

MINUTES OF TOWN BOARD MEETING
OF THE TOWN OF BRIGHTON, COUNTY
OF MONROE, NEW YORK HELD AT THE
BRIGHTON TOWN HALL, 2300 ELMWOOD
AVENUE, ROCHESTER, NEW YORK
February 8, 2012

PRESENT:

Supervisor William Moehle

Councilmember James Vogel

Councilmember Louise Novros

Councilmember Jason DiPonzio

Councilmember Christopher Werner

David Dollinger, Deputy Attorney for the Town

Daniel Aman, Town Clerk

MOTION TO GO INTO EXECUTIVE SESSION AT 6:45PM:

Motion by Police Chief Mark Henderson seconded by Councilmember Christopher Werner to enter executive session

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Employment of a particular person

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to come out of executive session

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING CALLED TO ORDER AT 7:00PM

RECOGNITIONS/PRESENTATIONS:

Proclamation Presentation - February is African American History Month
Reverend Lawrence Hargrave & Dean Brenda Lee accepting.

OPEN FORUM:

Marjorie Alaimo

Robert Levine

Brijen Gupta

Paul Holahan

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to approve the agenda with the addition of an executive session resolution

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

January 11, 2012 Town Board Meeting

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed Brighton Reserve Sidewalk Snow Removal District (see Resolution #1)

(Complete transcript upon request)

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board close the public hearing and adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Brighton Reserve Park District (see Resolution #2)

(Complete transcript upon request)

Matter held open until February 22, 2012

MATTER RE: Proposed Brighton Reserve Storm Drainage District (see Resolution #3)

(Complete transcript upon request)

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board close the public hearing and adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Brighton Reserve Sidewalk Maintenance (see Resolution #4)

(Complete transcript upon request)

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board close the public hearing and adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Extension #93 to the Brighton Consolidated Sewer District (see Resolution #5)

(Complete transcript upon request)

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros that the Town Board close the public hearing and adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 4 attached.

(Complete transcript upon request)

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Extension #2011-01 to the Brighton Consolidated Water District (see Resolution #6)

(Complete transcript upon request)

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board close the public hearing and adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Brighton Reserve Lighting District (see Resolution #7)

(Complete transcript upon request)

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Chris Mueller, Director, Government Relations-Time Warner Cable to Supervisor dated February 1, 2012 regarding Cable channel additions/changes.

FROM Engin Levent, Owner - Hardwood OUTLET LLC., dated February 3, 2012 to Supervisor expressing his appreciation and praise of the exemplary service he received from Technical Town Planner Paul White.

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services - Next meeting scheduled 2/27 at 4:30pm at Brookside

Finance and Administrative Services - Next meeting 12/14 at 3:30 in the Stage Conference Room

Public Safety Services - Next meeting scheduled 2/14 at 8am in Downstairs Meeting Room.

Public Works Services - Next meeting scheduled 3/5 at 9am in the Downstairs Conference Room.

NEW BUSINESS:

MATTER RE: Employment of new Police Officer

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board approve the extension of an offer letter.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Supervisor read and approve payment of claims as set forth in Exhibit No. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file amended Incentive Zoning Application dated January 23, 2012 for proposed Winfield Park project (see Resolution #9 and application)

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve reappointment of Paul Gardner to a 2-year term as a member of the Sustainability Oversight Committee effective February 1, 2012 (see Resolution #11).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve reappointment of Peter J. DeBaal, AIA to a 2-year term as a member of the Sustainability Oversight Committee effective February 1, 2012 (see Resolution #10)

