

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, July 24, 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: Patricia Ceravole, Al Plumb, Eric Mitchell, John Deats, Joan Hamlin, Pam Ketchum, Hanny Heyen, Dan Donovan, Brian Winant, Val Ciciotti, Harry Snyder, Fred Webster, Norm Giancursio, SriRam Bakshi, Mary Jo Nayman, Kristina Gabalski

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:

- Brian Winant of the Stetson Club – requested a parade permit for the 2nd annual Holiday Lights Spectacular Parade in early December. Clerk Morelli reminded him that such was granted right after the success of the 1st parade.

- Al Plumb introduced himself. He is the Co-Owner of ALPCO Recycling in Macedon, NY. He recently purchased 100 Fair Street and took ownership 3 weeks ago. He wanted to introduce himself. He said the former Kleen Brite property has been in bad condition for many years and not improved by its most recent owners. Over the years he has taken over several properties similar to this, fixed them up and put them back into viable use. He wants properties to be proud of – kept clean and secure. He does not demolish structures unless they are beyond repair. This property has various buildings to it with many additions over time. He is taking time to determine the best use – using economically fit criteria. He wants to be a good neighbor to residents on Fair Street and South Avenue. He wants to put in viable, profitable businesses. He said the violations on the property were primarily safety and security related. He is in the process of cleaning up and securing the property. When he can, he likes to restore buildings to what they may have looked like originally. Some of the property has brick, block, wrought iron, wooden planters, etc. He will put in maples and evergreens or fencing to improve what neighbors have to look at. His company in Macedon has 9 divisions with 145 employees. It started as a gravel business and turned into full service recycling. He handed out his business card which lists the services provided: clean up and clean out, call us for pick up, propane filling station, pallets, mulch, residential drop-off center, bottle redemption, metal recycling, compactor boxes, balers, flat bed services, commercial recycling, roll off, van trailers, auto recycling. He stressed that he is still evaluating the property before determining viable uses. He encouraged people to contact him and not listen to rumors. He reminded all that it is illegal to go onto private property. He needs a chance to secure the property.

Trustee Blackman asked Mayor Castañeda if it would be alright to ask a few questions. Mayor Castañeda said that would be fine.

Trustee Blackman asked A. Plumb if he is leaning towards doing something in the field of recycling. A. Plumb said he does not know if it is viable here. His Macedon location is a complete recycling facility. He knows some needs are already filled in this area. He has already consulted with Code Enforcement Officer Zarnstorff. The property is zoned Industrial and allows for certain uses.

Trustee Hannan asked him why he was interested in this particular property. A. Plumb said he heard about it a year ago June and walked away from it at that time. The owners were stripping some materials. He urged them not to strip further if they wished to sell it. Trustee Hannan asked if he would be open to re-selling it if he determines it doesn't fit his needs. A. Plumb said yes. Trustee Hannan asked when he might be ready to present a concept plan to the Planning Board. A. Plumb said his focus is clean up and evaluation at this point. He figures it will be a 3-year project. He said there are parts he hasn't even been in yet. Trustee Hannan asked about interior condition and rumors of soaps. A. Plumb said there are some, but what he has seen thus far is pretty clean. Environmental folks have done abatement. There are structural needs, but most are repairs that are not insurmountable.

Trustee Blackman said the idea of beautifying the property and planting trees and buffers is appealing. She shared that the Village has an active Tree Board that would be happy to be consulted. A. Plumb said that is good to know.

A. Plumb asked if anyone has pictures of what the property / buildings used to look like. Trustee Andrews said he will see what he can find.

Mayor Castañeda said his time is more than up, but thanked him for speaking and apprising all of the project.

GUESTS:

- NYPIRG – New York Public Interest Research Group – door to door peddling/soliciting application (fee-exempt) - Patricia Ceravole introduced herself as the Outreach Director of the student-led advocacy group. Their current focus is an anti-hydro-fracking campaign. She said they go door to door in communities and only return after dark to those return visits that invite them.

→ Trustee Hannan moved, Trustee Blair seconded, carried 5/0 to grant the permit through August 19, 2012 as requested with the following restrictions: between the hours of 9am to dusk only, individual must display a company ID badge and a copy of the approval letter.

Trustee Blair said these restrictions are being placed on all applicants due to complaints regarding some permit holders going door to door too late in the evening, hooded salespeople, with no visible ID badge and the like.

P. Ceravole said she understands and will be sure the team complies.

CONSENSUS ITEMS:

- **APPROVAL OF MINUTES:** 6/26, 7/10, 7/19

→ Trustee Blackman moved, Trustee Hannan seconded, Trustee Andrews abstained due to not being on the Board at that time, carried 4/0/1 that the minutes of the 6/26/12 meeting be approved as written.

→ Trustee Andrews moved, Mayor Castañeda seconded, Trustee Blair abstained due to absence, carried 4/0/1 that the minutes of the 7/10/12 meeting be approved as written.

→ Trustee Blackman moved, Trustee Hannan seconded, Trustee Blair abstained due to absence, carried 4/0/1 that the minutes of the 7/19/12 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>	7/24/12	\$39,827.02
FUND (F): <u>Water</u>	7/24/12	\$9,753.15
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>(Trust & Agency)</u>	-	-
		\$49,580.17 grand total

CLERK REPORT:

- Clerk – Leslie Ann Morelli
 - Tax Collection – Clerk Morelli reported smooth-going in tax collection this season with 87% of the tax warrant collected to date. The 2nd installment is due by 8/1. Delinquent notices are sent in September and October to encourage payment by 10/31 before having to surrender them to the County for relevy.

- Insurance - Clerk Morelli reported that regularly the risk control person from the Village’s Workers Comp program visits and tours facilities and provides a report on recommendations and action items needed. However, this is the first time the risk control person from the Village’s property/liability/public officers insurance carrier has come out. He paid a visit on July 17th. He started at Village Hall meeting with her and Treasurer Hendricks. He then met with DPW Spt. Donahue and toured facilities and parks/playgrounds. He then met with Chief Varrenti and toured Police Department. The report is expected soon. He gave preliminary indication that he would have only a few recommendations. One is to implementing a policy and conducting criminal background checks of new non-police hires. Police hires already go through an extensive check. Another is to have Welcome Center guests / users of amenities sign some kind of hold harmless agreement. She said this is done for those that borrow bicycles, but the risk control expert opined on problems if someone’s boat were hooked up to the electric or water and it backed up or shorted. She suggested Village Attorney Leni provide appropriate language so the Welcome Center Greeters can implement this as part of their routine. Clerk Morelli said she would share the report when it comes in.

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

○ Treasurer – Daniel P. Hendricks

▪ Financial reports for period ending 5/31/12 - Treasurer Hendricks referred to the financial reports included in the packet. The fiscal year ended with \$3.3 million in the bank. This was prior to having to pay out reserves and such to the Brockport Fire District. The Village is in a solid position. He is closing out last fiscal year's P.O.'s. The A.U.D. (annual update document) has to be filed with NYS OSC by 8/31. He assured the Board it would happen on time this year as the past few years have prompted delinquent letters from OSC.

Treasurer Hendricks said Trustee Blackman asked him earlier if the fines and forfeitures line now includes parking tickets now that Sweden promised to report them properly. He said it does. She also asked him a question about Walk Bike Brockport Action Group funds which carry over. She said it looks like sewer charges were only at 74% of what was projected. Treasurer Hendricks said he still needs to apply last month's billing. He reminded all that sewer will be in its own fund in the new fiscal year.

○ Building / Zoning / Code Enforcement – Codes Officer Scott C. Zarnstorff

▪ Vacant, abandoned, neglected properties – CEO Zarnstorff referred to the invitation to the NYCOM workshop on this topic coming to Rochester 8/16. It is great timing as we are dealing with this issue. He plans to attend and thanks Mayor Castañeda for placing this topic on the 9/4 Village Board work session and inviting he and Village Attorney Leni.

▪ 100 Fair Street - CEO Zarnstorff said it is nice to see someone such as A. Plumb willing to pump some life into and clean up one of the most neglected properties in the Village.

○ Police – Police Chief Daniel P. Varrenti

▪ Trustees Andrews and Blackman – Chief Varrenti congratulated them on their election and re-election respectively to the Board. He looks forward to working with them.

▪ 7/4 Children's Parade - Chief Varrenti referred to the minutes of the 7/10 Village Board meeting in which Bill Bird spoke under Public Comment with concerns of no Police coverage at the Morgan Manning House children's parade on Park Avenue and South Street. Chief Varrenti said B. Bird contacted him before coming to the Board. Mayor Castañeda raised the topic at the 7/12 Department Heads meeting. He explained that the police cannot assume a position, such as at a crosswalk or a detour, and then leave to respond to a call for service. If they did and something happened, the Village would be liable. While there were officers on duty, they were handling regular work. He would have needed to schedule one or 2 officers as special assignment at the Park Avenue/South Street end and at the South Street/Main Street end. This is an expense. Overtime is broken out into 27 categories, but not tracked as there isn't sufficient staff to input and extrapolate the data. For the Arts Festival he has assigned 2 officers special event detail in addition to the 2 officers on regular duty. Chief Varrenti suggested the Board take this into consideration when they review applications for street closures or special events. He said while the Board's hearts may be in the right place, approving such comes with a cost whether it is Police or DPW as to barricades, prep or clean up. He suggested the Board defer to those in the know and not necessarily the organizers of the events.

Mayor Castañeda referred to the dedication ceremony of the Monika Andrews Children's Park held July 21st noting that Chief Varrenti and several officers were in attendance. She asked if they were assigned. Chief Varrenti said no. They attended of their own accord. They were not performing any police function. They could have left at any time. Trustee Blair said in fact a couple of them got calls and did leave. There was no impact on public safety.

Trustee Andrews said he was at the 7/4 parade and while having officers assigned at either end of the parade might have been prudent, at no time were any children in danger. The organizers and parents shooed the kids out of the street when cars came through slowly.

○ Public Works – Superintendent Harry G. Donahue

▪ Trustees Andrews and Blackman – Chief Varrenti congratulated them on their election and re-election respectively to the Board. He looks forward to working with them.

▪ Village Hall backup generator project – DPW Spt. Donahue said the project is continuing with some gas and electric work underway. He hopes to have it completed within a couple of weeks.

▪ Police Department rear wall project – DPW Spt. Donahue said the exposed rear

wall of the Police Department on the King Street side is being worked on. Insurance is covering the costs.

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- Water meters replacement project – DPW Spt. Donahue shared that the 2nd phase of the water meter replacement project will soon be here. He will be asking for authorization to order soon.
- Crosswalk signs – Trustee Blackman expressed concern that there are still no signs up to mark the crosswalks in the downtown commercial district. DPW Spt. Donahue said they will be installed on the curb bump outs, not in the roadway itself. Trustee Blair said other municipalities have them installed in the roadway and they are more noticeable. DPW Spt. Donahue said there has been difficulty with those in the past. If not anchored they get knocked down or stolen. They are sometimes recovered when college students move out of the dorms and apartments at the end of the school year. He said by law they have to be at crosswalks and not at those with signal lights. Trustee Blair said whether they are in the roadway or at the bump outs or at either end of the Village, some signage is needed to remind drivers that pedestrians have the right of way at crosswalks.

At 7:45pm, Mayor excused Department Heads. Chief Varrenti stayed.

• **OLD BUSINESS:**

- Authorize Attorney outside cap – abandoned/vacant properties issue – 9/4 VB work session –

→ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 to authorize outside the cap payment for Village Attorney Leni not to exceed 5 hours re attending the 9/4 Village Board work session regarding vacant, abandoned, neglected properties.

- Authorize Attorney outside cap – Village Code Chapters 34 (parking), 43 (signs), 46 (trees) – return to Code Review Committee in preparation for finalizing proposed amendments for VB review to be able to call for public hearing -

Discussion took place as to the status of the various chapters. Trustee Blackman said she thought Chapter 46 Trees was ready to go. Village Attorney Leni said the version he received needs changes because it speaks of appointments, filling vacancies, discipline and shouldn't. Trustee Blackman suggested no longer waiting to do a public hearing on several chapters, but one or two at a time once they are ready. Village Attorney Leni said he can have that one ready for the 8/28 Village Board so the Board can call for a public hearing. Trustee Hannan said a priority is putting some teeth into Chapter 36 and the Residential Rental Registrations. Trustee Andrews referred to special provisions being needed for Chapter 43 Signs regarding the Historic District. Village Attorney concurred and said also in Chapter 58 Zoning. Trustee Andrews recalls Code Review Committee Chair Appleby consulting the Historic Preservation Board.

