

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Village Hall Conference Room 49 State Street Brockport, New York, October 19, 2015 at 7:00pm.

PRESENT: Mayor Margaret B. Blackman, Trustee/Deputy Mayor William G. Andrews, Trustee Valerie A. Ciciotti, Trustee Katherine J. Kristansen, Trustee John D. LaPierre, Clerk Leslie Ann Morelli, Treasurer Daniel P. Hendricks, Police Chief Daniel P. Varrenti, DPW Superintendent Harry G. Donahue, Building Inspector/Code Enforcement Officer David J. Miller, Jr., Attorney Daniel J. Mastrella

ALSO PRESENT: Brad Kelly from Larsen Engineers, Jim Sauberan from Brockport Fire District Commissioners, Jack Merritt, Tony Perry, Francisco Borrayo, Norm Giancursio, Joan Hamlin, The Stylus, Arielle Ingrassia, Sean Flynn, Michael Baudy, Heather LaVallee, Peter Borges, Kiara Alfonseca, Tori Martinez, Aaron Cerbine, Connor Wolfe, Billy Morton, Austin Moyer, Scott Meyers, Tamlonia Schneider, Steven Brian

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

Mayor Blackman welcomed the College at Brockport students in attendance for the public hearing on the proposed Local Law. She said she met with some of them last Friday and appreciates their civic engagement.

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

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

BROCKPORT HISTORICAL MOMENT: Trustee/Deputy Mayor Andrews shared the following:

This evening we resume our accounts of some of Brockport's eminent residents with Edward C. Harrison, merchant tailor and clothier, who was one of Brockport's leading business and civic leaders for many decades. Harrison was born in England in 1831, emigrated to the United States in 1850, and came to Brockport in 1858 where he established his clothing business.

Years later he recounted his early business. Then, housewives produced homespun cloth out of which he cut the pieces for the clothing and sold the buttons and trimming, but the housewives produced the finished garments. Also, payment was usually in produce. He rarely sold socks in those days.

He expanded from retail tailoring and became a pioneer in the manufacture of ready-made clothing that he sold through outlets in the Midwest as well as in the Brockport area. At one time he employed 200 workers in his Brockport operation. When factory-made clothing became fashionable, he reverted to strictly local business.

He continued in the business until his death at 85 in 1916. His 66 years was said to have been a record for a clothing business in New York State. His son, Joseph, continued the business for another 16 years.

Harrison was also active in civic affairs, as toll collector for the Port of Brockport for two years, Village Trustee for several terms, and member of the Board of the Normal School for 22 years. The Harrison Hose Co. of Brockport's Fire Department was named for him.

Harrison was married first in England. After that wife died in 1865, he married a woman from Hamlin. After she died in 1898, he married her sister. He had eight children. One of his grand-daughters became a successful illustrator of children's books and used her grandfather's house as a model for some of her illustrations.

Although the Harrison business is long gone from Brockport, he remains a presence in the community through the legacy of the home he built about 1870, at the end of College Street, the finest example of Second Empire architectural-style residence in the village. When his second wife died, the State Normal School bought the property and Harrison moved to the Getty House Hotel at the corner of Market and Main. When he remarried, they lived at 234 Main Street.

The College Street house became the residence for the principals of the Normal School from 1898 until 1942 and the presidents of the college until 1964. It was then used successively as offices for the English Department at the college and as an "executive dining room". In 1974, the Brockport Alumni Association acquired it, has spent about half a million dollars restoring it, and has made it an asset for the community by making it available for special events and meetings.

OATH OF OFFICE: none
CERTIFICATES & PROCLAMATIONS: none
GUESTS: none

PUBLIC HEARINGS:

- To approve amended cable television franchise agreement –

→ Trustee LaPierre moved, Trustee Andrews seconded, carried 5/0 to close the regular meeting and open the public hearing.

Clerk Morelli read the following legal notice that was published in Suburban News, posted on the Village website and posted at Village Hall.

VILLAGE OF BROCKPORT
 Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Monday, October 19, 2015**, in the Village Hall conference room 49 State Street, Brockport, NY 14420 regarding renewal of the amended cable television franchise agreement by and between the Village of Brockport and Time Warner Cable.

A copy of the agreement is available for public inspection during normal business hours at the Village Clerk's office and on the Village website. At such public hearing, all persons will be given an opportunity to be heard. Written and oral statements will be taken at that time. Time limitations may be imposed for each oral statement, if necessary.

By Order of the Brockport Village Board
 Leslie Ann Morelli
 Village Clerk
 Village of Brockport

Village Attorney Mastrella said the long standing agreement with Time Warner Cable was up for renewal. A public hearing was held on this in August 2014. He had suggested tabling decision to allow him, Treasurer Hendricks and an outside auditing agency to do some research. They did and suggested many revisions. Most important was how the gross revenue is calculated, quarterly instead of annual payments, penalty on late payments, and that cable and internet be provided to various municipal buildings at no cost. Time Warner Cable responded with an amended agreement addressing the most important items to his and the Treasurer's satisfaction.

Public: None

Trustee Ciciotti referred to Exhibit A regarding municipalities, districts, and schools and noted some not being the Village of Brockport's jurisdiction, one not even being in existence any longer and 49 State Street (Village hall) being mislabeled. She asked what prompted the Village Attorney and Treasurer to include other entities.