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to add two (2) part-time On-Call School Traffic Guard positions to the Town Police Organizational Chart (see Resolution #12 and letter dated January 27, 2012 from Police Chief Mark Henderson).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve appointment of two (2) Part-time, On-Call School Traffic Guards effective February 9, 2012 (see Resolution #13 and letter dated January 27, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept donation of 20 Snow Brushes having a value of approximately \$25.00 for the Brighton Police Department (see Resolution #14 and letters dated January 23, 2012 from Police Chief Mark Henderson).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to temporarily increase the hours of the Town's part-time Architect and to continue the temporary part time building inspector position until May 31, 2012 (see Resolution #15 and letter dated January 26, 2012 from Ramsey Boehner, Town Planner).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize budget transfer in the amount of \$9,840.00 to cover costs associated with the Town's annual tree trimming operations (see Resolution #16 and letter dated January 27, 2012 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to amend and for Supervisor to execute the Snow and Ice Control Agreement between the Town and the NY State Department of Transportation for the 2013/2014 Season (see Resolution #17, letter dated January 27, 2012 from Timothy Keef, P.E. Commissioner of Public Works and copy of amendment to agreement).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize year-end transfers and amendments to address Object-Level Negative Balances in the 2011 Town, Special District and Capital budgets (see Resolution #18 and memorandum dated January 30, 2012 from Suzanne Zaso, Director of Finance).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to amend the Town's Deposit and Investment policy to accommodate transfer in lockbox tax collection from one banking institution to another (see Resolution #19 and memorandum dated January 30, 2012 from Suzanne Zaso, Director of Finance).

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve West Brighton Fire Protection District Service Award Program points earned during calendar year 2011 (see Resolution #20 and Memorandum dated January 30, 2012 from Suzanne Zaso, Director of Finance).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to make grant application through Paris Kirwan Associates for funding to provide Safety Training to Town Employees (see Resolution #21 and letter dated January 31, 2012 from Larry Pecor, Director of Safety and Loss Control, Paris Kirwan Associates).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 20 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval for Supervisor to execute proposed MCC South Campus Sanitary Sewer Easement request from the Town to the County of Monroe (see Resolution #24 and letter dated February 1, 2012 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 21 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file Sewer District Extension #94 proposal dated January 6, 2012 from Empire State College and set Public Hearing for March 14, 2012 for same (see Resolution #8).

Motion by Councilmember James Vogel seconded by Councilmember Christopher that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 22 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

Supervisor announced Jason DiPonzio will serve as liaison to the Library board.

MATTERS OF THE TOWN CLERK:

Clerk announced expanded hours Feb 9-Feb. Thurs 7:30AM-6:00PM; Friday 7:30AM-7:00PM

MATTER RE: Confirm membership of Mr. Hushoth Thayalakeshari with the West Brighton Fire Department. (see Resolution #22).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 23 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to amend Town Clerk Change Fund from \$250 to \$300 (see Resolution #23 and letter dated January 26, 2012 from Town Clerk Daniel Aman).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 24 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to adjourn at 9:35 pm

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York meeting held on the 8th of February 2012 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, a petition was previously received from Anthony J Costello & Son LLC, the owner of 100% of approximately 62.82 acres located in a proposed development identified as The Reserve in the Town of Brighton, located east of South Clinton Avenue along the Erie Canal, tax identification numbers 149.07-1-8, 149.07-1-4, 149.11-1-53 and 149.11-1-2.1, being all of the property located within the area of the proposed Brighton Reserve Sidewalk Snow Removal District; and

WHEREAS, a public hearing was duly called and held in such matter on December 28, 2011, which public hearing was held open and continued on January 11, 2012, January 25, 2012 and February 8, 2012; and

WHEREAS, the applicant has submitted an amended petition, dated February 1, 2012, which does not make substantive changes to the proposed district, and the Town Board having given due deliberation to the matter and having determined that the Town previously reviewed the environmental impact of the proposed project, including the services to be provided under the proposed district, with a Findings Statement under the State Environmental Quality Review Act dated February 25, 2009; and

WHEREAS, the evidence offered at such public hearing requires that the Town Board make the determinations made herein;

NOW THEREFORE, BE IT ORDERED, that correspondence dated February

3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Brighton Reserve Sidewalk Snow Removal District and the amended petition for said District dated February 1, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

ORDERED, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 191 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district or extension; (3) that all the property and property owners benefited are included within the limits of the proposed district or extension; and (4) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petition requesting that the Brighton Reserve Sidewalk Snow Removal District be established to include certain real property therein described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe within ten days after the adoption of this Order.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, a petition was previously received from Anthony J Costello & Son LLC, the owner of 100% of approximately 62.82 acres located in a proposed development identified as The Reserve in the Town of Brighton, located east of South Clinton Avenue along the Erie Canal, tax identification numbers 149.07-1-8, 149.07-1-4, 149.11-1-53 and 149.11-1-2.1, being all of the property located within the area of the proposed Brighton Reserve Storm Drainage District; and

