

VILLAGE OF BROCKPORT

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

VILLAGE BOARD – MEETING AGENDA

Monday, March 3, 2014 7:00pm

Location: Village Hall conference room

- **CALL TO ORDER / PLEDGE:** please silence cell phones & electronic devices
- **MOMENT OF SILENCE:** to honor those who serve our Country, enforce our laws, & respond to emergencies
- **BROCKPORT HISTORICAL MOMENT:**
- **PUBLIC HEARING:** None
- **PUBLIC COMMENT:** 5 minute limit per person / state name & address for record & speak directly to entire Board / share if this is a prepared statement & submit hard copy to Clerk after reading (& electronically next day)
- **OATH OF OFFICE:** None
- **CERTIFICATES & PROCLAMATIONS:** None
- **GUESTS:** None

- **CONSENSUS ITEMS:**
 - Approval of minutes – 2/3 & 2/24
 - Approval of bills to be paid
- **CLERK REPORT:**
 - Clerk – Leslie Ann Morelli
 - 2014 Events Schedule – reminder - need information by 3/7
 - Affordable Care Act – update re health insurance
- **TREASURER REPORT:**
 - Treasurer – Daniel P. Hendricks
 - Financial reports for period ending 1/31/14
 - Budget Transfers & Budget Amendments (if any by meeting time)
 - 06/01/14-05/31/15 Budget - update
 - PILOT – Park Place Apartments - update
- **PERSONNEL ITEMS:**
 - Search Committee Hiring Recommendation – full time DPW Laborer vacancy
 - Search Committee Hiring Recommendation – part time DPW Clerk vacancy
 - Accept resignation – Andrea Perry – Parks Committee
- **OLD or NEW BUSINESS:**
 - Resolution authorizing acceptance of certain easements for expansion of Village Sanitary Sewer
 - Authorize RFP – to prepare State & National Register nominations
 - Call for 3/17 public hearing on tax cap override (as always – as a precaution only)
 - Call for special meeting w/ CRC Chair & Village Attorney re proposed amendments to Chapter 36
- **VILLAGE BOARD REPORTS:**
 - Mayor Margaret B. Blackman
 - Monroe County STOP-DWI Program/Traffic Safety Board Awards luncheon
 - Monroe County Sales Tax Distribution for 4th quarter 2013

 - Trustee/Deputy Mayor William G. Andrews
 -
 - Trustee Valerie A. Ciciotti
 -
 - Trustee Carol L. Hannan
 -
 - Trustee John D. La Pierre (excused)
 -
- **EXECUTIVE SESSION** (if needed)
- **ADJOURNMENT**

Upcoming:

Village Board meeting: Monday, 3/17 (with Attorney, Treasurer, and Department Heads)

Village Board work session: 7pm Monday, 3/24 (with Treasurer re budget)

Village Board meeting: Monday, 4/7 (public hearing on preliminary budget – at Middle School LGI)

GUIDELINES FOR PUBLIC COMMENT:

The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.

- Speakers must be visible.
- Speakers must give their name, address and organization, if any.
- Speakers must be recognized by the presiding officer.
- Speakers must limit their remarks to (5) five minutes on a given topic or extended if recognized by the presiding officer.
- Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks shall be addressed to the Board as a body and not to any member thereof.
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.



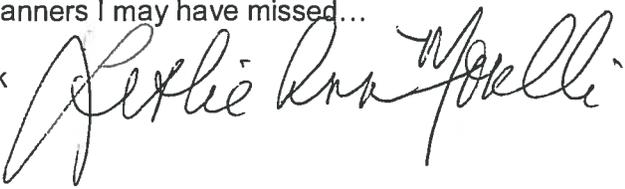
VILLAGE OF BROCKPORT

49 State Street · Brockport, New York 14420
Telephone (585) 637-5300 · Fax (585) 637-1045
Website: www.brockportny.org

*The Victorian Village on the Erie Canal
Preserve America Community
Listed on the State and National Registers of Historic Places
Certified Local Government
Tree City USA Community
Erie Canalway Heritage Award of Excellence*

Remember

TO: Village Board, Department Heads, Village Historian, Tree Board, Walk Bike Brockport Action Group, Brockport Merchants Association, Greater Brockport Chamber of Commerce, BISCO, Lion's Club, Kiwanis Club, Elks, Rotary, Navy Club, Brockport Area Veterans Club, Western Monroe Historical Society, Generation Cool, Seymour Library, Town of Sweden, SUNY College at Brockport, Catholic Migrant Ministry, Greater Brockport Development Corporation, and other event planners I may have missed...

FROM: Leslie Ann Morelli, Village Clerk 

RE: **2014 Events Schedule**

DATE: January 2014

Happy New Year!

It's time to gather information to be able to put together a 2014 events schedule. The schedule gets posted on the Village website, made available at the Village Hall, Welcome Center, Seymour Library, Town Hall, Senior Center, Community Center etc. It will also be used in marketing efforts with local media.

Thanks again to Norm Frisch for his design/formatting help the last few years!

I haven't heard anything new regarding the group that was looking into creating a greater Brockport events schedule via a paid subscription to an automated scheduling system. Therefore, I continue my willingness to solicit and gather information on behalf of the Village.

We want to include your group's 2014 event(s) if they are to be held within the Village of Brockport limits and open to the public. **Please refer this to the appropriate person to consult your group and by March 7th email me at lmorelli@brockportny.org with the basic details of your 2014 events.**

Keep in mind that some events may need the approval of the Village Board as well as the cooperation of the Department of Public Works, Police Department, or Code Enforcement Office. This is particularly true if it involves a street closure request or the use of Village property or facilities. The Village Board meets at 7pm the 1st and 3rd Monday of each month. Agenda items are due one week prior. Department Heads (DPW Superintendent, Police Chief, and Code Enforcement Officer) are in attendance at the 3rd Monday meetings. If Main Street (NYS Route 19) closure is requested, please remember that you need to apply to NYS DOT.

If I am not informed about an event, I can't include it in the schedule, so be sure to e-mail me your information by March 7th. Thanks very much.

Mayor Margaret B. Blackman
Trustee/Deputy Mayor William G. Andrews
Trustees Valerie A. Ciciotti, Carol L. Hannan, John D. La Pierre

Statement of Actual & Estimated Revenue

Village of Brockport
 For Period Ending 01/31/2014
 Selecting on FUND from A to G

ACCOUNT DESCRIPTION	ESTIMATED REVENUE	MONTH-TO-DATE REVENUE	YEAR-TO-DATE REVENUE	UNREALIZED REVENUE	ACTUAL YTD % REALIZED
A0599.0000					
Appropriated Fund Balance	200,000.00			200,000.00	
A1001.0000					
Real Property Taxes	2,414,833.00		2,414,071.29	761.71	99.97
A1081.0000					
In-Lieu-Of Taxes	130,000.00		168,741.28	38,741.28-	129.80
A1090.0000					
Int & Penalties on Taxes	8,000.00		6,266.68	1,733.32	78.33
A1120.0000					
County Sales Tax	1,450,000.00		801,987.02	648,012.98	55.31
A1130.0000					
Utility Gross Receipts Tax	70,000.00	446.71	49,825.89	20,174.11	71.18
A1170.0000					
Franchise Tax	81,000.00			81,000.00	
A1230.0000					
Clerk/Treasurer Fees	1,000.00	40.00	1,090.00	90.00-	109.00
A1520.0000					
Police Fees	1,000.00	60.00	426.84	573.16	42.68
A1560.0000					
Safety Inspections	15,000.00	799.00	11,578.00	3,422.00	77.19
A1640.0000					
Ambulance Charges		72.00	601.82	601.82-	
A1710.0000					
Public Works Services	3,000.00		166.67	2,833.33	5.56
A1789.0000					
Docking Fees	4,500.00		3,010.75	1,489.25	66.91
A2089.0000					
Farmers Market Fees	1,500.00		2,520.00	1,020.00-	168.00
A2110.0000					
Zoning Fees	500.00			500.00	
A2115.0000					
Planning Fees	600.00	500.00	880.00	280.00-	146.67
A2389.3000					
Monroe County - DWI		7,359.87	9,380.00	9,380.00-	
A2389.8000					
Monroe Ctny-CD Block Grants			37,250.00	37,250.00-	
A2389.9001					
SCS Contribution- Crossing Guards	5,000.00			5,000.00	
A2401.0000					
Interest & Earnings	3,000.00			3,000.00	
A2545.0000					
Bus / Occupation License	15,000.00		750.00	14,250.00	5.00
A2590.0000					
Permits	5,000.00		4,700.00	300.00	94.00
A2610.0000					
Fines & Forfeitures	50,000.00	9,340.00	89,756.65	39,756.65-	179.51
A2650.0000					
Scrap Sales	1,000.00		156.00	844.00	15.60
A2665.0000					
Sale of Equipment	3,500.00		13,418.00	9,918.00-	383.37
A2680.0000					
Insurance Recoveries	6,000.00		2,930.99	3,069.01	48.85
A2690.0000					
Other Comp-Landfill Reimbursement	2,500.00		7,648.98	5,148.98-	305.96
A2701.0000					
Refund of P/Y Exp	7,500.00		142.11	7,357.89	1.89
A2705.0000					
Gifts & Donations			6,238.19	6,238.19-	
A2770.0000					
Other Unclassified	500.00	99.54	21,266.38	20,766.38-	4253.28
A3001.0000					
State Aid - AIM	110,000.00			110,000.00	

Date: 02/26/2014
 Time: 4:27:22PM

Statement of Actual & Estimated Revenue

User: DAN
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Village of Brockport
 For Period Ending 01/31/2014

Selecting on FUND from A to G

ACCOUNT DESCRIPTION	ESTIMATED REVENUE	MONTH-TO-DATE REVENUE	YEAR-TO-DATE REVENUE	UNREALIZED REVENUE	ACTUAL YTD % REALIZED
A3005.0000					
State Aid-Mortgage Tax	30,000.00		38,984.93	8,984.93-	129.95
A3089.7000					
State Aid - Other	10,975.00			10,975.00	
A3089.7001					
State Aid, CHIPS	67,000.00			67,000.00	
A9999.0000					
Acct for Exp.Transfers		1,345.42	36,948.55	36,948.55-	
F2140.0000					
Metered Water Sales	582,000.00	49,824.70	412,933.81	169,066.19	70.95
F2141.0000					
Meter Water Sales O/G	503,486.00	25,213.76	256,001.97	247,484.03	50.85
F2144.0000					
Water Service Charges	2,000.00	1,000.00	10,436.88	8,436.88-	521.84
F2148.0000					
Interest & Penalties	1,250.00	1,178.77	7,902.63	6,652.63-	632.21
F2401.0000					
Interest & Earnings	1,000.00			1,000.00	
F2401.1000					
Int Earned-Spec Reserves	250.00			250.00	
F2650.0000					
Scrap Sales			589.28	589.28-	
G2122.0000					
Sanitary Sewer- Sewer Charges	139,300.00	10,826.38	94,848.37	44,451.63	68.09
G2128.0000					
Sanitary Sewer- Interest and Penalties	3,000.00			3,000.00	
Report Totals	5,930,194.00	108,106.15	4,513,449.96	1,416,744.04	76.11

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

For Period Ending 01/31/2014

Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1010.1000							
Trustees-Personal Services	13,777.00	2,296.00	10,332.00			3,445.00	74.99
A1010.4000							
Trustees-Contractual Expenses	34,780.00	5,000.00	29,290.40			5,489.60	84.22
A1010.4090							
Trustees-Miscellaneous	275.00		275.00				100.00
A1210.1000							
Mayor-Personal Services	9,867.00	1,644.50	7,400.25			2,466.75	75.00
A1210.4000							
Mayor-Contractual Expenses	100.00					100.00	
A1210.4010							
Mayor-Telephone	1,500.00	124.16	1,064.91			435.09	70.99
A1210.4050							
Mayor-Conference Exp	100.00	230.00	230.00			130.00-	230.00
A1320.4000							
Auditor-Contractual Expenses	12,750.00					12,750.00	
A1325.1000							
Cirk/Treas-Personal Services	133,176.00	7,458.40	57,722.71			75,453.29	43.34
A1325.4000							
Cirk/Treas-Total Contractual Expense	300.00	50.00	225.00			75.00	75.00
A1325.4010							
Cirk/Treas-Telephone	7,700.00	310.41	2,686.63			5,013.37	34.89
A1325.4020							
Cirk/Treas-Office Supplies	4,750.00		3,109.52	1,300.47		340.01	92.84
A1325.4030							
Cirk/Treas-Computer Supplies	9,000.00	120.00	470.00			8,530.00	5.22
A1325.4050							
Cirk/Treas-Membership Fees	600.00		375.00			225.00	62.50
A1325.4060							
Cirk/Treas-Postage	4,000.00	34.99	683.35		365.01	2,951.64	26.21
A1325.4070							
Cirk/Treas-Copier Expenses	4,375.00	1,290.15	3,934.23			440.77	89.93
A1325.4080							
Cirk/Treas-Payroll Expense	5,000.00	580.00	2,276.87			2,723.13	45.54
A1325.4090							
Cirk/Treas-Miscellaneous	6,500.00	999.00	5,499.50			1,000.50	84.61
A1325.4100							
Cirk/Treas - Publications	2,750.00	606.44	2,325.29		93.71	331.00	87.96
A1325.4110							
Cirk/Treas-Training	2,500.00	41.69	1,243.48			1,256.52	49.74
A1325.4120							
Cirk/Treas-Tax Bill Processing	1,700.00		350.00			1,350.00	20.59

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

For Period Ending 01/31/2014

Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1420.4000							
Law-Total Contractual Expenses	47,705.00	573.00	573.00			47,132.00	1.20
A1420.4016							
Village Attorney- Harris, Chesworth & A1440.4000	18,295.00	6,540.00	29,995.00			11,700.00-	163.95
Engineer-Total Contractual Expense	550.00		529.50			20.50	96.27
A1440.4020							
Engineer-Chatfield Engineers	4,450.00		558.00			3,892.00	12.54
A1450.4000							
Total Contractual Expenses	600.00					600.00	
A1450.4010							
Elections-Inspector Salaries	1,000.00		1,000.00				100.00
A1450.4020							
Elections-Legal Notice Publication	200.00		188.80		11.20	0.00	100.00
A1450.4030							
Elections-Supplies	1,040.00		1,037.40			2.60	99.75
A1490.1000							
Pub Wrks Admin-Total Personal Ser	116,603.00	7,081.75	59,215.81			57,387.19	50.78
A1490.4010							
Pub Wrks Admin-Telephone	500.00		10.80			489.20	2.16
A1490.4020							
Pub Wrks Admin-Conference Exp	300.00		245.00			55.00	81.67
A1490.4030							
Office Supplies/Postage	700.00	59.83	317.36		200.00	182.64	73.91
A1490.4040							
Permits, Licenses, Fees	300.00		184.00			116.00	61.33
A1490.4090							
Pub Wrks Admin-Miscellaneous	500.00	150.00	268.00			232.00	53.60
A1620.4020							
Natural Gas-DPW	6,000.00	1,043.50	2,104.59			3,895.41	35.08
A1620.4021							
Bldgs-Gas 1 Clinton Street	1,500.00	237.97	541.07			958.93	36.07
A1620.4022							
Bldgs-Gas 49 State Street	2,000.00	529.88	800.55			1,199.45	40.03
A1620.4030							
Electric-DPW	6,300.00	644.67	2,149.23			4,150.77	34.11
A1620.4031							
Bldgs-Electric-1 Clinton Street	10,000.00	862.98	6,800.82			3,199.18	68.01
A1620.4032							
Bldgs-Electric-49 State Street	4,800.00	389.01	3,465.85			1,334.15	72.21
A1620.4034							
Elec- Main St Sign	300.00	40.24	258.66			41.34	86.22