Village Attorney Mastrella said Time Warner Cable may have simply listed all the municipalities, districts, and schools with libraries in the Brockport zip code.

Trustee Kristansen said the listing of the various schools on Exhibit A might be because each has a library. However, she noted that Seymour Library was not on the list.

Mayor Blackman said if it is to remain on the list, the address for Brockport Volunteer Ambulance should be corrected as they will soon be moving.

Clerk Morelli said she believes both the Town of Sweden and Town of Clarkson held public hearings and renewed their Time Warner Cable franchise agreements in the summer of 2014. They may have an Exhibit A with the buildings in their jurisdiction.

Trustee Ciciotti asked if this was time sensitive. Village Attorney Mastrella said decision can wait until the Exhibit A is corrected. Clerk Morelli said the Village Board has 62 days from the close of the public hearing to render a decision.

Trustee Andrews referred to a provision regarding tree trimming. He said the Village has had bad experiences with National Grid tree trimming and might want to tweak the language in that section.

→ Trustee Andrews moved, Trustee Ciciotti seconded, carried 5/0 to carry over the public hearing to an upcoming meeting and to re-open the regular meeting.

- Proposed Local Law of 2015 – to amend the penalty provisions of Chapters 4, 18, 21, 35, 36, 55, 58 of the Brockport Village Code -

→ Trustee Kristansen moved, Trustee Andrews seconded, carried 5/0 to close the regular meeting and open the public hearing.

Clerk Morelli read the following legal notice that was published in Suburban News, posted on the Village website and posted at Village Hall.

VILLAGE OF BROCKPORT
Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Monday, October 19, 2015**, in the Village Hall conference room 49 State Street, Brockport, NY 14420 regarding proposed Local Law of 2015 to amend the Village Code as follows:

A Local Law amending the penalty provisions of Chapters 4, 18, 21, 35, 36, 55, and 58 of the Brockport Village Code.

Brockport Village Code Sections 4-2 and 4-5 (Alcoholic Beverages); 18-3 (Firearms, Fireworks, and Explosives); 35-5, 35-10, 15-18, 35-24 (Peace and Good Order); 55-5 (Noise) shall be amended to read as follows:

"Any person, Corporation or other entity who violates the provisions of this chapter shall be guilty of a violation and shall be subject to imprisonment not to exceed fifteen days or a fine not to exceed \$250 or both such fine and imprisonment."

Brockport Village Code Sections 21-21(G) (Garbage); 36-27(F) (Minimum Housing and Building Code); 58-30(A) and 58-35.13 (Zoning and Property Maintenance) shall be amended to read as follows:

"Any person, Corporation or other entity who violates the provisions of this chapter shall be guilty of a violation and shall be subject to imprisonment not to exceed fifteen days or a fine not to exceed \$250 or both such fine and imprisonment. Each day of continued violation shall constitute a separate offense."

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

Public:

- Sean Flynn, College BSG President, College Street residence – said he is concerned about the changes, understands the need to create more uniformity in the Village Code and to get those ticketed to show at Village Court. He also understands that college students only represent a portion of the population this would apply to. However, a 15-days in jail penalty could drastically impact college students as they would likely fail out of the semester due to attendance policies and would lose all the costs associated with the semester. The next speaker will suggest rewording.

- Michael Baudy, College BSG Director of Advocacy, College Street residence – said the proposed language could definitely impact student success. He suggested being subject to the fine and then "in the event of failure to comply with the fine", imprisonment not to exceed 15 days.

- Joan Hamlin of Park Avenue – asked if these are misdemeanors.

Mayor Blackman said they are code violations.

- Francisco Borraro of Utica Street – asked if the imprisonment not to exceed 15 days is on a progression with lesser days to start with.

Village Attorney Mastrella said he is not sure exactly what he means, but Brockport Village Code violations are violations of local laws, not penal law statutes. However, the penalties are penal in nature. The proposal reduced some as they currently exist in the Village Code and increases others as they currently exist in the Village Code. Some were enhanced to include imprisonment not because of a desire to imprison, but to give the Village Court the opportunity to make violators answerable. A Judge cannot issue a warrant for an offense someone cannot be incarcerated for. If someone were issued a ticket for a violation under the Village Code and he/she doesn't answer to it, continues not to answer to it, the Court can issue a warrant. The ones the college student body would be more

concerned about could be written under the NYS Penal Law instead of the Village Code. Those already have the penalties being proposed. When writing under the NYS Penal Law, it makes it reportable to NYS DCJS. That can stay on a record. The Village, however, is cognizant of this and can choose to write under the Village Code.

- Francisco Borraro of Utica Street – asked why there is an additional line in the proposed penalties that says “Each day of continued violation shall constitute a separate offense.” when it comes to certain Village Code chapters.

Village Attorney Mastrella said because the first set of changes relate to sections where they are isolated instances. The second set of changes relate to sections where each day the offense goes uncorrected it's a separate offense.

Village Attorney Mastrella said there are felonies, misdemeanors and violations. Villages have the ability to pass local laws and designate offenses. What are being discussed are violations. Violations provide for less penalties and greater efficiency as there aren't jury trials for such.

