blair moved, Deputy Mayor Kuhn seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into an executive session to discuss the search committee hiring recommendation for the Deputy Clerk-Treasurer vacancy, Library, fire service contract negotiations, and pending litigation – Webster case.

→ At 10:12pm, Trustee Hunsinger moved, Trustee Hannan seconded, carried 5/0 that the Board of Trustees re-enter the regular meeting.

Webster Litigation –

→ Mayor Castañeda moved, Trustee Hunsinger seconded, carried 5/0 to adopt the following resolution:

#### **MINUTES OF VILLAGE BOARD MEETING HELD September 22, 2010 continued.....page 19**

- To retain Frank A. Aloï, Esq. as Special Counsel to continue his representation of the Village in the pending civil litigation in Supreme Court, Monroe County, Index No.: 98/7531.
- That the fee to be paid Frank A. Aloï, Esq., for his services to continue the litigation be a contingent fee – specifically, that Frank A. Aloï, Esq., receive 25% of any monetary Judgement for damages recovered by the Village against Frederick Webster; should there be no recovery of monetary damages there will be no fee payable to Frank A. Aloï, Esq. for his services.
- The Village of Brockport will reimburse Frank A. Aloï, Esq. for any customary disbursements he may make on behalf of the Village of Brockport during the course of the litigation, provided that for any disbursement in excess of \$100 he obtain the approval of the Village before making such payment(s), or incurring any obligation to make such payment(s).
- That Frank A. Aloï, Esq. be required to render to the Village of Brockport reports on the progress and status of the litigation at 90 day intervals during the pendency of the litigation.
- The Village of Brockport by its Board of trustees reserves the right to discontinue the litigation against Frederick Webster at any time by instruction to Frank A. Aloï, Esq. to do so.

Deputy Clerk-Treasurer Vacancy – Mayor Castaneda shared that the Search Committee presented its 1<sup>st</sup> and 2<sup>nd</sup> hiring recommendations to the Board in Executive Session. The Board has not yet come to consensus. She reminded the Board that the Treasurer will cease handling the payroll and accounts payable functions of the Deputy Clerk-Treasurer as of September 30<sup>th</sup>.

#### **ADJOURNMENT:**

→ At 10:15pm, Trustee Hunsinger moved, Trustee Blair seconded, carried 5/0 that the meeting be adjourned.

