

VILLAGE BOARD – PUBLIC HEARING & REGULAR MEETING MINUTES
Monday, November 1, 2021 7:00pm

UNAPPROVED

Location: Large Group Instruction Room (LGI) Oliver Middle School, 40 Allen Street, Brockport, NY 14420

Join Zoom Meeting with the login information below or dial 1-(646) 558-8656

<https://us02web.zoom.us/j/82957348366?pwd=dGJJSVppd0lYaVV2QXBvdmx1ZHdSZz09>

Meeting ID: 829 5734 8366 Passcode: 749883

Questions/comments from Zoom participants will be accepted – during Public Comment, raise your hand to speak and you will be acknowledged by name and unmuted when it is your turn to provide comment. You must have your name on your login to be called on. If this is not possible, you may place your comment in the chat to be read aloud by the clerk.

PRESENT: Mayor Margaret Blackman, Trustee/Deputy Mayor Annette Crane, Trustee Katherine Kristansen, Trustee John LaPierre, Trustee Shawn Halquist, Manager/Clerk Erica Linden, Building Inspector /Code Enforcement Officer Chad Fabry, Recorder Susan Smith

ALSO PRESENT: Tee Malachi, Chris Hamlin, Treadwell Collins, Bob & Rozann LeSuer, Kevin Jenkins, Josh Tubolo, Carol Provost, Libby Caruso, Gary Sullivan, Ed Starowicz, Hanny Heyen, Mike Martinez, Nichole B,

VIA ZOOM: Grace Lyons, Courtney Yeckel, Barbara Krizen, Shana, Victoria Philips, Diana Laganell, Amanda White, Dan Greer, Dr. Lorraine Acker, George Mahaney-Walker, Ian Penders, J Bolthouse, Juliana Mullen, Karen Tobin, Kelsey Melnyk, Mckenzie Myers, Shelby Jewtraw, Victoria Phelps, Noelis Ruiz,

CALL TO ORDER: The meeting was called to order at 7:07 pm.

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

PUBLIC HEARING: Cannabis

→ Trustee Kristansen moved, Trustee/Deputy Mayor Crane seconded, to adjourn the regular meeting at 7:10 pm and go into the public hearing.
Motion carried 5-0.

- Introduction of New York State Law to opt out – Mayor Blackman went over the PowerPoint handout that was provided to those present at the public hearing and is also posted on the village website under “News”, in the announcement for the public hearing.

The reason for this Public Hearing is that with the legalization of recreational cannabis in NYS for adults over age 21, local governments can, by enacting a local law, opt out of allowing retail dispensaries of cannabis and/or places of cannabis consumption within the municipality. By default, they are opted in. If they decide to opt out, it must be done by December 31, 2021. Opting out is subject to a permissive referendum; alternatively, the village board can vote to simply hold a referendum on the matter. At the December 6, 2021, Village Board meeting the Village Board will vote on whether to opt out.

The Law, The Marijuana Regulation and Taxation Act (legalizing recreational adult use cannabis)

The MRTA as passed into law on March 31, 2021, and details (in 128 pages) the terms of the law, including possession, cultivation, processing, dispensing, and delivery of cannabis, social and economic equity issues, violations of the rules and penalties. Many details are left to the Cannabis Control Board and Office of Cannabis Management to implement. The membership of those boards have only recently been filled and as of October 21, the Cannabis Control Board has met twice.

You can read the law at: <https://legislation.nysenate.gov/pdf/bills/2021/s854a>

More information, on an ongoing basis, is available at <http://cannabis.ny.gov>

The Office of Cannabis Management & The Cannabis Control Board are the regulatory authorities. Dispensaries & Places of Consumption are what could be coming to Brockport.

How a municipality gets a dispensary or place of consumption:

- The Cannabis Control Board determines the density within an area (a county, or more likely, a congressional district) of dispensaries and places of consumption and makes the final decision re licensure
- A license applicant files a notice with the municipality of intent to apply for a license for a particular location. The applicant files the application with the Office of Cannabis Management.
- The municipality's opinion becomes part of the record on which the Office of Cannabis Management makes its recommendation

Local Laws re Dispensaries and Places of Consumption

Statewide, the cannabis market will be heavily regulated with licensing required for every type of cannabis business. Laboratory testing for every cannabis product offered to the consumer is required as is packaging and labelling of total THC content. THC content is also regulated. All signage, exterior and interior, is determined by the Cannabis Control Board.