- Scott Meyers, College student, College Street residence – is concerned about the wording being severe and suggested adding “for failure to respond”.

Village Attorney said he appreciates the input BSG is suggesting. However, it adds an element to the offense. Trying to add a criminal contempt wouldn't be valid and would be challengeable. He said he has been prosecuting Brockport Village Code violations for 15 months, first in Sweden Town Court, then starting 1/1/15 in Brockport Village Court. There are a number of sections in the Village Code that need more uniformity in penalty provisions. The ones proposed here are particularly problematic and needing addressing sooner rather than later. He commended BSG leadership being here, and said if they were ticketed, they would likely respond. It isn't fair to those who do respond that those who do not, and continue to ignore tickets, have no consequence.

- Steven Brian of Fair Street – said he taught at the College as a Graduate Assistant recently and can attest that the attendance policy allows for only 3 excused absence. Imprisonment of up to 15 days would certainly cause a student to fail and lose the semester expenses.

- Tara Kaya, College student, Rochester residence – said imprisonment of up to 15 days is not only a detriment to the college semester but to the job(s) that many students have. She asked why there isn't a trial by jury for a violation.

Village Attorney Mastrella said that isn't new or proposed. There already isn't. That's state law.

- Aaron Cerbine, College student, Rochester residence – asked how it is decided that a house is “disorderly”, thereby being a violation.

Chief Varrenti said he believes someone has given college students some misinformation. He referenced the saying that a little knowledge is dangerous and likened it to yelling fire in a crowded theater when there is none. He said NYS Penal Law 240.00 7 subsections outline such. Police Officers have the option of writing tickets under NYS Penal Law or under Village Code as disorderly house. They typically go with Village Code. It's better for the violator, particularly if the person is going into certain fields such as law enforcement.

Chief Varrenti said he teaches at the College. He has an affinity for students. The intention is not to put students in jail. He said the Village Attorney is working to make the process more efficient and to give the Judges the authority to get people to court. This really is not a big deal.

Village Attorney Mastrella said currently if a violator doesn't appear, the court sends them a letter, but the Judges currently don't have the tool of issuing a warrant in some instances to get them to court. When a college student is charged with a Village Code violation, the College is notified of such because the Village and College work together. Attendance in court is actually good because of this. Other violators that are not college students are not always as good at showing up in court. This is not designed to incarcerate, but to make answerable.

BI/CEO Miller said that as to the building code type violations the penalty language is even more in depth in the State code.

Mayor Blackman said in looking at Genesee and Fredonia, their language is very similar. What is being proposed is not uncommon.

Chief Varrenti said again someone was just trying to get the students riled up about this. It will have little effect on students.

- Tara Kaya, College student, Rochester residence – said she doesn't appreciate the condescension, being talked down to.

Chief Varrenti said if she is talking about him, that's not how he meant to come off. He said he loves college students. He would welcome meeting with any concerned students and/or the BSG leadership about anything. He said typically when the Village Board holds a public hearing they take public comment and do not engage in dialogue. At other times such could be found out of order.

Mayor Blackman commended those in attendance for their comments and questions. Civic engagement is appreciated. It was good for all to hear the explanation and answers provided by Village Attorney Mastrella.

Trustee Andrews concurred and said he hopes to see them again at a future meeting.

→ At 7:55pm Trustee LaPierre moved, Trustee Andrews seconded, carried 5/0 to carry over the public hearing to an upcoming meeting and to re-open the regular meeting.

PUBLIC COMMENT: none

CONSENSUS ITEMS:

- **APPROVAL OF MINUTES:**

→ Trustee Kristansen moved, Trustee Andrews seconded, Trustee LaPierre abstained due to absence, carried 4/0/1 that the minutes of the 10/5/15 meeting be approved as amended.

→ Trustee Ciciotti moved, Trustee LaPierre seconded, Trustees Andrews & Ciciotti abstained due to absence, carried 3/0/2 that the minutes of the 10/14/15 meeting be approved as written.

- **APPROVAL OF BILLS TO BE PAID**

→ Trustee Kristansen moved, Trustee Ciciotti seconded, carried 5/0 that the bills be allowed and paid upon audit.

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	10/16/15	\$35,483.68
FUND (F): <u>Water</u>	10/16/15	\$72,568.95
FUND (G): <u>Sewer</u>	10/16/15	\$353.55
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>Trust & Agency</u>	-	-
		\$108,406.18 total

CLERK REPORT: Clerk – Leslie Ann Morelli

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- **DEPARTMENT REPORTS:** (VB meeting the 3rd Monday of each month)

- o Treasurer – Daniel P. Hendricks

- NYCOM Fall training school – report – Treasurer Hendricks referred to the information in the packet. He highlighted one session that was on franchise agreements and that throughout the state the cable companies have been trying to reduce the franchise fees by not including some of the sales in gross income. He highlighted one session on New York State retirement and the importance of elected officials who participate in retirement through the municipality to keep a 3 month log of their hours since they are not on other timekeeping systems.

- Financial reports for period ending 9/30/15 – Treasurer Hendricks referred to the information in the packet. He said he notes nothing of great concern and will continue to monitor.

Trustee Kristansen noted a few expenditure lines over 100%. Treasurer Hendricks said some will need small budget transfers between lines and some will be reimbursed by grant monies.