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

For Period Ending 01/31/2014

Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1620.4050							
Bldgs-Janitorial Supplies	750.00	82.08	276.34		323.66	150.00	80.00
A1620.4051							
Bldgs-Janitor Supplies- Clinton St	4,150.00	754.36	3,050.93		944.07	155.00	96.27
A1620.4052							
Bldgs-Janitor Supplies-State Street	4,300.00	641.00	3,039.59		1,244.41	16.00	99.63
A1620.4060							
Bldgs-Repair Items	9,350.00	3,719.65	8,142.87		4,081.49	2,874.36	130.74
A1620.4070							
Telephone - DPW	1,200.00	187.01	1,199.91			0.09	99.99
A1620.4090							
Bldgs-Miscellaneous	3,000.00		2,516.66		38.34	445.00	85.17
A1640.4000							
Central Garage- Contractual Expens	1,750.00					1,750.00	
A1640.4010							
Fasteners	1,000.00	119.43	119.43		305.57	575.00	42.50
A1640.4020							
Auto -Electrical	650.00		147.89		302.11	200.00	69.23
A1640.4040							
Tools	1,000.00	28.47	57.08		765.92	177.00	82.30
A1640.4050							
Welding Supplies	500.00		164.13		235.87	100.00	80.00
A1640.4060							
Fuel Additives/Oil	3,375.00	520.14	1,142.44		111.59	2,120.97	37.16
A1640.4070							
Shop Supplies	2,500.00	170.68	778.67		775.51	945.82	62.17
A1640.4080							
Hydraulic Supplies	1,000.00					1,000.00	
A1640.4090							
Miscellaneous	4,425.00	68.64	273.79		332.12	3,819.09	13.69
A1670.4000							
Central Mailing	2,250.00		1,492.63			757.37	66.34
A1680.2000							
IT Hardware Software	5,000.00	111.50	111.50			4,888.50	2.23
A1680.4000							
IT Hardware Software	7,500.00	1,825.58	1,886.78			5,613.22	25.16
A1910.4000							
Unallocated Insurance	60,000.00	15.51	60,397.21			397.21	100.66
A1920.4000							
Municipal-Membership Dues	5,100.00	100.00	4,840.00			260.00	94.90
A1950.4000							
Taxes on Village Property	1,200.00	1,270.78	1,270.78			70.78	105.90

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport
For Period Ending 01/31/2014
Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1990.4000							
Contingency-Allocation Only	136,122.00					136,122.00	
A3120.1000							
Police-Total Personal Services	941,562.00	69,353.66	655,508.90			286,053.10	69.62
A3120.1030							
Police-P/T Officers	31,000.00	2,082.00	37,703.80			6,703.80-	121.63
A3120.1040							
Police-Crossing Guards	12,418.00					12,418.00	
A3120.1055							
Police-Secretaries P/T	40,020.00	3,171.20	23,784.00			16,236.00	59.43
A3120.1060							
Overtime	120,000.00	8,473.81	105,656.64			14,343.36	88.05
A3120.2010							
Police-Vehicles	24,500.00				24,042.34	457.66	98.13
A3120.2020							
Police-Firearms	2,000.00			963.91	305.08	731.01	63.45
A3120.2040							
Police-Office Furniture/Equip	250.00			108.99		141.01	43.60
A3120.2051							
Police-Computer Software	2,300.00			1,185.56		1,114.44	51.55
A3120.4000							
Police-Total Contractual	3,875.00	1,856.73	3,869.55			5.45	99.86
A3120.4010							
Police-Telephone	5,200.00	1,590.52	8,245.23			3,045.23-	158.56
A3120.4020							
Police-Office Supplies/Postage	2,800.00	772.09	1,711.88			1,088.12	61.14
A3120.4030							
Police-Fleet Maintenance	3,300.00	478.47	1,429.96		1,552.85	317.19	90.39
A3120.4031							
Police-Fleet Repairs	4,600.00	456.96	3,704.41		822.32	73.27	98.41
A3120.4032							
Police-Fleet Supplies & Equip	9,200.00	3,054.28	6,144.28		3,037.28	18.44	99.80
A3120.4040							
Police-Fuel	20,000.00	2,839.92	18,597.01			1,402.99	92.99
A3120.4060							
Police-Maintenance Contracts	2,400.00	113.75	1,142.09		607.91	650.00	72.92
A3120.4065							
Office Equip Lease/Rental	7,600.00	448.17	3,092.25			4,507.75	40.69
A3120.4080							
Police-Quarter Master Unit	5,500.00	2,637.49	4,378.87		1,143.24	22.11-	100.40
A3120.4090							
Police-Miscellaneous	500.00		42.00			458.00	8.40

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

For Period Ending 01/31/2014

Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A3120.4100							
Affiliations	150.00	120.00	120.00			30.00	80.00
A3120.4105							
Training, School, Conferences	1,400.00		43.86			1,356.14	3.13
A3120.4110							
Police-Publications	600.00		25.74		464.61	109.65	81.73
A3120.4120							
Police-Supplies/Life Safety Supplies	3,800.00	1,185.30	2,107.10		225.94	1,466.96	61.40
A3120.4130							
Police-Computer Supplies	1,000.00		399.95			600.05	40.00
A3120.4140							
Police-Medical/Psychological	600.00					600.00	
A3120.4150							
Police-Special Enforcement	840.00		290.00			550.00	34.52
A3120.4155							
Police- STOP DWI	10,975.00		193.45			10,781.55	1.76
A3120.4160							
Police-Bike Patrol	300.00		0.03			299.97	0.01
A3120.4170							
Police-Explorer Post	200.00					200.00	
A3120.4180							
Police-Community Service	245.00					245.00	
A3120.4210							
Police-Technicians	205.00		220.04			15.04-	107.34
A3120.4220							
Police-Special Events	100.00					100.00	
A3120.4230							
Police-NYS Accreditation	100.00					100.00	
A3120.4240							
Police-Less Lethal Training Equip	3,800.00		1,429.62		829.41	1,540.97	59.45
A3310.4010							
Traffic Control-Signal	600.00	41.16	352.92			247.08	58.82
A3310.4020							
Traffic Control-Paint	1,500.00		877.88		622.12		100.00
A3310.4030							
Traffic Control-Signs	2,500.00		1,269.14			1,230.86	50.77
A3310.4040							
Traffic Contro-Channels & Posts	1,275.00		726.85			548.15	57.01
A3310.4090							
Traffic Control-Miscellaneous	400.00		238.29		77.67	84.04	78.99
A3320.4000							
Parking Enforcement	13,134.00		13,134.00				100.00

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport
For Period Ending 01/31/2014
Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A3410.4290							
Alpha Pagers	48.00	24.00	72.00			24.00-	150.00
A3620.1000							
Safety Insp-Total Personal Services	83,079.00	1,064.65	47,681.58			35,397.42	57.39
A3620.1010							
Bldg/Zoning Officer		1,441.57	1,441.57			1,441.57-	
A3620.4000							
Safety Insp-Total Contractual Expens	300.00					300.00	
A3620.4010							
Cellular/Telephone	1,500.00	22.59	824.83			675.17	54.99
A3620.4020							
Training	675.00	93.12	293.12			381.88	43.43
A3620.4030							
Safety Insp-Computer Supplies	300.00	600.00	57.13			242.87	19.04
A3620.4040							
Fuel	1,800.00		789.66			1,010.34	43.87
A3620.4050							
Association Dues	250.00					250.00	
A3620.4080							
Safety Insp-Uniforms	200.00					200.00	
A3620.4090							
Miscellaneous	935.00	436.16	833.72		498.55	397.27-	142.49
A3620.4200							
Postage	800.00		341.11			458.89	42.64
A3620.4210							
Vehicle Maintenance	450.00					450.00	
A4540.4000							
Ambulance-Total Contractual Expen			227.20			227.20-	
A4540.4010							
Telephone			1,111.08			1,111.08-	
A5110.1000							
Str Maint-Total Personal Services	472,450.00	41,139.09	358,249.65			114,200.35	75.83
A5110.1001							
Streets O/T	19,000.00		1,919.53			17,080.47	10.10
A5110.1060							
Str Maint-Overtime	34,500.00	2,303.93	13,396.44			21,103.56	38.83
A5110.2080							
Str Maint-Other Equip-Over \$10,000	35,250.00					35,250.00	
A5110.4010							
Str Maint-Telephone	1,000.00	93.12	795.93			204.07	79.59
A5110.4041							
Str Maint-Diesel Fuel	25,000.00	6,329.55	26,545.41		52.29	1,597.70-	106.39

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

For Period Ending 01/31/2014

Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A5110.4042							
Str Maint-Regular Fuel	19,000.00	3,678.30	11,053.14		3,106.21	4,840.65	74.52
A5110.4050							
Str Maint-Tools	900.00	274.62	300.84		375.38	223.78	75.14
A5110.4060							
Str Maint-Stone	2,000.00		1,001.55			998.45	50.08
A5110.4070							
Str Maint-Asphalt	80,000.00	1,056.30	33,824.64		18,092.58	28,082.78	64.90
A5110.4080							
Str Maint-Uniforms	3,500.00		2,755.79		270.73	473.48	86.47
A5110.4085							
Str Maint-Shoes/Boots	1,500.00	400.00	1,015.19		134.80	350.01	76.67
A5110.4090							
Str Maint-Miscellaneous	3,000.00	228.00	2,654.67		370.00	24.67	100.82
A5110.4100							
Str Maint-Equipment Parts	4,800.00	258.11	2,473.36		1,149.62	1,177.02	75.48
A5110.4110							
Str Maint-Truck Parts	16,950.00	5,463.92	10,623.94		7,417.74	1,091.68	106.44
A5110.4130							
Str Maint-Physicals/Drug Testing	850.00	90.00	726.02		135.00	11.02	101.30
A5110.4140							
Str Maint-Buildings	1,200.00		56.89		1,119.80	23.31	98.06
A5110.4150							
Str Maint-Concrete	2,200.00		220.06		4.94	1,975.00	10.23
A5110.4160							
Str Maint-Fill Material	100.00					100.00	
A5110.4165							
Str Maint-Top Soil	1,000.00		340.00			660.00	34.00
A5110.4170							
Str Maint-Shop Supplies	500.00	367.04	516.24		118.11	134.35	126.87
A5110.4180							
Str Maint-Training/Travel	1,000.00		995.41			4.59	99.54
A5110.4190							
Str Maint-Grass Seed	500.00		231.96		268.04	0.00	100.00
A5110.4200							
Str Maint-Publications	150.00		339.80			189.80	226.53
A5110.4210							
Str Maint-Manholes & Covers	1,000.00					1,000.00	
A5110.4220							
Str Maint-Office Supplies	100.00					100.00	
A5110.4230							
Str Maint-Equip Rental	100.00					100.00	

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport
For Period Ending 01/31/2014
Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A5112.2000							
CHIPS Work	67,084.00				36,500.00	30,584.00	54.41
A5142.0000							
Personal Services	10,000.00					10,000.00	
A5142.2000							
Snow Plowing-Equipment-Plows	7,000.00					7,000.00	
A5142.4010							
Snow Plowing-Salt	33,000.00	19,194.17	19,194.17		8,805.83	5,000.00	84.85
A5142.4015							
Snow Plowing-Deicer	5,000.00	6,388.00	6,388.00			1,388.00	127.76
A5142.4030							
Snow Plowing-Plow Parts	3,000.00	267.47	1,373.82		914.76	711.42	76.29
A5142.4090							
Snow Plowing-Contractual Expenses	200.00					200.00	
A5182.4010							
Street Lighting-Electricity	83,000.00	19,396.18	64,638.81			18,361.19	77.88
A5182.4030							
Street Lighting-Repairs	4,649.00	453.95	833.60		3,649.00	166.40	96.42
A5182.4040							
Street Lighting-Parts	1,500.00	381.42	635.44		64.56	800.00	46.67
A5182.4090							
Street Lighting-Contractual Expenses	100.00					100.00	
A5410.4010							
Sidewalks-Concrete	9,300.00		7,211.01		438.00	1,650.99	82.25
A5410.4020							
Sidewalks-Stone	210.00		205.04			4.96	97.64
A5410.4090							
Sidewalks-Contractual Expenses-Mis	530.00		519.53		9.88	0.59	99.89
A5650.4020							
Paint	160.00					160.00	
A5650.4030							
Signs	200.00		132.80			67.20	66.40
A5650.4040							
Posts	200.00					200.00	
A6410.4000							
Economic Development	40.00	107.22	185.32			145.32	463.30
A6410.4200							
Welcome Center	5,210.00	591.76	5,613.92		738.87	1,142.79	121.93
A6520.4000							
Farmer's Mkt Manager	2,250.00		2,000.00			250.00	88.89
A6520.4010							
Farmer's Market- Publications	250.00		79.00			171.00	31.60

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

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Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A7140.2000							
Parks/Playgrounds-Total Equipment	8,400.00					8,400.00	
A7140.2020							
Parks/Playgrounds-Park Equipment	3,300.00	179.08	2,908.64			391.36	88.14
A7140.4000							
Parks & Playgrounds-Totals Contrac	1,300.00		122.80		1,127.20	50.00	96.15
A7140.4010							
Parks/Playgrounds-Equipment Repai	500.00		40.40		359.60	100.00	80.00
A7140.4020							
Parks/Playgrounds-Maintenance Sup	2,500.00		452.55		123.01	1,924.44	23.02
A7140.4030							
Parks/Playgrounds-Gardening	400.00	26.97	73.61		276.39	50.00	87.50
A7415.4000							
Seymour Library	189,052.00		189,052.00				100.00
A7450.4000							
Museum-Contractual Expenses	900.00	898.52	1,562.08		565.01	1,227.09-	236.34
A7460.4000							
Historic Grant Loft Apts. - Contractua	2,750.00	2,875.00	6,191.90			3,441.90-	225.16
A7510.4000							
Total Contractual Expenses	1,200.00					1,200.00	
A7510.4090							
Historian-Miscellaneous			125.00			125.00-	
A7550.4000							
Celebrations-Total Contractual Expe	6,050.00		6,326.83			276.83-	104.58
A7550.4020							
Celebrations-Banners			712.80			712.80-	
A7550.4040							
Celebrations-Special Events			604.24-		200.00	404.24	
A7550.4050							
Celebrations-Electric	600.00	220.85	465.22			134.78	77.54
A7550.4090							
Celebrations-Miscellaneous	200.00	210.37	458.87		23.63	282.50-	241.25
A8010.4010							
Zoning- Member Stipends	950.00					950.00	
A8010.4020							
Zoning-Conference Expense			75.00			75.00-	
A8020.1000							
Planning Board-Personal Services	6,706.00	1,125.23	4,485.70			2,220.30	66.89
A8020.4000							
Planning Board-Total Contractual Ex	700.00		534.75			165.25	76.39
A8020.4020							
Planning Board-Conference Expense			75.00			75.00-	