- Like any other business, locally both dispensaries and places of consumption are subject to building codes and issuance of certificates of occupancy
- Police can inspect all licensed premises and all records of operators
- Municipalities may enact reasonable regulation of personal cultivation and home possession
- Local governments can impose their own local smoking and vaping restrictions that are more stringent than what is mandated under Public Health Law Article 13-E (the "Clean Air Act").
- Municipalities can regulate time, place, and manner of operation of dispensaries and places of consumption

Economic Benefits of Dispensaries and Places of Consumption for Municipalities

- Statewide, an estimated \$350 million added to State gross product and 30,000 to 60,000 new jobs.
- More businesses added to Brockport's local economy
- Taxation— Locally, cannabis is subject to a 4% sales tax; 3% returns to the municipality.

- **PUBLIC COMMENT:** Comments/questions will be accepted during the meeting – Speakers will be limited to 3 minutes and must state their name, address and organization and must address the board. If the speaker has additional comments to make, they may be submitted in writing to mblackman@brockportny.org. The board will not answer any questions in the public hearing unless they pertain to the New York State law and will not be expressing any opinions on the matter at this hearing. All comments must be civil and respectful.
 - Josh Tubolo, business at 33 Main St. – He hears from his customers that they want a dispensary in Brockport. There is money to be made and a demand in this area.
 - Carol Provost, Mac Trail – She asked for clarification on opting out. Mayor Blackman responded that if a municipality has not opted out by the deadline, you cannot opt out. You can opt back in at any time. Carol went on to express her opinion that people are going to use cannabis whether we like it or not and we should accept it.
 - Ed Starowicz, Caitlyn Way – After attending an educational cannabis conference, Mr. Starowicz provided information packets to the board. He encouraged the board to do their homework. Due to the uncertainty in the regulations, his opinion is to opt out, but the board should take the initiative, put a plan together and let the voters decide. He also stated that the board should adjust their planning and zoning for retail and consumption sites.
 - Tee Malachi, The Brock Apartments – In her opinion, cannabis is addicting, and the village should have a plan for mental health services if they do not opt out.
 - Mike Martinez, Main St – He stated that staying opted in would not only be financially beneficial but would prevent illegal drug sales and use of illegal substances.
 - Shauna Graham, via Zoom – She asked what the requirements are for opening up a dispensary? Mayor Blackman responded that once an opted in municipality is located, interested parties would need to own or lease a commercial space to establish a dispensary, as that is a requirement for the application. They would then contact the municipal clerk, of that location, to discuss their intention to file an application with NYS for a dispensary license. The municipality has the right to review the application to be filed with the Office of Cannabis Management. The municipality can weigh in on that application, with their support of if they have concerns. The Office of Cannabis Management makes the final decision.
 - Libby Caruso, Brook Terrace – She commented that until the regulations are written, maybe it's worth waiting to opt in.
 - George Mahaney-Walker, Evergreen Road, via Zoom – He stated that in his opinion opting out is short sighted and anachronistic, sacrifices time, revenue, and local jobs and potential new businesses during the competitive rush. Getting it out of the black market and under regulations would be good for our area and community.
 - Karen Tobin, via Zoom – She commended the village for putting together the presentation for this meeting and giving folks the baseline of the legislation because 128 pages is a lot, as she has read it three times. She has worked in the regulated market for 7 years and has done so on the regulatory side of writing laws on the local, state, and federal level. She views this as an exciting time for the state, economically, mostly on a lower level. While she understands it's difficult without the

regulations but if the village waits to opt in it will end up at the bottom of the list of those that remained opted in.

- o Juliana Mullen, Ireland Rd, Clarkson – She stated that she works for the National Council on Alcoholism and Drug Dependence, (NCADD), Rochester Area. The NCADD is researching the Marijuana Regulation and Taxation Act (MRTA). She urged the board to keep in mind that the regulations have not been created. The village could opt out and then opt back in when more is known. Some research shows that areas that have dispensaries and places of consumption have higher rates of DUI's and DWI's. She expressed concerns about needing more Drug Recognition Experts and mental health services.
- o Mayor Blackman read an email from a college student who wished to remain anonymous - I would like to ask for those here to speak to remember that we're not here to discuss the morality of marijuana. While I understand that people may have strong feelings on the topic, the state has legalized it and it's here to stay. Brockport is not an island and marijuana will exist within our community, regardless, or if we opt in or out of sales, here in the village. Because of this focusing on relevant concerns will be a better use of our time.

Mayor Blackman thanked the public for their comments and stated that they would still accept comments via email to mblackman@brockportny.org. Trustee Kristansen urged everyone to educate themselves with the various resources provided and to consider the full scope of what opting out or remaining opted in means.

→ Trustee Kristansen moved, Trustee Halquist seconded, to adjourn the public hearing and return to the regular meeting at 7:55 pm.
Motion carried 5-0.

