

**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, September 25, 2012 at 7:00pm.**

**PRESENT:** Mayor M. Connie Castañeda, Trustee William G. Andrews, Trustee Margaret B. Blackman, Trustee Kent R. Blair, Trustee Carol L. Hannan, Clerk Leslie A. Morelli, Treasurer Daniel P. Hendricks, Building/Zoning/Codes Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, Superintendent Harry G. Donahue, Attorney Robert S. Leni, Esq.

**ALSO PRESENT:** Dr. Lesli C. Myers, A. Gary Zimmer, Valerie Ciciotti, Greg Lund, Joan Hamlin, Karen LoBracco, Linda Ketchum, Mary Jo Nayman, Brian Winant, Pam Ketchum, Norm Giancursio, Fred Webster, Kevin McCarthy

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

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

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

**PUBLIC COMMENT:** None

**GUESTS:**

- BCSD Superintendent – Dr. Lesli Myers – thanked all for allowing her a few moments to introduce herself as the new Superintendent of the Brockport Central School District. She shared that she received all her degrees from schools within Monroe County, worked in Tompkins County for a while in Ithaca School District and is glad to be back in Monroe County. There are a lot of great things going on in BCSD including but not limited to a backpack program for food for needy students and families, academic intervention services for 7<sup>th</sup> and 8<sup>th</sup> graders, and a personal electronic devices (PED) policy for high school students using a traffic light system alerting all when devices can and can't be used. She said there are many mandates in education. One of them is an annual professional performance review (APPR) that utilizes student data. Another relates to common core standards of English, Language Arts and Math. Another is the dignity act which is anti bullying legislation where guidelines must be implemented. She said BCSD is excited that a Homecoming Parade (10/5) has been resurrected. They anticipate a lot of community participation and appreciate the Village for partnering. In summary, Dr. Myers believes the community will be pleased with the outcomes for BCSD students.

- BISCO – Greg Lund – Street Closure Application – for 8/9/13-8/11/13 Brockport Arts Festival – G. Lund reviewed the street closure application. They plan the same section of Main Street as last year.

As always, they will work with Brockport Police Department on traffic control and such. He said BISCO, themselves, will be promoting it again this year instead of an outside promoter. Of course, they hope for good weather and good turnout. They appreciate the great cooperation they have always gotten from the Village.

Trustee Blair noted that the application says from 7pm Friday evening to 6pm Sunday evening, but the accompanying letter says until 7pm Sunday evening. G. Lund said 7pm is the correct time.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to approve BISCO's request to hold its 19<sup>th</sup> annual Brockport Arts Festival on Saturday, August 10<sup>th</sup> and Sunday, August 11<sup>th</sup>, 2013 and authorized Main Street (NYS Rt. 19) closure from Clark Street north of the canal to the Adams/Park/Fair Streets intersection from 7pm Friday, August 9<sup>th</sup> to 7pm Sunday, August 11<sup>th</sup>, 2013.

BISCO is encouraged to work with Department Heads regarding any codes issues, inspection needs, barricades, public safety planning.

Clerk Morelli will notify NYSDOT and RGRTA, add this to the 2013 events schedule, and a couple of weeks prior to the event send out a courtesy notice of street closure to property owners on the affected section of Main Street.

- PRO Brockport – Valerie Ciciotti – Hawking & Peddling Application – for 12/2/ holiday parade – V. Ciciotti reviewed the hawking and peddling application. Since the submittal, which included selling raffle tickets, they have changed to selling food and/or non-alcoholic drinks instead. They request the fee be waived as this is a fundraiser and a portion of the proceeds will be returned to Village causes.

Trustee Blair said Village Attorney Leni previously opined that the Board can authorize exemptions. Attorney Leni said the applicant does not fall under the exemptions listed in the Village Code. If the

hawking-peddling related to this Village event. Trustee Blair said the goal is to get a lot of participation and spectators in the parade.

Chief Varrenti said he would caution the Board from granting a unilateral exemption as then there is no control on who will be doing hawking-peddling and what they will be selling.

Trustee Blair concurred and said it should be a two-part process – the application/approval and the fee exemption.

Trustee Blackman suggesting waiving the fee unilaterally but still require the hawking-peddling application/approval.

→ Trustee Blair moved, Trustee Blackman seconded, Trustee Andrews abstained, carried 4/0/1 to waive the fee for any hawking-peddling permit approved for the 12/2/12 holiday parade.

→ Trustee Blackman moved, Trustee Hannan seconded, Trustee Andrews abstained, carried 4/0/1 to approve the hawking-peddling permit for Pro Brockport to sell at the 12/2/12 holiday parade food and/or non-alcoholic drinks to include but not be limited to cocoa, coffee, popcorn, hot roasted nuts, etc with assurance that all food and/or drink to be prepared in accordance with Monroe County Health Laws.

**CONSENSUS ITEMS:**

• **APPROVAL OF MINUTES:**

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the minutes of the 8/28/12 meeting be approved as amended.

→ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 that the minutes of the 9/4/12 meeting be approved as written.

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the minutes of the 9/11/12 meeting be approved as written.

• **APPROVAL OF BILLS TO BE PAID**

→ Trustee Blair moved, Trustee Andrews 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>	9/25/12	\$64,699.13
	9/25/12	\$70.00
FUND (F): <u>Water</u>	9/25/12	\$41,970.11
FUND (G): <u>Sewer</u>	9/25/12	\$529.72
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust &amp; Agency)</u>	-	-
		\$107,268.96 grand total

**CLERK REPORT:**

- Clerk – Leslie Ann Morelli
  - Tax Collection – Clerk Morelli reported that Village tax collection is at 95%.

Delinquent notices were mailed in mid September as required. A second round of delinquent notices will be mailed in mid October as a courtesy. Collection ceases 10/31.

- Workers Compensation - Clerk Morelli reported on having attended the recent quarterly Workers Compensation Program meeting. The program renewed its contract with Freed Maxick et al for auditing, but is terminating its contract with Willis for administration and going with Rose and Kiernan January 1<sup>st</sup>. The program remains with POMCO Group as third party administrator re claims (TPA). Anticipated surplus refunds were announced. Final figures on what the Village can expect back are not yet in.

- Employee Benefits – Clerk Morelli reported that she met this morning with representatives of Titan, the Village’s Broker of Record regarding employee insurances. Although former VM/T Giardino opened the door to consider a proposal of Brown and Brown, Clerk Morelli is confident in recommending we stay with Titan. They are the right fit for our needs and have steered us in the right direction by switching to the Excellus Healthy Blue HDHP with fully funded deductible as of

9/1/10. While premiums continue to rise, the Village's move to this plan was wise. Rates for 1/1/13 are expected by November 1<sup>st</sup>. Premiums are likely to rise 15-20% as anticipated and budgeted for.