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to authorize outside the cap payment for Village Attorney Leni not to exceed 5 hours re attending upcoming Code Review Committee meetings to finalize proposed amendments to Village Code Chapters 34, 43, 46, 36.

• **NEW BUSINESS:**

- Approve recommendation & authorize Mayor to execute contract – estimate results – once/week cleaning of Village Hall, Police Department year round & Welcome Center seasonal 5/1 – 10/15 – Clerk Morelli referred to her memo and 3 estimates and recommendation included in the packet. Village Attorney Leni said he reviewed the proposed contract and if approved recommended one change regarding GML 109 non-assign ability. He provided the exact language needed. Village Attorney Leni cautioned that the contract can only be terminated for cause and there is a non-compete clause in which the Village can't use an affiliate for 180 days. Clerk Morelli said she also wants it changed to end 5/31/12 as 12 months would put us beyond the fiscal year.

→ Trustee Andrews moved, Trustee Blackman seconded, Trustee Blair abstained (recused himself as this company works for his place of employment), carried 4/0/1 to approve and authorize Mayor Castañeda to execute the contract with Pro2 for weekly cleaning service of specified Village buildings including the following: "In accordance with the provisions of Section 109 of the General Municipal Law, Pro2 is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this Agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Village." "from 8/1/12 to 5/31/13".

- Authorize use of \$2,315 from Shafer Trust for Museum lighting improvements –

Board reviewed the sole estimate provided by Historian Morris for lighting improvements needed. Due to the amount, at least 3 estimates are needed. This should be coordinated through DPW Spt.

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VILLAGE BOARD REPORTS:

- Mayor M. Connie Castañeda
 - NYCOM workshop 8/16 – vacant/neglected/abandoned properties – Mayor Castañeda referred to the information in the packet on the NYCOM workshop mentioned by CEO Zarnstorff earlier in the meeting. Due to the potential filling up of the workshop, Clerk Morelli will put the registrations in this week instead of waiting until next week.
 - Unity at Brockport Open House, Thursday, 8/23 5-6:30pm – Mayor Castañeda referred to the letter in the packet and encouraged attendance at the open house.
 - Brockport Ecumenical Food Shelf – become a backpack program sponsor – Mayor Castañeda referred to the flyer in the packet and encouraged participation.
 - Emily L. Knapp Museum & Library of Local History – change in hours – Mayor Castañeda referred to the flyer in the packet indicating hours as 2-4 and 7-9 on Wednesdays or by appointment.
- Trustee William G. Andrews
 - Monika Andrews Day – Trustee Andrews thanked the Board for having proclaimed 7/21/12 Monika Andrews Day. He appreciates everyone who contributed to its success. The park dedication and various events were bittersweet.
 - Historic Preservation Board – Trustee Andrews shared that he will remain a member of the Historic Preservation Board, but no longer Chair, since he is now on the Village Board. The law allows no more than 2 Village Board members to serve on another Board or Committee. The HPB members have selected Kathy Goetz to serve as Chair.
- Trustee Margaret B. Blackman
 - Pastoral Support – Trustee Blackman reminded the Board that members of area clergy had previously offered their support. Rev. Krista Cameron of St. Luke's e-mailed her offering to meet with the Village Board to offer support, prayers, suggestions, for improved communications as Village leaders. Board and Attorney discussed appropriateness of such a meeting, whether it would fall under the Open Meetings Law, separation of Church and State, etc. Not all were interested, but appreciate the offer.
- Trustee Kent R. Blair
 - Propose Signage in Harvester Park along Canal – Trustee Blair discussed the idea previously mentioned by Chief Varrenti for signage in Harvester Park along the Canal that indicates it being against the law to have open containers of alcohol in public parks. He got a quote for 4 signs for \$260 and reviewed the wording.

Trustee Andrews said the operations manual at the Welcome Center includes the text of the Village ordinance on such and the greeters are trained to warn visitors and show them the law. However, they cannot enforce it. Signage would help. It is a small price to warn visitors.

Mayor Castañeda asked if such signage is needed in all Village parks. Village Attorney Leni said not necessarily. This is directed at a visitor area where non-locals may not be aware of it. He said he would want to see a proof of the sign language.

- Antique Fire equipment under Village ownership - Trustee Blair reminded the Board that the Firefighters Association is interested in taking ownership of the antique fire equipment owned by the Village. He distributed a photo of a sign that indicates them as having funded restoration efforts over the years. They proudly display the equipment and like to have it available for parades and events. They would insure it.

Trustee Hannan asked the value. Trustee Blair said it is hard to put a value on it.

Village Attorney Leni said the Village would have to get some consideration for it, otherwise it is considered gifting. The tough part will be putting a value on it.

Clerk Morelli said she can check the insurance rolls as to the value listed and cost to insure.

- Village Clerk - Trustee Blair said he just wanted to take a moment to recognize Village Clerk Morelli for her good work and for all the extra time she gives to the job. He said he is sure people do not realize just how many hours she puts in often working through lunch, staying late, or bringing work home.

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- Pride - Trustee Blair referred to a saying "Take pride in your work. Autograph it with craftsmanship." He said the overgrown brush in the rear of the Village Hall parking lot is an example of maintenance/beautification work needing to be done.

- Trustee Carol L. Hannan

- Brockport Food Shelf – Trustee Hannan shared that the Food Shelf now serves twice as many people as they did a year ago this time. Unfortunately, donations have not doubled.

She encouraged all to make some food donations.

- Habitat for Humanity – Trustee Hannan said the latest house suggested for a Habitat for Humanity project was deemed not viable. This has been the 3rd attempt. They will keep searching.

EXECUTIVE SESSION:

→ At 8:25pm, Trustee Blair moved, Trustee Blackman seconded, carried 5/0 that the Board of Trustees of the Village of Brockport enter into executive session to discuss a personnel matter. Village Attorney Leni was invited to sit in. Chief Varrenti was later invited in.

→ At 9:15pm, Trustee Blair moved, Trustee Blackman seconded, carried 5/0 that the Board of Trustees of the Village of Brockport re-enter the regular meeting.

OPEN ORGANIZATIONAL PART OF MEETING:

→ At 9:15pm, Trustee Blackman moved, Trustee Andrews seconded, carried 5/0 that the Board of Trustees open the annual organizational part of the meeting and re-enter the regular meeting.

ORGANIZATIONAL - APPOINTMENTS & ADOPTIONS:

ANNUAL FENCE PERMITS –

⇒ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 that the following annual fence permits be renewed:

GE – 98 Lyman Street
RG&E – Perry Street and Erie Street

ADVANCE APPROVAL OF CERTAIN CLAIMS –

⇒ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 that the Board authorizes payment in advance of audit of claims for non-discretionary costs such as insurances, public utility services, postage, freight and express charges.

MILEAGE ALLOWANCE -

⇒ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 that the Board authorizes reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties or travel at the current IRS rate per mile as indicated in the Employee Handbook.

**ADOPT STANDARD WORK TIME FOR RETIREMENT PURPOSES –
ELECTED & APPOINTED OFFICIALS -**

Clerk working on this with NYS ERS rep – will make available for any necessary action at a future meeting. Note that the current law went into effect August 2009 and only impacts those officials that participate in NYS ERS through the Village and elected (Village Board) or appointed/reappointed (i.e. Planning Board) after that date.

**ADOPT STANDARD WORK TIME FOR RETIREMENT PURPOSES –
FULL TIME & PART TIME EMPLOYEES -**

Clerk working on this with NYS ERS rep – will have available for any necessary action at a future meeting.

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ADOPT VILLAGE STOP SIGNS & TRAFFIC SIGNALS -

⇒ Trustee Blair moved, Trustee Andrews seconded, carried 5/0 adopting the following stop signs and traffic signals for the Village of Brockport:

- 1) Adams Street at Chappell Street
- 2) Adams Street at Utica Street
- 3) Allen Street at Centennial Avenue
- 4) Anita's Lane at Anita's Lane
- 5) Anita's Lane at East Avenue
- 6) Barry Street at Fayette Street
- 7) Barry Street at Keable Court (eastbound and westbound)
- 8) Beach Street at Erie Street
- 9) Beach Street at Holley Street
- 10) Berry Street at Fayette Street
- 11) Beverly Drive at Idlewood Drive
- 12) Briar Rose Lane at Cailyn Way
- 13) Briar Rose Lane at West Avenue
- 14) Brockview Drive at Frazier Street
- 15) Brockway Place at Chappell Street
- 16) Brockway Place at Main Street
- 17) Brook Terrace at #24 Brook Terrace
- 18) Brook Terrace at Brookdale Road
- 19) Brook Terrace at South Avenue
- 20) Brookdale Road at Main Street
- 21) Burroughs Terrace at Fair Street
- 22) Candlewick Drive at Havenwood Drive
- 23) Carolin Drive at Clark Street (northbound and southbound)
- 24) Carolin Drive at West Avenue
- 25) Centennial Avenue at Allen Street
- 26) Centennial Avenue at Main Street
- 27) Central School Drive and Centennial Avenue
- 28) Chappell Street at Adams Street
- 29) Chappell Street at Centennial Avenue
- 30) Cherry Drive at Clark Street
- 31) Cherry Drive at Evergreen Road
- 32) Clark Street at Carolin Drive (eastbound and westbound)
- 33) Clark Street at Evergreen Road
- 34) Clark Street at Kimberlin Drive
- 35) Clark Street at Main Street
- 36) Clark Street at Smith Street (eastbound and westbound)
- 37) Clinton Street at Main Street
- 38) Cloverwood Drive at Candlewick Drive
- 39) Coleman Creek Road at Central School Drive
- 40) Coleman Creek Road at Main Street
- 41) College Street at Main Street
- 42) College Street at Utica Street
- 43) Commencement Drive at Holley Street
- 44) Cyrus Way at McCormick Lane
- 45) Erie Street at Beach Street (eastbound and westbound)
- 46) Erie Street at Perry Street (eastbound and westbound)

- 47) Erie Street at Utica Street (eastbound and westbound)
- 48) Evelyn Drive at Glendale Road
- 49) Evergreen Road at Clark Street
- 50) Fair Street at Quaker Maid Street
- 51) Fayette Street at East Avenue
- 52) Frazier Street at Fayette Street
- 53) Frazier Street at Glendale Road (eastbound and westbound)
- 54) Frazier Street at Keable Court (eastbound and westbound)
- 55) Gardner Alley at Clinton Street
- 56) Gardner Alley at King Street
- 57) Glendale Road at Barry Street
- 58) Glendale Road at East Avenue
- 59) Glendale Road at Frazier Street (northbound and southbound)
- 60) Gordon Street at Spring Street
- 61) Gordon Street at State Street

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- 62) Graves Street at Clark Street
- 63) Graves Street at West Avenue
- 64) Havenwood Drive at East Avenue
- 65) High Street at Park Avenue
- 66) Hillcrest Parkway at Main Street
- 67) Holley Street at Main Street
- 68) Holley Street at Perry Street (eastbound and westbound)
- 69) Holley Street at Utica Street (eastbound and westbound)
- 70) Idlewood Drive at Clark Street
- 71) Idlewood Drive at West Avenue
- 72) Keable Court at Barry Street
- 73) Keable Court at Frazier Street
- 74) Kenyon Street at Monroe Avenue
- 75) Kimberlin Drive at Clark Street
- 76) Kimberlin Drive at West Avenue
- 77) King Street at Utica Street
- 78) Liberty Street at Fayette Street
- 79) Liberty Street at Main Street
- 80) Lincoln Street at King Street
- 81) Locust Street at Barry Street
- 82) Lyman Street at Fayette Street
- 83) Lyman Street at Locust Street
- 84) Market Street at Main Street
- 85) Market Street at Park Avenue
- 86) Maxon Street at Kenyon Street
- 87) Maxon Street at Utica Street
- 88) McCormick Lane at East Avenue
- 89) Meadowview Drive at Clark Street
- 90) Meadowview Drive at Evergreen Road
- 91) Mercer Street at Chappell Street
- 92) Monroe Avenue at Holley Street
- 93) Monroe Avenue at Main Street
- 94) Monroe Avenue at Utica Street (eastbound and westbound)
- 95) Morgan Court at Evergreen Road
- 96) Owens Road at State Street
- 97) Oxford Street at Spring Street
- 98) Oxford Street at State Street
- 99) Park Avenue at South Street (east and west of triangle)
- 100) Park Avenue at State Street (northbound and southbound)
- 101) Quaker Maid Street at South Avenue
- 102) Quarry Street at Locust Street
- 103) Queen Street at Clinton Street
- 104) Queen Street at Erie Street
- 105) Queen Street at Holley Street
- 106) Residence Drive at Kenyon Street
- 107) Smith Street at Clark Street (northbound and southbound)
- 108) Smith Street at West Avenue
- 109) South Avenue at Brook Terrace
- 110) South Avenue at Main Street
- 111) South Avenue at Owens Road
- 112) South Avenue at Quaker Maid Street
- 113) South Street at Main Street

- 114)South Street at Park Avenue
- 115)State Street at Park Avenue (eastbound and westbound)
- 116)Union Street at Park Avenue
- 117)Utica Street at Adams Street
- 118)Utica Street at Clinton Street
- 119)Utica Street at College Street (northbound and southbound)
- 120)Utica Street at Erie Street (northbound and southbound)
- 121)Utica Street at Holley Street (northbound and southbound)
- 122)Utica Street at Monroe Avenue (northbound and southbound)
- 123)Victory Drive at Barry Street
- 124)Victory Drive at Frazier Street
- 125)Washington Street at State Street
- 126)Water Street at Market Street
- 127)Westwood Drive at Glendale Road
- 128)Willowbrooke Drive at West Avenue
- 129)Winston Woods at South Avenue (privately owned)

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Village owned and operated traffic signal – Adams Street at Allen Street

ACCEPT RESIGNATIONS / or do not wish to be considered for renewal / or inactive -

⇒ Trustee Hannan moved, Trustee Blair seconded, carried 5/0 to accept the following resignations or non-interest for appointment renewal with thanks for their service: James Hamlin from the Zoning Board of Appeals, Cynthia Baldwin from the Parks Committee.