PUBLIC COMMENT:

- Kevin Jenkins, 153 West Ave – He requested that the village stop applying for grants, stop any existing grants, and to reimburse the taxpayers for the equipment and manpower used for the grants. He stated that there are many other issues that need attending, such as the sidewalks. He opined that the village should use taxpayer funds collected should go to the village, not grants.

Mayor Blackman commented that the village sidewalks are currently being audited.

CONSENSUS ITEMS:

- Minutes: 10-18-21 & 10-25-21

→ Trustee Kristansen moved, Trustee LaPierre seconded, to approve the 10-18-21 and 10-25-21 minutes.
Motion carried 5-0.

- Bills

Abstract 10-22-21

A (General Fund)	\$83,749.50
B (Water Fund)	\$ 8,440.44
G (Sewer Fund)	\$ 62.85
TOTAL	\$92,252.79

Abstract 10-29-21

A (General Fund)	\$97,947.04
B (Water Fund)	\$ 485.22
TOTAL	\$98,432.26

→ Trustee LaPierre moved, Trustee/Deputy Mayor Crane seconded, to approve the Bills Abstracts 10-22-21 and 10-29-21.
Motion carried 5-0.

MANAGER/CLERK REPORT:

Manager/Clerk – Erica L. Linden

- Re-levy of Taxes – Requests the board to approve the re-levy of unpaid taxes to Monroe County. The village is required to submit a Certificate of Village Surrender for the 2021-2022 taxes. This year the amount of unpaid village taxes \$91,982.14, with the accumulated interest that totals \$99,340.71. The account of unpaid taxes, including that interest through October 31 has been so compared and found to be correct. Therefore, the total amount of the unpaid tax, including the accumulated interest is \$99,340.71. The village board needs to accept this and then sign the certificate for the county.

- Trustee Kristansen moved, Trustee/Deputy Mayor Crane seconded, to authorize the said certificate of village tax surrender. Each board member to sign the certificate.
Motion carried 5-0.
 - Appoint Jacob Christ from seasonal laborer to full time laborer vacancy at DPW
- Trustee Kristansen moved, Trustee LaPierre seconded, to appoint Jacob Christ, seasonal laborer, to full time laborer at DPW.
Motion carried 5-0.

OLD or NEW BUSINESS:

- McCormick Place Road Dedication
- Trustee Kristansen moved, Trustee/Deputy Mayor Crane seconded, carried 5-0 to authorize the following resolution, as read by Chad Fabry, Building Inspector and Code Enforcement Officer:
 To accept future dedication of roadways, sidewalks, and underground potable water mains and sewer utilities within the Village of Brockport right-of-way for the developments known as McCormick Place and Sunflower Landing. This motion specifically excludes storm water systems and their associated appurtenances. Approvals and final acceptance of dedication are contingent upon
 1. Said facilities are installed to the satisfaction of the Village of Brockport engineer and DPW superintendent and comply substantially with the Village of Brockport design standards.
 2. Said facilities are inspected during construction by the Village of Brockport engineer and DPW Superintendent.
 3. The facilities conform substantially to the overall site plans as submitted to and approved by the Village of Brockport Planning Board and or the Village of Brockport Village Board and the Village of Brockport Engineer.

The Village Board generally discourages the dedication of roadways and sidewalks in condominium developments where a homeowner's association is usually responsible for maintenance and repair of such improvements. However, in light of the unique history of these developments, wherein past approvals have included or alluded to acceptance of dedication, the Board will accept dedication with the caveat that such acceptance shall not serve as precedent for future applications concerning condominium status.

- Holiday of Lights Parade Application – the parade route will be from West Ave / N Main St, south bound onto Main St and ends at Main St/State St for tree lighting. Police and Fire Police will maintain traffic control at West Ave/N Main St and Main St/Adams St. Parade will start at 5 pm and usually finishes by 8 pm. Possible fireworks are in progress following the parade.
- Trustee Kristansen moved, Trustee Halquist seconded, to approve the Holiday of Light Parade Application to be held on Sunday, 12-5-21 from 5-8 pm.
Motion carried 5-0.
 - Courtroom roof, 3 quotes for consideration
- Trustee Kristansen moved, Trustee LaPierre seconded, to accept the bid from Upstate Roofing & Painting (10/15/21) to replace the flat roof on the Court House.
Motion carried 5-0.
 - Terry Tree Removal quote (on Monroe Co. bid) for Brookdale tree removal – At the 10/18/21 meeting, the village board resolved to approve the request to remediate the hazardous conditions on a 30ft stretch of unowned land between 52/46 Brookdale Road as a benefit to the general public by keeping the sewer easement clear and any benefit to private landowners is coincidental.
- Trustee LaPierre moved, Trustee Kristansen seconded, to accept the bid from Terry Tree Removal (10/29/21) to remove and dispose of trees on the parcel between 52/46 Brookdale Road.
Motion carried 5-0.
 - Stormwater Coalition Agreement – Established in 2000, the Monroe County Stormwater Coalition is composed of 29 municipal members working together to meet state and federal stormwater regulations. By collaborating, Coalition members are able to comply with regulations and improve water quality in a unified cost-effective manner. This agreement is a continuation of the partnership with Monroe County Water Authority and the other

municipalities in Monroe County that have adopted the agreement.

