

VILLAGE OF BROCKPORT

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

VILLAGE BOARD – MEETING AGENDA

Monday, April 7, 2014 7:00pm

Location: A.D. Oliver Middle School – L.G.I.

- **CALL TO ORDER / PLEDGE:** please silence cell phones & electronic devices
- **MOMENT OF SILENCE:** to honor those who serve our Country, enforce our laws, & respond to emergencies
- **BROCKPORT HISTORICAL MOMENT:**
- **OATH OF OFFICE:** none
- **CERTIFICATES & PROCLAMATIONS:**
 - CROP Walk – Art Appleby

- **PUBLIC HEARINGS:**
 - Proposed 6/1/14-5/31/15 budget – Treasurer Daniel P. Hendricks
 - Proposed Local Law of 2014 to amend Village Code Chapter 36 Minimum Housing & Buildings Code

- **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:** none

- **CONSENSUS ITEMS:**
 - Approval of minutes – 3/3, 3/13, 3/17, 3/21, 3/24
 - Approval of bills to be paid

- **CLERK REPORT:**
 - Clerk – Leslie Ann Morelli
 - Any Sidewalk Café Permit Application(s)
 - UNYMWCP refund – designate to Workers Comp Reserve

- **PERSONNEL ITEMS:**
 - Title Change – DPW's David N. Moore – from Working Foreman to Labor Foreman
 - Authorization to advertise for seasonal (summer) laborers
 - Appoint to fill vacancy on Parks Committee to 6/30/14

- **OLD or NEW BUSINESS:**
 - Authorize purchase of a new pickup truck from Water Fund
 - Authorize purchase/lease of a new bucket truck from General Fund
 - Award – RFP response–Architectural Historians-prepare State/National Register nominations (CLG grant)
 - Authorize grant application – Museum Association of NY – “Get Ready” 1st of 3 – then “Get Set” then “Go”

- **VILLAGE BOARD REPORTS:**
 - Mayor Margaret B. Blackman
 -
 - Trustee/Deputy Mayor William G. Andrews
 -
 - Trustee Valerie A. Ciciotti
 -
 - Trustee Carol L. Hannan
 -
 - Trustee John D. La Pierre
 -

- **EXECUTIVE SESSION** (if needed)
- **ADJOURNMENT**
- **Upcoming:**
 - Village Board meeting: 7pm Monday, 4/21*
 - Village Board work session: 7pm Monday, 4/28*

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.

Budget Preparation Calendar

Village of Brockport

Fiscal Year June 1, 2014 – May 31, 2015

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

**VILLAGE OF BROCKPORT
PROCLAMATION**

WHEREAS, on Sunday afternoon, May 4th many area residents will "Walk with the World" in the 32nd Annual CROP WALK in Brockport; and

WHEREAS, this is done to help provide seeds, tools, water resources, vocational and literacy training and other self-help skills needed overseas through Church World Service; and

WHEREAS; women, men and children throughout the world must walk long distances every day to get water, food and shelter in order to survive; and

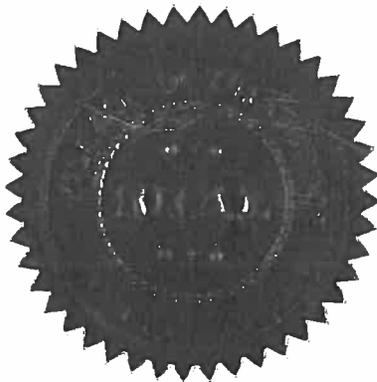
WHEREAS; twenty-five percent of CROP WALK funds raised will assist hungry people right in our own area through the Brockport Food Shelf; and

WHEREAS; there have been 31 walks between 1983 and 2013, which have raised the total of over \$240,000 of which \$60,000 (25%) has stayed in Brockport; and

WHEREAS; there continues to be a growing number of people who need assistance at our local food pantry and a need for education regarding poverty and hunger in the world;

BE IT THEREFORE RESOLVED, I, Margaret B. Blackman, by virtue of the authority vested in me as Mayor, and on behalf of the Village Board, do hereby tender this proclamation and do hereby proclaim Sunday, May 4, 2014 as CROP WALK in the Village of Brockport and encourage all our citizens to "Walk With the World" by walking, sponsoring a walker or making a gift to "CROP".

IN WITNESS WHEREOF, we have here unto set our hands and caused the Corporate Seal of the Village of Brockport to be affixed this 7th day of April, in the year 2014.



Margaret B. Blackman, Mayor

William G. Andrews, Trustee/Deputy Mayor

Valerie A. Ciciotti, Trustee

Carol L. Hannan, Trustee

John D. La Pierre, Trustee



VILLAGE OF BROCKPORT

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

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

VILLAGE OF BROCKPORT NOTICE OF TENTATIVE BUDGET FILING & PUBLIC HEARING

Please take notice that on behalf of the Mayor, the Treasurer of the Village of Brockport filed with the Village Clerk the Tentative Budget of said Village for the fiscal year beginning June 1, 2014. It is available for review at Village Hall during normal business hours and from the Village website at www.brockportny.org.

The tentative budget includes:

Projected General Fund revenues of \$5,044,538
Projected General Fund expenditures of \$5,044,538
Compensation proposed to be paid to each member of the Board as follows:
Mayor \$9,867/year & Trustees (4) at \$3,444/year (flat – no change from last year)
Proposed tax rate of \$11.80/1,000 of assessed valuation (.60% change from last year)

Projected Water Fund revenues \$1,095,296
Projected Water Fund expenditures \$1,095,296
Proposed water rates (flat - no change from last year)

Projected Sewer Fund revenues \$145,346
Projected Sewer Fund expenditures \$145,346
Proposed sewer rates (flat – no change from last year)

The Trustees will recommend amendments to the Mayor's tentative budget and the Village Board will meet at **7:00pm on Monday, April 7, 2014 at the A.D. Oliver Middle School L.G.I., 40 Allen Street Brockport, NY 14420** for the purpose of holding a public hearing on the proposed budget of said Village for the fiscal year beginning June 1, 2014. All interested parties will be given the opportunity to be heard.

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: 3/17/14

For publication in the 3/23/14 edition of Suburban News.

For posting on Village website and Village Hall bulletin board.

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

Village of Brockport

2014 - 15

Budget - Expenditures

General Fund

March 17, 2014

Village of Brockport							
2014-15 Budget							
Line Item Budget							
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Board of Trustees							
Trustees - Personnel Services	A1010.1000	13,777	13,776	13,777	13,777	0	0.00%
Trustees - Contractual	A1010.4000	188	18,421	35,000	35,000	0	0.00%
Trustees - Conference Expense	A1010.4030		370	0	2,000	2,000	
Trustees - Miscellaneous	A1010.4090		200	0	250	250	
Sub-Total		13,965	32,767	48,777	51,027	2,250	4.61%
Municipal Court							
Court - Personnel Services	A1110.1000				24,440	24,440	
Court - Equipment	A1110.2000				3,000	3,000	
Court - Contractual	A1110.4000				4,000	4,000	
Court - Building Renovaions	A1110.4010				30,000	30,000	
Sub-Total					61,440	61,440	
Mayor							
Mayor - Personnel Services	A1210.1000	9,867	9,867	9,867	9,867	0	0.00%
Mayor - Contractual	A1210.4000	0	0	100	100	0	0.00%
Telephone - Mayor	A1210.4010	814	1,268	1,500	1,500	0	0.00%
Conference Expense - Mayor	A1210.4050	75	65	100	500	400	400.00%
Mayor - Miscellaneous	A1210.4051		55		50	50	
Sub-Total		10,756	11,255	11,567	12,017	450	3.89%
Auditor							
Auditor	A1320.4000	13,775	11,396	12,750	12,750	0	0.00%
Sub-Total		13,775	11,396	12,750	12,750	0	0.00%

Village of Brockport						
2014-15 Budget						
Line Item Budget						
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	% Change
Clerk-Treasurer						
Personnel Services - Admin.	A1325.1000	115,918	108,590	134,676	139,683	3.72%
Clerk/Treasurer - Contractual	A1325.4000		11,176		300	
Clerk/Treasurer - Telephone	A1325.4010	4,337	8,350	7,700	8,000	3.90%
Clerk/Treasurer - Office Supplies	A1325.4020	4,085	4,756	4,000	4,250	6.25%
Computer Supplies - Admin.	A1325.4030	12,830	10,897	9,000	9,500	5.56%
Clerk/Treasurer - Membership Fees	A1325.4050	315	400	600	600	0.00%
Clerk/Treasurer - Postage	A1325.4060	1,773	1,694	4,000	4,400	10.00%
Clerk/Treasurer - Copier Expenses	A1325.4070	3,683	5,569	3,700	4,000	8.11%
Payroll Expenses - Contractual	A1325.4080	4,063	3,349	5,000	4,000	-20.00%
Clerk/Treasurer - Miscellaneous	A1325.4090	1,257	4,899	1,500	5,000	233.33%
Clerk/Treasurer - Publications	A1325.4100	1,791	839	2,000	2,000	0.00%
Clerk Treasurer - Training	A1325.4110	153	532	2,500	2,500	0.00%
Tax Bill Processing	A1325.4120	2,232	1,916	1,700	2,000	17.65%
Sub-Total		152,436	162,965	176,376	186,233	5.59%

Village of Brockport						
2014-15 Budget						
Line Item Budget						
	Acct. Code	Actual Expenditures 2011-12	Actual Expenditures 2012-13	2013-14 Budget	2014-15 Budget	% Change
Law						
Law - Legal Services	A1420.4000	57,169	67,569	66,000	61,000	-7.58%
Sub-Total		57,169	67,569	66,000	61,000	-7.58%
Engineering						
DPW - Engineering Services	A1440.4000	2,011	7,913	5,000	5,000	0.00%
Sub-Total		2,011	7,913	5,000	5,000	0.00%
Elections						
Elections - Miscellaneous	A1450.4000	560	400	600	600	0.00%
Elections - Publishing	A1450.4020	1,546	233	200	200	0.00%
Elections - Supplies	A1450.4021		698		700	
Sub-Total		2,106	1,331	800	1,500	87.50%
DPW -Administration						
DPW -Personnel Services	A1490.1000	105,146	110,170	116,603	120,837	3.63%
DPW - Conference	A1490.4020	160	190	300	300	0.00%
DPW - Office Sup/Postage	A1490.4030	643	739	700	700	0.00%
DPW - Permits, Fees, License	A1490.4040	160	179	300	300	0.00%
DPW - Miscellaneous	A1490.4090	-14	101	500	500	0.00%
Sub-Total		106,096	111,378	118,403	122,637	3.58%
					4,234	