VOLUNTEER DROPS/ADDS

Police Explorers

Clerk Morelli requested a current list of Brockport Police Explorers. There are 5 drops and 3 adds.

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to accept the following membership changes to the Police Explorer program: drops: Tyler Frederick, Joshua Maier, Jared Mesiti, Ashlee Putnam, Jessica Zaccour; adds: Maurice Aubry, Ania Horton, Andrew Troup.

SPARTAC (temporarily inactive)

Clerk Morelli requested a current list of Brockport SPARTAC members. There are 2 drops and no adds.

⇒ Trustee Blair moved, Trustee Hannan seconded, carried 5/0 to accept the following membership changes to the SPARTAC program: drops: James Ford, Eileen Ryerse; adds: none.

Walk Bike Brockport Action Group

No changes since last drops/adds.

Welcome Center Greeters

Clerk Morelli is in the process of comparing the roster she maintains with the roster Trustee / Welcome Center Greeter Coordinator Andrews maintains. There are over 100 greeters on the rolls. Some may no longer be active.

⇒ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 to appoint Sandra Cain of Park Avenue as a Welcome Center Greeter.

APPOINTMENTS AND RE-APPOINTMENTS -

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the following appointments be made:

Official Newspaper..... Suburban News

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the following designation of banks or trust companies be made for the deposit of all Village monies:

Official Depositories..... JP Morgan/Chase

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the following appointment be made:

External Auditor.....one year term renewal to 6/30/13..... Raymond F. Wager, CPA, P.C.

⇒ Trustee Blackman moved, Trustee Blair seconded, carried 5/0 confirming that the following appointments were previously approved:

Village Attorney.....renewal to 6/30/13.....Robert S. Leni, Esq. of Harris, Chesworth, O'Brien, et al

Village Clerk.....2-year term renewal to 6/30/13.....Leslie Ann Morelli

Village Treasurer.....2-year term to 6/30/13.....Daniel P. Hendricks

Deputy Village Clerk.....2-year term to 6/30/13.....Deborah Herzog

Deputy Village Clerk-Treasurer...2-year term to 6/30/13.....Ann Draper

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 10

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the following appointment be made:

Environmental Attorney (as needed)one year term renewal to 6/30/13.....Underberg & Kessler

⇒ Mayor Castañeda moved, Trustee Andrews seconded, carried 5/0 that the following appointment be made:

Village Historian.....1-year term renewal to 6/30/13..... Jacqueline Morris

Museum Director.....1-year term renewal to 6/30/13 Jacqueline Morris

⇒ Mayor Castañeda is not bringing forth any appointment for this vacancy at this time.

Planning Board.....5-year term _____ to 6/30/17....._____

⇒ Mayor Castañeda is not bringing forth any reappointment or appointment at this time. This is a vacancy to complete a term in progress. The Mayor can fill at will. Mayor Castañeda said she plans to announce her appointment at the 8/14/13 Village Board meeting.

Zoning Board of Appeals..... complete a term to 6/30/13..._____

⇒ Mayor Castañeda is not bringing forth any reappointment or appointment at this time.

Zoning Board of Appeals.....5-year term to 6/30/17....._____

⇒ Mayor Castañeda moved, Trustee Andrews seconded, carried 5/0 that the following appointments be made:

Historic Preservation Board.....3-year term renewal to 6/30/15..... Kathleen Goetz

Historic Preservation Board.....3-year term renewal to 6/30/15..... Caitlin Moore
Historic Preservation Board.....3-year term renewal to 6/30/15..... Kory Hunsinger
Historic Preservation Board.....3-year term renewal to 6/30/15..... Lynda
VandenBerg

⇒ Mayor Castañeda is not bringing forth any appointment for this vacancy at this time.

Historic Preservation Board.....3-year term to 6/30/15..... _____

Trustee Andrews expressed concern that Sri Ram Bakshi submitted a position interest form for this vacancy in April and the Mayor has not brought forth his name for appointment. He has been attending the monthly meetings of the Historic Preservation Board and the members of the Historic Preservation Board wish it on record that they desire his participation, even if not as an appointed member.

⇒ Trustee Andrews moved that Sri Ram Bakshi be considered an unpaid consultant to the Historic Preservation Board – an advisor in an ex officio capacity.

Village Attorney Leni said he realizes Trustee Andrews is new to the Village Board. However, such a motion cannot be called for.

Trustee Andrews asked for clarification.

Village Attorney explained that such position cannot be created by resolution. Appointments to Boards and Committees are laid out by NYS Village Law and Historic Preservation Board membership is laid out by Village Code.

Trustee Hannan said Historic Preservation Board meetings are open to the public and there is no reason Sri Ram Bakshi cannot continue to attend as a member of the public.

Trustee Andrews said at the very least the wishes of the Historic Preservation Board have been noted on the record in their meeting minutes and in these meeting minutes.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 11

⇒ Mayor Castañeda moved, Trustee Blackman seconded, carried 5/0 that the following appointment be made:

Tree Board.....4-year term renewal to 6/30/16..... Kathleen Goetz

⇒ Mayor Castañeda is not bringing forth any reappointment or appointment at this time.

Tree Board.....4-year term to 6/30/16..... _____

Trustee Blackman expressed concern that Lucas VanDervort, an arborist, expressed interest in being reappointed and asked the Mayor why she is not bringing his name forth for reappointment. The Tree Board values his participation.

Mayor Castañeda said she does not need to give a reason. However, she said it is her understanding that he is selling his house in the Village and soon moving outside the Village which would disqualify him anyway.

Trustee Blackman said he would be welcome to continue to attend Tree Board meetings as a member of the public.

⇒ Mayor Castañeda is not bringing forth any reappointment or appointment at this time.

Parks Committee.....complete a term to 6/30/15..... _____

Parks Committee.....4-year term to 6/30/16..... _____

Parks Committee.....4-year term to 6/30/16..... _____

⇒ Trustee Blair moved, Trustee Blackman seconded, Mayor Castañeda opposed, carried 4/1 that the following appointment be made:

Ethics Board.....4-year term to 6/30/16.....EMPLOYEE..... Brian Winant

⇒ Trustee Blair moved, Trustee Blackman seconded, Mayor Castañeda opposed, carried 4/1 that the following appointment be made:

Ethics Board.....complete a term to 6/30/15..... Mark Ketchum

⇒ No one brought forth any appointment at this time.

Ethics Board.....complete a term to 6/30/16..... _____

Village Attorney Leni said he assumes the Trustees feel confident that these Ethics Board appointees do not fall under any disqualifications for membership as outlined in Village Code Chapter 13.

ADOPT MEETING SCHEDULE -

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 that the following schedule be adopted:

Village of Brockport Meetings
August 2012 – August 2013

Village Board Meetings

Meetings begin at 7pm and are held at Village Hall

2nd & 4th Tuesday of each month unless otherwise noted

Submittal Deadline: Wednesday by Noon prior to meeting date

August 14, 2012	January 8, 2013
August 28, 2012	January 22, 2013
September 11, 2012	February 12, 2013
September 25, 2012	February 26, 2013
October 9, 2012	March 12, 2013
October 23, 2012	March 26, 2013
November 13, 2012	April 9, 2013 <i>(includes budget hearing - alternate location)</i>

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 12

November 27, 2012	April 23, 2013
December 11, 2012	May 14, 2013
December 25, 2012 - <u>NONE</u> due to holiday	May 28, 2013
	June 11, 2013
	June 25, 2013
	July 9, 2013 <i>(includes swearing in)</i>
	July 23, 2013 <i>(includes organizational component)</i>
	August 13, 2013
	August 27, 2013

Plus the following work sessions the **1st Tuesday** of the following months:

August 7, 2012	January 1, 2013 – <u>NONE</u> due to holiday
September 4, 2012	February 5, 2013
October 2, 2012	March 5, 2013
November 6, 2012	April 2, 2013
December 4, 2012	May 7, 2013
	June 4, 2013
	July 2, 2013 - <u>NONE</u> due to holiday
	August 6, 2013

Planning Board Meetings

Meetings begin at 7pm and are held at Village Hall

3rd Tuesday of each month unless otherwise noted (only upon application)

Submittal Deadline: Tuesday by Noon at least 2 weeks prior to meeting date

August 21, 2012	January 15, 2013
September 18, 2012	February 19, 2013
October 16, 2012	March 19, 2013
November 20, 2012	April 16, 2013
December 18, 2012	May 21, 2013

June 18, 2013 – NONE – due to Village Elections
July 16, 2013
August 20, 2013

Zoning Board of Appeals Meetings

Meetings begin at 7pm and are held at Village Hall

1st Thursday of each month (only upon application)

Submittal Deadline: Tuesday by Noon at least 3 weeks prior to meeting date

August 2, 2012
September 6, 2012
October 4, 2012
November 1, 2012
December 6, 2012

January 3, 2013
February 7, 2013
March 7, 2013
April 4, 2013
May 2, 2013
June 6, 2013
July 4, 2013 – NONE due to holiday
August 1, 2013

Historic Preservation Board Meetings

Meetings begin at 7:15pm and are held at Village Hall

3rd Thursday of each month unless otherwise noted (as needed)

August 16, 2012
September 20, 2012
October 18, 2012
November 15, 2012
December 20, 2012

January 17, 2013
February 21, 2013
March 21, 2013
April 18, 2013
May 16, 2013
June 20, 2013
July 18, 2013
August 15, 2013

Other Boards and Committees:

Meeting schedules and locations vary

Seymour Library Board, Tree Board, Code Review Committee, Walk Bike Brockport Action Group, Parks Committee, Welcome Center Management Committee, Emily L. Knapp Museum & Library of Local History Committee, Ethics Board

UPSTATE NEW YORK MUNICIPAL WORKERS' COMPENSATION PROGRAM REPRESENTATIVES:

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 13

⇒ Trustee Andrews moved, Trustee Blair seconded, carried 5/0 designating representatives to the Upstate New York Municipal Workers' Compensation Program:

BE IT RESOLVED that the Trustees of the Village of Brockport hereby designates the Village of Brockport's Mayor or her appointee as the Village of Brockport's member on the Board of Directors of the program;

The appointees shall be as follows:
Village Treasurer as Director
Village Trustee as Alternate Director: Trustee Hannan
Village Clerk as Facilitator

VILLAGE BOARD LIAISONS to departments / areas / boards / committees –

⇒ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 that the following Village Board liaison assignments be made:

**VILLAGE OF BROCKPORT
BOARD LIAISONS
TO DEPARTMENTS / AREAS / BOARDS / COMMITTEES
AUGUST 2012 – JUNE 2013**

Personnel / Human Resources	Mayor Castañeda
Budget & Finance	Mayor Castañeda
Intergovernmental Relations	Mayor Castañeda
Department of Public Works	Trustee Blackman
Police Department	Trustee Blair & Hannan
Building / Zoning / Code Enforcement	Trustee Hannan & Blackman
Economic Development (BMA & GBDC)	Trustee Hannan & Blackman
Planning Board	Trustee Blair
Zoning Board of Appeals	Trustee Hannan
Historic Preservation Board	Trustee Andrews
Seymour Library Board	Trustee Hannan
Tree Board	Trustee Blackman
Code Review Committee	Trustee Hannan
Parks Committee	Trustee Blair
Emily L. Knapp Museum & Library of Local History	Trustee Hannan
Ad Hoc Committee on Housing	Trustee Hannan
Farmers Market	Trustee Blackman
Walk Bike Brockport Action Group	Trustee Blackman
Welcome Center Management Committee	Trustee Andrews
BISCO (Brockport Integrated Service Clubs Organization)	Trustee Hannan
SUNY College at Brockport	Trustee Blackman
Workers Comp Program (Alternate for Treasurer and Clerk)	Trustee Hannan

FEE SCHEDULE -

Village Attorney Leni referred to the recommendation by Code Enforcement Officer Zarnstorff to implement a \$50 fee for a “Zoning Compliance Verification Letter”. His reasoning might be sound, but this should be reviewed and would be better incorporated with any changes to the Village Code, done by local law.

