

**VILLAGE OF BROCKPORT**  
**VILLAGE BOARD - MEETING AGENDA**  
**Tuesday, June 12, 2012 7:00pm**  
**Location: Middle School LGI – large group instruction room**

**Excused:** Trustee Hunsinger

- **CALL TO ORDER / PLEDGE:** please silence cell phones & electronic devices & refrain from texting
- **MOMENT OF SILENCE:** to honor those that serve our Country, enforce our laws, & respond to emergencies
- **MISSION STATEMENT:** “To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport’s unique heritage and historic character.”
- **PUBLIC 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)
  
- **GUESTS:**
  - Representative from SUNY Community Development – 8/25 Saturday of Service
  
- **CERTIFICATES & PROCLAMATIONS:**
  - Proclamation - Monika Andrews Day
  
- **CONSENSUS ITEMS:**
  - Approval of minutes – 5/22, 5/30, 6/5
  - Approval of bills to be paid
  
- **CLERK REPORT:**
  - Clerk – Leslie Ann Morelli
  
- **PERSONNEL ITEMS:**
  - Welcome Center adds – once a week volunteer cleaner & supervisor from LAI
  - Fire Department membership drops/adds
  - Hire 4<sup>th</sup> Seasonal (summer) DPW Laborer
  - Assistant Building Inspector position – IS competitive Civil Service – next meeting for VB to advise if wish to keep as competitive or pursue process with Civil Service to change to non-competitive
  - Police Chief Varrenti 211 waiver renewal application
  
- **OLD BUSINESS:**
  - Consider requests of Advisory Board (Committee) re Emily L. Knapp Museum & Library of Local History
  
- **NEW BUSINESS:**
  - Accept & authorize Mayor to execute Chatfield Eng. proposal re Liberty Street storm sewer replacement
  - Authorize application for NYS DEC grant
  - Authorize a letter of interest to Western Erie Canal Main Street Program as first step of process toward becoming a National Main Street Community
  - Village Court Report #3
  
- **VILLAGE BOARD REPORTS:**
  - Mayor Maria Connie Castañeda
  
  - Trustee Margaret B. Blackman
  
  - Trustee Kent R. Blair
  
  - Trustee Carol L. Hannan
  
  - Trustee Scott W. Hunsinger (excused)
  
- **EXECUTIVE SESSION** (if needed)
  
- **ADJOURNMENT**

**Upcoming:** Noon-9pm, Tuesday, 6/19 – Village Elections & Proposition (at Village Hall)  
7pm Tuesday, 6/26 – Village Board meeting (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**  
**NOTICE**  
**June Village Board meetings - relocation**

Please take notice that the Tuesday, June 12, 2012 and Tuesday, June 26, 2012 7pm Brockport Village Board meetings will be located at a larger venue - the A.D. Oliver Middle School LGI (large group instruction room) at 40 Allen Street Brockport, NY 14420 rather than Village Hall at 49 State Street Brockport, NY 14420.

Leslie Ann Morelli  
Village Clerk  
Village of Brockport

Dated: June 6, 2012

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

**VILLAGE OF BROCKPORT  
PROCLAMATION**

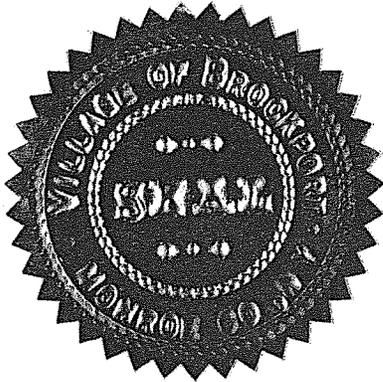
**WHEREAS, on July 21<sup>st</sup> the Utica Street Playground will be dedicated as "The Monika Andrews Children's Park" in recognition of Monika Andrews' successful establishment of the first handicapped accessible playground in Monroe County for all the youth of the greater Brockport community; and**

**WHEREAS, on July 21<sup>st</sup> the Brockport Ecumenical Rood Shelf, whose mission is to reduce hunger by providing food relief to eligible residents in Brockport, Sweden and Clarkson, will dedicate its main room to Monika Andrews in recognition of her leadership as president of this community organization; and**

**WHEREAS, on July 21<sup>st</sup> Monika Andrews' life will be celebrated by her large family and many friends as her earthly remains are interred in Brockport's historic High Street Cemetery;**

**NOW, THEREFORE, Maria Connie Castañeda, Mayor of the Village of Brockport along with Trustees Blackman, Blair, Hannan, and Hunsinger do hereby proclaim July 21, 2012 to be Monika Andrews Day in recognition and commemoration of Monika's lifetime of compassionate community service in these and myriad other volunteer activities including CROP, Habitat for Humanity, Meals on Wheels, Lakeside Twigs, and hospice nursing.**

**IN WITNESS WHEREOF, we do hereby set our hand, and cause the Corporate Seal of the Village of Brockport to be affixed this 12<sup>th</sup> day of June, in the year 2012.**



\_\_\_\_\_  
**Maria Connie Castañeda, Mayor**

\_\_\_\_\_  
**Margaret B. Blackman, Trustee**

\_\_\_\_\_  
**Kent R. Blair, Trustee**

\_\_\_\_\_  
**Carol L. Hannan, Trustee**

\_\_\_\_\_  
**Scott W. Hunsinger, Trustee**

# Village of Brockport DPW Seasonal Employment Opportunity

## SUMMER EMPLOYMENT

The Village of Brockport Department of Public Works  
is accepting applications for four (4) Seasonal Laborers.

Work week shall be Monday - Friday 7:00am to 3:30pm, 40 hrs/week.

Wage subject to experience. No benefits.

Must have a valid NYS Drivers License. Minimum age requirement is 18.  
Applicants are subject to pre-employment and random alcohol/drug testing.

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

Completed applications must be turned in to:

Leslie Ann Morelli, Village Clerk

Village of Brockport

49 State Street, Brockport, NY 14420

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

Application Deadline: Thursday, May 24, 2012

HIRE RECOMMENDATIONS  
NAMES + HOURLY RATES TO BE  
PROVIDED BY DAW SPT. FOR 6/5 VB WORK  
SESSION

NOTES:

3 HIRED 6/5 VB mtg.

4TH TO BE HIRED 6/12 VB mtg.

*Ann*

## Leslie Ann Morelli

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**From:** Leslie Ann Morelli [lmorelli@brockportny.org]  
**Sent:** Thursday, May 24, 2012 1:57 PM  
**To:** Mayor Maria Connie Castaneda ; Trustee Carol Hannan ; Trustee Kent Blair; Trustee Margay Blackman ; Trustee Scott Hunsinger  
**Cc:** Code Enforcement Officer Scott Zarnstorff; Police Chief Daniel Varrenti  
**Subject:** Assistant Building Inspector title (the position last held by Larry Vaughan)

Hello All –

Well, they say you should usually go with your 1<sup>st</sup> response / gut instinct.

You may recall that at an April VB meeting I said the Assistant Building Inspector title held part time by Larry Vaughan was Civil Service competitive – meaning we would have to hire off a list. Then when I was questioned I checked with our rep at the County and she said it was non-competitive. So, I apologized at a following VB meeting for having misspoken.

It turns out I did not misspeak. It IS competitive. Our rep apologizes for the confusion, as the same title in many other municipalities is non-competitive.

Anyway – if the VB wishes me to pursue it becoming NON-competitive, I have some paperwork to fill out & submit for Civil Service (County & State) consideration. It is a bit of a process, but sounds doable.

I will place this on either the 6/12 or 6/26 VB meeting agenda for consideration / direction as to keeping the title competitive or pursuing getting it classified non-competitive.

Leslie Ann Morelli  
Village Clerk  
Village of Brockport  
49 State Street  
Brockport, NY 14420  
(585) 637-5300 X12  
(585) 637-1045 fax  
[lmorelli@brockportny.org](mailto:lmorelli@brockportny.org) e-mail  
<http://www.brockportny.org> website

- o Police Chief Varrenti 211 waiver application renewal –

→ Motion by Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_,

RESOLVED:

a) That all eligible candidates on both promotional and competitive Monroe County Civil Service lists for Chief of Police were canvassed by the Village Clerk and 4 of 7 candidates responded to the canvass by stating they were interested in the position of Chief of Police. However, only 2 of those 4 are eligible **non**-retired candidates. The two non-retired candidates interested do not establish a list, as three are needed per Civil Service.

b) Authorizing and directing the Mayor to sign the waiver renewal application by no later than June 13, 2012.

c) Authorizing and directing the Village Clerk to submit canvas materials to Monroe County Civil Service and waiver renewal application and copy of canvas materials and this resolution to New York State Civil Service by no later than June 14, 2012.

Upon roll call vote:

Trustee Blair \_\_\_\_\_  
Trustee Blackman \_\_\_\_\_  
Trustee Hannan \_\_\_\_\_  
Trustee Hunsinger \_\_\_\_\_  
Mayor Castañeda \_\_\_\_\_

Result: \_\_\_\_\_ / \_\_\_\_\_



State of New York  
 Department of Civil Service  
 Alfred E. Smith Office Bldg.  
 Albany, NY 12239

**SECTION 211 APPLICATION**  
 Application for Pension Waiver Pursuant to Section 211 of the  
 New York State Retirement and Social Security Law

CSC-1 (09/11L)

**NOTE: THIS FORM IS TO BE COMPLETED IN DETAIL AND SUBMITTED BY THE APPOINTING AUTHORITY. USE THIS FORM ONLY FOR EMPLOYMENT UNDER SECTION 211. DO NOT USE FOR EMPLOYMENT UNDER SECTION 212. DISABILITY RETIREES ARE NOT ELIGIBLE FOR EMPLOYMENT UNDER SECTION 211.**

SECTION A

Requesting Employer Village of Brockport		Retiree's Last Name, First Name, and Middle Initial Varrenti, Daniel P		
Employer's Mailing Address, Street, City, State, Zip 49 State Street, Brockport, NY 14420		Retiree's Mailing Address, Street, City, State, Zip [REDACTED]		
Title of Position to be Filled by Retiree Chief of Police		Job Code (State agency use only)		
Jurisdictional Classification of Position <input type="checkbox"/> Non-Comp. ( <input type="checkbox"/> Policy Influencing <input type="checkbox"/> Non-Policy Influencing) <input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Unclass. <input type="checkbox"/> Labor <input type="checkbox"/> Other		Appointment Type <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary <input type="checkbox"/> Provisional	Duration of Waiver (Two-Year Maximum) From 7-1-12 (MM-DD-YY) 6-30-14 To (MM-DD-YY)	Anticipated Annual Earnings \$113,155
Name of Previous Public Employer Town of Irondequoit		Retirement System Police Fire		
Retiree's SSN [REDACTED]		Retiree's Retirement System Number [REDACTED]		
Retiree's Date of Birth [REDACTED] Date of Retirement 1-19-02		Type of Retirement <input checked="" type="checkbox"/> Service <input type="checkbox"/> Disability		

**IMPORTANT:** Has the retiree previously been granted a waiver under section 211 prior to October 7, 2008?  Yes  No  
 If yes, when? From 3/02 To 6/31/12 For what position? Chief of Police

**IF YES, COMPLETE NOTE 1 and NOTE 3. IF NO, COMPLETE NOTE 2 and NOTE 3.**

**NOTE 1 – Pre-October 7, 2008 criteria (attach all documentation and additional sheets as necessary)**

SECTION B

- Fully describe the duties of the position for which the waiver is requested.  
See Attachment A
- Fully explain the minimum qualifications of the position. Official civil service qualifications must be used for recruitment. **NOTE:** Where minimum qualifications are established by the agency (unclassified service, exempt and other) they must be included in the recruitment advertising.  
N/A
- A formal recruitment effort must be conducted to determine that there are no other qualified non-retirees available for recruitment. If recruitment efforts are fruitless, such as hard to recruit or unique appointment process, you must provide a detailed explanation.  
See Attachment B  
 Otherwise, check that you have completed and provided the following documentation:
  - Fully describe your recruitment efforts such as, conspicuous posting of the employment opportunity within the organization, public advertising, and evidence that the New York State Job Service has been contacted in the recruitment effort.
  - Aside from 211 experience, if any, indicate if retiree has unique skill sets and/or if the position requires unique skill sets.
  - YOU MUST** post for a reasonable duration and explain how you determined the appropriate posting period. Fully describe where you posted as well as the expected volume of circulation. Consider factors such as salary of position and location when determining the duration of posting.
  - YOU MUST** advertise for the salary you offer or explain why the salary is commensurate with experience.
  - Attach a copy of the recruitment announcement and advertisement.
  - You must specify the results of your recruitment effort and supply details regarding candidate responses to advertisements, interviews, and available candidates.

4. Fully discuss how the individual is duly qualified, competent and physically fit to perform the duties. (Note that the retiree must be qualified to perform the duties of the position, and this fact must be affirmed by signing the Certification.)

See Attachment C

5. Describe how employment of the retiree is in the best interest of government service.

See Attachment D

**NOTE 2 – Post-October 7, 2008 criteria (attach all documentation and additional sheets as necessary):**

1. Is the retiree seeking re-employment within one year of retirement  Yes  No (If no, skip ahead to question #3.)

If yes, what is the date of retirement? \_\_\_\_\_,

Title of position retired from: \_\_\_\_\_.

2. If within one year of the date of retirement, the retiree is barred from having the same duties and responsibilities. Fully explain how retiree will have different duties and responsibilities than performed in the prior position.

3. Fully explain the minimum qualifications of the position. Official civil service qualifications must be used for recruitment. **NOTE:** Where minimum qualifications are established by the agency (unclassified service, exempt and other) they must be included in the recruitment advertising.

