

**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 16, 2013 at 7:00pm.**

**PRESENT:** Mayor Margaret B. Blackman, Trustee/Deputy Mayor William G. Andrews, Trustee Valerie A. Ciciotti, Trustee Carol L. Hannan, Trustee John D. La Pierre, Clerk Leslie Ann Morelli, Treasurer Daniel P. Hendricks, Building/Zoning Codes Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti, DPW Superintendent Harry G. Donahue, Attorney Amanda Insalaco, Esq

**ALSO PRESENT:** Carl & Sharon Wheat, members of the Brockport Police Department, Ariel Dickinson, Dawn Siragusa, Sophia Avery, Jessica Emmerson, Amanda Stroh, Mark Logan, Thomas Bardenett, Lesli Myers, Pam Ketchum, Joan Hamlin, Ellen Brabo, Gregory Ramsey-Macomber, Brad Davis, Linda Ketchum, Andrew Saul, Todd Hagreen, Shannon Sevor, Daniella Caputo, Kent Blair, Fred Webster

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

**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:

Sidewalk building has been much in evidence in Brockport in recent years. First, NYS DOT did Main Street. Then, Harry and his Village crew have been busy this season. In fact, they have been working on Clinton Street today. So, perhaps a look back to see how this was done in the mid-19<sup>th</sup> century might be refreshing for those who complain about big government. Well, if the property owners along a given block wanted a sidewalk, they petitioned the Village Board for permission. If it was granted, it came with strings. The Board prescribed the specifications – the materials and the dimensions – (they were always wood at that time) and set a deadline. The property owners were then required to build the sidewalk in conformity with those requirements. If they violated the Board's edicts, used the wrong wood or dimensions or overshot the deadline, they were subject to a fine. Then, they were required to maintain the sidewalks properly or be subject to another fine. Ah, for the good old days of small government!

**PUBLIC HEARING:** None

**PUBLIC COMMENT:**

- Ellen Brabo – SUNY Brockport Marketing Club – read the following prepared statement:  
Good evenings, my name is Ellen Brabo and I am the President of the Brockport Marketing Club at the College at Brockport. With me tonight are Vice President Brad Davis and Treasurer Greg Ramsey. We are here tonight seeking the support of the Brockport community. On November 16<sup>th</sup>, the College will host its first Great Strides walk to raise funds for the Cystic Fibrosis Foundation. This walk is being organized, advertised and put on by us, the officers and members of our club. Cystic Fibrosis is a disease that causes thick, sticky mucus to build up in the lungs, digestive tract and other areas of the body. CF is life threatening and is one of the most common chronic lung diseases. The average life expectancy of someone with CF is their mid 30's. My personal connection to CF is through a close family friend, Anthony Weis. Anthony was born with CF as well as his brother Richard and late brother Arthur. To this day Anthony and Richard are together known as the 65 roses brothers as well as the oldest living people with CF. Anthony is 48. This year, I walk for Anthony in hopes that through the CFF further research can aid him in a longer, healthier life. The Great Strides walk will be from 9am to Noon and registration for teams has begun. Our event is open to the Brockport community. We hope that over the course of these next two months the community will support our efforts through sponsorships, donations, individual and team registrations and fundraising. With a goal of \$5,000 to raise, we cannot be successful without the support of the community. Thank you for your time.

- Andrew Saul – 141 Main Street – complimented this Village Board for working so hard for such little pay. He said he and many in the community appreciate it. He said contrary to an odd Letter to the Editor in a recent issue of Suburban News, there is nothing wrong with officials fixing up an abandoned and neglected property and bettering the neighborhood. A. Saul said such efforts are in contradiction to lacking code enforcement. He said it is simply wrong to have a small number of property owners not follow the codes. The codes are not guidelines. They are law. Therefore, they should be appropriately enforced. A. Saul also commented that since NYS DOT improved Main Street, the flow of traffic moves faster than the speed limit and many drivers do not stop for pedestrians in crosswalks. He expressed concern for safety and indicated he has had a couple of close calls. He suggested that consideration be given to doing whatever is necessary to have the speed limit lowered and the pedestrian crossing signs be placed in the roadway. He said he understands there are some

issues with this, but believes it would be worthwhile.

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**OATH OF OFFICE:**

- Ceremonial Swearing In – Promotion of Police Officer Paul Wheat to Sergeant & Promotion of Police Officer Robert Hagen from part time to full time

- Approve promotion of Part Time Police Officer Robert Hagen to full time

→ Trustee Hannan moved, Trustee La Pierre seconded, carried 5/0 noting that the Civil Service process has been completed and authorizing the promotion of Robert Hagen from Part Time Police Officer to Full Time Police Officer effective immediately.

Chief Varrenti administered the Oath of Office to each with members of their families and of the Brockport Police Department in attendance.

**CERTIFICATES & PROCLAMATIONS:**

- Dr. Lesli Myers, BCSD Spt to accept proclamation and share anti-bullying efforts – October: Anti-Bullying Awareness Month –

→ Trustee La Pierre moved, Trustee Andrews seconded, carried to adopt the following proclamation:

***PROCLAMATION***

*WHEREAS; we must safeguard schools and communities for our children, and through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and*

*WHEREAS; many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and*

*WHEREAS; each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying; many more students attend school in a chronic state of anxiety; and*

*WHEREAS; it is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in our youth as well as the risks of teenage suicide; and*

*WHEREAS; providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and*

*WHEREAS; it is time to “Stand UP for Character – DOWN to Bullying!”*

*NOW, THEREFORE, I, Margaret B. Blackman, by virtue of the authority vested in me as Mayor, along with Trustees Andrews, Ciciotti, Hannan and La Pierre, do tender this proclamation, and designate the month of October 2013 as Anti-Bullying Awareness Month in the Village of Brockport as a symbol of our commitment to the year-round struggle against bullying.*

*ADOPTED by unanimous vote of the Brockport Village Board on September 16, 2013.*

*IN WITNESS WHEREOF, we have here unto set our hands and caused the Corporate Seal of the Village of Brockport to be affixed.*

Dr. Myers thanked the Board for the proclamation and shared information on the Brockport Central School Districts efforts against bullying and cyber bullying including the Dignity for All Students Act, Safe School Ambassadors and Student Code of Conduct. She thanked Mayor Blackman for meeting with her recently and looks forward to collaborating with the Village in innovative ways.