⇒ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to adopt the following fee schedule as follows noting that the only changes relate to parking tickets - doubling if not paid or contested within 10 days, tripling if not paid or contested within 30 days.

Trustee Blackman said she no longer thinks parking fines should be increased, just paid. She cited Village Code Chapter 34 5C.: Any person who violates any section of these parking regulations, unless otherwise stated, shall pay to the Village of Brockport a penalty in an amount as established by the Board of Trustees for each and every offense within 20 days of said violation. In the event that said penalty is not paid within 10 days, the amount shall increase as established by the Board of Trustees, and after 30 days, the amount shall again increase as established by the Board of Trustees, the same to be recovered with the cost of said suit...” Village Attorney Leni concurred the Village Code provides for such.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 14

**VILLAGE OF BROCKPORT
FEE SCHEDULE
AMENDED 7/24/12**

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

VILLAGE BOARD FEES

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

ZONING BOARD OF APPEALS FEES

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

PLANNING BOARD FEES

- Commercial / Industrial Change of use.....\$45.00
- Residential Change of use.....\$35.00
- Site plan (new construction) (less than 5 acres).....\$300.00
includes stormwater pollution prevention plan review
- Site plan (new construction) (greater than 5 acres)\$600.00
includes stormwater pollution prevention plan review
- Site plan (other).....\$250.00
includes stormwater pollution prevention plan review
- Residential subdivisions (less than 5 acres)\$200.00 plus \$50 per lot
includes stormwater pollution prevention plan review
- Residential subdivisions (greater than 5 acres).....\$600.00 plus \$50 per lot
includes stormwater pollution prevention plan review
- Re-subdivision.....\$50.00
- Residential Fences (front yard).....25.00
- Commercial / Industrial Fences (includes dumpster enclosures).....\$50.00
- Residential / Commercial / Industrial parking lots.....\$50.00
includes stormwater pollution prevention plan review
- Changes to or alteration of or extension of previous approvals.....\$50.00
- Special Meeting at request of applicant
.....\$50.00 in addition to application base fee
- Public Hearing if Board deems necessary
.....\$100.00 in addition to application base fee

ENGINEERING INSPECTIONS & STORMWATER INSPECTIONS

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

MISCELLANEOUS

- Tax Search.....\$20.00
- Copies.....\$.25 per page
- Returned Check Charge.....\$20.00
- Zoning Map (color).....\$5.00
- Sign Permit.....\$30.00 per sign
- Sidewalk Café Permit.....\$200.00
 - \$150 of the \$200 is returnable at the end of season if no violations.
- Hawking & Peddling Permit 1 to 7 days.....\$100.00
6 months or less.....\$250.00
1 year.....\$500.00
- Parade / Procession Permitno charge
- Fireworks Permit.....no charge
- Appliance with Freon.....\$25.00

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 15

- Garbage and Trash Pick-Up cost to Village plus \$50.00 for first calendar year
(CY) offense, cost plus \$100 for second CY offense, cost plus \$250 for third CY
offense.
- Garbage Cans Pick-Up.....\$25.00 per can
- Lawn Mowing.....\$150 per hour (1 hour minimum) per man plus equipment
- plus \$50.00 for first calendar year (CY) offense, plus \$100 for second CY offense, plus \$250
for third CY offense.
- Weekly Commercial Waste Hauler Permit.....\$1,500.00 (annually)
- Other Commercial Waste Hauler Permit.....\$500.00 (annually)
- Facilities Use Permit\$25.00 deposit
- Electrical Inspection Agency Permit.....\$150.00 (annually)
- Demolition permit – Residential structures.....\$30.00
- Demolition permit - Commercial structures.....\$50.00
- Demolition permit – Industrial structures.....\$100.00

CANAL FRONT AMMENITIES

- Boats 16’ or less.....\$4.00
- Boats 17’ – 30’.....\$6.00
- Boats 31’ – 40’.....\$12.00

- Boats 40'.....\$15.00
- Commercial Boats.....\$20.00

POLICE DEPARTMENT FEES

- Copy of Police Report.....no charge
- Fingerprinting (NON-Village resident/merchant).....\$15.00
- Record Check.....\$5.00

Pay at Village Hall for fingerprinting or Brockport record check then go to Police Department.

- Parking
 - Illegally Parked.....\$30.00
 - Winter Parking Ordinance.....\$40.00
 - Fire Lane / Hydrant.....\$50.00
 - Handicapped Parking.....\$60.00*

Fines doubled if not paid or contested within 10 days.

Fines tripled if not paid or contested within 30 days.

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

BUILDING / FIRE APPLICATION FEES

RESIDENTIAL NEW HOME CONSTRUCTION – includes Certificate of Occupancy inspection fee:

- 800 – 1,100 square feet.....\$400
- 1,101 – 1,300 square feet.....\$550
- 1,301 – 1,500 square feet.....\$650
- 1,501 – 1,700 square feet.....\$700
- 1,701 – 2,000 square feet.....\$750
- 2,001 – 3,000 square feet.....\$800
- 3,001 – 5,000 square feet.....\$850
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item

RESIDENTIAL NEW CONSTRUCTION – (additions, remodeling) - includes Certificate of Occupancy inspection fee:

- Value of construction from \$0 - \$500.....\$65
- Value of construction from \$500 - \$10,000.....\$85
- Value of construction from \$10,000 - \$50,000.....\$105
- Value of construction from \$50,000 - \$100,000.....\$125
- Value of construction from \$100,000 - \$150,000.....\$145
- Value of construction from \$150,000 and up.....\$175
plus \$10.00 for each \$10,000 of construction value
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 16

COMMERCIAL NEW CONSTRUCTION – (additions, remodeling) – includes Certificate of Occupancy Inspection fee:

- Value of construction from \$0 - \$500.....\$100
- Value of construction from \$500 - \$10,000.....\$120
- Value of construction from \$10,000 - \$50,000.....\$140
- Value of construction from \$50,000 - \$100,000.....\$160
- Value of construction from \$100,000 - \$150,000.....\$180
- Value of construction from \$150,000 and up.....\$200
plus \$10 for each \$10,000 of construction value
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item

RESIDENTIAL ACCESSORY STRUCTURES – includes Certificate of Compliance inspection fee:

- Decks.....\$35
- Above ground pools.....\$50
- In ground pools.....\$100
- Sheds (144+sf).....\$30
- Gas appliances i.e. hot water heater, furnace.....\$20

- Gas appliances..... i.e. fireplace, gas log sets, fixed piped home generators.....\$20.00
Temporary Construction Trailer.....\$50.00
- Inspection deficiency – 3 or more non life-safety items.....\$25.00 each item
- Inspection deficiency – any life-safety items.....\$50.00 each item

RENTAL PROPERTY CERTIFICATE OF OCCUPANCY / OPERATIONAL PERMITS

- Residential rental registration.....\$50 per property
- Single family rental Code 210.....\$50
- Two family rental Code 220.....\$100
- Three family rental Code 230.....\$150
- Townhouses Code 411.....\$20.00 per unit
- Apartment building Code 411.....\$150.00 per building
- Inn / rooming house Code 418.....\$100.00
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$10.00 each item
- Re-inspections for non-compliant results after 30 days will double the C of O fee

OPERATIONAL FIRE-SAFETY PERMITS & INSPECTION FEES

- Educational.....\$100.00 (annually)
- Place of Public Assembly 100 persons or greater\$100.00 (annually)
- Assembly uses 50 – 100 persons.....\$50.00 (annually)
- Manufacturing.....\$100.00(annually and/or as local conditions require)
- Fairs/festivals.....\$200.00 (annually)
- Repair/service garages.....\$100.00 (3 year intervals)
- Mercantile over 5000sqft.....\$100.00 (3 year intervals)
- Business use over 5000sqft.....\$100.00 (3 year intervals)
- Food service establishments.....\$35.00 (yearly and/or as local conditions require)
- Other.....\$100.00 (yearly and/or as local conditions require)
- Inspection deficiency – 3 or more non life-safety items.....\$50.00 each item
- Inspection deficiency – any life-safety items.....\$100.00 each item
- Re-inspections for non-compliant results after 30 days will double Operating Permit fee

PLUMBING & SEWER FEES

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

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 17

WATER:

Water Rate Schedule

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

QUARTERLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:

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

QUARTERLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:

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

MONTHLY METERED SERVICE WITHIN THE VILLAGE OF BROCKPORT:

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

MONTHLY METERED SERVICE OUTSIDE THE VILLAGE OF BROCKPORT:

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

UN-METERED WATER:

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

TERMS AND PAYMENT:

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

Frozen meter fee \$100 plus equipment and labor

SERVICE CONNECTIONS:

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

SIZE OF SERVICE	Fee Charge
3/4" and 1" with 5/8" or 3/4" meter and under.....	\$1,000.00
3/4" and 1" with 1" meter.....	\$1,880.00
1 1/2" meter and above.....	to be charged a fee equal to the time and materials used to render the service plus 10%

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

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

SIZE OF SERVICE	Fee Charge
3/4" and under	\$250.00
1"	\$300.00
1 1/2" meter and above.....	to be charged a fee equal to the time and materials used to render the service plus 10%

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

SERVICE DISCONTINUANCE

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

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

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

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 18

FACILITIES USE POLICY -

Clerk Morelli suggested the Board consider abandoning this policy. It has only been the Village's own Boards, Committees, groups that utilize the Village Hall conference room – not outside groups or citizens for personal purposes. There are several other venues available to the public in our area and Village staff refer callers to such (i.e. more appropriate for birthday parties, graduation parties, bridal showers, etc. Sagawa Park should be considered just like all other Village parks and playgrounds – open to the public – first come first serve. The only regular users of it are the Friday evening Cool Kids in the Park programs in June and July.

Trustee Blair said he is reluctant to abandon the policy even if it is used very rarely. It would be harder to re-establish the policy if found to be needed in the future. Clerk Morelli said that was fine.

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to disband the Village Facilities Use Agreement for Village Hall Conference Room and Sagawa Park as last amended 9/13/11 as follows.

- B. Sagawa Park:
 1. USER shall vacate the park no later than 9:30 pm.
 2. All garbage must be removed by USER.
 3. The USER shall not disturb area church services.
 4. The USER may not exclude members of the public from simultaneously using the park.
 3. Alcohol sales are prohibited. Alcohol consumption is prohibited unless approved by the Board of Trustees for a specific PURPOSE OF USE.

4.1 ALCOHOLIC BEVERAGES: The USER agrees and acknowledges that the sale of alcoholic beverages at the PROPERTY is strictly prohibited. If alcoholic beverage consumption is approved by the Board of Trustees for a particular PURPOSE OF USE, then the USER may provide alcoholic beverages for consumption by the guests of the USER at the event by the USER purchasing the alcoholic beverages, and then the USER may provide the alcoholic beverages to the guests at the event, for free, and without any charge.

5. INGRESS/EGRESS: All portions of the sidewalks, entries, doors, passages, vestibules, halls, corridors, stairways, passageways, and all ways of access to public utilities of the premises must be kept unobstructed by USER and must not be used by USER for any purpose other than ingress to or egress from the premises.

6. DAMAGES AND REPAIRS: The USER agrees to be responsible for all damages to buildings, grounds, fields and equipment incident to the use of the PROPERTY. USER shall make no temporary or permanent modifications to the PROPERTY without the prior written consent of the VILLAGE.

7. COMPLIANCE: The USER agrees to use and occupy the FACILITY in accordance with all VILLAGE policies, regulations, rules, and practices and with all applicable municipal, state and federal laws, including but not limited to fire codes. USER may not use the VILLAGE's names or marks, or imply VILLAGE endorsement or support, without express permission from an authorized VILLAGE official.