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

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Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A8020.4090							
Planning Board-Miscellaneous			250.00			250.00-	
A8120.4000							
Sanitary Sewers-Total Contractual E		250.00	250.00			250.00-	
A8120.4080							
Utilities-Pump Station	600.00	116.45	458.69			141.31	76.45
A8140.4010							
Storm Sewer-Supply Parts	6,000.00		4,045.76		1,688.04	266.20	95.56
A8140.4020							
Strom Sewer-Maintenance Supplies	1,000.00				800.00	200.00	80.00
A8140.4090							
Storm Sewers-Miscellaneous	4,134.00		3,938.74		132.50	62.76	98.48
A8160.4010							
Refuse Collection-Monthly Trash Ren	3,950.00	344.02	2,511.66		1,435.02	3.32	99.92
A8160.4030							
Refuse Collection-Brush Pick-up	600.00				400.00	200.00	66.67
A8160.4040							
Refuse Collection-Special Pick-up (50.00		100.00-			150.00	200.00-
A8160.4050							
Refuse Collection-Coolant Removal	200.00					200.00	
A8170.4010							
Str Cleaning-Sweeper Repairs	1,000.00		196.79			803.21	19.68
A8170.4020							
Str Cleaning-Sweeper parts	4,000.00		2,308.99		530.52	1,160.49	70.99
A8170.4090							
Str Cleaning-Miscellaneous	250.00					250.00	
A8189.4000							
Sanitation-Landfill Monitoring	3,000.00		604.56		2,395.44		100.00
A8189.4002							
Sanitation-Landfill-Testing	5,000.00					5,000.00	
A8560.4000							
Shade Trees-Total Contractual Expe			900.00			900.00-	
A8560.4005							
Tree Fund Expenditures	425.00	425.00	425.00				100.00
A8560.4010							
Equipment Repairs	1,200.00	75.97	816.34		525.67	142.01-	111.83
A8560.4030							
Shade Trees-Supplies	500.00				37.66	462.34	7.53
A8560.4090							
Shade Trees-Miscellaneous	500.00		42.72		72.28	385.00	23.00
A9010.8000							
NYS Retirement	218,927.00		215,137.67			3,789.33	98.27

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

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Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A9015.8000							
Police Retirement System Payments	252,531.00		276,456.71			23,925.71-	109.47
A9030.8000							
Social Security	173,303.00	10,883.51	103,728.40			69,574.60	59.85
A9040.8000							
Workers Compensation	124,489.00		48,665.00			75,824.00	39.09
A9045.8000							
Life Insurance	8,076.00	1,270.02	5,374.14			2,701.86	66.54
A9050.8000							
Unemployment Expense	10,000.00					10,000.00	
A9055.8000							
Disability Insurance	5,660.00	964.65	3,977.97			1,682.03	70.28
A9055.8100							
Wellness Insurance	1,265.00		952.00			313.00	75.26
A9060.8000							
Medical Insurance	405,678.00	58,532.40	208,529.58			197,148.42	51.40
A9061.8000							
HRA	140,400.00					140,400.00	
A9070.8000							
Dental Insurance	54,836.00	11,002.91	46,357.57			8,478.43	84.54
A9950.9510							
Proj 51 - Smith St Bridge	10,000.00					10,000.00	
A9999.9000							
Prior Year Expenses	493,120.45		114,697.69	735,057.77	735,057.77		100.00
Totals for Fund:	5,224,986.45	348,774.10	3,115,649.22	735,057.77	875,146.25	1,590,825.99	69.55
A (Fund - A)							
F1440.4000							
Engineer-Contractual Exp	5,000.00					5,000.00	
F1620.4060							
Bldg. Repairs - Water Dept.	1,000.00		1,503.32		250.25	753.57-	175.36
F1680.2000							
It Hardware Software	1,000.00	111.50	111.50			888.50	11.15
F1680.4000							
IT Hardware Software	2,500.00					2,500.00	
F1910.4000							
General Insurance	20,760.00		20,760.00				100.00
F1990.4000							
Water-Contingency	21,625.00					21,625.00	
F8310.1000							
Water-Supervision	87,090.00	7,861.94	54,050.88			33,039.12	62.06
F8310.4000							
Water Admin Total CE	1,400.00					1,400.00	

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Village of Brockport

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Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
F8310.4040							
Office Expense	2,200.00	51.99	758.65		681.38	759.97	65.46
F8310.4090							
Miscellaneous	900.00		316.80		83.20	500.00	44.44
F8310.4200							
Postage	1,000.00		1,286.50			286.50-	128.65
F8320.4000							
Water Purchases	450,000.00	36,377.70	280,068.85		169,931.15	0.00	100.00
F8340.1000							
Water-Labor	93,500.00	3,841.79	39,951.68			53,548.32	42.73
F8340.1001							
Water, O/T	3,000.00		187.65			2,812.35	6.26
F8340.2020							
Vehicles	28,130.00		6,565.00			21,565.00	23.34
F8340.2040							
Meters	60,000.00				60,000.00		100.00
F8340.2050							
Wtr Transm - Equipment Other	4,500.00		2,879.12			1,620.88	63.98
F8340.4000							
Wtr Transm-Ttl Cont Exp	47,225.00		9,506.90		525.98	37,192.12	21.24
F8340.400B							
Bary St. Project	37,500.00		1,614.03			35,885.97	4.30
F8340.4010							
Water Main Supplies	5,338.00	174.00	3,759.78		1,322.94	255.28	95.22
F8340.4020							
Vehicle Parts & Supplies	7,427.00	253.60	513.63		3,843.24	3,070.13	58.66
F8340.4030							
Meter Supplies	475.00	567.30	626.32		165.98	317.30-	166.80
F8340.4040							
Curb Box Supplies	2,100.00				600.00	1,500.00	28.57
F8340.4041							
Fuel	2,200.00	732.25	4,379.76			2,179.76-	199.08
F8340.4050							
Stone	1,500.00		1,430.24		69.76	0.00	100.00
F8340.4060							
Asphalt	4,100.00					4,100.00	
F8340.4080							
Water Transm-Uniforms	1,250.00	49.99	1,006.13		275.00	31.13-	102.49
F8340.4090							
Miscellaneous	6,750.00	92.57	848.46		1,986.38	3,915.16	42.00
F8340.4100							
Water Transm-Telephone	2,164.00	441.11	1,405.14			758.86	64.93

Statement of Expenditures, Encumbrances & Appropriations

Village of Brockport

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Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
F8340.4110							
Water Transm-Electricity	2,375.00	382.56	3,037.02			662.02-	127.87
F8340.4120							
Transm - Sample Testing	21,800.00	5,421.50	17,955.50		4,700.00	855.50-	103.92
F8340.4130							
Wtr Transm-Drug/Alcohol Testing	250.00		150.68		115.00	15.68-	106.27
F8340.4140							
Wtr Trans-Equip Repair	850.00	129.50	156.34		266.11	427.55	49.70
F8340.4150							
Wtr Trans-Training	250.00					250.00	
F8340.4160							
Wtr Trans-Concrete	200.00				50.00	150.00	25.00
F8340.4171							
Heating Oil	4,500.00	162.29	4,705.26			205.26-	104.56
F8340.4180							
Water Transm-Publications	600.00		594.74		1.65	3.61	99.40
F9010.8000							
NYS Retirement	13,875.00		13,875.00				100.00
F9030.8000							
Social Security	14,500.00	882.06	7,151.58			7,348.42	49.32
F9040.8000							
Workers Compensation	12,500.00		5,406.00			7,094.00	43.25
F9045.8000							
Life Insurance	1,000.00					1,000.00	
F9055.8000							
Disability Insurance	1,100.00					1,100.00	
F9060.8000							
Hospital Insurance	25,000.00	206.75	1,218.75			23,781.25	4.88
F9061.8000							
HRA	15,600.00					15,600.00	
F9070.8000							
Dental Insurance	12,000.00					12,000.00	
F9710.6000							
Serial Bond - Principle payments	33,107.00					33,107.00	
F9710.7000							
Serial Bond - Interest payments	28,845.00					28,845.00	
F9999.9000							
Prior Year Expenses	34,776.33		496.08	51,972.71	51,972.71		100.00
Totals for Fund:	1,124,762.33	57,740.40	488,277.29	51,972.71	296,840.73	357,336.77	68.23
F (Fund - F)							
G8120.2000							
Sanitary Sewers- Equipment	2,050.00		1,174.00			876.00	57.27

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Village of Brockport

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Selecting on FUND from A to G

ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
G8120.4000							
Contractual	38,121.00	2,124.61	23,385.61		6,005.60	8,729.79	77.10
G8120.4010							
Sanitary Sewers- Truck Parts	4,600.00		1.71		3,048.29	1,550.00	66.30
G9710.6000							
Bond Principal	46,155.00					46,155.00	
G9710.7000							
Bond Interest	51,374.00					51,374.00	
G9999.9000							
Prior Year's Expense	3,198.90		1,417.85	1,531.05	1,531.05		100.00
Totals for Fund:	145,498.90	2,124.61	25,979.17	1,531.05	10,584.94	108,684.79	25.30
G (Fund - G)							
Report totals	6,495,247.68	408,639.11	3,629,905.68	788,561.53	1,182,571.92	2,056,847.55	68.33

Budget Preparation Calendar

Village of Brockport

Fiscal Year June 1, 2014 – May 31, 2015

Wednesday, November 6, 2013	Treasurer to notify Department Heads (via memo with templates and discussion at 2pm Department Heads meeting) of the necessity for expense estimates
Monday, December 2, 2013	Department Heads to submit expense estimates to Treasurer
Monday, January 27, 2014 – 7pm	Village Board work session with Treasurer and Department Heads – discuss department budget requests
Monday, February 24, 2014 – 7pm	Village Board work session with Treasurer – discuss and make revisions to budget requests (if necessary)
Monday, March 3, 2014 – 7pm	Village Board meeting - Treasurer will provide updated information regarding budget development
Monday, March 17, 2014 – 7pm	Village Board meeting - Treasurer will provide updated information regarding budget development
Wednesday, March 19, 2014	Treasurer to file tentative budget with Clerk (must be filed by March 20 th)
Monday, March 24, 2014 – 7pm	Village Board work session with Treasurer– discuss and make revisions to tentative budget (if necessary)
Wednesday, March 26, 2014 for March 30, 2014 edition	Clerk to publish notice of public hearing on tentative budget
Monday, April 7, 2014 – 7pm	Treasurer to present budget to public - public hearing on preliminary budget (Middle School L.G.I.)
Monday, April 21, 2014 – 7pm	Village Board meeting – adopt budget (must be done by May 1 st)



FULL-TIME DEPARTMENT OF PUBLIC WORKS LABORER
VILLAGE OF BROCKPORT

The Village of Brockport is accepting applications for full-time Laborer. Possession of a valid New York State Motor Vehicle Operator's License CDL Class B is required. Pay and benefits per Union contract. New York State Retirement System.

Download employment application and job specifications from www.brockportny.org or pick up from Village Hall. Forward completed employment application by e-mail to: elinden@brockportny.org or by mail to: Attention: DPW Laborer Search Village of Brockport 49 State Street Brockport, NY 14420.

Application deadline: Noon, Tuesday, February 18, 2014

Leslie Ann Morelli
Village Clerk
Village of Brockport

*Search Committee
recommendation
to go to VB
for 3/3 meeting.*



PART-TIME DEPARTMENT OF PUBLIC WORKS CLERK
VILLAGE OF BROCKPORT

The Village of Brockport seeks individual to assist the Department of Public Works under the leadership of the DPW Superintendent in a variety of clerical, customer service and record keeping functions.

Education and Experience: secretarial or related field. Associates Degree and public sector/municipal experience preferred. Must be personable, have a positive attitude, be a quick learner, detail/accuracy oriented and able to multi-task/prioritize. Familiarity with Microsoft Office is necessary. Additional task-specific computer programs are utilized.

Part time Monday through Friday 20 hours per week between 7am-3:30pm to be determined. \$11.09 per hour. Eligible for the same percentage increase June 1st each year of all other non-union employees. No benefits. New York State Retirement System.

Note: This position is to be reviewed by Civil Service for re-titling – hopefully as exempt or non-competitive which would not require hiring off a certification of eligibles. Initial hire may have to be classified as temporary or provisional until such determination is made.

Download employment application from www.brockportny.org. Send cover letter and résumé with completed employment application by e-mail to: elinden@brockportny.org or by mail to: Attention: DPW Clerk Search Village of Brockport 49 State Street Brockport, NY 14420.

Application deadline: Noon, Tuesday, February 18, 2014

Leslie Ann Morelli
Village Clerk
Village of Brockport

Free -
wait have
Civil Service
results until 3/6 -
they meet

Slack Committee
recommends
to go to 1/3
for 3/3 meeting.