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• **DEPARTMENT REPORTS:** (Treasurer & Department Heads are in attendance the 4<sup>th</sup> Tuesday of each month)

- Treasurer – Daniel P. Hendricks
  - Status – A.U.D. (Annual Update Document) for fye 5/31/12 – Treasurer Hendricks

shared that he is working on the AUD and hopes to have it completed by 9/28 or 10/2. He will submit to OSC and copy the Board and Clerk.

- Financial reports for period ending 7/31/12 – Treasurer Hendricks referred to the financial reports for month ending 7/31/12 included in the packet. The Village is in good shape. Quarterly sales tax revenue is up again which is positive.

- Budget Transfers & Budget Amendments - Treasurer Hendricks referred to the necessary budget transfers included in the packet. The budget has centralized codes. Many of these are to move from central to individualized codes.

Trustee Blair said this is much appreciated.

Trustee Blackman commented on a number of lines showing the % used as high. She understands that some are a function of what time of the year lines get utilized. However, she wondered if Treasurer Hendricks has any areas of concern. Treasurer Hendricks said nothing raises a red flag to him. He is concerned, like many of the rising costs of health care and retirement. Trustee Blackman suggested dealing with the retirement increase early rather than waiting until the budget process begins. Treasurer Hendricks said he can tackle this earlier than usual, but it will be preliminary.

Trustee Blair referred to the math going the wrong way on a couple of lines. Treasurer Hendricks said this is due to some accruals and was impressed with the catch.

Chief Varrenti asked if that is the same with the fleet maintenance line. Treasurer Hendricks said yes. Trustee Blair said same concept with diesel fuel.

Trustee Andrews said he is still learning but questioned the Clerk-Treasurers line in the General Fund re personnel. He asked if that was Clerk Morelli's salary. Clerk Morelli said she wishes it was! That line is Clerk Morelli, Treasurer Hendricks, Deputy Clerk-Treasurer Draper and may even be half of Deputy Clerk Herzog. The other half of Deputy Clerk Herzog comes from the Water Fund.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to authorize the following budget transfers:

Account #	From	Account #	To	Amount	Explanation of Transfer
A1010.4000	Trustees-Contractual	A1010.4030	Trustees-Conference	\$195	– Funds budgeted in a central code
A1450.4000	Elections-Legal Notice	A1450.4020	Legal Contractual	\$10	– Funds budgeted in a central code
A1990.4000	Contingency	A1450.4030	Elections-Supplies	\$700	– Insufficient funds in line item budget
A1640.4000	Central Garage-Contractual	A1640.4010	Fasteners	\$1,000	– Funds budgeted in a central code
A1640.4000	Central Garage-Contractual	A1640.4020	Auto-Electrical	\$500	– Funds budgeted in a central code
A1640.4000	Central Garage-Contractual	A1640.4040	Tools	\$1,150	– Funds budgeted in a central code
A1640.4000	Central Garage-Contractual	A1640.4050	Welding Supplies	\$500	– Funds budgeted in a central code
A1640.4000	Central Garage-Contractual	A1640.4060	Fuel / Oil	\$1,200	– Funds budgeted in a central code
A1640.4000	Central Garage-Contractual	A1640.4070	Shop Supplies	\$2,500	– Funds budgeted in a central code
A1640.4000	Central Garage-Contractual	A1640.4090	Miscellaneous	\$3,825	– Funds budgeted in a central code
A1670.4000	Central Garage-Contractual	A1670.4000	Central Mailing	\$1,000	– funds budgeted in a central code
A3310.4010	Traffic Control-Signal	A3310.4040	Traffic Control – Channels/posts	\$250	– classification of acct code

Treasurer Hendricks referred to the necessary budget amendments included in the packet. He said the first item is a large number. This was the transfer of reserves to the Brockport Fire District. The second item can be deleted.

→ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 to authorize the following budget amendments:

A3410.4000 Contractual \$556,212.00 – purpose – increase General Fund Budget to reflect transfer of balance in reserve accounts to Brockport Fire District.

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
    - Relocation – Codes Officer Zarnstorff said he and Clerk Krahe continue to settle back in to their old office at Village Hall.
    - Software – Codes Officer Zarnstorff shared that since General Code is scheduled to attend the 10/2 Village Board work session to further discuss Village Code revitalization, e-code 360
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and what they have to offer in the way of Building/Code Enforcement software, he and Clerk Krahe plan to attend. They have forwarded their needs and several questions to the General Code representative. They met this morning with a representative from William Law Book Company who also offer a Building/Code Enforcement software.

Mayor Castañeda thanked Clerk Morelli for surveying the Monroe County Village Clerks to see what their Building/Code Enforcement departments use by way of software.

Trustee Blackman said late today she supplied information on what Clarkson and Hamlin use.

- Part time vacancy - Codes Officer Zarnstorff said he has responded to Clerk Morelli with feedback on the appropriate title and job description and recommends she pursue the Civil Service title “Building Inspector – Part Time” non-competitive. He reviewed and provided feedback to her on the draft 222.

- Police – Police Chief Daniel P. Varrenti
  - Fuel costs – Chief Varrenti referred to the monthly financials and his department’s \$29,600 fuel line in the budget. He said he, like others, has a method to figuring out costs and budgeting for such. Unfortunately it doesn’t predict refinery costs going up. He imagines larger departments and agencies are greatly challenged by this.
  - Copier costs – Chief Varrenti commented that the costs for the current copier at the Police Department are greatly higher than the former leases and maintenance agreements they had. Clerk Morelli said theirs is a color printer/copier which is more expensive and usage was likely greatly increased for the 16 months the Code Enforcement Office resided at the Police Department. Chief Varrenti said their previous printer/copier was color and it is more than increased use by Codes. About a year and a half ago the Board charged then-Treasurer Lovejoy with gathering information and recommending a vendor for 3 copiers – 1 for Village Hall, 1 for Police Department and 1 for Fire Department. He said all he knows is their copier costs are probably 3 times more than they used to be.

Mayor Castañeda suggested Treasurer Hendricks take a look at this.

- Police car - Chief Varrenti shared that as he and Trustee Blair predicted, the insurance adjuster has determined the 2011 police vehicle as totaled. (due to no fault of the Village). They are willing to cut a check for \$16,287.50. However, the cost of a new vehicle will be several thousand dollars higher and there will be costs for having to transfer equipment from one vehicle to another. He questioned other law enforcement agencies that have had experience with totaled police cars. They assure him the cost for having to transfer equipment from one vehicle to another can be covered. He plans to look into this further and talk to his liaisons about options. Another concern is that the production of Ford Crown Victoria has ceased. They may be able to buy back the totaled vehicle, get it re-titled and repaired.