WHEREAS, a public hearing was duly called and held in such matter on December 28, 2011, which public hearing was held open and continued on January 11, 2012, January 25, 2012 and February 8, 2012; and

WHEREAS, the applicant has submitted an amended petition, dated February 1, 2012, which does not make substantive changes to the proposed district, and the Town Board having given due deliberation to the matter and having determined that the Town previously reviewed the environmental impact of the proposed project, including the services to be provided under the proposed district, with a Findings Statement under the State Environmental Quality Review Act dated February 25, 2009; and

WHEREAS, the evidence offered at such public hearing requires that the Town Board make the determinations made herein;

NOW THEREFORE, BE IT ORDERED, that correspondence dated February

3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Brighton Reserve Storm Drainage District and the amended petition for said District dated February 1, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

ORDERED, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 191 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district or extension; (3) that all the property and property owners benefited are included within the limits of the proposed district or extension; and (4) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petition requesting that the Brighton Reserve Storm Drainage District be established to include certain real property therein described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe within ten days after the adoption of this Order.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, a petition was previously received from Anthony J Costello & Son LLC, the owner of 100% of approximately 62.82 acres located in a proposed development identified as The Reserve in the Town of Brighton, located east of South Clinton Avenue along the Erie Canal, tax identification numbers 149.07-1-8, 149.07-1-4, 149.11-1-53 and 149.11-1-2.1, being all of the property located within the area of the proposed Brighton Reserve Sidewalk Maintenance District; and

WHEREAS, a public hearing was duly called and held in such matter on December 28, 2011, which public hearing was held open and continued on January 11, 2012, January 25, 2012 and February 8, 2012; and

WHEREAS, the applicant has submitted an amended petition, dated February 1, 2012, which does not make substantive changes to the proposed district, and the Town Board having given due deliberation to the matter and having determined that the Town previously reviewed the environmental impact of the proposed project, including the services to be provided under the proposed district, with a Findings Statement under the State Environmental Quality Review Act dated February 25, 2009; and

WHEREAS, the evidence offered at such public hearing requires that the Town Board make the determinations made herein;

NOW THEREFORE, BE IT ORDERED, that correspondence dated February

3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Brighton Reserve Sidewalk Maintenance District and the amended petition for said District dated February 1, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

ORDERED, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 191 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district or extension; (3) that all the property and property owners benefited are included within the limits of the proposed district or extension; and (4) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petition requesting that the Brighton Reserve Sidewalk Maintenance District be established to include certain real property therein described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe within ten days after the adoption of this Order.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

EXHIBIT NO. 4

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, a petition was previously received from Anthony J Costello & Son LLC, the owner of 100% of approximately 62.82 acres located in a proposed development identified as The Reserve in the Town of Brighton, located east of South Clinton Avenue along the Erie Canal, tax identification numbers 149.07-1-8, 149.07-1-4, 149.11-1-53 and 149.11-1-2.1, being all of the property located within the area of the proposed Extension 93 to the Consolidated Sewer District; and

WHEREAS, a public hearing was duly called and held in such matter on December 28, 2011, which public hearing was held open and continued on January 11, 2012, January 25, 2012 and February 8, 2012; and

WHEREAS, the applicant has submitted an amended petition, dated February 1, 2012, which does not make substantive changes to the proposed district, and the Town Board having given due deliberation to the matter and having determined that the Town previously reviewed the environmental impact of the proposed project, including the services to be provided under the proposed district, with a Findings Statement under the State Environmental Quality Review Act dated February 25, 2009; and

WHEREAS, the evidence offered at such public hearing requires that the Town Board make the determinations made herein;

NOW THEREFORE, BE IT ORDERED, that correspondence dated February

3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Extension 93 to the Brighton Consolidated Sewer District and the amended petition for said District dated February 1, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

