

# Village of Brockport

**A REVIEW OF THE VILLAGE COURT**

AD HOC COMMITTEE

# Brockport Village Court, a Summary

In the fall of 2025, the village put together an Ad Hoc Committee to study the Brockport Village Court. The committee was composed of two trustees, one department representative, and two community representatives. We were to do a general overview with an eye on department transparency, opportunities to improve services, and financial responsibility and stability.

We began our review with a look at the original studies and conversations that occurred in 2012 (contained in the Village of Brockport minutes) and then progressed through our court's financials and comparatives within the state. We also looked at the issues that challenge courts today. The Village Court Justices were gracious enough to spend some time with us. Justice Andrews was our first justice and still sits on the bench today. He was able to explain changes he has seen over time.

## Key Findings

- Town courts are mandated by statute in the state of New York. As a result, all taxpayers within the town, including those in the village, pay for the town court. Village courts are optional. Currently both town and village are operating at a loss.
- State policies such as Raise the Age and Court reform have had an impact on the total receipts the court is getting. Annual changes to the state minimum wage have put an upward pressure on employee costs.
- The Brockport Village Court provides benefits that do not have a monetary measure, but which need to be considered. These are their early hours of operation, a plea by mail program, interactive programs with students, internships, and working with Monroe County to host the DMV one day a month.
- The Brockport Village Court implemented several cost savings measures. They do NOT subscribe to the "use it or lose it" philosophy when they evaluate their monthly budget. They enrolled in a program to receive reimbursement for language translators. They use digital recordings for most court proceedings and only need to employ a stenographer (\$75/hour) for jury trials. Transcripts can easily be obtained with this method. For larger projects within the court, they apply for reimbursement from the Justice Court Assistance Program (JCAP).
- Brockport Village Court remained resilient during COVID. Other village courts saw a dramatic loss in receipts during the same period.
- The last three years, the net from direct operations of the court (full cost of employees plus the budgeted line items) has been a loss. The most current year ending May 2025, the revenue was not sufficient to cover the cost of wages, payroll taxes, payroll insurances, and

benefits. The court has been within budget for the line items within their control – supplies, equipment, postage.

### **Options**

There are several options available to the Board. These are not specific recommendations but rather are meant as a starting point for conversation.

- Do nothing. Accept that the current losses are offset by the benefits of our village court. Take time to get additional financial information and investigate other opportunities.
- Look into sharing space and court costs with the town. The place with greatest capacity is the town building, but we do not know if space is available or what their specific costs are.
- Close the court. The state allows a village to close its court with a resolution to end the position of village justice. This option is only available at the end of a term. The secondary question then becomes, what do you do with the vacated space?
- Think outside the box. This report looks specifically at the court. The board has groups also looking at three other departments. Perhaps looking at *all* the moving parts will suggest a way to improve the cost structure of multiple areas.

Our analysis was conducted as a series of questions. These questions and the related information we found follows.

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## Justice Courts – a general look

Source: <https://www.nycourts.gov/courts/townandvillage/>  
<https://www1.osc.state.ny.us/localgov/justice-court-fund/jc-dataviz.cfm>  
conversations with Justice Andrews and Justice Martin

### What is a justice court and what types of cases does it hear?

Justice Courts are the most local of the courts. Town courts are mandated by state statutes, whereas village courts are optional. Since mandated, all taxpayers within Sweden, including those within the village of Brockport must pay taxes to support the town court. This means that currently the village taxpayers are supporting two courts.

Justices on both courts receive the same training. Both village and town courts hear the same types of cases:

- Civil cases involve landlord/tenant issues such as evictions and orders to pay past due rents. They may also preside over small claims proceedings up to \$3,000.
- Criminal prosecutions include violation of local ordinances, vehicle and traffic law violations, and arraignments and preliminary hearings in felony cases. The justices may issue orders of protection for domestic violence situations.

Currently, a village resident may ask for a summary judgment in an eviction case and can commence a small claims action in either the town or village court. In situations where there is a ticket, misdemeanor, or felony, the case must be heard in the court having jurisdiction over the location where the action occurred. For example, a violation of a noise ordinance within the boundaries of the Village of Brockport will be heard by the Village Court. A larceny at one of the retail establishments on Main Street will be heard in the Village Court, no matter who the arresting agency is.

### What has happened to village courts across NYS and in our immediate area since the original Village studies?

We began with 2011 data since that would have been available during the original 2012 studies and then looked at 2017 as the midpoint and just prior to significant changes to court systems, and 2024 as the most recent. Comparisons were done using

- The state as a whole,
- Monroe County,
- the two closest neighboring counties of Orleans and Genesee,
- and the counties of Livingston (home to SUNY Geneseo) and Chautauqua (home to SUNY Fredonia)

Note, this information comes from the State Comptroller and is based on a *calendar* year. It is important to keep this in mind when we later look at Village of Brockport specific revenue/cost information which will be based on *fiscal* year.

Jurisdiction	2011		2017		2024	
	Count	\$ Total Collected	Count	\$ Total Collected	Count	\$ Total Collected
All villages	318	64,421,917.87	292	67,421,322.78	260	65,689,863.65
Monroe	2	136,563.57	3	524,995.95	2*	205,466.65
Genesee	1	221,144.60	1	264,714.50	1	319,908.00
Orleans	1	55,272.50	0		0	
Livingston	6	830,074.08	6	1,123,986.94	6	305,161.65
Chautauqua	4	516,660.69	4	342,589.50	2	122,306.32

**Observations**

New York’s Raise the Age began to phase in beginning October 2018.

Overall, the number of Justice Courts across the state declined 8.2% between 2011 and 2017. There was a decline of 11% between 2017 and 2024. For the whole period, the decline was 18%. Nearly one in five NYS Justice Courts have closed since 2011.

\*The village of Fairport closed its Justice Court effective January 1, 2023. Since the publication of this data, Honeoye Falls in Monroe County closed its village Justice Court as of April 1, 2025. Brockport is currently the only village Justice Court remaining in Monroe County.

Of the closest counties to us, only the village of Corfu in Genesee County has a village Justice Court. This small community (population 709 at the 2020 census) processes more revenue than some of the other counties with multiple courts.

Although Livingston County still has all of its Justice Courts (including the village of Geneseo), in total they have lost nearly three-fourths of the collected revenue since 2017. Total current collections for the county are below 2011 levels.

The county of Chautauqua reduced the number of village Justice Courts by half. The village of Fredonia (SUNY) is one of the remaining two.

There are about 530 villages across the state and a recent count showed approximately 250 of them had a court.

## Why did the Village of Brockport feel we needed a court?

Source: Village Board minutes, village website for years 2011-2013  
Papers and Presentations provided by Margay Blackman  
Conversation with Scott Hunsinger (trustee at the time) and Justice Andrews

Studies and conversations began around 2011 when it was discovered by the Town of Sweden Court that boxes of unpaid parking tickets were in their possession. The village could not directly collect these without a village court. In 2012, the village signed an MOU with the Town of Sweden to allow an outside agency to begin collection proceedings on the tickets.

The Brockport Police Department was writing tickets and approximately 60% of those provided no revenue to the village. A village without a court will receive revenue from parking tickets and violations of local ordinances only.

It was felt that a local village court could be more efficient in timely processing of violations. It was noted that when the village took over the court, there were violations that had been adjourned. The “pause” was so prolonged that the cases had to be thrown out of court.

Based on 2011-2012 information, the village calculated that a village court could bring in a local share of approximately \$140,000. Based on anticipated future parking tickets they felt this number would be closer to \$162,000.

Using the village of Geneseo as a model, costs for two justices, two part-time clerks, and a court attendant plus software and contractual costs would be \$65,000. They would apply for a JCAP grant to help with start-up costs, estimated to be \$27,000.

There was a projected net revenue from the court of \$97,000 (\$162,000 minus \$65,000).

The Village Board voted to create the position of Village Justice on October 7, 2013. The first justices were elected in 2014.

In November 2017, the village purchased the property on Main Street. Village administrative offices were relocated to that building to give the court more room on State Street.

## What is the relationship between the SUNY Brockport Disciplinary Board and the Village Court?

Source: conversations with the Village Court

There currently are no agreements with the college. Any agreement between SUNY and the village fell aside with administrative changes at the college. Tickets written to students by the village police may be sent to the college for their review. The justices are aware of action taken at the college level, but the tickets are adjudicated through the village court. Students go through the court just as any other individual in the village would.

No one is exempt from parking tickets. College parking violations are handled by the college and only the parking staff at the college can “forgive” a parking ticket issued by their staff. Village parking violations are handled by the village court.

The village court does have more interaction with the college and sees a greater number of students than the town court.

# Are there any trends to the receipts collected or the local share that we retain?

Source: Financial data provided by Dan Hendricks, village accountant  
Conversations with the court  
<https://www1.osc.state.ny.us/localgov/justice-court-fund/jc-dataviz.cfm>

## Village of Brockport Revenues

We were provided with monthly receipt data for the Brockport Village Court beginning January 2015. Our focus was on the *fiscal* totals for the three categories –

- Total collections, including fines and surcharges. The state retains all surcharges.
- The share that is allocated to the state and county.
- The local share that the village retains

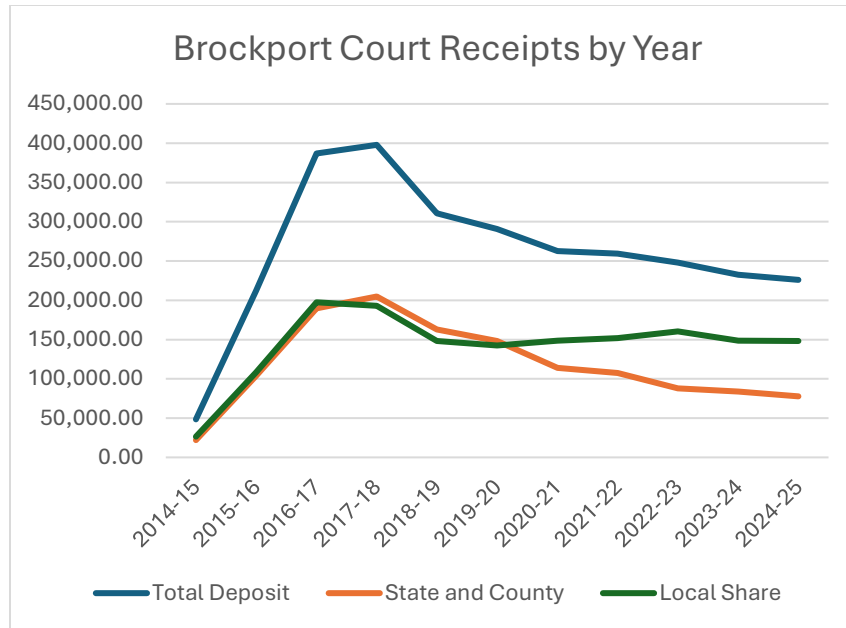
We also looked at the percentage the local share represented of the total receipts collected.