Trustee Blair said he located a Ford Crown Victoria police vehicle in Texas. Chief Varrenti said that is an option if the freight costs aren’t too high. Otherwise the decision becomes whether to go with a different Ford or a Chevy for police cars. He does not want to make a quick decision. He will return to the Board with options.

- Street Closures - Chief Varrenti said he does not want to come off as being a Grinch, however, he reminds the Board of his concerns of their approval of various street closures. The annual BISCO Arts Festival is one thing, but the variety of parades and processions is another. The Board and Department Heads really need to review all implications of such – particularly when it involves closing Main Street (NYS Route 19). The recent approval of the BCSD parade on Friday, 10/5 at rush hour even more so as RGRTA has to re-route their buses. They aren’t as concerned with Saturday or Sunday approvals, but during the week is troublesome. Many communities use side streets or stick to their school district or college campuses and avoid municipal streets altogether. He said he will be more forthcoming with recommendations, costs, and alternatives. It’s easy to say yes, but the cost and inconvenience to the public needs to be taken more seriously into consideration.

Trustee Andrews wondered if it is too late to rescind the approval for BCSD to use Main Street for their

Friday, 10/5 Homecoming Parade. Trustee Blackman said yes. Mayor Castañeda said the applicant indicated having contacted the Police Department in advance of approval. Chief Varrenti said they did, indeed. It is no fault of the applicant.

Chief Varrenti suggested the applications for street closure or parades/processions be amended to include sign off lines for Department Heads to include the estimated costs and logistics. Trustee Hannan said that sounds like a great idea.

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- Concession Carts/Stands - Chief Varrenti inquired as to Eduardo Galan's request and 6 month approval to open a Taco Stand on Main Street just north of the Canal. He said the applicant was quite strong with the Board 3 months ago and is surprised it hasn't opened. Mayor Castañeda said the applicant is dealing with more pressing matters and doubts it will open.

- Parking Tickets - Chief Varrenti shared that the stickers indicating changes in fines came in and have been placed on all copies of the stock of parking tickets. He wondered if the Sweden Court would be notified. Clerk Morelli said she sent over notice and the new fee schedule to the Sweden Court Office.

- Cleaning - Chief Varrenti commended Clerk Morelli and Deputy Clerk-Treasurer Draper for soliciting and interviewing cleaning companies and thanked the Board for approving a cleaning contract. They began in August cleaning Village buildings every Tuesday. He said employee morale has improved and citizens have commented on the appearance improvement.

- Public Works – Superintendent Harry G. Donahue

- Authorization to extend CDBG agreement with Monroe County (re College Street water main project) – Superintendent Donahue shared that this CDBG contract expired 7/31/12. While the project is nearly complete, not all the bills have come in, so there is still work to be submitted for reimbursement.

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 to authorize the Mayor to sign the CDBG Amendatory Agreement between Monroe County and the Village of Brockport for the College Street Water Main Project that extends the contract term until August 31, 2013.

- Authorization to advertise fall brush pickup for the week of 10/22 -

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 authorizing the following:

*VILLAGE OF BROCKPORT RESIDENTS*

*PLEASE TAKE NOTICE*

**FINAL BRUSH PICKUP** for the 2012 season is Monday October 22, 2012.

Your Department of Public Works crew will be around to make the **FINAL** routine pickup of brush on Monday October 22, 2012. This service ends for the season due to leaf pickups and preparation for winter operations.

After this date, you must make your own arrangements to dispose of any brush from your property. As long as workload permits and equipment is available, we will continue our policy of leaving a 1-ton truck overnight for those who wish to load their own. You must call the DPW and make special arrangements for this service.

Only BRUSH will be picked up at this time. No other materials will be collected. **Must have any brush that you want picked up placed at the curb on Saturday or Sunday only. Do not put anything in the road.**

**Do not wait until you see us in the area before placing the material at the curb. We will only be making one pass around the Village.**

If you have any questions, please call the Department of Public Works at (585) 637-1060 Monday – Friday between 7:00 A.M. and 3:30 P.M.

Harry Donahue

Superintendent of Public Works

- Authorization to advertise fall hydrant flushing for the week of 10/15 -

→ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 authorizing the following:

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### *NOTICE TO BROCKPORT RESIDENTS*

*PLEASE TAKE NOTICE that WATER MAIN FLUSHING in the Village of Brockport will take place 15 – 17 October 2012.*

As part of our routine maintenance of the water distribution system in the Village, Department of Public Works crew will be flushing water mains on **15 thru 17 October 2012**. We do this periodically to clean the mains and flush out sediment accumulations that may settle out in the mains. The flushing will ensure that you have a safe and healthy supply of drinking water.

Flushing operations will be conducted between 9:00 A.M. and 1:00 P.M. in the following locations on the date indicated:

**Monday, 15 October 2012:**

North of the canal.

All hydrants, EAST and WEST

of North Main Street (NYS Route 19)

**Tuesday, 16 October 2012:**

SOUTH of the canal.

All hydrants EAST of Main Street.

**Wednesday, 17 October 2012:**

SOUTH of the canal

All hydrants WEST of Main Street

During flushing you may see some cloudiness or color in the water. Please do not use any unnecessary water during this period. The flushing may cause the water to become “cloudy” or “discolored”. While the water will be safe to drink, we suggest that you do not wash clothes if you notice the water is discolored. **ANYONE ON A KIDNEY DIALYSIS MACHINE, PLEASE CALL THE SUPERINTENDENTS OFFICE AT THE NUMBER BELOW!**

If you have any questions, please call the Department of Public Works at (585) 637-1060 Monday-Friday between 7:00 A.M. and 3:30 P.M.

- Bid results from Auctions International for sale of 2006 Chevy Impala -

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to accept the high bid of \$4,700 via Auctions International, Inc. for the sale of the 2006 Chevy Impala VIN # 2G1WS551369374208. Should the high bid fall through, the next highest bids of \$4,650 then \$4,600 shall be accepted.

Trustee Blair asked where the \$4,700 will be credited. Treasurer Hendricks said as revenue to the General Fund. Trustee Blair suggested it be set aside for use by the Police Department to make up any difference in the insurance recovery on the totaled 2011 Ford Crown Victoria. Treasurer Hendricks said that can be determined after Chief Varrenti makes his recommendation to the Board on repair or replacement of that vehicle.

