In case you’re not familiar with the duties and activities of your Village Board, here are some of the things they have been working on since our last newsletter. We’re partnering with the Town of Sweden to hold a joint village/town meeting and with the town and college to submit a joint planning grant to revitalize our shared waterfront on the Erie canal. That grant is also the first step towards a village comprehensive plan. Working with Seymour Library, there’s a new tri-municipal library agreement underway. As we progress to becoming a clean energy community, in the works are a municipal electric charging station to be paid for by a grant and plans to join a regional CCA (Community Choice Aggregation) for buying cheaper electric power.

Board liaisons are helping the Brockport Merchants Association with the summer sidewalk sale and BISCO with the Arts Festival. They are winding up the Tax Relief Task Force whose final report will be out at the end of May. They’ve focused on the preservation of our village’s historic properties. They’ve nudged the code review committee into twice monthly meetings to carefully review all our codes, and are meeting with focus groups of landlords, college administrators, college students, and residents to discuss the possible implementation of public nuisance and party nuisance laws. In the process, they’ve nearly exhausted our hard-working village hall staff!

On April 22 you may have seen your village board at South Avenue Park, helping to install the 2nd phase of new park equipment or picking up trash along our waterfront for Canal Clean Sweep, or both.

Turn the page to learn more about what your elected officials and village departments have been doing.

Margay Blackman, Mayor
A “Good Neighbor” Revision to our Village Codes?

We call it a good neighbor law because it’s about being good neighbors, but the legal term is “Public Nuisance Law.” It’s also sometimes referred to as “Points and Penalties.” Village residents attending the December 19th Village Board meeting brought this legislation to our attention, which many other communities have, especially those with universities. We reviewed the laws from several other communities, and with the help of Village Attorney Daniel Mastrella, drafted proposed legislation.

Here’s what we hope this law would accomplish: 1) It could greatly improve living together in the same neighborhood for college students and single family home owners; 2) It could help landlords “tighten” their leases with tenants; 3) It would make clear to college students what is and is not permissible in off campus housing; 4) It could reduce crime and property damage; 5) It could reduce the tension between single family home owners and rental property owners in a shared neighborhood. We see this legislation as preventative, not punitive.

It would work like this:

A Public Nuisance is deemed to exist when repeated violations of provisions of the code occur at a building, structure, or real property over a period of time and accumulate a certain number of points in accordance with a nuisance point system. The points are based on, from least to most: violations of the Village Code, misdemeanors, and felonies. This applies to any property, and is not exclusive to rental properties.

This law works in tandem with a Party Nuisance Law which would replace our Disorderly House violation (Village Code Chapter 35-6).

Party Nuisance Law – a gathering conducted on premises within the village which, by reason of attendees, results in one or more of the following conditions or events: disorderly conduct, open container, unlawful sale or dispensing of alcoholic beverage, serving underage, unlawful possession of controlled substance, littering, property damage. The hosts are cited and it carries a maximum fine of $250. Importantly, the party nuisance violation carries points that revert to the property owner under the Public Nuisance Law.

For this proposed legislation to benefit all in the Village, it requires input from the primary stakeholders – Village landlords, College at Brockport administrators, college students, and resident home owners. Accordingly, we are trying something new, which is to discuss this legislation in small focus groups of primary stakeholders. We are asking invitees to review the draft legislation and share their comments and concerns. We have already met with College administrators in Student Affairs, College student leaders, and a group of landlords, and will meet with a group of village residents early in May. Unsurprisingly, not everyone is on the same page, and we have our homework cut out for us as we consider this legislation.

The May 22nd Village Board work session will be devoted to discussion of this proposed legislation. The Village Attorney will be in attendance and the public is invited to come and learn more about the legislation and comment on it at a future public hearing.

VILLAGE OF BROCKPORT EVENTS CALENDAR MAY-DEC 2017

AVAILABLE ONLINE

(select the News tab at the top)

www.brockportny.org
On March 27, 2017 Lt. Cuzzupoli, Sergeant Steve Mesiti, and Officer Sime traveled to Shallow Creek Kennels in Sharpsville, PA, to add a purebred German Shepard to the Brockport Police Department.