Village of Brockport							
2014-15 Budget							
Line Item Budget							
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Central Mailing							
Central Mailing	A1670.4000	1,965	4,203	1,250	1,500	250	20.00%
Sub-Total		1,965	4,203	1,250	1,500	250	20.00%
Information technology							
IT Hardware/Software	A1680.2000	403	3,695	5,000	5,000	0	0.00%
IT Contractual	A1680.4000	4,942	8,094	7,500	12,500	5,000	66.67%
Sub-Total		5,345	11,789	12,500	17,500	5,000	40.00%
Unallocated Insurance							
Unallocated Insurance	A1910.4000	58,977	44,727	60,000	61,500	1,500	2.50%
General Insurance	A1910.4010		530				
Sub-Total		58,977	45,257	60,000	61,500	1,500	2.50%
Municipal Assoc. Dues							
Municipal Assoc Dues	A1920.4000	4,815	4,640	5,100	5,100	0	0.00%
Sub-Total		4,815	4,640	5,100	5,100	0	0.00%
Taxes/Mlge Property							
Taxes/Mlge Property	A1950.4000	1,161	1,208	1,200	1,300	100	8.33%
Sub-Total		1,161	1,208	1,200	1,300	100	8.33%
Contingency							
Contingency	A1990.4000	771	55	150,000	100,000	-50,000	-33.33%
Sub-Total		771	55	150,000	100,000	-50,000	-33.33%

Village of Brockport						
2014-15 Budget						
Line Item Budget						
Acct. Code	Actual Expenditures 2011-12	Actual Expenditures 2012-13	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Public Safety						
Personnel Services	1,153,722	1,310,872	941,562	1,018,820	77,258	8.21%
Police Part-time Officers			31,000	5,000	-26,000	-83.87%
Crossing Guards			12,418	12,728	310	2.50%
Secretaries			40,020	41,021	1,001	2.50%
Police - Overtime			120,000	70,000	-50,000	-41.67%
Police - Vehicles	18,997	50,019	24,500	49,000	24,500	100.00%
Police-Firearms	1,246	1,492	2,000	4,500	2,500	125.00%
Police - Furniture/Equipment	179	2,043	250	250	0	0.00%
Police - Computer Software	1,939	2,792	2,300	2,400	100	4.35%
Police - Telephone	4,075	5,837	5,200	5,200	0	0.00%
Police - Office Supplies/Postage	2,058	5,043	2,800	3,500	700	25.00%
Police - Fleet Maintenance	4,450	1,564	3,300	3,300	0	0.00%
Police - Fleet Repairs	6,766	3,055	2,500	1,500	-1,000	-40.00%
Police - Fleet Supplies	1,997	11,025	8,800	14,500	5,700	64.77%
Police - Fuel	22,047	23,823	20,000	20,000	0	0.00%
Police - Maintenance Contracts	848	1,596	2,400	2,100	-300	-12.50%
Police - Office Equip Lease/Rent	7,017	5,736	7,600	7,600	0	0.00%
Police - Quarter Master Unit	4,801	7,576	5,500	6,300	800	14.55%
Police - Miscellaneous	734	661	500	500	0	0.00%
Police - Affiliations	120	160	150	200	50	33.33%
Police - Training/Conferences	2,001	676	1,400	1,000	-400	-28.57%

Village of Brockport							
2014-15 Budget							
Line Item Budget							
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Safety Inspection						0	
Code Enforcement - Personnel Services	A3620.1000	74,475	70,044	83,079	85,156	2,077	2.50%
Code Enforcement - Equipment	A3620.4000	0	0	300	1,200	900	300.00%
Code Enforcement - Contractual	A3620.4001		0	0	100	100	
Code Enforcement - Telephone/Cell	A3620.4010	1,047	2,032	1,500	1,500	0	0.00%
Code Enforcement - Training	A3620.4020	22	472	500	1,000	500	100.00%
Code Enforcement - Computer Supplies	A3620.4030	0	3,315	300	300	0	0.00%
Code Enforcement - Fuel	A3620.4040	1,358	1,507	1,800	1,800	0	0.00%
Code Enforcement - Association Dues	A3620.4050	180	200	250	250	0	0.00%
Code Enforcement - Uniforms	A3620.4080	0	0	200	200	0	0.00%
Code Enforcement - Miscellaneous	A3620.4090	908	812	800	800	0	0.00%
Code Enforcement - Postage	A3620.4200	772	566	800	800	0	0.00%
Code enforcement - Vehicle Maintenance	A3620.4210	0	0	450	450	0	0.00%
Sub-Total		78,760	78,947	89,979	93,556	3,577	3.98%
Ambulance							
Ambulance - Contractual Expenses (Prior Years)	A4540.4000	45,650	3,444	0	0	0	
Sub-Total		45,650	3,444	0	0	0	

Village of Brockport													
2014-15 Budget													
Line Item Budget													
Acct. Code		Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change						
Transportation													
A5110.1000	Street Maint. - Personnel Services	493,525	530,385	472,450	486,624	14,174	3.00%						
A5110.1001	Street Maint. - Personnel Services -Seasonal			19,000	19,570	570	3.00%						
A5110.1060	Street Maint. - Personnel Services - Overtime			34,500	35,535	1,035	3.00%						
A5110.2080	Street Maint. - Other Equipment over \$10,000			35,250	90,250	55,000	156.03%						
A5110.4010	Street Maint. - Telephone	436	680	500	1,200	700	140.00%						
A5110.4041	Street maint. - Diesel Fuel	23,950	27,360	25,000	25,000	0	0.00%						
A5110.4042	Street Maint. - Regular Fuel	34,531	37,700	19,000	19,000	0	0.00%						
A5110.4050	Street Maint. - Tools	2,217	1,182	900	900	0	0.00%						
A5110.4060	Street Maint. - Stone	371	0	2,000	2,000	0	0.00%						
A5110.4070	Street Maint. - Asphalt	64,089	59,301	80,000	80,000	0	0.00%						
A5110.4080	Street Maint. - Uniforms	3,459	2,539	3,500	3,500	0	0.00%						
A5110.4085	Street Maint. - Shoes/Boots	1,201	1,076	1,500	1,500	0	0.00%						
A5110.4090	Street Maint. - Miscellaneous	1,318	1,622	3,000	3,000	0	0.00%						
A5110.4100	Street Maint. - Equipment Parts	6,854	4,347	4,800	4,800	0	0.00%						
A5110.4110	Street Maint. - Truck Parts	8,507	13,948	17,000	17,000	0	0.00%						
A5110.4130	Street Maint. - Physicals/Drug Test	565	275	800	800	0	0.00%						
A5110.4140	Street Maint. - Buildings	1,700	0	1,200	1,200	0	0.00%						
A5110.4150	Street Maint. - Concrete	3,552	430	2,200	2,200	0	0.00%						
A5110.4160	Street Maint. - Fill Material	0	0	100	100	0	0.00%						
A5110.4165	Street. Maint. - Topsoil	488	952	1,000	1,000	0	0.00%						
A5110.4170	Street Maint. - Shop Supplies	243	484	500	500	0	0.00%						
A5110.4180	Street Maint. - Training/Travel	0	0	200	200	0	0.00%						
A5110.4190	Street Maint. - Grass Seed	362	565	500	500	0	0.00%						
A5110.4200	Street Maint. - Publications	0	86	150	150	0	0.00%						
A5110.4210	Street Maint. - Manholes & Covers	0	0	1,000	1,000	0	0.00%						
A5110.4220	Street Maint. - Office Supplies	236	133	100	100	0	0.00%						
A5110.4230	Street Maint. - Equipment Rental	0		100	100	0	0.00%						
A5110.0000	Street Maint. - Equipment Reserve			10,000	10,000	0	0.00%						
Sub-Total		647,604	683,065	736,250	807,729	71,479	9.71%						

Village of Brockport						
2014-15 Budget						
Line Item Budget						
Acct. Code	Actual Expenditures 2011-12	Actual Expenditures 2012-13	2013-14 Budget	2014-15 Budget	\$ Change	% Change
CHIPS Work						
CHIPS Work	131,551	100,893	67,084	84,291	17,207	25.65%
Sub-Total	131,551	100,893	67,084	84,291	17,207	25.65%
Snow Removal						
Snow Plowing - Equipment		0	7,000	7,000	0	0.00%
Snow Plowing - Salt	28,732	19,588	33,000	32,000	-1,000	-3.03%
Snow Plowing - De-Ice	5,328	5,406	5,000	6,000	1,000	20.00%
Snow Plowing - Plow Parts	267	4,992	3,000	3,000	0	0.00%
Snow Plowing - Contractual Exp.	242	0	200	200	0	0.00%
Sub-Total	34,569	29,986	48,200	48,200	0	0.00%
Street Lighting						
Street Lighting - Electricity	86,662	91,353	83,000	92,000	9,000	10.84%
Street Lighting - Repairs	569	1,545	1,000	1,000	0	0.00%
Street Lighting - Parts	649	701	1,500	1,500	0	0.00%
Street Lighting - Miscellaneous	0	0	100	100	0	0.00%
Sub-Total	87,880	93,599	85,600	94,600	9,000	10.51%
Sidewalks						
Sidewalks - Concrete	1,700	7,013	9,300	10,000	700	7.53%
Sidewalks - Stone	347	0	200	400	200	100.00%
Sidewalks- Miscellaneous	138	120	500	500	0	0.00%
Sub-Total	2,185	7,133	10,000	10,900	900	9.00%
Street Parking						
Village Signage - Paint	0	0	200	200	0	0.00%
Village Signage - Signs	461	225	200	200	0	0.00%
Village Signage - Posts	0	0	200	200	0	0.00%
Sub-Total	461	225	600	600	0	0.00%

Village of Brockport									
2014-15 Budget									
Line Item Budget									
Acct. Code	Actual Expenditures 2011-12	Actual Expenditures 2012-13	2013-14 Budget	2014-15 Budget	\$ Change	% Change			
Economic Assistance									
Welcome Center - Contractual	4,455	714	4,500	4,500	0	0.00%			
Welcome Center - Equipment		7,025	0	2,500	2,500				
Farmers' Market - Contractual	2,462	2,590	2,500	2,500	0	0.00%			
Sub-Total	6,917	10,329	7,000	9,500	2,500	35.71%			
Parks & Playgrounds									
Parks/Playgrounds - Equipment	464		10,000	10,000	0	0.00%			
Parks/Playgrounds - Park Equipment		1,433	0	1,500	1,500				
Parks/Playgrounds - Contractual Expenses	0	1,500	1,500	1,500	0	0.00%			
Parks/Playgrounds - Equipment Repairs	685	720	500	500	0	0.00%			
Parks/Playgrounds - Maintenance Supplies	734	4,382	2,500	3,000	500	20.00%			
Parks/Playgrounds - Gardening	303	296	400	400	0	0.00%			
Parks/Playgrounds - Miscellaneous		422	0	0	0				
Sub-Total	2,187	8,752	14,900	16,900	2,000	13.42%			
Library									
Library - Contractual	180,825	184,440	189,052	189,052	0	0.00%			
Sub-Total	180,825	184,440	189,052	189,052	0	0.00%			
Museum									
Museum - Contractual		1,401	0	2,500	2,500				
Sub-Total	0	1,401	0	2,500	2,500				
Loft Apts. Grant									
Loft Apts. Contractual		7,066			0				
Sub-Total	0	7,066	0	0	0				
Historian									
Historian - Contractual	164	100	1,200	1,200	0	0.00%			
Historian - Miscellaneous		95			0				
Sub-Total	164	195	1,200	1,200	0	0.00%			
Publication Notices									
Publication Notices - Contractual		113			0				
Sub-Total	0	113	0	0	0				