At 8:00pm, Mayor Castañeda excused the Treasurer and Department Heads. Chief Varrenti stayed.

- **PERSONNEL ITEMS:**

- Appoint Ann Butler to Parks Committee vacancy to 6/30/15 –

Mayor Castañeda brought forth for consideration the appointment of Ann Butler to one of the vacancies on the Parks Committee.

→ Trustee Andrews moved, Trustee Blackman seconded, carried 5/0 to appoint Ann Butler to complete

a term to June 30, 2015 as a member of the Parks Committee.

- Assistant Building Inspector (pt) or similar title – title preference, drafting ad, forming search committee -

→ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 to authorize Clerk Morelli to withdraw the recent submission with Civil Service to pursue the Village’s Assistant Building Inspector title as non-competitive and to pursue the Building Inspector – Part Time non-competitive title used in some other jurisdictions.

Clerk Morelli thanked the Board and CEO Zarnstorff for their feedback. She will notify Civil Service of such tomorrow.

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- **OLD BUSINESS:** None

- **NEW BUSINESS:**

- Call for 10/23 public hearing on proposed Local Laws – amendments to Village Code Chapters 46 & 59 – Village Attorney Leni shared that he reviewed the amendments proposed by the Code Review Committee on these chapters and they are ready for the Board’s review and to call for a public hearing. He said there was one very minor change (a typo on page 2 of that regarding Chapter 46) and distributed the replacement page.

Clerk Morelli inquired if the Board wished to utilize the normal location (Village Hall conference room) for the public hearing or if they wished a larger venue be reserved. Board felt the proposed amendments would likely not draw large attendance, but that a backup should be planned for.

→ Mayor Castañeda moved, Trustee Blair seconded, carried 5/0 to schedule a public hearing regarding the proposed amendments to Village Code Chapter 46 “Trees and Vegetation“ and Chapter 59 “Code Enforcement“ at the beginning of the 7pm Tuesday, October 23, 2012 meeting. Location to be in the Village Hall Conference Room with a backup location of the Middle School LGI should it be over-occupancy.

**PROPOSED:**  
**A LOCAL LAW MODIFYING CHAPTER 46 OF THE**  
**CODE OF THE VILLAGE OF BROCKPORT**  
**TITLED “TREES AND VEGETATION”**  
 \_\_\_\_\_ - 2012

BE IT ENACTED by the Village Board of the Village of Brockport that Chapter 46 of the Code of the Village of Brockport shall be modified, as follows:

**Chapter 46**

**TREES AND VEGETATION**

**GENERAL REFERENCES**

- Berms, fences, hedges and screen plantings — See Ch. 6.
- Environmental quality review — See Ch. 17A.
- Land subdivision regulations — See Ch. 26.
- Stormwater management and erosion and sediment control — See Ch. 27.
- Streets and Sidewalks — See Ch 45.
- Code enforcement — See Ch. 59.
- Uniform Code of the State of New York

**§ 46-1. Title; purpose.**

- A. This chapter shall be known as the "Tree/Vegetation Ordinance" for trees, plants and shrubs and is herein referred to as the "Tree/Vegetation Ordinance" or "this chapter."
- B. Purpose. In recognition of the environmental, health, and aesthetic benefits of its urban forest, this chapter establishes the policies, regulations, and standards pursuant to the planting, maintenance, protection, preservation, removal and replacement of trees on public lands within the Village of Brockport. These provisions are enacted to:

- (1) Establish the maximum sustainable amount of tree cover on public lands within the Village.
- (2) Maintain Village trees in a healthy state and to prevent or control hazardous conditions through good arboricultural practices.
- (3) Establish and maintain appropriate diversity in genus, species and age classes in order to provide a stable and sustainable urban forest.

**§ 46-2. Jurisdiction; effect on other provisions.**

- A. The Village of Brockport shall have full jurisdiction over all trees, plants and shrubs (excluding grass) located within street rights-of-way, public parks, public rights-of-way or easements, and other public places in the Village.

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- B. Conflict with other ordinances. In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, land development, 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 chapter is found to be in conflict with a provision of any other ordinance of the 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 chapter.
- C. Partial invalidity. If any section of this chapter shall be held unconstitutional, illegal, invalid, or otherwise unenforceable as violative of state or local laws, the remainder of this chapter shall remain in full force and effect and be enforceable as such.
- D. Nothing in this chapter shall be deemed to abolish or impair existing remedies of the municipality or its officers or agencies relating to the removal of tree(s) which is/are deemed to be dangerous, unsafe or unhealthy.

**§ 46-3. Definitions.**

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

CODE — The Code 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, Stormwater Manager, Floodplain Administrator, or any combination thereof.

COMPREHENSIVE TREE PLAN — A framework for public tree management that includes an inventory of existing trees; identification of planting sites; a prioritized planting plan; and standards for tree selection, sitting, and planting.

DPW — The Department of Public Works of the Village of Brockport.

INVASIVE SPECIES – A non-native plant species that adversely affects the habitats they invade economically, environmentally or ecologically and are listed in either the federal or New York State Invasive Plant inventory. [www.dec.ny.gov/animals/265html](http://www.dec.ny.gov/animals/265html), [www.nyis.info](http://www.nyis.info)

MASTER TREE LIST –

- A. A compilation of suitable and desirable types and species of trees able to thrive on Village streets and public places within the Village. The master tree list is housed at the Village Office and is drawn

from:

- (1) Recommendations from the Tree Inventory Report;
- (2) National Grid's "Recommended Small Trees for Planting Under Low Overhead Utility Lines or Confined Spaces" ([http://www.nationalgridus.com/non\\_html/shared\\_safety\\_tree.pdf](http://www.nationalgridus.com/non_html/shared_safety_tree.pdf)); and
- (3) Cornell University's "Recommended Urban Trees for USDA Plant Hardiness Zone 6 and Colder" (<http://www.hort.cornell.edu/uhi/outreach/recurbtree/index.html>).

B. The master tree list also includes a list of trees that should not be planted either because they are inappropriate street trees or because the Village currently has an excessive number of that species of trees.

MUNICIPALITY — The Village of Brockport.

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PERSON — Any person, firm, partnership, association, corporation, company, or an organization of any kind, including public or private.

PUBLIC PARKS — Public places within the Village of Brockport officially designated as public parks.

PUBLIC PLACE — All grounds owned by the Village of Brockport or under its control or supervision, whether leased or under contract to the Village.

PUBLIC TREE — Any tree growing within the boundaries of a public street or public place.