The dog and all necessary equipment was purchased with a donation from Wegmans Food Markets and Milk-Bone®. Dr. Carolyn Orr, VMD, owner of Animal Clinic of East Avenue, located at 24 East Avenue, volunteered to provide all medical services and food for the dog at no expense to the village. Officer Josh Sime of the Brockport Police Department was chosen as the handler.

BPD asked the public for input on a permanent name. After reviewing hundreds of suggestions, the most popular name was Brock; thus the name of the newest member of our police department. Both handler Sime and Brock began an intensive three month Rochester Police Department K-9 academy on April 3, 2017.

“None of this would have been possible without the financial support of Wegmans Food Markets, Milk-Bone and Dr. Caroline Orr, VMD, owner of Animal Clinic of East Avenue,” said Lt. Cuzzupoli. “They genuinely care about the Brockport community and were eager to make a difference.”

Once Brock graduates from the academy, he will publicly be introduced to the community and tours of the department and K-9 demonstrations will be offered.

Pictured: Brock, Chief Varrenti, Wegmans Brockport Manager Miceli, Officer Sime, (Lt. Cuzzupoli behind), Trustee Kristansen, Trustee Crane, Trustee LaPierre, and Mayor Blackman.

Village Court

Judge Kent Blair resigned effective April 7, leaving a vacant seat on the Village Court bench. In his resignation letter he noted, “My love for my community led me to this position. It was my intention to ride out the 4-year term and at the same time focus on my full time career at Time Warner Cable, now Charter Communications. I have been using up all of my paid time off in order to accommodate the court schedule. Unfortunately, I have come to a point where the court activity is interfering with my fulltime job thus could be detrimental to my career. I still have a love for my community and want this court to succeed. Unfortunately, I do not think I have the time or capability to allow this court to thrive as it should.”

The supervising Judge for the 7th district, Alex Renzi, assigned a temporary judge, Judge John Pericak, of the Henrietta Town Court, to fill in until a new judge can be appointed and take the required training offered in December of 2017. The judicial appointment is made by the mayor, and the appointed judge will have to run in the June 2018 Village election.
Several people have approached the village board about issuing a moratorium on further residential rentals in the village. We asked our village attorney, Daniel Mastrella, to respond, and are sharing his answer here.

Such a moratorium would be a land use moratorium, which “is a local enactment by local law which 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.”

“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 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 use, 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 [Chapter 58-2]. There is no distinction between owner occupied and non-owner 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 requirement 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.”

“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.”

About that Boathouse …

Corbett Park neighbors, we listened to you. You didn’t want a boathouse—great as the sport it supports is—in your backyards so it’s not going there, but to a more appropriate spot across the canal at the college. There is more room for a boathouse in Commissary Park where ample parking is also available. Locating the boathouse there will provide an opportunity for Brockport College’s Kinesiology, Sport Studies, and Physical Education Department to develop rowing in its curriculum, and for the college to consider rowing as a club sport.

The Village’s DPW will still be involved with some of the in-kind labor as specified in the grant, but as Pittsford did in the construction of their two boathouses, the newly organized Brockport Community Rowing Club will recruit volunteer labor for most of it. Once Brockport Community Rowing is incorporated as a 501c3, the College will move forward with approving the site for construction.
LED STREET LIGHTS
You may have noticed brighter streetlights in your neighborhood. The village is in the process of converting all village owned street lights to LED. (Some lights are owned by National Grid. We are in the process of buying back those fixtures.) We are also converting all of our buildings to this more energy efficient and cost effective light supply.

BRUSH PICK-UP
DPW has been picking up brush for an extended period of time due to the wind storm in March. Thank you to residents for keeping your tree limbs and yard debris in the right-of-way and out of the streets. Although at the time of publication our regular spring brush pick-up service is wrapping up, a dump truck is still available to be dropped off at your home. You put the brush in the truck and we will haul it away. Call 637-1060 to schedule.

COMMUNITY PRIDE
DPW provided pre and post work for the South Avenue Playground, including hole digging, leveling, and chip spreading, and several of our employees were on hand for the installation as well. Thank you to Wegmans’ for their generous donation!