ORDERED, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 191 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district or extension; (3) that all the property and property owners benefited are included within the limits of the proposed district or extension; and (4) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petition requesting that the Brighton Consolidated Sewer District be extended to include certain real property therein described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe within ten days after the adoption of this Order.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, a petition was previously received from Anthony J Costello & Son LLC, the owner of 100% of approximately 62.82 acres located in a proposed development identified as The Reserve in the Town of Brighton, located east of South Clinton Avenue along the Erie Canal, tax identification numbers 149.07-1-8, 149.07-1-4, 149.11-1-53 and 149.11-1-2.1, being all of the property located within the area of the proposed Extension 2011-01 to the Brighton Consolidated Water District; and

WHEREAS, a public hearing was duly called and held in such matter on December 28, 2011, which public hearing was held open and continued on January 11, 2012, January 25, 2012 and February 8, 2012; and

WHEREAS, the applicant has submitted an amended petition, dated February 1, 2012, which does not make substantive changes to the proposed district, and the Town Board having given due deliberation to the matter and having determined that the Town previously reviewed the environmental impact of the proposed project, including the services to be provided under the proposed district, with a Findings Statement under the State Environmental Quality Review Act dated February 25, 2009; and

WHEREAS, the evidence offered at such public hearing requires that the Town Board make the determinations made herein;

NOW THEREFORE, BE IT ORDERED, that correspondence dated February 3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Extension 2011-01 to the Brighton Consolidated Water District and the amended petition for said District dated February 1, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

ORDERED, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 191 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district or extension; (3) that all the property and property owners benefited are included within the limits of the proposed district or extension; and (4) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petition requesting that the Brighton Consolidated Water District be extended to include certain real property therein described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe within ten days after the adoption of this Order.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

EXHIBIT 6

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, a petition was previously received from Anthony J Costello & Son LLC, the owner of 100% of approximately 62.82 acres located in a proposed development identified as The Reserve in the Town of Brighton, located east of South Clinton Avenue along the Erie Canal, tax identification numbers 149.07-1-8, 149.07-1-4, 149.11-1-53 and 149.11-1-2.1, being all of the property located within the area of the proposed Brighton Reserve Lighting District; and

WHEREAS, a public hearing was duly called and held in such matter on December 28, 2011, which public hearing was held open and continued on January 11, 2012, January 25, 2012 and February 8, 2012; and

WHEREAS, the applicant has submitted an amended petition, dated February 1, 2012, which does not make substantive changes to the proposed district, and the Town Board having given due deliberation to the matter and having determined that the Town previously reviewed the environmental impact of the proposed project, including the services to be provided under the proposed district, with a Findings Statement under the State Environmental Quality Review Act dated February 25, 2009; and

WHEREAS, the evidence offered at such public hearing requires that the Town Board make the determinations made herein;

NOW THEREFORE, BE IT ORDERED, that correspondence dated February

3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Brighton Reserve Lighting District and the amended petition for said District dated February 1, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

ORDERED, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 191 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district or extension; (3) that all the property and property owners benefited are included within the limits of the proposed district or extension; and (4) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petition requesting that the Brighton Reserve Lighting District be established to include certain real property therein described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe within ten days after the adoption of this Order.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

February 8, 2012

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE TOWN BOARD AUDIT COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>2,138,359.66</u>
D - HIGHWAY		<u>89,664.86</u>
H - CAPITAL		<u>1,237.50</u>
L - LIBRARY		<u>28.00</u>
SA - AMBULANCE DIST		<u>40,950.00</u>
SB - BUSINESS IMPROVM		<u>200.00</u>
SD - DRAINAGE DIST		<u>107.78</u>
SK - SIDEWALK DIST		<u>5,303.52</u>
SL - LIGHTING DIST		<u>23,322.62</u>
SP-PARKS DISTRICT		<u>125.00</u>
SS - SEWER DIST		<u>15,128.10</u>
TA - AGENCY TRUST		<u>1,684.84</u>
TE - EXPENDABLE TRUST		<u>4,200.00</u>
	TOTAL \$	<u>2,320,311.88</u>

UPON ROLL CALL

MOTION CARRIED _____

APPROVED BY:

SUPERVISOR

COUNCIL MEMBER

COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE TOWN BOARD ON THE ABOVE DATE AND ALLOWED IN THE AMOUNTS SHOWN. YOU ARE HEREBY AUTHORIZED AND DIRECTED TO PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

DATE

TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated January 23, 2012 from Robert J. Cantwell of BME Associates and the enclosed amended incentive zoning application and plans for Winfield Park, be received and filed.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
JASON S. DIPONZIO
CHRISTOPHER K. WERNER
Councilpersons