- o Building / Zoning / Code Enforcement – BI/CEO David J. Miller, Jr.

- College – BI/CEO Miller welcomed the College students in attendance this evening, introduced himself and said he has an open door policy and encourages contacting him with any questions or concerns re off-campus rentals.

- 2015 Residential Rental Registrations – BI/CEO Miller reported that 78% of the RRR's came in. Of the 372, there are 85 that will receive a second notice with late fee attached later in the week.

- Storm water outfall inspections – BI/CEO Miller said an Intern from Monroe County helped conduct storm water outfall inspections. All is good.
- Police – Police Chief Daniel P. Varrenti
 - Chief Varrenti said he was marked excused as he thought he had a class to teach this evening, but didn't. He will not be at the 11/16/15 Village Board meeting, so he wished everyone a Happy Thanksgiving in advance.
 - College Homecoming – Chief Varrenti said homecoming went well and that it was fairly non-eventful in the Village for the Police Department this time. He said his team met with College representatives and bar owners 9/29 which helped.
 - Police Officer Interviews – Chief Varrenti thanked Village Board liaisons to the Police Department, Trustees LaPierre and Kristansen and Mayor Blackman for participating in some of the Police Officer interviews. One was held today, but he forgot to invite the Mayor.
 - Parole Reform – Chief Varrenti shared that he is President of the Monroe County Chiefs of Police Association and they are taking a strong stance on the need for parole reform. They will help write potential legislation. There have been too many instances of violent crimes being committed by parolees within days, sometimes hours, of their release.
- Public Works – Superintendent Harry G. Donahue
 - Paving – Spt. Donahue said paving begins tomorrow for Holley Street, Utica Street and Clark Street that were recently milled.
 - Staffing – Spt. Donahue reported that a long-time laborer has been on short-term disability for a few months and will likely be out at least 2 more months. One seasonal laborer is being kept on through at least mid-December.
 - Possible excavator purchase – Spt. Donahue shared that he and the Town of Sweden Highway Superintendent are looking into the possibility of jointly purchasing a piece of equipment, an excavator, that both need and sometimes have to rent. He will bring forth a recommendation to the Village Board at a future meeting.
- Village Attorney – Daniel J. Mastrella, Esq.

- **PERSONNEL ITEMS:**

- Authorize advertising Boards/Committees vacancies – Clerk Morelli referred to the draft notice in the packet.

Trustee Andrews said the Architect position on the Historic Preservation Board is vacant due to Kory Hunsinger having failed to take the oath of office and attend meetings. She is welcome to reapply if she can make the commitment. He suggested listing the vacancy as "prefer an Architect or Architectural Historian". He said this is acceptable per Certified Local Government (CLG) standards. Clerk Morelli said she can do so. However, she suggests he provide a copy of the CLG standards for HPB membership and that it be referred to the Code Review Committee as the current Village Code Chapter 58-23 lays out specifically how the membership of the HPB is to be comprised. Trustee Andrews concurred.

→ Trustee Andrews moved, Trustee Kristansen seconded, carried 5/0 to authorize advertising Boards/Committees vacancies as follows:

VILLAGE OF BROCKPORT
BOARD / COMMITTEE / VOLUNTEER OPPORTUNITIES

Board/Committee vacancies open to Village residents:

- Seymour Library Board
 - 5-year term to 12/31/20 – beginning 1/2016
 - Meets 3rd Tuesday 7pm (at Seymour Library)
- Tree Board
 - 4-year term to 6/30/19
 - 4-year term to 6/30/19
 - Meets 3rd Tuesday 7pm September-May
- Historic Preservation Board
 - 3-year term to 6/30/18 – (prefer an Architect or Architectural Historian)

Meets 3rd Thursday 7:15pm

- Emily L. Knapp Museum Board
 - complete a term to 6/30/16
 - 3-year term to 6/30/18
- Meets 4th Wednesday 6pm
- Code Review Committee
 - 5-year term to 6/30/20
 - 5-year term to 6/30/20
- Meets 4th Monday 6pm
- Ethics Board
 - complete a term to 6/30/17
- Meets only as needed
- Housing Task Force
 - 1 resident (no term expiration)
 - Planning Board representative – must be a current Planning Board member
- Meets 2nd Monday & 4th Tuesday 5:30pm (may change to 2nd & 4th Monday 5:30pm)

Dated: 10/20/15

Application deadline: remains open until vacancies are filled

A position interest form can be submitted from the Village website: www.brockportny.org or obtained at Village Hall, completed and turned in to:
 Leslie Ann Morelli, Village Clerk
 Village of Brockport 49 State Street Brockport, NY 14420
 Monday thru Friday 8:30am to 4:30pm

- Accept resignation of Police Officer Nicole Sarratori effective 10/25/15 -

→ Trustee Kristansen moved, Trustee LaPierre seconded, carried 5/0 to accept with regret the resignation of Police Officer Nicole Sarratori effective 10/25/15.

- **OLD or NEW BUSINESS:**

- Grants – awarded \$40,000 – CDBG for West Avenue Water Main Replacement – Phase 2 – Mayor Blackman referred to the letter in the packet indicating that the Village is being awarded \$40,000 for this project.