There is no public formula or any way to see how this is calculated. Monthly reports from each justice are given to the state. After state review, the village is sent a report that breaks out the amounts owed to each entity.

Gross Receipts by Year				
Year	Total Deposit	State and County	Local Share	%local
2014-15	48,434.00	22,020.00	26,414.00	55%
2015-16	212,088.00	103,921.00	108,167.00	51%
2016-17	387,079.50	189,645.50	197,434.00	51%
2017-18	397,867.10	204,803.40	193,063.70	49%
2018-19	310,908.40	162,830.40	148,078.00	48%
2019-20	290,761.50	148,251.50	142,510.00	49%
2020-21	262,460.00	113,990.00	148,470.00	57%
2021-22	259,582.00	107,615.00	151,967.00	59%
2022-23	248,162.00	87,916.00	160,249.00	65%
2023-24	232,569.00	83,896.00	148,673.00	64%
2024-25	226,136.63	77,852.55	148,282.08	66%

This can also be represented graphically and is, perhaps, easier to view. Both are provided for you.

Brockport Village Court receipts by *fiscal* year are as follows –



## Observations

The highest years of total deposits are the earliest ones after the court was settled and running. This may be due, in part, to collecting old parking tickets and closing old violation cases.

After 2017-2018, total amounts collected began to fall and they continue to do so. Prior to this time, the percentage retained by the village was nearly 50% but for the year immediately following 2017-2018, the percentage fell lower. The state and the county were benefiting from the court proceedings more than the village was.

Since 2020, the percentage retained locally began to increase.

The Village Court cannot manipulate revenues. They can only process those tickets/violations that are brought before them. If, in a year they see a greater percentage of parking and local ordinance violations, then the percentage of local share will be higher than in years where speeding tickets may predominate.

## Challenges with Revenue

The amount a Village Court has in revenue and is able to retain is dependent on the relative amounts of the different types of tickets – local police ordinance tickets, code enforcement tickets, parking tickets, and other matters.

The court does not get any share of surcharge assessments. The state gets the full amount.

It is interesting to note that Raise the Age reforms began phasing in during 2018. COVID challenged the court in 2020. These court reforms changed the balance in the numbers of each type of violation they received.

With these limits in mind, it is unlikely there will be much variation in the downward pattern of gross receipts.

## Non-monetary benefits

The Village Court does provide services that are a benefit to those who use them that cannot be quantified on a statement of profit (loss). These benefits also help to distinguish it from the Town of Sweden Court.

**Hours of Operation.** The Village Court opens at 7:30 in the morning. This allows people who work overnight to stop on their way home. It is also early enough that many can stop on their way to work. It is often the busiest time of the day. The benefit is that people do not have to take time off to conduct business with the court. This is not offered in Sweden Town Court.

**Plea by Mail.** During COVID the court was closed to in-person business, a system was developed to allow courts to extend pleas through the mail. The DA, with court approval, would develop an alternate plea just as if you had come to court. You would then receive a letter in the mail with the option to plea to the original violation, to accept an alternate plea, or to go through the court. The Village Court saw merit in this system, and they are continuing to do it today. The benefit to the person receiving the letter is that they have something in their hand that they can read and reread for understanding. Then, they can decide their best course of action, fill out the response, and never have to physically go to court. The Sweden Town Court did not continue this program.

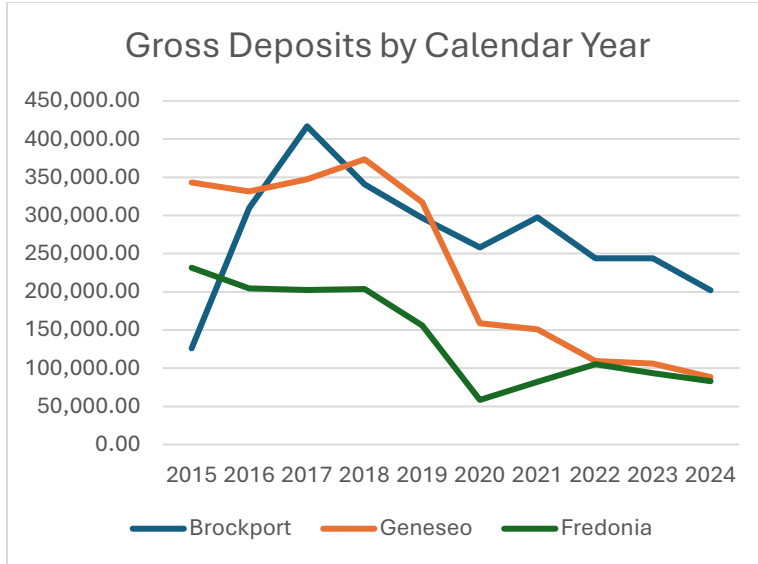
**Interaction with Students.** Each year the court hosts kindergarteners from the school system as they wind their way through the village. The eighth graders conduct mock trials in the village court. The high schoolers practice their interview skills with one of the justices acting as the hiring manager. The Village Court also works with interns from the high school and college.

**Association with the DMV.** Once a month the county DMV provides services in the court.

## During this period, does Brockport look any different from other nearby villages?

There are no other village courts in Monroe County, so we turned to Geneseo and Fredonia which were used as models for the original studies in 2011-2012.

Since we were limited to Office of the State Comptroller data, this graph is based on *calendar* year data. You will note that the annual amounts for the Village of Brockport are different due to this change.



### Observations

The Village of Brockport Court had a high of \$416,777.20 in 2017. In 2020, it was \$258,129.00. This represented a decline of 38%.

For the same period, Geneseo had receipts of \$347,553.50 in 2017. In 2020, they fell to \$158,607.50, representing a decline of 54%.

Again, for the same period Fredonia had receipts of \$202,310.00 in 2017. In 2020, they fell to \$58,435.00, representing a decline of 71%.

Although subject to the same outside pressures from court reforms and COVID, the Brockport Court did not fluctuate to the same degree. All three continue to see declines in gross revenues, but the Brockport Court is decreasing at a slower rate.

# What has happened to costs and net proceeds within the Village Court?

Source: Financial information from Dan Hendricks, village accountant  
Conversations with the court

We recombined the data provided to us by Dan so that we could see the full impact of different types of expenses.

- Was the revenue retained by the village sufficient to cover the cost of the elected officials and the staff?
- Was the local share of revenue sufficient to cover the cost of the other direct court expenses?
- What contribution was the court able to make toward the building expenses?

Court personnel currently consist of

- 2 part-time elected Justices
- 1 full-time and 1 part-time Clerk. The part-time Clerk works primarily on Friday when court is in session and the Monday following court to allow the Chief Clerk to wrap up the court business.
- 2 part-time Court Attendants who work when court is in session.

Three-year compilation of financial data for the Village of Brockport Justice Court

		2022-23	2023-24	2024-25
<b>Revenue - Fines</b>				
	Total Fines Collected	248162.00	232569.00	226134.63
	Less NYS/County Share	87913.00	83896.00	77852.55
	<b>Net Village Share</b>	<b>\$160,249.00</b>	<b>\$148,673.00</b>	<b>\$148,282.08</b>
<b>Court Expenditures</b>				
Cost of Personnel	Personnel Services	111651.12	117259.01	131775.84
	Other Employment Costs			
	Social Security	8541.00	8970.00	10081.00
	NYS Retirement	4718.00	5765.00	5280.00
	Medical Insurance	3480.00	3480.00	3480.00
	Life and DBL Insurance	100.00	105.00	110.00
	Worker's Comp Insurance	2791.00	2931.00	3295.00
	<b>Total Other Employ Cost</b>	<b>19630.00</b>	<b>21251.00</b>	<b>22246.00</b>
	<b>Total Personnel Cost</b>	<b>\$131,281.12</b>	<b>\$138,510.01</b>	<b>\$154,021.84</b>
<b>Net Court Proceeds after Personnel</b>		<b>28967.88</b>	<b>10162.99</b>	<b>(5739.76)</b>
Additional Court Costs	Equipment	2098.76		
	Supplies	27822.95	16139.38	17160.66
	Bldg Renovations	37.99		
	Postage	1101.00	2403.30	156.00
	<b>Total Additional</b>	<b>31060.70</b>	<b>18542.68</b>	<b>17316.66</b>
	<b>Total Cost of Court</b>	<b>162341.82</b>	<b>157052.69</b>	<b>171338.50</b>
<b>Net Court Proceeds after all direct costs</b>		<b>(2092.82)</b>	<b>(8379.69)</b>	<b>(23056.42)</b>

Due to the limited time we had from committee organization to presentation, we were unable to obtain details for any of the expense items, additional years of data, or any information for grant or reimbursement money received during the periods. It is not possible to predict the impact this additional information would have on the bottom line.

Building Costs shared with the Village Museum that occupies the top two floors. These are complete costs, not pro-rated, and will remain no matter what departments are in this building. These expenses do *not* include the car charger behind the building or the paving project. Those expenses are processed through village expenses and DPW.

**Building Expenditures**

Insurances		6100.00	6450.00	7000.00
Utilities	Natural Gas	1836.00	2332.00	3101.00
	Electricity	5570.00	5765.00	6147.00
	Bldg Repairs	1011.00	162.00	8749.00
	Janitorial Supplies	540.00	543.00	764.00
	<b>Total Bldg Expenditures</b>	<b>\$15,057.00</b>	<b>\$15,252.00</b>	<b>\$25,761.00</b>

**Observations**

The dollar amounts that the Justice Court brings in and is retained by the village is increasingly less.

The amount of the expenses pertaining to the court is increasing. The largest increase is in personnel, primarily wages. There is only one full-time employee. She is taking the medical insurance buy-out so there is no further room to suggest savings. That cost is less volatile than if she was getting the full health insurance benefit. Personnel and benefits are under the control of the Village Board. Last year the collections were insufficient to cover the full cost of personnel (wages and benefits.)

