

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, March 20, 2017 at 7:00pm.

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

EXCUSED: Trustee John D. LaPierre

ALSO PRESENT: Jacquie Davis of GBDC, Melissa Brown of Tree Board, Fred Webster

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

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

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

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

That controversy over Brockport's bridge that I described in my earlier historical moment occurred in the context of a desperate struggle to maintain the viability of the canal in the face of increasingly stiff competition from the railroads. The declining revenues of the canal caused the Canal Commission to be reluctant to spend money on Brockport's bridges, which benefited the village, but not the canal.

The problem began in 1852 when the first railroads reached western New York and the packet boat lines ceased operation. Brockporters owned two packet boat lines at the time. So, their collapse hurt the village's economy and Hiel Brockway had been the world's largest builder of packet boats at one time.

The railroads cut their freight rates, forcing the canal boatmen to do the same. Also, they diverted traffic from the canal. For instance, the tonnage of freight carried by the railroads increased 300 percent between 1860 and 1869, whereas canal tonnage grew by barely 25 percent. By 1893, the canal had had only two good years in the previous ten. The railroads took away from Brockport canal business manufactured items and livestock and cut into its trade in lumber and produce, but made no inroads in the heavy, bulky materials.

A decline in revenue received by the Brockport toll collector also hurt Brockport's economy. For instance, tolls collected in Brockport declined from \$55,415 in 1860 to \$9,511 in 1867. Over the next fifteen years, traffic and, hence, tolls declined steadily. Finally, in 1882, tolls were ended and the canal was supported solely by taxation. Of course, Brockport's toll station was closed. Three Brockporters became unemployed and the First National Bank lost a major client.

Although the canal was completely rebuilt for power craft at a cost of \$101,000,000 between 1905 and 1918, the traffic never recovered. Brockport's heyday as a canal port had effectively ended.

OATH OF OFFICE (ceremonial): none

CERTIFICATES & PROCLAMATIONS:

- Arbor Day proclamation – present to Melissa Brown, Tree Board Chair –

**VILLAGE OF BROCKPORT
PROCLAMATION**

WHEREAS, natural areas, trees, and landscapes provide not only community beautification but also economic and environmental benefits; and

WHEREAS, trees provide many benefits to the community, including air purification, windbreaks, noise reduction, shade and energy savings; and

WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation; and

WHEREAS, our efforts to improve the environment benefit present and future generations; and

WHEREAS, Arbor Day in the Village of Brockport is held each April;

BE IT THEREFORE RESOLVED, I, Margaret B. Blackman, by virtue of the authority vested in me as Mayor, and on behalf of the Village Board, do hereby tender this proclamation on March 20, 2017, and do hereby proclaim Friday, April 28, 2017 as Arbor Day in the Village of Brockport and encourage all our citizens to participate in appropriate activities and to take advantage of the benefits of the parks and other natural areas in our community.

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

Tree Board Chair Brown shared that the Village's Arbor Day event is at 10am on Friday, September 28th where they will be planting trees on the South Avenue extension.

PUBLIC HEARINGS: none

PUBLIC COMMENT: none

GUESTS:

• Jacquie Davis of GBDC – 200 Years of the Canal week long celebration – early July – J. Davis shared that GBDC is again coordinating Summer Serenades – concerts on 8 Thursday evenings in July and August along the canal by the Welcome Center. They did not get a grant as last year and they are relying on contributions to sponsor the concerts – a variety of music styles by local musicians – all very talented. She thanked the Village Board who have contributed personal funds. They are halfway to their \$5,000 goal. Another thing GBDC is working on is “Canal 200 Week” – promoting all the events going on in Brockport/Sweden the first week of July. This is the bicentennial of the digging of the canal. She said the Mayor had been contacted about bringing the Albany Symphony, consisting of 35 musicians, who are making various stops along the canal to perform on a barge. This will draw hundreds of participants and attendees. They have agreed to make Brockport one of the stops and will perform by the Welcome Center after a reception at Fazool's. The Towns of Sweden and Clarkson have the annual Independence Day family event and fireworks at the Sweden / Clarkson Community Center on July 3rd. The Western Monroe Historical Society has the annual Old Fashioned 4th of July event on July 4th. The Lodge on the Canal may have an event. J. Davis said promoting/marketing “Canal 200 Week” will require funds for advertisements and fliers. She said she attended a recent Sweden Town Board meeting at which time they agreed to contribute \$150 toward promotion. She asked if the Brockport Village Board would agree to contribute \$200 toward promotion.

Trustee Crane asked Treasurer Hendricks what part of the budget this could come from. Treasurer Hendricks said this could be considered a donation (from a municipality to an organization), which is frowned upon. Clerk Morelli suggested instead of cutting a \$200 check to GBDC, that GBDC present the Village with an invoice(s) that total \$200 from Westside News for example for advertising. Then the Village would pay the invoice(s) as the budget has a line for publications. Treasurer Hendricks said that would be doable. Village Board agreed.

CONSENSUS ITEMS:

• **APPROVAL OF MINUTES:**

→ Trustee Kristansen moved, Trustee Crane seconded, carried 4/0 that the minutes of the 3/6/17 meeting be approved as amended.

Clerk Morelli thanked Deputy Clerk-Treasurer Erica Linden for attending the March 6th meeting and plugging the minutes into the template she had prepared.

• **APPROVAL OF BILLS TO BE PAID:**

→ Trustee Kristansen moved, Trustee Crane seconded, carried 4/0 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>	3/20/17	\$67,152.96
FUND (F): <u>Water</u>	3/20/17	\$44,628.53
FUND (G): <u>Sewer</u>	3/20/17	\$416.09
FUND (H): <u>Capital</u>	-	-
FUND (T): <u>Trust & Agency</u>	-	-
		\$112,197.58 total

CLERK REPORT: Clerk – Leslie Ann Morelli

- o Any sidewalk café permit applications submitted thus far for 2017 season (4/1-10/31) – none yet
- o Street closure application – BISCO Arts Festival 8/12-8/13 (7pm 8/11-7pm 8/13) – Clerk Morelli referred to the materials in the packet.