Authorizing Intermunicipal Agreement Monroe County Stormwater Coalition

- WHEREAS, the Village of Brockport is a member of the Monroe County Stormwater Coalition; and
- WHEREAS, the Coalition prepared a new Stormwater Coalition Intermunicipal Agreement; and
- WHEREAS, the Village Board of the Village of Brockport has determined it is in the best interest of the Village to continue its participation in the coalition.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Mayor is hereby authorized to execute the Stormwater Coalition Intermunicipal Agreement upon the review and recommendation of the Village Attorney.

Sec. 2. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Mayor Blackman
Seconded by Trustee LaPierre

Discussion: Village Attorney Daniel Mastrella has reviewed the agreement and approves the execution of such agreement.

VOTE BY ROLL CALL AND RECORD:

Deputy Mayor / Trustee Crane	Aye
Trustee Kristansen	Aye
Trustee La Pierre	Aye
Trustee Halquist	Aye
Mayor Blackman	Aye

MOTION carried 5-0.

VILLAGE BOARD ANNOUNCEMENTS:

- Election Day - Trustee/Deputy Mayor Crane reminded everyone that Election Day is tomorrow, November 2, 2021. She encouraged registered voters to vote if they had not already voted during early voting.
- Merchants' Mid-night Madness Parade – Trustee Kristansen thanked those that came out to participate on Friday, October 29th, on such a rainy night.

ADJOURNMENT

- Trustee Kristansen moved, Trustee/Deputy Mayor Crane seconded, to adjourn the regular meeting at 8:26 pm. Motion carried 5-0.

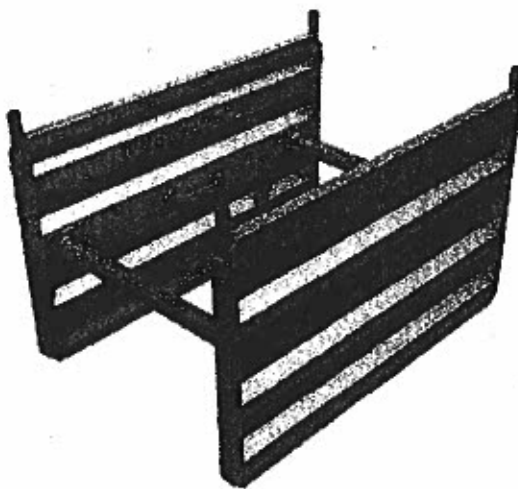
Upcoming Meetings at Village Court, 49 State St and via Zoom:

- November 15th Regular Meeting + Dept. Heads
- November 29th Workshop
- December 6th Regular Meeting

PROSPAN™



PRO-LITE ALUMINUM SHIELD



OSHA compliant, the PRO-Lite aluminum shield (trench shoring box) is about as simple and user-friendly as it can get. Weighing in at only 75 Lbs. per panel, the PRO-Lite provides cave-in protection for trenches up to 12' deep in C60 Soils. Like all Prospan products, compliance has never been easier. PRO-Lite panels are stackable to a maximum height of 12 feet.

The PRO-Lite is so lightweight and easily assembled that a separate shoring trailer may not be needed at all. At only a few inches thick and a mere 36" tall, the PRO-Lite can be carried directly on most vehicles. Gone are the excuses for not having a protective system with you at all times.

Spreader Bars come in various sizes and our Adjustable Leg Kits enable the PRO-Lite to be positioned a maximum of 24" above the floor of the trench.

Prospan Manufacturing Company

P.O. Box 899
 Huntley, Illinois 80142
 Phone: 630.860.1930
 Email: info@prospanshoring.com
 Website: www.prospanshoring.com



Estimate

Estimate No: 2021-010137
 Date: 10/23/2021

For: Village of Brockport
 dverace@brockportny.org
 Mr. Dan Verace
 38 East Avenue
 Brockport, NY 14420
 585-730-0264