- Amend resolution of 9/21/15 to include not 2 but all 4 BFD fire stations in solar farm – Mayor Blackman said there is no "bill back" component to this as first thought.

→ Mayor Blackman moved, Trustee LaPierre seconded, carried 5/0 that besides the Seymour Library and the Market Street and West Avenue fire stations per 9/21/15 motion, to include the Owens Road and Lake Road fire stations in the proposed solar farm contingent on a memorandum of agreement being drawn up by applicable attorneys.

- Approve and authorize Mayor to sign solar energy PPA with Solar Liberty – Brad Kelly of Larsen Engineers was in attendance to answer any further questions the Board might have. The Solar Liberty representative was unable to attend tonight but has previously met with the Board in work session.

Mayor Blackman asked if the dates in the PPA "180 days after the effective date" meant the project wouldn't start until then. She said once signed, she hopes there isn't a big delay. B. Kelly said not necessarily and that he knows Solar Liberty wants to get going as soon as possible. The signing of the PPA indicates moving forward. There will still be an opportunity to make changes depending on the grant funding.

Mayor Blackman asked about the reference to outages in the PPA. B. Kelly said if needed you go back on the grid. It provides Solar Liberty some time to be able to replace or repair. There's always support from the grid.

Village Attorney Mastrella said he reviewed the PPA from a legal perspective and found it to be acceptable.

Mayor Blackman said a memorandum of agreement needs to be drawn up with Seymour Library and

with Brockport Fire District. She said Larsen Engineers indicated Solar Liberty might have a template the Village could work from and adapt.

Jim Sauberan, Brockport Fire District Commissioner asked B. Kelly of Larsen Engineers if he knows of other Fire Districts being involved in solar energy. B. Kelly said not locally, but possibly elsewhere in the state.

→ Trustee Kristansen moved, Trustee LaPierre seconded, carried 5/0 to approve and authorize the Mayor to sign the solar energy PPA with Solar Liberty.

→ Authorize solar energy permit process and add fee to fee schedule – BI/CEO Miller said the next step after the Village’s recent climate smart pledge resolution now allows for an expedited solar energy permit approval process. He referred to the information in the packet, but corrected that the residential fee is recommended at \$85 and the commercial fee at \$100.

Mayor Blackman referenced a 10/2/15 Rochester Business Journal article regarding solar energy in the Town of Williamson.

→ Trustee Kristansen moved, Trustee Andrews seconded, carried 5/0 to adopt the following resolution:

RESOLVED, that the Brockport Village Board of Trustees does hereby adopt the New York State Unified Solar Permit.

Note that the Village of Brockport utilizes third party electrical inspectors and must adhere to their respective schedules when executing an inspection. Therefore, the Village makes the following stipulation under the *Permit Review and Inspection Timeline* portion of the Permit, “If an inspection is required, a single inspection should be sufficient and the Village will make every effort to provide this within 7 calendar days of inspection request.”

→ Trustee Kristansen moved, Trustee Andrews seconded, carried 5/0 to amend the fee schedule to include the solar energy permit fees.

**VILLAGE OF BROCKPORT
FEE SCHEDULE**

Adopted by Village Board 07/20/15

Amended by Village Board 10/19/15 (to include solar electric system permit fees)

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

VILLAGE BOARD FEES

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

ZONING BOARD OF APPEALS FEES

- Area Variance.....\$200.00
- Use Variance.....\$300.00
- Interpretation.....\$150.00
- Home Occupations.....\$150.00
- Travel trailer / dumpster approval.....\$25.00
- Other (special permit or authorization required by code).....\$175.00
- Zoning Map (color).....\$5.00

PLANNING BOARD FEES

- Commercial / Industrial Change of use.....\$45.00
- Residential Change of use.....\$35.00
- Site plan (new construction) (less than 5 acres).....\$300.00
includes stormwater pollution prevention plan review
- Site plan (new construction) (greater than 5 acres)\$600.00
includes stormwater pollution prevention plan review
- Site plan (other)..... \$250.00
includes stormwater pollution prevention plan review
- Residential subdivisions (less than 5 acres)\$200.00 plus \$50 per lot
includes stormwater pollution prevention plan review
- Residential subdivisions (greater than 5 acres).....\$600.00 plus \$50 per lot
includes stormwater pollution prevention plan review
- Re-subdivision.....\$50.00

- Residential Fences (front yard).....\$25.00
- Commercial / Industrial Fences (includes dumpster enclosures).....\$50.00
- Residential / Commercial / Industrial parking lots.....\$50.00
includes stormwater pollution prevention plan review
- Changes to or alteration of or extension of previous approvals.....\$50.00
- Special Meeting at request of applicant.....\$50.00 in addition to application base fee
- Public Hearing if Board deems necessary.....\$100.00 in addition to application base fee

ENGINEERING INSPECTIONS & STORMWATER INSPECTIONS

Engineering costs charged to the Village for site inspections or stormwater inspections shall be the responsibility of the applicant / developer. Village engineering inspections are based on time spent and will either be invoiced or utilized from the letter of credit. Village stormwater inspection fee is \$50 per inspection and will either be invoiced or utilized from the letter of credit.