Each of the last three years had insufficient funds to cover all direct costs of the court (employees and operations). The court is responsible for staying within the budget for the operational costs. They have done that each year. Total losses for the court have increased each of the three years.

In addition to the court costs, we were also given costs to operate the building. In none of the last three years was there any funding from the court to help defray the cost of maintaining the building.

The museum has the Shafer Trust and the Mahan Donation Fund which help them fund large needs such as the HVAC system that was installed. There are no other sources of funding for this building.

While the amount of the local share is slowly declining, it has managed to be primarily within the original estimates of \$140,000 to \$162,000. The costs, however, have risen, especially for the personnel. The minimum wage structure in NYS began to change in 2018. This puts pressure upward on all employee wages, not just those earning minimum wage.

**The current year budget** lists personnel services at \$143,233 and the other court expenses at \$20,000 for a total of \$163,233. This does not include other payroll expenses such as taxes, insurances, and benefit costs. If we add a similar \$22,000 for those expenses, our total looks more like \$185,233. Only two of the years that the court has existed was the local share sufficient to cover this amount. Five of the last seven years have had local share amounts in the \$140,000s range. If, like last year, we are close to \$148,000, we may see a deficit of over \$37,000.

## What steps does the court take to mitigate expenses?

The court has several policies/procedures that help to keep expenses as low as possible.

**Monthly analysis.** The court clerk keeps detailed records of their finances and that is reviewed monthly. They do NOT subscribe to the philosophy of “use it or lose it”. If money remains in their budget lines, it stays there and is not spent just because they have it.

**Language translator reimbursement.** When the court needs a translator, they use an outside agency. The cost is for a two-hour minimum even if they are only utilized for 5 minutes. The court clerk registered the village into a program that provides reimbursement to the village for these services.

**Digital Recordings instead of stenographers whenever possible.** Some courts use stenographers for bench trials and jury trials. The Brockport Court uses stenographers for only jury trials. This is a less expensive alternative. If someone needs a transcript, the court clerk can provide a copy of the file to a transcription service. The village remains in possession of all recordings.

**Justice Court Assistance Program.** Whenever possible, the court applies for JCAP reimbursement grants. The village makes the upfront purchase and then asks for grant reimbursement. They are not available for daily operational costs. One example of its use was the replacement of the chairs in the court room.

## Options for change?

**Do Nothing.** The board takes no action.

The court cannot do anything to increase gross deposits or to increase the percentage the village is able to retain. The direct expenses within the court's control are already lean. They are always searching for ways to get reimbursement for court activity. Revenues are not likely to increase given the current trends. Costs will continue to rise. The court does provide added benefits that do have value. The board will have to weigh these benefits against the losses that we now see.

## Look into Cost Sharing with the Town of Sweden Court

Source: Email exchange with Village of Geneseo

We reached out to both Geneseo and Fredonia. Back in 2012, they were both sharing with their respective town but doing it differently. We were interested in seeing if the processes have changed. At the time of the original studies, they were used as models. Geneseo sent us information on how they currently share expenses with the town. Fredonia is collecting data for us and that will be forwarded when we receive it.

The village and town co-own the building that houses the court systems. The village also uses the building for administrative offices, code enforcement, the village historian, and the police department. The town has no offices there other than the court. The village pays 75% of the building costs (utilities and maintenance) and the town pays 25%.

Each court has its own justices, but the two courts share the court clerks. For the clerks only, the town is currently paying 60% of the wages and benefits and the village is paying 40%. The percentage is based on the relative number of caseloads. Each year it is reevaluated based on the numbers from the prior year.

The primary challenge in cost sharing is having two different fiscal years. The village must work out pay schedules and meet with the town for their budgeting in August/September even though the village doesn't begin budgeting until January. Raises go into effect with the new village fiscal year.

We asked about the types and numbers of cases. The village of Geneseo has 642 total cases of which 226 deal with penal law and 351 deal with vehicle traffic law. The town has 112 cases of which 73 deal with penal law and 1023 deal with vehicle traffic law.

Our Court Clerk added our caseload to the information supplied by Geneseo.

<b>Charges 2024</b>	<b>Brockport</b>	<b>Town/Geneseo</b>	<b>Village/Geneseo</b>
VTL's	3008	1023	351
PL's	266	73	226
Other	205		
Parking	1660		

- VTL = Vehicle Traffic Law
- PL = Penal Law
- Other = Local ordinances for both police and code enforcement. For this year (2025) there was one code enforcement issue so code enforcement is not a major factor in the court. This also includes civil cases such as landlord/tenant disputes and small claims.
- Parking = parking tickets

It is easy to see that our Village Court is significantly busier than Geneseo's. We do not know the count for Geneseo's Other and Parking violations.

## Observations

Due to the larger size of the court space, the availability of parking, grade level entrance and push button activated doors for handicapped access, the Sweden Town hall may be better suited to share. It is the responsibility of the mayor to have a conversation with the town supervisor to determine whether there is any space available to share, and if so, what an agreement may look like. It is impossible for us to speculate on whether this would have any savings.

## Close the Court

Source: <https://www.osc.ny.gov/local-government/publications/cost-saving-ideas-guide-justice-court-consolidation-villages-and-towns>

Email exchange with the Village of Honeoye Falls

The state does have a provision that allows villages to close their courts and turn outstanding cases over to the respective town. We reached out to Honeoye Falls (closed 2025) and Fairport (closed 2023) as their villages have closed the courts recently. Honeoye Falls gave us some information and is open to having a conversation with you if you should have any other questions. We are still waiting for Fairport to respond.

Honeoye Falls had expenses of \$10,000 with revenues less than that. Both the justice and clerk were retiring. The town court was across the street from the village court. It just seemed logical to close the village court. There was no village push back. It is a relatively easy process for the

village government, more complex for the court itself. The one caution from the mayor is the possible impact on the tax cap for the reduction of a village service.

Should the village close the court, it would still retain the revenue from the parking tickets and local ordinance violations. The village court could not give us any dollar information to be able to estimate how much this would be. Back in 2012, it was around \$55,000.

The only current remaining court expense would be associated with storage of old court files. There would be a continued need to be able to access them. We do not know the annual cost of storing digital records.

There may possibly be new expenses associated with Collection Agency fees if the Sweden Town Court elected to enter into a service agreement for parking tickets. We cannot predict what the agreement would look like.

The Sweden Town Court would receive the local share for other types of cases. Whether this would be enough to offset the potential need for an additional justice and clerk to handle the village cases would be up to the salary and benefits policies of the town. Ideally, taking on the added cases from the village would not increase the current losses at the Town Court. Only the town could discuss those specifics with you.

There is a guide for consolidating courts on the State Comptroller's website. The link is at the top of this section.

### **General Process**

- The Village Board passes a resolution to remove the position of Village Justice.
- The results of the resolution are published subject to a permissive resolution.
- If the voters wish to force a vote, they must collect enough signatures. Monroe County would help to determine that number. There are 30 days to collect.
- If the voters are successful, there would be a vote.
- If the voters are not, the resolution stands and the position of Village Justice will end.

*Important*, you may only end the position at the end of a term. Both Village Justice positions are up for a vote next year.

This option does come with another question you will need to answer. What will you do with the now vacant space in the State Street building?

### **Think outside the box!**

At our last discussion meeting, we discussed how all of the pieces are intertwined and how it will be difficult to come up with an action plan for one department without considering its impact on the others. While the court is a separate branch of government, it does have to communicate with

both the police department (and sheriff, trooper, and college security agencies) and code enforcement. Is there something that comes up at those meetings that would suggest a way to facilitate that?

**As an example of what developed from our brainstorming.** During one of our meetings, Trustee Bocach invited us to brainstorm with her. She tossed out the idea of moving offices around. We ran with that to see what the impact would be –

Move code enforcement offices to the police department. They would retain their own identity but put all the public safety into one building. It provides an opportunity to increase communication between the two. There is precedence in having the two in the same building.

Move the administrative offices (clerks, treasurer, and board) back to State St. This was shared space at one time. Could it be again?

Close Main St and put it up for sale. This would provide annual savings from removing a building/property from the village. It would bring a reduction in utilities, insurances, and DPW labor, materials, and equipment for the maintenance. Solar credits from Main St would be pro-rated to the remaining buildings to reduce their costs.

Hopefully, the building would be sold to a for-profit entity so that it returns to the tax rolls.

The proceeds from the sale could be used for maintenance that has been deferred on the remaining buildings and/or used to facilitate the move.

We are not recommending this. It is just an example of what can be done to create a positive impact across departments. We urge you to use all ad hoc reports and be creative.

## An offer worth taking

Ordinarily the village court justices would not have been able to meet with us. Albany allowed them to join us because closing a court puts them in a unique position to fully explain their own finances, resources, security, and operations. Justice Andrews has been on the bench since it began. He was open about answering just about any question that we asked. They cannot discuss specific cases or numbers, but those were not relevant to what we were doing.

He has graciously offered to meet with the board or any portion of the board if you have questions that this report has not answered. All of us on the committee urge you to take him up on that offer.

## One last point, the Census

While reading through many articles on village justice courts, the claim would be that the village of Brockport's population doubles in size during the school year. If we have 7,000 residents from the census and 7,000 students, then during the period August to May, there are 14,000 people in the village. Right?

Source: [https://www.census.gov/library/stories/2020/01/student-housing-off-campus-with-parents-college-students-count-2020-census.html?utm\\_campaign=20200113msacos1ccstors&utm\\_medium=email&utm\\_source=gov\\_delivery](https://www.census.gov/library/stories/2020/01/student-housing-off-campus-with-parents-college-students-count-2020-census.html?utm_campaign=20200113msacos1ccstors&utm_medium=email&utm_source=gov_delivery)

This option gives the “rules” in an easy format:

[https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/Update%202020-census-for-college-university-student-housing-administrators\\_3-15-20.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/Update%202020-census-for-college-university-student-housing-administrators_3-15-20.pdf)

The answer is No. The census is taken on April 1 during the college academic year. Students living in dorms or college owned housing within the village boundary are included in the population for the village. Students who are living in rental property need to fill out the census for that location. If within the village boundary, then they are counted as village residents. If a student lives with family within the village boundary, then they are a village resident. To simply add the two numbers means you are counting village-housed students twice.

Use caution when you see quotes regarding simple doubling of numbers. The population from the April 1<sup>st</sup> census is already our high point with students, not the starting point to which we add students.

## Appendix A: Future of Justice Courts

Sources:

### **Fines and Fees Justice Center**

Summary of key findings for a study conducted in 2007-2008.