Village of Brockport							
2014-15 Budget							
Line Item Budget							
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Celebrations							
Celebrations - Equipment	A7550.4040		88	0	1,000	1,000	
Celebrations - Electric	A7550.4050	675	1,116	600	600	0	0.00%
Celebrations - Miscellaneous	A7550.4090	48	269	200	1,200	1,000	500.00%
Sub-Total		723	1,473	800	2,800	2,000	250.00%
Zoning							
Zoning Board - Contractual Expenses	A8010.4010	509	130	950	950	0	0.00%
Zoning Board - Conference Expenses	A8010.4011		120			0	
Zoning Board - Publications	A8010.4012		14			0	
Sub-Total		509	264	950	950	0	0.00%
Planning							
Planning Board - Personnel Services	A8020.1000	4,367	3,596	6,706	6,706	0	0.00%
Planning Board - Contractual Expenses	A8020.4000	516	281	700	700	0	0.00%
Planning Board - Conference Expenses	A8020.4020		200			0	
Planning Board - Board Expenses	A8020.4030		476			0	
Planning Board - Miscellaneous	A8020.4090		250			0	
Planning Board - Publications	A8020.4300		161			0	
Sub-Total		4,883	4,963	7,406	7,406	0	0.00%
Sanitary Sewers							
Sanitary Sewers - Contractual	A8120.4000	18,791	809	0	0	0	
Sanitary Sewers - Truck Parts	A8120.4010		2,510			0	
Sanitary Sewers - Supply Parts	A8120.4020		900			0	
Sanitary Sewers - Utilities - Pump Station	A8120.4080		713			0	
Sanitary Sewers - Miscellaneous	A8120.4090		100			0	
Sub-Total		18,791	5,032	0	0	0	0.00%
Storm Sewer							
Storm Sewer - Supply Parts	A8140.4010	1,724	4,509	6,000	6,000	0	0.00%
Storm Sewer - Maint Supplies	A8140.4020	1,387	0	1,000	1,000	0	0.00%
Storm Sewer - Monroe Ave CDB	A8140.400M				34,750	34,750	
Storm Sewer - Miscellaneous	A8140.4090	3,124	600	3,634	3,700	66	1.82%
Sub-Total		6,234	5,109	10,634	45,450	34,816	327.40%

Village of Brockport						
2014-15 Budget						
Line Item Budget						
Acct. Code	Actual Expenditures 2011-12	Actual Expenditures 2012-13	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Refuse						
A8160.4010	3,521	3,524	3,950	3,950	0	0.00%
A8160.4030	536	325	600	600	0	0.00%
A8160.4040	0	50	50	50	0	0.00%
A8160.4050	0	0	200	200	0	0.00%
Sub-Total	4,056	3,899	4,800	4,800	0	0.00%
Street Cleaning						
A8170.4010		0	1,000	1,000	0	0.00%
A8170.4020	1,407	1,768	4,000	4,000	0	0.00%
A8170.4090	0	0	250	250	0	0.00%
Sub-Total	1,407	1,768	5,250	5,250	0	0.00%
Sanitation Landfill						
A8189.4000	5,951	9,515	3,000	3,000	0	0.00%
A8189.4002	7,062	5,783	5,000	5,000	0	0.00%
Sub-Total	13,013	15,298	8,000	8,000	0	0.00%
Shade Trees						
A8560.4010	924	2,137	1,200	1,200	0	0.00%
A8560.4020		4,233		1,500	1,500	
A8560.4030	2,080	0	500	500	0	0.00%
A8560.4090	145	84	500	500	0	0.00%
Sub-Total	3,150	6,453	2,200	3,700	1,500	68.18%

Village of Brockport						
2014-15 Budget						
Line Item Budget						
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	% Change
Employee Benefits						
Retirement	A9010.8000	171,107	173,557	218,927	249,900	14.15%
Police Retirement	A9015.8000	223,037	228,960	252,531	307,365	21.71%
Social Security	A9030.8000	149,552	153,528	173,303	177,635	2.50%
Workers Comp	A9040.8000	86,134	131,512	124,489	125,000	0.41%
Life Insurance	A9045.8000	6,789	7,095	8,076	8,200	1.54%
Unemployment	A9050.8000	8,339	7,300	10,000	10,000	0.00%
Disability	A9055.8000	4,653	4,942	5,660	6,000	6.01%
Wellness	A9055.8100	3,580	1,142	1,265	1,300	2.77%
Medical	A9060.8000	264,597	246,283	405,678	440,000	8.46%
IRA	A9061.8000	91,537	120,427	140,400	140,000	-0.28%
Dental	A9070.8000	55,321	55,400	54,836	60,000	9.42%
Sub-Total		1,064,644	1,130,147	1,395,165	1,525,400	9.33%
Debt Service						
Principle	A9710.6000	43,078				
Interest	A9710.7000	40,719				
Sub-Total		83,797	0	0	0	
Transfer to Reserves						
Transfer to Reserves - Smith St. Bridge	A9800.0000	10,000		10,000	10,000	0.00%
Sub-Total		10,000	0	10,000	10,000	0.00%
Total Expenditures		4,682,450	5,041,884	4,697,908	5,044,538	7.38%

Village of Brockport

2014 - 15

Budget - Revenues

General Fund

March 17, 2014

Village of Brockport

2014-15 Budget

	Acct. Code	2011-12 Actual Revenues	2012-13 Actual Revenues	2013-14 Budget	2014-15 Budget	\$ Change	% Change
General Fund							
Real Estate Taxes	A1001	2,418,727	2,455,977	2,414,833	2,455,372	40,539	1.68%
Total Property Taxes		2,418,727	2,455,977	2,414,833	2,455,372	40,539	1.68%
PILOT	A1081	137,668	151,580	130,000	165,000	35,000	26.92%
Interest & Penalties	A1090	12,956	13,641	8,000	12,000	4,000	50.00%
Total Other Tax Items		150,624	165,221	138,000	177,000	39,000	28.26%
Sales Tax	A1120	1,505,283	1,533,489	1,450,000	1,520,000	70,000	4.83%
Gross Receipts Tax	A1130	81,677	75,475	70,000	75,000	5,000	7.14%
Franchise Fee	A1170	82,037	79,640	81,000	81,000	-	0.00%
Total Non-Property Tax Items		1,668,997	1,688,604	1,601,000	1,676,000	75,000	4.68%
Clerk's Fees	A1230	1,924	1,625	1,000	1,000	-	0.00%
Police Fees	A1520	1,042	900	1,000	1,000	-	0.00%
Safety Inspec Fees	A1560	19,193	18,839	15,000	15,000	-	0.00%
Ambulance Charges	A1640	0	5,599	0	0	-	0.00%
Public Works Svcs	A1710	6,524	4,665	3,000	3,000	-	0.00%
Docking Fees	A1789	4,937	4,490	4,500	2,500	(2,000)	-44.44%
Farmers Mkt Fees	A2089	1,430	2,950	1,500	1,500	-	0.00%
Zoning Fees	A2110	825	0	500	500	-	0.00%
Planning Fees	A2115	600	585	600	600	-	0.00%
sewer Charges	A2122	116,452	0	0	0	-	0.00%
Total Departmental Income		152,927	39,654	27,100	25,100	(2,000)	-7.38%

Village of Brockport						
2014-15 Budget						
	Acct. Code	2011-12 Actual Revenues	2012-13 Actual Revenues	2013-14 Budget	2014-15 Budget	
General Fund						\$ Change % Change
Fire Protection	A2262	589,364	33,590	0	0	-
MC DWI Program	A2389.3	12,362	14,771	0	10,300	10,300
Monroe Cty Block Grant	A2389.8	50,000	41,750	0	0	-
CS X-Guard Reimb	A2389.9	5,000	5,000	5,000	5,000	- 0.00%
Total Intergovernmental Chgs		656,726	95,111	5,000	15,300	10,300 206.00%
Interest Earnings	A2401	1,763	5,300	3,000	4,000	1,000 33.33%
Commissions	A2450	9	1	0	2,500	2,500
Total Use of Money & Property		1,772	5,301	3,000	6,500	3,500 116.67%
Business Licenses	A2545	14,200	15,700	15,000	15,000	- 0.00%
Permits	A2590	6,375	5,325	5,000	5,000	- 0.00%
Total Licenses & Permits		20,575	21,025	20,000	20,000	- 0.00%
Fines & Forfeitures	A2610	52,681	58,107	50,000	100,000	50,000 100.00%
Sale of Scrap	A2650	1,061	995	1,000	1,000	- 0.00%
Sale of Equipment	A2665	64,047	17,550	3,500	3,500	- 0.00%
Insurance Recoveries	A2680	29,168	47,225	6,000	6,500	500 8.33%
Landfill Reimb	A2690	10,837	0	2,500	2,500	- 0.00%
Total Sales & Compensation		105,113	65,771	13,000	13,500	500 3.85%

Village of Brockport

014-15 Budget

	Acct. Code	2011-12 Actual Revenues	2012-13 Actual Revenues	2013-14 Budget	2014-15 Budget	\$ Change	% Change
General Fund							
Refund of P/Y Exp	A2701	129,293	122,009	7,500	20,000	12,500	166.67%
Gifts & Donations	A2705	4,710	15,400	0	0	-	
Other Miscellaneous	A2770	36,513	75,519	500	500	-	0.00%
Total Miscellaneous		170,516	212,928	8,000	20,500	12,500	156.25%
State Aid, AIM	A3001	110,171	110,171	110,000	110,000	-	0.00%
State Aid, Mortgage Tax	A3005	27,080	25,907	30,000	30,000	-	0.00%
State Aid, Other	A3089.7	3,958	3,800	10,975	10,975	-	0.00%
State Aid, CHIPS	A3089.7001	124,842	67,080	67,000	84,291	17,291	25.81%
Total State Aid		266,051	206,958	217,975	235,266	17,291	7.93%
Medicaid Part B	A4089.0000	6,372	376	0	0	-	
National Park Grant	A4089.0001	1,100	8,742	0	0	-	
Appropriated Fund Balance	A0599.0000	0	0	200,000	300,000	100,000	50.00%
TOTAL REVENUES		5,672,181	5,023,774	4,697,908	5,044,538	346,630	7.38%