RESOLVED, that Paul Gardner is hereby reappointed to the Sustainability Oversight Committee for a two (2)-year term commencing February 1, 2012 through February 1, 2014.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
JASON S. DIPONZIO
CHRISTOPHER K. WERNER
Councilpersons

RESOLVED, that Peter J. DeBraal is hereby reappointed to the Sustainability Oversight Committee for a two (2) year term commencing February 1, 2012 through February 1, 2014.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated January 27, 2012 from Mark T. Henderson, Chief of Police, concerning the addition of two part-time on-call School traffic guards to the Police Table of Organization, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the addition of two part-time on-call School traffic guards to the Police Table of Organization as set forth in the above referenced correspondence.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

January 27, 2012

Finance/Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Dear Committee Members:

Due to the potential number of short-term vacancies of School Traffic Guards, we are looking to add two more On-Call School Traffic Guard positions to the Police Table of Organization. The addition of these two positions will have no impact on the budget.

With the nature of work provided by our School Traffic Guards, it is very important to be able to fill these positions immediately when vacancies arise. These additions will give us the ability to do that.

I request that the Town Board approve the addition of two On-Call School Traffic Guards to the Police Organizational Chart. The current rate for a School Traffic Guard is \$48.86 (Per Diem) defined by the 2012 Salary/Wage schedule.

Sincerely yours,

A handwritten signature in black ink that reads "Mark T. Henderson".

Mark T. Henderson
Chief of Police

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated January 27, 2012 from Mark T. Henderson, Chief of Police, concerning the appointments of two part-time on-call School traffic guards, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the appointments Ms. Jane Neill and Mr. Thomas Lyons as part-time, on-call School traffic guards effective February 9, 2012 as outlined in the above referenced correspondence.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

January 27, 2012

Finance/Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Dear Committee Members:

There are currently two temporary vacancies in the School Traffic Guard positions. We will utilize the recent on-call hire to fill one of these posts.

I request that the Town Board approve the appointments of two additional persons to the position of School Traffic Guard (Part-Time), On-Call, effective February 9th, 2012, at a Pier Diem rate of pay of \$48.86 as defined by the 2012 Salary/Wage Schedule Flat Salaried Positions for a probationary period of 52 weeks.

The candidates' names will be provided prior to the Town Board Meeting of February 8th, 2012.

Sincerely yours,

A handwritten signature in black ink that reads "Mark T. Henderson". The signature is written in a cursive style.

Mark T. Henderson
Chief of Police



Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Mark T. Henderson
Chief of Police

Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

February 9, 2012

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Board Members,

There currently exists a vacancy in the position of School Traffic Guard (Part-Time) *On-Call*. After an extensive search for candidates, Ms. Jane Neill has been chosen to fill this vacancy.

I request that the Honorable Town Board approve the appointment of Ms. Jane Neill to the position of School Traffic Guard (Part-Time) *On-Call*, effective February 9, 2012, at a Pier Diem rate of pay of \$48.86 as defined by the 2012 Salary/Wage Schedule Flat Salaried Positions for a probationary period of fifty-two weeks (52).

Sincerely,

A handwritten signature in black ink, appearing to read "Mark T. Henderson", written over a horizontal line.

Mark T. Henderson
Chief of Police

xc: Gary Brandt, Director of Personnel
Suzanne Zaso, Director of Finance



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

February 9th, 2012

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Board Members,

There currently exists a vacancy in the position of School Traffic Guard (Part-Time) *On-Call*. After an extensive search for candidates, Mr. Thomas Lyons has been chosen to fill this vacancy.

Mr. Lyons is a resident of the Town of Brighton.

I request that the Honorable Town Board approve the appointment of Mr. Thomas Lyons to the position of School Traffic Guard (Part-Time) *On-Call*, effective February 9, 2012, at a Pier Diem rate of pay of \$48.86 as defined by the 2012 Salary/Wage Schedule Flat Salaried Positions for a probationary period of fifty-two weeks (52).

Sincerely,

A handwritten signature in black ink that reads "Mark T. Henderson".