→ Trustee Kristansen moved, Trustee Crane seconded, carried 4/0 to authorize the following street closure from 7pm Friday, August 11th to 7pm Sunday, August 13th, 2017:

- Main Street (NYS Rt. 19) from Clark Street to the Adams Street / Park Avenue / Fair Street intersection
- Main Street ends of the following side streets: Clinton, King, Erie, Holley, Monroe, College, South, Union, State, Market, Water

~~The~~ following will also be included in the letter to BISCO:

As always, please work with Code Enforcement Officer/Fire Marshal David Miller at 637-5300 X19 regarding any codes issues or inspection needs related to the event set up, DPW Superintendent Harry Donahue at 637-1060 regarding any barricades or such needed and Police Chief Daniel Varrenti at 637-1020 regarding public safety planning.

Please utilize this letter to accompany your NYSDOT special permit application and copy Village Clerk Morelli on the NYSDOT approval once received.

The event will be on our 2017 events schedule. A few weeks prior to the event, Village Clerk Leslie Morelli will send out a courtesy notice of street closure to the property owners on the affected sections of the streets being closed. By July 20th, please provide Leslie with a BISCO flier regarding the Arts Festival to go with it. Best wishes for a successful event!

- o Medicare health plan for out of state retirees – Clerk Morelli shared that the plan the Village Board approved at the recent work session for over age 65 retirees beginning 4/1/17 for new enrollees and 1/1/18 for returnees does not cover those who reside and apply for Medicare outside New York State. The broker was assured by the carrier that it did until such time as the particular police retiree submitted his enrollment form and they flagged it. Therefore, a third over age 65 plan needs to be set up to accommodate this individual (and his wife once she turns 65). Clerk Morelli referred to the information in the packet.

Trustee Kristansen said she continues to be concerned about the sustainability of the rich health and dental benefits afforded to Village employees and retirees, in particular those negotiated with the two Unions. All concurred that further work needs to be done on this at the time of contract negotiations.

→ Mayor Blackman moved, Trustee Andrews seconded, carried 4/0 to authorize the "Medicare Supplement Excellus Copay Plan" effective 4/1/17 for over age 65 retirees who reside and apply for Medicare outside New York State.

- o 2017 United Way Campaign – Clerk Morelli thanked the Treasurer, Department Heads and Library Director for signing the annual United Way campaign letter. The letter and materials will be going with this Thursday's paychecks.

March 23, 2017

Dear Village of Brockport Employee:

United Way kicked off their 2017 campaign on March 2nd and it runs through May 12th. Thank you to those who participated in past campaigns. Each year we work toward increasing the Village of Brockport's participation. **A mere \$1.00 per paycheck, totaling \$26 per year, will have very little effect on our lives. However, it can make a tremendous difference to the life of a community member in need.**

We are, therefore, respectfully requesting that each employee consider participating in the United Way campaign through the Village of Brockport, realizing this may be in addition to other giving you may do throughout the year. If you choose payroll deduction, it would be for 6/1/17 through 5/31/18. If you choose a one-time donation, you would attach a check to the completed pledge form.

The donor option form allows each of us to choose a particular organization to funnel our donation to. Simply review all the options on the donor option form, select the ID number for the particular organization you wish your money to be funneled to and indicate the name of the respective organization and their ID number for that organization on the pledge form.

We hope you can commit a small donation to an organization of your choice. Attached is a pledge form and a donor option form for you to review, complete and return to any of us by April 28th.

Thank you.

Respectfully,

Leslie Ann Morelli, Village Clerk

Daniel P. Hendricks, Village Treasurer

Harry G. Donahue, DPW Superintendent

Daniel P. Varrenti, Police Chief

David J. Miller, Jr., Building/Code Enforcement Officer

Carl S. Gouveia, Library Director

- o Mobile Household Hazardous Waste Collection Program – Clerk Morelli announced the following:

**Mobile Household Hazardous Waste
Collection Program**

Sweden, Brockport
Ogden, Clarkson, Hamlin, Parma
Hilton and Spencerport

Saturday, June 17, 2017
7:45 a.m. to 12:00 p.m.

At the Town of Ogden Highway Garage
2432 South Union Street, Spencerport, NY

Appointments for this HHW collection will be accepted until June 16. This service is open to all Monroe County residents. To schedule an appointment, residents should call 637-2144. Waste from businesses will not be accepted.

Up to 30 Gallons will be accepted per appointment at no charge.

Do Not Bring: Pharmaceutical wastes, Propane tanks, used motor oil & vehicle batteries; cans with dried paint; empty containers; everyday alkaline batteries; glazing/spackle & joint compounds.

If residents are unable to take advantage of this mobile HHW collection, the county's permanent collection facility is open (by appointment only) weekly. For more information, go on-line at www.monroecounty.gov

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

- o Treasurer – Daniel P. Hendricks
 - Financial reports for period ending 2/28/17 – Treasurer Hendricks referred to the information in the packet.
 - Reserve / Trust Accounts – Treasurer Hendricks referred to the information in the packet and acknowledgement on the record being recommended by the external auditor.

→ Trustee Crane moved, Trustee Kristansen seconded, carried 4/0 to adopt the following resolution:

Be it resolved that the following list of Village of Brockport Reserve/Trust Accounts is hereby acknowledged by the Village Trustees:

General Fund:

- Reserve for Employee Benefits
- Reserve for Workers Compensation
- Special Reserve – Asset Forfeiture Account
- Special Reserve – Boat House
- Special Reserve – Parks & Playgrounds
- Special Reserve – Streets (Smith St. Bridge)
- Equipment Reserve – Buildings/Computer Equipment
- Equipment Reserve – DPW Equipment
- Equipment Reserve – Vehicles

Water Fund:

- Special Reserve – Repairs

Trust & Agency Fund:

- Monika W. Andrews Trust
- Shafer Trust
- Tree Fund

- Utility & Cable Franchise Audits – Treasurer Hendricks referred to the information in the packet.

→ Trustee Kristansen moved, Trustee Andrews seconded, carried 4/0 to authorize the Mayor to sign a consulting agreement with Computel Consultants which states: Client agrees to engage Computel to examine clients' accounts to identify prior and present overcharges, or in the case of cable TV and Gross Receipts Tax, to identify underpayment of cable franchise fees and Gross receipts tax liabilities, to prepare necessary documentation and negotiate with the appropriate utility, telephone, and/or communications company to have identified errors corrected, and to obtain refunds, credits, and/or past amounts due. As compensation for the performance of Computel's services under this agreement, and as a participant in the NYCOM USA program, client agrees to pay Computel a one-time fee of forty percent (40%) of any and all recovered funds as aforesaid, due and payable upon receipt of same.