4. **YOU MUST** select **ONE** of the following and provide detailed documentation and explanation that (attach additional sheets as necessary):

a)  There is an urgent need for his or her services in such position as a result of an unplanned, unpredictable, and unexpected vacancy where sufficient time is not available to recruit a qualified individual and that such hiring shall be deemed as non-permanent rather than a final filling of such position. An explanation must be provided on the circumstances which created the unplanned, unpredictable, and unexpected vacancy for which a retiree is needed (for example, did the previous incumbent resign, transfer to another position, etc.) or that recruitment efforts are fruitless, such as hard to recruit or unique appointment process.

**OR**

b)  I have undertaken extensive recruitment efforts to fill such vacancy and as a result thereof, have determined that there are no available non-retired persons qualified to perform the duties of such position. Documentation that the employer has undertaken extensive recruitment efforts to fill such vacancy must be provided. The documentation must support the fact that there are no available non-retired persons qualified to perform the duties of such position.

Check that you have completed and provided the following documentation:

- Fully describe your recruitment efforts such as, conspicuous posting of the employment opportunity within the organization, public advertising, and evidence that the New York State Job Service has been contacted in the recruitment effort.
- Aside from 211 experience, if any, indicate if retiree has unique skill sets and/or if the position requires unique skill sets.
- YOU MUST** post for a reasonable duration and explain how you determined the appropriate posting period. Fully describe where you posted as well as the expected volume of circulation. Consider factors such as salary of position and location when determining the duration of posting.
- YOU MUST** advertise for the salary you offer or explain why the salary is commensurate with experience.
- Attach a copy of the recruitment announcement and advertisement.
- You must specify the results of your recruitment effort and supply details regarding candidate responses to advertisements, interviews, and available candidates.

SECTION B

5. Fully describe, in detail, your future recruitment plan to fill this position on a permanent basis with a qualified non-retiree.

6. Fully describe how the individual is duly qualified, competent and physically fit to perform the duties of such position.

7. Fully explain how employment of the retiree is in the best interest of government service.

**NOTE 3**

**Certification By Appointing Authority**

I, the appointing authority, hereby affirm under penalties of perjury as provided for in Article 210 of the Penal Law, that the statements made herein (and on attached papers) are true and correct, to the best of my knowledge, and that I have determined that the applicable criteria prescribed for approval under section 211 have been satisfied and appropriate documentation has been provided.

X

\* **Signature of Appointing Authority**                      **Date**                      **Print Name and Title**                      **Telephone Number**

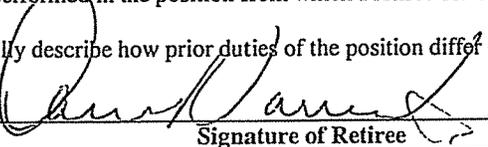
\***NOTE:** Only persons with the lawful authority to appoint may certify this form. Appointing Authorities comprised of boards or commissions must attach a current resolution which certifies the information requested in NOTE 3.

**Certification By Retiree**

I hereby affirm that under penalties of perjury as provided for in Article 210 of the Penal Law, that the statements made in this application are true and correct, to the best of my knowledge, and if applicable, I acknowledge that I am barred from performing the same duties and responsibilities that I performed in the position from which I retired for one year following my retirement.

Fully describe how prior duties of the position differ (attach additional sheets as necessary).

X

  
Signature of Retiree

6/7/12  
Date

E-mail Notification – Distribution of final determination will be sent through e-mail. Please provide current e-mail addresses.

Requesting Employer	E-mail Address
Retiree	E-mail Address
Retirement System	E-mail Address
Disbursing Officer	E-mail Address

**For Civil Service Commission Operations Use Only**

**Final Determination**

Approve From \_\_\_\_\_ To \_\_\_\_\_

Disapprove

**Comments/Recommendations**

X

Signature

Date

## GENERAL INFORMATION

**Section 150** of the Civil Service Law provides, generally, that a retiree's pension shall be suspended during periods of reemployment in the public service. **Section 211** of the Retirement and Social Security Law provides for the reemployment of a retiree under certain circumstances without loss or diminution of pension. This Law has several requirements which are reviewed by the State Civil Service Commission in reaching a determination. **Section 212** of the Retirement and Social Security Law provides for the reemployment of a retired public employee, with an earnings limitation (currently \$30,000), without loss or diminution of pension. However, there are no earnings limitations on or after the calendar year in which the retiree attains age sixty-five. Information on current limitation and procedures for approval is available from the New York State Retirement System. <http://www.osc.state.ny.us/retire/>

Commission approval is not approval of an appointment. For agencies subject to the Civil Service Law, the appointment must meet the requirements of all applicable laws, including the Civil Service Law, rules and regulations, and policies for that agency. Questions about civil service appointments should be directed to the agency having jurisdiction. For further information regarding the New York State Civil Service Commission please visit our web site at <http://www.cs.ny.gov/commission/>.

## EARNINGS LIMITATIONS

If the retiree returns to work for a former employer, the earnings may be subject to earnings limitations. (The term "former employer" means the state or a political subdivision, public corporation, school district, board of cooperative educational services, county vocational education and extension board, or an agency or organization which contributes as a participating employer in a retirement system or pension plan administered by the state or any of its civil divisions, which directly paid the salary or compensation of a retired person at any time during the two years immediately preceding his/her retirement *and who paid the salary on which the retiree's retirement allowance is based.*)

### Return form to:

Office of Commission Operations & Municipal Assistance  
New York State Civil Service Commission  
Alfred E. Smith Office Building  
Albany, New York 12239

## ATTACHMENT A

Section B, Note 1, Question 1 – “Duties of the Position for which the waiver is requested”

The Brockport Police Department is a small “Class A” police department that consists of 11 full time and 2 part time police officers. The SUNY Brockport College is located within the Village of Brockport. The duties of the position for which the waiver is requested include, but aren’t limited to the duties listed on the attached exam announcement, plus management of all police functions in the agency, evaluations, planning, training, budget, patrol, extensive knowledge of both internal and external investigations, knowledge of Federal Asset Forfeiture Laws, Homeland Security Regulations and Procedures, ability to liaison with the SUNY Brockport College, knowledge of New York State Accreditation Standards, and other duties as deemed necessary to effectively operate the most professional and ethical police department possible.

## ATTACHMENT B

Section B, Note 1, Question 3 - "A formal recruitment effort must be conducted to determine that there are no other qualified non-retirees available for recruitment. If recruitment efforts are fruitless, such as hard to recruit or unique appointment process, you must provide a detailed explanation."

The position of Chief of Police is a Competitive Civil Service Position and the candidate must be selected from a valid Civil Service Promotional or Competitive list should these lists exist. A Competitive Civil Service Chief of Police list exists within Monroe County. All eligible candidates on this list were canvassed regarding the Brockport Police Chief of Police position via U.S. Registered Mail. Only two (2) non retired candidates on the Competitive list responded that they were interested in the position. As such the Village of Brockport has no other means to fill the position of Chief of Police with a qualified non retired candidate.

## ATTACHMENT C

Section B, Note 1, Question 4 – “Fully discuss how the individual is duly qualified, competent and physically fit to perform the duties.”

On January 21, 2002 Mr. Daniel Varrenti was appointed as the Chief of Police of the Brockport Police Department. Mr. Varrenti received a permanent appointment to Chief of Police through a non-competitive promotion under Section 52.7 of the New York State Civil Service Law due to the fact that he had permanent competitive class status in the lower title of Police Lieutenant dating back to May 19, 1998 and he was in a limited promotional field. Prior to retiring from the Irondequoit Police Department Mr. Varrenti held all patrol, investigative and administrative positions necessary to command a smaller department similar to the Brockport Police Department. Mr. Varrenti holds a Bachelor of Science Degree in Criminal Justice, a Master of Public Administration Degree from SUNY Brockport, which is located in the Village of Brockport, and is a FBI National Academy Graduate. Mr. Varrenti is also an Adjunct Instructor at SUNY Brockport and interacts regularly with the students and faculty of SUNY Brockport. As a result of Mr. Varrenti's 32 years in law enforcement he has extensive experience in every duty that is listed in Attachment A. Furthermore Mr. Varrenti while at the Irondequoit Police Department, and while employed by the Village of Brockport, has conducted numerous criminal and internal investigations and is a recognized judicial expert in the area of applications and execution of search warrants and narcotic enforcement. Mr. Varrenti also has extensive knowledge in, but not limited to, Penal Law, Criminal Procedure Law, Civil Service Law, Town Law and General Municipal Law. Mr. Varrenti holds various positions within Monroe County that affords him the opportunity to interface with many experts in the field of law enforcement and obtain unique resources if and when needed. Mr. Varrenti is in excellent physical health and routinely performs the duties of a road patrol officer without hesitation or difficulty.

## ATTACHMENT D

Section B, Note 1, Question 5 – “Describe how employment of the retiree is in the best interest of government service.”

As previously stated the Brockport Police Department is a small “Class A” Police Department that provides 24 X 7 coverage and has no officers with any extensive investigative or managerial experience. The Village of Brockport houses the SUNY at Brockport College and has a diversified population of 16,000 people. Since Mr. Varrenti’s arrival, and due to his experience in investigations, internal investigations and narcotic enforcement, the “clearance rate” for crimes has greatly increased, overtime has been effectively managed, and policies and procedures are up to date.

Mr. Varrenti has also ensured that the Brockport Police Department received and maintains NYS Accreditation.

Dear Board Members;

The Advisory Board of the Brockport Emily L. Knapp Museum would like to submit some proposals for your consideration.

- 1) Complete and upgrade lighting fixtures throughout the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the museum.
- 2) Fix roof and cupola area before more damage occurs.
- 3) Provide heat and air-conditioning so museum can be staffed and used throughout the year.
- 4) Hire a cleaning crew to do a one time overall sprucing up of the 2<sup>nd</sup> and 3<sup>rd</sup> floors
- 5) Provide a monthly stipend for expenses and incidentals which would enable a quorum of Advisory Board members to decide such matters without having to approach the Village Board each time. This would both expedite lesser expenses and free the boards' time from trivial issues. Examples of how this stipend would be used.
  - A) Monthly cleaning hire.
  - B) Minor office expenses.
  - C) Adding books about local history and or by local authors to the museum collection.
  - D) Advertisements and flyers promoting knowledge (and hopefully more visitation) of the EKM.
- 6) As Scott Hunzingers (our current liaison with the Village Board) has expressed his desire to not run again for trustee an appointment of a new liaison who has genuine interest in working with the Emily Knapp Museum.

The Advisory Board would like to thank the Mayor and trustees for ~~the~~ installing the new windows throughout the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Also for funding the purchase and installation of our new computer system. In addition we would like to thank the DPW's Harry Donahue and his staff for the contributions they have made. Also, a thank you for reinstating the stipend for Jackie Morris, our Village Historian and leader of the Advisory Board.

*D Burns*

Yours truly,

*Jackie Morris  
Gayleen Bucklin*

Advisory Board Members,

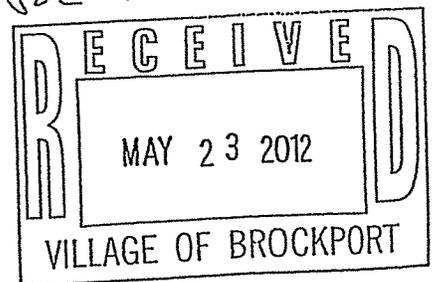
*Doug Wadsworth (in absentia per DB)*

**COPY**

P.S.

MAYOR  \_\_\_\_\_  
 BOT  \_\_\_\_\_  
 DH'S HARRY \_\_\_\_\_  
 OTHER DW H. \_\_\_\_\_

*for 6/12 vs*



NOTES: DEP VT - TRUST 4/30 \$14,866.18 1/2 LIBRARY 1/2 MUSEUM RAM

We are adding this request without the collaboration of the party most affected. ie Jackie Morris.

As the funding for Jackie's annual stipend for June 1, 2012 to May 31, 2013 is being provided by the Shafer Trust Fund, we are proposing that the June 1, 2010 to May 31, 2011 and June 1, 2011 to May 31, 2012 stipends to the Historian be paid retroactively. As the Shafer Trust Fund was established in 1975 and to the best of our knowledge no money was ever allocated to the Museum until 2011, there remains a substantial sum that lay dormant for all those years. It would in no way affect the operating budget or add to the village's expenses to utilize the trust to "reimburse" the Village Historian for minor expenses she paid for out of her own pocket or for the time she graciously gave to staff the museum, research local history topics and correspond with those having inquires about local history or families as well as serving as our mentor and leader on the Advisory Board.

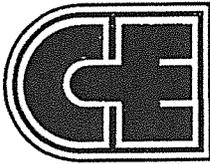
Thank you for considering our request.

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NOTES:

VB PREVIOUSLY DISCUSSED -  
VILLAGE ATTORNEY SAYS THIS WAS  
NOT APPROPRIATE + THE VILLAGE CAN'T  
GO BACK RETROACTIVELY WHETHER IT'S  
COMING FROM THE SHAFER TRUST OR  
ANYWHERE ELSE.

*[Handwritten signature]*



Notes: DPW got strongly  
recommends. JHM

**CHATFIELD ENGINEERS, P.C.** • 2800 Dewey Avenue • Rochester, New York 14616  
(585) 227-6040 • Fax (585) 227-4233

May 24, 2012

CE Proposal #12-373

Harry Donahue, Superintendent of Public Works  
Village of Brockport  
49 State Street  
Brockport, New York 14420

RE: Village of Brockport  
Liberty Street Storm Sewer Replacement  
Engineering Services Proposal

Dear Harry:

We are pleased to provide a proposal for Engineering Services for the Liberty Street Storm Sewer Replacement.