**GUESTS:**

- Amanda Stroh etc of BCSD – parade application (Village streets) – Homecoming Parade Friday, 10/4 – introduced her fellow Student Council Officers and Advisor and read the following prepared statement:

After watching the success of the parade last year, it was inevitable that we must try to continue to grow, expand and enhance this tradition. Before the parade in 2012, it had been quite some time since the community could gather for a Homecoming parade. Homecoming has been an important tradition at our high school, but our community has not been able to share our tradition. Many community members advocated for the revival of this event. The administration staff at the high school has worked

hard to establish a successful parade.

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The parade itself has been open to participants from school to community organizations. Such an event will surely continue to foster collaboration between the school and community, which is something the BCSD, takes very seriously. We have gone to the police department, where Lieutenant Cuzzupoli has signed the application that states the parade route will begin on College Street, taking a left onto Utica Street, a right onto Adams Street and finishing with a left onto Allen Street, ending at the Dahn Walrath Stadium. We have worked with local business sponsors, ensuring their knowledge of the day's events and the possibility of their actual parade participation. Promoting the parade would be relatively easy between word of mouth and various newspapers, not to mention social media. The schools are already working on creating floats, but we have also encouraged businesses, community organizations and churches to create unique and original floats to be a part of the parade, thus solidifying the cooperation between District and community.

We understand that this is short notice for this year's event and we apologize, but we appreciate your attention to the matter. We hope this is the start of continuing this lost tradition. Creating this parade would be connecting the community, schools, and college in a singular and joyful event that will strengthen Brockport's community and help the young recognize the importance of coming together as a community. Thank you for your time and consideration.

Mayor Blackman noted that all departments signed off on the parade application.

→ Trustee Andrews moved, Trustee La Pierre seconded, carried 5/0 to grant the Brockport High School Student Council Homecoming Parade for 5:30pm Friday, October 4, 2013 with the following route: line up on College Street, turn left onto Utica Street, turn right onto Adams Street, turn left at traffic light onto Allen Street, through BCSD campus. End at Brockport High School.

Clerk Morelli will send a courtesy notice to property owners of the streets affected by the temporary closure. It will indicate to share with any tenants.

- Mark Logan of RIT School of Film & Animation – student project filming in Brockport Saturday, 11/9 – Mark Logan introduced himself and fellow RIT student Thomas Bardenett who are working on a film and hoping to shoot some of it in the Village of Brockport. They do not want to have to solicit a special permit from NYS DOT for Main Street, so they would like to utilize Market Street and Sagawa Park. There would be 8 crew members and some extras for background – a total of approximately 25 people. They would do their best to not obstruct pedestrian traffic for long periods of time. They will be shooting from the sidewalk, not the street. They will provide the Village with a certificate of insurance from RIT.

Mayor Blackman asked if this would be done before shops open. T. Bardenett said no as they anticipate it will take 3 to 5 or more hours. However, pedestrian traffic can flow around them or halt while shooting a scene. He said they have also arranged to shoot inside Coleen's Café.

Clerk Morelli said if they are filming from the sidewalks and not the street, then they are not requesting street closures. Therefore, they can use Main Street as they would not need to get a permit from NYS DOT as it is sidewalks only. M. Logan said they would love to use Main Street and is glad to hear that.

Mayor Blackman said she assumes they chose to shoot in the Village of Brockport because of its beautiful historic properties and downtown commercial district. M. Logan said yes. Mayor Blackman said she is all in favor of efforts that may bring business to the community.

M. Logan said their goal is to get it into film expos around the country. It is a quirky short film - drama/comedy/mystery about death and being bad at your job.

Chief Varrenti asked if they would be blocking the Brockport Fire Department Headquarters on Market Street. M. Logan said no.

→ Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 to grant approval for outdoor filming in the Historic Downtown Commercial District on Main Street and Market Street and in Sagawa Park on Saturday, November 9<sup>th</sup> for several hours beginning at approximately 8am and to authorize the Mayor to execute the location agreement.

Clerk Morelli will provide mailing labels to M. Logan so that he may send a courtesy notice to property owners of the portion of the streets in which filming will take place. She suggested any correspondence indicate to share with any tenants and that the Village be copied on such.

Board indicated a desire to see the short film when it is finished.

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- Ronan John-Baptiste of Just Energy – 12 month peddling application – Applicant did not show. Board reviewed the application dated September 3<sup>rd</sup>. Clerk Morelli shared that Chief Varrenti happened to be at Village Hall when the applicant came in. They discussed with the applicant that many complaints came in regarding Just Energy’s last permit as to going door to door too late in the evening (after dark), hooded salespeople with no visible ID badge, and high pressure tactics. A single permit is issued to the company, not to the individual(s) going door to door.

Board did not take action on the application. They asked Clerk Morelli to let Just Energy know that if they wish to move forward with the application, a representative will need to attend the Village Board meeting as stated on the application.

Chief Varrenti suggested that should approval be granted, it be for a probationary period, between the hours of 9am to dusk only (not after dark), and revocable if complaints come in.

Mayor Blackman mentioned that there is an energy company calling by phone called “Power Brokers” and suggested that citizens be careful in doing their homework before they commit to anything. Sometimes they are not cheaper after all.

- URM – Real Estate Services & Space Planning – re Strong West – 156 West Avenue – Three representatives Kathy Parrinello, Leon Gossling and Mary Ackerman were in attendance. They thanked Mayor Blackman for meeting with them recently and for Clerk Morelli providing a link to them from the Village website. They are excited to provide their services to the greater Brockport community. They provided a handout and made them available at Village Hall. Strong acquired Lakeside Memorial Hospital assets in early August and worked diligently to open Strong Urgent Care @ Strong West the day after Labor Day. It is open 7 days a week Noon -7pm. URM Imaging is open 7am-7pm Monday through Saturday and Noon-7pm Sundays. URM Labs is open 7am-5pm Monday through Friday and 7am-11am Saturdays. At Strong West, folks have access to an extensive network of primary care doctors who are affiliated with Strong Memorial Hospital. URM Orthopedics will be moving to the Strong West building soon. Strong West provides easy access to URM Urology and URM Cardiology. Strong Urgent Care and Internal Medicine is also available in Spencerport on Nichols Street. Hopefully by January or February, after NYSDOH review, Strong West at 156 West Avenue will have a full service Emergency Department – upgraded from current Urgent Care. Ambulances will be able to go to the E.D. There will be Emergency Medicine Physicians there 24/7. There will be an outpatient surgical center after some renovations and upgrades to the operating rooms.