Clerk Morelli said she recalls a couple of former Treasurer's having done this in the past. Mayor Blackman said it seems worth doing every few years.

▪ Proposed policy re budget transfers – Treasurer Hendricks referred to the information in the packet having been recommended by the external auditor.

→ Trustee Kristansen moved, Trustee Crane seconded, carried 4/0 to adopt the following budget transfer policy:

Village of Brockport
Budget Transfer Policy

The transfer of funds between budget line items of the various accounts in the General, Water and Sewer Funds are commonly required during the fiscal year. Excluding the Contingency Budget line item, the Treasurer is authorized to make budget transfers between line item accounts, so long as the transfer for any one item does not exceed twenty-five hundred dollars (\$2,500). All transfers in excess of twenty-five hundred dollars (\$2,500) require prior Board of Trustees approval.

A list of all transfers will be maintained with the Village Clerk for audit purposes.

All transfers between funds require prior Board of Trustees approval.

- 6/1/17-5/31/18 budget development update –
 - Call for 7pm 4/3/17 public hearing on proposed budget –

→ Trustee Andrews moved, Mayor Blackman seconded, carried 4/0 to authorize the following notice:

**VILLAGE OF BROCKPORT
NOTICE OF TENTATIVE BUDGET FILING
& PUBLIC HEARING**

Please take notice that on behalf of the Mayor, the Treasurer of the Village of Brockport filed with the Village Clerk the Tentative Budget of said Village for the fiscal year beginning June 1, 2017. It is available from the Village website at www.brockportny.org or for review at Village Hall during normal business hours.

The tentative budget includes:

Projected General Fund revenues & expenditures: \$5,302,526

Compensation proposed to be paid to each member of the Board as follows:

Mayor \$10,153.50/year & Trustees (4) at \$3,730.50/year (+ \$286.50 change from last year)

This is 1st of 4-year adjustment to restore compensation to 2008-2009 level.

Village Justice (2) at \$15,375/year (+2.5% change from last year)

Proposed tax rate: \$11.99/1,000 of assessed valuation (+1.18% change from last year) (under tax cap)

Projected Water Fund revenues & expenditures: \$1,167,340

Water rates increased effective with 3/1/17 billing. (+ .15/1,000 gallons)

Projected Sewer Fund revenues & expenditures: \$148,485

Proposed sewer rates (no change from last year)

The Village Treasurer will present the proposed budget and the Village Board will hear comments at a **public hearing at 7:00pm on Monday, April 3, 2017 at Brockport Village Hall 49 State Street Brockport, NY 14420**. All interested parties will be given the opportunity to be heard.

Leslie Ann Morelli
Village Clerk
Village of Brockport

For publication in Suburban News and posting on Village website and at Village Hall.

- o Building / Zoning / Code Enforcement – BI/CEO David J. Miller, Jr.
 - Tax Relief Task Force – BI/CEO Miller shared having met with the TRTF in January at which time he provided them with significant figures as to his departmental budget. In the 2015-2016 fiscal year his department's budget was \$129,439 and they brought in \$119,079.75 in revenues for services rendered. That is pretty close to being self-sufficient.

Trustee Andrews concurred but said it should be made clear that the Village does not run the department to be self-sufficient. Trustee Crane agreed and said that much of the work of the department creates Village Court fines.

- RRR's – BI/CEO Miller said his department is down to 23 Residential Rental Registrations outstanding. Many came into compliance after having received a court appearance notice.
- Training – BI/CEO Miller shared that he attended annual NYS training last week. Much of it was on the new code as of 10/6/16 with a focus on the energy efficiency aspect. He said the

- NYPF – BI/CEO Miller said that training encouraged him to consider attending the New York Planning Federation Conference 3/27 and 3/28. The Village Board already approved BI/CE/PB/ZBA Clerk Katie Brown to attend. He would like authorization to attend. He has money in his budget.

→ Mayor Blackman moved, Trustee Kristansen seconded, carried 4/0 to authorize BI/CEO Miller to attend the upcoming NYPF conference.

- o Police – Police Chief Daniel P. Varrenti

- 4th Quarter 2016 & Annual Reports – Chief Varrenti referenced the reports which are available from the Police Department page of the website and the Police Department's Facebook page. He said one of the nice things about social media is the ability to get information out.

- Overtime – Chief Varrenti said overtime is always a big concern. The department was averaging 520 hours of overtime per pay period, but now at full staffing is averaging 28 to 190 hours per pay period. Definitely a move in the right direction. However, with full staffing comes more arrests, more paperwork, more hearings and trials to attend. Backfilling (when an officer is off and another officer has to fill in) is going down. Instead of working to maintain the status quo on overtime, it has and continues to decrease and is minimal.

- Proposed MOU with Stetson Club – Chief Varrenti shared having met with the Mayor, Treasurer and Stetson Club Officers last week to discuss 3 items. The first relates to moving forward with the K-9 dog. Wegmans and Milkbone are covering the costs to purchase and feed the dog and Dr. Orr (East Avenue Animal) in the Village is covering the costs for medical attention. An existing police vehicle will be converted to the K-9 car. The selected Officer and dog have to attend 16 weeks of academy training beginning 4/3/17 and the officer has to be compensated in some way for the additional responsibility. A very fair 8 hours per month of comp time for the officer/handler and waiving scheduling conflicts is being written up. Four officers have applied to be the handler. The Stetson Club will be making a selection by the end of the week. Being a K-9 handler affects an officer's personal life as the dog requires daily training and care. Consideration has to be given if a handler plans to go away on vacation about proper boarding.

Trustee Andrews asked about losing an officer for 4 months to the training. Chief Varrenti said another aspect of the MOU relates to implement a split shift between mornings and afternoons that will be beneficial for this and in general. This provides for enough officers on all shifts.

Trustee Andrews asked for more information about the dog. Chief Varrenti said it has been thoroughly researched and they have selected a male "green" German or Dutch Shepherd that doesn't have to be re-trained of past habits, will be trained for tracking and drugs (not bombs), and will be community friendly for events, school visits and the like.

Chief Varrenti said Treasurer Hendricks and the Stetson Club are finalizing the language of the proposed MOU for the Village Board to authorize the Mayor to sign at the next meeting. There may be a contest to name the dog. In the meantime, he simply needs approval to acquire the dog.