The project is located between Liberty Street and the Villager Apartment complex and will help alleviate the flooding problems in the area. The project involves the replacement of approximately 300 linear feet of the existing undersized storm sewer from the north end of the apartment complex parking lot to Brockport Creek.

We understand the Village of Brockport Department of Public Works crews will be completing the installation of the new storm sewer and catch basins.

The Engineering Services to be provided by Chatfield Engineers includes the following:

**1. Preliminary Phase**

- a. Review contributing watershed area with Village
- b. Perform hydraulic analysis to determine pipe size.

**2. Design Phase Services**

- a. Complete field edit, survey and base mapping.
- b. Meetings with Village.
- c. Complete SEQR process.
- d. Review design parameters and scope of work with Village.
- e. Prepare easement maps and descriptions for the Village Attorney.
- f. Prepare detailed Plans for the Village DPW's use during construction.

The Summary of Proposed Engineering Fees for the entire project is provided as follows:

1.	Preliminary Phase Services	= \$	304
2.	Design Phase Services	= \$	<u>2,796</u>
	<b>Lump Sum Amount (Items 1 and 2)</b>	<b>= \$</b>	<b>3,100</b>

We have attached to this letter, a breakdown of our estimated man-hours for each task along with the associated Engineering Fees, for your use.

Items 1 and 2 listed above will each be billed on a lump sum basis, at the percentage of completion each month.

Upon your review, should you have any questions or concerns, please contact me at your convenience. Upon your approval please return one (1) signed copy of this proposal.

Sincerely,



Jason A. Foote, P.E.

Enc.  
cc (by email only):  
Mayor Connie Castaneda and Village Board Members

Acceptance of Proposal By: \_\_\_\_\_

Date: \_\_\_\_\_



**Village of Brockport  
Liberty Street  
Storm Sewer Replacement  
May 24, 2012**

**Estimated Manhours**

Task	Project Manager	Project Engineer	Project Technician
<b>1. Preliminary Phase</b>			
Review contributing watershed area with Village	1	0	0
Perform hydraulic analysis to determine pipe size	1	2	0
<b>Sub-Total =</b>	<b>2</b>	<b>2</b>	<b>0</b>
<b>2. Design Phase Services</b>			
Field Edit, Survey & Base Mapping	0	8	8
Meetings with Village, Etc.	1	0	0
SEQR Environmental Review process	1	1	0
Review Scope of Work and Design Parameters	0	1	0
Preparation of Easements for Village Attorney	0	6	0
Preparation of Detailed Plans (4)	2	12	6
<b>Sub-Total =</b>	<b>4</b>	<b>28</b>	<b>14</b>

**Estimated Engineering Fee's**

Task	Hours	Hourly Rate	Total Amount
<b>Design Phase Services</b>			
<b>1. Preliminary Phase</b>			
Project Manager	2	\$90.00	\$180.00
Project Engineer	2	\$62.00	\$124.00
Project Technician	0	\$50.00	\$0.00
<b>Sub-Total Amount =</b>			<b>\$304.00</b>
<b>2. Design Phase Services</b>			
Project Manager	4	\$90.00	\$360.00
Project Engineer	28	\$62.00	\$1,736.00
Project Technician	14	\$50.00	\$700.00
<b>Sub-Total Amount =</b>			<b>\$2,796.00</b>
<b>Total Amount Design Phase Services =</b>			<b>\$3,100.00</b>

RESOLUTION - VILLAGE OF BROCKPORT

At a meeting of the Board of Trustees of the Village of Brockport, Monroe County, New York state held at the A.D. Oliver Middle School LGI at 40 Allen Street Brockport, NY 14420 on June 12, 2012 the following resolution was regularly made, seconded and carried:

PRESENT: Mayor Maria C. Castañeda, Trustee Margaret B. Blackman, Trustee Kent R. Blair, Trustee Carol L. Hannan

EXCUSED: Trustee Scott W. Hunsinger

MOVED BY: Trustee \_\_\_\_\_

SECONDED BY: Trustee \_\_\_\_\_

CARRIED   /  

RESOLVED, that Margaret B. Blackman, as Trustee of the Village of Brockport, is hereby authorized and directed to file an application for a NYS DEC Urban and Community Forestry Grant for a re-inventory of Brockport's public trees in an amount not to exceed \$3,350, and upon approval of said request to have Maria Connie Castañeda, as Mayor of the Village of Brockport enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Village of Brockport for such grant.

BY ORDER OF THE Village Board of the Village of Brockport

STATE OF NEW YORK        )  
County of Monroe         ) SS:

I Leslie Ann Morelli, Village Clerk of the Village of Brockport, do hereby certify that the foregoing is a full and true transcript of a resolution duly adopted at a meeting of the Board of Trustees of the Village of Brockport, Monroe County, New York on June 12, 2012 as it appears in the minutes of said meeting was regularly called and duly constituted, and that a quorum was present.

Witness my hand and the seal of the Village of Brockport this \_\_\_\_ day of June 2012.

\_\_\_\_\_  
Leslie Ann Morelli, Village Clerk

Seal

**Application for a NYS Department of Environmental Conservation  
Urban and Community Forestry Grant  
For a Re-Inventory of Brockport's Public Trees**

The Village of Brockport Tree Board is applying for a DEC Tree Inventory Grant for \$3,350, which requires a Village Board Resolution. The deadline for submission of the grant to the DEC is June 21, 2012. The Tree Board is requesting that the Village Board pass this resolution at the June 12, 2012 meeting. A detailed summary of the grant proposal and its expenses are given, below.

*The Inventory of Brockport's Urban Forest*

A re-inventory of Brockport's street and park trees will be done by Urban Forestry LLC, the firm that conducted the original tree inventory in 2006 and with whom the village consults for its forestry needs.

Managing any resource effectively and efficiently requires accurate and timely information, and managing an urban forest is no exception. Trees grow and are subjected to changes in environmental conditions such as storm events as well as the stresses the urban environment has on tree health. As a result, a tree inventory must undergo a comprehensive periodic update to account for the changes in size and health as a result of the passage of time. In addition, trees may present a risk to people and property. Evaluating each tree in the inventory for possible defects that may represent a safety risk and making management recommendations to reduce these risks is a most important responsibility of municipal government.

The Village's first tree inventory was completed in 2006 and has not undergone a comprehensive update. The planting of new trees and the removal of trees has been updated on a regular basis; however, a comprehensive evaluation of the condition of each tree to assess its health and safety risk has not been completed since the initial inventory.

A walking inventory of each street and park in the village will be completed and the management information for each tree will be evaluated and updated. Location information will be confirmed and tree health information will be evaluated and updated. This work will be completed within one year of the award of the grant.

*Inventory Management*

The Village presently utilizes ArborWare, a pc-based tree inventory management application offered by our Village's consulting urban forester, Urban Forestry, LLC. The continual evolution and improvement of computerized information technology results in compatibility issues with operating systems, particularly pc-based applications. ArborWare is six years old and is not compatible with the Windows 7 operating system to which the Village recently completed an upgrade. In addition, ArborWare will not be supported by Urban Forestry LLC in the near future.

Web-based applications in the information technology field have eliminated any compatibility issues experienced with pc-based applications. In addition, a web-based application is accessible with any internet accessible device anywhere there is an internet connection. Another advantage is that access to the application is not limited by the type of device, Macintosh, PC, Lynix or mobile. A local pc-based application, on the other hand, depends upon a compatible operating system and software. In addition, web-based applications offer automatic updates to improvements in the application as opposed to the requirement to purchase and install pc-based upgrades on the local desktop or network.

As the Village has developed a working relationship with Urban Forestry LLC to fulfill the Village's urban forestry management needs, we propose upgrading from their ArborWare application to their ArborNet web-based municipal tree inventory management application. This application offers all of the advantages of a web-based application and fulfills the Village's needs for tree inventory management. As a web-based application it will be available not only to the department managing it (Public Works) but on a view-only basis to the Village's Tree Board.

ArborNet Municipal is offered through an annual subscription fee structure. There is a five-year license fee that includes migrating the Village's tree inventory data from ArborWare to the ArborNet application.

*Budget*

Total cost of the re-inventory is \$5850, broken down as follows:

Re-inventory of all street and park trees in one year	\$4680.00
Five-year license fee for ArborNet web-based application	750.00
First year of annual subscription to ArborNet	420.00
TOTAL	<u>\$5850.00</u>

NOTE: DEC Grants are matching grants.

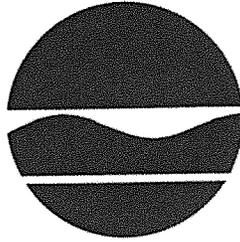
Total requested from DEC	\$3350.00
Total Matching Funds (broken down as follows, below):	\$3350.00
<i>Cash</i> (from National Grid Reimbursements for the planting of 50 trees on Main and Barry Streets)	\$2500.00
<i>In-kind labor</i>	\$850.00
Labor/training on inventorying trees, 1 tree board member \$7.25 @ 4 hours	\$29.00

Training on inventory web-based program, 2 tree board members \$7.25 each @4 hours	\$58.00
Training on inventory web-based program, DPW secretary, \$10.76 @ 4 hours	\$43.04
DPW Superintendent \$36.79 @ 4 hours	\$147.16
Administrative costs	
Village clerk \$26.10 @ 6 hours	\$156.60
Village Treasurer \$40 @ 5 hours	200.00
Grant writer (Preparation of final report) \$50 @ 5 hours	225.00
TOTAL	\$858.80

### *Benefits*

As with the initial 2006 inventory, this re-inventory will be invaluable to the Department of Public Works in its day-to-day management of Brockport's public trees and to the Tree Board in directing the course of future tree plantings.

The tree inventory has been a proven tool in educating the community about our urban forest. The Tree Board website, for example, includes the statistical breakdown of Brockport's trees from the first inventory. Using the results of that inventory, we have worked since 2006 to systematically diversify our community forest, which at that time comprised 78% maples. A mission of the Tree Board is to create a village arboretum by including in our plantings trees suitable to our climate/streets/parks not heretofore planted. Recent plantings of such trees include yellowwood, parrotia, maakia, and golden raintrees. This last year, using the 2006 inventory we were able to locate and tag all of our 90+ ash trees on public lands during EAB Awareness week. The proposed re-inventory will allow us to continue our efforts in these directions and also to design, map, and complete a tree walk through the village that will be made available to residents and visitors as a trifold brochure.



New York State  
Department of Environmental Conservation  
Urban and Community Forestry Grant Program

**Round 11  
Application and Instructions**

**Application Deadline:**

**Postmarked on or before June 21, 2012**

**OR**

**Hand-delivered to DEC at 625 Broadway, Albany, NY 12233  
by 4:00 p.m. on June 21, 2012**

**Governor Andrew M. Cuomo  
Commissioner Joe Martens**

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# Round 11 Urban and Community Forestry Grants Program

## Information for Applicants

The New York State Department of Environmental Conservation (DEC) is committed to implementing a successful Urban and Community Forestry (U&CF) Program. The DEC is dedicated to providing support and assistance to communities in comprehensive planning, management, and education to create healthy urban and community forests, and enhance the quality of life for urban residents. Eligible U&CF projects may include any eligible U&CF activity (as described within this application), must be located on public properties or rights-of-way, and must be equally matched by local resources. Applications must indicate if the proposed project complements other federal, state, and/or municipal projects, and how the project will impact environmental, social, and/or economic issues. Applications must:

1. Describe the methodology that will be used to achieve the project
2. Include an itemized budget that details all relevant project-related expenses including eligible matching funds
3. Include information on the cost effectiveness of meeting project objectives and deliverables.

**Note:** If an entity is planning to conduct multiple projects, each project must be applied for separately, e.g. a city park renewal project, involving tree plantings recommended after conducting a tree inventory analysis, would require two applications. One application submitted for a tree inventory and one for a tree planting.

### Quick Start Arbor Day Grants:

DEC is reserving up to \$15,000 from available U&CF funding for Quick Start Arbor Day Grants. Eligible applicants may request funding up to a maximum grant award amount of \$1,000 for the purpose of organizing and sponsoring an Arbor Day celebration. Quick Start Arbor Day grants are only available to “Communities” (small cities, towns, villages or schools) and/or a Not-For-Profit organization within “Communities” ( i.e. Large City organizations having populations of 65,000 are NOT eligible). The project must be located within a Community that **does not** yet have any of the following elements of a tree program:

- Certified arborist on staff
- tree inventory
- management plan
- Tree City status

Arbor Day events should be designed to maximize the involvement and support of community members and officials, and to foster long-term municipal commitment to the goal of building a community tree management plan. Applicants will be expected to provide the following information with their application:

1. A schedule for their Arbor Day event
2. Plans for public outreach and press coverage

**Quick Start Arbor Day grants DO NOT require applicants to provide a match and are to be applied for separately.**

## **General Description of Grants for “Large Cities” and for “Communities”:**

Grant funding is available to municipal and/or not-for-profit organizations having projects located within either of the following funding categories:

- **“Large City Grant” - Albany, Buffalo, Mt. Vernon, New Rochelle, NYC, Rochester, Syracuse, Schenectady, Yonkers only (cities with populations of 65,000 or more)**
- **“Community Grant” - (Municipalities, as described below) regardless of population size**

## **Who is eligible to apply?**

Municipalities and Not-For-Profit Corporations (NFP) acting on behalf of a public ownership interest in the property or acting on behalf of a public property owner may apply. Such an interest may be outright ownership (fee simple), or a lesser interest such as development rights, an easement, or a long-term lease.

**“Municipality”** means a local public authority or public benefit corporation, a county, city, town, village, school district, community college, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the State or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof.