DRAFT

**RESOLUTION AUTHORIZING ACCEPTANCE OF CERTAIN EASEMENTS
FOR EXPANSION OF VILLAGE SANITARY SEWER**

**PURSUANT TO A CALL OF A REGULAR MEETING OF THE VILLAGE
BOARD OF THE VILLAGE OF BROCKPORT, COUNTY OF MONROE AND
STATE OF NEW YORK, WHICH WAS DULY HELD AT THE VILLAGE HALL,
49 STATE STREET, BROCKPORT, NEW YORK ON THE _____ DAY OF
_____, 2013 AT _____ P.M.**

WHEREAS, Village engineers Chatfield Engineers, P.C. has, at the request of the Village Board designed the location of a new extension for the Village sanitary sewer system consisting of approximately 425 feet of new sanitary sewer lines serving several residential properties on or near West Avenue in the Village; and

WHEREAS, the plans designed by said engineer require the obtaining of certain easements from various property owners; and

WHEREAS, certain easements enumerated below have been offered to the Village in consideration for which said property owners will be permitted to utilize the facilities of said sewer system; and

WHEREAS, the Village Board is desirous of accepting said offered easements; and

WHEREAS, the Village Board has examined said instruments and finds the consideration above to be fair and reasonable for the value of each taking:

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Brockport, New York does hereby accept the below-listed easements in accordance with the terms and conditions contained in each instrument and directs that the same be recorded in the Office of the Clerk of the County of Monroe; the fee for said recording be borne by the Village:

- 461 West Avenue (John R. and Betty Fox; 068.10-1-17)
- 469 West Avenue (Gloria A. Mosher; 068.10-1-16)
- 481 West Avenue (Raymond A. and Noreen J. Ehnot; 068.10-1-15)
- 491 West Avenue (Remington Woods, LLC; 068.11-9-28)
- 495 West Avenue (Oren R. and W. Marilyn Osborn; 068.10-1-14)

Duly put to vote as follows:

Present:	Mayor _____	voting	_____
	Trustee _____	voting	_____
	Trustee _____	voting	_____
	Trustee _____	voting	_____
	Trustee _____	voting	_____

Absent:

DRAFT – for approval at 3/3/14 Village Board meeting

**VILLAGE OF BROCKPORT
NOTICE**

Please take notice that the Village of Brockport is hereby inviting qualified architectural historians to apply for appointment as a consultant to prepare State and National Register nominations for the following sites in the Village of Brockport:

1. 73 houses in a proposed residential historic district.
2. The High Street cemetery
3. An historic freight depot at 149 Park Avenue
4. Hartwell Hall on the campus of the College at Brockport

The consultant will incorporate previously prepared research and documentation into National Register nomination forms and conduct field work and new research if required. Architectural descriptions, photographs, and histories of the houses and the cemetery have been prepared. Also, histories of the freight depot and Hartwell Hall and a general history of the community and the neighborhood will be provided. (Existing materials will be provided upon request for the purpose of developing a proposal.)

The work must be completed by September 30, 2014.

Applications must include full particulars of the applicants' qualifications, including examples of work performed, and estimates of the costs for each separate nomination. Applications must be received by Brockport Village Clerk Leslie Ann Morelli, 49 State Street, Brockport, NY 14420 by 4pm Wednesday, March 19, 2014. The Historic Preservation Board will review applications at their March 20th meeting and provide its recommendation to the Village Board which will select a consultant or consultants at its April 7th meeting.

Leslie Ann Morelli
Village Clerk
Village of Brockport

For publication in the 3/9/14 edition of Suburban News.
For posting on Village website and Village Hall bulletin board.

**DRAFT – for 3/3/14 VB consideration
(as always – as a precaution only)**

**VILLAGE OF BROCKPORT
Notice of Public Hearing**

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Monday, March 17, 2014**, in the Brockport Village Hall Conference Room, 49 State Street, Brockport, NY 14420 to consider proposed Local Law of 2014, a Local Law to override the tax levy limit established in General Municipal Law § 3-c, as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Brockport to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Brockport, County of Monroe, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

All interested parties will be given an opportunity to speak for or against this proposed legislation.

By Order of the Brockport Village Board

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: March 3, 2014

For publication in Suburban News and posting on Village website and at Village Hall.

DRAFT – for 3/3/14 VB consideration

**VILLAGE OF BROCKPORT
NOTICE
SPECIAL VILLAGE BOARD MEETING**

Please take notice that a special Village Board meeting will be held on _____, 2014 at _____pm at Brockport Village Hall 49 State Street, Brockport, New York 14420 for the purpose of reviewing the Code Review Committee's final draft of proposed amendments to Village Code Chapter 36 – Minimum Housing and Buildings Code.

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: March 3, 2014

For publication in Suburban News and posting on Village website and at Village Hall.

2/27/14

VB-

see comment from
Cec's John Bush on
last page

Out type by
Cec Chair

Chapter 36

MINIMUM HOUSING AND BUILDINGS CODE

[HISTORY: Adopted by the Board of Trustees of the Village of Brockport 10-6-2008 by L.L. No. 8-2008.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Building construction administration — See Ch. 11.
Building Construction Code — See Ch. 10.
Carbon monoxide detectors — See Ch. 53.
Code enforcement — See Ch. 59.
Electrical inspection — See Ch. 17.
Fire prevention — See Ch. 19.
Flood damage prevention — See Ch. 20.
Garbage, refuse & open burning — See Ch. 21.
Land subdivision regulations — See Ch. 26.
Plumbing — See Ch. 41.
Sewers — See Ch. 42.
Storm Water management and erosion and sediment control — See Ch. 27.
Trailers and trailer camps — See Ch. 51.
Trees and vegetation — See Ch. 46.
Zoning — See Ch. 58.
Uniform Code of the State of New York

FINAL DRAFT

Code Review Committee 02-26-14

ARTICLE I General Provisions

- 36-1. Title; purpose; scope; definitions; applicability; enforcement.
- 36-2. Building permits.
- 36-3. Operating permits.
- 36-4. Registration of residential rental properties.
- 36-5. Certificates of occupancy/certificates of compliance.
- 36-6. Residential rental property renewals of certificates of occupancy.
- 36-7. Conditional certificates of occupancy/certificates of compliance.
- 36-8. Certificate of occupancy/certificate of compliance issuance and filing.
- 36-9. Responsible parties.
- 36-10. Inspections.
- 36-11. Construction inspections.
- 36-12. Fire safety and property maintenance inspections.
- 36-13. Complaints.
- 36-14. Stop-work orders.
- 36-15. Structures unfit for human habitation (red tag/placard).

¹. Editor's Note: This local law superseded former Ch. 36, Minimum Housing and Buildings Code, adopted 2-4-1974, as amended.

ARTICLE II
Unsafe Buildings

- 36-16. Unsafe buildings.
- 36-17. Investigation and report.
- 36-18. Order to repair or demolish and remove; hearing to be scheduled.
- 36-19. Contents of notice to repair or demolish; alternatively repair or demolition by the Village.
- 36-20. Service and filing of notice to repair or demolish.
- 36-21. Hearing.
- 36-22. Failure to comply.
- 36-23. Assessment of costs and expenses.
- 36-24. Emergency situations.
- 36-25. Application for court order.

ARTICLE III
Administration

- 36-26. Enforcement.
- 36-27. Notice of violation; compliance orders; appearance tickets; penalties for offenses.
- 36-28. Notification regarding fire or explosion.
- 36-29. Recordkeeping.
- 36-30. Program review and reporting.
- 36-31. Intermunicipal agreements.
- 36-32. Validity
- 36-33. When effective.

ARTICLE I
General Provisions

§ 36-1. Title; purpose; scope; definitions; applicability; enforcement.

- A. This chapter shall be known as the "Minimum Housing and Buildings Code", as applicable to dwellings, buildings, multiple dwellings, dwelling units, premises, structures, land and Equipment, and is herein referred to as the "Housing and Buildings Code" or "this chapter".
- B. The purpose of this code is to protect the public health, safety and welfare in buildings used for dwelling and human occupation purposes as hereinafter provided and to prevent the existence of such conditions, factors or characteristics that can adversely affect public safety, health and welfare and lead to the continuation, extension and aggravation of urban blight. Adequate protection of the public, therefore, requires the establishment and enforcement of these minimum housing and buildings standards, as follows:
 - (1) Establishing minimum standards for basic equipment, facilities, hazardous processes/activities and/or to eliminate issues that pose a substantial potential hazard to public safety, including but not limited to light, ventilation, space heating and electrical, for sanitation, safety from fire, for occupancy and space, use and location,

exiting and means of egress, safe and sanitary maintenance, cooking equipment, and plumbing provisions in all dwellings, buildings, multiple dwellings, dwelling units, premises, structures, land and equipment now in existence and planned.

- (2) Fixing the responsibilities of owners, operators and occupants of dwellings, buildings and multiple dwellings, dwelling units, rental units, premises and structures.
- (3) Providing for administration, enforcement and penalties.

C. Definitions. For the purpose of this local law, the following words and terms shall be defined as follows, unless otherwise expressly provided:

BUILDING — Any roofed walled structure.

BUILDING PERMIT — A permit issued pursuant to § 36-2 of this chapter. The term "building permit" shall also include a building permit which is renewed, amended or extended pursuant to any provision of this chapter.

CERTIFICATE OF OCCUPANCY/CERTIFICATE OF COMPLIANCE — A certificate issued pursuant to §§ 36-5 through 36-8 of this chapter.

CODE— The Local Laws of the Village of Brockport.

CODE ENFORCEMENT INSPECTOR — Includes the Code Enforcement Officer and all Inspectors employed by the Village of Brockport, who are certified by the State of New York either in the capacity of Code Enforcement Officer, Building Inspector or Fire Marshal, and/or titled as Assistant Code Enforcement Officer, Assistant Building Inspector, Deputy Fire Marshal, or any combination thereof.

CODE ENFORCEMENT OFFICER — An officer employed by the Village of Brockport who is certified by the State of New York either in the capacity of Code Enforcement Officer, Building Inspector, Fire Marshal, Planning/Zoning Officer, peace officer, Storm water Manager, Floodplain Administrator, or any combination thereof.

COMPLIANCE ORDER — A written order for the remedying of found violation(s), pursuant to Article II, § 36- 27(C), of this chapter.

DWELLING — To include one-family and two-family, multiple-family and/or mixed-use housekeeping structures, boardinghouses/rooming houses and apartment houses. The actual use and occupancy of a dwelling at the time of any applications for certificates or permits hereunder, registration, their renewal, or any compliance or complaint inspection(s) required to be made by the Code Enforcement Officer, regardless of any other classification of the property (whether for tax purposes or otherwise), shall determine whether and to what extent the dwelling is subject to the provisions of this chapter.

DWELLING UNIT — One or more rooms arranged for use of one or more individuals living together as a single housekeeping unit, with living, sanitary and sleeping facilities.

ENERGY CODE — The New York State Energy Conservation Construction Code, which regulates design and construction of residential and commercial buildings for the effective use of energy.

FOIL (FREEDOM OF INFORMATION LAW) — A legislative act to assist persons seeking public records to identify records sought.

NYCRR — The New York Code of Rules and Regulations.

OPERATING PERMIT — A permit issued pursuant to § 36-3 of this chapter. The term "operating permit" shall also include an operating permit which is renewed, amended or extended pursuant to any provision of this chapter.

OWNER — The person or entity in whose name the premises affected by an order, issued in accordance with this chapter, is recorded as the owner in the office of the Monroe County Clerk.

PLACARD/POSTING — A public notice placed on a building, structure, premises, dwelling, dwelling unit, equipment and/or land pursuant to Article I, § 36-15 of this chapter.

PROPERTY MANAGER — An adult age 21 or older who has been appointed by the owner of a property to perform the owner's responsibilities and respond to emergencies there. This person must live within 25 miles of said property, and must possess knowledge of locations of gas and water valves, electrical panel boxes, furnaces, hot water heaters, and other equipment on the property. This person must possess keys or otherwise have access to all areas of the property.

RED TAG — See "placard/posting".

RESIDENTIAL RENTAL PROPERTY

(a) Shall mean:

- [1] Single-family houses (one dwelling unit with living, kitchen, sanitary and sleeping facilities), rented by absentee owners and/or owners/occupants to tenants, by verbal contract or written contract (lease) for agreed terms, and rentals, and subject to agreed possessory conditions.
- [2] Multiples, so rented by absentee owners and/or owners/occupants to tenants, with two or more dwelling units, each with living, kitchen, sanitary and sleeping facilities, including doubles, triples, fours, or more.
- [3] Apartment houses, with each apartment being a dwelling unit so rented by absentee owners to tenants, with living, kitchen, sanitary and sleeping facilities.
- [4] Boardinghouses and rooming houses with multiple sleeping rooms (up to 30 in number) serviced by common sanitary facilities.
- [5] Mixed-use buildings containing one or more dwelling units.

(b) For purposes of this chapter, each sleeping room in a boardinghouse, furnished-room house, and rooming house is not deemed a dwelling unit as defined above.

(c) The definition of "residential rental property" supplements the existing Code definitions for families, apartment house, boardinghouse, furnished-room house,

rooming house, dwelling (multiple), dwelling (two-family), dwelling unit, and unit (single-family dwelling).

STOP-WORK ORDER — A public notice placed on a building, structure, premises, dwelling unit, equipment and/or land pursuant to Article I, § 36-14, of this chapter, that work and/or a use is in noncompliance and shall cease.

UNIFORM CODE — The New York State Uniform Fire Prevention and Building Code.

VILLAGE — The Village of Brockport.

- D. Every portion of a building or premises used or intended to be used for human habitation purposes shall comply with the provisions of this code, irrespective of when such building shall have been constructed, altered or repaired, except as hereinafter provided.
- E. Application of the Uniform Code and the Energy Code. The Uniform Code and the Energy Code shall apply to one- and two-family dwellings, all residential rental property, multiple dwellings, boardinghouses, furnished-room houses, rooming houses, tourist homes, apartment houses or any other type of residential rental property, in addition to any commercial occupancies, such as but not limited to stores and shops for retail purposes, bars and restaurants, private or public business uses, industrial manufacturing and processes, storage and warehousing, and also to hotels and motels serving transient guests and rest homes, convalescent homes and nursing homes whereby sleeping accommodations are provided, hospitals, religious facilities and private schools, day cares and municipal buildings and equipment therein. Any alterations to buildings or changes of use therein which may be caused directly or indirectly by the enforcement of this code shall be done in accordance with applicable sections of the Uniform Code, Energy Code, and any other local, regional state, and/or federal laws, rules or regulations that may apply.
- F. Conflict with other ordinances. In any case where a provision of this code is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code(s) of this municipality, the County of Monroe or the State of New York, the provision which establishes the higher standard for the promotion and the protection of the safety and health of the people shall prevail. In any case where a provision of this code is found to be in conflict with a provision of any other ordinance or code of this municipality existing on the effective date of this chapter which establishes a lower standard for the promotion and protection of the safety and health of the people, the provisions of this chapter shall prevail, and such other ordinances or codes and articles are hereby declared to be repealed to the extent that they may be found in conflict with this code.
- G. Partial invalidity. If any section of this chapter shall be held unconstitutional, illegal, invalid, or otherwise unenforceable or in violation of state or local laws, the remainder of the chapter shall remain in full force and effect and be enforceable as such.
- H. This code establishes minimum requirements for the initial and continued occupancy of all buildings used for human habitation and does not replace or modify requirements otherwise established for the construction, repair, alteration or use of buildings, equipment or facilities, except as provided in this chapter.
- I. Nothing in this code shall be deemed to abolish or impair existing remedies of the

municipality or its officers or agencies relating to the removal or demolition of any buildings which are deemed to be dangerous, unsafe or unsanitary.