→ Trustee Kristansen moved, Trustee Andrews seconded, carried 4/0 to authorize acquiring the K-9 dog.

Chief Varrenti said the third item of the proposed MOU is the formation of a response team related to gaining expertise in search warrants and major case investigations. This will take training time – most on detached service with minimal overtime. This will allow them to work more efficiently and toward successful resolution of cases.

- o Public Works – Superintendent Harry G. Donahue

- Spring water main flushing notice –

NOTICE TO BROCKPORT RESIDENTS
PLEASE TAKE NOTICE that WATER MAIN FLUSHING in the
Village of Brockport will take place April 17-20, 2017.

As part of our routine maintenance of the water distribution system in the Village, Department of Public Works crews will be flushing water mains on **April 17-20, 2017**. We do this periodically to clean the mains and flush out sediment accumulations that may settle out in the mains. The flushing will ensure that you have a safe and healthy supply of drinking water.

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

Monday, April 17, 2017:
NORTH of the canal.
All hydrants, EAST
of North Main Street (NYS Route 19)

Tuesday, April 18, 2017:
NORTH of the canal.
All hydrants WEST of North Main Street.

Wednesday, April 19, 2017:
SOUTH of the canal
All hydrants EAST of Main Street

Thursday, April 20, 2017:
SOUTH of canal
All hydrants WEST of Main Street.

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

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

- Spring brush pickup notice –

Village of Brockport
Spring Brush Pickup Notice

The Department of Public Works will be conducting **BRUSH ONLY** pickups. *Beginning* Monday April 24, 2017, the DPW will be picking up **BRUSH ONLY**. This is being provided as a service to Village residents to alleviate the continual placement of brush at curbside. *There will be only 1 pass down each street and a maximum of 1 truck load of brush per residence.* **DO NOT PLACE BRUSH AT CURBSIDE UNTIL THE SATURDAY OR SUNDAY BEFORE THE ABOVE NOTED DATE.**

As in past years, we will continue our policy of leaving a small dump truck overnight for those who wish to load their own. Anyone wishing to use this service must call the DPW office to schedule to have a truck dropped off.

For items *other than brush* you should contact your refuse hauler.

Any questions may be directed to the DPW Office at 637-1060 between the hours of 7:00 a.m. and 3:30 pm, Monday - Friday or the Village Office at 637-5300 between the hours of 8:30am and 4:30pm, Monday- Friday.

- CHIPS & Pave NY – Spt. Donahue reported having gone to Albany with other DPW and Highway Superintendents at no cost to the Village on March 6th and 7th to lobby elected state officials for CHIPS and Pave NY funding. The Assembly added monies to both in the proposed budget. They are hopeful it will come through.

- Street Sweeper – Spt. Donahue shared that he spoke with the vendor's representative recently and due to forthcoming EPA emissions changes that would delay the build and delivery of the new street sweeper, they can go with a new 2016 model at a \$5,000 discount and take delivery by end of May.

Clerk Morelli reminded Spt. Donahue and Village Attorney Mastrella that she is waiting their feedback on proposed language for a response letter to a resident who took their complaint regarding the Village's street sweeping before 7am to the NYS A.G.'s office which referred it back to the Village. Mayor Blackman said she provided her input and it can be added that the new street sweeper is designed to be much quieter than the old one.

- o Village Attorney – Daniel J. Mastrella, Esq.

- Moratorium Research – Trustee Andrews thanked Village Attorney Mastrella for his research and February 28th memorandum to the Village Board and Planning Board as to moratoriums on conversion of owner-occupied properties to rental properties. It was as follows:

Mayor Blackman has requested that I brief the Village Board of Trustees and Planning Board on the availability of a moratorium on the conversion of owner-occupied dwellings to rental units. Generally speaking, a land use moratorium is a local enactment by local law which temporarily suspends a landowner's right to obtain development approvals or permits while the community and local government considers and moves toward adopting changes to zoning and land use regulations or a comprehensive land use plan.

The imposition of such a moratorium via local law requires strict adherence to the procedures for adopting a local law, including the drafting and introduction of the moratorium law specifying the approvals or permits which are to be suspended; referral to the Monroe County Planning Department for their comments; scheduling and conducting a public hearing; and upon passage, filing of said local law with the Secretary of State. The moratorium must be of specific duration and should have a procedure for a variance from its application as one of its features.

Under the Brockport Village Code there is no requirement for a permit or approval to utilize a single-family residence located in a residential zoning area of the village as a rental property. It is important to grasp the concept that as a general principle in zoning, it is the use of the property itself, and not the identity or nature of the user, which is regulated. In the case of Brockport's single-family residential properties, the occupancy of the property by a single family, as that term is defined in our Code, is permissible. There is no distinction between owner-occupied and nonowner-occupied residences. Although various communities have attempted to draw such a distinction they have met with little success due to stiff challenges as to the constitutionality of

such a distinction. There are considerable socio-economic overtones to the concept of a municipality allowing a family which owns a residence to occupy it, while excluding a family which rents from occupying the same premises. In either instance, the use of the property is single-family residential.

Although properties which are not owner-occupied are required to register as a rental property with the Village, courts have generally found that such requirement is within the police power of the municipality, as it does not preclude the use of the property as a single-family rental. Even in those cases, however, overly burdensome registration requirements have been frowned upon by the courts. As there are no permits or approvals required of an owner in a single-family residential neighborhood to utilize the property for single-family residential rental purposes, there is no "development approval" upon which to pass a moratorium; and it is inapplicable in the single-family residential zones.

I am aware that there is presently an application pending before the Planning Board for the change of use of a property located in a Business zone from its current single-family residential use to a mixed use of residential and commercial, which is a permitted use in that zone. It is my understanding that site plan approval is also necessary for such a conversion, due to parking requirements. The Village could conceivably enact a moratorium on such a change of use, although it would not likely affect the current application. The moratorium would need to follow the procedure previously described for the passage of a local law, which would take a considerable period of time. The site plan would be subject to default approval if the Planning Board did not take timely action on it (within 62 days of the public hearing), and the owner of the property can assert that he has vested rights in the conversion which accrued prior to the imposition of the moratorium. While the Planning Board is not obligated to approve the site plan its disapproval must be based upon factors related to the site plan and not because the Board does not favor the permitted use. Moreover, the moratorium would only temporarily stop the conversion, unless the Code was promptly changed to preclude any such conversions, or the property was legally (i.e., without spot zoning) re-zoned in a fashion that would preclude such conversion. As such, it does not appear that a moratorium would be an effective way to address that particular property.