**“Not-For-Profit Corporation”** means an organization formed pursuant to the Not-For-Profit Corporation Law and qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code. *(A NFP must provide proof of incorporation from the Department of State and a copy of their IRS Determination letter as proof of Section 501(c)(3) status. A NFP must also provide their Federal I.D. and charities registration number. If a NFP is exempt from registering with the Charities Bureau, they must submit proof of their exemption.)* A NFP must be current in their charities filings with the Attorney General’s office.

## **Are partnership and inter-municipal applications encouraged?**

Yes. Partnership projects are encouraged between municipalities and between municipalities and not-for-profit organizations. There can only be one designated “lead applicant” named on the grant application. The designated lead applicant must assume all responsibility for entering into a contract with DEC to receive grant funding. In addition, the lead applicant must include letters of support from all participating partners and/or municipalities stating their participation in the proposed project. The lead applicant must also submit a resolution of support from their governing body, must have a Federal Employee Identification Number (FEIN) in their name, and must have a current charity registration number in their name or proof of charities exemption (NFP only). If a municipal jurisdiction (for example, a county) passes a resolution of support authorizing a department, under its jurisdiction, to apply for funding that department can apply only if it has a FEIN in its name and has the authority to sign a contract to receive grant funding.

## What types of projects are eligible for funding?

The following types of projects are eligible for funding. Please note that *Quick Start Arbor Day* grants must be applied for separately. **Projects already receiving funds from another New York State assistance program for similar activities are not eligible to apply for funding under this grant Program.**

### ★ **Tree Inventories:**

The DEC recommends an applicant conduct an inventory of existing trees and potential planting spaces prior to developing a management plan or implementing a planting project. Sample inventory information can be tabulated, graphed, mapped, and evaluated to get a picture of the age, species, health, and geographic distribution of the urban forest. However, a complete (100%) inventory provides specific information for individualized tree care, including hazard tree identification. Communities are encouraged to collect data in a computerized software program that will allow for an environmental benefits analysis. U.S.D.A. Forest Service i-Tree software is recommended but not required. However, the final report must be submitted in Microsoft Office Excel or Access and on a rewritable CD or thumbdrive. Individual tree information must include DBH in inches, tree species, street address location (GPS coordinates recommended), arborist re-inspect management recommendations (for volunteer or non-professional collected data) and crown width. Applications must address the presumed effects on social and economic conditions by the presence of trees where they currently exist, and in the selection of future planting sites. Applications for inventories and/or management plans are encouraged to address environmental issues (including storm water treatment, water quality, air quality, urban heat island effects, structural heating/cooling, or brownfields) that are presently impacted by existing trees, or could be impacted with planting on strategic sites.

### ★ **Tree Management Plan:**

Communities, in creating a management plan, must base the plan on an environmental benefits analysis using their previously conducted inventory. Such an analysis is obtainable from their computerized inventory of existing trees and potential planting spaces. Tree inventory data can be used to address environmental issues, water quality, air quality, urban heat island effects, structural heating/cooling, storm water management, and/or brownfields that are presently impacted by existing trees, or could be impacted with planting on strategic sites. Applications must also address the presumed effects on social and economic conditions by the presence of trees where they currently exist and in the selection of future planting sites.

### ★ **Tree Planting:**

Tree planting projects must be located on public property, use only non-invasive species (see invasive species list at <http://www.dec.ny.gov/animals/65408.html> ) and give appropriate consideration to under-served urban neighborhoods (all potential neighborhoods whose demographic, geographic, or economic characteristics impede or prevent their access to adequate canopy cover and other benefits of trees). Additional points will be given in the evaluation and scoring of an application if the project is located in an under-served neighborhood. Applications should address how the project will promote the quality of the urban forest in parks and/or open spaces; habitat creation; air and water quality; energy savings; increased property values; revitalization; public health; and/or improved quality of life for residents. Prior to submission of a planting project application, a list of tree species should be reviewed by a DEC forester.

**Tree planting project applications must include the following information:**

- √ Project location (include photos)
- √ Number of trees to be planted
- √ A list of tree species ([http://www.urbantree.org/list\\_trees.asp?t=street](http://www.urbantree.org/list_trees.asp?t=street))

- √ The appropriate tree planting specifications for the project location(s)
- √ Description of how the selected project site(s) will maximize summer shade to streets, parking lots, buildings and other infrastructure
- √ A plan for short and long-term maintenance and care to ensure tree survival\*
- √ Letters of community support for the project
- √ Evidence of project consistency with the community's U&CF management plan, if one exists

\*(See Attachment 2 - Recommended Minimum Standards for NYS DEC Tree Planting Grants.) Some maintenance expenditures may be eligible for funding, such as simple devices that help keep trees watered on a regular basis, or training in proper pruning techniques.

### ★ **Tree Maintenance:**

For a tree maintenance grant application to be considered, hard copies of your tree inventory and your management plan are required and in place except in cases of storm-damaged tree remediation. Tree maintenance projects must include documentation of either professional arborist consulting services, tree contracting services or staff training in best management practices for tree maintenance.

Projects must be located on public property, and appropriate consideration will be given to under-served urban neighborhoods (all potential neighborhoods whose demographic, geographic, or economic characteristics impede or prevent their access to adequate canopy cover and other benefits of trees). Additional points will be given in the evaluation and scoring of an application if the project is located in an under-served neighborhood. Applications should address how the project will promote the quality of the urban forest in parks and/or open spaces; habitat creation; air and water quality; energy savings; increased property values; revitalization; public health; and/or improved quality of life for residents.

#### **Tree maintenance project applications must include the following information:**

- √ A copy of your inventory must be included.
- √ Evidence of project consistency with the community's U&CF management plan.(A copy of your management plan must be included.) A management plan for the forestry program of the community should include inventory, staff, budget and scheduling information, which can then be developed to identify needs, set goals, and establish priorities to aid in decision making and guide future UC&F activities.
- √ Project location (photos must be included)
- √ Types of maintenance
  - Number of trees to be removed or pruned
  - Pest control
  - Young tree care – staking, watering, etc.
- √ Letters of community support for the project
- √ Documentation of professional arborist consultation or equivalent

### ★ **Invasive Insect Detection Survey**

Using a current street tree inventory, an Invasive Insect Detection Survey must be completed by a certified arborist, forestry technician or green industry professional such as a qualified employee with a horticulture or forestry education degree. Components of the survey shall include, but are not limited to, signs and symptoms of the geographically critical pest or pests in question. Free USDA i-Tree or i-PED Pest Detection & Evaluation software is recommended but not required. A final report must be submitted in Microsoft Office Excel or Access and on a rewritable CD or thumbdrive. An educational outreach component **is required** for this type of grant project.

**Invasive Insect Detection Survey project applications must include, but are not limited to the following:**

- √ Signage
- √ Brochure pictorially describing project with an explanation of public benefit
- √ Public service announcements
- √ Public involvement event
- √ Photos of targeted survey areas
- √ Proof of qualifying credentials – certified arborist certification number or name of educational degree, i.e. forestry; horticulture

## **How much funding is available for grants?**

DEC anticipates up to \$750,000 in funding will be available to fund U&CF grant projects (\$375,000 for Large City Grants and \$375,000 for Community Grants). The DEC will reserve up to \$15,000 from the Community Grants total to fund “Quick Start Arbor Day” grants. The U&CF grant program is funded from the NYS Environmental Protection Fund (EPF). If additional EPF funding becomes available, DEC reserves the right to award such additional funding consistent with the method of award identified in this RFA.

## **Is there a minimum and maximum grant amount you may apply for and is there a match requirement?**

Yes, the minimum and maximum award amounts and match requirements are as follows:

- ◆ “Quick Start Arbor Day” grants are only available for small “Communities”. Eligible applicants who are interested in initiating a tree program may request up to \$1,000 for eligible activities. Quick Start Arbor Day grants **do not require any match**.
- ◆ Projects within the “Large City Grant” category (**Albany, Buffalo, Mt. Vernon, New Rochelle, NYC, Rochester, Syracuse, Schenectady, and Yonkers only**), with populations of 65,000 or more, may request between \$7,500 and \$50,000 in state assistance funding and will be required to provide a **50% match** on approved and eligible project costs.
- ◆ Projects within the “Community Grant” category (school districts, small cities, towns, or villages) may request between \$2,500 and \$25,000 in state assistance funding and will be required to provide a **50% match** on approved and eligible project costs.

<b>Grant Type</b>	<b>Minimum \$\$</b>	<b>Maximum \$\$</b>	<b>Match \$\$</b>
Large City*	\$7,500	\$50,000	50/50
Community*	\$2,500	\$25,000	50/50
Quick Start*	0	\$1,000	No Match

\*See Pages 3-4 – General Description for a definition of these terms.

Please note that **Federal or other State funding will not be considered as eligible match under this U&CF grant program.** DEC reserves the right to determine the amount of State assistance available for each category of grant funding and the right to award less than the full amount requested.

## What types of costs are eligible/ineligible for reimbursement?

(Municipalities will be required to follow General Municipal Law procurement requirements.)

<b>Quick Start Grant project costs</b>
<b>Items Eligible for Reimbursement</b> <b>(Pictures of Completed Project and Copies of Educational and Outreach Materials Must Accompany Receipts for Reimbursement)</b>
Trees, mulch, stakes
Tools
Signage
Fliers or other advertising
Recognition materials and/or awards
Educational materials, e.g. Tree ID books
(Arbor Day events can be scheduled any day within spring or fall planting seasons.)

## **Large City and Community Grants project costs**

### **Eligible for reimbursement:**

- Material costs: trees, stakes, soil, fertilizer, mulch, etc.
- Personnel Costs: force account staff and paid labor costs (*excludes fringe/employee benefit and indirect/overhead*) devoted to the project must be itemized according to job title or job assignment on project. Grant recipients will be required to document the time worked, tasks, pay ratio and payment.
- Transportation costs: shipping/delivery costs
- Equipment costs: (purchase/rental) directly required to implement the project. Equipment purchased with grant funding and having a useful life of greater than two years shall become the property of DEC and shall be transferred to DEC following contract closeout, unless otherwise approved by the DEC. (Refer to NYS DEC Standard Contract Clauses - Appendix B, paragraph XIV, of the State Assistance Contract.)
- Costs for hand tools or educational resources: that enable Tree Board members and volunteers to do their work to enhance the spread of knowledge of community trees and the benefits they provide.

### **Not eligible for reimbursement but may be used towards the match requirement:**

- Cash: contributions from Local sources (federal and state funding are not eligible sources of match)
- Supplies and materials: the value of the trees and planting items warehoused (not yet installed) at current market prices.
- Donated labor: skilled and professional labor must be computed at the job rate within the recipient's county
- Donated unskilled labor: work performed by professional or skilled labor in an area outside of their expertise must be computed at minimum wage. (For example, a lawyer donating legal services may compute the value based on their standard billing rate, but the same lawyer donating time planting a tree will be valued at the minimum wage.)

- *Donated equipment usage:* compute the value according to its local DPW or DOT rate in project location
- *Pre-development costs:* may be used for grant match if incurred during the contract term. These costs include design fees and other professional fees for the preparation of construction documents.
- *Administrative Costs:* may not exceed 15% of the match requirement and are defined as follows:
  1. Planning Supervision: may be provided by a qualified staff person or the design professional that prepared the planting documents.
  2. Grant Administration: costs associated with preparing the project agreement (contract), affirmative action, M/WBE, and payment request documentation once the grant is awarded.
  3. Advertising Costs: the cost of advertising in newspapers including newspapers, or appropriate construction publications.

**Not eligible for reimbursement or the match requirement:**

- Costs of preparing the grant application
- Costs incurred prior to the award (contract start date) of the grant
- Indirect costs (overhead) and/or fringe (employee benefits)

**When will grant monies be made available to successful grantee(s)?**

No advance contract payments are allowable under the Urban & Community Forestry Program. This is a reimbursement grant program and applicants must plan their financial arrangements accordingly. An applicant's access to funds is a critical component of the application evaluation process. Reimbursement of project-related expenditures will be made only after a state assistance contract has been fully approved by all appropriate NYS agencies and after the project or key performance milestones have been successfully completed in accordance to the contract narrative and budget. All project related costs must be fully documented (copies of invoices, cancelled checks, etc.), including the match requirement.

One partial reimbursement payment request may be processed over the term of the contract, provided all contract conditions and/or requirements have been met. The final reimbursement payment will be processed once the project is completed and a DEC Forester completes an on-site inspection to confirm that all work was adequately completed.

Payments for expenditures incurred under the contract will be rendered electronically to the Recipient unless payment by paper check is expressly authorized by the Commissioner of the Department (Commissioner), in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Recipient shall comply with the Comptroller's procedures to authorize electronic payments. Authorization forms are available at the Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by e-mail at [epunit@osc.state.ny.us](mailto:epunit@osc.state.ny.us) or by telephone at (518) 402-4067. The Recipient acknowledges that it will not receive payment under this Contract if it does not comply with the Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

**How long do I have to complete the project?**

The DEC anticipates projects to be completed within a three-year contract term. The term of the contract will be referenced in an official award letter sent to the grant recipient from the DEC. The DEC may approve up to two one-year contract extensions with appropriate written justification from the grantee. In no event will an extension be granted beyond five years from the contract start date. The DEC reserves the right to withdraw project funding upon expiration of the contract term date.