A new mural will be displayed on the railroad bridge across Route 19; much prep work had to be done for the unveiling, including scraping, painting, bracket installation, and railroad tie delivery and placement for Walk!Bike! Brockport!’s corresponding beautification project. Our department played a crucial role in this community project.

PLAYGROUNDS
Corbett Park will have a new swing set installed this summer, thanks to a generous donation from BISCO to purchase the equipment.

INFRASTRUCTURE PROJECTS
Many projects are slated for the warmer weather:
• The Monroe Avenue Sanitary Sewer Replacement Project will take place from Main Street to Utica Street. It will get underway mid-May and is funded through a Monroe County Development Block Grant.
• A water main replacement is slated for Idlewood Drive this summer.
• The road surfaces of Monroe Avenue and Idlewood Drive will be rehabbed at the conclusion of each project.
• All streets will be evaluated for road work needs and prioritized.

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In the three years that I have served as your Code Enforcement Officer, with the support of our elected officials, the Building & Code Enforcement Department has completed numerous property inspections resulting in safer work environments, residential dwellings, and improved accountability for neglected properties.

Between the dates of January 1, 2015 and March 31, 2017, department inspectors have conducted a total of 2,251 total recorded inspections inside the Village.

Other improvements include partnering with the Department of Public Works (DPW) to implement a “Clean Streets” campaign. This partnership works to rid the Village of unsightly trash that has accumulated curbside when students depart the Village for summer break. To prevent the anticipated trash accumulation, each rental property owner is mailed a notification outlining when inspectors will be patrolling for trash. The property owners are informed that any debris left at the curb after a regularly scheduled trash day will be removed by DPW at the cost of the property owner. This initiative has significantly enhanced the cleanliness of Village streets during the student move-out period and we will continue this effort for the foreseeable future.

**EXTERNAL PROPERTY MAINTENANCE INSPECTIONS**

The fourth and final quadrant in the village will undergo street by street external property maintenance inspections this summer. The schedule for these inspections is still being determined and will be posted on the village website at http://www.brockportny.org/departments-services/building-code.

**BUILDING/CODE ENFORCEMENT BUDGET ANALYSIS**

![Budget Analysis Graph]

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**BUILDING/CODE ENFORCEMENT BUDGET ANALYSIS**

![Budget Analysis Graph]
Our next fiscal year is on the horizon and department budgets have been established accordingly. Operating with fiscal responsibility, specific to department operational costs, demonstrates that tax payer dollars are not wasted. As demonstrated in the Budget Analysis Chart, the margin between operational costs and department revenue has substantially reduced dependency on tax payer dollars over the last three fiscal years.

The Building & Code Enforcement Department has been working tirelessly to reduce the backlog of delinquent inspections and rebuild a positive relationship with business owners, property owners, and residents. Reestablishing the community’s trust and reliability of the department is a top priority. I am proud of the changes and progress we have achieved and recognize that there is more work to be done in the future.

David J. Miller
Code Enforcement Officer/Fire Marshal

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**Clean Energy Communities**

The village has been working diligently towards New York State Clean Energy Community designation. Once this has been achieved, we will be eligible for additional funding to assist with further energy efficiency goals. Four actions are required to qualify for Clean Energy Community status:

1) Adopt the Unified Solar Permit—*complete*;
2) Clean Fleets — the village plans to install an electric charging station, with an anticipated $14,000 from the NYS Environmental Conservation Fund, which will be operational this summer and the Code Department’s replacement car will be an electric vehicle;
3) Energy Code Enforcement Training—*completed* by our Code Department;
4) Adopting a policy to report the energy use of village owned buildings—*adopted*, data entry currently underway.

Once the charging station is installed and the data fully uploaded for the energy use reporting category, the Village of Brockport will be poised to receive additional grant funding from NYSERDA for green initiatives.

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**From the Treasurer:**

**Fiscal Year 2017-2018 Budget Highlights**

**Staffing:** No changes

**Village Improvements:** Funds to continue improvements to village parks, streets and sidewalks. LED street lights are being installed—the first phase of a long range plan to reduce energy costs and improve lighting of streets and parking lots. Implementation of K – 9 initiative in Police Department.