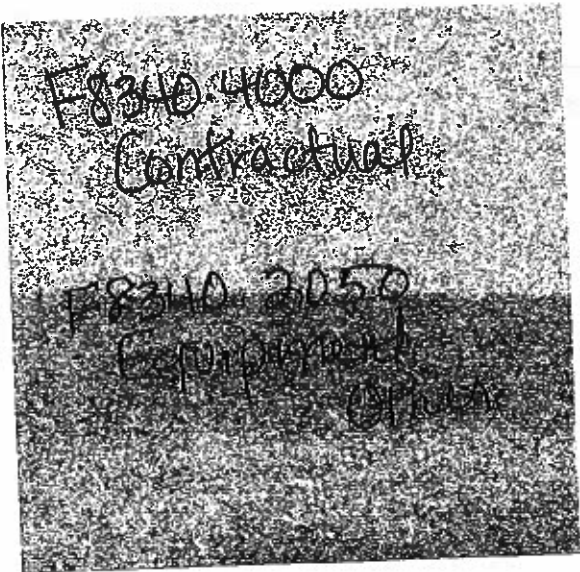
Ship To: Mr. Dan Verace
 38 East Avenue
 Brockport, NY 14420

Tracking No
 Ship Via YRC
 FOB Bensenville, IL USA

Code	Description	Quantity	Rate	Amount
PRO-3	Pneumatic Shoring, 42.5-67"	4	\$635.98	\$2,543.92
PRO-WPSE	Wale Plate-Swivel End	8	\$226.50	\$1,804.00
PRO-E12	12" Extension	4	\$247.84	\$991.36
PRO-E24	24" Extension	4	\$302.72	\$1,210.88
PRO-HA1B	Hose Assembly w/ 1B Controller	1	\$507.50	\$507.50
PRO-LS	Lowering Straps (set of 2)	1	\$32.00	\$32.00

Subtotal \$7,089.66
 Shipping \$276.96
 Total \$7,366.62

Total \$7,366.62



Prospan Manufacturing Company

P.O. Box 899
 Huntley, Illinois 60142
 Phone: 630.860.1930
 Email: info@prospanshoring.com
 Website: www.prospanshoring.com



Estimate

Estimate No: 2021-010138
 Date: 10/23/2021

For: Village of Brockport
dverace@brockportny.org
 Mr. Dan Verace
 38 East Avenue
 Brockport, NY 14420
 585-730-0264

Ship To: Mr. Dan Verace
 38 East Avenue
 Brockport, NY 14420

Tracking No
 Ship Via YRC
 FOB Bensenville, IL USA

Code	Description	Quantity	Rate	Amount
PL-3660-2.0	PRO-Lite Shield, 36"x60"x2.0", 2-Panels (60 lbs. ea)	2	\$3,250.00	\$6,500.00
PL-STK	Shield Stacking Tubes (4)	1	\$94.50	\$94.50
PL-ALA	Adjustable Leg Assembly (Set of 4)	1	\$195.00	\$195.00
PL-SLING	Backhoe Lowering Sling	1	\$145.00	\$145.00
PL-SB48	Spreader Bar, 43" creates a 4' shield width	4	\$99.00	\$396.00
PL-SB60	Spreader Bar, 55" creates a 5' shield width	4	\$126.00	\$504.00
			Subtotal	\$7,834.50
			Shipping	\$276.96
			Total	\$8,111.46
Total				\$8,111.46

Notes

Applicable sales tax & shipping charges will be applied to all orders.

**VILLAGE OF BROCKPORT
PEDDLING-SOLICITING APPLICATION**

Refer to Brockport Village Code Chapter 23 – Peddling and Soliciting

Date of Application: 11-12-2021

Fee submitted: \$0 —

Date scheduled on Village Board agenda: 11-15-2021

Note: Applicant may need to attend Village Board meeting if Village Clerk determines it is necessary.

BUSINESS or ORGANIZATION: BCSD Orchestra Music Boosters

PERSON(S) IN CHARGE: Joseph Goehle (Orchestra Teacher) & Lauren Reinhardt

ADDRESS: Brockport High School / AD Oliver Middle School /

& Hill Elementary & Oliver Middle School

TELEPHONE: 585-637-1850 (7787) FAX: _____

E-MAIL: Joseph.goehle@bcs1.org

LICENSE TO COVER DATES FROM: None to December 5, 2021
2021 Holiday Light Parade

TIME OF DAY FROM: _____ to _____

• Products to be sold or for which orders are to be solicited: Hot Chocolate

• Items / publications to be distributed (attach a sample): N/A

• Nature of other solicitation: N/A

Vehicle to be used (if any): NA
Year _____ Make _____ Model _____ Color _____ State of Registry _____ Plate # _____

Mobile food units (if applicable):

Must attach State and County Health Department compliance certificate(s).

Proposed location: Market Street area for table / set up area.