## **Priority Points You Can Receive For Your Project:**

### **Alignment with Regional Economic Development Strategies:**

Governor Andrew Cuomo directed the establishment of regional economic development councils to analyze the most significant business clusters in their respective areas. Any grants awarded by the State of New York shall take into consideration the recommendation of the relevant regional economic development council or the Commissioner's determination that the proposed project aligns within the regional strategic priorities of the region where the proposed project is located. This can be accomplished in one of two ways:

1. The Applicant may obtain a recommendation from the regional economic council stating that the proposed project aligns with priorities of the economic development plan developed by the Council. The recommendation must be included with the Application to receive three (3) points in the application review.

OR

2. The Applicant can attach a supplemental narrative to the Application describing the economic benefits of the proposed project and how the project aligns with the strategies of the regional economic plan. The narrative must be included with the Application to receive three (3) points in the application review.

Visit <http://www.esd.ny.gov/> for information on your region's Economic Development Council. Further information will be made available upon request.

### **Environmental Justice Community:**

Through this grant program, DEC demonstrates a commitment to Environmental Justice for communities which may be burdened by negative environmental consequences. Environmental Justice is defined by DEC as the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income, with respect to the development, implementation and enforcement of environmental laws, regulations and policies. All applicants are encouraged to develop and implement community-based management plans or projects, which engage the community or neighborhood within a municipality in conducting inventories, assessments, development of management plans and carrying out urban forestry practices. This grant initiative will give additional consideration to those projects which satisfy evaluation criteria and benefit communities or neighborhoods which remain challenged by past social and environmental practices. This consideration will seek to remedy communities, including minority and low-income communities, burdened by negative environmental consequences and will also ensure the equitable distribution of environmental benefits to all New York State communities. To qualify for EJ points you must check the box on the application form and provide the following details:

1. The exact street location where the project is to be implemented (no P.O. Box)
2. A brief (few sentences) description of how the project will benefit minority or low-income populations that experience disproportionate adverse environmental impacts such as pollution from multiple industrial facilities, sub-standard water quality, concentrated diesel emissions from bus depots, or other heavy vehicle traffic, adverse health effects related to environmental impacts (high asthma), lack of access to green benefits such as open space, environmental education or parks, or other such impacts.

### **Tree City USA Status:**

To receive additional points in the application review process, your application should indicate if you currently have Tree City USA Status.

## **Additional Application Documents:**

To avoid disqualification of your application or to avoid your application from scoring poorly, you must include the following applicable items with your application:

◆ **One original application plus 4 complete copies**

◆ **Permits:**

Depending on the project scope, some tree planting projects may require permits from agencies such as the NYS DEC, OPRHP, DOS, or the US Army Corps of Engineers (COE). All applications should address whether permits are required; including State Environmental Quality Review (SEQR). If your project requires permits you must provide a list of the required permits along with the status of each permit application. It is recommended that you consult DEC and/or the COE directly to determine if any permits are needed, especially if your project is located in or adjacent to a water body (e.g., stream, lake, wetland, canal). Other agency permit considerations could include historic review requirements for projects that involve properties listed on, or eligible for, the State/National Register. All work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation; projects located in coastal or river front communities must meet coastal consistency requirements for the NYS Secretary of State's Coastal Management Program.

**Note:** If the project is for a property listed on the State/National Historic Register, use the full, official name of the property as it is listed (the unofficial or popular name may be shown in parentheses). List the historic designation, if applicable.

◆ **Documentation of Ownership and Public Interest in Property:**

Not-For-Profit Corporations must be able to document adequate ownership rights in and to the subject property, and that the ownership or use of the subject property is of a public nature. A duly licensed attorney is to provide an opinion of counsel certifying that the applicant has title or other property right or license in and to the property, that such right allows use of a public nature, and that the applicant has the right to undertake the project.

◆ **Municipal Endorsement:**

A municipal endorsement and authorization to conduct the project on municipal property is required and must be submitted with the grant application by non-municipal applicants for projects that will be located on municipal property (A sample municipal endorsement is included in this RFA).

◆ **Signed Original Authorizing Resolution:**

A resolution in a format similar to that listed in the Sample Resolution section of this RFA must accompany the application, or the applicant must provide a letter of intent to submit the resolution prior to contract execution.

## **Additional Contract Requirements Associated With A Grant Award:**

### **Equal Employment Opportunity and Minority and Women Business Enterprises Requirements:**

Project costs will be eligible for reimbursement only if grant related work meets DEC and State standards, and expenditures are made in compliance with State requirements, including Article 15-A of the Executive Law, Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO). Grant recipients will be required to solicit M/WBEs before commencing work and to document efforts involving M/WBEs during the project term. State contracts in excess of \$25,000 must comply with the EEO

goals and reporting responsibilities. Applicants selected to receive a grant will be required to document and certify their compliance with these regulations. Additional information on M/WBE and EEO requirements can be reviewed at: <http://www.dec.ny.gov/about/48854.html>

**Insurance:**

Grant recipients will be required to agree that each project consultant, project contractor and project subcontractor secures and delivers to the grant recipient appropriate policies of insurance issued by an insurance company licensed to do business in the State. Policies must name the grant recipient as an additional insured, with appropriate limits, covering contractor’s public liability and property damage insurance, contractor’s contingency liability insurance, “all-risk” insurance and workers compensation/disability coverage for the project. Upon signing a state assistance contract, the grant recipient will agree to provide copies of the applicable insurance policies to the Department upon request.

**Acknowledgment/Credits:**

The grantee must agree to give the NYS Department of Environmental Conservation appropriate credit for its support and shall note the following in all printed documents, video materials, and /or program advertisements resulting from this work: “This Project has been funded in part by a grant from the New York State Department of Environmental Conservation, Urban and Community Forestry Program through appropriations from the New York State Environmental Protection Fund (EPF)”.

**Vendor Responsibility:**

Not-For-Profit organizations that score high enough to receive a grant award/contract will be subject to a vendor responsibility review by the DEC to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review will determine whether a potential grantee has the financial capacity, the legal authority, record of business integrity, and a satisfactory history of past performance.

**Application Information/Instructions:**

**Content of Project Narrative (not to exceed 2 pages):**

Applicants must define the proposed scope of the work, including what the deliverables will be and how the deliverables will be reported to DEC at the completion of the project. Any public outreach and/or education proposed in conjunction with the project must also be addressed. How will community residents be involved and/or informed about the project and what will be the resulting educational value? What, if any, additional benefits can be measured or otherwise evidenced as a result of this project? For example, is there a particular issue of energy use, heat island effect, air quality, water quality, storm water management, noise, property values, Environmental Justice or under-served neighborhood, sprawl, wildlife habitat, trail system connectivity, mental health, or other quality of life issues that could be addressed or alleviated?

It is essential to explain **in detail** what your project will accomplish, the methodology that will be used to achieve the project deliverables, the cost effectiveness of meeting project objectives and deliverables, and how the project meets each of the rating criteria for the appropriate project type. Projects that fail to address the appropriate project type criteria identified in this RFA will not score well.

The narrative description of the project must not exceed two pages and must address the following:

- √ Type of project
- √ Location of project
- √ Work proposed and project deliverables

- √ Project schedule
- √ Overall existing condition or situation of the project site
- √ Role of those involved with the project (list titles and qualifications)
- √ Relationship of the project to any significant resources on the property and how those resources will be impacted
- √ Current and anticipated financial resources of an organization
- √ Environmental Justice or under-served neighborhood
- √ Regional Economic Development Council Recommendation
- √ List of required permits, including SEQR (if applicable to the project)

### **Content of Project Budget:**

Applications must address the reasonableness of project-related costs given the scope of the work's level of effort, complexity and anticipated project benefits. An itemized budget must provide details of the proposed project-related expenses and must clearly distinguish between expenses to be claimed under the State grant share and those comprising the local match share, and the funding source of the local match. An itemized budget should also indicate the component, the number of units to be completed and the estimated costs associated with each component. Eligible project types and their components and eligible and ineligible costs are identified in this RFA. Cost proposals must be submitted using the Schedule B- Project Budget (*may attach extra pages if necessary*) form included in this RFA. **A project's reasonableness of costs is an evaluation factor in the scoring of your application; therefore, attention to budgetary accuracy will increase your project score.**

### **Project Schedule:**

Provide a detailed schedule for the proposed project. DEC anticipates U&CF projects to be completed within three years of a grant award. Proposed project schedules should be based on project type (i.e. Spring or Fall planting season).

## **How will projects be selected for a grant award?**

1. All eligible applications received by the due date will be reviewed and scored by members of a DEC review team in accordance with the Evaluation and Scoring Criteria contained in this RFA.
2. All eligible applications will be categorized by "Large Cities", "Community" or "Quick Start Arbor Day" as indicated by the applicant on the application cover page.
3. Reviewers' scores will be averaged for each application to determine a final score and final scores will be ranked from highest to lowest scores by grant category.
4. "**Large Cities**" applications will be selected for funding beginning with the highest down to the lowest ranked project until all available funding is exhausted or no eligible applications remain.
5. "**Communities**" applications will be selected for funding beginning with the highest scored application from each of the nine DEC Regions (see Attachment 1 - Directory of Division of Lands & Forests Regional Offices). Remaining applications will be selected for funding beginning with the highest down to the lowest ranked projects regardless of the DEC Regional geographic location.
6. "**Quick Start Arbor Day**" applications will be selected for funding beginning with the highest down to the lowest ranked applications until all available funding is exhausted or no eligible applications remain.
7. Tie Breaker: If there is a numerical tie in the ranking of multiple applications within a funding category, the application having the earliest application postmark date will be selected for project award.

## What are the project evaluation and scoring criteria?

### **Application Eligibility Determination:**

All applicants will receive an initial review for eligibility. If the answer to any of the questions below is “No”, your application may not be considered eligible for further evaluation and scoring:

- A. Applications must be postmarked by June 21, 2012 or hand-delivered to DEC at 625 Broadway, Albany, NY 12233-4253 by 4:00 p.m. on June 21, 2012. *(yes, no)*
- B. Is the applicant or “designated lead applicant” an eligible municipality or Not-For Profit Corporation having (501)(c)(3) exemption, and a valid charities registration number? *(NFP’s must provide proof of incorporation from the Department of State and a copy of their IRS Determination letter as proof of their Section 501(c)(3) status. NPF’s must also provide their Federal I.D. and their charities registration number. If the NFP is exempt from registering with the Charities Bureau, they must submit proof of their exemption.) (yes, no)*
- C. Did the applicant or “designated lead applicant” provide an authorizing Resolution of Support or a letter of intent to submit an original Resolution of Support prior to the signing of a contract? *(yes, no)*
- D. Did the NFP applicant or the NPF designated as the “lead applicant” provide documentation to support they have the necessary funds to complete the project? *(yes, no)*
- E. Did the “lead applicant” include letters of reference and letters from partners stating their participation in the project? *(yes, no)*
- F. Did the applicant check the eligible project type on the first page of the application and is the project located on public property? *(yes, no)*
- G. Did the applicant provide documentation of ownership of the property and, if the applicant is a NFP conducting a project on municipal property, did they provide a municipal endorsement with the application? *(yes, no)*
- H. Is the application typed and has the appropriate number of applications been submitted (1 original plus 4 copies)? *(yes, no)*
- I. Did the applicant submit all the additional required information and attachments identified in the RFA that are required for the project type? (see application checklist) *(yes, no)*
- J. Is the proposed project receiving other NYS funding for similar activities? *(yes, no)*
- K. Is Proof of Qualifying Credentials included: certified arborist certification number or name of educational degree, i.e. forestry; horticulture. *(yes, no)*

**STEP I - General Criteria For All Eligible Applications**

**(90 total points)**

*(Applicants are encouraged to refer to the following in formulating their proposals.)*

1. The scope of work to be undertaken is defined. (0, 5, 10 pts.)
2. The methodology to be used to achieve the final product is described. (0, 5, 10 pts.)
3. The budget is reasonable and itemized, accurately reflects allowable percentages for project costs and identifies matching funds. (0, 5, 10 pts.)
4. The project will build partnerships and encourage volunteerism. (0, 5, 10 pts.)
5. The project includes outreach and education (in topics promoting any aspect of U&CF). (0, 5, 10 pts.)
6. The project will promote long-term support of its goals and future benefits. (0, 5, 10 pts.)
7. The project is cost-effective. *(Up to 30 Points)*
  - a. Reasonable implementation expenses, i.e. labor, equipment, supplies or disposal (0, 5, 10 pts.)
  - b. Project addresses cost savings relative to energy savings (0, 5, 10 pts.)
  - c. Proper tree selection or proper tools or techniques proposed or other necessary equipment is reasonable in cost. (0, 5, 10 pts.)

**(Quick Start Arbor Day applications will not undergo any further review.)**



**STEP II – Evaluation Criteria for “Large City” and “Community” Applications Only**

**(40 total points)**

8. The applicant has obtained guidance on the project from a natural resource professional or DEC forester. (0, 5, 10 pts.)
9. Will the project complement, or help to implement, other Federal, State, Regional plans or programs, or municipal plans or programs? (0, 5, 10 pts.)
10. Will the project provide social benefits and strive to promote the basic well-being of individuals in need in the project area or is the project in an Environmental Justice neighborhood? (0, 5, 10 pts.)
11. Will the project provide environmental/economic benefits? (0, 5, 10 pts.)

**Priority Points For Your Project:**

**(4 total points)**

12. Will the project be completed within a community with Tree City U.S.A. program status? (1 pt.)
13. Regional Economic Development Council Recommendation (3 pts.)