Village of Brockport

2014 - 15

Budget - Expenditures

Water Fund

March 17, 2014

Village of Brockport													
2014-15 Budget													
Line Item Budget													
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change						
Vtr Transm-Drug/Alcohol Testing	F8340.4130	0	60	250	250	0	0.00%						
Vtr Trans-Equip Repair	F8340.4140	809	0	850	850	0	0.00%						
Vtr Trans-Training	F8340.4150	254	1,024	250	250	0	0.00%						
Vtr Trans-Concrete	F8340.4160	180	29	200	200	0	0.00%						
Vater Transm-Publications	F8340.4180	879	339	350	4,000	3,650	1042.86%						
JYS Retirement	F9010.8000	9,230	11,000	13,875	17,000	3,125	22.52%						
Social Security	F9030.8000	13,284	10,657	14,500	14,500	0	0.00%						
Workers Compensation	F9040.8000	9,131	13,190	12,500	14,500	2,000	16.00%						
Life Insurance	F9045.8000	765	1,000	1,000	1,200	200	20.00%						
Disability Insurance	F9055.8000	832	1,000	1,100	1,200	100	9.09%						
Hospital Insurance	F9060.8000	17,031	5,412	25,000	27,500	2,500	10.00%						
IRA	F9061.8000	11,230	2,600	15,600	16,000	400	2.56%						
Dental Insurance	F9070.8000	9,250	2,000	12,000	13,000	1,000	8.33%						
Serial Bond - Principle payments	F9710.6000	26,922	26,922	28,845	30,768	1,923	6.67%						
Serial Bond - Interest payments	F9710.7000	47,546	33,218	33,107	30,917	-2,190	-6.61%						
Total Expenditures		1,167,721	1,003,689	1,089,986	1,095,296	5,310	0.49%						

Village of Brockport

2014 - 15

Budget - Revenues

Water Fund

March 17, 2014

**Village of Brockport
014-15 Budget**

Water Fund	Acct. Code	2011-12 Actual Revenues	2012-13 Actual Revenues	2013-14 Budget	2014-15 Budget	\$ Change	% Change
metered Water Sales	F2140	682,750	636,038	582,000	586,846	4,846	0.83%
meter Water Sales O/G	F2141	500,847	492,478	503,486	500,000	(3,486)	-0.69%
Water Service Charges	F2144	9,754	2,454	2,000	2,200	200	10.00%
Interest and Penalties	F2148	14,099	13,610	1,250	5,000	3,750	300.00%
Interest Earnings	F2401	1,604	1,008	1,000	1,000	0	0.00%
Interest Earnings-Reserve	F2401.1	372	316	250	250	0	0.00%
Scrap Sales	F2650.0000	1,876	0	0	0	0	
Sale of Equipment	F2665	0	0	0	0	0	
Refund of Prior Years Expenses	F2701	0	0	0	0	0	
Miscellaneous	F2770	0	0	0	0	0	
TOTAL REVENUES		1,211,302	1,145,903	1,089,986	1,095,296	5,310	0.58%

Village of Brockport

2014 - 15

Budget - Expenditures

Sewer Fund

March 17, 2014

Village of Brockport									
2014-15 Budget									
Line Item Budget									
	Acct. Code	Actual 2011-12 Expenditures	Actual 2012-13 Expenditures	2013-14 Budget	2014-15 Budget	\$ Change	% Change		
Sewer Fund									
Sanitary Sewers- Equipment	G8120.2000	0	10,286	50	15,000	14,950			
Contractual	G8120.4000	0	14,213	40,121	30,121	-10,000	-24.92%		
Sanitary Sewers- Truck Parts	G8120.4010	0	925	4,500	4,500	0	0.00%		
Sanitary Sewers- Supply Parts	G8120.4020	0	35	100	100	0	0.00%		
Bond Principle	G9710.6000	0	43,078	46,155	46,155	0	0.00%		
Bond Interest	G9710.7000	0	53,151	51,374	49,470	-1,904	-3.71%		
Total Expenditures		0	121,687	142,300	145,346	3,046	2.14%		

Village of Brockport

2014 - 15

Budget - Revenues

Sewer Fund

March 17, 2014

**Village of Brockport
2014-15 Budget**

Account Fund	Acct. Code	2011-12 Actual Revenues	2012-13 Actual Revenues	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Power Fees	G2122		153,092	139,300	145,246	5,946	4.31%
Interest and Penalties	G2148		30	3,000	100	(2,900)	
TOTAL REVENUES			153,122	142,300	145,346	3,046	2.21%

Village of Brockport 2014-2015 Budget Public Hearing

Presented by
Daniel P. Hendricks/Treasurer
April 7, 2014

GENERAL FUND

■ Expenditures

General Fund Budget Summary

Village of Brockport 2014-15 Budget Budget Summary				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
General Government Support	739,573	771,434	31,861	4.31%
Public Safety	1,353,244	1,393,875	40,631	3.00%
Transportation	947,734	1,046,320	98,586	10.40%
Economic Assistance	7,000	9,500	2,500	35.71%
Culture & Recreation	203,952	205,952	2,000	0.98%
Home & Community Service	41,240	82,056	40,816	98.97%
Employee Benefits	1,395,165	1,525,400	130,235	9.33%
Transfer to Reserves	10,000	10,000	0	0.00%
Total General Fund Expenditures	4,697,908	5,044,538	346,630	7.38%

General Gov't Support

Village of Brockport 2014-15 Budget				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
General Government Support				
Board of Trustees	48,777	51,027	2,250	4.61%
Municipal Court		61,440	61,440	
Mayor	11,567	12,017	450	3.89%
Auditor	12,750	12,750	-	0.00%
Clerk-Treasurer	176,376	186,233	9,857	5.59%
Law	66,000	61,000	(5,000)	-7.58%
Engineering	5,000	5,000	-	0.00%
Elections	800	1,500	700	87.50%
DPW - Administration	118,403	122,637	4,234	3.58%
Buildings	53,650	54,730	1,080	2.01%
Garage	16,200	16,200	-	0.00%
Central Mailing	1,250	1,500	250	20.00%
Information Technology	12,500	17,500	5,000	40.00%
Unallocated Insurance	60,000	61,500	1,500	2.50%
Municipal Assoc. Dues	5,100	5,100	-	0.00%
Taxes/Vlge Property	1,200	1,300	100	8.33%
Contingency	150,000	100,000	(50,000)	-33.33%
Total General Government Support	739,573	771,434	31,861	4.31%

Public Safety

	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Public Safety				
Police Department	1,256,965	1,294,019	37,054	2.95%
Traffic Control	6,300	6,300	0	0.00%
Safety Inspection	89,979	93,556	3,577	3.98%
Total Public Safety	1,353,244	1,393,875	40,631	3.00%

Transportation

	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Transportation				
Street Maintenance	736,250	807,729	71,479	9.71%
CHPS Work	67,084	84,291	17,207	25.65%
Snow Removal	48,200	48,200	-	0.00%
Street Lighting	85,600	94,600	9,000	10.51%
Sidewalks	10,000	10,900	900	9.00%
Street Parking	600	600	-	0.00%
Total Transportation	947,734	1,046,320	98,586	10.40%

Economic Assistance

Village of Brockport 2014-15 Budget				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Economic Assistance				
Welcome Center - Contractual	4,500	7,000	2,500	55.56%
Farmers' Market - Contractual	2,500	2,500	0	0.00%
Total Economic Assistance	7,000	9,500	2,500	35.71%

Culture & Recreation

Village of Brockport 2014-15 Budget				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Culture & Recreation				
Parks & Playgrounds	14,900	16,900	2,000	13.42%
Library	189,052	189,052	0	
Total Culture & Recreation	203,952	205,952	2,000	0.98%

Home & Community Service

Village of Brockport 2014-15 Budget				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Home & Community Service				
Museum	0	2,500	2,500	
Historian	1,200	1,200	0	0.00%
Celebrations	2,800	3,700	900	32.14%
Zoning	950	950	0	0.00%
Planning	7,406	7,406	0	0.00%
Storm Sewer	10,634	45,450	34,816	327.40%
Refuse	4,800	4,800	0	0.00%
Street Cleaning	5,250	5,250	0	0.00%
Sanitation Landfill	8,000	8,000	0	0.00%
Shade Trees	2,200	3,700	1,500	68.18%
Total Home & Community Service	43,240	82,956	39,716	91.85%

Employee Benefits

Village of Brockport 2014-15 Budget				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Employee Benefits				
Retirement	218,927	249,900	30,973	14.15%
Police Retirement	252,531	307,365	54,834	21.71%
Social Security	173,303	177,635	4,332	2.50%
Workers Comp	124,489	125,000	511	0.41%
Life Insurance	8,076	8,200	124	1.54%
Unemployment	10,000	10,000	0	0.00%
Disability	5,660	6,000	340	6.01%
Wellness	1,265	1,300	35	2.77%
Medical	405,678	440,000	34,322	8.46%
HRA	140,400	140,000	-400	-0.28%
Dental	54,836	60,000	5,164	9.42%
Total Employee Benefits	1,176,238	1,275,500	99,262	8.44%

Transfer To Reserve

Village of Brockport 2014-15 Budget				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Transfer to Reserves				
Transfer to Reserves - Smith St. Bndge	10,000	10,000	0	0.00%
Total Transfer to Reserves	10,000	10,000	0	0.00%
Total General Fund Budget	4,697,908	5,044,538	346,630	7.38%

GENERAL FUND

■ REVENUES

General Fund Revenues

Village of Brockport				
2014-15 Budget				
General Fund Revenues				
	2013-14	2014-15		
	Budget	Budget	\$ Change	% Change
Real Estate Taxes	2,414,833	2,455,372	40,539	1.68%
Other Tax Items	138,000	177,000	39,000	28.26%
Non-Property Tax Items	1,601,000	1,676,000	75,000	4.68%
Departmental Income	27,100	25,100	-2,000	-7.38%
Intergovernmental Chgs	5,000	15,300	10,300	206.00%
Use of Money & Property	3,000	6,500	3,500	116.67%
Licenses & Permits	20,000	20,000	0	0.00%
Fines & Forfeitures	50,000	100,000	50,000	100.00%
Sales & Compensation	13,000	13,500	500	3.85%
Miscellaneous	8,000	20,500	12,500	156.25%
State Aid	217,975	235,266	17,291	7.93%
Appropriated Fund Balance	200,000	300,000	100,000	50.00%
Total General Fund Revenues	4,697,908	5,044,538	346,630	7.38%