They said the bones of the Lakeside facility were terrific. It had been well maintained. Most of the work done thus far has been cosmetic – sprucing up. Once the Emergency Department is opened, the entrance will move to where the lab/imaging is so that it is a straight shot to the elevators. The former OB/GYN area will become pre-op and recovery. The 2<sup>nd</sup> and 3<sup>rd</sup> floors will become doctors offices and clinics. There will be a lot of renovation activity January through June 2014.

Trustee La Pierre asked if the professional office building will remain as is. The Strong West reps said yes. It will remain leased for medical offices. Most occupants have stayed on. The front of the building along West Avenue may have space made available for community groups. There may be a café or food kiosk. They would be open to a local operator.

They are working with Brockport Community Physicians Group that meets monthly. They understand the needs of the area and the mix of services it calls for.

Trustee Andrews said the community is delighted to welcome Strong. Having the services the community needs is of utmost importance. He understands that it won’t include long-term in-patient services.

DPW Spt. Donahue asked if Strong West will have an occupational health program to do random drug and alcohol testing and the like for workers with CDL’s. The reps said they would be happy to talk with him about that and bring back that and any other suggestions.

**CONSENSUS ITEMS:**

- **APPROVAL OF MINUTES:**

→ Trustee La Pierre moved, Trustee Ciciotti seconded, Trustee Andrews abstained due to absence, carried 4/0/1 that the minutes of the 08/19/13 meeting be approved as amended.

→ Trustee La Pierre moved, Trustee Ciciotti seconded, carried 5/0 that the minutes of the 08/26/13 work session be approved as written.

• **APPROVAL OF BILLS TO BE PAID**

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

A/P Clearing Account

	<u>Abstract Date</u>	<u>Amount</u>
FUND (A): <u>General</u>	8/28/13	\$38,213.81
	9/16/13	\$35,304.69
FUND (F): <u>Water</u>	8/28/13	\$30.22
	9/16/13	\$40,369.76
FUND (G): <u>Sewer</u>	9/16/13	\$226.29
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>Trust &amp; Agency</u>	9/16/13	\$100.00
		\$114,244.77 grand total

**CLERK REPORT:** Clerk – Leslie Ann Morelli

- LGRMIF grant application awarded \$16,105 – Clerk Morelli reported having received notice that the Village’s grant application for funds through the Local Government Records Management Improvement Fund was approved. The project is scheduled to take place approximately January – June 2014. She commended the work of Jean O’Connell Associates on the grant application. The person who will be hired to fill the Deputy Clerk-Treasurer vacancy will play a role in overseeing the work and administering the grant.

- Update on 2013 Village tax collection – Clerk Morelli reported that the initial delinquent notices went out in early September. Tax collection is at 95%.

**DEPARTMENT REPORTS:**

- Treasurer – Daniel P. Hendricks
  - Financial reports for period ending 8/31/13 – Treasurer Hendricks referred to the reports included in the packet. He has no major concerns.

- Budget Transfers & Budget Amendments – Treasurer Hendricks said he does not have any prepared for this evening, but will for his next appearance that will clear up a few minuses in some budget lines.

- Overview of 9/9-9/13 NYCOM Fall Training School – Treasurer Hendricks thanked the Board for budgeting for and allowing him to attend this training. It was his first time at the NYCOM Fall Training School. It was 4 solid days of various classes. He attended sessions such as fraud prevention, fiscal stress monitoring, NYS Retirement Tier 6, establishing a Village Court, and a tax cap workshop where it was recommended to adopt a Local Law to override the tax cap simply as a precaution – just as we have done.

- Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff
  - Strong West – Codes Officer Zarnstorff said he put a good amount of time working with them on the renovations. They were easy to work with and they have a real desire to serve this community. He looks forward to their further upcoming projects.

- 52 Monroe Avenue - Codes Officer Zarnstorff said Brockport Fire Department has had a long dry spell without a major fire until last week – a house fire at 52 Monroe Avenue. A passerby saw smoke and heard alarms. BFD make a quick response. The fire started due an overheated window air conditioner – too much for the existing wiring. The fire burned in the walls for a while. This is not uncommon, particularly in older homes with older wiring and portable heating or cooling units. He said he took the opportunity to notify the neighborhood of what happened. Many in the area are college housing whose tenants do not necessarily ask their landlords about using portable heating or cooling units. The property owner and family are working on remediation/rebuild plans.

- Banner on a Monroe Avenue house - Codes Officer Zarnstorff said a house occupied by college students on Monroe Avenue has displayed a banner on the house promoting gun rights. They are not receptive to removing it and the property owner does not want it hung on his house. A dialogue is continuing.

- Vacant/Abandoned Properties - Codes Officer Zarnstorff referred to a recent article in a NYCOM publication about a property maintenance company partnering with the American

Association of Code Enforcement Officials and encouraging municipalities to register with them as to its vacant/abandoned properties. The company does the research that enables a municipality to notify the bank of property maintenance issues. He has registered for this free service as having someone credible to talk to on some of the Village's vacant/abandoned properties has been a problem. He hopes to use this service to our advantage.

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▪ Police – Police Chief Daniel P. Varrenti

▪ Swearing In and Retirements – Chief Varrenti thanked the Board for allowing the Ceremonial Swearing In of new officers and officers receiving promotions as well as proclamations to those retiring. It means a lot to the Brockport Police Department and to their families.

▪ Sex Offender Notification Process - Chief Varrenti referred to a memo to the Board and provided one to Clerk Morelli that addresses the Sex Offender Registry and community notification designation list. A recent example is that of registered sex offender Dennis D. Burns who is assigned risk level 2 and has been on the registry since 2006. He is currently residing at 30 Cloverwood Drive in the Village. He is well known to members of BPD and had been residing in Orleans County since 2008. A “B” list community notification was appropriate since his victim was a teenage female acquaintance.

▪ Satellite Office at Brockport Middle School - Chief Varrenti shared that the Brockport Police Department satellite office at the A.D. Oliver Middle School is up and running. He, Lieutenant Cuzzupoli and Mayor Blackman addressed the BCSD staff before the opening of the school year and they were very receptive to it. Since the opening of school, students have been high-fiving Police Officers in the hall and are also receptive to it. He said he is grateful to BCS for welcoming them and credits former Trustee Kent Blair with the idea.

▪ Strong West - Chief Varrenti shared that he met with the security staff of URM. The head of it is a former NYS Inspector. They are off to a great start and will continue dialogue and collaboration.