**STEP III - “Large City” and “Community” Applications Only**

Specific criteria to address the quality of techniques and standards to be used in implementing the project.  
**(Total possible score is 15 points, using best score from A, B, C, D, or E)**

- A. Tree Inventories:** Will the inventory be a computerized, complete or partial inventory of both existing trees and potential planting sites? If partial, give inventory criteria.  
 What specific information will be collected? (See description of required parameters to be collected – See “Tree Inventories” description page)  
 Are there social benefits which will be gained by having a street tree inventory?  
 Will the inventory be used to identify forest health issues?
- B. Tree Management:** Does the plan have clearly defined goals?  
 Does the plan address future budget needs?  
 Is there a schedule reflecting benchmarks and accomplishments?  
 Are there social benefits (a project that strives to promote the basic well-being of individuals in need in project area) which will be gained by having a street tree management plan?  
 Does the plan address the overall health of the community forest?
- C. Tree Planting:** Are there short-term and long-term plans for maintenance such as watering, pruning, staking, etc?  
 Are there appropriate tree planting specifications for the project location(s)?  
 Is there a description of how the selected project site(s) will maximize summer shade to streets, parking lots, buildings and other infrastructure?  
 Is the project site located in an under-served neighborhood?  
 Is there evidence of community support for the project?  
 Is there evidence of project consistency with the community’s U&CF management plan, if one exists?  
 Were non-invasive species proposed?
- D. Tree Maintenance:** Is there a community tree inventory? Attach appropriate pages?  
 Is the project consistent with a U&CF management plan? Attached?  
 Will it be done according to the BMPs as in Attachment 2?  
 Is the project site located in an under-served neighborhood?  
 Is there evidence of community support for the project?
- E. Invasive Insect Detection Survey:** Is this project to be completed by a certified arborist, forestry technician or green industry professional such as a qualified employee with horticulture or forestry education degree?  
 Is an educational outreach component included?  
 Does the educational component include the following items?  
     Signage; brochure pictorially describing project with an explanation of public benefit; public service announcements; public involvement event and photos of targeted survey areas  
 Is the survey in an electronic format such as i-Tree or i-Ped program, Microsoft Office Excel or Access?

*Total maximum point score for a Quick Start project = 90 points*  
*Total maximum point score for a non-Quick Start project = 149 points*

## **What grant preparation assistance is available?**

Information regarding this grant application and frequently asked questions (FAQ's) and answers will be posted on DEC's web site at: <http://www.dec.ny.gov/lands/5285.html>. New FAQ's and information will continue to be added to this web site up to one week prior to the grant application due date.

Technical questions concerning tree planting specifications, tree maintenance and care procedures, and appropriate species for planting locations should be directed to the Urban Forester in your DEC Regional Office. A list of local DEC Foresters is attached to this RFA (see Attachment 1). Grant applicants are strongly advised to seek local professional advice prior to submitting applications.

For information on how to determine the economic benefits of trees, it is recommended that a grant applicant visit the following web site: <http://treebenefits.com/calculator/index.cfm>

For general information on completing this application and for clarification of application requirements, contractual terms and procedures, contact:

Mary Kramarchyk  
Division of Lands and Forests  
New York State Department of Environmental Conservation  
625 Broadway, 5<sup>th</sup> Floor  
Albany, New York 12233-4253  
Tel: 518.402.9425  
E-mail: [mckramar@gw.dec.state.ny.us](mailto:mckramar@gw.dec.state.ny.us)

## **How do I apply?**

Applications must be postmarked by June 21, 2012 or hand-delivered to DEC at 625 Broadway, Albany, NY 12233 by 4:00 p.m. on June 21, 2012.

*No facsimiles or email submissions will be accepted.* All application materials must be typed on white 8.5" x 11" paper. One original and four copies of the application must be submitted to:

Mary Kramarchyk  
Urban Forestry Program  
Division of Lands and Forests  
New York State Department of Environmental Conservation  
625 Broadway, 5<sup>th</sup> Floor  
Albany, New York 12233-4253  
Tel: 518.402.9425  
E-mail: [mckramar@gw.dec.state.ny.us](mailto:mckramar@gw.dec.state.ny.us)

## Sample Resolution of Support:

A resolution in the general format provided below must be passed at an official meeting of the governing body of the applicant. The original resolution, or a letter of intent to provide such prior to contract execution, must accompany the completed application. The resolution must be typed on the applicant's stationery, should have an original signature, and should hold the official seal (if available). The name of the applicant must be stated as it is recorded in the incorporation documents. Use the appropriate phrase in bold or brackets, depending on whether the applicant is a not-for-profit corporation, or municipality, respectively.

### Authorizing Resolution:

I, Name, Title (Secretary, Notary) of the Village or City or Organization of Place, New York, do hereby certify that the following resolution was adopted at a Regular or Special meeting of the Governing body or Village Board or Board of Directors held on (Date), and is (incorporated in the original minutes of said meeting) or (on file and of record), and that said resolution has not been altered, amended or revoked and is in full force and effect.

### RESOLVED:

That Official's Name, as Title of Village or City or Organization (Applicant), *or such person's successor*, is hereby authorized and directed to file an application for (50% matching funds) or (an Urban and Community Quick Start Grant) in an amount not to exceed \$ Grant Amount, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to (City or Town or Organization Name) for (grant project name).

(Signature of Secretary) OR (Signature of Clerk)

Seal of Organization (if available) OR Seal of Municipality

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## Sample Municipal Endorsement:

The Municipal Endorsement is for non-municipal projects located on municipal property and must accompany the completed application. (Acceptable municipal endorsement for use when applicant is not a municipality.)

Resolution No. \_\_\_\_\_

**WHEREAS**, the **(applicant name)** is applying to the New York State Department of Environmental Conservation for a project grant under the Urban and Community Forestry Program to be located **(insert location)**, a site located within the territorial jurisdiction of this **(Board, Council or Legislature)**; and

**WHEREAS**, as a requirement of these programs, said **(type of applicant)** must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located",

**NOW, THEREFORE**, be it resolved that the **(Board, Council or Legislature)** of **(municipality)** hereby does approve and endorse the application of **(applicant name)** for a grant under the Round 11 Urban and Community Forest Program for a project known as **(project title)** and located within this community.

(Date of Adoption and Certification of Clerk)

# Application for Round 11 Urban and Community Forestry Grant

**Note:** Applications must be postmarked by **June 21, 2012** or hand-delivered to DEC at 625 Broadway, Albany, NY 12233 by **4:00 p.m. on June 21, 2012**. No facsimiles or email submissions will be accepted.

Please select from one of the following categories of funding:

**Quick Start Arbor Day Grant**  
(only available to "Communities" or NFP within the community)

**Large City Grant**  
(Albany, Buffalo, Mt. Vernon, New Rochelle, NYC, Rochester, Schenectady, Syracuse, Yonkers only)

**Community Grant**

Please indicate what type of project you are proposing to accomplish:

**Tree Inventory**       **Tree Management Plan**

**Tree Planting**       **Tree Maintenance**

**Invasive Insect Detection Survey**

**Municipality**     **Not-For-Profit Organization (501-C3)**

**Applicant Name:** \_\_\_\_\_

**Mailing Address:**

(Street) \_\_\_\_\_

(City, State) \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**County:** \_\_\_\_\_

**Federal ID #:** \_\_\_\_\_ **\Charities Registration #:** \_\_\_\_\_ *(NFP only)*

**Project Name:** \_\_\_\_\_

**Project Location is on Public Property**     **Environmental Justice Community**

**Project Site Address:** \_\_\_\_\_

\_\_\_\_\_  
**Zip Code:** \_\_\_\_\_

**Project Contact Person:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**State/National Historic Register:** \_\_\_\_\_

**(This page intentionally left blank.)**

Local Historic Designation: \_\_\_\_\_

Property Ownership Information: Deed Liber: \_\_\_\_\_ Page: \_\_\_\_\_

Owner(s): \_\_\_\_\_

Applicant's interest in property, if not fee-simple ownership (e.g. lease, easement):  
\_\_\_\_\_  
\_\_\_\_\_

Name(s) of Partnerships: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Authorized Official:** (Person authorized in Resolution to submit an application and enter into a contract.)

Resolution submitted with application     Letter of intent to submit a resolution at the time of contract.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Grant Amount Requested: \_\_\_\_\_

Required Local Match: \_\_\_\_\_ (Large City & Community only)

Total Project Costs: \_\_\_\_\_

Is the proposed project receiving other NYS funding for similar activities?

(If this box is checked you are not eligible to apply for funding under the U&CF program.)

**If you have applied and received additional project funding from multiple funding sources for this project, indicate the funding source(s) and the amount(s):**

Source(s): \_\_\_\_\_

Amount(s): \_\_\_\_\_

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## Schedule A - Project Narrative

- Project Type:**  **Quick Start Arbor Day grant**
- Tree Inventory**       **Tree Management Plan**       **Tree Planting**
- Tree Maintenance**       **Invasive Insect Detection Survey**

**Part I – Project Summary:** (Provide a three sentence summary of the project.)

**Part II –Project Narrative:** (not to exceed 2 pages) (It is essential to explain in detail what your project will accomplish, the methodology that will be used to achieve the project deliverables, the cost effectiveness of meeting project objectives and deliverables, and how the project meets each of the rating criteria for the appropriate project type. Projects that fail to address the appropriate project type criteria identified in this RFA will not score well.)

**Part III – Project Schedule:** (Provide a detailed schedule for the project. The DEC anticipates projects to be completed within three years of a grant award. (anticipate time line- Example: Spring or Fall Planting Season: Summer Inventory; Fall Maintenance)

**Part IV – Educational Component:** (Required for Quick Start Grant and Invasive Insect Detection Survey – Optional for other Categories):

**Part V – Permits** (List all permits required to implement the project, including SEQR determination (if applicable)

**Part VI - Identify Sources of Matching Funds:** (Federal or State funds are not considered as an eligible match source. List in detail the source of funds to be used for match, such as cash, donations, value of goods and services etc.)

**(This page intentionally left blank.)**

**Part VII – Regional Economic Council Recommendation**

A.

<hr/> <p>(Project Name)</p>	
<p>I certify that the proposed project in this application satisfies the Regional Economic Development Council's requirements in _____ County, NY. This proposed project aligns with the priorities in the Regional Economic Development Plan developed by the Council.</p>	
<hr/> <p>(Signature of Authorized Council Member)</p>	<hr/> <p>(Date)</p>

**or**

B. A supplemental narrative describing the economic benefits of the proposed project and how the project aligns with the strategies of the Economic Development Plan (EDP) must be attached. See your county EDP and indicate the section and page number which corresponds with the activities proposed in your application.

**Part VIII – Environmental Justice Street Location and Description:**

1. The exact street location where the project is to be implemented (no P.O. Box)
  
2. A brief (few sentences) description of how the project will benefit minority or low-income populations that experience disproportionate adverse environmental impacts such as pollution from multiple industrial facilities, sub-standard water quality, concentrated diesel emissions from bus depots, or other heavy vehicle traffic, adverse health effects related to environmental impacts (high asthma), lack of access to green benefits such as open space, environmental education or parks, or other such impacts.

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**Schedule B - Project Budget**

Contract No. (Office use only) \_\_\_\_\_

COST CATEGORIES	NYSDEC Grant	Recipient Funds (50% Match)	TOTALS
<b>PERSONAL SERVICES</b>			
<b>Personnel Costs:</b> (Excludes fringe and indirect)			
<b>Subtotal Personal Services</b>			\$
<b>NON- PERSONAL SERVICES</b>			
<b>Supplies &amp; Materials:</b>			
<b>Contractual Services:</b>			
<b>Equipment Costs:</b>			
<b>Administrative:</b> (Not eligible for reimbursement, but may be eligible for up to 15% of project match.)	Not Eligible		
<b>Other:</b> (Description is necessary.)			
<b>Subtotal Non-Personal Services</b>			\$
<b>GRANT AMOUNT:</b> (100% for Quick Start grants, 50% all other UCF grant types)			\$
<b>MATCH AMOUNT (50%):</b> (Not required for Quick Start Grants)			\$
<b>TOTAL PROJECT COSTS:</b>			\$

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## Application Checklist

To avoid disqualification of your application or to avoid your application from scoring poorly, please use this checklist as a final tool before submitting your application documents:

### 1. All grant applications must comply with the following requirements:

- \_\_\_\_\_ Mailed (postmarked by June 21, 2012)  
or hand-delivered to NYS DEC, 625 Broadway, Albany, NY by 4:00 p.m. on June 21, 2012
- \_\_\_\_\_ Applicant eligibility documentation? (NFP provided proof of incorporation and Section 501 (C) (3) determination letter)
- \_\_\_\_\_ Is the proposed project site located on public property?
- \_\_\_\_\_ Is all appropriate and applicable information on the application form?
- \_\_\_\_\_ Is the Project Budget complete, accurate and itemized?
- \_\_\_\_\_ Is the application typed and on 8.5" x 11" paper?
- \_\_\_\_\_ Is there 1 original and 4 copies (total-5 sets) of the grant application?
- \_\_\_\_\_ Is there an authorizing resolution or a letter of intent to submit a resolution prior to contract execution?
- \_\_\_\_\_ Is the project narrative complete and does not exceed 2 pages?
- \_\_\_\_\_ Is the Regional Economic Council recommendation included?
- \_\_\_\_\_ Is documentation of ownership and public interest in property included? (NFP applicants only)
- \_\_\_\_\_ Municipal endorsement (NFP applicants only)
- \_\_\_\_\_ Are letter(s) of support/commitment to document partnerships and community support included?
- \_\_\_\_\_ Is there a list of required Permits (list applicable permits in the PART V of the Project Narrative, if any)?
- \_\_\_\_\_ Is proof of appropriate credentials – certified arborist certification number, or name of educational degree, i.e. forestry, horticulture, included in your application (in Project Narrative) for invasive pest detection study project?