RIGHT OF WAY (R.O.W.) – An area of public land which may or may not be owned by the Village of Brockport over which facilities such as highways, sidewalks or the locations of utility lines are built. This land may include an area between a public sidewalk and a street and which can be commonly referred to as the tree lawn.

STREET — The entire width of every public street or right-of-way when any part thereof is open to the use of the public for purposes of vehicular or pedestrian traffic.

SUPERINTENDENT — The department head of The Department of Public Works of the Village of Brockport as employed by the Village of Brockport, who is responsible for Village of Brockport property, streets and roads, rights-of-way and public facilities and certain services.

TREE BOARD — The Tree Board for the Village of Brockport

TREE BOARD ANNUAL REPORT — An annual written report to the Village Board covering the actions and goals relating to the Village's public trees and including such activities as street tree inventories, tree plantings and removals, and educational programs for the public.

TREE INVENTORY REPORT — A scientific inventory of Brockport's street and park trees, completed in August 2006, listing species and variety, condition, and maintenance needs. The report identifies scores of trees, tree component(s), and vacant tree spaces.

TREE LAWN — That part of a right-of-way or highway reservation not covered by the sidewalk or other pavement, lying between a property boundary line and that portion of the street usually used for vehicular traffic.

VILLAGE — The Village of Brockport.

VILLAGE BOARD — The Board of Trustees for the Village of Brockport.

**§ 46-4. Tree Board.**

A. Membership. The Tree Board shall consist of not fewer than five nor more than ten voting members, appointed by the Mayor subject to the approval of the Village Board. If possible, all members shall be residents of the Village, and otherwise must be residents of Monroe County. At least one member should have professional training in forestry and, if none do, one ex-officio, nonvoting member who has expertise in urban forestry may also be appointed by the Mayor subject to the approval of the Village Board. In addition, at least one member should be an employee of DPW and, if none is, one DPW employee may also be appointed by the Mayor subject to the approval of the Village Board as an additional ex-officio, nonvoting member. Members shall serve for staggered terms of four years and without compensation.

- B. Organization. Members of the Tree Board shall annually select a Chair and a recording secretary, each to serve a one-year term. The Board shall adopt rules and regulations concerning its governance and operation. A majority of current seated voting members shall constitute a quorum for conducting business.
- C. Authorization and duties. The Tree Board shall be authorized to fulfill the following duties:
  - (1) Coordinate, recommend and implement the care, maintenance and planting of all public trees.
  - (2) Develop a comprehensive tree plan for the Village of Brockport.
  - (3) Develop a list of appropriate tree species for planting in the various types of locales within the tree lawn and public parks.
  - (4) Provide advice and consultation regarding trees to the Village Board, Village employees and

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private citizens residing in the Village of Brockport.

- (5) Receive, review, and recommend to the Superintendent requests from property owners for tree plantings, pruning and removals on the tree lawn.
- (6) Regularly communicate with the DPW on all matters regarding Village trees; work closely with the DPW in planning and implementing tree planting; and serve as consultants to the DPW in regard to tree-related problems and hazards.
- (7) Identify and maintain a list of trees within the Village of Brockport that are of historical significance.
- (8) Coordinate activities, including but not limited to the commemoration of Arbor Day, to inform and educate the public about the urban forest.
- (9) Make budget recommendations to the Village Board for Tree Board expenses and purchase of trees.
- (10) Together with the Village, apply for grants related to the planting and maintenance of our community forest.
- (11) Submit an annual report to the Village Board detailing the Tree Board's accomplishments for the year, including plantings, educational outreach, activities coordinated with other committees and boards, etc.
- (12) Review Village policies, resolutions, and local laws impacting trees.

**§ 46-5. Regulation of vegetation.**

- A. Planting. The Village shall have the responsibility to plant and maintain trees, plants, and shrubs within the right-of-way of all streets, avenues, and highways and on public grounds. The Tree Board will make all reasonable efforts to comply with property owners' requests regarding placement of a tree on the right-of-way adjoining their property.
  - A. Any tree that must be removed shall be replaced by new planting, except in unusual circumstances.
  - B. Trees will be replaced in accordance with the master tree plan developed by the Tree Board.
  - C. No person shall plant any street tree except in accordance with policies, regulations, and specifications established pursuant to this chapter.
  - D. Owners of property adjoining a Village street may request a tree for the tree lawn when one is missing or has been recently removed. Requests will be submitted on the tree request form available at the Village of Brockport Municipal Offices, located at 49 State Street, Village of Brockport, or downloadable from the Tree Board's website link, through [www.treeboard.brockprtny.org](http://www.treeboard.brockprtny.org). The Tree Board will select a suitable tree for the location, which takes into consideration:
    - (1) The diversification of our community forest.
    - (2) The specific location.

(3) The presence of utility lines and other constricting factors.

E. Property owners may, at their own expense and with the written approval of the Tree Board and the Superintendent, plant appropriate trees on the tree lawn. The Superintendent shall authorize the approved planting in writing and shall approve a map or diagram showing the location of the tree planting. Any tree so planted shall be considered a public tree and be added to the Village Tree Inventory Report.

**§ 46-6. Pruning and topping of trees.**

- A. Topping of trees is expressly forbidden. Tree pruning shall be accomplished in accordance with the procedures set forth in the most recent ANSI A300 standards.
- B. Tree removal. The Superintendent shall treat or remove any public trees that are dead, diseased, or

**MINUTES OF VILLAGE BOARD MEETING HELD September 25, 2012 continued.....page 11**

constitute a hazard to life or property. No person other than the Superintendent, or his duly authorized deputy, agent or employee, shall prune, cut down, remove or destroy any public tree on Village property unless authorized by the Superintendent.

(1) Requests by persons for removal of diseased or hazardous trees in the tree lawn must be made to the DPW. Trees will be inspected to determine their health and any hazard that they pose. Final decisions regarding removals will be made by the Superintendent.

C. Abatement of hazards. If a tree on property other than lands of the State of New York, County of Monroe, or the Village of Brockport is determined by the Code Enforcement Officer in consultation with the Superintendent to constitute a public hazard, the owner will be required, by written notification from the Code Enforcement Officer, to trim, remove, or otherwise control the tree to abate the hazard. Failure to do so within 15 days will be deemed a violation of this chapter, and can result in noticing, ticketing or such other enforcement procedure means and methods set forth in the Code, including but not limited to under Chapter 59 thereof, or as otherwise permitted by law, including the abatement by the Village of any such tree or tree parts thereof which are deemed to constitute a public hazard. In the event that abatement is necessary by the Village, it shall be at the owner's expense and, if the costs are unpaid by the owner after 30 days from the date of billing, the costs for the abatement shall then be assessed and levied against the corresponding property and added to the next village tax roll.