▪ Speed Limit - Chief Varrenti referred to A. Saul speaking earlier during Public Comment. He said he encourages people to speak up and to come up with ideas and suggestions. As to working to get the speed limit lowered on Main Street (a NYS road), Chief Varrenti said he may have been a proponent of such in the past, but believes it is not the speed limit, but the latitude granted by the Officers. Police Officers have the power of discretion. He said he does not micromanage, but has said and will say again that maybe the officers are too lenient. The Officers recognize this and he has asked that the law be enforced more closely. He advises that motorists go the speed limit or a speed reasonable and prudent for conditions such as weather. Chief Varrenti said A. Saul's timing to speak on this matter this evening was great since the entire Police Department was in attendance for the swearing in.

▪ Public Works – Superintendent Harry G. Donahue

▪ Monroe Avenue Storm Sewer Replacement – DPW Spt. Donahue shared that the

Village was successful in getting CDBG funding for this project. Contracts will be forthcoming. Then work can start after weather breaks.

Trustee Andrews asked if the \$34,750 being awarded was what was asked for. DPW Spt. Donahue said no. They are always told to include labor and equipment costs, but the award covers only the materials and restoration work. However, the labor and equipment costs are already a cost to the Village, they just aren't reimbursable.

▪ Water Flushing – DPW Spt. Donahue announced the following:

*NOTICE TO BROCKPORT RESIDENTS*

*PLEASE TAKE NOTICE that WATER MAIN FLUSHING in the Village of Brockport will take place 14 – 16 October 2013.*

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 **14 thru 16 October 2013**. 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, 14 October 2013:**  
North of the canal.

**Tuesday, 15 October 2013:**  
SOUTH of the canal.

All hydrants, EAST and WEST  
of North Main Street (NYS Route 19)

All hydrants EAST of Main Street.

**Wednesday, 16 October 2013:**  
SOUTH of the canal  
All hydrants WEST of Main Street

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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.

- Fall Brush Pick Up - DPW Spt. Donahue announced the following:

*VILLAGE OF BROCKPORT RESIDENTS  
PLEASE TAKE NOTICE*

**FINAL BRUSH PICKUP** for the 2013 season is Monday October 28, 2013.

Your Department of Public Works crew will be around to make the **FINAL** routine pickup of brush on Monday October 28, 2013. 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.

- Corbett Park proposed electric – DPW Spt. Donahue said he is following up on Trustee Andrews desire to have electric at the Corbett Park pavilion for a rain location for Summer Serenades. The estimate to install electric for a meter box and service cable is \$1,280 not including the cost of the electric itself. Trustee Andrews said it wouldn't just serve for a rain location for the concerts, but if community groups needed electric maybe they could sign out a key or get the code from either the DPW Spt. or Clerk.

Mayor Blackman encouraged DPW Spt. Donahue to get other electrical estimates. She said this may be something to work into next year's budget.

- Barry Street Water Main Replacement - DPW Spt. Donahue shared that the project is going well with only 1 more house to go, then repair the ditch line binder. Then mill and pave come spring.

- Barry Street Park – Trustee Andrews asked DPW Spt. Donahue if re-doing the tennis courts is on the DPW schedule. DPW Spt. Donahue said no – as the fence is too close to the base line.

- Canal Themed Mural on DPW Building - DPW Spt. Donahue said the building will be power washed and painted since the artist will be painting the canal themed mural in October.

- West Avenue Sanitary Sewer Project - DPW Spt. Donahue provided the necessary information to the Village Attorney to draw up the appropriate easement documents for the few houses on West Avenue to hook into Remington Woods.

- Casey Place and Berry Street - DPW Spt. Donahue reported that 280 feet of 10

inch storm sewer pipe has been found to be full of tree roots and causing flooding issues. Pipe has been ordered through the current budget.

- Smith Street Bridge – Mayor Blackman asked DPW Spt. Donahue when DPW planned to wash down the Smith Street Bridge. Spt. Donahue said it has not yet been placed on the schedule, but it is not in bad shape and will get done.

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- **PERSONNEL ITEMS:**

- Deputy Clerk-Treasurer vacancy – Search Committee update – Clerk Morelli shared that 5 finalists have been selected from the 27 applications and they will be interviewed September 18<sup>th</sup> with call back interviews of the top 2 or 3 after that. The committee plans to have a hiring recommendation for the Village Board’s October 7<sup>th</sup> meeting.

- Building Inspector Part Time vacancy – Search Committee update – Mayor Blackman shared that the applications received were few and only 2 meet the qualifications. The committee meets September 23<sup>rd</sup> and will have a recommendation for the Village Board as to how to proceed.

- Remaining Boards/Committees vacancies – application deadline Noon, 8/15
  - Planning Board – complete a 5-year term in progress to 6/30/17 -

→ Mayor Blackman moved, Trustee La Pierre seconded, carried 5/0 to appoint Laurie A. LoMonaco as a member of the Planning Board to complete a 5-year term in progress to 6/30/17.

- Tree Board – 4-year term to 6/30/17 (DPW rep) –

→ Mayor Blackman moved, Trustee Hannan seconded, carried 5/0 to appoint Keith Marshall as a member of the Tree Board (DPW rep) to complete a 4-year term in progress to 6/30/17.

- Parks Committee – complete a 4-year term in progress to 6/30/16 –

→ Mayor Blackman moved, Trustee Andrews seconded, carried 5/0 to appoint Luciano Spalla, as a member of the Parks Committee to complete a 4-year term in progress to 6/30/16.

- **OLD BUSINESS:** None

- **NEW BUSINESS:**

- Approve and authorize Mayor to execute contract – CLG – State & National Register Nominations –

→ Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 to authorize the Mayor to execute the Certified Local Government contract to hire a consultant to prepare nominations for the state/national registers for a State Street / Park Avenue historic district, the High Street Cemetery, Hartwell Hall and the former freight depot.

Trustee Andrews shared that upon recommendation of Virginia Barto the freight depot has been added, so CLG added funding and will adjust the budget to account for it. Architect David Strabel is working with the new owner of the freight depot and assured that they are not changing anything that would affect historical significance. Trustee Andrews said the next step would be to authorize an RFP for a consultant.