The Village Board of Trustees is diligently exploring what options may be available and permissible to address the various problems associated with residential rental properties in the village. At the present time it does not appear that a moratorium is an effective method to address those issues.

- **PERSONNEL ITEMS:** none

- **OLD or NEW BUSINESS:**

- Authorization for DPW employee Dan Verace to train/test for CDL-Class A license on 3/27 – Spt. Donahue shared that 4 DPW employees are eligible to retire in the next 5 to 7 years. Although the DPW does not own pieces of equipment that require a CDL-Class A license, it sometimes borrows such. He'd like to get a couple of the younger workers interested. The CSEA contract in Article 12 addresses funding the training with Village Board approval. The current course in Batavia costs \$1,800 with certain testing requirements that change after June 1st. He'd like to get one employee into the class beginning March 27th for testing before the change. Dan Verace is interested in doing so. There is money in the budget.

→ Trustee Crane moved, Trustee Kristansen seconded, carried 4/0 to authorize DPW employee Dan Verace to train/test for a CDL-Class A license.

Trustee Kristansen suggested Spt. Donahue plan and budget for one worker to do so each year until he feels he has a sufficient number with such a license.

- Assemblyman Hawley's Local Government Conference – Albany – 5/21-5/23 – Clerk Morelli reminded the Board she needs to RSVP to this. If Assemblyman Hawley doesn't get a certain number of people planning to attend, it will be cancelled. There would be a cost for this conference. Trustee Andrews said he would be willing to attend.

Note: Trustee LaPierre, via email, said he would be willing to attend. However, word was given 3/27 that they did not reach their maximum, so the conference is cancelled.

- NYCOM Workshop – Powers and Responsibilities of Local Officials – Honeoye Falls – 4/11 6pm-8:30pm – Clerk Morelli referred to having just received notice on this training opportunity today. Mayor Blackman, Trustee Andrews, Trustee Kristansen said they plan to attend. Trustee Crane has a prior commitment. Trustee LaPierre, via email, said he plans to attend. There is no cost for this workshop.

- 2017 Farmers Market – re-appoint managers & confirm rules & regulations & vendor contract –

→ Trustee Kristansen moved, Trustee Crane seconded, carried 4/0 to reappoint Ruthann Tryka and Charlene Veltz as Farmers Market Managers and to confirm the rules and regulations and vendor application as follows:

Dear Ruthann & Charlene:

At the meeting of the Village of Brockport Board of Trustees held March 20th, you were re-appointed as Co-Farmers Market Managers for the 2017 season. The season runs Sundays 8am to 1pm from the 3rd

~~Sunday~~⁷⁰ in June to the last Sunday in October.

As you know, there will be no sponsor as in some years. Therefore, you are urged to work to fill all vendor slots, charging the fees outlined in the Farmers Market Rules and Regulations. It is our expectation the Market be self-sustaining and not need Village funding through taxpayer dollars or sponsorship from an outside source.

Clerk Morelli has amended the vendor application and rules and regulations (to indicate 2017) and they will be posted to the Village website. After April 17th she will prepare the packets for you to address to potential vendors. After June 1st, the start of the new fiscal year, please submit all vendor payments and copy her on any Farmers Market materials (vendor applications, insurance certificates, etc.). All vendor payments must be turned in to her by the day after the end of the season. Please remember that Village policy requires submitting requests for purchase orders prior to the ordering or purchasing of any goods or services or advertising.

At your earliest convenience, please work with DPW Spt. Donahue (donahue@brockportny.org or 637-1060) regarding DPW dropping off barricades on Friday afternoons and picking them up on Monday mornings and on new signage and banners.

Remember to contact Police Chief Varrenti (varrenti@brockportpolice.org or 637-1020) regarding the set up of barricades on Sunday mornings.

We look forward to your continued efforts.

**Village of Brockport Farmers Market
Rules & Regulations
As Amended February 14, 2012
Last confirmed March 20, 2017**

Market Mission

- To promote the sale of fresh fruits, vegetables, plants, and other locally harvested goods.
- To provide a direct marketing outlet for local agricultural produce and products.
- To stimulate activity in Brockport's downtown business district.
- To foster social gathering and community involvement.

Market Governance

The Village of Brockport Farmers Market (hereinafter, "the market") is sponsored by the Village of Brockport (hereinafter, "the village"), and governed by the Village of Brockport Board of Trustees (hereinafter, "the board of trustees"), which shall:

- Promote the market
- Hire or appoint a market manager (hereinafter, "the manager")
- Establish rules and regulations, and adopt and amend them as needed
- Establish requirements for vendor participation in the market
- Maintain a general liability insurance policy for the market
- Establish and collect annual membership dues and/or market space fees
- Establish annually or as necessary the market's place and times of operation
- Develop an operational budget

The manager shall be responsible for the orderly and efficient operation of the market and for implementing the rules and regulations. The manager shall represent the sponsor during market days and in community activities. The manager shall assist the sponsor in determining the market budget, establishing market policies, soliciting vendor participation, collecting fees, establishing the operational schedule, and promoting the market. The manager serves at the pleasure of the board of trustees.

Place and Times of Operation

The market shall operate:

- On Market Street in the Village of Brockport
- From 8 a.m.-1 p.m.
- On Sundays
- Every Sunday from the third Sunday in June through the last Sunday in October

Vendors at the Market

Bona-fide growers, craftpersons, and producers of homemade products or other sellers approved by the manager are eligible to become vendors at the market. The manager may grant permission to a vendor to supplement his product line with additional New York state products, as long as such product is otherwise missing from the market. Such permission shall be valid for one season.

Specific Product List

- Fruits and vegetables shall be offered for sale only by their grower; they shall have been grown, harvested and cared for post-harvest so as to insure maximum freshness.
- Cider and fruit juices shall be offered for sale only by the growers of those fruits from which they are made.