<https://finesandfeesjusticecenter.org/articles/justice-most-local-future-town-village-courts-new-york-state/>

[https://www.nycourtreform.org/Justice\\_Most\\_Local\\_Part1.pdf](https://www.nycourtreform.org/Justice_Most_Local_Part1.pdf)

One of the findings explored was the consequence of having two or more justice courts within blocks of one another. The “redundant” services put pressure on county and state resources. District Attorneys and Public Defenders must provide services to all justice courts with competing schedules in many different locations. It also puts additional pressure on law enforcement agencies that have to transport prisoners. Maintenance of hundreds of individual courts creates a burden on taxpayers. The writers argue that fewer courts would allow for meaningful support and oversight. They recommend consolidation and call for a more uniform solution.

A solution that has been proposed over the years is the district court model. The findings of this report show they believe it impractical to impose a one size that fits all judicial system at the local levels. There is little stakeholder support for changing the current system.

There has also been a call to require all justices to be attorneys. The study indicates that this is simply unrealistic in many areas of the state.

This is an extensive report covering history, current conditions, organization, and proposals for reform.

### **Journal of Law and Policy**

The District Court Model, 2021

<https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?article=1614&context=jlpl>

The District Court model exists in Nassau and part of Suffolk Counties. New York is one of eight states that do not require local judges to be attorneys. The author proposes combining this model with the Vermont concept of justice of the peace to provide the functions of giving oaths of office, performing marriages, and hearing tax appeals.

The district model calls for having a central court in each county. That county court would then have branches in each incorporated town. These courts would have Jurisdiction over “money actions not exceeding \$15,000, summary proceedings such as evictions, interpleader actions under \$15,000, and may hear misdemeanor criminal cases, local ordinance violations, and other offenses carrying a possible penalty of less than a year in jail. They may also, when necessary, hear arraignments on felony matters before they are brought before the county court.”

There is a five-year legal practice requirement for all district court judges. The model would provide improved oversight over the courts. The author believes a fairer court system with traditional local control is one of the benefits. District judges will be elected, operations will be centered in the communities, and staff will likely come from the same community.

### **New York State Tug Hill Commission**

<https://www.tughill.org/2025/wp-content/uploads/2021/06/Justice-Court-Consolidation-Solutions-2021.pdf>

This study was conducted in 2021 and covers options for both towns and villages. Villages have the option to share court facilities and to dissolve their courts without state action. They give a few specific examples.

### **NYS Senate and Assembly Legislation**

News article on 2024 action

<https://tbrnewsmedia.com/traffic-court-forum-a-closer-look-at-new-yorks-town-and-village-justice-courts/>

State information on 2025 activity

[NY State Senate Bill 2025-S1409](#)

[NY State Assembly Bill 2025-A5787](#)

A bill has passed the senate and is now in the assembly that would require justices to be attorneys for the top 100 justice courts based on caseload. Attorneys would have to have practiced law for a period of 5 years prior to taking office. Text is available.

We do not have caseload numbers for comparison to know if Brockport Village Court would be impacted. Based on gross receipts, Brockport is in the top 100 for villages and within the top 275 for all justice courts.

## Appendix B: Prior Studies, Potential for a Village Court in Brockport

Studies to determine a court were conducted in 2012 by Village Board Trustees. Court Report #1 was not located. Court Reports #2 and #3 were a part of the village minutes. Margay Blackman (trustee at the time of the study) shared those with us as well as a Summary presentation.

Attached –

“Justice Court Report #2”, Margay Blackman, April 18, 2012

“Two Village Courts: Geneseo and Fredonia”, Report #3, Margay Blackman, June 6, 2012

Available as a Separate Document – This was a presentation and did not convert adequately into Word to be included as copy.

“A Brockport Village Court? Final Report”

## JUSTICE COURT REPORT #2

### *Justice Court Revenue, Adjudication of Village Ordinances, Income and Expenses of the Sweden Town Court*

#### **Introduction**

In researching the question of, “Should Brockport have a Village Court?” I broadened the issue to ask, “How well is the Sweden Town Court serving the needs of the Village?” My first report addressed the issue of unpaid parking tickets and their resolution.<sup>i</sup>

This report addresses the revenue sources received by New York State villages with no village courts vs. revenue sources received by those with village courts, the adjudication of Village ordinances in our town court, and the revenue stream Brockport receives in fines and forfeitures. It also notes the revenue retained by the Sweden Town Court and the costs of operating that court.

Future reports will look at the only two SUNY municipalities—Geneseo and Fredonia—with both town and village courts, at new village courts that have been recently formed, and the startup costs and other requirements for a village court.

As the second in a series of reports on Village Justice Courts, this is simply a fact-finding document. It is not a proposal to establish a Village Court in Brockport.

#### **Sources**

For material in this report, I relied on a variety of sources, which included the following:

- The Office of the State Comptroller—Sweden Court dispositions from 2008-2011 and other financial figures relating to the court.
- Town of Sweden—information on court revenue and costs per Director of Finance, Leisa Strabel
- Sweden Town Court—personal communication, Judge Robert Conners
- Village of Brockport—Fines and forfeitures 6/1/08–12/31/11

- Village Attorney Rob Leni
- Brockport Police Department—Annual reports (2009-2011)
- Brockport Code Enforcement Office—Annual reports (2009-2011)
- Office of Court Administration—phone conversations with Kevin Reilly and Jonathan Gold

My research benefited from work done by last year’s ad hoc committee on the Village Court chaired by Trustee Scott Hunsinger, and from articles relating to the issue of a village court published in *The Rochester Examiner* by Tom Mangan. On two occasions I sat through a total of 5 hours of court dispositions, one of which involved village ordinances. Trustee Carol Hannan, Police Chief Daniel Varrenti, and student intern Tanya Raycroft met with me regularly offering assistance and commentary on the contents of this report.

**The Revenue Stream from a Justice Court**

Because we do not have a village court in Brockport, the revenue we receive from fines and forfeitures is limited to two categories of local laws, village ordinances and parking regulations.

**VILLAGE REVENUE, WITH AND WITHOUT A VILLAGE COURT<sup>ii</sup>**

<b>Types of Cases and Fines to which Village Courts are Entitled</b>	<b>What is the Village Entitled to without a Village Court?</b>
<u>Local law (Village Ordinances)</u> Villages are entitled to fines from violations of its local laws unless otherwise directed by statute	YES
<u>Local Parking Regulations</u> -Villages are entitled to the fines from local parking laws enacted pursuant to NYS Vehicle and Traffic Law 1640	YES
<u>Village Speed Limit</u> — Villages are entitled to the fines resulting from violations of local speed limits enacted pursuant to NYS Vehicle and Traffic Law 1643 &1644. BUT, of the fines, villages are only entitled to a total of \$5/year/resident. <sup>iii</sup>	NO
<u>NYS Vehicle &amp;Traffic Law</u> — Villages are entitled to the fines from most violations of the State’s Vehicle and	NO

Traffic Laws except for Vehicle and Traffic Laws 1182 (speed contests and races), 1192 (DWI), and 1212 (reckless driving)	
Penal Law— Villages are entitled to fines resulting from convictions of the State’s Penal Laws.	NO

**PARKING TICKETS ISSUED AND VILLAGE ORDINANCE ARRESTS,  
BY CALENDAR YEAR<sup>iv</sup>**

The following table shows the activity of the police department regarding violations for which the village is entitled to fines.

<b>Year</b>	<b>Parking Tickets Issued</b>	<b>Village Ordinance Arrests</b>
<b>2009</b>	<b>1610</b>	<b>244</b>
<b>2010</b>	<b>1798</b>	<b>251</b>
<b>2011</b>	<b>1578</b>	<b>441</b>

**WITHOUT A VILLAGE COURT, WHAT DOES BROCKPORT RECEIVE  
IN ANNUAL FINES AND FORFEITURES?<sup>v</sup>**

<b>Year (Jan-Dec)</b>	<b>Total Parking Violations Adjudicated</b>	<b>Total Parking Fines</b>	<b>Total Village Ordinance Violations</b>	<b>Total Village Ordinance Fines</b>	<b>Total Fine and Forfeiture Revenue</b>
2009	unknown	\$26,980	326	\$20,775	\$47,755
2010	unknown	\$32,670	261	\$20,080	\$52,750
2011	unknown	\$29,260	386	\$27,290	\$56,580

Parking tickets disposed in court range from \$30-60; the majority are for \$30. Estimating a conservative average fine of \$35 for parking tickets in 2011, these fines represent 836 tickets out of 1578 or 51% of those written.<sup>vi</sup> Fines from delinquent tickets (back to 2008) should increase in 2012 subsequent to the village’s contract with Fundamental Business Service of Hempstead, New York to collect those fines.

Far and away the majority of village ordinance arrests and fines relate to late night disturbances of the peace and drinking behavior; far fewer relate to property codes.

**PROPERTY CODE VIOLATION APPEARANCE TICKETS ISSUED, BY YEAR<sup>vii</sup>**

<b>Year</b>	<b>Appearance Tickets</b>
2009	<b>unknown</b>
2010	<b>3</b>
2011	<b>11</b>

Surprisingly few property code appearance tickets are issued, particularly given the level of public complaint about code violations. Following suit, the number of property code violations prosecuted in the court is slim.

**PROPERTY CODE VIOLATIONS PROSECUTED IN SWEDEN TOWN COURT**

<b>Year</b>	<b>Number of Property Owners</b>	<b>Total Number of violations</b>	<b>Reduced to</b>	<b>Total Fines</b>
2009	5	42	3	\$1050
2010	3	9	2	\$1500
2011	3	12	5	\$475

**How Well are Village Ordinances being Prosecuted in the Sweden Town Court?**

A number of factors enter into this equation, among them: the attorney representing the village, the judge, the defendant’s behavior at the time of the violation and the prior record of the defendant.

A review of the court dispositions of village ordinances from 2008-2011 shows:

1. The most common Village ordinance violations are open container, disorderly House/conduct, prohibited noise, littering.
2. Rarely are the above charges dismissed
3. The fines are consistent: Most commonly:
 

Open container	\$100 (range = \$20 -250)
Prohibited noise	\$50 (range = \$50-100)
Disorderly House	\$100 (range = \$100-200)
Littering	\$75 (range = \$75-100)
4. In the case of property code violations, the fines are not so clear because a schedule of remediation, negotiated between the code enforcement officer, the village attorney and the violator, affects the adjudication of charges and the fines applied.
5. The judicial process is slow for village ordinances compared to villages with village courts which deal with village ordinance violations as often as twice a month. Our village attorney appears in court 6-8 times a year to prosecute village ordinance violations.