**8:38pm-8:43pm - 5 minute recess**

- Village Court – final report – Mayor Blackman provided a Power Point presentation (attached at the end of these minutes). Narrative report as follows:

**Village Court—Revisited**

This is the last in a series of three previous reports relating to a Village Court for Brockport. The first dealt with the longstanding issue of delinquent village parking tickets that had accumulated for several years. The second dealt with the broad question of how well the Sweden Town Court is serving the needs of the Village, and the third report looked at two villages with SUNY campuses and village courts that offered a comparable picture to Brockport. Those reports are available online at the village website. This is a final report with a recommendation.

**Why have a Village Court**

1. We have our own police force and approximately 60% of the tickets they write and/or arrests they make return no revenue to the village. By state law that revenue goes to Sweden because we do not have our own court. Of the 10 villages in Monroe County 3 have their own police force; two of those (Fairport and East Rochester) have their own village courts--we do not. Honeoye Falls, with no village police force, has its own court.

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2. With a village court, the judicial system would be more responsive to the village and function more efficiently. One could cite specific cases where court decisions would most likely be different and more in the Village's interest if we had our own court, but for example's sake let's take the matter of parking tickets, where the village took action to look after its best interests.

Until January of 2012, following my report on parking, the Sweden Town Court was not reporting parking revenue to the Office of the State Comptroller. We simply received a check at the end of the year for all parking fines. This had been the practice for years. In 2011 the court brought to our attention boxes of delinquent tickets that had accumulated because the court had neither a scofflaw arrangement with the DMV nor the time to pursue them with collection notices. Fast forward to October 2012 when, at our initiative, we signed an MOU with the Town of Sweden to have Fundamental Business Service, a collection agency that works with justice courts, pursue collection of delinquent tickets. The collection of these tickets, which began in May 2013, got off to a rocky start but finally, the court is making a herculean effort to process five years of delinquent parking tickets that are beginning to be repaid. Understandably, this is not a job they relish, nor a burden that they want; it takes up a lot of clerk time, and Sweden does not benefit from the fines, which go entirely to the village of Brockport. And those fines, as will be noted, are substantial.

**Regarding Consolidation**

Consolidation is being pushed by our Governor—we have seen it with the facilitation of the dissolution process. In the case of village courts, although 58% of New York's villages have their own courts, more village courts have been consolidated with their town courts in recent years than have been formed. Nonetheless, village courts are still being formed—because the most local government is the most responsive government. Within the last few years three village courts have been formed on Long Island; the most recent is the Montebello Village Court in Rockland County, formed in February, 2012. I'll be referring to that court in this presentation when it comes to startup costs.

Village courts are easy to form, easy to dissolve. The position of village justice is created by Village Board resolution or by local law. It is dissolved the same way.

**The Revenue Matter**

The purpose of forming a village court is not to make money; however, it's important to know the revenue stream because we count on the fines and forfeitures we currently receive—for parking and village ordinance violations—as part of our budget.

In the third report that I presented we looked at Geneseo and Fredonia as models for Brockport. Both have SUNY college campuses, both have village police departments and village courts. Both, in fact, have village courts that produce more revenue than their respective town courts, and each nets over \$100,000/year. In that report I concluded that, similar to these justice courts, Brockport Village Court would net substantially more revenue than we currently receive from fines and forfeitures.

**Projected Revenue for a Brockport Village Court—Updated**

*Financial information sources*

% of Sweden Town Court (STC) cases that are Brockport's	60% <sup>1</sup>
SWC revenue that remains local— average of 2011/2012 local revenue <sup>2</sup>	\$140,000

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<sup>1</sup> This is a conservative approximation, based on Geneseo as a model where 60% of the caseload/fines are village and 40% town's. Also, based on 2011 VTL (Vehicle and traffic Law) tickets written for the STC, by far the largest percentage of court business, 58% of them are written by Brockport police.

Village Ordinance (VO) and parking fines—  
average of 2011/2012<sup>3</sup> \$55,531

**MINUTES OF VILLAGE BOARD MEETING HELD September 16, 2013 continued.....page 10**

*Based on 2011-2012 figures*

60% STC local revenue	\$84,000
VO and parking	\$55,531
Total village court income	\$139,531

*Based on projections of current/future parking revenue*

The average annual parking income for the village of Brockport is \$27,600. In the eight months of 2013, Brockport has realized \$62,765. Of that, \$13,650 is owed to Fundamental Business Service, leaving us with an eight-month net of approximately \$49,000, \$33,000 of which is from delinquent tickets. It is reasonable to assume that we would net \$50,000 annually in parking fines now that delinquent tickets are being pursued.

60% STC local revenue	\$84,000
VO and parking	\$77,931
Total village court income	\$161,931

Keep in mind that income above and beyond what we now receive will help offset the cost of our police department.

**What does it cost to run a Village Court?**

Geneseo provides the closest model, with two part time clerks (at \$10.30/hour and \$13.26/hour) and one fulltime clerk who is shared with the town court. Village and Town split the cost of the fulltime clerk's salary and benefits. Two part time justices divide the caseload evenly and are recompensed \$12,245 each. Total costs for court personnel, mailings, software, etc. for 2012-13 were just under \$62,000. (Local revenue for Geneseo Village court in 2012-13 was \$175,405, so their court netted over \$100,000.)<sup>4</sup>

Comparable personnel and costs for a Brockport court would be: two part-time judges at \$10,000 each, two part time court clerks at \$12-\$15/hour for 20 hours a week each (plus FICA and retirement), a court attendant for security for 20 hours a month @ \$12.50 hour (plus FICA), mailing and other contractual costs (e.g. software). These costs should total no more than \$65,000 a year.

**Where would a Village Court be held?**

Given a projected annual caseload of up to 2500 cases based on Brockport Police Department arrest statistics, court would have to be held one night a week. There are three possibilities, each with their pros and cons:

*1. Village Hall*

Pros: raised bench, possible judge's/clerks office next to the court space (current office of code enforcement), space for attorneys to meet with clients in the back room; courtroom is internet ready, no rent, ample parking in the area.

Cons: small size will require careful scheduling, public bathroom poorly located; access from judge's office to courtroom would likely have to be created.

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<sup>2</sup> in 2011 — \$144,238; in 2012 —\$135,709; data from the Office of the State Comptroller

<sup>3</sup> in 2011—\$56,550; in 2012—\$54,512; data from the Office of the State Comptroller

<sup>4</sup> Information from Marsha Merrick, Geneseo Village Clerk, by phone, 8/8/13

2. *West Ave Fire Hall*

Pros: larger room, bathrooms better located for the public, ample street parking, no rent

**MINUTES OF VILLAGE BOARD MEETING HELD September 16, 2013 continued.....page 11**

Cons: no place for attorney/client meetings, no raised bench, internet access would have to be installed, court personnel would commute from judge's/clerk's office.