MISCELLANEOUS

- Tax Search.....\$20.00
- Copies.....\$.25 per page
- Returned Check Charge.....\$20.00
- Sidewalk Café Permit.....\$200.00
 - o \$150 of the \$200 is returnable at the end of season if no violations.
- Peddling & Soliciting Permit
 - 1 to 7 days.....\$100.00
 - 6 months or less.....\$250.00
 - 1 year.....\$500.00
- Parade / Procession Permit.....no charge
- Fireworks Permit.....no charge
- Appliance with Freon.....\$25.00
- Garbage and Trash Pick-Up cost to Village plus \$50.00 for first calendar year (CY) offense, cost plus \$100 for second CY offense, cost plus \$250 for third CY offense.
- Garbage Cans Pick-Up.....\$25.00 per can
- Lawn Mowing.....\$150 per hour (1 hour minimum) per man plus equipment - plus \$50.00 for first calendar year (CY) offense, plus \$100 for second CY offense, plus \$250 for third CY offense.
- Weekly Commercial Waste Hauler Permit.....\$1,500.00 (annually)
- Other Commercial Waste Hauler Permit.....\$500.00 (annually)

CANAL FRONT AMMENITIES

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

POLICE DEPARTMENT FEES

- Copy of Police Report.....no charge
- Fingerprinting (NON-Village resident/merchant).....\$15.00
Pay at Village Hall for fingerprinting then go to Police Department.
- Parking
 - o Illegally Parked.....\$30.00
 - o Winter Parking Ordinance.....\$40.00
 - o Fire Lane / Hydrant.....\$50.00
 - o Handicapped Parking.....\$60.00*

Fines double if unpaid after 10 days.

Fines quadruple if unpaid after 30 days.

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

BUILDING INSPECTION / CODE ENFORCEMENT FEES

RESIDENTIAL NEW HOME CONSTRUCTION:

- 800 – 1,100 square feet.....\$400
- 1,101 – 1,300 square feet.....\$550
- 1,301 – 1,500 square feet.....\$650
- 1,501 – 1,700 square feet.....\$700
- 1,701 – 2,000 square feet.....\$750
- 2,001 – 3,000 square feet.....\$800
- 3,001 – 5,000 square feet.....\$850
- Building permit renewal after expiration: 75% of original permit fee

RESIDENTIAL NEW CONSTRUCTION – (additions, remodeling):

- Value of construction from \$0 - \$500.....\$65
- Value of construction from \$500 - \$10,000.....\$85
- Value of construction from \$10,000 - \$50,000.....\$105
- Value of construction from \$50,000 - \$100,000.....\$125
- Value of construction from \$100,000 - \$150,000.....\$145
- Value of construction from \$150,000 and up.....\$175
plus \$10.00 for each \$10,000 of construction value
- Building permit renewal after expiration: 75% of original permit fee
- Residential Solar Electric System.....\$85

COMMERCIAL NEW CONSTRUCTION – (additions, remodeling):

- Value of construction from \$0 - \$500.....\$100
- Value of construction from \$500 - \$10,000.....\$120
- Value of construction from \$10,000 - \$50,000.....\$140
- Value of construction from \$50,000 - \$100,000.....\$160
- Value of construction from \$100,000 - \$150,000.....\$180
- Value of construction from \$150,000 and up.....\$200
plus \$10 for each \$10,000 of construction value
- Building permit renewal after expiration: 75% of original permit fee
- Commercial Solar Electric System.....\$100

SIGNS

- Commercial Sign Permit\$30.00 per sign
- Residential Sign Permit (for approved customary home occupations).....\$30.00 per sign

RESIDENTIAL ACCESSORY STRUCTURES – includes Certificate of Compliance inspection:

- Decks.....\$35
- Above ground pools.....\$50
- In ground pools.....\$100
- Sheds (144+sf).....\$30
- Gas appliances i.e. hot water heater, furnace.....\$20
- Gas appliances..... i.e. fireplace, gas log sets, fixed piped home generators.....\$20.00
- Temporary Construction Trailer.....\$50.00
- Building permit renewal after expiration: 75% of original permit fee

DEMOLITION

- Demolition permit – Residential structures.....\$50.00
- Demolition permit - Commercial structures.....\$100.00
- Demolition permit – Industrial structures.....\$200.00

RENTAL PROPERTY CERTIFICATE OF OCCUPANCY / OPERATIONAL PERMITS

- Residential rental registration.....\$125.00 per building per year
- Single family rental Code 210.....\$150.00
- Two family rental Code 220.....\$250.00
- Three family rental Code 230.....\$350.00
- Apartment Buildings/Townhouses Code 411.....\$350.00 or \$25.00 per unit
whichever is greater
- Inn / rooming house Code 418.....\$350.00
- ****Property owners will be charged \$50 for each re-inspection following the 1st non-compliant re-inspection****

OPERATIONAL FIRE-SAFETY PERMITS & INSPECTION FEES

- Educational.....\$100.00 (annually)
- Place of Public Assembly 100 persons or greater\$100.00 (annually)
- Assembly uses 50 – 99 persons.....\$50.00 (annually)
- Manufacturing.....\$100.00(annually)
- Fairs/festivals.....\$200.00 (annually)
- Repair/service garages.....\$100.00 (3 year intervals)
- Mercantile.....\$100.00 (3 year intervals)
- Business uses (including food service establishments under 49 occupants).....\$100.00 (3 year intervals)
- Other.....\$100.00 (yearly and/or as local conditions require)
- ****Property owners will be charged \$50 for each inspection following the 1st non-compliant re-inspection****