D. Abatement of hazards, public nuisances or invasive plant species. No person shall allow or permit the harboring of, planting of, or allowing outdoors any type of plant material which may cause harm to the environment or to persons, or which may additionally be listed as prohibited by State of New York or United States regulations.

**§ 46-7. Correction of damage due to tree roots.**

Where sidewalk or curb damage due to tree roots occurs, every reasonable effort shall be made to correct the problem without removing or damaging the tree. The Superintendent shall be responsible for developing or approving corrective measures.

**§ 46-8. Cooperation between agencies.**

Communication between the DPW and the Tree Board regarding any operations that affect Village trees is essential to the long-term management of the Village's trees. This includes but is not limited to notification of tree pruning, removals, requests for plantings, utility company activities relating to trees, and Arbor Day and other educational tree programs.

**§ 46-9. Planting requirements in new developments.**

All new development including but not limited to residential, commercial, industrial, and parking lots, will have appropriate trees planted at the customary density in effect for Village street trees.

- A. Landscaping plans submitted by developers must include the planting of street trees and, if appropriate, park trees that are in compliance with the Tree Board's master tree list in terms of size, species, and density.
- B. The developer assumes the responsibility of tree planting and all irrigation and maintenance for a

one-year period from the time of planting and for the replacement of any trees that may die during this period.

- C. Approval by the Village of Brockport Planning Board for new developments is contingent upon submission of a tree planting plan approved by the Tree Board.

**§ 46-10. Conservation of forest and woodland resources during development.**

Pursuant to § 46-9, for protection of trees, setting standards and limits in areas where land use is intensified, developers shall seek the advice of the Tree Board for planting recommendations.

**§ 46-11. Harming public trees, shrubs or plants.**

It is a violation of the provisions of this chapter for any person to damage, abuse, mutilate, or destroy any

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tree(s), plant(s), or shrub(s) on public lands. This includes posting signs or handbills on trees or allowing any gaseous, liquid or solid substance harmful to trees, shrubs, or plants to come into contact with their roots, trunks, or leaves, except during application(s) of substances in the performance of the normal maintenance of streets, roads, sidewalks, tree lawns or driveways as performed on behalf of the Village by the Superintendent.

**§ 46-12. Enforcement authority.**

The Village of Brockport Police Department and/or the Code Enforcement Officer are the official(s) authorized to enforce the provisions of this chapter, by removal, notice, ticketing, etc., or such other enforcement procedure means and methods set forth in the Code, including but not limited to under Chapter 59 thereof, or as otherwise permitted by law.

**§ 46-13. Complaints.**

The Superintendent shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with this chapter or any other local law or ordinance or regulation adopted for administration and enforcement of the Tree Ordinance. The process for responding to a complaint shall include the following steps, as the Superintendent, at his discretion, may deem to be appropriate:

- A. Performing an inspection of the conditions and/or activities alleged to be in violation and documenting the results of such inspection.
- B. Utilizing the Village of Brockport police and/or the Code Enforcement Officer to carry out enforcement proceedings as deemed appropriate in violations of this chapter or law(s) of the Village of Brockport.

**§ 46-14. Penalties for offenses.**

Violation(s) of any provision of this chapter shall be an offense, punishable by a fine not to exceed \$350 for each offense. In the case of a violation consisting of the abuse, damage, mutilation or destruction of more than one tree, shrub, or plant on public lands, the damage, mutilation, abuse of, or destruction of each tree, shrub, or plant shall be a separate offense. Nothing in this section shall limit the right of the Village of Brockport to pursue any remedy available to it, pursuant to § 861 of the New York Real Property Actions and Proceedings Law, Subdivision (2) of § 382 of the Executive Law of New York State, or as otherwise permitted by law.

**§ 46-15. Validity.**

- A. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter, which shall continue in full force and effect; and to this end, the provisions of this chapter are hereby declared to be severable.
- B. Saving clause. This chapter 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.

**§ 46-16. When effective.**

This chapter shall take effect immediately upon filing in the office of the New York State

PROPOSED:  
A LOCAL LAW MODIFYING CHAPTER 59 OF THE  
CODE OF THE VILLAGE OF BROCKPORT  
TITLED "CODE ENFORCEMENT"  
\_\_\_\_\_ - 2012

BE IT ENACTED by the Village Board of the Village of Brockport that Chapter 59 of the Code  
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of the Village of Brockport shall be modified, as follows:

**Chapter 59**

**CODE ENFORCEMENT**

§59-1. Issuance of appearance tickets and/or summonses by Code Enforcement Officer or Code Enforcement Inspector.

§59-2. Issuance of appearance tickets and/or summonses by Police Department

§59-3. When effective.

§59-1. Issuance of appearance tickets and/or summonses by Code Enforcement Officer or Code Enforcement Inspector.

Pursuant to Criminal Procedure Law §§150.10 and 150.20, the Code Enforcement Officer or Code Enforcement Inspector of the Village of Brockport, as defined in Chapter 36, § 36-1, of the Code of the Village of Brockport, is herewith authorized to issue and serve appearance tickets and/or summonses when he has reasonable cause to believe that a person or persons have committed a misdemeanor or a petty offense in his presence. This authorization is restricted to the following ordinances or local laws of the Village of Brockport:

- A. Chapter 6, Berms, Fences, Hedges and Screen Plantings.
- B. Chapter 10, Building Construction Code.
- C. Chapter 14, Demolition of Buildings.
- D. Chapter 15, Moving of Buildings.
- E. Chapter 16, Driveways.
- F. Chapter 17, Electrical Inspection.
- G. Chapter 19, Fire Prevention.
- H. Chapter 19A, Fire Alarm Systems.
- I. Chapter 19B, Fire Lanes.
- J. Chapter 20, Flood Damage Protection.
- K. Chapter 21, Garbage, Refuse & Open Burning.
- L. Chapter 22, Garage Sales.
- M. Chapter 27, Stormwater Management and Erosion and Sediment Control
- N. Chapter 32, Motor Vehicle Repair Shops and Gasoline Service Stations.
- O. Chapter 34, Parking.
- P. Chapter 36, Minimum Housing and Buildings Code.
- Q. Chapter 41, Plumbing.
- R. Chapter 43, Signs and Billboards.
- S. Chapter 45, Streets and Sidewalks.
- T. Chapter 46, Trees and Vegetation.
- U. Chapter 51, Trailers and Trailer Camps.
- V. Chapter 53, Carbon Monoxide Detectors.