**Equipment purchases:** 1 Car – replacement for Code Department, will be an electric vehicle

**Taxes:** Budget complies with the Tax Cap promoted by Governor Cuomo, fourth year, under the Property Tax Cap. Village Taxes will increase by $.11 per $1,000 of assessed valuation for Village residents (1.18%)
April 22 was a busy Saturday in the village. Numerous volunteers joined the village board, the parks committee and DPW workers to install the 2nd phase of the South Avenue playground. Wegmans donated $20,000 to purchase six new pieces of equipment and provided food to all the workers. The Canal Clean Sweep took place along the north and south side of the canal, down the into the trench and the surrounding brush. Over forty volunteers picked up trash and stopped by the earth day celebration at the Corbett Park Pavilion.

Thank you for making a difference in your community!
Brockport Historic Moment — by William Andrews, Deputy Mayor/Trustee

The everyday life of the average Brockporter improved, surprisingly, when cement sidewalks replaced the wooden sidewalks from the early decades of the village when “the village authorities” built the sidewalks. Then, in 1864, they secured the authority to require property owners to build and maintain them.

If a majority of the property owners along a stretch of street wanted a sidewalk, they petitioned the board for permission. The Board would require that the walk meet certain specifications and be completed within 30 days or the owners would be subject to a fine.

The wooden sidewalks were never satisfactory. Their boards warped, broke, and disappeared. Nails protruded dangerously. Often, their grade was not consistent or they were not properly aligned. Many broken arms, legs, wrists, shoulders, and hips and sprains and bruises resulted. People were said to be “falling all over town”. The Village lost several expensive lawsuits over those injuries.

As the 20th century began, salvation arrived in the form of concrete sidewalks. By May 1900, “many” Brockporters were reported to be “putting down cement sidewalks.” In 1906, the Village Board required that all new sidewalks be cement or stone.

Gradually, concrete and stone replaced the unlamented wood. By July 1907, “few board walks remain[ed]” and they were expected to disappear “in the course of a year”. By November 1916, the Republic boasted, “Where is the place that shows us as large a portion of…sidewalks of cement as Brockport?” The new century had dawned as a new era for Brockport’s pedestrians. Concrete walks might also become slippery or get out of line, but they caused many fewer problems than had their wooden predecessors.

Historic Housewalk June 11th

The Village of Brockport’s Historic Preservation Board, in conjunction with the Western Monroe Historical Society, the Emily L. Knapp Museum, Walk-Bike Brockport, and The College at Brockport, are organizing a Historic Housewalk for Sunday, June 11th. Participants will experience small-group tours within 6 historically-designated homes in the village. Tickets will cost $15 per person and will include a post-tour beer and wine tasting event in the Morgan Manning carriage house provided by Stoneyard Brewing and Mahan’s Liquor. Funds raised from ticket sales will be used for continued preservation efforts by the Western Monroe Historical Society. In addition, the Emily L. Knapp Museum of Local History and the Morgan Manning House will be open to the public for free educational tours.

Tour details and ticket sales information will be available in May at www.brockportny.org.
On April 28, at the College at Brockport, artist Sarah Hart unveiled Helen Hastings’ art collection that has been hidden in an attic trunk for over a century.

Helen Hastings was a member of the prominent Seymour family in Brockport. She studied the “Sight-Size” painting method in a Philadelphia art school from 1899 to 1903. Returning to the family home, she packed all her art work, including 109 oil paintings, sketchbooks and personal information, in a trunk in the attic. The attic is now part of the Emily L. Knapp Museum at 49 State Street.

Sarah Hart was trained in Europe and America in the classical methods of figure, portrait, and landscape painting. She teaches in her studio in Brockport. She is also a figure and portrait drawing instructor at the Memorial Art Gallery in Rochester. Hart studied the same Sight-Size painting method for four years of post-graduate studies at the Charles Cecil Studios in Florence, Italy, in the early 1990’s. Valuing the Sight-Size method, she saw the method falling out of favor in the art world at the time.

Hart’s presentation included a slide show, art demonstrations, and an historical perspective on “Sight-Size” teaching methods, revealing why the discovery is unique and important.

Four of Hastings’ original pieces were displayed, along with prints of other originals and her notebooks.