- *Sweden Town Court*

Pros: everything completely set up for court, large court room, conference room available for attorney/client conversations

Cons: rent could be substantial

**Startup Costs**

Before the court can even function, there are startup costs which can include office furniture, filing cabinets, computers/printers, as well as law books or, preferably, subscription to an online law library and the court software (SEI). Once the court is created, the Office of Court Administration (OCA) steps in to evaluate court space (working within your budget), assist in training clerks and provide schooling for judges. Once a year the Justice Court Assistance Program (JCAP) makes available to existing courts grants of up to \$30,000, which can be used for building/courtroom improvements, furniture, etc.

The newly established Village Court in Montebello NY, appropriated \$26,000 of the village budget for startup costs, which included installing a judge's office in the community center that is their courtroom space, as well as other purchases, and reimbursement of judges' travel and hotel for training sessions. They used only \$22,000 of the recommended amount. I believe Brockport could set up a court for a similar amount.

Startup funds, obviously not part of the 2013-14 budget, would come—appropriately—from delinquent parking ticket income. As previously noted, in just four months (May through August) we have netted \$33,000 in delinquent parking ticket income.

**Where do we go from here?**

*I recommend that this board take action to create a village court.*

A village establishes a justice court by establishing the position of village justice. Pursuant to Village Law § 3-301(2)(a), village boards of trustees are authorized but not required to establish the office of village justice. The office of village justice may be established by either resolution or local law, subject to a permissive referendum.<sup>5</sup>

*At the first meeting in October I will ask the board for a resolution to create the position of village justice and for the allocation of the necessary startup funds for a village court.*

<sup>1</sup> Such office can be abolished similarly, but to take effect only upon the expiration of the current term of such office. See Wade Beltramo, "Creating, Dissolving, and Running Justice Courts," 2008 NYCOM Fall Training School.

Trustee Andrews said he appreciates Mayor Blackman's research and analysis and each Board member should be inspired by her due diligence.

Treasurer Hendricks commented that we get parking ticket revenues with or without a Village Court. Therefore, the net increase would be \$40,000, not \$90,000. He said if the reason for creating a Village Court is only financial, it doesn't make sense. The logistics will be a big issue.

Chief Varrenti said he suggested the Village Hall conference room as an option for holding Village Court. Allowed occupancy is 49 persons, but would increase if some adjustments were made such as

adding a door or escape window. He questioned whether Village taxpayers would still support Sweden Town Court through their Town taxes. Mayor Blackman said yes. Chief Varrenti questioned why Mayor Blackman thinks the Town of Sweden would charge rent to locate Village Court with Town Court. Clerk Morelli reminded that it would be within their rights to do so as they charged the Village rent per square foot of space when the Village Offices were located at Town Hall. Relocating was due in part to the

**MINUTES OF VILLAGE BOARD MEETING HELD September 16, 2013 continued.....page 12**

increasing rent and decreasing space allowed for the Village as well as the fact the Village owned the building formerly occupied by the Seymour Library and it was vacant. Chief Varrenti said there are a number of considerations in establishing a Village Court, the biggest being that violations of Brockport Village Laws should answer to the Village of Brockport, not the Town of Sweden.

**VILLAGE BOARD REPORTS: 9:08pm**

- Mayor Margaret B. Blackman
  - College at Brockport Saturday Day of Service – Mayor Blackman reported that 3 Board members participated in various aspects of the 8/24 event. She walked door to door with a group of freshmen promoting neighborly relations. They stopped to talk and deliver literature to college students in off-campus rentals, Village home owners and two landlords. This had a nice write up in the Democrat and Chronicle.
  - Brockport Central School District – Mayor Blackman said she met with Dr. Lesli Myers and was invited to speak at their BCS faculty and staff before-school gathering.
  - Student Intern – Web Design – Mayor Blackman shared that Lakita Marshall, communications major and creative writing minor at the college is an intern this semester. They are working together on a redesign of the Village website. This would include video link to stream Village Board meetings. They have been looking at other municipal websites. If a Trustee wishes to help work on this, they welcome involvement. It will be coming before the Village Board and Department Heads for input as it progresses.
  - Emily L. Knapp Museum & Library of Local History - Mayor Blackman shared that she met with Trustee Hannan, Historian/Museum Director Morris, Museum Committee Member Doug Wolcott and Professors Neal Keating and Jennifer Ramsey. One of the most successful Village/College partnerships relates to the Museum. There is now a museum studies program and students in two courses (one in the fall and one in the spring) who will be working with the museum collection. They have a vested interest in the museum and creative ideas for expanding its mission and for it a museum which really speaks for all of Brockport. Mayor Blackman said she forwarded some of their ideas re grants to the Village's grant writers.
  - I.T. - Mayor Blackman shared that she met with Chris Zelak, the I.T. consultant for Village Hall and DPW to discuss the Microsoft Web application Sharepoint, which may be our ticket to saving paper and data entry time among other benefits. He will come to an upcoming Village Board work session to discuss and demonstrate.
  - Bonduelle - Mayor Blackman shared that the Bonduelle packaging plant in Brockport has 221 employees (retained from when it was Allen's) and they are investing in the facility and looking to expand warehousing. Brockport does the packaging – private, food service, industrial. She hopes to tour the plant with the CEO later this fall. If any Trustees are interested, please let her know. She recently toured the location in Bergen.
  - C.G.I. Video - Mayor Blackman shared that the C.G.I. video folks will be here October 8<sup>th</sup> to video the Village for the website's welcome to Brockport. Trustee Andrews will meet them at 9am to accompany them. If any other Trustees are interested, they are welcome.
  - Canal Themed Mural on DPW Building - Mayor Blackman shared that October 19<sup>th</sup> is the date set for artist Stacey Kirby to install the mural.
  - Seymour Library After Hours Fundraising Event - Mayor Blackman shared that this year's event is November 9<sup>th</sup>. She spoke with Chairperson Debra Cody who has invited the Village to put together an educational/entertaining exhibit/slide presentation that highlights the Village as one of their three sponsoring municipalities. Mayor Blackman said she has put Trustee Andrews on this but the Board should talk at the upcoming workshop about what form it might take (an historic focus on the library in Brockport? A continuously revolving slide show that includes objects on display? Highlight

archival resources about the Village at the Emily L. Knapp Museum, the Library and the Morgan Manning House? Just no speakers as people have too much fun socializing at the event.