J. Code Enforcement Officer.

- (1) It shall be the duty and responsibility of the Code Enforcement Officer to enforce the provisions of the Housing and Buildings Code as herein provided. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and local law(s). The Code Enforcement Officer shall have the following powers and duties:
 - (a) To receive, review, and approve or disapprove applications for building permits, operating permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance, residential rental property registrations, construction plans, specifications, construction documents and matters submitted as required with all such applications.
 - (b) Upon approval of such application(s), to issue building permits, operating permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance, residential rental registrations and operating permits, and to include in building permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance and residential rental registrations, such terms and conditions as the Code Enforcement Officer may determine to be appropriate.
 - (c) To conduct inspections, including, without limitation, for construction, fire, fire hazards or explosion, housing, verification of use, property maintenance and any and all inspections to be made prior to the issuance of building permits, operating permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy, residential rental registrations, fire safety inspections and property maintenance inspections incidental to the investigation of complaints and all other inspections required or permitted under any provisions of any local laws and/or other codes, rules and/or regulations.
 - (d) To issue stop-work orders.
 - (e) To review and investigate complaints.
 - (f) To placard unsafe buildings or structures.
 - (g) To issue orders pursuant to Article II, § 36-18, of this chapter.
 - (h) To maintain records.
 - (i) To collect fee(s) as determined from time to time by resolution adopted by the Board of Trustees Village of Brockport as contained in the Village of Brockport Fee Schedule.
 - (j) To pursue administrative enforcement actions and proceedings.
 - (k) In consultation with the Village of Brockport Attorney, to pursue such legal

actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and local laws or article/articles listed and/or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this chapter and local laws.

- (1) To exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this chapter.
- (2) The Code Enforcement Officer shall be employed by the Village of Brockport. The Code Enforcement Officer shall possess background experience related to building construction and fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Secretary of State.
- (3) One or more inspectors may be employed by the Village of Brockport to act under the supervision and direction of the Code Enforcement Officer to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this chapter. Each inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each inspector shall obtain certification from the Secretary of State pursuant to the Executive Law 381 Part 1208 and the regulations promulgated hereunder.

§ 36-2. Building permits.

- A. Building permits required. Except as otherwise provided in Subsection (B) of this section, a building permit shall be required for any work which must conform to the Uniform Code, the Energy Code and/or the Village of Brockport code(s), including but not limited to the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure, or any portion thereof, and the installation of a solid-fuel-burning heating appliance, gas appliances, chimneys or flues. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer. A specific list of building permits required is listed in the Village of Brockport Fee Schedule.
- B. Exemptions. No building permit shall be required for work in any of the following categories:
 - (1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or townhouses which are used for tool and storage sheds, playhouses or similar uses, provided that the gross floor area does not exceed 144 square feet (13.88 square meters).
 - (2) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses).
 - (3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a

water depth of less than 24 inches and are installed entirely aboveground.

- (4) Installation of fences which are not part of an enclosure surrounding a swimming pool, or located in a front yard, per Chapter 6 of the Code.
 - (5) Construction of retaining walls, unless such walls support a surcharge or impound for Class I, II or IIIA liquids, as per the Uniform Code.
 - (6) Construction of temporary motion-picture, television and theater stage sets and scenery.
 - (7) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or townhouse.
 - (8) Installation of partitions or movable shelving or cases less than five feet nine inches in height.
 - (9) Painting, wallpapering, tiling, carpeting, or other similar finish work.
 - (10) Installation of generally accepted, tested or recognized and listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances.
 - (11) Replacement of any equipment, provided that the replacement does not alter the equipment's generally accepted listing or render it inconsistent with the equipment's original specifications.
 - (12) Repairs, provided that such repairs do not involve:
 - (a) The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;
 - (b) The removal or change of any required means of egress or the rearrangement of parts of a structure in a manner which affects egress;
 - (c) The enlargement, alteration, replacement or relocation of any building system; or
 - (d) The removal from service of all or part of a fire-protection system for any period of time.
- C. Exemption not deemed an authorization to perform noncompliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in Subsection B of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code or the local law(s) of the Village of Brockport.
- D. Applications for building permits. Application for a building permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the permit applicant and the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code, the Energy Code and any local laws. The

application shall include or be accompanied by the following information and documentation:

- (1) A description of the proposed work.
 - (2) The Tax Map number and the street address of the premises where the work is to be performed.
 - (3) The occupancy classification of any affected building or structure.
 - (4) Where applicable, a statement of special inspections in accordance with the provisions of the Uniform Code.
 - (5) At least two sets of construction documents, drawings and/or specifications which:
 - (a) Define the scope of the proposed work.
 - (b) Shall be prepared by a New York State registered architect or licensed professional engineer when cost exceeds \$20,000.00 and/or involves work affecting the structural integrity or public safety components of any portion of any buildings, as required by the New York State Education Law.
 - (c) Indicate with sufficient clarity and detail the nature and extent of the work proposed.
 - (d) Substantiate that the proposed work will comply with the Uniform Code, Energy Code and local laws.
 - (e) Where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, easements, rights-of-way, above-grade or below-grade utilities and drainage swales, as well as the location of the intended work and the distances between all other buildings and structures and lot lines.
- E. Construction documents. Construction documents will not be accepted as part of an application for a building permit unless they satisfy the requirements set forth in § 36-2(D)(5) of this chapter. Construction documents which are accepted as part of the application for a building permit shall be marked as accepted by the Code Enforcement Officer, and the Code Enforcement Officer shall retain one set of the accepted construction documents. Work shall not commence until and unless the Village of Brockport has issued a building permit.
- F. Issuance of building permits. An application for a building permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code, Energy Code and local laws. The Code Enforcement Officer shall issue a building permit only if the proposed work is in compliance with the applicable requirements of the Uniform Code, Energy Code and local laws.
- G. Insurance/indemnification. The building permit application, and the issuance and/or renewal thereafter of any building permit, may be conditioned upon the provision by the owner of liability, fire and hazard insurance in amounts and with additional insured coverage naming the certificate holder as the Village and/or such indemnification as the

Village of Brockport may require and workers' compensation coverage as applicable pursuant to General Municipal Law § 125. Permit holders are required to maintain applicable insurances throughout the life of the permit; the expense of such insurance and/or indemnification shall be borne by the owner. Failure of the owner to comply with this provision shall be a ground and/or basis for the denial, revocation or suspension of any building permit.

- H. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.
- I. Work to be in accordance with approved construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the building permit. The building permit shall contain such a directive. The permit holder shall immediately notify the Code Enforcement Officer of any proposed change occurring during the course of the work. The building permit also shall contain such a directive. If the Code Enforcement Officer determines that a proposed change warrants a new or amended building permit, such change shall not be made until and unless a new or amended building permit reflecting such change is issued.
- J. Time limits. A building permit or amended building permit shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits or amended building permits shall expire 12 months after the date of issuance. Subject to approval by the Code Enforcement Officer, a building permit or amended building permit which, pursuant to this subsection, has become invalid or which has expired, may be renewed upon application by the permit holder, and payment of the applicable fee to the Village of Brockport.
- K. Revocation or suspension of building permits. If the Code Enforcement Officer determines that a building permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a building permit was issued violates the Uniform Code, Energy Code or local laws, the Code Enforcement Officer shall revoke the building permit or suspend the building permit until such time as the permit holder demonstrates that all work then completed is in compliance with all applicable provisions of the Uniform Code, Energy Code and/or local laws, and all further work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code, Energy Code and local laws.
- L. Fee(s); building permits. Initial issuance and/or renewals shall require fee payment specified in or determined in accordance with the provisions set forth as required by this chapter and shall be deposited with the Village of Brockport. Application fee(s) shall be determined by resolution adopted by the Board of Trustees as contained in the Village of Brockport Fee Schedule, which application fee(s) shall be equivalent whether for the initial issuance of building permits or for renewals thereof. Payment of fee(s) shall be required at the time of issuance of an initial building permit or renewal building permit. Fee(s) shall be determined, assessed, administered and enforced by the Code Enforcement Officer of the Village of Brockport.
- M. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of the issuance of a building

permit or inspections made pursuant to a building permit or the failure to make inspections pursuant to an application for a building permit, or the issuance of or the failure to issue a building permit.

§ 36-3. Operating permits.

- A. Operating permits required. Operating permits shall be required for conducting the activities or using the categories of buildings listed below:
- (1) Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Table 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19 NYCRR § 1225.1.
 - (2) Hazardous processes and activities, including but not limited to commercial and industrial operations which produce combustible dust as a by-product, fruit and crop ripening and waste handling.
 - (3) Use of pyrotechnic devices in assembly occupancies or locations.
 - (4) Buildings containing one or more areas of public assembly with an occupant load of 100 persons or more.
 - (5) Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined and adopted by the Board of Trustees of the Village of Brockport.
- B. Any person who proposes to undertake any activity or to operate any type of building listed in Subsection A of this section shall be required to obtain an operating permit prior to commencing or continuing such activity or operation. The eligibility of an owner for the issuance of an operating permit shall be subject to the owner being in full compliance with all applicable requirements of the Uniform Code, local laws, and the codes of the Village of Brockport, specifically, and without limitation, the Village of Brockport local laws and codes concerning certificates of occupancy, building permits and residential rental registrations.
- C. Insurance/indemnification. The classification of any property or use hereunder as requiring an operating permit, and the issuance and/or renewal thereafter of any operating permit, may be conditioned upon the provision by the owner of liability, fire and hazard insurance in amounts and with additional insured coverage naming the certificate holder as the Village, and/or such indemnification as the Village of Brockport may require, and workers' compensation coverage as applicable pursuant to General Municipal Law § 125. Permit holders are required to maintain applicable insurances throughout the life of the permit; the expense of such insurance and/or indemnification shall be borne by the owner. Failure of the owner to comply with this provision shall be a ground and/or basis for the denial,

revocation, or suspension of any operating permit.

- (1) The Code Enforcement Officer of the Village of Brockport shall classify properties in the Village as being subject to the requirements of this operating permit requirement. Each property classification under this code shall become a part of and be noted in any other permit or registration required for the property, as for example, on certificates of occupancy, on building permits, and on residential rental registrations. The applicant/owner shall be responsible for the expense of any professional or expert testing of the property for its anticipated use, occupancy, or operation as the Code Enforcement Officer deems necessary (in his or her sole discretion) to classify the property as being subject to, or exempt from, the requirements of this code.

D. Applications for operating permits. An application for an operating permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include all information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code, Energy Code and/or local laws. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or who is/are otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

- (1) In any circumstance in which more than one activity listed in Subsection A of this section is to be conducted at a location, the Code Enforcement Officer may require a separate operating permit for each such activity, or the Code Enforcement Officer may, in his or her sole discretion, issue a single operating permit to apply to all such activities.
- (2) Duration of operating permits. Except as otherwise provided in the Village of Brockport Fee Schedule, operating permits shall be issued for one year in the case of any operating permit issued for a permanent use, or for such lesser time periods for the occupancy, use, or operation of a property deemed by the Code Enforcement Officer to be of a temporary nature, consistent with local conditions. The effective period of the operating permit shall be specified in the operating permit. Operating permits are renewable at the expiration of each permit period noted on the permit. It is the obligation of the owner to order a compliance inspection for the renewal of the operating permit at least 60 days prior to the expiration of the operating permit. Failure of the owner to do so shall be deemed a violation of this chapter and may subject the owner to the imposition of fines and penalties as are stated in this chapter or elsewhere and to general jurisdiction fines and penalties as are stated in the Code of the Village of Brockport. The failure of an owner to comply with the operating permit requirements of this chapter may subject the owner to the issuance by the Code Enforcement Officer of a temporary or permanent cease-and-desist order and/or a stop-work order or an order to vacate and discontinue the use of the property unless or until it again comes into compliance with the requirements of this chapter.
- (3) The Code Enforcement Officer (or his/her authorized inspector) shall inspect the subject premises prior to the issuance of an operating permit. Should an owner

(and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10 (A)(2) of this chapter and such other legal requirements as may apply, to permit such inspection(s).

- (4) Revocation or suspension of operating permits. If the Code Enforcement Officer determines that any activity or building for which an operating permit was issued does not comply with any applicable provision of the Uniform Code, Energy Code or any other state or local law that may apply (including, without limitation, certificate of occupancy/certificate of compliance requirements, building permit requirements, and residential rental registration requirements), such operating permit shall be revoked or suspended.
- E. Fee(s); operating permits. Initial issuance and/or renewals shall require fee payment specified in or determined in accordance with the provisions set forth as required by this chapter and shall be deposited with the Village of Brockport. Application fee(s) shall be determined by resolution adopted by the Board of Trustees as contained in the Village of Brockport Fee Schedule, which application fee(s) shall be equivalent whether for the initial issuance of operating permits or for renewals thereof. Payment of fee(s) shall be required at the time of filing of an application for an operating permit, or for renewal of an operating permit. Fee(s) shall be determined, assessed, administered and enforced by the Code Enforcement Officer of the Village of Brockport.

§ 36-4. Registration of residential rental properties.

- A. Owners are required to register with the Code Enforcement Officer each rental building contained on each of their residential rental properties as defined in § 36-1(C) above, on an annual calendar year basis
- B. For purposes of registration, including renewals, owners of residential rental properties located within the Village shall complete and sign a rental registration application provided by the Code Enforcement Officer, which shall state and provide the following information:
 - (1) The name, physical address, telephone number(s), and email address of each owner, or principal of each owner. Post Office Boxes shall not be accepted as physical addresses.
 - (2) The address of each residential rental property (including boardinghouses and rooming houses), the number of dwelling units contained within each residential rental property, the number of tenants, and any other pertinent data sought by the Code Enforcement Officer.
 - (3) The name(s), physical address, telephone number(s) and email address(es) of any local property manager(s) or agent(s) on behalf of the property owner(s), which shall be required in all cases where no property owner physically resides within 25 miles of the Village for at least 3 months of each calendar year. Post Office Boxes shall not be accepted as physical addresses.
- C. The rental registration application shall indicate an address for receipt of notices by mailing

for purposes of this code and any other applicable laws or regulations.

- D. The owner shall be responsible for the timely updating of such information in the event that changing circumstances would render the information in the rental registration inaccurate.
- E. The Code Enforcement Officer (or his authorized inspector) shall conduct such inspections as may be necessary to verify compliance with the provisions the Uniform Code, Energy Code, or any other local, regional, state or federal laws, rules or regulations that may apply, including the rules of this section. The first such compliance inspection shall be conducted by the Code Enforcement Officer (or his authorized inspector) not later than 30 days after the filing of a rental registration application in order to verify the correctness of the information stated therein. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10-A(2) of this chapter, along with such other legal requirements as may apply, to permit such inspection(s). If the Code Enforcement Officer finds a discrepancy in the classification of the property, the Code Enforcement Officer shall issue a notice to the owner advising of the actual classification of the property.
- F. Fee(s); rental registrations. New registrations and registration renewals shall require payment of a fee which shall be determined by resolution of the Board of Trustees and contained in the Village of Brockport Fee Schedule. Payment of the fee shall be required at the time of filing of an application for a rental registration or registration renewal. Fees shall be assessed, administered and enforced by the Code Enforcement Officer of the Village of Brockport.
- G. At such time as the rental registration application has been filed and/or the Code Enforcement Officer has verified the information contained therein , the Code Enforcement Officer shall issue a new certificate of occupancy/certificate of compliance as described in § 36-6 of this chapter.