**Pluses and Minuses of A Village Court**

**WHAT ARE THE ADVANTAGES OF THE STATUS QUO (NO VILLAGE COURT)?**

1. An annual net revenue of approximately \$52,000 from the Sweden Town Court, which itself operates at a deficit (see below)
2. None of the substantial costs of staffing and operating a court.

**WHAT IS BROCKPORT LOSING BY NOT HAVING A VILLAGE COURT?**

1. *Brockport provides the majority of the Sweden Town Court’s business.*

Without going through dispositions case by case, we do not know exactly how many cases are Brockport’s and how many are exclusively Sweden’s (except for Village Ordinance violations which are listed separately and indicated by the code, “VO”). A conservative estimate, based on

Geneseo, as a SUNY municipality,<sup>viii</sup> is that about 40% of the court’s business is Sweden’s, and 60% Brockport’s.

*2. Brockport receives no income for vehicle and traffic violations, or criminal violations*

In 2011, the Brockport Police Department made 1662 Vehicle and Traffic arrests, 259 speeding tickets, and 128 passed stop signs. Typically, most of the speeding tickets would have been pled down to violation of 1110A, “Failure to obey a traffic control device” in which case all of the fine money would revert to the village if we had a court.

In 2011 the BPD made 291 criminal arrests, which, with a village court, would result in fines paid to the village.

*3. A Village court would mean a more integrated and responsive judicial system*

Put simply, the police department would be writing tickets and making arrests that would be adjudicated at the local level, with the fines returning to the community in which those violations occurred. Additionally, Village courts have a flexibility that all other courts in the state do not. They can be created and abolished in response to local demand and circumstances.

**Income and Expenses of the Sweden Town Court**

**SWEDEN TOWN COURT GROSS INCOME<sup>ix</sup>**

<b>Year</b>	<b>Total</b>	<b>State</b>	<b>County</b>	<b>Local (Sweden)</b>
<b>2009</b>	<b>\$442,330.15</b>	<b>\$210,908.00</b>	<b>\$37,871.05</b>	<b>\$193,551.10</b>
<b>2010</b>	<b>\$383,370.24</b>	<b>\$175,860.60</b>	<b>\$45,694.17</b>	<b>\$161,815.47</b>
<b>2011</b>	<b>\$421,338.05</b>	<b>\$197,030.00</b>	<b>\$44,172.35</b>	<b>\$180,135.70</b>

The local gross income is after reimbursing the Village for village ordinance fines and forfeitures, but before deduction and payment of parking fines due the village. This figure reflects the fact that Sweden was not reporting parking ticket dispositions to the OSC (see figures, next page).

**SWEDEN COURT PERSONNEL COSTS (EXCLUDING BENEFITS)<sup>x</sup>**

<b>Year</b>	<b>Court Personnel Services</b>
<b>2009</b>	<b>\$125,264</b>
<b>2010</b>	<b>\$128,668</b>
<b>2011</b>	<b>\$134,214</b>

Personnel costs shown here are salaries only. They cover 3 part time judges, 3 fulltime clerks, and a part time court attendant. Benefits (\$31,864 in 2011) are an added cost as are contractual costs. The latter totaled \$20,460 in 2011 and cover stenographers, court interpreters, computer software, dues/conferences/training/mileage, law manuals/criminal files/appearance tickets/dockets, office phone. Other costs, not tracked through the court but charged to the central building, include mailing, liability insurance, central office supplies, and payroll production. The court is not charged for use of the facility.

**Town of Sweden’s Court Revenue/Costs<sup>xi</sup>**

<b>Year</b>	<b>Total Fines Collected by Sweden Court</b>	<b>Fines Retained by Sweden Court</b>	<b>Cost of Court Operations</b>	<b>Cost of Court to Sweden Taxpayers</b>
<b>2009</b>	<b>\$442,300</b>	<b>\$174,751</b>	<b>\$184,164</b>	<b>\$9,413</b>
<b>2010</b>	<b>\$362,426</b>	<b>\$140,310</b>	<b>\$173,433</b>	<b>\$33,123</b>
<b>2011</b>	<b>\$426,767</b>	<b>\$151,221</b>	<b>\$186,538</b>	<b>\$35, 317</b>

The Sweden Town Court has operated and continues to operate in the red. We, as taxpayers, cover this deficit in our town taxes. Were Brockport to have its own village court, state law would not exempt village residents from supporting the town court with our tax dollars.

The Office of Court Administration does not evaluate courts based on their efficiency, though other courts are more efficient than the Sweden Town Court as measured in cost per case; rather, the OCA notes that courts, as an essential arm of government, are not created to be revenue producing. Some, like Geneseo’s town and village courts are; some like Sweden’s are not.

### **Some Recommendations for Working within the Present System**

It's safe to assume that most of us are not closely following court activity, talking to judges or the village attorney about court matters, much less attending dispositions. Most of us are not aware of what transpires in court and how violations of our village codes are being dealt with.

The Village Board should discuss court fines and policies with the Village Attorney. It would also be helpful for the Village Attorney to periodically report at Village Board meetings on the disposition of village codes subsequent to his periodic appearances in court.

Code enforcement of property codes continues to be a weak link in the judicial system though the number of appearance tickets has increased markedly since moving the code enforcement office to the Brockport Police Department. Placing code enforcement with law enforcement under the supervision of the Police Chief will further strengthen code enforcement in the Village regardless of whether these violations are prosecuted in a village or a town court.

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- <sup>i</sup> In terms of parking tickets, it turned out not that well. Dispositions of parking tickets were not being recorded and transmitted to the *Office of the State Comptroller* as required, and the village was receiving only an annual check from the town of Sweden for parking fines. Although the town and court each possessed copies of the parking tickets as a crosscheck, the village had no way to account for the accuracy of the annual payment it received. That problem will shortly be resolved with the hiring of a collection agency which not only requires that the town court record dispositions, but which pursues delinquent tickets. As we collect only about 50% of the parking tickets issued, this will mean more revenue for the village, particularly since fines double after 30 days.
  - <sup>ii</sup> Beltramo, Wade, "Creating, Dissolving, and Running Justice Courts," 2008 NYCOM Fall Training School, Lake Placid, New York. September 18, 2008.
  - <sup>iii</sup> Very often, speeding tickets are pled down to a violation of State Law 1110A, Failure to obey a traffic control device (e.g. speed limit sign) because the municipality gets to keep more of the fine and the violator gets fewer points on his/her driver's license.

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- iv Brockport Police Department, Yearly Reports
- v Fines and forfeiture information from the Office of the State Comptroller. Parking fine information from Leisa Strabel. Parking ticket fines from previous years, per Leisa Strabel: 2008 - \$25,755, 2007 - \$37,180, 2006 - \$38,910.
- vi This assumes all tickets written in 2011 were adjudicated in 2011, which is never the case.
- vii Brockport Office of Code Enforcement, Appearance Ticket Master List (March 2012).
- viii Personal communication, Jane Dulmage, Geneseo Village Court clerk, February 2012.
- ix (Does not include operating costs, personnel, etc.) Justice Court Fund, Court Ranking Reports (Revenues Collected). Office of the State Comptroller, Local Government and School Accountability. <http://www.osc.state.ny.us/localgov/datanstat/index.htm>
- x Figures from Office of the State Comptroller
- xi Per Leisa Strabel, March 20, 2012

## **Two Village Courts: Geneseo and Fredonia**

### **Report #3**

#### **Introduction**

In considering the feasibility of a village court for Brockport, we looked for the most comparable examples of village courts in New York State. An essential feature of that comparability is the presence of a SUNY campus within the village boundary. Three of the 12 SUNY college campus communities in New York State have village courts; two of them, Geneseo and Fredonia, are within easy driving distance from Brockport.<sup>xii</sup> Their respective towns of Geneseo and Pomfret, by law, also have town courts.

Carol Hannan, Chief Varrenti, and I paid a visit to each of these two villages, and Tanya Raycroft, our student intern, accompanied us to Fredonia. In each place we met with a village judge and the chief of police, and at Geneseo, a court clerk. We collected the annual reports of the respective police departments, toured and photographed their courts, and collected information on village ordinances and fines, court operations, staffing and finances.

#### **The Communities and their Commonalities**

Geneseo, Fredonia and Brockport all have a sense of place linked to local history with expressed attention to historic preservation. All three historic downtowns are listed on the National Register of Historic Places. Geneseo and Brockport are the most similar in size, with populations of 8,031 and 8,336, respectively. Fredonia is notably larger with 11,230. Geographically Brockport is the smallest, comprising 2.2 square miles; Geneseo is 2.79, and Fredonia, 5.2 square miles. Brockport is also the most densely populated with 3,789 people per square mile; Geneseo has 2,878 and Fredonia, 2,160.

Regarding their SUNY institutions, The College at Brockport has the largest enrollment with 8,312; Fredonia has 5,730, and Geneseo, 5,445. The law enforcement issues related to the college presence faced by the villages are similar—off-campus house parties with underage drinking, disorderly conduct, violation of noise ordinances, and the attraction of outsiders to the campus and surrounding village. Fredonia, for example, gets a large influx of weekend visitors from Rochester area colleges that are more than 2 hours away.

Although, like Brockport, both Geneseo and Fredonia feel the financial pinch from a large tax exempt state property in the middle of their villages, the assessed valuation of these villages is greater than Brockport's; their top ten taxpayers contribute considerably more tax dollars than Brockport's. Consequently the tax rates in Geneseo and Fredonia are lower than Brockport's. Within its village boundaries. Geneseo, for example, has a super Wal-Mart, several apartment complexes, a Country Max, a Hampton Inn and a sportswear manufacturer. The Village of Fredonia also has a Wal-Mart and a manufacturer of preserved jellies, peanut butter, syrups and salad dressings (Carriage House).

## Code Enforcement

Both Geneseo and Fredonia have a stronger code enforcement presence than Brockport currently does. Geneseo has one full-time code enforcement officer and one half-time officer who they share with the town. Fredonia has two full-time code enforcement officers for the village.

## Village Police

Village police departments in these three communities offer comparisons in size, staffing, and number of arrests. Fredonia has the largest, with 15 full-time officers and 6 part-timers. Geneseo has 7 full-time officers (an 8th full-time position is currently vacant) and 5 part-time; Brockport has 11 full-time, and 2 part-time. These figures translate to one full-time officer for every 1003 people in Geneseo, one for every 758 people in Brockport, and one for every 749 in Fredonia.