Property Taxes

Tax Cap Formula

▪ 2013-14 Levy	\$2,414,833
▪ X Tax Base Growth Factor	<u>1.0027</u> Regional Factor
▪	\$2,421,353
▪ X Allowable Levy Growth Factor	<u>1.0148</u> Consumer Price Index
▪	Total Levy Limit \$2,457,189
▪ 2014-15 Proposed Tax Levy	<u>\$2,455,372</u>
▪	Difference (\$1,817)

Tax Rates

Village of Brockport								
Village Tax Rates								
2013-14 Tax Levy		2,414,833.00						
	2012 Assessed Valuation	2012-13 Equalization Rate	2012-13 Taxable valuation	Tax %	Tax Levy	Tax Rate	Rate Change	% Rate Change
Sweden	204,947,460	100.00%	204,947,460	99.533%	2,403,552.20	11.727651	(0.36)	-2.97%
Clarkson	961,898	100.00%	961,898	0.467%	11,280.80	11.727642	(0.36)	-2.97%
	205,909,358		205,909,358	100.00%	2,414,833	11.72770	(0.36)	-2.97%
2014-15 Tax Levy		2,455,372.16						
	2013 Assessed Valuation	2013-14 Equalization Rate	2013-14 Taxable valuation	Tax %	Tax Levy	Tax Rate	Rate Change	% Rate Change
Sweden	207,196,169	100.00%	207,196,169	99.547%	2,444,238.52	11.796736	0.07	0.59%
Clarkson	943,789	100.00%	943,789	0.453%	11,133.64	11.796746	0.07	0.59%
	208,139,958		208,139,958	100.00%	2,455,372	11.79670	0.07	0.59%

Water Fund

■ EXPENDITURES

Water Fund Expenditures

Village of Brockport 2014-15 Budget Water Fund				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Engineering	5,000	6,000	1,000	20.00%
Information Technology	3,500	3,500	0	0.00%
Insurance	20,760	22,500	1,740	8.38%
Contingency	29,250	29,250	0	0.00%
Supervision/Administration	92,590	96,452	3,862	4.17%
Source of Supply	450,000	450,000	0	0.00%
Transmission/Distribution	331,359	321,009	-10,350	-3.12%
Employee Benefits	95,575	104,900	9,325	9.76%
Debt Service	61,952	61,685	-267	-0.43%
Total Water Fund Expenditures	1,089,986	1,096,296	5,310	0.49%

Water Fund

■ REVENUES

Water Fund Revenues

Village of Brockport 2014-15 Budget Water Fund				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Metered Water Sales	582,000	586,846	4,846	0.83%
Metered Water Sales Other Govts.	503,486	500,000	(3,486)	-0.70%
Service Charges	2,000	2,200	200	9.09%
Interest & Penalties	1,250	5,000	3,750	75.00%
Interest Income	1,000	1,000	-	0.00%
Interest Income - Reserves	250	250	-	0.00%
Total Water Fund Revenues	1,089,986	1,095,296	5,310	0.49%

Sewer Fund

■ EXPENDITURES

Sewer Fund Expenditures

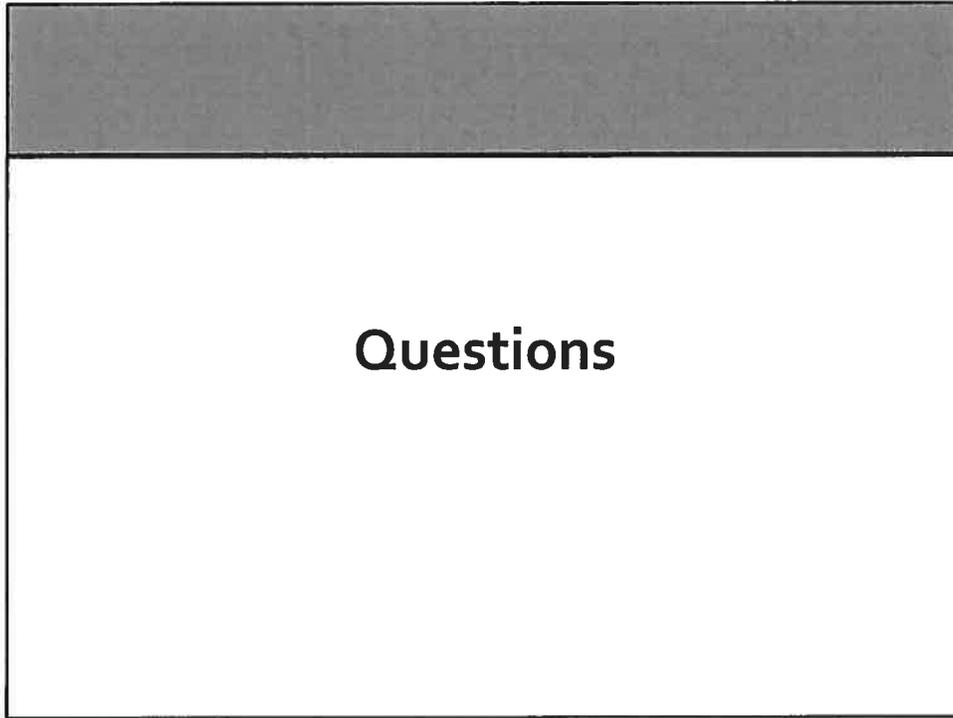
Village of Brockport				
2014-15 Budget				
Sewer Fund				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Equipment	50	15,000	14,950	99.67%
Contractual	40,121	30,121	(10,000)	-33.20%
Supplies	4,600	4,600	-	0.00%
Debt Service	97,529	95,625	(1,904)	-1.99%
Total Sewer Fund Expenditures	142,300	145,346	3,046	2.14%

Sewer Fund

■ Revenues

Sewer Fund Revenues

Village of Brockport 2014-15 Budget Sewer Fund				
	2013-14 Budget	2014-15 Budget	\$ Change	% Change
Sewer Fees	139,300	145,246	5,946	4.09%
Interest & Penalties	3,000	100	(2,900)	
Total Sewer Fund Revenues	142,300	145,346	3,046	2.14%





VILLAGE OF BROCKPORT

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

VILLAGE OF BROCKPORT Notice of Public Hearing

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

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Monday, April 7, 2014**, in the A.D. Oliver Middle School L.G.I. at 40 Allen Street, Brockport, NY 14420 to consider proposed Local Law of 2014 as follows:

- Amendments to Village Code Chapter 36 - Minimum Housing & Buildings Code

Text of proposed local laws will be posted to the Village website at www.brockportny.org on March 25th and may be examined at Village Hall during regular business hours after that date. All interested parties will be given the opportunity to be heard.

By Order of the Brockport Village Board

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: 3/17/14

- For publication in the 3/23/14 edition of Suburban News
- For posting at Village Hall & on the Village website www.brockportny.org



Chapter 36

MINIMUM HOUSING AND BUILDINGS CODE

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

GENERAL REFERENCES

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

ARTICLE I General Provisions

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

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

ARTICLE II
Unsafe Buildings

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

ARTICLE III
Administration

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

ARTICLE I
General Provisions

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

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

(3) Providing for administration, enforcement and penalties.

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

BUILDING — Any roofed walled structure.

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

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

CODE— The Local Laws of the Village of Brockport.

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

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

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

DWELLING — To include one-family and two-family, multiple-family and/or mixed-use housekeeping structures, boardinghouses/rooming houses and apartment houses. The actual use and occupancy of a dwelling at the time of any applications for certificates or permits hereunder, registration, their renewal, or any compliance or complaint inspection(s) required to be made by the Code Enforcement Officer, regardless of any other classification of the property (whether for tax purposes or otherwise), shall determine whether and to what extent the dwelling is subject to the provisions of this chapter. (Types of dwellings are defined in Chapter 58–2).

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

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

NYCRR — The New York Code of Rules and Regulations.

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

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

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

PROPERTY MANAGER – An adult age 21 or older who has been appointed by the owner of a property to perform the owner’s responsibilities and respond to emergencies there. This person must live within 50 miles of said property, and must possess knowledge of locations of gas and water valves, electrical panel boxes, furnaces, hot water heaters, and other equipment on the property. This person must possess keys or otherwise have access to all areas of the property.

RED TAG — See "placard/posting".

RESIDENTIAL RENTAL PROPERTY

- (a) Shall mean: any dwelling occupied by non-owners under verbal contract or written contract (lease) for agreed terms and monetary or in-kind payments and subject to agreed possessory conditions.
 - [1] Single-family houses (one dwelling unit with living, kitchen, sanitary and sleeping facilities), rented by absentee owners and/or owners/occupants to tenants-
 - [2] Multiples, so rented by absentee owners and/or owners/occupants to tenants, with two or more dwelling units, each with living, kitchen, sanitary and sleeping facilities, including doubles, triples, fours, or more.
 - [3] Apartment houses, with each apartment being a dwelling unit so rented by absentee owners to tenants, with living, kitchen, sanitary and sleeping facilities.
 - [4] Boardinghouses and rooming houses with multiple sleeping rooms (up to 30 in number) serviced by common sanitary facilities.
 - [5] Mixed-use buildings containing one or more dwelling units.
- (b) For purposes of this chapter, each sleeping room in a boardinghouse, furnished-room house, and rooming house is not deemed a dwelling unit as defined above.
- (c) The definition of "residential rental property" supplements the existing Code definitions for families, apartment house, boardinghouse, furnished-room house, rooming house, dwelling (multiple), dwelling (two-family), dwelling unit, and unit (single-family dwelling).

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

TENANT/RENTER – Any non-owner occupying a residential rental property.

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

VILLAGE — The Village of Brockport.

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

provisions of the Housing and Buildings Code as herein provided. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and local law(s). The Code Enforcement Officer shall have the following powers and duties:

- (a) To receive, review, and approve or disapprove applications for building permits, operating permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance, residential rental property registrations, construction plans, specifications, construction documents and matters submitted as required with all such applications.
- (b) To submit for review and approval by the Historic Preservation Board all building permit applications for structures designated as historic landmarks by the Historic Preservation Board or that are listed on the State or National Registry of Historic Places.
- (c) Upon approval of such application(s), to issue building permits, operating permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance, residential rental registrations and operating permits, and to include in building permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy/certificates of compliance and residential rental registrations, such terms and conditions as the Code Enforcement Officer may determine to be appropriate.
- (d) To conduct inspections, including, without limitation, for construction, fire, fire hazards or explosion, housing, verification of use, property maintenance and any and all inspections to be made prior to the issuance of building permits, operating permits, certificates of occupancy/certificates of compliance, conditional certificates of occupancy, residential rental registrations, fire safety inspections and property maintenance inspections incidental to the investigation of complaints and all other inspections required or permitted under any provisions of any local laws and/or other codes, rules and/or regulations.
- (e) To issue stop-work orders.
- (f) To review and investigate complaints.
- (g) To placard unsafe buildings or structures.
- (h) To issue orders pursuant to Article II, § 36-18, of this chapter.
- (i) To maintain records.
- (k) To collect fee(s) as determined from time to time by resolution adopted by the Board of Trustees Village of Brockport as contained in the Village of Brockport Fee Schedule.
- (k) To pursue administrative enforcement actions and proceedings.
- (l) In consultation with the Village of Brockport Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the

Energy Code and local laws or article/articles listed and/or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this chapter and local laws.