Private property: _____ Municipal property:

If private property: signature & contact information of property owner:

[Signature]
SIGNATURE OF APPLICANT
member of
BCSD Orchestra Music Boosters
organization

VILLAGE OF BROCKPORT
PEDDLING-SOLICITING APPLICATION
Refer to Brockport Village Code Chapter 23 – Peddling and Soliciting

Date of Application: 11/12/2021

Fee submitted: _____

Date scheduled on Village Board agenda: _____

Note: Applicant may need to attend Village Board meeting if Village Clerk determines it is necessary.

BUSINESS or ORGANIZATION: Girl Scout Troop 60360

PERSON(S) IN CHARGE: Kari Pardun, Leader

ADDRESS: 232 Clark Street Brockport, NY 14420

TELEPHONE: (585) 415-7920 FAX: _____

E-MAIL: karipardun@gmail.com

LICENSE TO COVER DATES FROM: 12/5/2021 to 12/5/2021

TIME OF DAY FROM: 4pm to 8pm

• Products to be sold or for which orders are to be solicited: _____

Baked goods

• Items / publications to be distributed (attach a sample): _____

n/a

• Nature of other solicitation: _____

Baked goods for troop fundraiser for further programming and community service

Vehicle to be used (if any):

Year ____ Make _____ Model _____ Color ____ State of Registry ____ Plate # _____

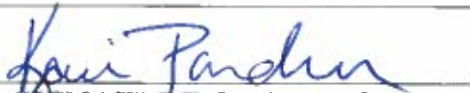
Mobile food units (if applicable):

Must attach State and County Health Department compliance certificate(s).

Proposed location: _____

Private property: Municipal property:

If private property: signature & contact information of property owner: _____


SIGNATURE OF APPLICANT

REQUEST FOR FIREWORKS DISPLAY PERMIT

Ref. NY State Penal Law, Article 405.00

Application Date: 11/1/21

(A) Sponsor of the show

Name: Village of Brockport

Address: 127 Main St.

Phone: 585-747-1065 Contact Person: Tyler

Display Company

Company Name: Skylighters of New York, LLC

Address: P.O. Box 1357 Orchard Park, NY 14127

Phone: (716) 903-3291 Contact Person: Matt Shaw

NYS Dept. of Labor Explosives License# D-5799 Expires: 09/30/2021

Operator-Name of the certified pyrotechnician who will be in charge of the display

Name	Certificate#	Expires
<u>Mark Mongeon</u>	<u>PR-479</u>	<u>06/22</u>

Authorized Assistants: Names of the individuals, who are authorized by the operator to work on the show, identified by either their certificate number and expiration date, if they are certified, or by their age and phone number, if they are not certified.

Name	Certificate#/Age	Expires / Phone
<u>Bill Kirkup</u>	<u>PR-366</u>	<u>04/22</u>
_____	_____	_____
_____	_____	_____

(Continue on a separate sheet, if necessary)

I hereby affirm that all authorized who are not certified pyrotechnicians are at least eighteen (18) years old, have been trained in the performance of the tasks assigned and have been educated with regards to safety hazards/

(B) Display Date/Time: 12/5/21 7-8pm Expected Duration: 15-20 Minutes

(C) Display Location: 22 North Main St

(D) Display Content: 25", 3" Shells + Cakes

(E) How will fireworks be stored prior to display: Brought to the site the day of the show

(F) Rain Date for display: N/A

(G) If rained out how will fireworks be stored: Returned to the magazine

(H) For outdoor displays not before a proximate audience, attach a diagram (including all dimensions) of the area where the display will take place, showing locations where the fireworks will be discharged from, the location of and distance to: all the buildings, highways, and other means of transportation, lines of communications, location of the he audiences, spectator viewing areas, parking areas, fallout areas, trees, telephone/utility lines, overhead obstructions or other structures or devices that could be affected by the display or fallout from it.

(I) Proof of Insurance or Bond (Minimum One Million Dollars). Please attach a copy of the policy certificate or other proof of insurance or Bond.

(J) For Indoor displays, displays before a proximate audience, in addition to the information provided above, include a written plan for how you intend to use the pyrotechnics as required by the New York State Penal Law 405.10. That plan shall be submitted at least five days prior to eh performance and included, in addition to all the applicable information listed above for outdoor displays:

- In addition to the State Licenses and Certificates already included in this applications, proof of Federal ATF Licenses if required.
- Proof of experience of the pyrotechnician in charge,
- Proof of experience with the types of devices being used and a description of duties of any authorized assistants,
- Manner and place of storage of the pyrotechnic materials and devices,
- Material Safety Data Sheets(MSDS) for the pyrotechnic materials to be used,
- Certification that set, scenery, and rigging materials are inherently flame-retardant or have been treated to achieve flame retardancy,
- Certification that all materials worn by performers in the fallout area during the use of pyrotechnic effects are inherently flame-retardant or have been treated to achieve flame retardancy,
- For indoor displays attach a diagram of the area where the display will take place, showing location where the fireworks will be discharged from, the location of, and distance to the audience, the location of sprinklers and the fallout radius for each pyrotechnic device used.
- A copy of the approved permit and plan shall be kept on site and available for review,
- Any significant changes to the plan shall be approved prior to the performance.