8. PARTICIPANTS AND ATTENDEES: The USER is responsible for providing all necessary and appropriate safety instruction to all participants and attendees at USER'S activity. The USER is responsible for any and all damages to buildings, grounds, fields and equipment caused by participants and attendees. If the use of the PROPERTY is open to any non-members of USER, then no person shall be denied the equal privileges and enjoyment of having free and open access to the USER'S event on the basis of race, color, creed, religion, national origin or sexual orientation. Access may not be limited on the basis of age or sex except insofar as the goals or purposes of the activity require such limitation and are lawful.

9. ABANDONED PROPERTY: Any property left on the PROPERTY shall, after a period of ten days from the last day of the scheduled use, be deemed abandoned and shall become property of the VILLAGE to be disposed of or utilized at VILLAGE'S sole discretion.

10. PERSONAL: This agreement is personal and the USER shall not assign this agreement nor allow any other person, group or entity to use the PROPERTY during the scheduled time(s) without the prior written consent of VILLAGE.

11. FORCE MAJEURE: If the PROPERTY is rendered unsuitable for the conduct of the USER'S activity by reason of force majeure, the VILLAGE and the USER are released from their obligations under this contract. Force majeure shall mean fire, earthquake, hurricane, flood, act of God, strikes, work stoppages or other labor disturbances, riots or civil commotions, war or other act of any foreign nation, power of government, governmental agency or authority, or any other cause like or unlike any cause mentioned which is beyond the control of the VILLAGE.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 20

12. INDEMNIFICATION

A. The VILLAGE shall have no responsibility for the safety and/or security of any property belonging to USER or to those persons participating in the use of the PROPERTY by USER. USER expressly releases and discharges the VILLAGE for any and all liabilities for any loss, injury, or damages to any such property.

B. The VILLAGE shall have no responsibility for the safety and/or security of any person participating in the use of the PROPERTY by USER except as may arise from the negligence of the VILLAGE. USER expressly agrees to indemnify and hold harmless VILLAGE, its officers, employees, students and agents, from all cost, loss and expense arising out of any liability or claim of liability for injury or damage to persons resulting directly or indirectly from their participation in USER'S use of the PROPERTY, regardless of whether such use was authorized or not, and regardless of whether the liability or claim of liability arises out of the act or omission of USER.

C. In the sole discretion of the VILLAGE, at all times during the use of the PROPERTY, USER may be required to have a policy of comprehensive liability insurance, including public liability, bodily

injury, and property damage, written by a company licensed to do business in the state of New York, covering the use contemplated by this agreement with combined single limits of no less than \$1,000,000 per occurrence and \$3,000,000 aggregate. The USER shall name the VILLAGE, including its trustees, officers, agents and employees as Additional Insureds for the said purpose and use of this agreement. USER agrees that the insurance will be primary coverage and will contain no terms allowing the insurer to be subrogated to the rights of any injured or damaged person or entity insofar as said person or entity may have claims against VILLAGE. The USER shall also maintain Worker's Compensation insurance to meet the requirements of the Workers Compensation laws of New York where applicable. Certificates of Insurance evidencing such insurance coverage shall be provided to the VILLAGE.

D. If USER is a department, division, or other unit of VILLAGE, paragraph 12 and all requirements included within it are null and do not become part of the agreement between the parties. If USER is a state or federal government agency, indemnification is not required where prohibited by law. If USER is an individual, the comprehensive liability insurance certificate required by paragraph 12(C) shall not be required unless the VILLAGE finds, in its sole discretion, that the intended use may negatively impact the Village or its property.

13. CANCELLATION AND TERMINATION: The VILLAGE reserves the right to cancel or terminate the use and retain the use fees and security deposit paid to the VILLAGE if for any reason, within the independent and sole discretion of the VILLAGE, there is or will be, any violation of this agreement, of any rule regarding the use of the PROPERTY, any obligation of the user hereunder, or for any other reason based on health and safety concerns of the Village or its officials.

14. WHOLE AGREEMENT: This writing contains the whole and complete agreement between the VILLAGE and USER.

15. SEVERABILITY: The terms of this Agreement are severable such that if one or more provisions are declared illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.

The undersigned certifies that (s) he is authorized to sign this Agreement on behalf of the USER and the VILLAGE, respectively, and that the USER and the VILLAGE acknowledge and accept the terms and conditions herein and attached hereto.

Dated: _____ 20__ Dated: _____ 20__

USER: VILLAGE:

BY: _____ BY: _____

Position: _____ Position: _____

For office use only:

_____ Approved _____ Denied
_____ Availability Confirmed with _____
_____ Notification Given to _____
_____ Security Deposit Collected (\$25)
_____ Fees Collected
_____ Received Insurance Certificate with Village as Additional Insured (Not required for individual use of facility)

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 21

PURCHASING / PROCUREMENT POLICY –

→ Trustee Blackman moved, Trustee Hannan seconded, carried 5/0 to amend the Village Purchasing/ Procurement Policy last amended 7/19/10 noting that the only changes relate to the deletion of what was numbered Guideline 9 which was specific to the Fire Department and Ambulance Corps regarding the use of purchase orders.

**Village of Brockport
Purchasing / Procurement Policy
Amended 7/24/12**

Section 104-b of the General Municipal Law (GML) requires every municipality to adopt internal policies governing all procurement of goods and services not subject to the bidding requirements of GML Section 103 or any other law. In accordance with that requirement, the following guidelines are established for use by the Village of Brockport.

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every village officer, board member, department head or other personnel with the requisite purchasing authority (the Purchaser) shall adhere to this policy. An employee wishing to make a purchase on behalf of the Village must have the purchase authorized by the appropriate department head.

Guideline 2. All purchases of:

- (a) Goods, services, equipment or public works contracts shall be executed through a purchase order, which will be preceded by a Request for Purchase Order.
- (b) Purchases which will exceed the threshold amount set forth in GML Section 103 (\$20,000 for goods and equipment purchases and \$35,000 for Public Works Contracts) shall be formally bid pursuant to this law and shall be executed only after appropriate Village Board approval has been obtained.

Guideline 3. All purchases of goods, services, equipment or public works contracts:

- (a) Less than \$10,000 but greater than \$500 require a written request for proposal (RFP), written/fax quotes from three (3) vendors.
- (b) Purchases equal to or in excess of \$2,000 will also require approval of the Village Board.
- (c) Purchases of less than \$2,000 are at the discretion of the Department Head.
- (d) Any written RFP shall be from a reputable vendor, and must describe the desired goods, quantity and particulars of delivery. The Purchaser shall use the Quotation Log to compile a list of all vendors from whom written/fax quotes have been requested; and the written/fax quotes offered, and all information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the RFP. The Quotation Log must be signed by the employee and the Department Head.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification as to why it is in the best interest of the Village and its taxpayers to make an award to other than the low bidder. If a vendor is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. However, if the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made. In no event shall the inability to obtain the required proposals or quotations be a bar to the procurement.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 22

Guideline 6. In the event that there is only one supplier for a particular good or service, care must be taken to document that the item or service is unique in its benefits as compared to other items or service available in the market place. The Purchaser must be sure that no other item or service provides a substantially equivalent or similar benefit. These facts must be documented on the Quotation Log and filed with the purchase request.

Guideline 7. In the event a good or service can be obtained under a city, county or state contract bid, the Purchaser must document the **current year** contract number, whether it is a city, county, or state bid, the price per unit and the total cost of the purchase.

Guideline 8. Except when directed by the Village Board, no solicitations of written proposals or quotations shall be required under the following circumstances:

- (a) Emergencies;
- (b) Goods purchased from agencies for the blind or severely handicapped;
- (c) Goods purchased from correctional facilities;
- (d) Goods purchased from another governmental agency;
- (e) Goods purchased at auction - shall be done at or below any established limit agreed upon by the Village Board.

Guideline 9. This policy shall be reviewed annually or as deemed necessary by the Village Board.

VILLAGE VEHICLE USAGE POLICY –

→ Trustee Blackman moved, Trustee Andrews seconded, carried 5/0 to amend Village Vehicle Usage Policy last amended 2/14/12 noting that the only changes relate to the deletion of items that were specific to the Fire Department and volunteers and fire apparatus.

**Village of Brockport
Vehicle Usage Policy
Amended 07/24/12**

Policy Statement – The village board may assign a village vehicle to a village official or employee (whether on a case-by-case or continual basis). The village owns and maintains such vehicles, including related equipment, explicitly to conduct official village business. Personal use and the use of vehicles, including related equipment, for the private gain of any official or employee, including related equipment, except for commuting and de minimus personal use, is prohibited.

General Standards – Compliance with this policy requires observance of the following standards.

- The village board shall authorize (whether on a case-by-case or continual basis) the purpose(s) for which a village vehicle may be used.
- A formal written request for any use outside the scope of normal daily use must be made 2 weeks prior to its use.
- A department head to which the village board has assigned a vehicle, including any related equipment, shall maintain the general administrative jurisdiction of said vehicle, including directing its use by a subordinate.
- A department head shall maintain under his control and jurisdiction all keys to a vehicle assigned to his department when such vehicle is not in use.
- A village official or employee shall not use a village vehicle for an unauthorized purpose.
- A village official or employee cited for a parking violation, moving violation, or any other driving infraction or offense while using a municipal vehicle shall notify his supervisor as soon as practicable and within 24 hours of such citation.
- A village official or employee operating a village vehicle shall be personally liable for fines resultant from conviction of a parking violation, moving violation, or any other driving infraction or offense committed while using a village vehicle.
- A village official or employee involved in a motor vehicle accident while using a municipal vehicle shall notify his supervisor as soon as practicable and within 24 hours of such accident; the applicable department head shall notify the mayor and file an accident report in the village clerk's office as soon as practicable and within 48 hours of such accident.
- A village official or employee shall not transport in a village vehicle persons who are not village officials or employees (exception: department supervisors issued take home vehicles may transport family members while maintaining 24/7 availability to their respective department in a non-emergency mode), or material or persons unrelated to the conduct of village business. For the purpose of this policy, persons affected by emergency situations to which village emergency responders have

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 23

responded are related to the conduct of village business.

- A village official or employee to whom a village vehicle is assigned shall not allow their spouse or another to drive said vehicle.
- A village official or employee to whom a village vehicle, excluding a police vehicle, is assigned shall lock the same when not in use.
- A village official or employee shall notify the appropriate department head of any malfunction of a village vehicle while it is assigned to him.
- No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on village vehicles at any time, except those of a limited community service nature that have been authorized by the village board.

- Village vehicles, except unmarked police vehicles, shall be clearly marked with identification as approved by the village board.
- Smoking and the use of smokeless tobacco in village vehicles are prohibited.

Standards for Use of Police Vehicles – The standards described by Brockport Police Department General Order 325 apply to the use of police vehicles in addition to the foregoing “General Standards.”

Taxable Fringe Benefit – Employees authorized to use a village vehicle on a 24-hour-per-day, seven-day-per-week basis may be subject to imputed income tax regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The village will use IRS Publication 15-B “Employers Tax Guide to Fringe Benefits,” Section 3, Fringe Benefit Valuation Rules, Commuting Rule in determining any tax liability and automatically update changes to the rate as made by the IRS. The rule establishes a \$1.50 per one-way commute value as the non-cash taxable fringe value. This value will be includable in the employee’s gross income and is subject to all federal withholding taxes. Employees who are assigned marked police, unmarked police vehicles or specialized vehicles carrying tools and meeting certain other eligibility criteria established by the IRS will not be subject to the commuting valuation rule.

VILLAGE MEDIA RESPONSE AND SUBMISSION POLICY –

→ Trustee Blair moved, Mayor Castañeda seconded, carried 5/0 to amend the Village Media Response and Submission Policy last amended 5/17/10 noting that the only changes relate to the deletion of items that were specific to the Fire Department and Ambulance Corps and volunteers.

Village of Brockport Media Response and Submission Policy

Amended by Village Board 7/24/12

Policy Statement - The village board acts to ensure coordinated, coherent, professional, accurate, and reliable communication between the Village of Brockport and all media outlets. This policy is intended to sustain and reinforce a positive public image of the village by effectively disseminating timely, relevant, and interesting information.

General Standards – For the purpose of this policy, “statement” means spoken communication; “submission” means printed or electronic communication. Compliance with this policy requires observance of the following standards.

- § 1. Members of the village board are the official spokespersons of the village. Other village officials and employees shall not make official statements, whether unsolicited or in response to a media inquiry, except when authorized by the mayor or the village board, or to affirm or clarify facts that are part of the public record.
- § 2. Only official spokespersons shall respond to media inquiries.
- § 3. Official statements to the media, whether unsolicited or in response to an inquiry, shall accurately reflect the village’s position as described by official documents such as, but not limited to formal plans, adopted policies, and approved meeting minutes.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 24

- § 4. A village official or employee who wishes to make a personal statement regarding any village-related topic must clearly inform the media that he is making such statement as an individual, that his/her statement does not necessarily represent the position of the village, and that they are not authorized to speak for, or on behalf of the village at the time of the statement.