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

§ 36-2. Building permits.

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

multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely aboveground.

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

applicable requirements of the Uniform Code, the Energy Code and any local laws. The application shall include or be accompanied by the following information and documentation:

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

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

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

- M. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of the issuance of a building permit or inspections made pursuant to a building permit or the failure to make inspections pursuant to an application for a building permit, or the issuance of or the failure to issue a building permit.

§ 36-3. Operating permits.

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

expense of such insurance and/or indemnification shall be borne by the owner. Failure of the owner to comply with this provision shall be a ground and/or basis for the denial, revocation, or suspension of any operating permit.

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

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

(1) In any circumstance in which more than one activity listed in Subsection A of this section is to be conducted at a location, the Code Enforcement Officer may require a separate operating permit for each such activity, or the Code Enforcement Officer may, in his or her sole discretion, issue a single operating permit to apply to all such activities.

(2) Duration of operating permits. Except as otherwise provided in the Village of Brockport Fee Schedule, operating permits shall be issued for one year in the case of any operating permit issued for a permanent use, or for such lesser time periods for the occupancy, use, or operation of a property deemed by the Code Enforcement Officer to be of a temporary nature, consistent with local conditions. The effective period of the operating permit shall be specified in the operating permit. Operating permits are renewable at the expiration of each permit period noted on the permit. It is the obligation of the owner to order a compliance inspection for the renewal of the operating permit at least 60 days prior to the expiration of the operating permit. Failure of the owner to do so shall be deemed a violation of this chapter and may subject the owner to the imposition of fines and penalties as are stated in this chapter or elsewhere and to general jurisdiction fines and penalties as are stated in the Code of the Village of Brockport. The failure of an owner to comply with the operating permit requirements of this chapter may subject the owner to the issuance by the Code Enforcement Officer of a temporary or permanent cease-and-desist order and/or a stop-work order or an order to vacate and discontinue the use of the property unless or until it again comes into compliance with the requirements of this chapter.

- (3) The Code Enforcement Officer (or his/her authorized inspector) shall inspect the subject premises prior to the issuance of an operating permit. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10 (A)(2) of this chapter and such other legal requirements as may apply, to permit such inspection(s).
 - (4) Revocation or suspension of operating permits. If the Code Enforcement Officer determines that any activity or building for which an operating permit was issued does not comply with any applicable provision of the Uniform Code, Energy Code or any other state or local law that may apply (including, without limitation, certificate of occupancy/certificate of compliance requirements, building permit requirements, and residential rental registration requirements), such operating permit shall be revoked or suspended.
- E. Fee(s); operating permits. Initial issuance and/or renewals shall require fee payment specified in or determined in accordance with the provisions set forth as required by this chapter and shall be deposited with the Village of Brockport. Application fee(s) shall be determined by resolution adopted by the Board of Trustees as contained in the Village of Brockport Fee Schedule, which application fee(s) shall be equivalent whether for the initial issuance of operating permits or for renewals thereof. Payment of fee(s) shall be required at the time of filing of an application for an operating permit, or for renewal of an operating permit. Fee(s) shall be determined, assessed, administered and enforced by the Code Enforcement Officer of the Village of Brockport.

§ 36-4. Registration of residential rental properties.

- A. Owners are required to register with the Code Enforcement Officer each rental building contained on each of their residential rental properties as defined in § 36-1(C) above, on an annual calendar year basis
- B. For purposes of registration, including renewals, owners of residential rental properties located within the Village shall complete and sign a rental registration application provided by the Code Enforcement Officer, which shall state and provide the following information:
 - (1) The name, physical address, telephone number(s), and email address of each owner, or principal of each owner. Post Office Boxes shall not be accepted as physical addresses.
 - (2) The address of each residential rental property (including boardinghouses and rooming houses), the number of dwelling units contained within each residential rental property, the number of tenants, and any other pertinent data sought by the Code Enforcement Officer.
 - (3) The name(s), physical address, telephone number(s) and email address(es) of any local property manager(s) or agent(s) on behalf of the property owner(s), which shall be required in all cases where no property owner physically resides within 50 miles of the Village. Post Office Boxes shall not be accepted as physical addresses.

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

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

- A. Certificates of occupancy/certificates of compliance required. A certificate of occupancy/certificate of compliance shall be required for any work which is the subject of a building permit and for all structures, buildings, or portions thereof, and accessory structures and equipment thereof, which are constructed, converted from one use or occupancy classification or sub-classification to another, or have equipment installation or structural alterations. Permission to use or occupy or put into service a building, structure, or portion thereof, or equipment, for which a building permit was previously issued shall be granted only by issuance of a certificate of occupancy/certificate of compliance. No building or portion thereof shall be occupied without a valid certificate of occupancy.
- B. Certificates of occupancy/certificates of compliance for residential rental property will expire upon the sale or transfer of title to the premises, unless the certificate of occupancy/certificate of compliance has been issued no earlier than 60 days prior to transfer of title to the new owner.
- C. Any building or structure which has been vacant or which has had utilities disconnected in excess of 9 consecutive months shall also require a new certificate of occupancy/certificate of compliance, and otherwise may not be used for any purpose.

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

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

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

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

§ 36-7. Conditional certificates of occupancy.

- A. The Code Enforcement Officer shall be permitted to issue a conditional certificate of occupancy allowing the temporary occupancy of a building or structure, or portion(s) thereof, prior to the completion of all the work which is the subject of a building permit. However, in no event shall the Code Enforcement Officer issue a conditional certificate of occupancy unless the Code Enforcement Officer determines:
 - (1) That the subject building or structure is in compliance with Chapter 58 of the Code, or otherwise that applications for any necessary approvals have been filed with the Village;

- (2) That the subject building or structure, or designated portion(s) thereof, may be occupied safely;
 - (3) That any required fire, smoke-detection, carbon monoxide and/or fire-protection equipment has been installed and is operational;
 - (4) That any required means of ingress and egress from the subject building or structure have been provided.
- B. If a conditional certificate of occupancy is issued, it shall state the specific work remaining to be done in connection with the building permit issued for the subject building or structure in order to bring the subject building or structure into full compliance with all applicable provisions of the Uniform Code, Energy Code, and/or local law(s), as well as the date by which the indicated work is required to be completed, as determined by the Code Enforcement Officer, but which in no event shall exceed six months from the issuance date of the conditional certificate of occupancy.
- C. Liability for damages. This section shall not be construed to hold the Village of Brockport responsible for any damages to persons or property by reason of inspections made or the failure to make inspections pursuant to the issuance of a conditional certificate of occupancy, or the issuance of or the failure to issue a conditional certificate of occupancy.

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

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

§ 36-9. Responsible parties.

- A. The owner of a property is the party deemed responsible for compliance with the legal requirements of this chapter. Owners are persons with record title of property by conveyance deed, gift, devise, court order, or otherwise (including, but not limited to, by unrecorded instruments of conveyance or transfer, installment lease purchase option agreements, installment land contracts, and wrap-around contracts with deed transfer upon fulfillment of conditions stated), or any other person in actual possession of or otherwise having charge, care or control of the property including but not limited to as executor,

administrator, trustee, guardian, heir or distributee, and/or their guests(s) or agent(s). A "person" is defined, for purposes of this section, to include living persons or entities with the jural identity of a person, i.e., corporations, partnerships, LLCs, etc.

§ 36-10. Inspections.

- A. The Code Enforcement Officer (or his authorized inspector) shall be responsible to make or cause to be made property inspection(s) to determine the conditions of buildings and dwellings, including multiple dwellings, dwelling units, rooming houses, boardinghouses, rooming units and premises in order to safeguard the safety, health and welfare of the public under the provisions of this code. For that purpose, the Code Enforcement Officer (or his authorized inspector) is authorized to enter any dwelling, building, dwelling unit, multiple dwelling, rooming house or premises at any reasonable time for the purpose of performing his duties under this chapter. The owner, operator or occupant of every dwelling, building, multiple dwelling, dwelling unit or rooming unit, or the person in charge thereof, shall give the Code Enforcement Officer free access thereto and to all parts of the premises on which it is located at all reasonable times for the purpose of performing his duties under this chapter. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector) shall be authorized to apply for a search warrant (pursuant to § 36-10(A)(2) of this chapter and such other legal requirements as may apply) to permit such inspection(s).
- (1) Access by owner or operator. Every occupant of a dwelling unit or rooming unit shall give the owner or operator thereof, or his agent or employee, access to any part of such dwelling unit, rooming unit or its premises at all reasonable times for the purpose of making such inspections, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.
 - (2) Application for search warrant. If, in the opinion of the Code Enforcement Officer (or his authorized inspector), he has been unreasonably or unlawfully refused entry into the premises and/or property for purposes of conducting necessary property inspection(s), he shall apply forthwith for a search warrant, said application to be brought before a Town Justice of the Town of Sweden Justice Court or any other court of competent jurisdiction. Upon issuance of any such search warrant by the Town of Sweden Justice Court and/or other court of competent jurisdiction, the Code Enforcement Officer (or his authorized inspector) shall conduct the inspection pursuant to the provisions of Criminal Procedure Law §§690 et seq.
 - (3) Coordination of enforcement. Property inspections and the issuing of orders in connection therewith pursuant to the provisions of this chapter shall be the exclusive responsibility of the Code Enforcement Officer. Wherever, in the opinion of the Code Enforcement Officer, it is necessary or desirable to have inspections of any condition by any other department of the Village, the Code Enforcement Officer shall arrange for this to be done in such manner that the owners or occupants of buildings shall not be unnecessarily subjected to multiple inspections or conflicting orders.

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

§ 36-11. Construction inspections.

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

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

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

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

existence of conditions or activities with respect to a building or structure which fail to comply with the Uniform Code, Energy Code or local laws; or

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

§ 36-13. Complaints.

- A. The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, local law(s), or any other rule, regulation or ordinance. The process for responding to a complaint shall include the following steps as the Code Enforcement Officer, at his discretion, may deem to be appropriate:
- (1) Performing an inspection of the conditions and/or activities alleged to be in violation and documenting the results of such inspection. Should an owner (and/or agent, employee, authorized representative, or operator) decline consent to inspection(s) believed to be necessary by the Code Enforcement Officer (or his authorized inspector) for proper enforcement of this provision, the Code Enforcement Officer (or his authorized inspector, as the case may be) shall be authorized to apply for a search warrant pursuant to § 36-10(A)(2) of this chapter and such other legal requirements as may apply to permit such inspection(s).
 - (2) If a violation is found to exist, providing the owner of the affected property, and any other person(s) who may be responsible for the violation, with notice of the violation and an opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described by this chapter.
 - (3) If appropriate, issuing a stop-work order, pursuant to § 36-14 of this chapter, and/or issuing a red tag/placard, pursuant to § 36-15 of this chapter.
 - (4) If a violation which was found to exist is subsequently indicated to have been abated or corrected, performing a confirmatory inspection to ensure the remediation of the

violation and, if remediation is confirmed, preparing and filing a final written report reflecting the remediation of the violation.