(K) I attest that the information contained in this permit application is accurate, true and complete to the best of my knowledge, and I understand that false statements, made in this permit application are subject to the applicable versions of the NYS Penal Law.



Signature of Applicant

11/1/21

Date

Approved by: _____

Title: _____

Date: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/1/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS:		
	INSURER(S) AFFORDING COVERAGE		
INSURED Skylighters of New York LLC PO Box 1357 Orchard Park NY 14127	7847	INSURER A : Everest National Insurance Company	10120
		INSURER B : Axis Surplus Insurance Company	26620
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER: 167470325** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			S18GL00259-201	12/5/2020	12/5/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			S18CA00022-201	12/5/2020	12/5/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			P-001-000056857-03	12/5/2020	12/5/2021	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Date: 12/5/2021
 Location: Village of Brockport
 Additional Insured: Village of Brockport, 22 North Main St LLC

CERTIFICATE HOLDER**CANCELLATION**

Village of Brockport 127 Main Street Brockport NY 14420	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License/Permit Number 6-NY-029-51-4C-01005
Chief, Federal Explosives Licensing Center (FELC) <i>Mamie Howard</i>	Expiration Date March 1, 2024

Name
SKYLIGHTERS OF NEW YORK LLC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**5495 RICE ROAD
 BOSTON, NY 14025-**

Type of License or Permit

51-IMPORTER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

SKYLIGHTERS OF NEW YORK LLC
 PO BOX 1357
 ORCHARD PARK, NY 14127-

Licensee/Permittee Responsible Person Signature	Position/Title	
Printed Name	Date	ATF Form 5400.14/5400.15 Part I Revised September 2011

Previous Edition is Obsolete SKYLIGHTERS OF NEW YORK LLC 5495 RICE ROAD 14025-NY-029-51-4C-01005-Mamie H, 2024-51-IMPORTER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
 244 Needy Road
 Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
 Fax Number: (304) 616-4401
 E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. (The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: **SKYLIGHTERS OF NEW YORK LLC**

Business Name:

License/Permit Number: **6-NY-029-51-4C-01005**

License/Permit Type: **51-IMPORTER OF EXPLOSIVES**

Expiration: **March 1, 2024**

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

***** 383857391
SKYLIGHTERS OF NEW YORK LLC
PO BOX 1357
ORCHARD PARK NY 14127



SCAN TO VALIDATE
AND SUBSCRIBE

POLICYHOLDER SKYLIGHTERS OF NEW YORK LLC PO BOX 1357 ORCHARD PARK NY 14127		CERTIFICATE HOLDER	
POLICY NUMBER B2174 989-0	CERTIFICATE NUMBER 775587	POLICY PERIOD 12/07/2020 TO 01/06/2021	DATE 11/1/2021

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 2174 989-0, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW, AND, WITH RESPECT TO OPERATIONS OUTSIDE OF NEW YORK, TO THE POLICYHOLDER'S REGULAR NEW YORK STATE EMPLOYEES ONLY.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE, VISIT OUR WEBSITE AT [HTTPS://WWW.NYSIF.COM/CERT/CERTVAL.ASP](https://www.nysif.com/cert/certval.asp). THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS.

THIS POLICY DOES NOT COVER THE SOLE PROPRIETOR, PARTNERS AND/OR MEMBERS OF A LIMITED LIABILITY COMPANY.

THE POLICY INCLUDES A WAIVER OF SUBROGATION ENDORSEMENT UNDER WHICH NYSIF AGREES TO WAIVE ITS RIGHT OF SUBROGATION TO BRING AN ACTION AGAINST THE CERTIFICATE HOLDER TO RECOVER AMOUNTS WE PAID IN WORKERS' COMPENSATION AND/OR MEDICAL BENEFITS TO OR ON BEHALF OF AN EMPLOYEE OF OUR INSURED IN THE EVENT THAT, PRIOR TO THE DATE OF THE ACCIDENT, THE CERTIFICATE HOLDER HAS ENTERED INTO A WRITTEN CONTRACT WITH OUR INSURED THAT REQUIRES THAT SUCH RIGHT OF SUBROGATION BE WAIVED.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUND



DIRECTOR, INSURANCE FUND UNDERWRITING

VALIDATION NUMBER: 190128155



CERTIFICATE OF INSURANCE COVERAGE DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only) SKYLIGHTERS OF NEW YORK LLC PO BOX 1357 ORCHARD PARK, NY 14127
1b. Business Telephone Number of Insured (716) 903-3291
1c. Federal Employer Identification Number of Insured or Social Security Number 383857391
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)
3a. Name of Insurance Carrier New York State Insurance Fund (NYSIF)
3b. Policy Number of Entity Listed in Box "1a" DBL 6128 06 - 1
3c. Policy effective period 12/02/2020 to 12/02/2022

4. Policy provides the following benefits:

- A. Both disability and paid family leave benefits
B. Disability benefits only
C. Paid family leave benefits only

5. Policy covers:

- A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 11/1/2021

By Kristin Markwica

(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (866) 697-4332

Name and Title Kristin Markwica, Head of Disability Insurance Unit

IMPORTANT: If Box 4A and 5A is checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed

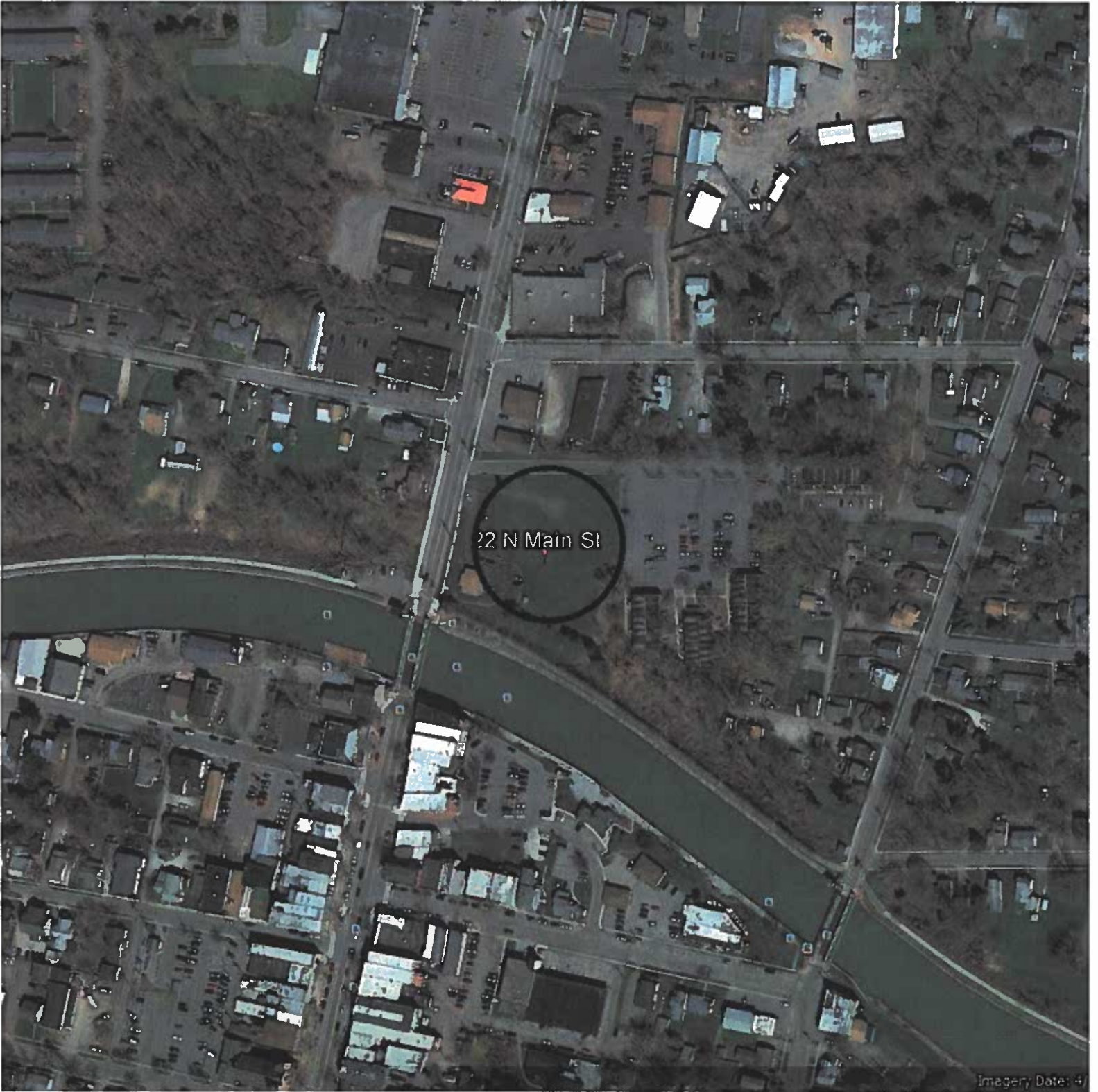
By

(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number

Name and Title

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.



22 N Main St