W. Chapter 58, Zoning.

§59-2. Issuance of appearance tickets and/or summonses by Police Department.

Members of the Village of Brockport Police Department are authorized to issue and serve appearance tickets and/or summonses, pursuant to the Penal Law and the Criminal Procedure Law, relating to any misdemeanor, violation or offense of any ordinances or local laws of the Village of Brockport.

§59-3. When effective.

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

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o Memorandum of Understanding with Town of Sweden for parking ticket collection – Village Attorney Leni reminded the Board that they had previously approved the agreement with FBS – Fundamental Business Systems regarding parking tickets. The Town of Sweden Court needs to enroll in the NYS DMV PREED Program. The cost for scoffing registrations would be covered by the Village. The Town of Sweden would deduct any such costs from the monthly fines and forfeitures check. He said he believes the Sweden Town Board plans to approve the MOU at their meeting this evening.

Trustee Blackman questioned the scoffing costs. Village Attorney Leni said it is a \$2.50 per plate charge to the Town Court by NYS DMV. Trustee Blackman said it seems like this would be something the Court would assume. However, if this additional step is what is needed to get parking ticket collection running the way it should, then so be it. Attorney Leni said the Town Court is not obligated to assume that expense, just as they are not obligated to assume the expense of FBS.

Mayor Castañeda asked to be reminded what the FBS cost is. Trustee Blackman said 30% of the fine after a certain number of days per the previously approved agreement.

Trustee Blair asked if the per plate fee is in writing. Attorney Leni said it is statutory – a flat fee charged by DMV per plate.

Chief Varrenti commented that from a law enforcement perspective scoffing is not necessary, but helpful.

Clerk Morelli concurred sharing that when the Village handled parking tickets it often took the blocking of re-registering a vehicle to get repeat violators to pay their parking tickets.

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to approve and authorize the Mayor to execute the following M.O.U.:

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING, made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the TOWN OF SWEDEN, NEW YORK (the “Town”) and the VILLAGE OF BROCKPORT, NEW YORK (the “Village”).

WHEREAS, all parking tickets issued by the Village are subject to adjudication by the Sweden Town Court, including the collection of all fines paid thereon; and

WHEREAS, all fines collected by the Sweden Town Court with respect to such parking tickets are due to be remitted to the Village; and

WHEREAS, in order to address the issue of outstanding parking tickets, the Village has entered into an agreement with a third-party collection agency, Fundamental Business Service, Inc., pursuant to which enrollment is required on behalf of the Sweden Town Court in the New York State Department of Motor Vehicles “Parking Regulation Electronic Enforcement & Disposition” (PREED) Program.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

1. That all fees and charges assessed by the New York State Department of Motor Vehicles, in connection with the Town Court’s enrollment in the PREED Program, shall be paid by the Town and

fully reimbursed by the Village, and thus deducted from the proceeds of the fines which are collected by the Sweden Town Court for parking tickets issued by the Village; and

2. That upon payment, copies of all corresponding invoices issued by the New York State Department of Motor Vehicles, shall be forwarded by the Town to the Brockport Village Treasurer.

IN WITNESS WHEREOF, the Village has caused this MOU to be signed by the Mayor of the Village of Brockport, and the official seal to be hereunto affixed, and the Town has caused this MOU to be signed by the Sweden Town Supervisor, and the official seal to be hereunto affixed.

At 8:13pm, Mayor Castañeda suggested taking a 5 minute break.

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At 8:19pm:

**VILLAGE BOARD REPORTS:**

- Mayor M. Connie Castañeda
  - Monroe County CDBG – award of \$37,250 for Barry Street water main improvement project – Mayor Castañeda shared correspondence from County awarding \$37,250 for the Barry Street Water Main Improvement project from CDBG.
  - Pathstone, CEI, NYSERDA Educational Workshop on Energy Efficiency – Tuesday, 10/9 5:30-7pm – Mayor Castañeda shared that she & Clerk Morelli have accepted an offer from PathStone to host an educational workshop on energy efficiency at Village Hall Tuesday, 10/9 from 5:30pm-7pm just before the Village Board meeting. Sponsors include PathStone, NYSERDA and a yet to be named local eatery who will make dinner available.
  - Erie Canalway National Heritage Corridor roundtables Bicyclists Bring Business – 10/10 & 10/11 – Mayor Castañeda shared correspondence on 10/10 and 10/11 roundtables in Albion called “Bicyclists Bring Business – Canalway Trail Tourism for Your Downtown”. Seating is limited. RSVP’s are needed by 9/28.
  - NYS DPS – Lifeline Discount Telephone Service Program – for income-eligible consumers – Mayor Castañeda shared correspondence on the NYS Department of Public Service Lifeline Discount Telephone Service Program encouraging eligible consumers to enroll. Information is available in the lobby.
  - Brockport Food Shelf – An Evening of Music Friday, 9/28 7:30pm – St. Luke’s – Mayor Castañeda shared information on An Evening of Music to be held 7:30pm 9/28 at St. Luke’s for the benefit of the Brockport Food Shelf.
  - The Housing Council – Operating Rental Property Workshop Saturday, 10/20 9am-4pm – Mayor Castañeda shared information on The Housing Council Operating Rental Property Workshops – one to be held at Brockport Village Hall Saturday, 10/20 from 9am-4pm. Space is limited. Pre-registration is required.
  - After Hours @ The Library fundraiser – Saturday, 11/3 – sponsorship & Village basket opportunities – Mayor Castañeda shared correspondence regarding the annual fundraiser and opportunities for the Village Board to personally sponsor a food station and a gift basket for the silent auction. Be prepared to decide on commitment at the 10/2 work session.
  - Brockport Fire District – Mayor Castañeda shared that the Fire District Treasurer dropped off a press release and copy of the proposed 2013 budget. She encouraged attendance at the 10/16 public hearing at Brockport Exempts.
- Trustee William G. Andrews
  - Historic Commercial District – upper lofts feasibility – tax abatement component –

→ Trustee Andrews moved, Trustee Blackman seconded, to authorize the Village Attorney to draft a Local Law for the tax abatement component of the Historic Commercial District upper lofts project – to be modeled after the tax abatement approved a few years ago for the Historic Home Improvement program.

Discussion:

Attorney Leni said the state permits exemption for several years, to be fully taxed after 12 years. He said the State has a minimum amount of \$10,000 for conversion of commercial property to mixed use.

The Village's historic home improvement exemption was an 8 year abatement on the increased assessment.

Mayor Castañeda asked Trustee Andrews how many properties have expressed interest. Trustee Andrews said 9.