- Code Enforcement - Mayor Blackman read the following prepared statement:

In my brief time in office I have heard from the public more about code violations and code enforcement than any other Village issue – and I’ve heard a lot – in face to face conversation, in phone calls, and emails.

Let me briefly state my philosophy on code enforcement. We all know that ignorance of the law is no excuse for violation of the law, but I’m also a strong believer in educating the public about the codes. Code enforcement should be fair, it should be consistent, it should be timely, and it should aim for **MINUTES OF VILLAGE BOARD MEETING HELD September 16, 2013 continued.....page 13**

compliance rather than court, whenever possible. Complaints should be handled expeditiously, at the level of the Code Enforcement Office; they shouldn’t have to percolate up to the Mayor’s Office or over to the Police Department.

Code enforcement is not living up to my expectations nor to the expectations of the public. How a Village handles enforcement of its codes says a lot about the face that Village presents to the public. Code enforcement affects who wants to live or visit here. It is one of the most important determinants of the future of this Village and we have to do something about it.

Regarding our current situation, I will be the first to say that staffing is inadequate. There is more work than can be easily handled by a single individual who is Building Inspector, Code Enforcement Officer, and Fire Marshal for a Village of 8,300 people. Nonetheless, the bottom line is that there are violations that have gone unaddressed for long periods of time and we must work away at them, one at a time.

Garbage/refuse is one of those. There are numerous examples of garbage receptacles that violate our codes, several of them within 50 feet of this building. There are too many examples of refuse being hauled to the curb for pickup and then languishing for days beyond the 24 hour period of allotted curb time. Uncontrolled refuse is not only unsightly, it’s a health hazard. So we’re going to begin with garbage – if you’ve got garbage cans with no lids, get lids or expect a violation notice. Don’t put garbage refuse out to the curb more than 24 hours before it is to be picked up. If you get a violation notice and the problem isn’t corrected within the stated time, expect a ticket.

- Trustee/Deputy Mayor William G. Andrews

- Seymour Library – Trustee Andrews shared that as the new Village Board liaison to the Library, he is to meet with Linda Sanford and Sri Ram Bakshi of the Library Board and attend their monthly meetings.

- Welcome Center Management Committee- Trustee Andrews shared the worst case of vandalism in the Welcome Center’s history. Vandals recently graffitied and untied 3 boats causing near collision with the Park Avenue Bridge.

- Town of Sweden Bicentennial Celebration Committee - Trustee Andrews shared that he is a member of this planning group with events every month in 2014 – 3 of which are his responsibility. More information will be forthcoming.

- GBDC - Trustee Andrews reported that Summer Serenades concerts were a great success with as many as 180 people at a concert. Attendance was up overall and costs were covered by sponsorships. They are considering adding a performing arts event on a separate night next summer. Jackie Davis and Gary Skoog are working on that.

- Town Board meetings - Trustee Andrews reported that he continues to attend Sweden Town Board and Clarkson Town Board members as available.

- 9/11 Vigil and Ceremonies - Trustee Andrews reported having attended the evening ceremony of the Brockport Fire Department’s annual 9/11 vigil.

- Brockport Community Museum - Trustee Andrews reported that 2 more interpretive signs are being manufactured for placement in October – 1 is proposed for placement in Sagawa Park and 1 is proposed for placement on Main Street / Market Street.

- Trustee Valerie A. Ciciotti

- Parks Committee – Trustee Ciciotti shared that she and Trustee La Pierre helped the Parks Committee and college and community volunteers spruce up the parks on August 24<sup>th</sup>. It

was a very productive work day. The Parks Committee had an inspection day that she couldn't attend in which each park was surveyed and recommendations for repairs and improvements were forwarded to DPW Spt. Donahue for action. A meeting is scheduled for early October.

- Code Review Committee – Trustee Ciciotti shared that she attended the last meeting of the Code Review Committee. This committee has a difficult job with a lot of thought and cooperation going into their work. Their recommendations are referred to the Village Attorney for review and re-work as necessary. Then it comes to the Village Board for review and to call for public hearing for possible amendments to the Village Code.

Codes Officer Zarnstorff said CRC and Attorney are ready for VB review of Chapter 34-Parking at the next work session. They are finalizing work on Chapter 36-Minimum Housing and Buildings Code.

- DPW – Trustee Ciciotti shared that she and Trustee La Pierre as liaisons to DPW have toured onsite and offsite locations and found it very informative.

**MINUTES OF VILLAGE BOARD MEETING HELD September 16, 2013 continued.....page 14**

- Code Enforcement - Trustee Ciciotti shared that she and Trustee Hannan serve as liaisons to Code Enforcement. She continues to familiarize herself. She is serving on the Search Committee for Building Inspector Part Time and looks to reconsider the needs of the department.

- Purple Paint Project - Trustee Ciciotti shared that she responded to the email from Offsprings Charities regarding its National Domestic Violence Awareness Month campaign for October. Village buildings will have a strand of purple lights displayed to bring attention to domestic violence. The group is reaching out to communities, police departments, schools, colleges, etc., and a further role may be played in organizing buddy systems for children affected by domestic violence.

- Request Executive Session – Trustee Ciciotti requested an Executive Session at the end of the meeting regarding a personnel/performance matter.

- Trustee Carol L. Hannan

- Emily L. Knapp Museum & Library of Local History – Trustee Hannan shared that she serves as liaison to the Museum. The committee is working very hard on a number of things. There is no formal structure as to the Museum Committee number of members, terms, residency requirements, roles, etc. She hopes to work to draft something for Village Board approval to make this committee on par with other Village Boards and Committees. Additional renovations are needed. Several months ago it was lighting. They need to improve accessibility and are getting estimates for a chair lift to get to at least the 2<sup>nd</sup> floor if not the 3<sup>rd</sup> floor. They are digitizing some of the oldest records

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hundreds of pages as far back as the 1830's. Someday they hope to make documents available on line. They look forward to the arrival of the college students and their help.

- Trustee John D. La Pierre

- Parks Committee – Trustee La Pierre concurred with Trustee Ciciotti on having participated in the parks work day and shared that he attended the survey day. He said overall, the parks are in excellent condition and the community should be proud of the number and condition of Village parks.

- DPW - Trustee La Pierre concurred with Trustee Ciciotti on having participated on tours of onsite and offsite properties and commented that he is amazed at how much grass DPW mows.