PLUMBING & SEWER FEES

- Plumbing License..... \$25.00
- Plumbing Permit.....\$40.00 plus \$4.00 per fixture
- Sewer Tap Inspection (Monroe County Pure Waters).....\$250.00 plus
 - If Village installed.....\$300.00
 - If contractor installed.....\$125.00
- Sewer Rental Fee:
 - In District Sewer Users..... \$1.16/1,000 gallons water used
 - Out of District Sewer Users\$1.66/1,000 gallons water used

WATER:

Water Rate Schedule

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

QUARTERLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:

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

QUARTERLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:

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

MONTHLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:

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

MONTHLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:

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

UN-METERED WATER:

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

TERMS AND PAYMENT:

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

 Frozen meter fee \$100 plus equipment and labor

SERVICE CONNECTIONS:

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

SIZE OF SERVICE	Fee Charge
¾" and 1" with 5/8" or ¾" meter and under.....	\$1,000.00
¾" and 1" with 1" meter.....	\$1,880.00
1 ½" meter and above.....	to be charged a fee equal to the time and materials used to render the service plus 10%

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

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

SIZE OF SERVICE	Fee Charge
¾" and under	\$250.00
1"	\$300.00
1 ½" meter and above.....	to be charged a fee equal to the time and materials used to render the service plus 10%

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

SERVICE DISCONTINUANCE

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

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

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

VILLAGE BOARD REPORTS:

- Mayor Margaret B. Blackman
 - Walk to School Day – Mayor Blackman shared that 610 kids participated in the 10/7 Walk to School Day. That's a record high. She volunteered helping along the way.
 - Low Bridge High Water – Mayor Blackman reported that the committee met 10/8 and set the dates for Thursday, 5/12/16 through Saturday, 5/14/16 - College graduation weekend. It will include a craft beer event. They are working to make Saturday family events successful. The committee has expanded to include a representative from the College administration, Brockport Central School District and a media person. They already have Brockport merchants representation, but can welcome a couple more if interested.
 - 200 State Street and 100 Fair Street – Mayor Blackman shared that a special meeting was held 10/14 to meet with representatives of Barton and Loguidice because of their reputation in Brownsfield work. 200 State Street is up for auction again 11/10. 100 Fair Street is currently up for sale at \$295,000. The aim for 200 State Street is to get it moved up the list on the Superfund sites, to get the NYS DEC to remove the requirement that any new owner sign on to the responsibility for any further cleanup. There is a possibility that with a new owner they might be eligible for the brownfield program. There is possible interest by Bonduelle. As soon as Barton and Loguidice provides more information about eligibility, the Village could get its assemblyman and state senator involved. Barton and Loguidice are looking into whether 100 Fair Street would qualify for BCP (Brownsfield Cleanup Program). The state tax credits that go with it could be an incentive for a buyer.
 - Monroe County Association of Villages – Mayor Blackman reported on having attended the bi-monthly Mayors dinner meeting 10/15 which included a tour of 911. She learned the following: The facility is run by the City of Rochester under contract to Monroe County with an operating budget of \$17.5 million. They take in calls for 911 and 311 (City of Rochester services). There are 200 employees for 911 and 34 employees for 311. In 2014 the 911 Center had 1,193,248 incoming 911 calls (486,000 for 311). There were 1,278,988 events entered for dispatch. In 2014 72% of all incoming calls came from cellular telephones. They accept texts but it's slower and they prefer calls. It was striking how calm, quiet and peaceful the center was. They welcome tours and love to show off the technology.
 - College BSG – Mayor Blackman shared having met with College BSG officers Sean, Mike and Sam on 10/16 regarding the proposed penalty changes to the Village Code. It was a good and interesting discussion.
 - Western Monroe Historical Society – Mayor Blackman shared having attended the 10/17 50th anniversary celebration dinner. The entire Village Board was in attendance.
 - GTC Grant for B ATP – Mayor Blackman reported having been interviewed 10/18 by Channel 8 regarding the GTC grant resulting in the Brockport Area Transportation Plan. Ray Duncan was also interviewed regarding the gateway railroad bridge mural plans.
 - Request grant authorizations – Mayor Blackman said she received information from the grant writers too late to be included on the agenda and has since emailed them the Village Board meeting schedule to try, whenever possible, to get information in by the agenda deadline so special meetings don't have to be called to approve grant applications. She shared two applications needing authorization.

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

RESOLVED, to authorize the Village's grantwriters, J. O'Connell & Associates, to prepare an application for the Village of Brockport Emily L. Knapp Museum and Library of Local History to RACF - Community Enrichment Fund, which awards arts and culture grants exclusively to the Brockport, Sweden, and Clarkson communities through the Rochester Area Community Foundation. The grant will cover \$1,000, of an estimated \$15,000 total project budget to hire Richard Glor, owner of Frame Wright in Spencerport and experienced conservator, to restore 10 historic photographs of the Museum's collection of 150. The Museum will continue to raise funds for the total project budget through its Adopt-a-Picture program, RACF Historical Preservation, Restoration, and Literature Fund, and other grant resources as they become available. The remainder of the project budget will be paid

for using funds from the Shafer Trust. This grant will be submitted the week of October 19, 2015 with an approximate project start date of December 1, 2015.