**Waterfront Revitalization Strategy**—

The Village of Brockport, the College at Brockport, and the Town of Sweden are partnering on a state grant application to fund a Waterfront Revitalization Strategy. The grant is for a one year period of community planning, to culminate in a strategy for the waterfront along the Erie Canal spanning from the Sweden Town Park/Redman Road area to the Lodge on the Canal (formerly the Senior Center).

This area will include a vision for the development of Commissary Park, Corbett Park, The Lodge on the Canal, and improvements for safer traffic patterns on Redman Road and Sweden Town Park and the newly developed Chauteau housing and college student housing. The plan will focus on connectivity along this 2.2 km stretch of the canal and provide the opportunity to review and integrate existing plans, such as the village’s Active Transportation Plan and the college’s “Build a Better Brockport” goals.

If awarded and once the strategy is complete, we will be eligible for state implementation funds — money that will have a positive impact on our infrastructure, quality of life, and recreational opportunities for residents and tourists alike.
The plain fronted building at 50 Clinton Street that was once the Family Dairy and more recently Smith Hockey, today houses Bert’s Box Fitness.

The owner, 25-year-old Bert Ortiz, is a Brockport High school graduate, class of 2010. In High School Bert was a baseball player, and then during his Senior year he joined the cheerleading team. When his tumbling coach opened a CrossFit gym in the back of his gymnastics facility, Bert was hooked.

Three years ago, Bert built his own Strength and Conditioning gym in his parents’ garage. Starting with fewer than 5, membership quickly grew to 15, and Bert moved into 50 Clinton Street. Bert’s Box now has 60+ members.

At Bert’s Box the emphasis is on strength and conditioning, “combining the best parts of power lifting, Olympic weightlifting and gymnastics.” Bert designs daily workouts offered in six one-hour classes beginning at 5:00am and ending at 7:30pm. Open gym times throughout the day allow members and drop-ins to work out with equipment and continue to develop their skills.

When I broached the idea of a newsletter article on his business, Bert invited me to take a free class, so I took advantage of his offer. Take it from the senior citizen mayor, Bert is skilled at scaling his workouts to the strength and fitness levels of his individual clients. Surrounded by power lifters, I felt comfortable with my 15lb bar and two 5 lb weights as I tried weightlifting snatches. (The women’s world record in my weight class is 117kg (257lbs).) Bert personally conducts most of the classes, demonstrating moves, correcting postures, and shouting encouragement.

Bert will be offering demonstrations and mini workshops at the canalfront on May 13 for Low Bridge High Water. Check out his website at https://www.bertsboxfitness.com
Low Bridge High Water

A Village of Brockport Signature Event

~ Thursday, May 11, 2017 ~

Historic Mural Dedication 3pm, RR Bridge, Main Street
Erie Canal Legacy: Architectural Treasures of the Empire State
by Andy Olenick and Richard O. Reisem 7pm at Morgan Manning House

~ Friday, May 12, 2017 ~

Local Craft Beer Big Tent Event ~ Water Street
5-6pm VIP Presale Ticket Access ~ 6-10pm General Admission
Local Craft Beverages ★ Live Music
For more information, visit: https://www.facebook.com/events/584902115037697/
Proceeds to benefit: Brockport Community Rowing and Camp Abilities Brockport

~ Saturday, May 13, 2017 ~

~ Festivities at The Welcome Center 11am-4pm, Water Street ~
Canal Opening Ceremony and Awards ~ Golden Eagle String Band ~
Celebrating the 1817 Groundbreaking of the Canal ~
4th Grade Historical Reenactment ~
Brockport Buskers Band ~ Rowing Demonstrations ~ Kayak Rentals ~
Free Pizza Picnic ~ Bert’s Box Fitness mini workouts ~ and much more!

Thank you to our Sponsors: Bonduelle; Brockport Lions Club; Brockport Merchants Association;
Brockport Rotary Club; Erie Canalway National Heritage Corridor & NYS Canal Corporation;
Greater Brockport Chamber of Commerce; Java Junction; Stonewall Brewing Co; Strong West;
Sunnking; The College at Brockport; Walk/Bike!Brockport; Wegmans

For more information, visit:
www.facebook.com/LowBridgeHighWater