§ 36-14. Stop-work orders.

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

- E. Remedy not exclusive. The issuance of a stop-work order shall not be the exclusive remedy available to address the events described in subsection (A) of this section, and in no event shall limit the ability and authority of the Code Enforcement Officer (or his authorized inspector) to pursue any other remedy or penalty pursuant to this chapter or under any other applicable state or local law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a stop-work order.

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

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

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

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

C. Notice to owner. Whenever the Code Enforcement Officer (or his authorized inspector) has declared a building, dwelling, multiple dwelling, dwelling unit, or other structure or

premises unfit for human habitation, the Code Enforcement Officer shall provide separate notice of such declaration to the owner thereof. Such notice shall:

- (1) Be in writing.
- (2) Include a description of the real estate sufficient for identification.
- (3) Include a statement of the reason or reasons why it is being issued.
- (4) State the required remedies to correct the deficient property conditions.
- (5) If the property is not already vacant, state that all occupants must vacate immediately, or by a date specified, and that the property must remain vacant until appropriately remediated.

- D. Service of notice to owner. Notice of the declaration of a structure as unfit for human habitation shall be served upon the property owner in the same manner as provided in § 36-27(D) of this chapter. When the existing property conditions require the removal or demolition of the building, the Code Enforcement Officer (or his authorized inspector) shall have authority for emergency measures as provided in Article II of this chapter pertaining to unsafe buildings.
- E. Removal of red tag/placard. No person other than the Code Enforcement Officer (or his authorized inspector) shall deface or remove a red tag/placard from any building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared unfit for human habitation.
- F. Vacating of structures declared unfit for human habitation. A building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared unfit for human habitation by the Code Enforcement Officer (or his authorized inspector) shall be vacated immediately, or alternately by a date listed on the placard. It shall be unlawful for any person to occupy, and/or for any owner or operator to permit to be occupied, any building, dwelling, multiple dwelling, dwelling unit, or other structure or premises, which has been declared as-unfit for human habitation, after the red tag/placard is posted or after the vacate date on the placard.
- G. Occupancy of building. No building, dwelling, multiple dwelling, dwelling unit, or other structure or premises which has been declared unfit for human habitation shall again be used for human habitation until so approved by the Code Enforcement Officer (or his authorized inspector). The Code Enforcement Officer (or his authorized inspector) shall remove the red tag/placard only when the indicated defect(s) have been appropriately remediated, or as otherwise may be required by judicial proceedings.

ARTICLE II

Unsafe Buildings

§ 36-16. Unsafe buildings.

- A. The purpose of this article is to promote, protect and preserve the safety, health, welfare

and property of residents and owners of property within the Village of Brockport, by providing an ordinance for the removal or repair of unsafe buildings therein that, from any cause, may now be or shall hereafter become dangerous, unsafe or a public nuisance or fire hazard.

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

§ 36-17. Investigation and report.

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

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

The Village Board shall thereupon consider said written report from the Code Enforcement Officer, and if it finds that said building or structure is dangerous and unsafe to the public, it shall, by resolution, order the repair of said building or structure if it can be safely repaired, and if not, then its demolition and removal, and shall further order that a hearing be held before the

Village Board at a time and place therein specified and on at least 10 days' notice to the owner of said building or structure and owner of the land upon which said building or structure is situated, with owner as defined in § 36-9 of this chapter, as well any tenant or occupant of said building or structure or of the land upon which it is situated, or any other identified persons having an interest therein, to determine whether said order to repair or remove shall be affirmed or modified or vacated, and in the event of affirmance or modification, to assess all costs and expenses incurred by the Village of Brockport in connection with the repair or removal of such building or structure, pursuant to § 36-23 below, against the land upon which it is situated.,

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

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

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

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

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

D. If an unsafe building, under this article, is made safe and secure by the boarding up thereof, the material used shall be approved in advance, and further shall be painted, as near as practicable, the same color as the building.

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

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

§ 36-21. Hearing.

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

§ 36-22. Failure to comply.

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

§ 36-23. Assessment of costs and expenses.

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

§ 36-24. Emergency situations.

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

§ 36-25. Application for court order.

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

**ARTICLE III
Administration**

§ 36-26. Enforcement.

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

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

- A. Notice of violation. When the Village of Brockport determines that any activity has not been carried out in accordance with the requirements of the Uniform Code, Energy Code, or this chapter, the Code Enforcement Officer (or his authorized inspector) shall be authorized to issue a written notice of violation(s) to the owner, as defined in § 36-9 of this chapter, and/or the owner's agent and/or any occupant(s) of the subject property or to any combination of property managers or agents, builder, architect, tenant(s), contractor, subcontractor, construction superintendent, or their agents, or any other person taking part in work being conducted on or about a building structure, premises or property.
- B. Informal compliance orders. The Code Enforcement Officer (or authorized inspector) is authorized to order, either in writing or by any other means, the remediation of any condition or activity found to exist in, on or about any building, structure or premises in violation(s) of the Uniform Code, the Energy Code, or this chapter.

- C. Compliance order/order to remedy. The Code Enforcement Officer (or his authorized inspector) is further authorized to order, in writing, the remediation of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, Energy Code, or this chapter.. Upon finding that such condition or activity exists, the Code Enforcement Officer shall issue a compliance order/order to remedy. The compliance order/order to remedy shall:
- (1) Be in writing.
 - (2) Be dated and signed by the Code Enforcement Officer (or his authorized inspector).
 - (3) Specify the condition or activity that violates the Uniform Code, Energy Code, or this chapter.
 - (4) Specify the provision or provisions of the Uniform Code, Energy Code, or this chapter which is/are violated by the specified condition or activity.
 - (5) Specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for compliance.
 - (6) Direct that compliance occur within the specified period of time and state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time.
- D. The Code Enforcement Officer (or his authorized inspector) shall cause the compliance order/order to remedy to be mailed to the property owner identified in filings with and records of the Village of Brockport (or as indicated in the real property records of the Monroe County Clerk), and/or to the property owner as defined in § 36-9 of this chapter, by registered and/or certified mail, and/or a copy thereof may be personally served on the owner of the affected property. The Code Enforcement Officer shall be permitted, but not required, to cause a copy of the compliance order/order to remedy to be mailed on any property manager or agent, builder, architect, tenant(s), contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed or occurring at the affected property, and/or involved in the use of the affected property, also by registered and/or certified mail, and/or by personal service thereof.
- E. Appearance tickets. The Code Enforcement Officer (or his authorized inspector), is authorized to issue appearance tickets for any violation(s) of the Uniform Code, Energy Code, or this chapter.
- F. Civil penalties. In addition to those penalties prescribed by state law, any person who violates any provision of the Uniform Code, the Energy Code or the local law, or any term or condition of any building permit, certificate of occupancy/certificate of compliance, temporary certificate of occupancy, conditional certificate of occupancy, residential rental registration, stop-work order, operating permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter, any other chapter of this Code, or local law(s) shall be liable to a civil penalty of not more than \$350 for each day or part thereof during which such violation continues. Each day on which any violation of any of the provisions of this chapter occurs shall constitute one offense, and each successive

day of violation shall constitute a separate and distinct offense. Upon conviction of any such violation, such person, partnership, or entity and corporation shall be punished by a fine of not more than \$350 for each offense. In addition to any other penalty authorized by this section, any person, partnership, or entity and corporation convicted of violating any of the provisions of this chapter and/or local law(s) shall be required to bear the expense of such compliance. Any person who violates the provisions of this chapter and or local law(s) shall be subject to a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter or local law(s) shall be deemed misdemeanors; and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation. The civil penalties provided by this subsection shall be recoverable in an action instituted in the name of the Village of Brockport.

- G. Injunctive relief. An action or proceeding may be instituted in the name of the Village of Brockport, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of or to enforce any provision of the Uniform Code, Energy Code, or this chapter or any term or condition of any building permit, certificate of occupancy/certificate of compliance, conditional certificate of occupancy/certificate of compliance, stop-work order, operating permit, residential rental registration, compliance order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter. In particular, but not by way of limitation, where the construction or use of a building or structure violates any provision of the Uniform Code, Energy Code, or this chapter, or any stop-work order, compliance order or other order obtained under the Uniform Code, the Energy Code, or this chapter, an action or proceeding may be commenced in the name of the Village of Brockport, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subsection shall be commenced without the appropriate authorization from the Board of Trustees of the Village of Brockport.
- H. Remedies not exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedies available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in § 36-14 (Stop-work orders) or 36-15 (Structures unfit for human habitation) of this chapter or any other chapter of this Code, or local law, in any other section of the local law(s), or in any other state or local law, as applicable. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in § 36-14 (Stop-work orders) or § 36-15 (Structures unfit for human habitation) of this chapter, or local law, in any other

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

§ 36-28. Recordkeeping.

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

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

§ 36-29. Program review and reporting.

- A. The Code Enforcement Officer shall annually submit to the Board of Trustees of the Village of Brockport a written report and summary of all business conducted by the Code Enforcement Officer and the inspectors, including a report and summary of all transactions and activities described in § 36-28 (Recordkeeping) of this chapter.
- B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of the Village of Brockport, on a form prescribed by the Secretary of State, a report of the activities of the Village of Brockport relative to administration and enforcement of the Uniform Code.
- C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials that the Village of Brockport is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of the Village of Brockport in connection with administration and enforcement of the Uniform Code.

§ 36-30. Intermunicipal agreements.

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

§ 36-31. Validity.

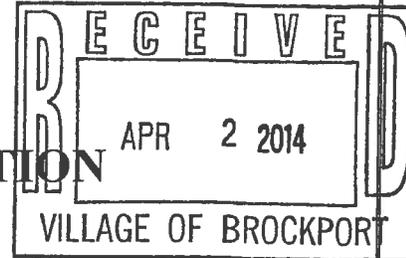
- A. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code, which shall continue in full force and effect; and to this end, the provisions of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

§ 36-32. When effective.

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

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

VILLAGE OF BROCKPORT
SIDEWALK CAFÉ PERMIT APPLICATION



Date of Application: _____

Fee submitted: _____

Proof of Insurance submitted: _____

Date scheduled on Village Board agenda: 4/7

Note: Applicant must attend the Village Board meeting. -

only if sew - not

BUSINESS: Burrito Fresco

PERSON / PERSONS IN CHARGE: Elizabeth and Steven DeLorme

ADDRESS: 77 Main St.