Attorney Leni said the County could match the Village's abatement. He said it is likely many would not participate if the County didn't do so. He would ask the Board later on direction as to whether to pursue COMIDA. At this point, does the Board wish to model after what the State allows or what Trustee Andrews has proposed, which is less than what the State permits.

Trustee Blackman asked Trustee Andrews if what he is proposing is generous enough to get participation or if they should go with what the State permits. Trustee Andrews said he believes his proposal is incentive enough.

Trustee Andrews said none of the property owners had the expectation of a county tax abatement.  
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Attorney Leni said it needs to be made clear that this is regarding the conversion of commercial space to mixed use / residential space.

Trustee Andrews said also upgrading residential as some already have upper floors as residential but need to upgrade them.

Attorney Leni said that doesn't qualify. State law precludes upgrading. It must be conversion.

Mayor Castañeda said it sounds like if commercial property owners are simply interested in tax breaks for improving their existing residential spaces, this would not apply.

Trustee Andrews said he would like to see the State law Attorney Leni refers to. Attorney Leni said he would forward it to the Board.

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to table for further review.

- CLG Grant for Comprehensive Survey & Website Creation – Trustee Andrews shared correspondence dated 9/12 addressed to the Mayor and copied to Historic Preservation Board Chair Kathy Goetz that he just learned of. The Village will be awarded \$9,771 to support the work on the comprehensive survey and website creation to support historic preservation efforts. The project contract was to have been approved and signed by the Mayor and returned by today. He has received an extension to handle this evening. This is a reimbursement program and the project must be under contract by the end of this federal fiscal year (9/30) and completed by 9/30/13. The comprehensive survey will include an architectural description of the structure, the history of the structure, and a photo of the structure. Grant funds will be used to hire an architect to complete the architectural description. The Village's match is the HPB members completing the history and photo portions. As to the historic preservation website, they have reviewed many and hope to model after that of Penfield.

→ Trustee Andrews moved, Trustee Blackman seconded, carried 5/0 to authorize the Mayor to enter into the Certified Local Government grant agreement regarding the \$9,771.00 grant "Comprehensive Survey and Website Creation" to support historic preservation efforts in our community.

- Historic Tax Credits – Trustee Andrews shared that he plans to attend a seminar in Binghamton 10/11 on historic tax credits for commercial properties. He will cover any travel/training costs.

- Trustee Margaret B. Blackman

- Travel/training authorization – 2012 New York State Canal Conference – 9/30-10/2 in Oswego – Trustee Blackman referred to having caught the NYSCC Director when he came through and having been invited by him and going on a portion of the inspection tour with Trustee Hannan between Syracuse and Lyons. They had a great day 9/12. It reinforced to them what a treasure we have in the Erie Canal. They met Mayors and Board members along the way. Brockport is thought of as the municipality with the most beautiful historic downtown on the canal. Trustee Blackman

said she has some ideas for Brockport to celebrate canal opening the first weekend of May – "Low Bridge / High Water" will be the theme. She hopes to get the Village, Merchants Association, SUNY, BCSD, Morgan Manning House, etc involved. NYSCC might be willing to bring a tug boat for tours. She hopes to banter about ideas at the 2012 NYS Canal Conference and requested registration cost of \$175 and travel costs of ~\$300 for a total not to exceed \$500.

Trustee Blair said it sounds beneficial, but asked from what line the \$500 would come from as it doesn't

appear monies were budgeted for Trustees training/travel.

Mayor Castañeda concurred and said while there is money in contingency, she would prefer it be used for emergency purposes or unforeseen expenses. The Board should budget for training/travel.

→ Trustee Blair moved, Trustee Andrews seconded, Mayor Castañeda abstained, carried 4/0/1 to cover only the \$175 conference registration fee for Trustee Blackman.

- Lift Bridge Book Shop – Trustee Blackman shared that Lift Bridge Book Shop has an event planned 9/28 from Noon – 1pm in which poets will be chalking poetry on the sidewalk in front.
- Farmers Market – Trustee Blackman shared that she has attended some farmers markets in other communities including Brighton most recently. She will bring suggestions to the Co-

## **MINUTES OF VILLAGE BOARD MEETING HELD September 25, 2012 continued.....page 17**

Managers and review our season once it ends – the last Sunday in October.

- Trees – Trustee Blackman updated the Board on an issue she brought forth recently – that of newly planted trees on Park Avenue having been vandalized. She said DPW Superintendent Donahue had his crew top the damaged trees and believes the trees may survive. She rescinds her previous request to consider allocating money for their replacement.

- Trustee Kent R. Blair

- Brockport Fire District – Trustee Blair said in a quick review of the Fire District's proposed 2013 budget, it appears to represent a 40% increase. He encouraged people attend the 10/16 public hearing on the proposed budget.

Trustee Andrews said he attended the Clarkson Town Board meeting earlier this evening and the Brockport Fire District Treasurer was there. He said most will go into reserves.

Mayor Castañeda said as a new entity they are exempt from the 2% tax cap their first year. They'll have to comply in future years.

- Trustee Carol L. Hannan

- Police Ride Along – Trustee Hannan shared that she did a ride along 9/15. Calls included fake ids, mental health, underage drinking, open container, public urination, noise, loud parties, Marijuana and oxycodone possession and the like. One College Street house party had 112 people escorted out. One arrest was the 2<sup>nd</sup> for a student who had recently gotten an ACD from Sweden Court.

- Vacant, Abandoned, Neglected Houses - Trustee Hannan shared that she is working with CEO Zarnstorff on processes and flow chart re dealing with vacant, abandoned, neglected houses.

- Brockport Merchants Association - Trustee Hannan shared that she attended the official opening event of SERC at SUNY College at Brockport handing out BMA's new brochures.

- Canal Tour - Trustee Hannan shared that she accompanied Trustee Blackman on the canal inspection tour with the NYSCC Director. One topic of discussion was the importance of a professional grant writer when competing for state and federal funding. Most grant applications done by lay persons are discounted. Those professionally done have the best chance of success.

- Leadership Workshop - Trustee Hannan thanked the Interfaith Council for offering and providing a workshop in which 3 Trustees attended 9/19.

- Walk Bike - Trustee Hannan shared that Walk Bike Group's annual Walk to School event is 10/3. She and Trustee Blackman plan to participate and attend a talk by Mark Fenton.

- Code Review Committee - Trustee Hannan shared that last evening's monthly Code Review Committee had no quorum.

**ADJOURNMENT:**

→ At 9:00pm, Trustee Blackman moved, Trustee Blair seconded, carried 5/0 that the meeting be adjourned.

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Leslie Ann Morelli, Village Clerk