§ 5. Any unsolicited submission to the media, such as a press release, must be approved by the village board or the mayor prior to its issuance. It shall include in its heading the date of such approval.

§ 6. Any direct quotation of a village official or employee in a statement or submission to the media must be verified by official record or acknowledged as accurate by the party quoted prior to issuance of such statement or submission.

VILLAGE BOARD MEETING PROCEDURES POLICY –

There was confusion over whether to adopt the policy in its entirety or section by section as the only proposals made thus far were by the Mayor. Trustee Blair said he did not want the Mayor to “backdoor” her proposals. Mayor Castañeda said she had no such intention and said this is the Board’s opportunity to propose changes and they can go through it section by section and then adopt it overall.

→ Mayor Castañeda moved, Trustee Blackman seconded, to amend Section 1 to read as follows adding the part marked with *:

INTENT: Every public body has an inherent right to regulate its own procedures. Legislative bodies need rules so that the will of the majority is expressed and the rights of the minority are protected.

Section 1. MEETINGS: The Board of Trustees for the Village of Brockport, New York shall hold regular meetings on the second and fourth Tuesdays of each month per the adopted schedule. Such meetings shall commence at 7:00pm and be conducted in the conference room of the Village Hall at 49 State Street, Brockport, New York. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees.

*The Village Attorney and Treasurer shall attend the second regular meeting of the month (the fourth Tuesday). Department Heads do not need to attend, but must e-mail in Word a brief written report to the Clerk by the agenda submission deadline. If a Department Head is needed at a meeting, the Major will invite them.

OR

*The Village Clerk or a Deputy Clerk shall attend every regular meeting. The Village Attorney, Treasurer, and Department Heads shall attend the second regular meeting of the month (the fourth Tuesday).

Discussion:

In the past they attended both regular meetings per month and it was changed to one meeting per month. Trustee Blackman said she finds it helpful to have them here that one meeting per month. Trustee Blair concurred and said they should stay through the whole meeting and not be dismissed after their reports as they often have insights to share. Trustee Blair said Mayor Castañeda is trying to control and limit what they have to say. Mayor Castañeda said she is trying to run a more efficient meeting. Trustee Blackman said that can be accomplished if everyone is concise with their reports and comments. Mayor Castañeda suggested limiting reports to 5 minutes. Trustee Andrews said rather than impose a time limit, reports of Department Heads, staff and Board should focus on their activities since the last meeting they attended and plans/projects until the next meeting they attend.

Call to Question:

Trustee Andrews	voted no
Trustee Blackman	voted no
Trustee Blair	voted no
Trustee Hannan	voted no
Mayor Castañeda	voted yes

Motion fails 4/1.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 25

→ Mayor Castañeda moved, Trustee Blackman seconded, to amend Section 2 to read as follows deleting the parts crossed out and adding the parts marked with *:

Section 2. SPECIAL MEETINGS: The Board of Trustees for the Village of Brockport, New York shall hold work sessions on the first Tuesday of each month per the adopted schedule.

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by ~~a quorum~~ *any member of said Board ~~as defined in section 3 Quorum~~ upon notice to the entire board *and the Village Clerk. Notice shall be given by telephone, in person, or in writing.

Discussion:

Mayor Castañeda stressed that when a Trustee calls for a special meeting, they should be sure every member of the Village Board and the Village Clerk are notified. There have been instances when she has not been notified by the Trustee calling for the meeting and then learns of it when the Clerk notifies all.

Call to Question:

Trustee Andrews	voted yes
Trustee Blackman	voted yes
Trustee Blair	voted yes
Trustee Hannan	voted yes
Mayor Castañeda	voted yes

Motion passes 5/0.

No changes proposed to Section 3.

Section 3. QUORUM: A quorum shall be required to conduct business. A quorum of the (5) five member Board of Trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

No changes proposed to Section 4.

Section 4. EXECUTIVE SESSIONS: Executive sessions shall be held in accordance with the New York State Public Officers Law Section 105. All executive sessions shall be commenced in a public meeting.

No changes proposed to Section 5.

However, Trustee Blair pointed out that the policy allows for items being placed on the agenda at any time, including during the meeting. He said he and others have been chastised for such in the past.

Mayor Castañeda said she has been encouraging everyone to be more prepared. By placing items on the agenda and providing information for the packets, it gives everyone an opportunity to review. Further, it complies with the new law that went into effect in February.

Section 5. AGENDAS: The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. Items for the agenda shall be given to the Clerk by noon the Wednesday preceding the Tuesday meeting. However, items may be placed on the agenda at any time, including during the meeting. The agenda shall be prepared by end of day Monday prior to the Tuesday meeting. (When possible, it will be prepared by end of day Friday prior to the Tuesday meeting.) If necessary, a supplemental agenda shall be distributed at the beginning of the meeting.

No changes proposed to Section 6.

Section 6. VOTING: Pursuant to Village Law, each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.

An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter. A vote upon any question shall be taken verbally, and the names of the members present and their votes shall be entered in the minutes.

Once the Board has voted on a matter, the matter is closed and no member of the Board including the presiding officer may speak or comment on the matter.

When the presiding officer is out of order, he/she may be called out of order by any member of the Board.

→ Trustee Blair moved, Trustee Andrews seconded, to amend Section 7 to read as follows adding the parts marked with *:

Section 7. MINUTES: Minutes shall be taken by the Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolution and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon, provided, however, that such summary need not include any matter which is not required to be made public by the New York State Freedom of Information Law. (See attachment)

MINUTES SHALL INCLUDE THE FOLLOWING:

- Name of the Board
- Date, place and time of the meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment.
- Name and title of other Village officials and employees present.
- Names of attendees.
- Record of communications presented to the Board.
- Record of reports made by Board or other personnel.
- Time of adjournment.
- Signature of Clerk or person who took the minutes if not the Clerk.
- *Minutes are not required to be a verbatim account of the meeting.
- *The State's Open Meetings Law requires minutes to include an accurate and complete record or summary of all:
 - Motions
 - Proposals
 - Resolutions
 - Any other matter formally voted upon by the board as well as the actual vote of each member of the public body.

Minutes shall contain only a summary of the discussion leading to action taken but shall not include verbatim comments. Officials desiring that a verbatim statement be included must provide such statement electronically to the Village Clerk the day following the meeting.

Minutes shall be typed and available to the Village Board within 2 weeks as per law. Minutes shall be approved at the next Board meeting. Amendments to the minutes shall require Board approval.

Call to Question:

Trustee Andrews	voted yes
Trustee Blackman	voted yes
Trustee Blair	voted yes
Trustee Hannan	voted yes
Mayor Castañeda	voted yes

Motion passes 5/0.

→ Mayor Castañeda moved, Trustee Blackman seconded, to amend Section 8 to read as follows deleting the parts crossed out and adding the parts marked with *:

Section 8. ORDER OF BUSINESS:

Call to order / Pledge to the Flag
 Moment of Silence
 Guests
 Public comment (*2 minutes)
 Public hearings

Public information meetings
Certificates & proclamations
Approval of minutes

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 27

Approval of bills to be paid
Clerk & Treasurer Reports
Department Reports
Personnel Items
Old business
New business
Village Board reports
Executive Session (if needed)
***Public Comment (2 minutes)**
Adjournment

Discussion:

Mayor Castañeda said she would like public comment to go from 5 minutes each to 2 minutes each and to be at the beginning and the end of the regular meetings.

Trustee Blackman said 2 minutes is not long for someone to speak and she would prefer to keep public comment to only the beginning of the regular meetings.

Call to Question:

Trustee Andrews	voted no
Trustee Blackman	voted no
Trustee Blair	voted no
Trustee Hannan	voted no
Mayor Castañeda	voted yes

Motion fails 4/1.

→ Trustee Andrews moved, Trustee Blair seconded, to amend Section 9 to read as follows deleting the part crossed out:

Section 9. GENERAL RULES OF PROCEDURE: The Mayor shall preside at the meeting. In the Mayor's absence, the Deputy Mayor shall preside. If the Major has not appointed a Deputy Major, she will rotate Trustees to run the meeting. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members shall not be required to rise but must be recognized by the presiding officer before making motions and speaking. ~~Motions do not require a second.~~ A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, were called to order, he shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question.

Motions to close or limit debate may be entertained but shall require a two-thirds vote.

A motion shall be discussed or acted upon only if any member of the totally authorized voting power – except the member that made such motion – seconds such motion.

Members of the Board, including the presiding officer, may only speak or comment on the current subject before the Board. Members of the Board including the presiding officer may not speak or comment on any subject that is not currently before the Board.

Call to Question:

Trustee Andrews	voted yes
Trustee Blackman	voted yes
Trustee Blair	voted yes
Trustee Hannan	voted yes
Mayor Castañeda	voted yes

Motion passes 5/0.

Since the proposed changes re Section 8 regarding public comment failed, no changes proposed to Section 10.

Section 10. GUIDELINES FOR PUBLIC COMMENT: The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 28

Speakers must be visible.
Speakers must give their name, address and organization, if any.
Speakers must be recognized by the presiding officer.
Speakers must limit their remarks to 5 minutes on a given topic or extended if recognized by the presiding officer.
Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
All remarks shall be addressed to the Board as a body and not to any member thereof.
Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.

No changes proposed to Section 11.

Section 11. AUDITING: The approval of the Board to pay the bills upon audit must be done by motion. Bills shall be prepared by end of day Monday prior to the Tuesday meeting. (When possible, they will be prepared by end of day Friday prior to the Tuesday meeting.)

No changes proposed to Section 12.

Section 12. ADJOURNMENT: The meeting shall be adjourned by motion.

No changes proposed to Section 13.

Section 13. AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority vote of the Board.

No changes proposed to Attachment to Section 7.

ATTACHMENT TO Section 7.
OPEN MEETINGS LAW "SUNSHINE LAW"

Effective in New York State in 1977. Amendments that clarify and reaffirm the public's right to hear the deliberations of public bodies became effective on October 1, 1979.

A public body cannot close its doors to the public to discuss the subject of its choice, for the law specifies and limits the subject matter that may appropriately be discussed in executive session. The eight subjects that may be discussed behind closed doors include:

- (a) matters that will imperil the public safety if disclosed;
- (b) any matter which may disclose the identity of a law enforcement agency or informer;
- (c) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- (d) discussions regarding proposed, pending or current litigation.
- (e) collective negotiations pursuant to Article 14 of the Civil Service Law, (the Taylor Law);
- (f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- (g) the preparation, grading or administration of examinations, and
- (h) the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

These are the only subjects that may be discussed behind closed doors; all other deliberations must be conducted during open meetings.

A public body can never vote to appropriate public monies during a closed session. Although a public body MAY vote during a properly convened executive session, any vote to appropriate public monies must be taken in public.

NOTE: If a vote is taken during a properly convened executive session, minutes of the executive session must be taken and included in the meeting minutes.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 29

The overall amended version reads as follows:

**VILLAGE OF BROCKPORT
VILLAGE BOARD
MEETING PROCEDURES
Amended 7/24/12**

INTENT: Every public body has an inherent right to regulate its own procedures. Legislative bodies need rules so that the will of the majority is expressed and the rights of the minority are protected.

Section 1. MEETINGS: The Board of Trustees for the Village of Brockport, New York shall hold regular meetings on the second and fourth Tuesdays of each month per the adopted schedule. Such meetings shall commence at 7:00pm and be conducted in the conference room of the Village Hall at 49 State Street, Brockport, New York. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees.

The Village Clerk or a Deputy Clerk shall attend every regular meeting. The Village Attorney, Treasurer, and Department Heads shall attend the second regular meeting of the month (the fourth Tuesday).

Section 2. SPECIAL MEETINGS: The Board of Trustees for the Village of Brockport, New York shall hold work sessions on the first Tuesday of each month per the adopted schedule.

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by any member of said Board upon notice to the entire board and Village Clerk. Notice shall be given by telephone, in person, or in writing.

Section 3. QUORUM: A quorum shall be required to conduct business. A quorum of the (5) five member Board of Trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

Section 4. EXECUTIVE SESSIONS: Executive sessions shall be held in accordance with the New York State Public Officers Law Section 105. All executive sessions shall be commenced in a public meeting.

Section 5. AGENDAS: The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. Items for the agenda shall be given to the Clerk by noon the Wednesday preceding the Tuesday meeting. However, items may be placed on the agenda at any time, including during the meeting. The agenda shall be prepared by end of day Monday prior to the Tuesday meeting. (When possible, it will be prepared by end of day Friday prior to the Tuesday meeting.) If necessary, a supplemental agenda shall be distributed at the beginning of the meeting.