TELEPHONE: 637-8411 FAX: 637-8413

E-MAIL: burritofresco@gmail.com

DAYS OF WEEK SIDEWALK IS TO BE USED: all

HOURS OF DAY SIDEWALK IS TO BE USED: 11am - 10pm

DESCRIBE EXACTLY WHAT WILL BE PLACED ON SIDEWALK:
(# of tables, # of chairs, umbrellas, trash receptacle, cigarette receptacle...)

2 tables, 8 chairs

APPLICANT AGREES TO ABIDE BY THE REGULATIONS SET FORTH IN VILLAGE OF BROCKPORT CODE REGARDING SIDEWALK CAFÉS (§58-11F).

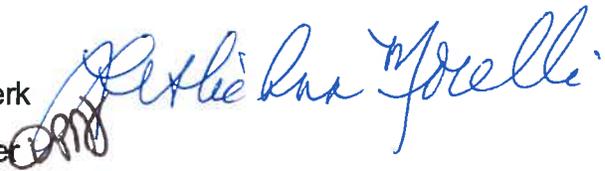
Elizabeth DeLorme
SIGNATURE OF APPLICANT

**Village of Brockport
49 State Street
Brockport, NY 14420**

**(585) 637-5300 X12
(585) 637-1045 fax
lmorelli@
brockportny.org
www.brockportny.org**

Memo

To: Village Board
From: Leslie Ann Morelli, Village Clerk
Daniel P. Hendricks, Treasurer
Date: April 3, 2014
Re: UNYMWCP - Workers Comp



Good news again! Our Workers Comp (UNYMWCP) just delivered our refund for our 2013 surplus distribution less sharing of claims in the amount of \$104,241.

We have been fortunate to receive surplus distributions more often than not and advise placing 50% of this money into our Workers Comp Reserve so that if a time comes when we have a deficit rather than a surplus, we will be able to cover it. The other 50% would be a General Fund revenue.

Therefore, we recommend that the Village Board adopt a resolution authorizing the Treasurer to deposit the funds and then transfer 50% of it to the Workers Comp Reserve.

Thank you.

Village of Brockport
Town of Chili
Town/Village of East Rochester
Town of Elma
Village of Fairport
Town of Gates
Gates Volunteer Ambulance Svc Inc.
Town of Grand Island
Town of Hamlin



UNYMWCP

**Upstate New York Municipal
Workers' Compensation Program**

1163 Pittsford-Victor Road Suite 220
Pittsford, NY 14534
Ph. (585) 264-0520 X4472
Fax (585) 264-0828

Martin D'Ambrose – Chairman
Town/Village of East Rochester

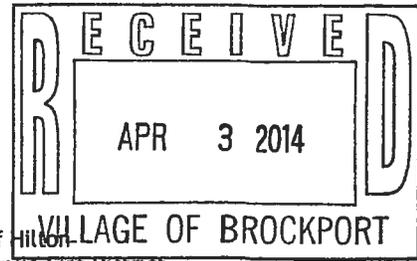
Pamela Barton – Treasurer
Town of Grand Island

L. Kay Wharmby – Secretary
Village of Fairport

Village of Hilton
Hilton-Parma Fire District
Village of Honeoye Falls
Town of Marilla
Town of Ogden
Town of Parma
Village of Scottsville
Town of Sweden

Shari Pearce – Vice Chairperson
Village of Hilton

Gerard Pavelsky – At Large Representative
Village of Honeoye Falls



April 1, 2014

Dear Member:

On March 11, 2014, the Board of Directors of the Upstate New York Municipal Workers' Compensation Program (UNYMWCP) approved the member distribution calculations associated with the Program's 2013 deficit/surplus analysis.

The analysis, and resulting calculations; from which all approved distributions will be made, was completed by Rose & Kiernan, Inc. in accordance with the UNYMWCP's Inter-Municipal Agreement based on member premium contribution and loss data valued as of December 31, 2013. Enclosed is a copy of the calculation.

Section 16 of the Inter-Municipal Agreement allows for the collection of deficits and the distribution of surplus funds and we are pleased to enclose your 2013 Surplus Distribution.

This distribution is based on your annual member premium contributions and actual losses incurred, inclusive of an actuarial adjustment in the two most current program years to contemplate anticipated claim development. The actuarial development factors are provided by the UNYMWCP's consulting actuary, By the Numbers Actuarial Consulting, Inc. It is important to note that future claims development may vary from the factors applied in the 2013 calculations based on the nature of the claims themselves, and a variety of other factors, including legal, medical, and regulatory considerations.

The success of the program is based on a commitment to employee safety by each member and we appreciate your commitment you've made to ensuring the Program's continued success.

Sincerely,

Martin D'Ambrose
Chairman

Karen A. Peters, CPCU
Rose & Kiernan, Inc.
Program Administrator

DRAFT

**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.**

Completed applications must be turned in to:

Leslie Ann Morelli, Village Clerk

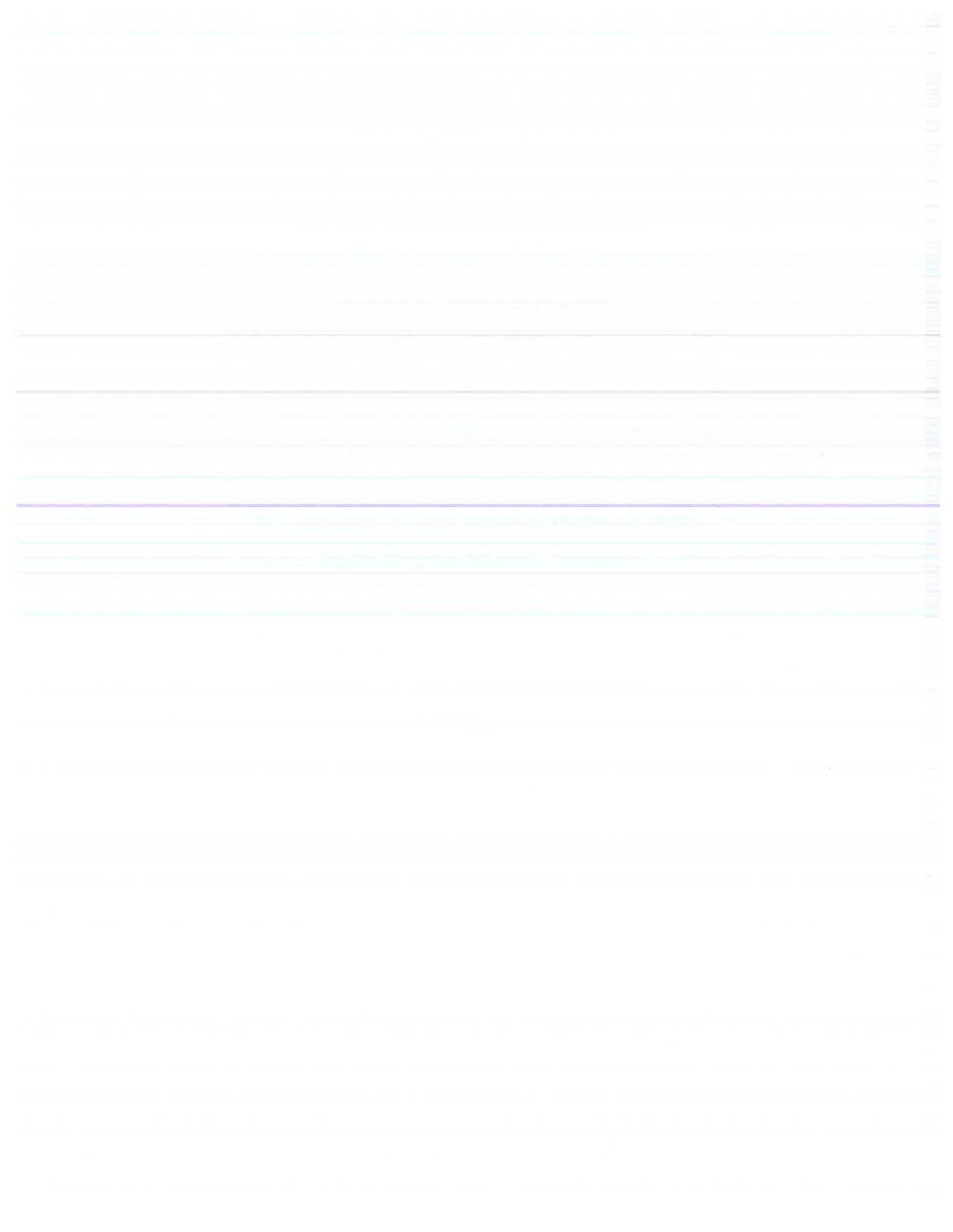
Village of Brockport

49 State Street, Brockport, NY 14420

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

Application Deadline: _____, 2014

*7/15
2013
summer laborers
made \$8.50/hr. new or returning
& worked late pay through late Aug or early Sept.
current NY min wage
is \$8.00/hr
JAM*



VILLAGE OF BROCKPORT NOTICE

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

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

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

The work must be completed by September 30, 2014.

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

Leslie Ann Morelli
Village Clerk
Village of Brockport

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

Received 3 responses - Aero, Landmark Society, CBGA
HPB recommends: Aero for #1
Landmark Soc. for #2, 3, 4

DRAFT
RESOLUTION - VILLAGE OF BROCKPORT

At a meeting of the Board of Trustees of the Village of Brockport, Monroe County, New York state held at Oliver Middle School L.G.I. 40 Allen Street Brockport, NY 14420 on April 7, 2014 the following resolution was regularly made, seconded and carried:

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

MOVED BY: _____ SECONDED BY: _____

CARRIED __/__

RESOLVED, to authorize application for a "Get Ready" Program grant from the Museum Association of New York for the Emily L. Knapp Museum and Library of Local History.

Description:

The "Get Ready!" Program is the first of a three consecutive grants ("Get Ready!," "Get Set!," and "Go!" run through the Museum Association of New York in Troy, NY. A "Get Ready!" grant provides an organization with a consultant experienced in museum planning who spends up to half a day with the organization and provides a follow-up report. This consultant will introduce strategic and long range planning concepts to the board and staff and help initiate planning. The process will be interactive and the consultant will provide sample plans and help the organization establish a framework for planning. Award of the grant would take the form of consultant time (in-kind) rather than monetary funds. The current application on behalf of the Emily L. Knapp Museum and Library of Local History is for the "Get Ready!" grant opportunity only. If such is accepted, the organization is allowed and encouraged to apply for the "Get Set!" and then "Go!" grants based on the strategic plan developed.

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 April 7, 2014 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 8th day of April 2014.

Leslie Ann Morelli, Village Clerk

Seal