- Eggs shall be offered for sale only by the owner of the flock from which they came.
- Honey and honey products shall be offered for sale only by the owner of the hives from which they were derived.
- Maple syrup and maple syrup products shall be offered for sale only by the owner of the sugar bush from which they were derived.
- Cheese and other dairy products shall be offered for sale only by the owner of the herd that produced the milk from which they were processed. All dairy products shall be kept cool.
- Meat and poultry shall be offered for sale only by those that have raised the animals butchered to render it; it shall be kept refrigerated; it shall have passed United States Department of Agriculture or state inspection.
- Bedding plants, nursery products, and cut flowers shall be offered for sale only by their growers.
- Baked goods offered for sale shall have been hand made from scratch by the seller, using a recipe free of commercial mixes, crusts or fillings. Baked goods must have a protective covering or be wrapped.
- Wine may be offered for sale. Any vendor conducting a tasting shall display in his market space during all times of operation a sign that states: "State law requires that consumers be at least 21 years of age, proof required."
- All items offered for sale shall be priced clearly and displayed in a manner that does not confuse or mislead the customer.

Items not specifically listed herein must be pre-approved by the manager.

Guidelines for Selling at the Market

- Each vendor shall display at his market space during all times of operation a sign clearly indicating his name and the location of his farm/place of business.
- Each vendor shall be responsible for all equipment and supplies for the setup of a booth. Displays shall be constructed in such a way that they do not block customer walkways or pose any other hazard to customers.
- Vendors that provide samples and/or products that generate waste material, such as cups, rinds, or corn cobs, shall provide containers for waste disposal.
- Vendors shall keep their market space neat and clear of obstacles, litter and debris.
- Vendors shall clean and remove all refuse from their market spaces at the close of business each Sunday.
- All refuse shall be carried out by the vendor and not put in village trash cans
- All produce displayed for sale shall be at least 12" off the ground, with the exception of heavy or large items such as pumpkins.
- Smoking, alcoholic beverages and firearms are forbidden at the market with the exception of wine tasting and selling.
- Hawking and amplified music by vendors are forbidden at the market.
- All items offered for sale shall be of good quality and condition as determined by the manager, who may at his discretion require that inferior items be removed from displays.
- Vendors are expected to remain at the market for the full period of operation on market day

Products Sold at the Market

Vendors agree to adhere to all applicable regulations while selling at the market.

- Any vendor selling taxable items shall display in his market space during all times of operation a valid New York state certification of authority
- Any vendors selling nursery and greenhouse crops shall display in his market space during all times of operation a valid New York state nursery license.
- Vendors selling processed foods, prepared foods, and other perishable items shall do so in compliance with the requirements of the New York State Department of Health.
- Vendors selling by weight shall have scales approved by the Monroe County Department of Weights and Measures.
- Vendors selling by volume shall use standard size containers, e.g., pint, quart, etc.
- Any vendor selling wine shall display in his market space during all times of operation a valid New York state winery license.
- Produce shall not be advertised as organic unless it has been certified by a recognized, independent, third party certifying agency. Vendors shall display during all times of operation their organic certification certificates.
- All prepackaged items, such as baked goods, must be labeled in accordance with New York state labeling requirements.

Vendors participating in the Farmers Market Nutrition Program (FMNP) shall be certified by New York State Department of Agriculture and Markets and provide crop reports to the manager.

All vendors participating in accepting Women, Infants, Children (WIC) program or Senior Nutrition coupons shall file a crop plan at the beginning of each season. The plan must show all products being grown or produced, quantities produced, and acreage under production of each item.

Vendors consent to inspection of their farms and/or businesses by the manager to verify claims of production. Any such inspection shall be made with the owner or his representative present, unless permission otherwise is given by the owner. The owner shall provide any help necessary to document products and conditions recorded at the inspection. The manager shall deliver to a vendor whose farm of business has been so inspected the results of such inspection and shall make the initial determination of any violations of this

Insurance

- As sponsor of the market, the village shall provide insurance coverage for the market place to cover such injuries as slips/falls and damages to property at the market.
- Vendors selling only fruits and/or vegetables shall have in force general liability insurance.
- All other vendors selling food products shall have in force general liability insurance of at least \$1 million. Documentation of such policy, which names the market, shall be provided to manager prior to the market season.
- The market is a member of the New York Farmers Market Federation and members of the market can qualify for liability insurance under their program. It is recommended that all vendors carry liability insurance.
- All vendors shall execute a general indemnification of the village, its instrumentalities, departments, officers, trustees, employees, and agents, against any losses resulting from the vendor's sales and/or activities at the market.

Fees

- An annual market space fee of \$250 shall be due at contract signing or according to terms set forth by the manager. A \$20 daily fee shall be charged to those who do not have a reserved space.
- Vendors shall notify the manager in advance if they will be absent. The manager may allocate an absent vendor's market space to another vendor.
- The board of trustees shall determine market space fees.
- Fees collected shall pay for operating expenses and/or advertising and promotional costs.
- Subletting of market space by vendors is forbidden.

Market Space Assignment

The manager shall assign all market spaces. A vendor shall be limited to one stall and shall contain his display within the designated area. Seasonal vendors may work off their trucks in a designated market space not to exceed said limits. The manager shall assign to each vendor a market space for the duration of the season. At his discretion, the manager may alter vendors' market spaces. Vendors may arrive two hours prior to the market opening as to allow for timely set up without interfering with pedestrian traffic. Any vendor arriving after the opening of market shall not be permitted to enter or setup for that particular market day. Rents are not refundable, either in part or in whole.

Grievance Procedure

Vendors agree to be bound by the terms, conditions, rules and regulations set forth herein. The manager may recommend to the board of trustees the termination of the contract of a vendor found to be in violation of such terms, conditions, rules and regulations. Vendors may appeal in writing to the board of trustees. The board of trustees shall respond in writing to any vendor that so appeals and make a final determination of the disposition of any such appeal.

**Village of Brockport Farmers Market
2017 Season Application and Contract**

Thanks for your interest in being a vendor at the Village of Brockport Farmers Market. Please provide information requested in this document and submit it to:

Attn: Farmers Market Managers
Village of Brockport
49 State Street
Brockport, NY 14420

Farm name _____

Contact name _____

Address _____

Phone (____) ____-____

Fax (____) ____-____

Email _____

Farm address _____

Sales tax ID _____

Market Space Rental

Each market space is approximately 20' square (approximately 400 square feet). The rental fee for each is \$250 for the season. This non-transferable fee is due at the time this contract is signed. Non-payment may result in forfeiture of market privileges.