Police staffing bears a direct relationship to the college population and its presence in the village. Fredonia has six officers on duty on Friday and Saturday nights, four on Thursdays and never fewer than two on any shift. Like Fredonia, Brockport has a minimum of two officers on duty at all times, and three at night, with additional part-timers depending on the time of year and special events. Geneseo tries to have two officers on every shift, and has three on Friday and Saturday nights when the college is in session.

## Arrests

The number of arrests by village police in these communities can be helpful in determining whether Brockport has sufficient court business to support a village court.

ARRESTS 2011	BROCKPORT	FREDONIA	GENESEO
VTL (vehicle and traffic)	1662	1233	*2159
Penal Law	291	555	576
Village Ordinance	441	273	255
Parking tickets	1578	**2000	**2418

\* Routes 20A and 39 pass through Geneseo and account for the greater number of VTL arrests

\*\* Have metered parking downtown

## **The Village Courts**

### ***Geneseo***

The Geneseo Village Court is held in the town hall, a 19<sup>th</sup> century building on the main street of town. The courtroom, which holds 80 people, is also used by the Geneseo Town Court. In return, the town pays a portion of the operating costs of the building. Village and town have separate judges (2 each) but share 1 full-time and two part-time court clerks. Village judges are paid \$10,808 (town judges \$12,578), the part-time court clerks \$20/hour, and the full-time court clerk \$34,298. The clerk salaries and benefits for the full-time clerk are split 60/40 between the village and town. Part-time village police provide court security. The sheriff's department provides security for the town court. Town and village courts share a single phone number and a single office, but each court has its own computer and pays separately for the required court software. Village court is held every Tuesday with the two judges alternating. The village court handles over 3,000 cases a year.

Though both operate in the black, the Geneseo Village Court produces considerably more revenue than the Geneseo Town Court. After salaries, benefits, and contractual costs, \$120,747 in fines and parking fines and fees remained with the village in 2011.

### ***Fredonia***

The Fredonia Village Court was created in 1969; court is held on the third floor of the historic village hall, built in the 1860s and formerly the Fredonia Academy and later the Normal School. The courtroom holds 130 people. It and the judge and clerks' offices have been refurbished through annual grants offered statewide to justice courts by the Office of Court Administration. Like Geneseo, both town and village use the courtroom. The town pays the village \$6,500 annually for courtroom use. Both town and village court clerks—2 full-time clerks for each jurisdiction—have their offices there as do the judges. The Fredonia police part-timers provide court security for the village court. The town hires retired police as court officers at \$12.50 an hour. The village judge serves as the primary judge for the town as well. As a village judge, he is paid \$20,000 a year; as town judge, \$15,000. The acting judge, who serves only when the primary judge is unavailable, is paid \$5,000 a year for his village work. Village court is held every Wednesday. In 2011 the village handled 2,314 cases; the town of Pomfret, 3,753 cases. By comparison, the Sweden Town Court, with the town and village's cases, handles about 4,300 cases a year.

The Fredonia Village Court also produces more revenue than the Pomfret Town Court, though like Geneseo, both village and town courts operate in the black. The Village of Fredonia nets \$63,028 plus \$57,811 for parking for a total of \$120,839 after paying salaries, benefits and contractual costs.

The following table shows a comparison among Geneseo village and town courts, Fredonia Village and Pomfret Town Court, and the Sweden Town Court. Note that, combined, the Geneseo town and village courts retain almost \$21,000 more than the Sweden Town Court retains. Pomfret town and Fredonia village courts retain \$141,000 more than the Sweden Town Court.<sup>xiii</sup>

<b>Court</b>	<b>Rank in State by income</b>	<b>Total</b>	<b>State</b>	<b>County</b>	<b>Local</b>
Village of Geneseo	195	341,773	\$190,790	\$18,955	132,028*
Town of Geneseo	318	205,638	\$129,251	\$7335	69,053
Village of Fredonia	238	292,011	\$84,845	\$20,813	186,353*
Town of Pomfret	164	397,410	\$253,293	\$9007	135,109
Town of Sweden	152	421,338	\$197,030	\$44,172	180,136*

\*Does not include parking fines. Sweden retains \$151,000 after paying Brockport for village ordinance and parking fines (See Justice Court Report #1, pages 6-7)

The following table provides a comparison among Geneseo, Fredonia, and Brockport in regard to the types of fines that Brockport, without a village court, retains.<sup>xiv</sup> The primary difference in parking fees and fines is due to metered parking in the downtown areas of Geneseo and Fredonia.

<b>Receipt of fines 2011</b>	<b>Brockport</b>	<b>Geneseo</b>	<b>Fredonia</b>
<b>Village ordinances</b>	<b>\$27,290</b>	<b>\$34,775</b>	<b>\$19,785</b>
<b>Parking</b>	<b>\$29,260</b>	<b>\$58,219*</b>	<b>\$57,811*</b>
<b>Total VO/Parking</b>	<b>\$56,550</b>	<b>\$92,994</b>	<b>\$77,596</b>

\* Includes fees from parking meters

## Summary and Conclusions

- Both Fredonia and Geneseo Village Courts generate about \$120,000 in net revenue (i.e. after expenses) for their respective communities, or about twice what Brockport receives without a village court.
- By contrast, the Sweden Town Court operates at a deficit of approximately \$35,000.
- Both Geneseo and Fredonia generate considerably more in parking revenue than Brockport, due to 1) a higher percentage of parking fines paid 2) metered parking in the downtown business area.
- The sharing of court space and court clerks by these village courts with their town courts increases their efficiency and saves costs. The Geneseo Village Court is especially cost effective, with only \$69,500 in salaries, benefits, and contractual costs.
- Throughout New York State, Justice Court revenue is primarily in traffic violations (VTL) and parking. 75% of the cases heard in Geneseo Village Court, for example, are VTL cases.
- In 2011 the Sweden Town Court prosecuted 2,868 VTL tickets; during that same period the Brockport police wrote 1,662 VTL tickets.
- In respect to current VTL and Penal law arrests and fines, the Brockport police department is working for the Town of Sweden—at no cost to them.
- Based on the above figures, we can safely say that a village court in Brockport—after expenses— would realize more revenue than we currently receive without a court, particularly if such a court operated with the efficiency of Geneseo and Fredonia village courts. Conservatively speaking, the additional net revenue would be in the neighborhood of \$50-60,000 beyond what we already receive for Village Ordinances and parking (approximately \$52,000).
- In considering the feasibility of a village court for Brockport, there remain issues beyond the financial viability of a village court that need to be addressed. These include: the startup costs for such a court that would have to be borne by the village such as computer hardware, software, law manuals, etc. The cost of any legal services for doing so, and, very importantly, where a village court would be held were it to be created. These issues will be addressed in a final report in the near future.

## **Acknowledgements**

Thanks to the following individuals for meeting with us regarding their village courts: Judge Tom Bushnell, Court Clerk Jane Dulmage, and Police Chief Eric Osganian of Geneseo, Judge David Prince and Police Chief Bradley Meyers of Fredonia. Thanks also to Geneseo

Village Clerk Marsha Merrick for providing budget information, and Judge Robert Conners of the Sweden Town Court for providing an annual tally of cases heard in that court.

## Sources

Brockport, Geneseo, and Fredonia Police Departments, Annual Reports for 2011

Center for Governmental Research. “Analysis of Shared Services in the Village and Town of Geneseo: Code Enforcement and Courts.” Prepared by Charles Zettek, Jr. and Scott F. Sittig for the Village and Town of Geneseo, 2010.

Office of the State Comptroller, Justice Court Fund. Distribution Summary of village Court Reports, January–December 2011, Fredonia Village Court.

Office of the State Comptroller, Justice Court Fund. Distribution Summary of village Court Reports, January–December 2011, Geneseo Village Court.

Office of the State Comptroller, Justice Court Fund, Court Ranking Reports (Revenues Collected). Office of the State Comptroller, Local Government and School Accountability. [www.osc.state.ny.us/localgov/datanstat/jc/index\\_choice.htm](http://www.osc.state.ny.us/localgov/datanstat/jc/index_choice.htm)

Village of Fredonia Justice Court, monthly reports to the Village Board, January–December 2011.

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xii Potsdam also has a village court.

xiii That major and smaller highways run through the towns of Geneseo (routes 390, 20A, 39) and Pomfret (routes 5, 20, 60, and 90) has a not inconsequential impact on fines that come to these town courts.

xiv Comparing village ordinance fines between villages that have courts and those that don't is problematic because, in the Office of Court Administration coding, the code for village ordinances includes ABC (Alcohol Beverage Control violations). Fines for these violations do not come back to villages without a court. Judge's discretion is also a factor. In the case of Fredonia, for example, the low Village ordinance fine total is due to the judge's decision to reduce charges for first offenders of village ordinances from \$100 to \$50. “The majority of students,” he noted, “are just making it financially, and \$100 was too much.” Fines are now \$50 for a first offense, and \$100 for a second offense.

## Appendix C: Financial Information for the Brockport Village Court

Village accountant, Dan Hendricks, provided us with monthly data for court revenues. He included total receipts as well as the breakdown in the state/county share and our local share.

Note, per an email exchange with Dan, we verified there was a typographical error of \$9,000 on the page label 1 of 1 Village Court. For the year June 1, 2024 – May 31, 2025, the amount listed as “per Statement of Expenditures” is \$140,092.50. The actual amount is \$149,092.50. Tracking that through his spreadsheet, the net loss should have been shown as (\$48,817.42).

**Village Court**

Period	Period	Period
June 1, 2022	June 1, 2023	June 1, 2024
May 31, 2023	May 31, 2024	May 31, 2025

Notes

**Revenues - Fines**

Total Fines Collected	248,162.00	232,569.00	226,134.63
Less: New York State Share	<u>87,913.00</u>	<u>83,896.00</u>	<u>77,852.55</u>
<b>Net - Village Share</b>	<b>160,249.00</b>	<b>148,673.00</b>	<b>148,282.08</b>

**Expenditures:**

Per Statement of Expenditures	142,711.82	135,801.69	140,092.50
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**Employee Benefits:**

Social Security	8,541.00	8,970.00	10,081.00
NYS Retirement (S. Weiss)	4,718.00	5,765.00	5,280.00
Medical Insurance (S. Weiss Buy Out)	3,480.00	3,480.00	3,480.00
Life & Disability Insurance	100.00	105.00	110.00

Village receives an annual refund for this coverage, refund has averaged approximately 65% of the Annual Premium. Refund depends on our experience averaged over a 3 year period.