Note for the record:

J. O'Connell & Associates contact is Crystal Selk
E.L.K. Museum Board contact is Pat O'Brien
Village Office contact is Deputy Clerk-Treasurer Erica Linden

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☐ Trustee/Deputy Mayor William G. Andrews

- Canal Inspection Tour – Trustee Andrews reported having gone with Mayor Blackman on the 10/6 canal inspection tour. Mayor Blackman added that the new College President went on a part of that canal tour.
- GBDC – Trustee Andrews reported having attended the 10/8 GBDC meeting.
- Western Monroe Historical Society – Trustee Andrews reported having conducted 10/9 tours of the Morgan Manning House and having attended the 10/13 meeting and 10/17 50th anniversary celebration dinner. The goal of the fund drive for the belvedere was \$25,000, but they raised \$38,000 – an example of the amazing civic spirit of this community.
- E.L.K. Museum Event – Trustee Andrews reported having participated in the 10/9 Museum event.
- Town Boards – Trustee Andrews reported having attended recent meetings of the Clarkson Town Board and Sweden Town Board.
- Historic Preservation Board – Trustee Andrews reported having attended the 10/15 meeting of the HPB. The letter from the state indicated the need for a hearing on the High Street Cemetery nomination, but follow up determined that is not the case as the Town of Sweden signed off on it. Mayor Blackman is to transmit a letter of support to the state by 12/2.
- Welcome Center – Trustee Andrews reported that the Welcome Center season ended 10/15. There is a sign on the door with instructions for boaters needing access until the canal closes 11/15. As of 10/9, boat nights were up 23% from last year and there were 461 bicycle loan outs
- Monika Andrews Children's Park – Trustee Andrews shared that he met with Parks Committee Chair Hanny Heyen regarding a memorial bench for this park.
- Low Bridge High Water – Trustee Andrews shared that the Sagawa Park mural by Rick Muto will be done and dedicated during the LBHW festivities in May 2016.
- Trustee Valerie A. Ciciotti
 - Comprehensive Plan and Village Zoning Code Rewrites – Trustee Ciciotti said there are 4 steps for Village action prior to being able to apply for grant funding for this project. Having adopted the climate smart communities pledge last month and the solar energy permit resolution this evening takes care of the first step. After the next 3 steps, the grantwriters can do their work on the application
- Trustee Katherine J. Kristansen
 - Brockport Merchants Association – Trustee Kristansen reported having attended the 10/7 BMA meeting held at BeBe Mills. Discussion centered on upcoming events. Halloween

Happenings will be on 10/30 starting at 6:30pm. In addition to the children's activities, the stores will be open late that evening. Small Business Saturday is 11/28, the Saturday after Thanksgiving. BMA would like the Village Board to mingle with the shoppers from store to store possibly sharing Village news. (Instead of staying in one store serving coffee and cider.) She asked Village Board members to get back to her with availability. Lift Bridge Book Shop is going to offer "Cider Monday" at their shop this fall. On 12/5, BMA is hosting their annual Merchant Open House including some activities.

- Elections – Trustee Kristansen shared that on 10/9 she hosted a "meet and greet" at her home for the "Candidates for Change". The gathering was interesting and informative.

- Historic Preservation Board – Trustee Kristansen reported having attended the 10/15 HPB meeting. Two homes (285 Main Street and 288 Main Street) received historic designation. Discussion centered on the next possible historic designation district and filling a vacancy on the HPB.

- Western Monroe Historical Society – Trustee Kristansen reported having attended the 10/17 50th anniversary event and it being a wonderful evening for a wonderful organization.

- Code Enforcement/DPW – Trustee Kristansen shared that she communicated with BI/CEO Miller and DPW Spt. Donahue some residents and business owners concerns regarding handicap parking behind the Stoneyard, A-frame signs in front of businesses and the tentative paving schedule for Utica Street.

- Trustee John D. LaPierre

- 200 State Street and 100 Fair Street – Trustee LaPierre reported having participated in the 10/14 special meeting with representatives of Barton and Loguidice regarding possible brownfield opportunities.

- Western Monroe Historical Society – Trustee LaPierre reported having attended the 10/17 50th anniversary celebration.

- Police Department – Trustee LaPierre reported having participated in a police officer interview today.

EXECUTIVE SESSION:

→ At 8:50pm, Mayor Blackman moved, Trustee Kristansen seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a matter of potential litigation.

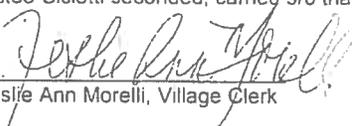
Village Attorney Mastrella, BI/CEO Miller, and Police Chief Varrenti were invited to sit in.

Mayor Blackman said she does not anticipate any action after executive session.

→ At 9:35pm, Trustee Kristansen moved, Trustee Ciciotti seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

ADJOURNMENT:

→ At 9:35pm, Trustee Kristansen moved, Trustee Ciciotti seconded, carried 5/0 that the meeting be adjourned.


 Leslie Ann Morelli, Village Clerk