How many market spaces are you requesting to rent? ____

Do you intend to attend the market for the full season? Yes No

If you answered "No" to the question above, please indicate below the dates (months and days) on which you will start and finish attending:

Start ____/____/____ Finish ____/____/____

Do you wish to participate in the Farmers Market Nutrition Program (FMNP) so that you will be eligible to accept FMNP coupons for produce? Yes No

Crop Plan

List crops grown that you plan to sell at the Village of Brockport Farmers Market, and the acreage of each:

Crop	Acreage
_____	_____

List below any additional products you plan to sell, as allowed by the Village of Brockport Farmers Market Rules & Regulations:

Affirmation and Agreement

I hereby affirm that I understand this Village of Brockport Farmers Market 2017 Season Application and Contract, and that I agree to be bound by and comply with the terms and conditions set forth herein.

I verify that the information I have provided in this Village of Brockport Farmers Market 2017 Season Application and Contract is complete, true, and accurate to the best of my knowledge.

I hereby affirm that I read and understand the Village of Brockport Farmers Market Rules & Regulations, and that I agree to be bound by and comply with the terms and conditions set forth therein.

I have attached herewith copies of all licenses and/or permits necessary to the type of products I plan to sell.

I agree to save, hold harmless, and indemnify the Village of Brockport, its representatives, officers, employees, volunteers, agents, assigns and designees from any and all liability for my death, disability, personal injury, property damage, property theft or actions of any kind which hereafter may accrue to me as a result of my participation as a vendor at the Village of Brockport Farmers Market.

In the event that any claim, liability or loss against the Village of Brockport caused by my sales at the Village of Brockport Farmers Market is not paid in full by liability insurance in force and effect, I hereby indemnify, save, and hold harmless the Village of Brockport, its representatives, officers, employees, volunteers, agents, assigns and designees from any and all liability or loss, including settlement expenses, litigation costs, and attorney's fees, arising out of product sales at the Village of Brockport Farmers Market. In the event of any claim, liability, or loss, I shall pay the indemnification amount to the Village of Brockport upon written demand from the same.

Vendor's name (please print)

Vendor's signature

____/____/____
Date

VILLAGE BOARD REPORTS:

- o Mayor Margaret B. Blackman
 - Mayor Blackman provided the following report:

Kudos to DPW—for all their work following the windstorm, cutting up trees and brush and following up with National Grid re power outages. Also as one who walks all over town I was most happy with the new sidewalk plow, particularly at every intersection.

The Seasonal opening of the Canal—I received a call from the canal corp director, Brian Stratton, last week to inform us that now that the Canal corp is under NPA (New York Power Authority) they have a

larger budget (\$140 million vs. \$90 million). The plan is to do more canal maintenance and to do so they are expanding the maintenance season, and shrinking the recreational season on the canal. Meaning that the opening of the canal recreational season is now May 19, with closing October 11. I mentioned the obvious conflict with our 3-day canal opening celebration, May 11-13th. Director Stratton suggested changing the celebration, which I noted had been planned since last fall. In the end he said we should stay in touch and that we should have water in the canal before the opening and before our celebration, though the lift bridges would not be operating until the 19th. I added that I hoped the repair of our canal wall by 60 Clinton Street was on the maintenance schedule for this year. He said he would check. And I am reporting that I will follow up.

In regard to that celebration, students from the college will be doing a cleanup under the RR bridge and painting of the walls under the bridge and the bridge understructure preliminary to the installation of a welcome to Brockport mural on the south facing side of the bridge. As previously announced, that dedication of Stacey Kirby's welcome to Brockport mural will be Thursday afternoon May 11 at 3pm.

SUNY Impact Aid follow up \$1 million aid for SUNY host communities for police and fire services has been put in the education budget by the NYS Senate. It's not the \$12 million we lobbied for, but it is a foot in the door. Those funds would be divided among SUNY municipalities. It is now up to assembly and governor. I followed up with emails to assembly speaker Carol Heastie, our assemblyman Steve Hawley and Senate Majority leader John Flanagan urging passage of this budget item. [text of letter included below]. If this makes it into the final legislative budget, be assured that I will be writing the Governor.

Dear [Senator Flanagan/Speaker Heastie],

Back in early February I authored a letter signed by the mayors of 10 SUNY host municipalities which was sent to all 235 NYS legislators. We urged passage of bills A1920 and S3967 which would provide aid to all SUNY municipalities with 4 year residential SUNYs to help offset the cost of essential services that our municipalities provide to their SUNY institutions. This aid is important not only for helping to fund those services (police, fire, code enforcement) but to offset the impact that tax exempt SUNY properties have on our local property tax rates.

I understand that the Senate's budget resolution for higher education includes some funding for SUNY host municipalities for police and fire service, and I urge you to make sure this funding remains in the final budget.

Thank you.

Sincerely,

Margay Blackman
Mayor

Bookmark contest - The local Kiwanis every year sponsor a themed bookmark contest for BCSD kids from kindergarten thru grade 5 and every year local officials and Kiwanis members are asked to judge the bookmarks which I did Friday afternoon. All the kids who entered (171 this year) are then invited to a celebration at the library—April 14 this year. Each participant gets a book; local community members read to the students, winners are announced and they receive a gift certificate to Lift Bridge books and another book. Followed by ice cream for all.

Meeting with Danforth Engineers (Dan, I and Harry) to update us on LED lighting installation. Scheduled to begin April 24 and take approximately 2-3 weeks to replace all lighting in municipal buildings with LEDs. Replacement of the 50 streetlights we own with LEDs not yet scheduled. After municipal building and streetlight LEDs are installed, per their proposal we will save in year 1, \$19,546 in electricity costs, \$6,566 costs in maintenance, NYSERDA Rebates \$5,366, total savings Year 1, \$31,481.00

President Trump's Proposed 2018 Federal Budget includes significant reductions to several programs which cities and villages benefit from. These include cuts to FEMA, EPA, and elimination of COPS grants to police. Right now NYCOM is focusing on HUD's CDBG grants which are on the chopping block. (we have received \$153,000 in CDBG funding over the last 4 years). NYCOM is asking for a brief summary of how we have used CDBG funds and benefitted from them. I forwarded the email to Harry.