Worker's Comp. Insurance	2,791.00	2,931.00	3,295.00
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Building Insurance	6,100.00	6,450.00	7,000.00
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**Building Expenses:**

**Utilities:**

Natural Gas	1,836.00	2,332.00	3,101.00	Includes Museum
Electricity	5,570.00	5,765.00	6,147.00	Includes Museum
Bldg. Repairs	1,011.00	162.00	8,749.00	Includes Museum
Janitorial Supplies	<u>540.00</u>	<u>543.00</u>	<u>764.00</u>	Includes Museum

<b>Total Expenditures</b>	177,398.82	172,304.69	188,099.50
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<b>Net Profit (Loss)</b>	(17,149.82)	(23,631.69)	(39,817.42)
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Prepared By Daniel Hendricks, Village Accountant  
October 2, 2025

*Pg 1 of 1*

<b>Village of Brockport</b>				
<b>Court Revenues</b>				
	<b>A0691.0000</b>	<b>Deferred Revenue</b>		
	<b>A2610.0000</b>	<b>Fines &amp; Forfeitures</b>		
		<b>Villages Court Collections</b>		
		Total Deposit	New York State Share	Village Share
January	2015	951.00	234.00	717.00
February	2015	8,695.00	2,757.00	5,938.00
March	2015	10,052.00	3,968.00	6,084.00
April	2015	14,042.00	7,133.00	6,909.00
May	2015	14,694.00	7,928.00	6,766.00
June	2015	11,591.00	6,192.00	5,399.00
July	2015	13,906.00	7,455.00	6,451.00
August	2015	9,617.00	4,350.00	5,267.00
September	2015	19,964.00	8,947.00	11,017.00
October	2015	22,478.00	11,023.00	11,455.00
November	2015	13,025.00	4,531.00	8,494.00
December	2015	14,032.50	6,232.50	7,800.00
January	2016	13,262.50	6,776.50	6,486.00
February	2016	22,431.00	12,997.00	9,434.00
March	2016	24,044.00	12,217.00	11,827.00
April	2016	22,054.00	9,148.00	12,906.00
May	2016	25,683.00	14,052.00	11,631.00
June	2016	24,311.00	11,528.00	12,783.00
July	2016	26,562.00	14,962.00	11,600.00
August	2016	24,653.00	11,950.00	12,703.00
September	2016	24,506.00	9,677.00	14,829.00
October	2016	38,511.00	18,133.00	20,378.00
November	2016	37,489.00	18,031.00	19,458.00
December	2016	31,821.50	13,467.50	18,354.00
January	2017	33,666.00	17,524.00	16,142.00
February	2017	30,208.00	15,753.00	14,455.00
March	2017	51,533.50	25,929.50	25,604.00
April	2017	29,090.50	14,759.50	14,331.00
May	2017	34,728.00	17,931.00	16,797.00
June	2017	33,324.00	18,771.00	14,553.00
July	2017	34,710.50	21,608.50	13,102.00
August	2017	30,033.83	17,132.83	12,901.00
September	2017	32,275.00	15,048.00	17,227.00
October	2017	38,459.70	19,839.90	18,619.80
November	2017	36,926.67	17,180.67	19,746.00
December	2017	27,919.00	12,313.00	15,606.00
January	2018	40,143.90	18,414.50	21,729.40
February	2018	32,569.00	15,895.00	16,674.00

Pg 1 of 4

Village of Brockport				
Court Revenues				
A0691.0000		Deferred Revenue		
A2610.0000		Fines & Forfeitures		
Villages Court Collections				
		Total Deposit	New York State Share	Village Share
March	2018	33,632.00	18,694.50	14,937.50
April	2018	28,013.50	14,746.50	13,267.00
May	2018	29,860.00	15,159.00	14,701.00
June	2018	26,073.50	14,357.50	11,716.00
July	2018	24,013.50	12,210.50	11,803.00
August	2018	24,125.00	12,552.00	11,573.00
September	2018	26,585.00	11,859.00	14,726.00
October	2018	29,623.50	14,108.50	15,515.00
November	2018	26,797.50	13,942.50	12,855.00
December	2018	23,635.40	13,860.40	9,775.00
January	2019	20,966.00	10,839.00	10,127.00
February	2019	23,711.50	14,011.50	9,700.00
March	2019	25,088.00	13,949.00	11,139.00
April	2019	28,536.00	14,364.00	14,172.00
May	2019	31,753.50	16,776.50	14,977.00
June	2019	29,735.00	16,798.00	12,937.00
July	2019	23,231.00	13,611.00	9,620.00
August	2019	27,869.00	15,881.00	11,988.00
September	2019	28,317.00	13,591.00	14,726.00
October	2019	28,584.00	12,477.00	16,107.00
November	2019	33,533.50	12,175.50	21,358.00
December	2019	28,222.00	13,266.00	14,956.00
January	2020	34,420.00	20,228.00	14,192.00
February	2020	28,385.00	15,904.00	12,481.00
March	2020	12,556.00	8,402.00	4,154.00
April	2020			-
May	2020	15,909.00	5,918.00	7,726.00
June	2020	8,380.00	4,650.00	3,730.00
July	2020	10,964.00	5,649.00	5,315.00
August	2020	14,791.00	8,258.00	6,533.00
September	2020	21,081.00	8,041.00	13,040.00
October	2020	26,951.00	11,543.00	15,408.00
November	2020	28,153.00	11,646.00	16,507.00
December	2020	19,871.50	7,770.00	12,101.50
January	2021	21,701.50	8,058.00	13,643.50
February	2021	22,700.00	8,641.00	14,059.00
March	2021	39,261.00	18,656.00	20,605.00
April	2021	28,601.00	13,117.00	15,484.00

Pg 2 of 4

Village of Brockport				
Court Revenues				
A0691.0000		Deferred Revenue		
A2610.0000		Fines & Forfeitures		
Villages Court Collections				
		Total Deposit	New York State Share	Village Share
May	2021	20,005.00	7,961.00	12,044.00
June	2021	20,691.00	8,822.00	11,869.00
July	2021	18,825.00	7,257.00	11,568.00
August	2021	22,587.00	11,060.00	11,527.00
September	2021	32,001.00	13,134.00	18,867.00
October	2021	24,717.00	11,714.00	13,003.00
November	2021	26,676.00	9,566.00	17,110.00
December	2021	22,399.00	9,159.00	13,240.00
January	2022	17,028.00	6,508.00	10,520.00
February	2022	14,838.00	5,544.00	9,294.00
March	2022	21,234.00	6,474.00	14,760.00
April	2022	18,395.00	8,123.00	10,272.00
May	2022	20,191.00	10,254.00	9,937.00
June	2022	26,687.00	11,479.00	15,208.00
July	2022	18,267.00	8,966.00	9,301.00
August	2022	21,628.00	9,274.00	12,354.00
September	2022	19,709.00	5,389.00	14,320.00
October	2022	23,543.00	8,745.00	14,798.00
November	2022	20,200.00	5,425.00	14,775.00
December	2022	21,241.00	5,587.00	15,654.00
January	2023	22,456.00	6,061.00	16,395.00
February	2023	14,166.00	3,031.00	11,135.00
March	2023	19,091.00	8,811.00	10,280.00
April	2023	23,930.00	9,515.00	14,415.00
May	2023	17,244.00	5,630.00	11,614.00
June	2023	15,788.00	5,135.00	10,653.00
July	2023	18,062.00	6,607.00	11,455.00
August	2023	23,393.00	9,783.00	13,610.00
September	2023	23,917.00	8,585.00	15,332.00
October	2023	22,422.00	7,873.00	14,549.00
November	2023	23,246.00	7,797.00	15,449.00
December	2023	18,280.00	5,727.00	12,553.00
January	2024	18,196.00	8,433.00	9,763.00
February	2024	12,675.00	3,093.00	9,582.00
March	2024	17,416.00	6,968.00	10,448.00
April	2024	17,580.00	5,880.00	11,700.00
May	2024	21,594.00	8,015.00	13,579.00
June	2024	14,775.00	5,331.00	9,444.00

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<b>Village of Brockport</b>				
<b>Court Revenues</b>				
	<b>A0691.0000</b>	<b>Deferred Revenue</b>		
	<b>A2610.0000</b>	<b>Fines &amp; Forfeitures</b>		
<b>Villages Court Collections</b>				
		Total Deposit	New York State Share	Village Share
July	2024	15,788.50	7,450.50	8,338.00
August	2024	15,542.15	5,489.05	10,053.10
September	2024	20,971.00	4,951.00	16,020.00
October	2024	16,143.00	6,177.00	9,966.00
November	2024	14,125.00	2,998.00	11,127.00
December	2024	21,333.00	3,216.00	18,117.00
January	2025	11,714.00	6,453.00	5,261.00
February	2025	18,047.00	3,286.00	14,761.00
March	2025	28,362.00	14,191.00	14,171.00
April	2025	23,342.98	8,045.00	15,297.98
May	2025	25,991.00	10,265.00	15,726.00
June	2025	18,077.50	6,298.50	11,779.00
July	2025	20,982.00	8,433.00	12,549.00
August	2025	16,323.00		16,323.00
September	2025			-
October	2025			-
November	2025			-
December	2025			-
January	2026			-
February	2026			-
March	2026			-
April	2026			-
May	2026			-
<b>Total</b>		<b>2,915,105.63</b>	<b>1,302,738.35</b>	<b>1,571,042.78</b>
Gross Receipts By Year	2014-15	48,434.00	22,020.00	26,414.00
	2015-16	212,088.00	103,921.00	108,167.00
	2016-17	387,079.50	189,645.50	197,434.00
	2017-18	397,867.10	204,803.40	193,063.70
	2018-19	310,908.40	162,830.40	148,078.00
	2019-20	290,761.50	148,251.50	142,510.00
	2020-21	262,460.00	113,990.00	148,470.00
	2021-22	259,582.00	107,615.00	151,967.00
	2022-23	248,162.00	87,913.00	160,249.00
	2023-24	232,569.00	83,896.00	148,673.00
	2024-25	226,134.63	77,852.55	148,282.08
	2025-26	55,382.50	14,731.50	40,651.00
<b>Total</b>		<b>2,876,046.13</b>	<b>1,302,738.35</b>	<b>1,573,307.78</b>