Section 6. VOTING: Pursuant to Village Law, each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law. An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter. A vote upon any question shall be taken verbally, and the names of the members present and their votes shall be entered in the minutes.

Once the Board has voted on a matter, the matter is closed and no member of the Board including the presiding officer may speak or comment on the matter.

When the presiding officer is out of order, he/she may be called out of order by any member of the

Board.

Section 7. MINUTES: Minutes shall be taken by the Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolution and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon, provided, however, that such summary need not include any matter which is not required to be made public by the New York State Freedom of Information Law. (See attachment)

MINUTES SHALL INCLUDE THE FOLLOWING:

- Name of the Board
- Date, place and time of the meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment.
- Name and title of other Village officials and employees present.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 30

- Names of attendees.
- Record of communications presented to the Board.
- Record of reports made by Board or other personnel.
- Time of adjournment.
- Signature of Clerk or person who took the minutes if not the Clerk.
- Minutes are not required to be a verbatim account of the meeting.
- The State's Open Meetings Law requires minutes to include an accurate and complete record or summary of all:
 - Motions
 - Proposals
 - Resolutions
 - Any other matter formally voted upon by the board as well as the actual vote of each member of the public body.

Minutes shall contain only a summary of the discussion leading to action taken but shall not include verbatim comments. Officials desiring that a verbatim statement be included must provide such statement electronically to the Village Clerk the day following the meeting.

Minutes shall be typed and available to the Village Board within 2 weeks as per law. Minutes shall be approved at the next Board meeting. Amendments to the minutes shall require Board approval.

Section 8. ORDER OF BUSINESS:

- Call to order / Pledge to the Flag
- Moment of Silence
- Guests
- Public comment
- Public hearings
- Public information meetings
- Certificates & proclamations
- Approval of minutes
- Approval of bills to be paid
- Clerk & Treasurer Reports
- Department Reports
- Personnel Items
- Old business
- New business
- Village Board reports
- Executive Session (if needed)
- Adjournment

Section 9. GENERAL RULES OF PROCEDURE: The Mayor shall preside at the meeting. In the Mayor's absence, the Deputy Mayor shall preside. If the Major has not appointed a Deputy Major, she will rotate Trustees to run the meeting. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members shall not be required to rise but must be recognized by the presiding officer before making motions and speaking. A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, were called to order, he shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question.

Motions to close or limit debate may be entertained but shall require a two-thirds vote.

A motion shall be discussed or acted upon only if any member of the totally authorized voting power – except the member that made such motion – seconds such motion.

Members of the Board, including the presiding officer, may only speak or comment on the current subject before the Board. Members of the Board including the presiding officer may not speak or comment on any subject that is not currently before the Board.

Section 10. GUIDELINES FOR PUBLIC COMMENT: The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.

Speakers must be visible.

Speakers must give their name, address and organization, if any.

Speakers must be recognized by the presiding officer.

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 31

Speakers must limit their remarks to (5) minutes on a given topic or extended if recognized by the presiding officer.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the Board as a body and not to any member thereof.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.

Section 11. AUDITING: The approval of the Board to pay the bills upon audit must be done by motion. Bills shall be prepared by end of day Monday prior to the Tuesday meeting. (When possible, they will be prepared by end of day Friday prior to the Tuesday meeting.)

Section 12. ADJOURNMENT: The meeting shall be adjourned by motion.

Section 13. AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority vote of the Board.

ATTACHMENT TO Section 7.

OPEN MEETINGS LAW “SUNSHINE LAW”

Effective in New York State in 1977. Amendments that clarify and reaffirm the public’s right to hear the deliberations of public bodies became effective on October 1, 1979.

A public body cannot close its doors to the public to discuss the subject of its choice, for the law specifies and limits the subject matter that may appropriately be discussed in executive session. The eight subjects that may be discussed behind closed doors include:

- (i) matters that will imperil the public safety if disclosed;
- (j) any matter which may disclose the identity of a law enforcement agency or informer;
- (k) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- (l) discussions regarding proposed, pending or current litigation.
- (m) collective negotiations pursuant to Article 14 of the Civil Service Law, (the Taylor Law);
- (n) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- (o) the preparation, grading or administration of examinations, and
- (p) the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

These are the only subjects that may be discussed behind closed doors; all other deliberations must be conducted during open meetings.

A public body can never vote to appropriate public monies during a closed session. Although a public body MAY vote during a properly convened executive session, any vote to appropriate public monies must be taken in public.

NOTE: If a vote is taken during a properly convened executive session, minutes of the executive session must be taken and included in the meeting minutes.

IDENTITY THEFT PREVENTION POLICY –

→ Trustee Hannan moved, Trustee Blackman seconded, carried 5/0 to confirm Village Identity Theft Prevention Policy (i.e. water bills) last amended 11/16/09.

**Village of Brockport
Identity Theft Prevention Program
Effective December 1, 2009**

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 32

I. PROGRAM ADOPTION

The Village of Brockport (“Village”) developed this Identity Theft Prevention Program (“Program”) pursuant to the Federal Trade Commission’s (“FTC”) Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed with oversight and approval of the Village Board of Trustees. After consideration of the size and complexity of the Village’s operations and account systems, and the nature and scope of the Village’s activities, the Village Board of Trustees determined that this Program was appropriate for the Village, and therefore approved this Program on November 16, 2009.

II. DEFINITIONS AND PROGRAM

A. Red Flags Rule Definitions Used in this Program

“Identity Theft” is a “fraud committed or attempted using the identifying information of another person without authority.”

A “Red Flag” is a “pattern, practice, or specific activity that indicates the possible existence of Identity Theft.”

A “Covered Account” includes all utility accounts that are administered by the Village.

“Program Administrator” is the individual designated with primary responsibility for oversight of the program. (See Section VI below).

“Identifying information” is “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, social security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, computer’s Internet Protocol address, or routing code.

B. Fulfilling Requirements of the Red Flags Rule

Under the Red Flags Rule, the Village is required to establish an “Identity Theft Prevention Program” tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to customers or to the safety and soundness of the customer from Identity Theft.

III. IDENTIFICATION OF RED FLAGS

In order to identify relevant Red Flags, the Village considers the types of accounts that it offers and maintains, methods it provides to open its accounts, methods it provides to access its accounts, and its previous experiences with Identity Theft. The Village identifies the following Red Flags in each of the listed categories:

A. Notifications and Warnings from Credit Reporting Agencies

Red Flags

1. Report of fraud accompanying a credit report;
2. Notice or report from a credit agency of a credit freeze on an applicant;

3. Notice or report from a credit agency of an active duty alert for an applicant;
4. Receipt of a notice of address discrepancy in response to a credit report request; and
5. Indication from a credit report of activity that is inconsistent with an applicant's usual pattern or activity.

B. Suspicious Documents

Red Flags

1. Identification document or card that appears to be forged, altered or inauthentic;
2. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
3. Other document with information that is not consistent with existing customer information; and
4. Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

MINUTES OF VILLAGE BOARD MEETING HELD July 24, 2012 continued.....page 33

Red Flags

1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
2. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on an enrollment application);
3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
5. Social security number presented that is the same as one given by another customer;
6. An address or phone number presented that is the same as that of another person;
7. A person fails to provide complete personal identifying information on an application when reminded to do so; and
8. A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Covered Account Activity or Unusual Use of Account

Red Flags

1. Change of address for an account followed by a request to change the customer's name;
2. Payments stop on an otherwise consistently up-to-date account;
3. Account used in a way that is not consistent with prior use;
4. Mail sent to the customer is repeatedly returned as undeliverable;
5. Notice to the Village that a customer is not receiving mail sent by the Village;
6. Notice to the Village that an account has unauthorized activity;
7. Breach in the Village's computer system security; and
8. Unauthorized access to or use of customer account information.

E. Alerts from Others

Red Flag

1. Notice to the Village from a customer, Identity Theft victim, law enforcement or other person that the Village has opened or is maintaining a fraudulent account for a person engaged in Identity Theft. 5

IV. DETECTING RED FLAGS

A. Customer Enrollment

In order to detect any of the Red Flags identified above associated with the enrollment of a customer, Village personnel will take the following steps to obtain and verify the identity of the person opening the account:

Detect:

1. Require certain identifying information such as name, date of birth, home address or other identification; and
2. Verify the customer's identity at time of enrollment (review of driver's license or other government-issued photo identification).

B. Existing Accounts

In order to detect any of the Red Flags identified above for an existing Covered Account, Village personnel will take the following steps to monitor transactions on an account:

Detect:

1. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of requests to change billing addresses by mail or email and provide the customer a reasonable means of promptly reporting incorrect billing address changes; and
3. Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event Village personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

Prevent and Mitigate

1. Continue to monitor a Covered Account for evidence of Identity Theft;
2. Contact the customer or applicant (for which a credit report was run);
3. Change any passwords or other security devices that permit access to Covered Accounts;

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4. Not open a new Covered Account;
5. Provide the customer with a new customer identification number;
6. Notify the Program Administrator for determination of the appropriate step(s) to take;
7. Notify law enforcement;
8. File or assist in filing a Suspicious Activities Report (“SAR”); or
9. Determine that no response is warranted under the particular circumstances.

Protect Customer Identifying Information

In order to further prevent the likelihood of Identity Theft occurring with respect to Covered Accounts, the Village will take the following steps with respect to its internal operating procedures to protect customer identifying information:

1. Ensure that its website is secure or provide clear notice that the website is not secure;
2. Ensure complete and secure destruction of paper documents and computer files containing customer account information when a decision has been made to no longer maintain such information;
3. Ensure that office computers with access to Covered Account information are password protected;
4. Avoid use of social security numbers
5. Ensure computer virus protection is up to date; and
6. Require and keep only the kinds of customer information that are necessary for Village purposes.

VI. PROGRAM ADMINISTRATION

A. Oversight

Responsibility for developing, implementing and updating this Program lies with an Identity Theft Committee (“Committee”) for the Village. The Committee is headed by a Program Administrator who may be the Mayor of the Village or his or her appointee. Two or more other individuals appointed by the Mayor of the Village or the Program Administrator comprise the remainder of the committee membership. The Program Administrator will be responsible for ensuring appropriate training of Village staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

B. Staff Training and Reports

Village staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. Village staff shall be trained, as necessary, to effectively implement the Program. Village employees are expected to notify the Program Administrator once they become aware of an incident of Identity Theft or of the Village’s failure to comply with this Program. At least annually or as otherwise requested by the Program Administrator, Village staff responsible for development, implementation, and administration of the Program shall report to the Program Administrator on compliance with this Program. The report should address such issues as effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening and maintenance of Covered Accounts, service provider arrangements, significant incidents involving identity theft and management’s response, and recommendations for changes to the Program.

C. Service Provider Arrangements

In the event the Village engages a service provider to perform an activity in connection with one or more Covered Accounts, the Village will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of Identity Theft.

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the Village's Program and report any Red Flags to the Program Administrator or the Village employee with primary oversight of the service provider relationship.

D. Non-disclosure of Specific Practices

For the effectiveness of this Identity Theft Prevention Program, knowledge about specific Red Flag identification, detection, mitigation and prevention practices may need to be limited to the Committee who developed this Program and to those employees with a need to know them. Any documents that may have been produced or are produced in order to develop or implement this program that list or describe such specific practices and the information those documents contain are considered “confidential” and should not be shared with other Village employees or the public. The Program Administrator shall inform the Committee and those employees with a need to know the information of those documents or specific practices which should be maintained in a confidential manner.

E. Program Updates

The Committee will periodically review and update this Program to reflect changes in risks to customers and the soundness of the Village from Identity Theft. In doing so, the Committee will consider the Village's experiences with

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Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the Village's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Committee will update the Program.

SELECTION PROCESS OF MEMBERS TO BOARDS & COMMITTEES –

→ Trustee Blair moved, Trustee Blackman seconded, carried 5/0 to amend the Selection Process of Members to Boards and Committees adopted 3/3/08 noting shortening the title by deleting reference to it having been a resolution submitted by Trustee Hannan and reviewed by Attorney Mayer in 2008, deleting reference to consultation with the Village Manager (since we do not currently have one), changing submittal of resignation letters to Village Clerk, not Mayor, correcting reference to Village Law 3-304 from 3-308, deleting the committees that were previously disbanded, and adding the housing committee under the heading of task force committees.