§ 36-5. Certificates of occupancy/certificates of compliance.

- A. Certificates of occupancy/certificates of compliance required. No person shall permit occupancy of any structure in the absence of a valid certificate of occupancy or certificate of compliance. A certificate of occupancy/certificate of compliance shall be required for any work which is the subject of a building permit and for all structures, buildings, or portions thereof, and accessory structures and equipment thereof, which are constructed, converted from one use or occupancy classification or sub-classification to another, or have equipment installation or structural alterations. Permission to use or occupy or put into service a building, structure, or portion thereof, or equipment, for which a building permit was previously issued shall be granted only by issuance of a certificate of occupancy/certificate of compliance.
- B. No transfer of title to an existing residential rental property shall be completed, in whole or in part, unless a valid certificate of occupancy/certificate of compliance shall be in force. Furthermore, completion of the transfer of title to an existing residential rental property

shall terminate any valid certificate of occupancy/certificate of compliance for the property.

- C. Any building or structure which has been vacant or which has had utilities disconnected in excess of 9 consecutive months shall also require a new certificate of occupancy/certificate of compliance, and otherwise may not be used for any purpose.
- D. Issuance of certificates of occupancy/certificates of compliance. The Code Enforcement Officer shall issue a certificate of occupancy/certificate of compliance if the work which was the subject of a building permit was completed in accordance with all applicable provisions of the Uniform Code, Energy Code and local laws, if applicable, and that the structure, building or portion thereof that was constructed, or was converted from one use or occupancy classification or sub-classification, or had equipment installation or structural alterations, complies with all applicable provisions of the Uniform Code, Energy Code and local laws. For purposes of § 36-5(B) of this chapter, the Code Enforcement Officer shall issue a current certificate of occupancy if the residential rental property, in its entirety, substantially conforms to the requirements of this Code, the Uniform Code, if applicable, and all other applicable laws, ordinances or rules. The Code Enforcement Officer (or his/her authorized inspector) is authorized to inspect the building, structure or work prior to the issuance of a certificate of occupancy/certificate of compliance. In addition, where applicable, documents or inspection(s) reports substantiating compliance can be prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or are otherwise acceptable to the Code Enforcement Officer, and such documents or inspection report(s) will be at the expense of the permit holder or applicant prior to issuance of the certificate of occupancy/certificate of compliance.
- E. Contents of certificates of occupancy/certificates of compliance. A certificate of occupancy/certificate of compliance shall contain the following information:
 - (1) A written statement of structural observations and/or a final report of special inspections.
 - (2) Flood hazard certifications.
 - (3) The building permit number, if any.
 - (4) The date of issuance of the building permit, if any.
 - (5) The name, address and Tax Map number of the property.
 - (6) If the certificate of occupancy is not applicable to an entire structure, a description of that portion of the structure for which the certificate of occupancy is issued.
 - (7) The use and occupancy classification of the structure.
 - (8) The type of construction of the structure.
 - (9) The assembly occupant load of the structure, if any.
 - (10) If an automatic fire sprinkler, fire-suppression system/systems or fire alarm/alarms are provided, a notation as to whether the automatic fire sprinklers and fire-suppression system/systems or fire alarm/alarms are required.

- (11) Any special conditions imposed in connection with the issuance of the building permit.
 - (12) The signature of the Code Enforcement Officer issuing the certificate of occupancy and the date of issuance.
- F. Whenever violations of the Housing and Buildings Codes, or Chapter 58 of the Code, or any other applicable law, ordinance or rule are discovered, and those violations are such that the dwelling and/or any dwelling unit thereof is deemed a structure unfit for human habitation pursuant to § 36-15 of this chapter, the existing certificate of occupancy shall become null and void. In that case, the Code Enforcement Officer shall notify the registered owner(s) that the continued occupancy or use of the building is forbidden unless a conditional certificate of occupancy can be obtained as provided in § 36-7(B) of this chapter.
- G. Notwithstanding the existence of a valid certificate of occupancy/certificate of compliance, the Code Enforcement Officer may cause the subject building to be inspected as often as may be necessary for the purpose of ascertaining and causing to be corrected any violations of the provisions of the laws, ordinances or rules which are enforced hereunder. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his/her authorized inspector) for the proper enforcement of this provision, the Code Enforcement Officer (or his/her authorized inspector as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10 (A)(2) and such other legal requirements as may apply, to permit such inspection(s).
- H. Revocation or suspension of certificates of occupancy/certificates of compliance. If the Code Enforcement Officer determines that a certificate of occupancy/certificate of compliance was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate of occupancy/certificate of compliance.
- I. Fee(s); certificates of occupancy/certificates of compliance. Initial issuance shall require fee payment specified in or determined in accordance with the provisions set forth as required by this chapter and shall be deposited with the Village of Brockport. Application fee(s) shall be determined by resolution adopted by the Board of Trustees as contained in the Village of Brockport Fee Schedule. Payment of fee(s) shall be required at the time of filing of an application for a certificate of occupancy/certificate of compliance, and any assessed re-inspection fees shall thereafter be paid prior to issuance of the certificate of occupancy/certificate of compliance. Fee(s) shall be assessed, administered and enforced by the Code Enforcement Officer of the Village of Brockport.
- J. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of inspections made pursuant to an application for a certificate of occupancy/certificate of compliance, or the failure to make inspections pursuant to an application for a certificate of occupancy/certificate of compliance, or the issuance of or the failure to issue a certificate of occupancy/certificate

of compliance.

§ 36-6. Residential rental property renewals of certificates of occupancy.

- A. At the time any owner applies for a rental property registration or registration renewal, he/she/it shall also apply for a renewed certificate of occupancy for the property. Where no changes of occupancy or use have occurred, and where there is full compliance with the applicable provisions of § 36-4 of this chapter, regarding the required registration of residential rental properties, as well as full compliance with the laws, ordinances and rules specified in the certificate of occupancy and any other applicable laws, ordinances or rules, a certificate of occupancy for a residential rental property shall be issued and shall remain valid until i): one year from the date of its issuance, or ii): transfer of title to the property, whichever shall first occur. For purposes of renewal, no later than 30 days prior to the expiration of a certificate of occupancy, it shall be the obligation of the owner to notify the Code Enforcement Officer in order to cause a new certificate of occupancy to be issued for the residential rental property for which the existing certificate of occupancy will expire. The Code Enforcement Officer (or his/her authorized inspector) shall then make an inspection of the dwelling for which the certificate of occupancy application is made. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his/her authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his/her authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10 (A)(2) of this chapter and such other legal requirements as may apply to permit such inspection(s).
- B. Fees; renewals of certificates of occupancy. Fees for an application for renewal of a Certificate of Occupancy that coincides with a residential rental property registration renewal shall be included in the fee for the rental property registration. Fees for certificates of occupancy not in conjunction with a rental property registration shall be set periodically by the Board of Trustees of the Village.
- C. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of inspections made pursuant to an application for a renewed certificate of occupancy, or the failure to make inspections pursuant to an application for a renewed certificate of occupancy, or the issuance of or the failure to issue a renewed certificate of occupancy.

§ 36-7. Conditional certificates of occupancy.

- A. The Code Enforcement Officer shall be permitted to issue a conditional certificate of occupancy allowing the temporary occupancy of a building or structure, or portion(s) thereof, prior to the completion of all the work which is the subject of a building permit. However, in no event shall the Code Enforcement Officer issue a conditional certificate of

occupancy unless the Code Enforcement Officer determines:

- (1) That the subject building or structure is in compliance with Chapter 58 of the Code, or otherwise that applications for any necessary approvals have been filed with the Village;
- (2) That the subject building or structure, or designated portion(s) thereof, may be occupied safely;
- (3) That any required fire, smoke-detection and/or fire-protection equipment has been installed and is operational;
- (4) That any required means of ingress and egress from the subject building or structure have been provided.

- B. If a conditional certificate of occupancy is issued, it shall state the specific work remaining to be done in connection with the building permit issued for the subject building or structure in order to bring the subject building or structure into full compliance with all applicable provisions of the Uniform Code, Energy Code, and/or local law(s), as well as the date by which the indicated work is required to be completed, as determined by the Code Enforcement Officer, but which in no event shall exceed six months from the issuance date of the conditional certificate of occupancy.
- C. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of inspections made or the failure to make inspections pursuant to the issuance of a conditional certificate of occupancy, or the issuance of or the failure to issue a conditional certificate of occupancy.

§ 36-8. Certificate of occupancy/certificate of compliance issuance and filing.

- A. Assuming all required conditions are satisfied in connection with any building permit issued for the subject building or structure, and otherwise that there is no existing violation of any applicable laws, ordinances or rules, a certificate of occupancy or certificate of compliance shall be issued within 10 days after written application thereof, or in the alternative a conditional certificate of occupancy if authorized pursuant to § 36-7 of this chapter.
- B. A record of all certificates of occupancy, certificates of compliance, and conditional certificates of occupancy, and their status, shall be kept in the office of the Code Enforcement Officer, and copies shall be furnished upon request to any owner, co-owner, tenant or mortgagee of the subject building or structure upon filing of an approved request under FOIL with payment of the prescribed fee.
- C. Change of use or occupancy. No change of use or occupancy shall be made to a building or structure if it would result in any change in classification under the Uniform Code, this chapter, Chapter 58 of the Code, or any other applicable law, ordinance or rule, unless it is found by the Code Enforcement Officer to comply therewith, and the subject building or structure shall not be occupied until a new certificate of occupancy, as applicable, is issued.

§ 36-9. Responsible parties.

- A. The owner of a property is the party deemed responsible for compliance with the legal

requirements of this chapter. Owners are persons with record title of property by conveyance deed, gift, devise, court order, or otherwise (including, but not limited to, by unrecorded instruments of conveyance or transfer, installment lease purchase option agreements, installment land contracts, and wrap-around contracts with deed transfer upon fulfillment of conditions stated), or any other person in actual possession of or otherwise having charge, care or control of the property including but not limited to as executor, administrator, trustee, guardian, heir or distributee, and/or their guests(s) or agent(s). A "person" is defined, for purposes of this section, to include living persons or entities with the jural identity of a person, i.e., corporations, partnerships, LLCs, etc.

§ 36-10. Inspections.

- A. The Code Enforcement Officer (or his authorized inspector) shall be responsible to make or cause to be made property inspection(s) to determine the conditions of buildings and dwellings, including multiple dwellings, dwelling units, rooming houses, boardinghouses, rooming units and premises in order to safeguard the safety, health and welfare of the public under the provisions of this code. For that purpose, the Code Enforcement Officer (or his authorized inspector) is authorized to enter any dwelling, building, dwelling unit, multiple dwelling, rooming house or premises at any reasonable time for the purpose of performing his duties under this chapter. The owner, operator or occupant of every dwelling, building, multiple dwelling, dwelling unit or rooming unit, or the person in charge thereof, shall give the Code Enforcement Officer free access thereto and to all parts of the premises on which it is located at all reasonable times for the purpose of performing his duties under this chapter. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector) shall be authorized to apply for a search warrant (pursuant to § 36-10(A)(2) of this chapter and such other legal requirements as may apply) to permit such inspection(s).
- (1) Access by owner or operator. Every occupant of a dwelling unit or rooming unit shall give the owner or operator thereof, or his agent or employee, access to any part of such dwelling unit, rooming unit or its premises at all reasonable times for the purpose of making such inspections, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.
 - (2) Application for search warrant. If, in the opinion of the Code Enforcement Officer (or his authorized inspector), he has been unreasonably or unlawfully refused entry into the premises and/or property for purposes of conducting necessary property inspection(s), he shall apply forthwith for a search warrant, said application to be brought before a Town Justice of the Town of Sweden Justice Court or any other court of competent jurisdiction. Upon issuance of any such search warrant by the Town of Sweden Justice Court and/or other court of competent jurisdiction, the Code Enforcement Officer (or his authorized inspector) shall conduct the inspection pursuant to the provisions of Criminal Procedure Law §§690 et seq.
 - (3) Coordination of enforcement. Property inspections and the issuing of orders in connection therewith pursuant to the provisions of this chapter shall be the exclusive

responsibility of the Code Enforcement Officer. Wherever, in the opinion of the Code Enforcement Officer, it is necessary or desirable to have inspections of any condition by any other department of the Village, the Code Enforcement Officer shall arrange for this to be done in such manner that the owners or occupants of buildings shall not be unnecessarily subjected to multiple inspections or conflicting orders.

- B. Administrative liability. Except as may otherwise be provided by statute, local law or ordinance, no officer, agent or employee of the municipality charged with the enforcement of the Housing and Buildings Code shall render himself personally liable for any resulting damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter. No person who institutes or assists in the prosecution of a criminal proceeding under this chapter shall be liable for any resulting damage unless he/she acted with actual malice and without reasonable grounds for believing that the person accused or prosecuted was guilty of an unlawful act or omission. Any suit brought against any Mayor, Trustee(s) of the Village of Brockport, officer, agent or employee of the municipality as a result of any act required or permitted in the discharge of his/her duties under this chapter shall be defended by the legal representative of the municipality at no cost to the Mayor, Trustee(s) of the Village of Brockport, officer, agent or employee of the municipality, until the final determination of the proceedings therein.

§ 36-11. Construction inspections.

- A. Work where a building permit has been issued shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer (or his authorized inspector). The permit holder shall notify the Code Enforcement Officer (or his authorized inspector) when any element of work described in Subsection B of this section is completed and ready for inspection. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10(A)(2) of this chapter and such other legal requirements as may apply to permit such inspection(s).
- B. Elements of work to be inspected. In connection with the issuance of a building permit, the following elements of work shall be subject to inspection by the Code Enforcement Officer (or his authorized inspector), without limitation, and as deemed necessary by the Code Enforcement Officer:
- (1) Pre-construction worksite.
 - (2) Footing and foundation.
 - (3) Sanitary/storm laterals and water services.
 - (4) Structural framing assemblies.
 - (5) Building systems, including underground and rough-in.
 - (6) Fire-resistant construction.
 - (7) Fire-resistant penetrations.

- (8) Electrical rough-in.
 - (9) Fire-suppression and fire alarm systems installations and tests.
 - (10) Solid-fuel-burning heating appliances, gas appliances, chimneys, flues or gas vents.
 - (11) Energy Code compliance.
 - (12) Final inspection after all work authorized by the building permit has been completed.
- C. Construction inspection results. Upon inspection, the holder of the building permit, or an authorized agent, shall be notified of the work or portion of work which has been satisfactorily completed, or otherwise notified regarding any non-compliant work under the Uniform Code, Energy Code or local law(s). Any designated non-compliant work shall remain fully exposed and accessible until such time as found to be satisfactorily completed by the Code Enforcement Officer (or his authorized inspector), after re-inspection.
- D. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of construction inspections made pursuant to an application for a building permit, certificate of occupancy or certificate of compliance or the failure to make construction inspections pursuant to an application for a building permit, certificate of occupancy, certificate of compliance or the issuance of or the failure to issue a building permit, certificate of occupancy, or certificate of compliance as a result of making construction inspections.