### 2. In addition each grant category must satisfy these requirements:

#### Quick Start Grant

#### Community Grant

#### Large City Grant

(Albany, Buffalo Mt. Vernon, New Rochelle, NYC, Rochester, Schenectady, Syracuse, Yonkers only)

- |   |   |   |
|---|---|---|
| <ul style="list-style-type: none"> <li>_____ Not a Tree City USA</li> <li>_____ ≤ \$1,000 grant amount requested</li> <li>_____ Schedule of Arbor Day events</li> <li>_____ Press coverage</li> <li>_____ Official minutes of meetings relative to a tree program</li> <li>_____ Photos to illustrate the required mobilization of a community's interest and commitment</li> </ul> | <ul style="list-style-type: none"> <li>_____ \$2,500 - \$25,000 grant amount requested</li> <li>_____ Match amount is at least as much as grant amount, and is 50% of total project cost</li> <li>_____ No federal or state funds used for match</li> </ul> | <ul style="list-style-type: none"> <li>_____ \$7,500 - \$50,000 grant amount requested</li> <li>_____ Match amount is at least as much as grant amount, and is 50% of total project cost</li> <li>_____ No federal or state funds used for match</li> </ul> |
|---|---|---|



(Quick Start applicants may stop here.)

3. *Finally, Community and Large City grants need to review the grant type requirements below to be sure all required items are included in their completed application and copies.*

**Tree Inventory**

\_\_\_ Social & economic conditions of present & future tree presence addressed \*

**Tree Maintenance**

- \_\_\_ Located on public property
- \_\_\_ Copy of tree inventory
- \_\_\_ Copy of tree management plan
- \_\_\_ Photos of project location
- \_\_\_ Evidence of community support of project
- \_\_\_ Types of maintenance addressed
  - Pest control
  - Young tree care
  - No. of trees removed/pruned
- \_\_\_ Documentation of professional arborist consultation or equivalent (see RFA description)

**Tree Management Plan**

- \_\_\_ Addresses social & economic benefits of present & future tree presence \*
- \_\_\_ Based on environmental benefits analysis from current computerized tree inventory
- \_\_\_ All or relevant portion of tree inventory attached

**Invasive Insect Detection Survey**

- \_\_\_ Completed by certified arborist or equivalent (see RFA description on page 6)
- \_\_\_ Educational outreach component includes
  - Signage
  - Public involvement event
  - Project pictorial brochure
  - Public service announcement
  - Survey area photos

**Tree Planting**

- \_\_\_ Reviewed by tree care professional or DEC forester
- \_\_\_ Located on public property
- \_\_\_ Uses only non-invasive tree species
- \_\_\_ Photos of project location
- \_\_\_ Number of trees
- \_\_\_ Tree species list
- \_\_\_ Tree planting specifications
- \_\_\_ Short & long term care & maintenance plan included
- \_\_\_ Evidence of community support of project
- \_\_\_ Evidence of summer shade benefits to project site

\* For assistance in determining dollar amounts of economic benefits, see <http://treebenefits.com/calculator/index.cfm>

# Attachment 1

## Directory of Division of Lands and Forests Regional Offices

### **Region 1** - Suffolk and Nassau counties

**Regional Office:** SUNY Campus  
50 Circle Road  
Stony Brook, NY 11790-2356  
(631) 444-0285

### **Region 2** - Manhattan, Bronx, Queens, Brooklyn and Staten Island

**Regional Office:** 1 Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101-5407  
(718) 482-4942

### **Region 3** - Sullivan, Ulster, Orange, Dutchess, Putnam, Rockland and Westchester counties

**Regional Office:** 21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3076

### **Region 4** - Schenectady, Albany, Rensselaer and Columbia counties

**Regional Office:** 1130 North Westcott Road  
Schenectady, NY 12306-2014  
(518) 357-2355

**Sub-Office:** Montgomery, Otsego, Delaware, Schoharie and Greene counties

65561 State Highway 10, Suite 1  
Stamford, NY 12167-9503  
(607) 652-7365

### **Region 5** - Franklin, Clinton and Essex counties

**Regional Office:** 1115 NYS Route 86  
P. O. Box 296  
Ray Brook, NY 12977-0296  
(518) 897-1276

**Sub-Office:** Warren, Saratoga and Washington counties

232 Golf Course Road  
Warrensburg, NY 12885-0220  
(518) 623-1265

**Sub-Office:** Fulton and Hamilton counties

701 South Main Street  
P. O. Box 1316  
Northville, NY 12134-1316  
(518) 863-4545

**Region 6** – St. Lawrence, Herkimer, Lewis, Jefferson and Oneida counties

**Regional Office:** 317 Washington Street, SOB  
Watertown, NY 13601-3787  
(518) 785-2261

**Sub-Office:** 7327 NYS Route 812  
Lowville, NY 13367  
(315) 376-3521

**Sub-Office:** 225 N. Main Street  
P. O. Box 89  
Herkimer, NY 13350-0089  
(315) 866-6330

**Sub-Office:** 6739 U. S. Highway 11  
Potsdam, NY 13676  
(315) 265-3090

**Region 7** - Oswego, Cayuga, Onondaga, Madison, Tompkins, Cortland, Chenango, Tioga and Broome counties

**Sub-Office:** 1285 Fisher Avenue  
Cortland, NY 13045-1090  
(607) 753-3095

**Sub-Office:** 2715 NYS Route 80  
Sherburne, NY 13460-0594  
(607) 674-4017

**Region 8** - Orleans, Monroe, Wayne, Genesee, Livingston, Ontario, Yates, Seneca, Steuben, Schuyler and Chemung counties

**Regional Office:** 6274 East Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466

**Sub-Office:** 7291 Coon Road  
Bath, NY 14810-9728  
(607) 776-2165, x36

**Region 9** - Niagara, Erie, Wyoming, Chautauqua, Cattaraugus and Allegany counties

**Regional Office:** 270 Michigan Avenue  
Buffalo, NY 14203-2999  
(716)-851-7000

**Sub-Office:** 182 East Union Street  
Allegany, NY 14706-1328  
(716) 372-0645

**Sub-Office:** 2524 County Route 24  
Almond, NY 14804  
(585) 466-3241

**Sub-Office:** 178 Point Drive North  
Dunkirk, NY 14048  
(716) 363-2052

## Attachment 2

### **Recommended Minimum Standards\* for NYS DEC Tree Planting Grants**

The following are minimum standards that may be used for tree planting grant projects. Where local ordinances and guidelines require more stringent standards, use the more stringent standards. All tree planting work should be supervised by a qualified professional.

#### **Planning:**

A detailed tree planting and ten year maintenance plan must be developed with input from local agencies to avoid conflicts. Where underground or above ground utilities are present, the local utility must be contacted.

#### **Tree Species Selection:**

1. Species will be selected to fit the planting site, taking into consideration soils, rooting space, overhead space, adjacent utilities and buildings, drainage, and other site conditions.
2. All species need to be appropriate for the hardiness zone in which they are located.
3. All trees used will be true to name. Size and grading standards will conform to the American Standard for Nursery Stock as established by the American Nurserymen's Association ([www.anla.org](http://www.anla.org)).

#### **Site Selection:**

1. No tree with a mature trunk diameter greater than 12 inches will be planted in a tree lawn less than 3 ft. wide.
2. Trees will not be planted within 30 feet of an intersection or 15 feet of driveways and alleys.
3. Trees will not be planted within 10 ft. of utility poles or hydrants.
4. Trees should be spaced an appropriate distance apart. For street trees; Large trees (mature height greater than 60 ft.) minimum of 45 ft. apart. Medium trees (mature height between 30 ft. and 60 ft.) minimum of 35 ft. apart. Small trees (mature height less than 30 ft.) minimum of 25 feet apart.
5. Only trees with mature heights less than 30 feet should be planted under or near power lines.

#### **Planting Standards:**

1. Holes dug for planting of trees will be a minimum of 12 inches larger than the diameter of the root system or root ball. Preferably the hole should be at least twice the size of the root ball.
2. Trees will be planted no deeper than previously grown with allowance for settling. The root flair should be at or slightly above ground level.
3. Strings and twine will be removed from trunk of tree. Burlap and wire baskets will be removed or rolled down into hole.
4. Backfill with existing soil when suitable. Avoid using excessive amounts of organic matter.
5. When sensitive species are exposed to direct sun, wrap lower trunk with a tree wrap. Remove wrap after first growing season.
6. Bark mulch will be applied around the tree, 3 to 4 inches deep, in a circle which extends beyond the planting hole. Mulch should not touch trunk above root flair.
7. Only dead, damaged or poorly located branches will be removed using proper pruning techniques.
8. All bare root trees (and balled and burlapped trees in exposed, windy areas) will be staked or guyed to keep them upright. Use commonly accepted staking techniques. Stakes will be removed within the first year.
9. Newly planted trees will be watered with at least 2 inches of water at the time of planting.
10. In caring for and handling trees prior to planting, all precautions customary in good trade practice will be taken.
11. A minimum one year warranty is recommended.

## Five Year Tree Maintenance:

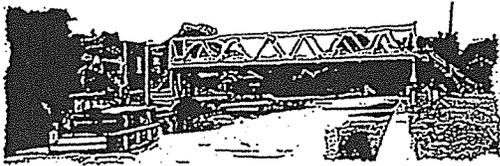
A detailed, written tree maintenance plan must be developed.

1. Grantee will need to inspect the trees every six months to evaluate general health and disease and insect problems.
2. Grantee will need to treat disease and insect problems as needed to maintain good tree health.
3. Grantee will need to water during the growing season as needed. Supplement rainfall so that the tree averages a minimum of 2 inches of water every 2weeks during the growing season (May-September)
4. Grantees will prune the trees as needed to remove dead, damaged or poorly located limbs using accepted practices of the industry.
5. Grantees will remove planting stakes and guy wires within the first year.

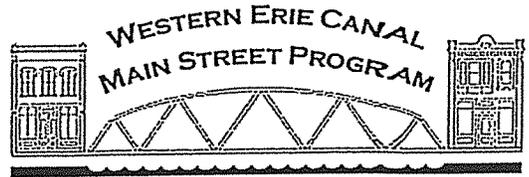
\* Modified from original received from J. Parry, USFS

Other sources: Tree Planting Specifications and information:

- <http://www.treesaregood.org/>
- <http://www.hort.cornell.edu/uhi>
- <http://www.umass.edu/urbantree/publications/pits.pdf> - Strategies for planting in pits, November, 2003 issue of TCI 7/1/04



Western Erie Canal Alliance



Western Erie Canal Alliance

&

Western Erie Canal Main Street Program

Are Accepting Applications To Become A

National Main Street Community

Would you like to be part of the driving force behind developing your Main Street through community self-reliance, local empowerment, local ownership, increased downtown foot traffic and preservation of distinctive architecture? If so, the Western Erie Canal Main Street Program (WECMSP) is currently accepting letters of interest from villages and small cities in the counties of Erie and Monroe who are interested in learning about the selection and application process that will allow them to become a National Trust Main Street Community. One (1) village or small city from each county will be selected through an application process to receive technical assistance and training for the revitalization of their downtown/main street from WECMSP and the National Trust for Historic Preservation's Main Street Center® (NTMSC). Your first step toward becoming a Main Street community is to send a letter of interest to Roxanne T. Kise, Regional Coordinator of the WECMSP at 44 Caroline St, Clyde, NY 14433 by June 29, 2012.

Once all letters of interest have been received you will be contacted with a time and place for an Application Workshop. This workshop will need to be attended by at least two (2) representatives from both the public (mayor, trustee etc.) and private (chamber of commerce, merchants association, etc.) sectors. Communities are responsible for raising operational funds for local programs, as the WECMSP does not provide cash grants.

Topics to be covered at the workshop include: details about the National Main Street and Western Erie Canal Main Street Program, learning about the Four Point Main Street Approach® (Design Organization, Promotion and Economic Restructuring for Downtowns), consensus building, fund raising, the application process, and community selection criteria.

The WECMSP is a comprehensive revitalization program that promotes the historic and economic redevelopment of traditional business districts in the Western Erie Canal Heritage Corridor. Beginning in 2008 WECMSP focused its initial efforts on establishing local Main Street Programs in Niagara, Orleans and Wayne counties. In 2010 WECMSP was funded by NYS Department of State Coastal Resources to expand its present program to include two (2) new Main Street Programs in the counties of Erie and Monroe. The WECMSP will provide the two (2) new communities more than \$80,000 worth of high-quality technical assistance and training-which includes consultation in the local program's initial start-up years, organizational development, fund raising, marketing, business recruitment, adaptive reuse of older buildings and other specialized training.

Please circulate this announcement to all local groups, organizations, and agencies interested in the revitalization of your historic business center.

For more information or answers to questions about the WECMSP or the Application Process, please contact Roxanne T. Kise at 315-573-1479 or 315-923-9225 or email at [kise.wecmainst@gmail.com](mailto:kise.wecmainst@gmail.com)

*note:  
lead to draft a  
letter of interest*



*per Trustee Blackman*

*[Signature]*

This program is partially funded by New York State Department of State with funds provided under Title 11 of the Environmental Protection Fund.

*Margay Blackman*  
*June 6, 2012*

## **Two Village Courts: Geneseo and Fredonia**

### **Introduction**

In considering the feasibility of a village court for Brockport, we looked for the most comparable examples of village courts in New York State. An essential feature of that comparability is the presence of a SUNY campus within the village boundary. Of the 12 SUNY college campus communities in New York State, two have village courts, Geneseo and Fredonia. Their respective towns of Geneseo and Pomfret, by law, also have town courts.

Carol Hannan, Chief Varrenti, and I paid a visit to each of these two villages, and Tanya Raycroft, our student intern, accompanied us to Fredonia. In each place we met with a village judge and the chief of police, and at Geneseo, a court clerk. We collected the annual reports of the respective police departments, toured and photographed their courts, and collected information on village ordinances and fines, court operations, staffing and finances.