- o Trustee/Deputy Mayor William G. Andrews
 - Trustee Andrews provided the following report:

On March 2, I attended the awards banquet for Brockport High School's indoor track team. BHS had a truly remarkable athletic season, winning section V championships in four sports (wrestling, swimming,

hockey, and indoor track) and the basketball team was a semi-finalist. Also, I attended a meeting of a committee of the Brockport Community Museum where we planned a museum exhibit on the history of the Erie Canal to be on display at the Seymour Public Library from May 1 to July 14. On March 9, I attended a presentation by Village Historian Sarah Cedeño on the history of the Seymour House, in which I am now speaking. On March 13, I attended as a Board member a meeting of the Western Monroe Historical Society where the principal item of business was a discussion on the application before the Village Planning Board by the owner of 141 Main Street, next door to the Morgan-Manning House, for a change-of-use permit that the Board believes would affect the Morgan-Manning House adversely. On March 16, I attended a meeting of the committee organizing the Low Bridge High Water celebration at which I reported on plans for a re-enactment of the ceremony when construction began on the Erie Canal in 1817. I have written a script for a group of 4th graders being organized by Chris Albrecht, one of their teachers. Also, that date, I sang at the Hochstein Auditorium in Rochester with the Sweden Senior Singers, an activity sponsored by the Town of Sweden. On March 17, I attended a fund-raiser for the Summer Serenades of the Greater Brockport Development Corp. at the Lift Bridge Book Shop. Finally, earlier today, Archie Kutz and I rotated the exhibits on display in the museum cases of the Brockport Community Museum, a task we undertake every four months.

- o Trustee Annette M. Crane
 - Trustee Crane provided the following report:

At our last meeting we accepted a \$20,000 donation from Wegmans for playground equipment to go in the South Avenue Park. I have a proposal from Parkitects for said equipment. The proposal is for exactly \$20,000, so this equipment is being paid for entirely by Wegmans. The Parks Committee has tentatively scheduled the installation with Parkitects and our DPW for April 22, which is also a date we can get volunteers from the College. If we accept this proposal, DPW Superintendent Harry Donahue has promised to do the purchase order for the equipment tomorrow, so it will arrive in time. I would like to make a motion that we accept this proposal.

→ Trustee Crane moved, Trustee Kristansen seconded, carried 4/0 to authorize the Mayor to sign the proposal acceptance.

3/14 Housing Task force meeting. Discussed status of proposed Nuisance Laws, and proposed change of parking regulations on Fair Street.

3/14 Attended Planning Board meeting, which included a public hearing on the proposed change of use at 141 main street, next to the Morgan Manning House. Much concern was expressed about drainage issues, and also the exact property line between the Morgan Manning House and 141 Main Street. Engineering studies and soil analyses will need to be done. The survey that the Western Monroe Historical Society planned was postponed due to the wind and snow storms. The Western Monroe historical Society requested a full Environmental Impact Study. The Public Hearing was suspended to a future meeting, pending results of survey and testing.

On St Patrick's Day I attended a fundraiser for Summer Serenades, hoping to bring the "Luck of the Green" to them so they can continue to bring canal-side music to us all summer.

- o Trustee Katherine J. Kristansen
 - Trustee Kristansen provided the following report:

March 7, 2017...I attended a meeting with Deputy Clerk-Treasurer Erica Linden, Matt Ingalls, (Ingalls Planning and Design), Amy DeGaetano and Renee Parsons (NYSDOS-Finger Lakes Regional Representatives) and Tom Lajewski (J. O'Connell Grants) to discuss the LWRP/Revitalization Plan grant application, scope as it pertains to our needs, timeline, etc. Matt has agreed to assist us in creating the application for the LWRP planning grant which will join the college, Town of Sweden and Village of Brockport in an effort to revitalize our canal front community. A component of this planning will be the village comprehensive plan with zoning revisions. Our next meeting will be with all partners.

March 11, 2017...I participated in the "check in" process for participants of the Brockport Merchants Association Wine Walk. Many people braved the snowy weather to come in to Brockport for this event. My sincere thanks to the Brockport Fire Department for lending us space at the fire house on Market Street to accommodate the check in process along with fireman Ron who helped us set up and "manned" the firehouse while we were in attendance.

March 13, 2017...I attended the Planning Board meeting and public hearing as PB liaison.

March 16, 2017...Trustee Annie Crane and I met to discuss and research zoning codes and laws as they stand in the village at present pertaining to housing issues.

Lastly, there has been discussion regarding the idea of rental moratorium. I along with others have received numerous ideas and opinions regarding this concept. Our lawyer has clarified the nuts and bolts of this concept to us (the board) and the mayor has shared his findings with the public. Let me say this in response to the emails, questions, opinions etc...

I have looked at the examples shared in the emails (actually I did my own google search regarding moratoriums). The following are responses to the examples of moratoriums shared with us in the emails...

- Henrietta is in regards to NEW builds only
- Penfield is in regards to a golf course changing into NEW building
- Pittsford is in regards to restaurant creation
- East Rochester is in regards to changing duplexes back to single family homes...this is similar to what Carol H. and a few others have done with numerous houses. Also, keep in mind that we already have Code that explains what happens to a double once it is unoccupied or used as a single for a period of time.

I also googled rental moratorium, housing moratorium and just plain moratorium. Nowhere did I find that there is case/court study to look at that involves ownership changing from owner occupied single family to owner non-occupied single family. (Which is the issue in Brockport and the reason that some are asking for the creation of a rental moratorium while the comprehensive plan is built)

Unfortunately, until the village zoning code is changed to redefine single family, owner occupied and owner non-occupied, we don't have much to go on. We take a serious risk of ending up in court fighting something that is allowed in our existing code if we push for this type of moratorium now.

The goal is to enforce the existing codes and get the comprehensive plan along with zoning revisions regarding housing completed. This is what we are presently spending much energy and time to accomplish with the assistance of planning/development professionals counsel.

These moratorium examples are fine, thank you for sharing, but they do not represent or support what is being asked for in our village in regards to a rental moratorium. I would say to the concerned...If anyone has found court case study involving creation of a moratorium regarding the housing situation that we have had in this village for decades (described above) please share by sitting down with us on the board and/or by presenting the findings at a board meeting.

I assure you that this board is diligently working and with as much speed as is reasonably feasible to maintain and increase the multi-faceted issues of "quality of life" in our village. It is going to take patience, diligence and a clearly initiated, researched and proper process on everyone's part to get to where we want our village to "be".

- o Trustee John D. LaPierre (excused)

EXECUTIVE SESSION: none

ADJOURNMENT:

→ At 8:36pm, Trustee Andrews moved, Trustee Kristansen seconded, carried 4/0 that the meeting be adjourned.


Leslie Ann Morelli, Village Clerk