§ 36-12. Fire safety and property maintenance inspections.

- A. Inspections required. The Code Enforcement Officer (or his authorized inspector) shall perform fire safety and property maintenance inspections of buildings and structures at the following intervals:
- (1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly that contains one or more areas of public assembly with an occupant load of 100 persons or more, shall be performed at least once annually as provided by § 36-3 of this chapter.
 - (2) Fire safety and property maintenance inspections of buildings or structures being occupied as health-care, private schools and day cares, shall be performed at least once annually.
 - (3) Fire safety and property maintenance inspections of all residential rental one- and two-family dwellings, multiple dwellings, boardinghouses, furnished-room houses, rooming houses, tourist homes, apartment houses, group homes or any other type of residential rental property, shall be performed at least once annually.
 - (4) Fire safety and property maintenance inspections of all non-residential buildings and structures not included in subsections (A)(1) and (A)(2) above, shall be performed at least once every three years.
- B. Inspections permitted. In addition to the inspections required by this section, fire safety and property maintenance inspections of any building or structure may also be performed by

the Code Enforcement Officer (or his authorized inspector) at any time upon:

- (1) The request and/or consent of the owner of the building or structure to be inspected or an authorized agent of such owner;
 - (2) Receipt by the Code Enforcement Officer of a complaint statement alleging the existence of conditions or activities with respect to a building or structure which fail to comply with the Uniform Code, Energy Code or local laws; or
 - (3) Receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, which gives rise to a cause to believe that there exist conditions or activities with respect to a building or structure which fail to comply with the Uniform Code, Energy Code or local laws; provided, however, that nothing in this subsection shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10(A)(2) of this chapter and such other legal requirements as may apply to permit such inspection(s).
- C. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of fire safety and property maintenance inspections or the failure to make or to cause to made any such fire safety and property maintenance inspections.

§ 36-13. Complaints.

- A. The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, local law(s), or any other rule, regulation or ordinance. The process for responding to a complaint shall include the following steps as the Code Enforcement Officer, at his discretion, may deem to be appropriate:
- (1) Performing an inspection of the conditions and/or activities alleged to be in violation and documenting the results of such inspection. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10(A)(2) of this chapter and such other legal requirements as may apply to permit such inspection(s).
 - (2) If a violation is found to exist, providing the owner of the affected property, and any other person(s) who may be responsible for the violation, with notice of the violation and an opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described by this chapter.

- (3) If appropriate, issuing a stop-work order, pursuant to § 36-14 of this chapter, and/or issuing a red tag/placard, pursuant to § 36-15 of this chapter.
- (4) If a violation which was found to exist is subsequently indicated to have been abated or corrected, performing a confirmatory inspection to ensure the remediation of the violation and, if remediation is confirmed, preparing and filing a final written report reflecting the remediation of the violation.

§ 36-14. Stop-work orders.

- A. Authority to issue. The Code Enforcement Officer (or his authorized inspector) is authorized to issue stop-work orders pursuant to this section. The Code Enforcement Officer (or his authorized inspector) shall issue a stop-work order to halt:
 - (1) Any work that is determined by the Code Enforcement Officer (or his authorized inspector) to be contrary to any applicable provision of the Uniform Code, Energy Code or local laws, without regard to whether or not any building permit or approval was issued, or required to be issued, for the work to be completed;
 - (2) Any work that is determined by the Code Enforcement Officer (or his authorized inspector) to be conducted in a dangerous or unsafe manner, without regard to whether or not any building permit or approval was issued, or required to be issued, for the work to be completed; or
 - (3) Any work that is being performed without a building permit or approval, if a building permit or approval is required, or any work that is being performed under a building permit or approval which has become invalid, has expired, or has been suspended or revoked.
- B. Content of stop-work orders. Stop-work orders shall:
 - (1) Be in writing;
 - (2) Be dated and signed by the Code Enforcement Officer (or his authorized inspector);
 - (3) State the reason(s) for issuance; and
 - (4) If applicable, state the condition(s) which must be satisfied before work will be permitted to resume.
- C. Service of stop-work orders. The Code Enforcement Officer (or his authorized inspector) shall cause a copy of the stop-work order to be served on the owner of the affected property and, if different, also to be served on the holder of the building permit or approval, which is to be served personally or by registered mail/certified mail. The Code Enforcement Officer (or his authorized inspector) shall be permitted, but not required, to cause a copy of the stop-work order to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in the work affected by the stop-work order, which may be served in any manner. Provided, however, that the failure to effect any service the stop-work order shall in no event affect the validity thereof. In all cases, the Code Enforcement Officer (or his authorized inspector) shall also cause a copy of the stop-work order to be affixed to the noncompliant

building or other structure, equipment or land.

- D. Effect of stop-work order. Upon the issuance of a stop-work order, the owner of the affected property, the permit holder, if different, and any other person performing, taking part in or assisting in the work being performed, shall immediately cease all work which is the subject of the stop-work order.
- E. Remedy not exclusive. The issuance of a stop-work order shall not be the exclusive remedy available to address the events described in subsection (A) of this section, and in no event shall limit the ability and authority of the Code Enforcement Officer (or his authorized inspector) to pursue any other remedy or penalty pursuant to this chapter or under any other applicable state or local law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a stop-work order.

§ 36-15. Structures unfit for human habitation (red tag/placard).

A. Whenever the Code Enforcement Officer (or his authorized inspector) finds that any building, dwelling, multiple dwelling, dwelling unit, or any other structure or premises is potentially unsafe and/or constitutes a potential hazard to the safety, health or welfare of the occupants or to the public because it is significantly in disrepair, damaged, or unsanitary, or because it lacks necessary sanitary facilities or equipment, or otherwise because it fails to comply with the minimum provisions of this chapter, the Uniform Code, or any other applicable state or local law, but has not yet reached such state of disrepair as to be condemned as an unsafe building pursuant to the provisions of Article II of this chapter, the Code Enforcement Officer (or his authorized inspector) may declare such building, dwelling, multiple dwelling, dwelling unit, structure or premises as unfit for human habitation and thus order it to be vacated by all occupants thereof pending the completion of appropriate remediation.

B. Any building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which is declared as unfit for human habitation shall be posted with a red tag/placard by the Code Enforcement Officer (or his authorized inspector). The red tag/placard shall include the following:

- (1) The name of the Village.
- (2) The name of the Code Enforcement Officer (or his authorized inspector) issuing the red tag/placard.
- (3) The section of this chapter under which the red tag/placard is issued.
- (4) If not directed by the Code Enforcement Officer (or his authorized inspector) to be vacated immediately, the date by which the dwelling, building, multiple dwelling or structure, or premises must be vacated.
- (5) Unless all entry is forbidden by the Code Enforcement Officer (or his authorized inspector), an order that the building, dwelling, multiple dwelling, dwelling unit, or other structure or premises must not be occupied until the red tag/placard is removed from the subject property by the Code Enforcement Officer (or his authorized inspector).
- (6) The date that the red tag/placard is posted.

- (7) A statement that it constitutes a violation of law under this chapter for any such red tag/placard to be defaced or removed.
- C. Notice to owner. Whenever the Code Enforcement Officer (or his authorized inspector) has declared a building, dwelling, multiple dwelling, dwelling unit, or other structure or premises as unfit for human habitation, the Code Enforcement Officer shall provide separate notice of such declaration to the owner thereof. Such notice shall:
- (1) Be in writing.
 - (2) Include a description of the real estate sufficient for identification.
 - (3) Include a statement of the reason or reasons why it is being issued.
 - (4) State the required remedies to correct the deficient property conditions.
 - (5) If not already vacant, state that all occupants in the property must vacate immediately, or by the date as otherwise directed, pending the completion of appropriate remediation.
- D. Service of notice to owner. Notice of the declaration of any structure as unfit for human habitation, shall be served upon the property owner in the same manner as provided in § 36-27(D) of this chapter. When the existing property conditions require the removal or demolition of the building, the Code Enforcement Officer (or his authorized inspector) shall have authority for emergency measures as provided in Article II of this chapter pertaining to unsafe buildings.
- E. Removal of red tag/placard. No person shall deface or remove any such red tag/placard from any building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared as unfit for human habitation.
- F. Vacating of structure declared as unfit for human habitation. Any building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared as unfit for human habitation by the Code Enforcement Officer (or his authorized inspector) shall be vacated immediately, or alternatively by such other date as directed by the Code Enforcement Officer (or his authorized inspector). If not required to be vacated immediately, it shall be unlawful for any person to occupy, and/or for any owner or operator to permit to be occupied, any building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared as unfit for human habitation, after the vacate date set forth in the red tag/placard.
- G. Occupancy of building. No building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared as unfit for human habitation shall again be used for human habitation until approval is secured from the Code Enforcement Officer (or his authorized inspector). The Code Enforcement Officer (or his authorized inspector) shall remove such red tag/placard only when the indicated defect(s) have been eliminated, or as otherwise may be required by any judicial proceedings.

ARTICLE II

Unsafe Buildings

§ 36-16. Unsafe buildings.

- A. The purpose of this article is to promote, protect and preserve the safety, health, welfare and property of residents and owners of property within the Village of Brockport, by providing an ordinance for the removal or repair of unsafe buildings therein that, from any cause, may now be or shall hereafter become dangerous, unsafe or a public nuisance or fire hazard.
- B. Unsafe buildings; repair or demolition and removal. The owner of any building or structure, with owner as defined in § 36-9 of this chapter, shall at all times maintain and keep the same in good repair, and in a healthy, safe, secure and usable condition. If a building or structure, or any portion thereof, is in such state of disrepair as to constitute an unsafe building, as defined in subsection (C) below, it shall be placed into good repair and made safe, healthy, secure and usable by the owner thereof, or otherwise be demolished and removed.
- C. Unsafe buildings; definition. An unsafe building is any structure or edifice or portion thereof where:
- (1) The walls are in poor structural condition, the floors are overloaded or there are other major structural defects, including significant exterior deterioration; or
 - (2) There is a lack of safeguards against fire or the structure is so poorly maintained as to constitute a fire hazard; or
 - (3) It is open and/or unsecured at the doorways, windows or walls, making unauthorized access and entry to be readily available; or
 - (4) It is or may become a place of rodent infestation; or
 - (5) There is debris, rubble or parts of buildings or structures left after demolition, reconstruction, fire or other casualty or occurrence; or
 - (6) There are substantial and significant violations of the Uniform Code or any other state or local code, which violations constitute an endangerment to the health, safety and general welfare of the public; or
 - (7) There presents any other danger to the health, safety and general welfare of the public.

§ 36-17. Investigation and report.

When, in the opinion of the Code Enforcement Officer, any building or structure is determined to be dangerous or unsafe to the health, safety and general welfare of the public as an unsafe building, pursuant to this article, the Code Enforcement Officer shall make a formal inspection thereof and report his findings and recommendations in writing to the Village Board with regard to the repair or demolition and removal of said building or structure.

§ 36-18. Order to repair or demolish and remove; hearing to be scheduled.

The Village Board shall thereupon consider said written report from the Code Enforcement Officer, and if it finds that said building or structure is dangerous and unsafe to the public, it shall, by resolution, order the repair of said building or structure if it can be safely repaired, and if not, then its demolition and removal, and shall further order that a hearing be held before the Village Board at a time and place therein specified and on at least 10 days' notice to the owner of said building or structure and owner of the land upon which said building or structure is situated, with owner as defined in § 36-9 of this chapter, as well any tenant or occupant of said building or structure or of the land upon which it is situated, or any other identified persons having an interest therein, to determine whether said order to repair or remove shall be affirmed or modified or vacated, and in the event of affirmance or modification, to assess all costs and expenses incurred by the Village of Brockport in connection with the repair or removal of such building or structure, pursuant to § 36-23 below, against the land upon which it is situated.,

§ 36-19. Contents of notice to repair or demolish; alternatively repair or demolition by the Village.

A. Contents of notice to repair or demolish to include as follows:

- (1) The name of the owner of the building or structure, and if different the name of the owner of the land upon which said building or structure is situated, as appears from the tax and/or deed records; and
- (2) A brief description of the subject premises and its location; and
- (3) A description of the building or structure, and a statement identifying the particulars in which it is an unsafe building; and
- (4) An order requiring the building or structure to be made safe and secure or otherwise to demolished and removed; and
- (5) The time and place of the hearing to be held before the Village Board, at which hearing the owner, occupant or other interested person shall have the right to contest the order and findings of the Village Board.

B. The securing or removal of said unsafe building or structure should commence within a specified number of days of the service of the notice to repair or demolish and shall be completed within a specified number of days thereafter.

C. In the event that the owner, occupant or other interested person fails to contest such order and fails to comply with the same, the Village Board will order the repair or the demolition and removal of such unsafe building or structure by the Village, and the Village will assess all costs and expenses incurred in such repair or demolition and removal against the land upon which such building or structure is located.

D. In any case where an unsafe building under this article is made safe and secure by the boarding up thereof, the material used shall be approved in advance, and further shall be

painted, as near as practicable, the same color as the building.

§ 36-20. Service and filing of notice to repair or demolish.

- A. A copy of said notice to repair or demolish shall be personally served upon the owner, as defined in § 36-9 of this chapter, or some one of the owner's executors, legal representatives, agents, lessees or other person or entity having a vested or contingent interest in the premises as shown from the tax and/or deed records or from the records of the Monroe County Clerk's Office.
- B. If no such person can be reasonably found for personal service, then a copy of said notice to repair or demolish shall be mailed to such person by registered mail addressed to his/her last known address and by personally serving a copy of said notice to repair or demolish upon any person occupying said premises, if any, and by also securely and visibly posting a copy of said notice to repair or demolish upon said building.
- C. A copy of said notice to repair or demolish shall be filed in the Monroe County Clerk's Office, which shall be filed in the same manner as a notice of pendency pursuant to Article 65 of the Civil Practice Law and Rules (CPLR) and shall have the same effect as a notice of pendency as therein provided. A notice to repair or demolish which is so filed shall be effective for a period of one year from the date of filing, subject to being vacated upon order of a judge or justice of a court of record, or upon the written consent of the Village Attorney of the Village of Brockport. Upon the presentation and filing of a certified copy of such order or such consent, the Monroe County Clerk's Office shall mark such notice to repair or demolish and any record or docket thereof as cancelled of record.

§ 36-21. Hearing.