- College at Brockport Saturday Day of Service – Trustee La Pierre concurred with Mayor Blackman on having participated in the event 8/24. He commented that the number and enthusiasm of college student volunteers were refreshing.

**EXECUTIVE SESSION:**

→ At 9:35pm, Trustee Ciciotti moved, Trustee La Pierre seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a personnel matter involving the Police Department.

Chief Varrenti and Treasurer Hendricks were invited to sit in.

Mayor Blackman shared that she does not anticipate any action after Executive Session. She excused the remaining Department Heads and Attorney.

→ At 10:30pm, Trustee Ciciotti moved, Trustee La Pierre seconded, carried 5/0 that the Board of

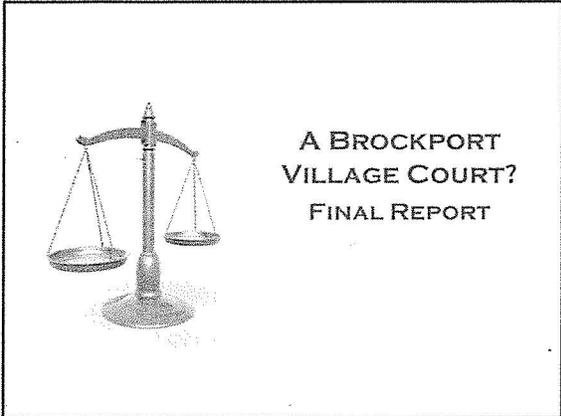
Trustees of the Village of Brockport re-enter the regular meeting.

**ADJOURNMENT:**

→ At 10:30pm, Trustee Andrews moved, Trustee Hannan seconded, carried 5/0 that the meeting be adjourned.

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Leslie Ann Morelli, Village Clerk



**Review: Why Have a Village Court?**

- We have our own police force and approximately 60% of the tickets they write and/or arrests they make return no revenue to the village.
- The judicial system would be more responsive to the village and function more efficiently.

**Responsiveness: Parking**

- Until January of 2012 the Sweden Town Court was not reporting parking revenue monthly to the Office of the State Comptroller. We received an annual check for all parking fines.
- 2011 the court brought to our attention boxes of delinquent tickets that had accumulated because the court had neither a scofflaw arrangement with the DMV nor the time to pursue their collection.
- October 2012, at our initiative, we signed an MOU with the Town of Sweden to have Fundamental Business Service, a collection agency that works with justice courts, pursue collection of our delinquent tickets.

**Parking, Cont.**

- Collection began in May 2013, got off to a rocky start but the court is making a herculean effort now to collect them.
- This is not a job they relish or want—takes up a lot of clerk time—and Sweden does not benefit from the fines.
- The fines are substantial, as will be noted.
- This is a case where the village had to take action in its own best interests

**Courts and Consolidation**

- Consolidation is being pushed by our Governor—we have seen it with the facilitation of the dissolution process.
- Though 58% of New York's villages have courts, more village courts have been consolidated with their town courts in recent years than have been formed.
- Village courts are still being formed; most recently—Montebello, in Rockland County, 2012

**Courts and Revenue**

% of Sweden Town Court (STC) cases that are Brockport's	60%
STC revenue that remains local—average of 2011/2012 local revenue	\$140,000
Village Ordinance (VO) and parking fines—average of 2011/2012	\$55,531

### Village Court Projected Revenue

#### Based on 2011-2012 Figures

60 % of STC local revenue	\$84,000
VO and Parking revenue	\$55,531
Total Village Court Income	\$139,531

### Projected Village Court Revenue

#### Based on future Parking Revenue

Average annual parking income = \$27,600. From January – August 2013, parking income = \$62,765. Net parking income to date is approximately \$49,000; \$33,000 of that is delinquent ticket income. \$50,000 projected annual fines from parking.

60 % of STC local revenue	\$84,000
VO and Parking revenue	\$77,951
Total Village Court Income	\$161,931

### Cost of Running a Village Court

- Geneseo Village Court as the closest model
- 2 part-time clerks; 1 fulltime shared with town court
- 2 part-time judges
- Total costs for salaries, clerk benefits, court attendant, software, mailings, etc. = \$62,000

### Comparable Costs for a Brockport Court

- 2 part-time judges @ \$10,000 each
- 2 part-time clerks @ \$13-15/hour, 20 hours each per week (plus FICA/Retirement)
- Court attendant @ \$12.50/hour, 20 hours/month (plus FICA)
- Total with software, contractual costs should = no more than \$65,000/year
- Projected Court Revenue = \$97,000

### Where to Hold a Village Court?

#### VILLAGE HALL

##### *Pros:*

raised bench, possible judge's/clerks office next to the court space, space for attorneys to meet with clients in the back room; courtroom is internet ready, no rent, ample parking in the area.

##### *Cons:*

small size will require careful scheduling, public bathroom poorly located; access from judge's office to courtroom would likely have to be created.

### Where to Hold a Village Court?

#### WEST AVENUE FIRE HALL

##### *Pros:*

Larger room, bathrooms better located for the public, ample street parking, no rent.

##### *Cons:*

No place for attorney/client meetings, no raised bench, internet access would have to be installed, court personnel would commute from judge/clerk's office.

## Where to Hold a Village Court?

### SWEDEN TOWN COURT

#### Pros:

Everything set up for court, large courtroom, conference room available for attorney/client discussions.

#### Cons:

Rent could be substantial

## Court Start up Costs

- Can include office furniture, computers/printers, subscription to an online law library, courtroom software, alternations to physical space for courtroom.
- Office of Court Administration evaluates space requirements, helps with scheduling, training once court is established
- Once a year JCAP grants of up to \$30,000 are available for capital improvements, equipment, etc.

## Court Start up Costs, cont.

- The new Village Court in Montebello, NY requested \$26,000 for startup costs, which included installing a judge's office in their community center courtroom space, various purchases, and reimbursement of judges' travel and hotel for training sessions.
- Montebello used only \$22,000 of the recommended amount.
- I believe Brockport could set up a court for a similar amount.
- Startup funds would come—appropriately—from delinquent parking ticket income

## Where do We Go from Here?

- *I recommend that the village board take action to create a village court*
- Per Village Law § 3-301(2)(a), a village establishes a justice court by establishing the position of village justice. The office of village justice may be established by either resolution or by local law, subject to a permissive referendum
- At the Village Board meeting of October 7<sup>th</sup> I will ask the board for a resolution to create the position of village justice and for the allocation of the necessary startup funds for a village court.