### **The Communities and their Commonalities**

Geneseo, Fredonia and Brockport all have a sense of place linked to local history with expressed attention to historic preservation. All three historic downtowns are listed on the National Register of Historic Places. Geneseo and Brockport are the most similar in size, with populations of 8,031 and 8,336, respectively. Fredonia is notably larger with 11,230. Geographically Brockport is the smallest, comprising 2.2 square miles; Geneseo is 2.79, and Fredonia, 5.2 square miles. Brockport is also the most densely populated with 3,789 people per square mile; Geneseo has 2,878 and Fredonia, 2,160.

Regarding their SUNY institutions, The College at Brockport has the largest enrollment with 8,312; Fredonia has 5,730, and Geneseo, 5,445. The law enforcement issues related to the college presence faced by the villages are similar—off-campus house parties with underage drinking, disorderly conduct, violation of noise ordinances, and the attraction of outsiders to the campus and surrounding village. Fredonia, for example, gets a large influx of weekend visitors from Rochester area colleges that are more than 2 hours away.

Although, like Brockport, both Geneseo and Fredonia feel the financial pinch from a large tax exempt state property in the middle of their villages, the assessed valuation of these villages is greater than Brockport's; their top ten taxpayers contribute considerably more tax dollars than Brockport's. Consequently the tax rates in Geneseo and Fredonia are lower than Brockport's. Within its village boundaries. Geneseo, for example, has a super Wal-Mart, several apartment complexes, a Country Max, a Hampton Inn and a sportswear manufacturer. The Village of Fredonia also has a Wal-Mart and a manufacturer of preserved jellies, peanut butter, syrups and salad dressings (Carriage House).

### Code Enforcement

Both Geneseo and Fredonia have a stronger code enforcement presence than Brockport currently does. Geneseo has one full-time code enforcement officer and one half-time officer who they share with the town. Fredonia has two full-time code enforcement officers for the village.

### Village Police

Village police departments in these three communities offer comparisons in size, staffing, and number of arrests. Fredonia has the largest, with 15 full-time officers and 6 part-timers. Geneseo has 7 full-time officers (an 8th full-time position is currently vacant) and 5 part-time; Brockport has 11 full-time, and 2 part-time. These figures translate to one full-time officer for every 1003 people in Geneseo, one for every 758 people in Brockport, and one for every 749 in Fredonia.

Police staffing bears a direct relationship to the college population and its presence in the village. Fredonia has six officers on duty on Friday and Saturday nights, four on Thursdays and never fewer than two on any shift. Like Fredonia, Brockport has a minimum of two officers on duty at all times, and three at night, with additional part-timers depending on the time of year and special events. Geneseo tries to have two officers on every shift, and has three on Friday and Saturday nights when the college is in session.

### Arrests

The number of arrests by village police in these communities can be helpful in determining whether Brockport has sufficient court business to support a village court.

ARRESTS 2011	BROCKPORT	FREDONIA	GENESEO
VTL (vehicle and traffic)	1662	1233	*2159
Penal Law	291	555	576
Village Ordinance	441	273	255
Parking tickets	1578	**2000	**2418

\* Routes 20A and 39 pass through Geneseo and account for the greater number of VTL arrests

\*\* Have metered parking downtown

## **The Village Courts**

### ***Geneseo***

The Geneseo Village Court is held in the town hall, a 19<sup>th</sup> century building on the main street of town. The courtroom, which holds 80 people, is also used by the Geneseo Town Court. In return, the town pays a portion of the operating costs of the building. Village and town have separate judges (2 each) but share 1 full-time and two part-time court clerks. Village judges are paid \$10,808 (town judges \$12,578), the part-time court clerks \$20/hour, and the full-time court clerk \$34,298. The clerk salaries and benefits for the full-time clerk are split 60/40 between the village and town. Part-time village police provide court security. The sheriff's department provides security for the town court. Town and village courts share a single phone number and a single office, but each court has its own computer and pays separately for the required court software. Village court is held every Tuesday with the two judges alternating. The village court handles over 3,000 cases a year.

Though both operate in the black, the Geneseo Village Court produces considerably more revenue than the Geneseo Town Court. After salaries, benefits, and contractual costs, \$120,747 in fines and parking fines and fees remained with the village in 2011.

### ***Fredonia***

The Fredonia Village Court was created in 1969; court is held on the third floor of the historic village hall, built in the 1860s and formerly the Fredonia Academy and later the Normal School. The courtroom holds 130 people. It and the judge and clerks' offices have been refurbished through annual grants offered statewide to justice courts by the Office of Court Administration. Like Geneseo, both town and village use the courtroom. The town pays the village \$6,500 annually for courtroom use. Both town and village court clerks—2 full-time clerks for each jurisdiction—have their offices there as do the judges. The Fredonia police part-timers provide court security for the village court. The town hires retired police as court officers at \$12.50 an hour. The village judge serves as the primary judge for the town as well. As a village judge, he is paid \$20,000 a year; as town judge, \$15,000. The acting judge, who serves only when the primary judge is unavailable, is paid \$5,000 a year for his village work. Village court is held every Wednesday. In 2011 the village handled 2,314 cases; the town of Pomfret, 3,753 cases. By comparison, the Sweden Town Court, with the town and village's cases, handles about 4,300 cases a year.

The Fredonia Village Court also produces more revenue than the Pomfret Town Court, though like Geneseo, both village and town courts operate in the black. The Village of Fredonia nets \$63,028 plus \$57,811 for parking for a total of \$120,839 after paying salaries, benefits and contractual costs.

The following table shows a comparison among Geneseo village and town courts, Fredonia Village and Pomfret Town Court, and the Sweden Town Court. Note that, combined, the Geneseo town and village courts retain almost \$21,000 more than the Sweden Town Court

retains. Pomfret town and Fredonia village courts retain \$141,000 more than the Sweden Town Court.<sup>i</sup>

<b>Court</b>	<b>Rank in State by income</b>	<b>Total</b>	<b>State</b>	<b>County</b>	<b>Local</b>
Village of Geneseo	195	341,773	\$190,790	\$18,955	132,028*
Town of Geneseo	318	205,638	\$129,251	\$7335	69,053
Village of Fredonia	238	292,011	\$84,845	\$20, 813	186,353*
Town of Pomfret	164	397,410	\$253,293	\$9007	135,109
Town of Sweden	152	421,338	\$197,030	\$44,172	180,136*

\*Does not include parking fines. Sweden retains \$151,000 after paying Brockport for village ordinance and parking fines (See Justice Court Report #1, pages 6-7)

The following table provides a comparison among Geneseo, Fredonia, and Brockport in regard to the types of fines that Brockport, without a village court, retains.<sup>ii</sup> The primary difference in parking fees and fines is due to metered parking in the downtown areas of Geneseo and Fredonia.

<i>Receipt of fines 2011</i>	<i>Brockport</i>	<i>Geneseo</i>	<i>Fredonia</i>
<i>Village ordinances</i>	<i>\$27,290</i>	<i>\$34,775</i>	<i>\$19,785</i>
<i>Parking</i>	<i>\$29, 260</i>	<i>\$58, 219*</i>	<i>\$57, 811*</i>
<i>Total VO/Parking</i>	<i>\$56,550</i>	<i>\$92,994</i>	<i>\$77, 596</i>

\* Includes fees from parking meters

### Summary and Conclusions

- Both Fredonia and Geneseo Village Courts generate about \$120,000 in net revenue (i.e. after expenses) for their respective communities, or about twice what Brockport receives without a village court.
- By contrast, the Sweden Town Court operates at a deficit of approximately \$35,000.

- Both Geneseo and Fredonia generate considerably more in parking revenue than Brockport, due to 1) a higher percentage of parking fines paid 2) metered parking in the downtown business area.
- The sharing of court space and court clerks by these village courts with their town courts increases their efficiency and saves costs. The Geneseo Village Court is especially cost effective, with only \$69,500 in salaries, benefits, and contractual costs.
- Throughout New York State, Justice Court revenue is primarily in traffic violations (VTL) and parking. 75% of the cases heard in Geneseo Village Court, for example, are VTL cases.
- In 2011 the Sweden Town Court prosecuted 2,868 VTL tickets; during that same period the Brockport police wrote 1,662 VTL tickets.
- In respect to current VTL and Penal law arrests and fines, the Brockport police department is working for the Town of Sweden—at no cost to them.
- Based on the above figures, we can safely say that a village court in Brockport—after expenses— would realize more revenue than we currently receive without a court, particularly if such a court operated with the efficiency of Geneseo and Fredonia village courts. Conservatively speaking, the additional net revenue would be in the neighborhood of \$50-60,000 beyond what we already receive for Village Ordinances and parking (approximately \$52,000).
- In considering the feasibility of a village court for Brockport, there remain issues beyond the financial viability of a village court that need to be addressed. These include: the startup costs for such a court that would have to be borne by the village such as computer hardware, software, law manuals, etc. The cost of any legal services for doing so, and, very importantly, where a village court would be held were it to be created. These issues will be addressed in a final report in the near future.

### **Acknowledgements**

Thanks to the following individuals for meeting with us regarding their village courts: Judge Tom Bushnell, Court Clerk Jane Dulmage, and Police Chief Eric Osganian of Geneseo, Judge David Prince and Police Chief Bradley Meyers of Fredonia. Thanks also to Geneseo Village Clerk Marsha Merrick for providing budget information, and Judge Robert Connors of the Sweden Town Court for providing an annual tally of cases heard in that court.

### **Sources**

Brockport, Geneseo, and Fredonia Police Departments, Annual Reports for 2011

Center for Governmental Research. “Analysis of Shared Services in the Village and Town of Geneseo: Code Enforcement and Courts.” Prepared by Charles Zettek, Jr. and Scott F. Sittig for the Village and Town of Geneseo, 2010.

*Margay Blackman*  
*June 6, 2012*

Office of the State Comptroller, Justice Court Fund. Distribution Summary of village Court Reports, January –December 2011, Fredonia Village Court.

Office of the State Comptroller, Justice Court Fund. Distribution Summary of village Court Reports, January –December 2011, Geneseo Village Court.

Office of the State Comptroller, Justice Court Fund, Court Ranking Reports (Revenues Collected). Office of the State Comptroller, Local Government and School Accountability. [www.osc.state.ny.us/localgov/datanstat/jc/index\\_choice.htm](http://www.osc.state.ny.us/localgov/datanstat/jc/index_choice.htm)

Village of Fredonia Justice Court, monthly reports to the Village Board, January–December 2011.

- 
- i That major and smaller highways run through the towns of Geneseo (routes 390, 20A, 39) and Pomfret (routes 5, 20, 60, and 90) has a not inconsequential impact on fines that come to these town courts.
- ii Comparing village ordinance fines between villages that have courts and those that don't is problematic because, in the Office of Court Administration coding, the code for village ordinances includes ABC (Alcohol Beverage Control violations). Fines for these violations do not come back to villages without a court. Judge's discretion is also a factor. In the case of Fredonia, for example, the low Village ordinance fine total is due to the judge's decision to reduce charges for first offenders of village ordinances from \$100 to \$50. "The majority of students," he noted, "are just making it financially, and \$100 was too much." Fines are now \$50 for a first offense, and \$100 for a second offense.

8 Hickory Way  
Brockport, NY 14420  
May 22, 2012

M. Connie Castañeda, Mayor  
Margaret B. Blackman, Trustee  
Kent R. Blair, Trustee  
Carol L. Hannan Trustee, Liaison DPW  
Scott W. Hunsinger, Trustee

Re: Welcoming Banners "Bienvenidos" for Farmworkers

Dear Mayor and Village Trustees:

The exhaustive efforts to recruit farmworkers were presented to this community by a local cabbage farmer, Kathy Martin, at a public forum in April of this year. On a larger scale, statistics were provided citing United Farmworkers offering jobs to Americans. Of 3 million "hits" in 3 months, only 8,600 were interested after looking at the jobs. Of those, 386 applied, with just 7 actually taking the work. The Farm Bureau has been in the headlines regarding efforts to streamline the H2A visa program so that the needed laborers can come to plant and harvest the crops which no one else wants to do.

Because Brockport businesses, churches, and Lakeside Hospital recognized the importance of the work of putting food on our tables, \$3,000 in funding was raised in 2008 by Brockport Ecumenical Committee to provide banners to welcome these workers who are the backbone of our local and New York State agribusiness.

At that time, my understanding with the mayor and DPW was that most of the Bienvenidos (Spanish for welcome) banners would be hung in mid June when many of the farmworkers arrive and that a number of the banners would be kept up during the summer particularly near the Farmers' Market. Since then, a few if any of the Bienvenidos banners have been raised to welcome these indispensable workers.

Democrat and Chronicle paper this week quoted Mark James, field adviser for the New York Farm Bureau, "I think of the migrant help that comes up to help pick this fruit, and the dollars that go into the small businesses, the small supermarkets, as a result. It's a lot of money brought into the community and left here."

Out of respect for the community donors as well as the importance of promoting our own agricultural businesses, I am requesting that the "Bienvenidos" return to our village streets interspersed among the Farmers' Market banners and that some of them remain up all summer

Notes:

Discussed by UB 6/5  
work session

Info requested of DPW 6/6

awaiting info for  
further discussion/  
response

possible 6/26 UB?

JAM

alongside the Farm Market banners. Many of the harvesters arrive in September. They too must know that we appreciate their contribution to western New York farms and our New York State economy.

Sincerely,

Monica Anderson, Former Brockport Ecumenical Outreach Committee board member and Banner Funding Chair