**Village of Brockport
Selection Process of Members to Boards and Committees
Amended by Village Board 7/24/12**

The Village of Brockport has a strong tradition of volunteerism. Residents are encouraged to serve on citizen boards and committees dealing with day-to-day issues. Their participation in Village government-- in the decision-making process—fulfills a public service role that enhances the quality of life in the Village and the surrounding communities.

BOARDS AND COMMITTEES

The members of our boards by statute, standing boards/committees, task force committee(s), and open roster committees act in an advisory capacity to the Village Board when creating ordinances, policies and procedures, and some act independently to relieve the Village Board of various administrative functions. When applicable, the Village Law takes precedence over this Village Board resolution. The purpose of this resolution is to clarify the selection process and identify those boards/committees that are bound by its usage.

The Brockport Village Board of Trustees (BOT) shall conform to the rules governing protocol and procedures pursuant to Village Law of the State of New York, Article 3, Officers and Elections, and Article 4, Powers, Duties, and Compensation of officers in appointments of citizens to boards/committees.

DEFINITIONS

“Advisor” means a non-paid member of a board/committee who has no voting power and may or may not be a resident of the Village of Brockport.

“Appointment” means the Mayor submits an individual’s name to fill a vacancy on a board/committee to the Village Board for their action of approval or denial. Only in the case of the Board of Ethics membership, one or more of the Board of Trustees shall submit a candidate’s name for the BOT’s consideration.

“Board/Committee” means Boards/Committees by Statute, Standing, Task Force, Open Roster, and any other boards/committees, subcommittee(s) or similar entity established or adopted by the Village Board, that may or may not have stipulated terms.

“Board of Trustees” (BOT) means the Village of Brockport’s Mayor and Village Board members who are elected.

“Boards by State Statute/Village Law mean that the boards and committees such as the Planning Board and the Zoning Board of Appeals (ZBA) have been granted the power to act independently of the Village Board in most instances, but on occasion serve in an advisory capacity to it. Members receive some compensation for their attendance/services.

"Committee Chair" means the chair/leader of a By-Statute, Standing, Task Force, Open Roster, Board or Committee.

“Mayor” means the Chief Executive Officer of the Village of Brockport who shall put forward the name(s) of citizen volunteers to fill vacancies and unexpired terms on boards/committees. The Board of Trustees shall approve or disapprove these potential candidates at a regular scheduled open meeting.

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"Member" means a duly appointed person of a board or committee, including the Chair.

“Open Roster Committee” means that membership, residence, and terms may vary.

“Standing Board/Committee” means that members to said standing boards/ committees have a term of office, a stipulated number of years, and are residents of the Village of Brockport.

“Task Force Committee” means a committee formed—appointees brought forth by the Mayor and approved by the Village Board—with a stipulated number of Village members, who are charged with specific duties. When the committee has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by the Village Board.

“Term” means a stipulated duration of an appointment to a particular office, board, or committee.

APPLICATION PROCESS

1. The Village Clerk shall advertise the vacancies on the By Statute, Standing, Task Force, and Open Roster (if applicable) Boards or Committees in the newspaper designated by the Village as the official newspaper and on the Village of Brockport website.
2. An applicant position interest form and a board/committee description sheet shall be available in the Village Hall office and on the Village of Brockport website, <http://www.brockportny.org>.
3. Information shall be available regarding the specific committee/board that has a vacancy (Chair’s name/contact number), web information, etc.
4. A citizen who expresses an interest in serving on a board/committee shall be made aware of the meeting schedule and essentials before applying.
5. Applicants shall be encouraged to attend a board/committee meeting as a way to familiarize themselves with member responsibilities and if their interests and skills are well suited to serve.
6. Applications shall be completed and submitted to the Village Clerk no later than the advertised filing date.
7. Upon receipt of an application, the Village Clerk shall retain the original and distribute a copy of each application to the Board of Trustees.
8. All applications shall remain on file for a period of six months from the date received. Applicants who are still available may be considered should vacancies for a particular board/committee occur during that time.

SELECTION PROCESS

1. The Mayor shall put forth the name of citizen volunteer(s) to fill vacancies and unexpired terms on boards/committees prior the vote on the candidate(s) membership to said board/committee at a Village Board meeting. Exception: membership selection for the Ethics Committee is made by the Board of Trustees.
2. The Mayor can ask for input from Village Board members and/or committee/board chairs prior his decision to put a name forth, especially if the candidate is unknown. If still unknown or if there is more than one candidate, the Village Clerk shall set up an appointment for the applicant(s) with the chair of said board/committee for an informational meeting to discuss membership responsibilities and requirements. Their comments/recommendations shall be forwarded to the Mayor.

3. If a candidate's name is submitted by the Mayor to the Village Board for approval, the number of years of the unexpired term or vacancy shall be served by the new member. If there is more than one vacancy, the Mayor submits the candidates' names to be approved by the Village Board. Once approved, the chair of said board/committee shall determine the entry year for each new board/committee member based on his/her merits (the more expertise, the longer the term, etc.). Those boards/committees that do not have set terms need not comply.
4. Following the approval for membership to a board or committee by the Board of Trustees, the Mayor shall notify the candidate(s) in writing of the decision. The correspondence shall include dates of term, oath of office information, a current membership list of said board/committee, and a copy of the Village's code of ethics.
5. If a candidate is not approved for membership to a board/committee by the Board of Trustees, the Mayor shall send a letter of regret. That candidate's position interest form shall be kept on file for 6 months. The application/selection process would begin anew.

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6. When setting up a Task Force (see Definitions), The Board of Trustees shall establish the general parameters of said Task Force. The mission, responsibilities, format, description of project, and the number participants/stakeholders, etc. shall be discussed and determined by the BOT prior to advertising for volunteers to serve on said Task Force. There is no specific term for members. The Mayor shall submit names for the BOT's approval.

REQUIREMENTS FOR MEMBERSHIP

1. In the case the appointee has not filled out an interest form, he/she should do so to be on file with the Village Clerk.
2. Appointees on all boards/committees shall reside within the Village of Brockport unless otherwise noted (see Definitions, Page 1). Non-residents shall serve as advisors without voting rights.
3. Board/committee members shall agree to comply with all Village laws, regulations, voting rights, including ethics requirements and any conflicts of interest statutes.
4. Each member is expected to contribute to the board or committee he/she serves on the basis of individual expertise and good judgment.
5. The appointee shall be familiar with the responsibilities, meeting schedule, essentials of said position on specific Board/Committee, and meet with chair prior attending formal meeting for pertinent information, including this resolution and the Village's ethics code.
6. A member's request for a leave of absence must be discussed with the chair for approval or denial of said board/committee prior to departure (length of leave, reason, etc.).
7. If a member is absent without cause for three consecutive regular or special meetings without communication and/or prior authorization, the chairperson of a board/committee shall inquire as to the member's intent to serve. If a member chooses no longer to serve, he/she shall send a letter to inform the Village Clerk, who will forward it to the Village Board for action. If unexcused absences continue without communication to said board/committee chair, the board/committee chair may notify the Mayor as to the member's lack of attendance. If further action is warranted, the Mayor may recommend to the Board of Trustees to terminate membership. A written notice from the Mayor will constitute authorization for this purpose. The Mayor shall appoint another member to the vacancy. Note: Individual boards or committees may determine the procedure of keeping an attendance record.
8. The Village Clerk shall send a communication annually (April) to board and committee members whose terms are to expire at the end of the fiscal year and inquires if the member wishes to be considered for re-appointment by the Board of Trustees. If not, the Board of Trustees shall accept a letter of resignation.
9. Resignations of board/committee members shall be distributed by Village Clerk to the Mayor and the Village Board for acceptance.

TERMS OF OFFICE

1. Under Village Law 3-308, Separate boards of commissioners, any board established shall be composed of not less than three (3) members...and no term shall exceed five (5) years.

2. The length of terms of office shall be determined by NYS statute and the Village Board of Trustees, and be applicable to the Boards by Statute, and Standing Boards/Committees. The terms (e.g. 5-year term has been established) shall be staggered, and the initial terms of said members shall be as follows:
 - One member for a one-year term
 - One member for a two-year term
 - One member for a three-year term
 - One member for a four-year term
 - One member for a five-year term
3. Vacancies shall be filled by the Mayor for the remainder of the unexpired term of the vacant board/committee position.

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OATH OF OFFICE

The members of the Planning Board, Zoning Board of Appeals, and Standing Boards/Committees (those that have terms assigned) shall be sworn in by the Village Clerk within 30 days of the appointment/re-appointment prior to serving. The Village Clerk shall communicate with new member(s) to set up a mutually agreeable time for them to take the oath of office.

EFFECT

The Village of Brockport Boards by Statute and Standing Boards/Committees shall abide by this resolution in whole. All committee applicants need Village Board approval and shall receive orientation from the specific board/committee chairs regarding the committee's purpose, member responsibilities, and a copy of this resolution, and the Village's ethics code.

VILLAGE OF BROCKPORT BOARDS AND COMMITTEES

Types

- Boards by Statute
- Standing Board/Committee
- Task Force Committee
- Open Roster Committee

<u>Name</u>	<u>Terms</u>	<u>Members</u>
<u>Boards by Statute (State & Village law)</u>		
Planning Board	5-year	5
Zoning Board of Appeals	5-year	5
<u>Standing Boards/Committees</u>		
Code Review Committee	5-year	7 + BZ officer
Emily Knapp Museum &	None set	unlimited
Library of Local History Committee		
Board of Ethics	4-year	4 + Village Attorney
Historic Preservation Board	3-year	9
Parks Committee	4-year	9
Seymour Library Board	5-year (limit 2 terms)	3
Tree Board	4-year	7 & advisor (s)
<u>Task Force Committee (s)</u>		
Housing Committee	None	5 + Trustee & BZ officer
<u>Open Roster Boards/Committees</u>		
Walk! Bike! Brockport Action Group	None	Unlimited

Welcome Center/Canalfront Management Cmte	None	6
Welcome Center Canalfront Greeters	None	Unlimited

MISCELLANEOUS:

Mayor referred to this list of “housekeeping” type items that Clerk Morelli provided and asked her to read them into the record.

Some annual friendly requests/reminders for Village Board (in no particular order):

- Stick to the meeting schedule just adopted & limit special meetings to those absolutely necessary (things that really can’t wait until next scheduled meeting)
- Stick to Village Hall conference room for VB meetings – except for annual budget hearing and any meeting with a public hearing that is likely to draw over-capacity attendance

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- When alternate location is needed for a VB meeting, Clerk takes direction only from Mayor on checking availability and reserving either the Middle School Auditorium or LGI
*Board agreed that LGI would be first preference due to better sound.
- Check Village Hall mailbox, Village e-mail, Village voice mail regularly
- Reply or RSVP in a timely fashion when requested
 - If an e-mail return receipt is requested, please do so
- Take training opportunities when able & read local government related publications received
- Participate in Village / community events when able
- Solicit “OK” of Mayor to be “excused” from scheduled Village Board meetings or work sessions
- Notify Mayor & Clerk of dates when out of town & unavailable for Village business
- Liaison assignments – report back to Mayor as needed & at Village Board meetings
- Liaisons, merchants, citizens do not Direct Department Heads or Employees or authorize expenditure of public funds
- After office hours – public keep to conference room & main restroom
- After office hours – keep door that leads to Museum stairwell & bathroom locked
- Use of Village Hall conference room – remember to check availability & reserve with Clerk – be sure to lock front door & interior door before leaving
- No sharing of intra-office communications with others
- No sharing of executive session discussion / information with others
- Clerk attends both regular Village Board meetings of month – not work sessions
- Work sessions or “emergency” meetings – if action is taken, a Board member must fill in simple minutes blanks re motions/actions & leave in Clerk’s mailbox
- Agenda item & supporting documentation submittal deadline to Clerk – by Noon on Wednesdays

Miscellaneous:

- Employee Handbook – Established in 2000. Last updated in 2008. A few changes since then have been adopted and are on the record in meeting minutes. Pertinent ones have been shared with Employees. However, they need to be incorporated into the actual Handbook which should probably undergo a committee review in 2012/2013. VB should form a committee this fall to accomplish by end of fiscal year.

- Emergency Operating Plan (EOP) – Last updated in 2002. Department Heads have provided suggested changes. Initial review by VB will be scheduled on the 8/7/12 VB work session agenda.
-

CLOSE ORGANIZATIONAL PART OF MEETING:

→ At 10:15pm, Trustee Blackman moved, Trustee Blair seconded, carried 5/0 that the Board of Trustees close the annual organizational part of the meeting and re-enter the regular meeting.

ADJOURNMENT:

→ At 10:15pm, Trustee Blackman moved, Trustee Blair seconded, carried 5/0 that the meeting be adjourned.

Leslie Ann Morelli, Village Clerk