- A. The Village Board shall conduct the public hearing at the time and place specified in the notice to repair or demolish. It may adjourn the hearing from time to time until all interested parties are heard and until the hearing is completed. At the conclusion of the hearing, the Village Board shall determine by resolution to revoke the order to repair or remove, modify said order to repair or remove, or continue and affirm said order to repair or remove, and in the event of modification or affirmance, direct the owner or other interested person(s) to complete the necessary work within the time specified in the order to repair or remove or such other time as shall be determined by the Village Board.

§ 36-22. Failure to comply.

In the event of the refusal, failure or neglect of the owner or other interested person(s) so notified to comply with said order to repair or remove within the specified time, and after the public hearing, the Village Board shall order that such building be made safe and secure or demolished and removed, either by employees of the Village or by independent contractors. The Village reserves the right to proceed with competitive bidding for an award of a contract for repair or

demolition after its determination of the potential cost and taking into consideration whether emergency action is required.

§ 36-23. Assessment of costs and expenses.

All costs and expenses incurred by the Village in connection with the proceedings set forth in this article, including the actual costs for making safe and securing or demolishing and removing the unsafe building, and also including any attorney fees incurred for the enforcement of this article, shall be assessed against the land on which the unsafe building was or is located, and shall be included in the tax levy and collected against said parcel of land, or alternatively may be collected in the same manner as provided in General Municipal Law § 78-b.

§ 36-24. Emergency situations.

Where it reasonably appears that there is a clear and imminent danger to the life, safety or health of any person or property unless an unsafe building is immediately repaired and secured or demolished and removed, the Village Board may by resolution authorize the Code Enforcement Officer to immediately cause the repair or demolition of such unsafe building, and with the assessment of all attendant costs and expenses pursuant to § 36-23 of this chapter.

§ 36-25. Application for court order.

The Village Board, in its discretion, may elect to apply to the Supreme Court of the State of New York for an order directing that an unsafe building be repaired and secured or demolished and removed.

**ARTICLE III
Administration**

§ 36-26. Enforcement.

Except as otherwise authorized, the Code Enforcement Officer of the Village of Brockport, and his authorized inspector(s), is/are the official(s) charged with enforcing the provisions of this chapter by notice, ticketing, etc., or by such other enforcement procedures, means and methods as set forth in the chapter or otherwise permitted by law.

§ 36-27. Notice of violation; compliance orders; appearance tickets; penalties for offenses.

- A. Notice of violation. When the Village of Brockport determines any activity not carried out in accordance with the requirements of the Uniform Code, Energy Code, or this chapter, the Code Enforcement Officer (or his authorized inspector) shall be authorized to issue a written notice of violation(s) to the owner, as defined in § 36-9 of this chapter, and/or the owner's agent and/or any occupant(s) of the subject property or to any combination of property managers or agents, builder, architect, tenant(s), contractor, subcontractor, construction superintendent, or their agents, or any other person taking part in work being conducted on or about a building structure, premises or property.
- B. Informal compliance orders. The Code Enforcement Officer (or authorized inspector) is authorized to order, either in writing or by any other means, the remedying of any condition or activity found to exist in, on or about any building, structure or premises in violation(s) of the Uniform Code, the Energy Code, or this chapter.
- C. Compliance order/order to remedy. The Code Enforcement Officer (or his authorized inspector) is further authorized to order, in writing, the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, Energy Code, or this chapter.. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a compliance order/order to remedy. The compliance order/order to remedy shall:
- (1) Be in writing.
 - (2) Be dated and signed by the Code Enforcement Officer (or his authorized inspector).
 - (3) Specify the condition or activity that violates the Uniform Code, Energy Code, or this chapter.
 - (4) Specify the provision or provisions of the Uniform Code, Energy Code, or this chapter which is/are violated by the specified condition or activity.
 - (5) Specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance.
 - (6) Direct that compliance be achieved within the specified period of time and state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time.
- D. The Code Enforcement Officer (or his authorized inspector) shall cause the compliance order/order to remedy to be mailed to the property owner identified in filings with and records of the Village of Brockport (or as indicated in the real property records of the Monroe County Clerk), and/or to the property owner as defined in § 36-9 of this chapter, by registered and/or certified mail, and/or a copy thereof may be personally served on the owner of the affected property. The Code Enforcement Officer shall be permitted, but not required, to cause a copy of the compliance order/order to remedy to be mailed on any property manager or agent, builder, architect, tenant(s), contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed or occurring at the affected property, and/or involved in the use of the affected property, also by registered and/or certified mail, and/or by personal service thereof.

- E. Appearance tickets. The Code Enforcement Officer (or his authorized inspector), is authorized to issue appearance tickets for any violation(s) of the Uniform Code, Energy Code, or this chapter.
- F. Fines; civil penalties. Upon conviction for a violation of the Uniform Code, Energy Code, or this chapter, any such person, partnership, entity or corporation shall be punished by a fine of not more than \$350 for each offense. Each week that any such violation continues to occur shall constitute a separate and distinct offense. In addition to those penalties prescribed by state law, any person who violates any provision of the Uniform Code, the Energy Code or this chapter, or any term or condition of any building permit, certificate of occupancy/certificate of compliance, conditional certificate of occupancy, residential rental registration, stop-work order, operating permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter, shall in addition be subject to liability to a civil penalty of not more than \$350 for each week or part thereof during which such violation continues. Upon conviction of any such violation, in addition to any other penalty authorized by this section, any person, partnership, entity or corporation convicted of violating any of the provisions of this chapter, shall be required to bear the expense of such compliance. The civil penalties provided by this subsection shall be recoverable in an action instituted in the name of the Village of Brockport.
- G. Injunctive relief. An action or proceeding may be instituted in the name of the Village of Brockport, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of or to enforce any provision of the Uniform Code, Energy Code, or this chapter or any term or condition of any building permit, certificate of occupancy/certificate of compliance, conditional certificate of occupancy/certificate of compliance, stop-work order, operating permit, residential rental registration, compliance order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, Energy Code, or this chapter, or any stop-work order, compliance order or other order obtained under the Uniform Code, the Energy Code, or this chapter, an action or proceeding may be commenced in the name of the Village of Brockport, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subsection shall be commenced without the appropriate authorization from the Board of Trustees of the Village of Brockport.
- H. Remedies not exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedies available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in § 36-14 (Stop-work orders) or 36-15 (Structures unfit for human habitation) of this chapter or any other chapter of this Code, or local law, in any other section of the local law(s), or in any other state or local law, as applicable. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in § 36-14 (Stop-work orders) or § 36-15 (Structures unfit for human habitation) of this chapter, or local law, in any other section of local law(s), or in any other applicable law. In particular, but not by way of

limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in Subdivision (2) of § 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in Subdivision (2) of § 382 of the Executive Law.

§ 36-28. Recordkeeping.

The Village of Brockport shall keep permanent official records of all transactions and activities conducted by all code enforcement personnel, including records of:

- A. All applications received, reviewed and approved or denied.
- B. All plans, specifications and construction documents approved.
- C. All building permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance, stop-work orders, and operating permits issued.
- D. All inspections and tests performed.
- E. All statements and reports issued.
- F. All complaints received.
- G. All investigations conducted.
- H. All other features and activities specified in or contemplated by §§ 36-2 through 36-8, and 36-12 through 36-16, inclusive, of this chapter; and all such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by state law and regulation.

§ 36-29. Program review and reporting.

- A. The Code Enforcement Officer shall annually submit to the Board of Trustees of the Village of Brockport a written report and summary of all business conducted by the Code Enforcement Officer and the inspectors, including a report and summary of all transactions and activities described in § 36-23 (Recordkeeping) of this chapter.
- B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Village of Brockport, on a form prescribed by the Secretary of State, a report of the activities of the Village of Brockport relative to administration and enforcement of the Uniform Code.
- C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Village of Brockport is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of the Village of Brockport in connection with administration and enforcement of the Uniform Code.

§ 36-30. Intermunicipal agreements.

The Board of Trustees of this Village of Brockport may, by resolution, authorize the codes official of any municipality within New York State enter into an agreement, in the name of the Village of Brockport, with other governments to carry out the terms of this chapter, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of NYCRR, or any other applicable law(s).

§ 36-31. Validity.

- A. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code, which shall continue in full force and effect; and to this end, the provisions of this code are hereby declared to be severable.
- B. Saving clause. This code shall not affect violations of any other ordinance, code or regulation of the municipality existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.
- C. Unconstitutionality or invalidity in part. Should any section, paragraph, sentence, clause or phrase in this code be declared unconstitutional or invalid for any reason, the remainder of the code shall not be affected thereby and shall remain in full force and effect; and to this end, the provisions of this code are declared to be severable.

§ 36-33. When effective.

This chapter shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with § 27 of the Municipal Home Rule Law.²

2. Editor's Note: This local law was filed with the Secretary of State on 10-27-2008.

From : John Bush [REDACTED]

To : [REDACTED]

Subject : Re: Final Chapter 36

Date : Thu, Feb 27, 2014 02:43 AM

I know firemen and ems persons get to an emergency in ten minutes or less. They need a manager with knowledge to help secure an emergency as fast as possible. You are looking at a possible disaster with a knowledgeable person 25 or more minutes away. Firemen need to secure a emergency till a utility persons arrive. It could mean the loss a life and I don't want to be a part of this.

11/11/2020



Department of Public Safety

STOP-DWI Program

Monroe County, New York

Maggie Brooks
County Executive

Peggy Duffy
STOP-DWI Coordinator

January 30, 2014

Chief Daniel Varrenti
Brockport Police Department
1 Clinton Street
Brockport, NY 14420

Dear Chief Varrenti:

Congratulations! Your agency has achieved one of the highest annual percentage increases of DWI arrests among local law enforcement agencies for 2013.

Awards will be presented on Wednesday, February 26, 2014, at the 17th Annual Monroe County STOP-DWI Program/Traffic Safety Board Awards luncheon. This year's event will be held at the Burgundy Basin Inn located at 1361 Marsh Road from 11:30 a.m. to 1:30 p.m.

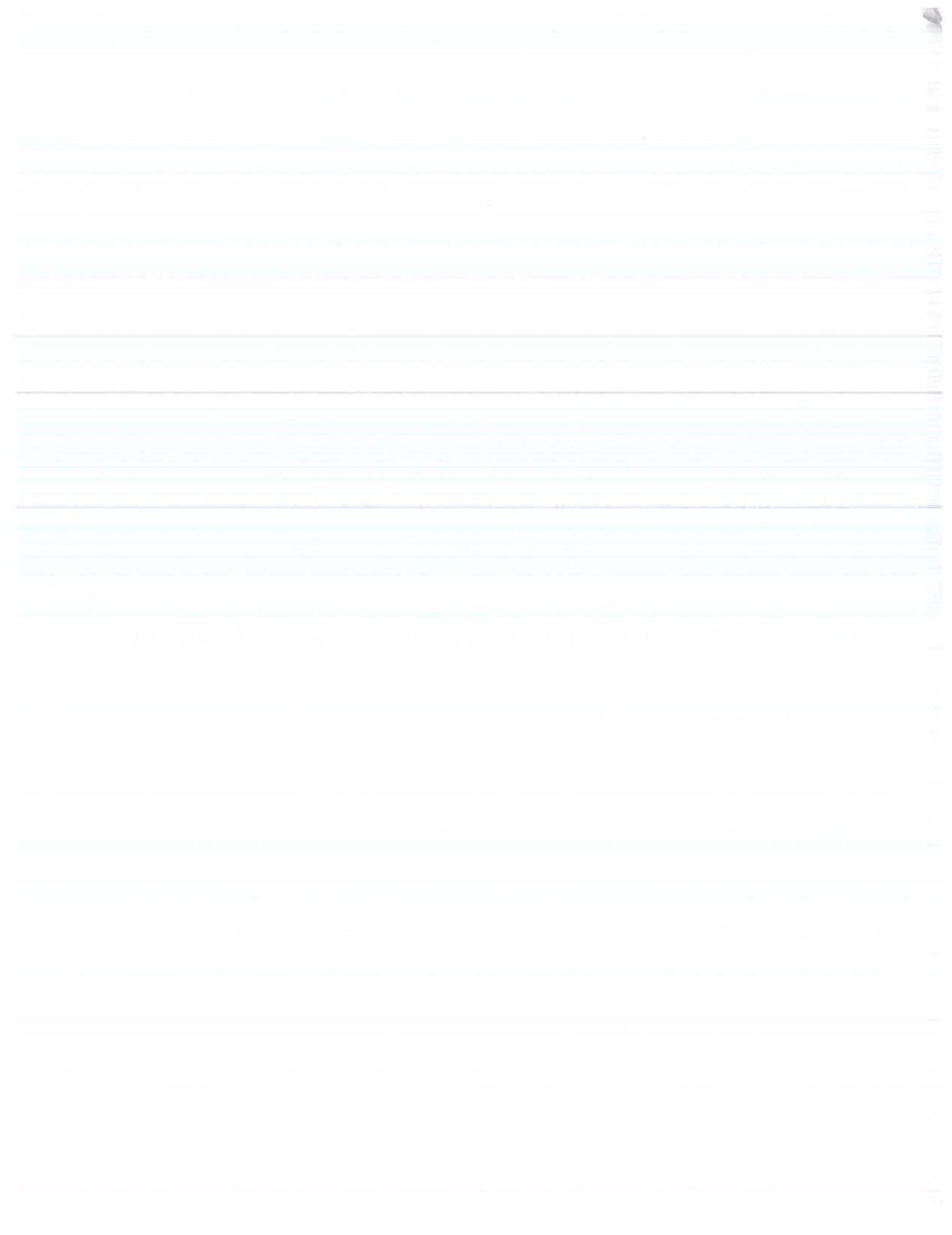
Please call the STOP-DWI office at (585) 753-3011 to RSVP or email Jeanne at jeanneowens@monroecounty.gov by Wednesday, February 19, to inform us if you will be able to attend. Additional tickets may be purchased for \$30.00 each by using the enclosed form.

Sincerely,

Peggy Duffy
STOP-DWI Coordinator

Enc.

cc: Mayor Margaret B. Blackman





Office of the Controller

Monroe County, New York

Maggie Brooks
County Executive

Anthony Feroce
Controller

February 15, 2014

The Honorable Margaret Blackman, Mayor
Village of Brockport
49 State Street
Brockport, NY 14420

Subject: Monroe County Sales Tax Distribution for Fourth Quarter 2013

Dear Ms. Blackman:

Your village's share of the Fourth Quarter 2013 sales tax receipts is \$400,403.98. This compares to \$387,345.46 distributed for the same quarter in 2012.

A copy of this letter, along with a check representing your village's distribution, has been sent to your Village Treasurer.

Please note, if the New York State Taxation and Finance Department, through its auditing process, uncovers any discrepancies with this quarter's reported amount, the figures may be adjusted thereby affecting future quarterly reporting periods.

If you have any questions, feel free to contact me at (585) 753-1157.

Sincerely,

Anthony Feroce
Controller

xc: Village Treasurer, Village of Brockport