Pg 4 of 4

Date: 10/02/2025  
 Time: 9:50:32AM

**Statement of Expenditures, Encumbrances & Appropriations**

User: DAN  
 Page: 1

Village of Brockport  
 For Period Ending 05/31/2025

Selecting on DEPT equals 1110 (Department - 1110) to DEPT equals 1110 (Department -

ACCOUNT ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1110.1000							
Court - Personnel Services	134,022.00	30,335.32	131,775.84			2,246.16	98.32
A1110.2000							
Court - Equipment	750.00					750.00	
A1110.4000							
Court - Supplies/Contract Servs./Etc	20,000.00	1,457.19	17,160.66			2,839.34	85.80
A1110.4060							
Court - Postage	750.00		156.00			594.00	20.80
Report totals	155,522.00	31,792.51	149,092.50	0.00		6,429.50	95.87

*Pg 1 of 3*

Date: 10/02/2025

Time: 9:50:50AM

<b>Statement of Expenditures, Encumbrances &amp; Appropriations</b>
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User: DAN

Page:1

Village of Brockport

For Period Ending 05/31/2024

Selecting on DEPT equals 1110 (Department - 1110) to DEPT equals 1110 (Department -

ACCOUNT ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1110.1000							
Court - Personnel Services	130,056.00	11,793.12	117,259.01			12,796.99	90.16
A1110.2000							
Court - Equipment	150.00					150.00	
A1110.4000							
Court - Supplies/Contract Servs /Etc	16,200.00	547.14	16,139.38			60.62	99.63
A1110.4005							
Court - J Cap Grant - Expenditures	400.00					400.00	
A1110.4060							
Court - Postage	2,425.00	690.85	2,403.30			21.70	99.11
<b>Report totals</b>	<b>149,231.00</b>	<b>13,031.11</b>	<b>135,801.69</b>	<b>0.00</b>		<b>13,429.31</b>	<b>91.00</b>

*Pg 2 of 3*

Date: 10/02/2025

Time: 9:51:03AM

<b>Statement of Expenditures, Encumbrances &amp; Appropriations</b>
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User: DAN

Page: 1

Village of Brockport

For Period Ending 05/31/2023

Selecting on DEPT equals 1110 (Department - 1110) to DEPT equals 1110 (Department -

ACCOUNT ACCOUNT DESCRIPTION	APPROPRIATIONS	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR OUTSTANDING ENCUMBRANCES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	PERCENT USED
A1110.1000							
Court - Personnel Services	111,664.00	10,937.59	111,651.12			12.88	99.99
A1110.2000							
Court - Equipment	2,100.00	2,098.76	2,098.76			1.24	99.94
A1110.4000							
Court - Supplies/Contract Servs./Etc	27,850.00	2,680.12	27,822.95			27.05	99.90
A1110.4010							
Court - Bldg. Renovations	38.00		37.99			0.01	99.97
A1110.4060							
Court - Postage	1,400.00		1,101.00			299.00	78.64
Report totals	<b>143,052.00</b>	<b>15,716.47</b>	<b>142,711.82</b>	<b>0.00</b>		<b>340.18</b>	<b>99.76</b>

*Pg 3 of 3*

## Appendix D: Cost Saving Ideas: A Guide to Justice Court Consolidation in Villages and Towns

Source: <https://www.osc.ny.gov/local-government/publications/cost-saving-ideas-guide-justice-court-consolidation-villages-and-towns>

The Office of the State Comptroller has a guide for Court Consolidation. An excerpt follows for your reference.



### **Cost-Saving Ideas: A Guide to Justice Court Consolidation in Villages and Towns**

Town and village courts play a vital role in the New York State Unified Court System, as these courts have broad jurisdiction and hear both civil and criminal matters.<sup>1</sup> Justice courts hear civil, criminal, misdemeanor and traffic cases and are responsible for imposing and collecting a wide range of fines, surcharges and civil fees.

The financing of justice courts is a local responsibility and maintaining a court may pose administrative and financial challenges. As a result, there is growing interest by citizens and local governments to explore consolidation of justice courts, when practicable. In these cases, towns and villages should consider consolidating their justice courts. Benefits of consolidation include, but are not limited to, maximizing services by pooling resources and streamlining the court system by centralizing services.

This resource document provides a step-by-step breakdown of the consolidation process and outlines some of the relevant issues.

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### **Consolidation Process for Justice Courts in Villages**

If a village has its own justice court, the village can abolish the office of village justice. Once the office of village justice no longer exists, the town justice court for the town in which the village is located has jurisdiction of all justice court matters arising in the village.

#### **What needs to happen**

- The village board must abolish the office of village justice by local law or resolution, subject to permissive referendum. (New York State Village Law Section 3-301[2][a])
- The local law or resolution can only take effect after the elected village justice has finished their current term. (Village Law Section 3-301[2]; New York State Constitution, Article VI, Section 17[d])

#### **What you should know**

- The village will still be entitled to:
  - Fines resulting from dog control violations and violations of village local laws (e.g., parking ordinances) other than speeding; and
  - The local share of the mandatory surcharge collected on handicapped parking violations (currently \$15).
- The village will no longer be entitled to fines imposed for:
  - Violations of the New York State Vehicle and Traffic Law that occur within the village (Vehicle and Traffic Law Section 1803); and
  - Criminal offenses that occur within the village.
- The village will continue to have costs for record storage keeping, as the village clerk would still be responsible for retaining custody of inactive records of current and previous justices.
- A consolidation of a village justice court into one or more towns will likely lead to a decrease in the village's tax levy limit in the fiscal year following the consolidation.

## Appendix D: Cost Sharing – Village of Geneseo example

We contacted the village of Geneseo to see how they currently share costs of the court building and operations with the town of Geneseo. Below is the text from an email exchange with them.

- What resources do you share - building (who owns it), staff, office expenses, building expenses (utilities, insurances, maintenance)?

*The building owned by both the Village and Town of Geneseo. However, the Town of Geneseo does [not] have any offices located here so the pro-rated agreement is the village pays 75% and the town pays 25% of all the building expenses only i.e. utilities, and maintenance.*

*For court clerks only – The municipalities have entered into an inter-municipal agreement where in the town pay 60% and the village pay 40% of clerk salaries and benefits. This rate is determined by the total case loads for each court and the percentages for each. Each year the contract is reviewed and renewed based on the percentages of the case load for the prior year.*

- What method do you use to pro-rate the expenses to the two municipalities?

*See response above.*

- What are the base wages for justices, clerks, attendants/security?

*Judges - \$15,082*

*Chief Clerk - \$63,960 / Deputy Clerk \$48,750*

*Security – Village Police provides security no additional costs. Town Court utilizes the county sheriff's department at \$40.00 per hour.*

- How many support personnel do you have for your justices?

*2 Clerks*

- If one justice is shared between the two municipalities, how is that done with two different election cycles?

*The judge was originally a town court justice and when one of the village justices resigned, she ran for that position. Her terms are 3 threes apart. She is paid separately by each municipality since she is elected in both municipalities.*

- What challenges are there in sharing resources?

*We don't have many issues in sharing resources since both clerks serve all judges and both courts, it is much easier for court staff to run our office. In addition, we are under the Village of Geneseo umbrella for all employment issues and rules. It makes it much easier to report to just one entity. The budget process is the only tricky part of this arrangement. The town budget worksheet comes in August/September and we must speak to both the town supervisor and Village mayor to work on our budget, even though the village budget is not commenced until January/February. Both entities must agree to our pay increases, etc., but we do not receive the pay raise until the village budget is accepted and the next village fiscal year commences.*

- How many cases were processed in your courts last year? Primary type and count for each municipality?

*Village - 642 total cases: 226 - Penal Law 351 - VTL*

*Town – 1112 total cases: 73 – Penal Law 1023 - VTL*

- What other services share the same building (or is it solely a courthouse)?

*Our building is not only our courthouse but also houses the Village Police Department, Village Clerk's Office, Code Enforcement Officer and Historian.*

If you did not share the expenses with the town, do you believe that the village court would be able to cover the cost of personnel without additional tax money? *n/a*

Back in 2012, when the village was contemplating opening a village court, a trustee noted that you had a super Walmart, several large apartment complexes, Country Max, Hampton Inn, and a sportswear manufacturer. All of these contributed greatly to the tax base. Are these business still in existence? Have others moved into the village?

*All businesses except sportswear manufacturer are still present in the Village of Geneseo.*

## Appendix F: Village of Honeoye Falls closes its court in 2025

As an example of a local village that decided to close its court, we reached out to Honeoye Falls with a few questions. Both the Village Clerk and the mayor sent us information. If you have any questions for them, they urge you to reach out.

Good morning,

The decision to close our court was made fairly simply. Our Justice was retiring at the end of his term, as was our court clerk. Our court was also losing upwards of \$10,000 a year, the last couple of years it was open.

Our Village Attorney did the research as to the process of dissolving the court, regarding proper notifications to the town and public.(There was a permissive referendum involved etc) and our court clerk worked directly with NYS Court System to follow the proper protocol for closing and storing all files, as well as transferring open cases to the Town. We did not have any public pushback regarding closing the court. Our court was very small to begin with, and moving cases to the town was a fairly simple process as geographically it is right across the street.

I do not believe the town needed to add an additional justice, or court clerk staff, as like I said, our court was very small.

One thing to note is our tax cap figure was decreased by the amount of the court costs, and that figure was added to the Town's tax cap to assist them in funding any additional expenses that may be needed.

Please let me know if there are any other questions I can answer!

Thank You.

Kerry Hoffman  
Village of Honeoye Falls  
Clerk Treasurer  
585-624-1711

Some other points from our Mayor:

While we went through a "legal process" there was more for the court clerk and local judge to do as opposed to the Village itself.

1. This can only be done at the end of the term of a serving judge. In other words, you can't abolish a court mid-term.
2. The Judge had to notify State Court system that he/she was not running again and that the "village" planned to dissolve the court.
3. The court clerk had filings she/he needed to do.
4. The village needed to notify the Town that they planned to abolish the court and that they'd have to take over that load.

5. The Village needed to post and conduct a public hearing. (there were no dissenters) and then upon approval by the village board set the termination date at the end of that current term.
6. Cost of running the court was \$10k+. Revenue was much less.
7. We did not specifically get the community involved as no one really seemed to be negatively impacted.
8. The Town did NOT hire or bring on more personnel; the judges did however ask for a higher rate of pay to cover any additional hours worked. (The Town Board agreed to that request in their budget process)