Mark T. Henderson
Chief of Police

xc: Gary Brandt, Director of Personnel
Suzanne Zaso, Director of Finance

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated January 23, 2012 from Mark T. Henderson, Chief of Police, concerning a donation, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the donation of snow brushes having a value of approximately twenty-five dollars from Nu-Way Auto Parts owner Arie Schochat.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

January 23, 2012

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Dear Board Members:

Recently, the Police Department received an unsolicited offer of 20 snow brushes that have a value of \$25 from Nu-Way Auto Parts owner Arie Schochat.

I request that the Town Board authorize the acceptance of this gift and that I be allowed to distribute the snow brushes to the police vehicles accordingly.

I have attached a copy of my letter to Mr. Schochat expressing the department's gratitude for this generous donation.

Sincerely,

A handwritten signature in black ink that reads "Mark T. Henderson". The signature is written in a cursive style with a long horizontal line extending to the right.

Mark T. Henderson
Chief of Police



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

January 23, 2012

Mr. Arie Schochat
400 Claybourne Road
Rochester, New York 14618

Dear Mr. Schochat:

I am writing to express my sincere appreciation for your thoughtful and generous donation to the officers of the Brighton Police Department.

While it is not necessary to make direct donations to the department for services provided, your thoughtfulness and consideration help instill a strong community-oriented attitude in our officers.

It is heartening to know that residents, like you, would go out of their way to show their appreciation with donations of this kind. I will share your kindness with the department.

On behalf of the entire Brighton Police Department, I thank you for your thoughtfulness and generosity.

Sincerely,

A handwritten signature in black ink that reads "Mark T. Henderson".

Mark T. Henderson
Chief of Police

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated January 26, 2012 from Town Planner Ramsey A. Boehner regarding a request to authorize the temporary increase of the hours of the Town's part-time Architect and to continue the temporary part-time Building Inspector position until May 31, 2012, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the temporary increase of the hours of the Town's part-time Architect from 20 hours per week to 35 hours per week until May 31, 2012 and be it further

RESOLVED, that the Town Board hereby authorizes the continuation of the temporary part-time Building Inspector position to allow for work of up to 20 hours per week at \$25.40 per hour until May 31, 2012.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

January 26, 2012

Honorable Finance Committee
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Re: Authorization to temporarily increase the Town's part time Architect hours per week and the continuation of the temporary part time building inspector position.

Honorable Members:

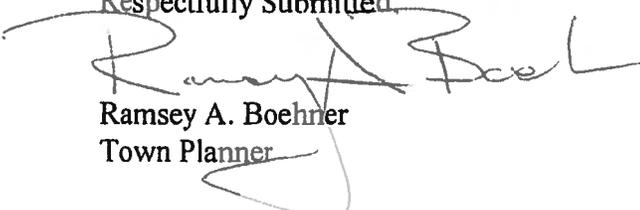
The Town's building inspector will be on medical leave until May 31, 2012. To cover the anticipated work load for compliance review and inspections for building permit submissions during the building inspector's absence, I request that the Town Board to authorize the following:

1. The hours for the Town's part time Architect to be temporarily increased from 20 hours per week to 35 hours per week until May 31, 2012; and
2. Continuation of the temporary part time building inspector position to work up 20 hours per week at \$25.40 per hour until May 31, 2012.

Funds are available in the Building and Planning Department's 2012 Budget wage account.

In the event that the building inspector's medical leave needs to be extended past May 31, 2012, I will revisit this matter with the Town Board at a future date.

Respectfully Submitted,


Ramsey A. Boehner
Town Planner

cc: Tim Keef
Gary Brant
Suzanne Zaso



At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

RESOLVED, that correspondence dated January 27, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the transfer of funds for the annual tree trimming operations throughout the Town be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the transfer of funds in the amount of \$9,840.00 from Account A.HWY. 8160 1.10 to Account A.DPW 8560 4.43 to allow for the rental of a bucket truck and operator to perform the annual tree trimming operations throughout the Town.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618

PHONE: (585)784-5250 FAX: (585) 784-5368

January 27, 2012

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

re: Proposed Transfer of Highway Funds
Rental of Bucket Truck and Operator for
Tree Trimming

Dear Chairman Werner and Committee Members:

I am requesting that funds in the amount of \$9,840.00 be transferred from A.HWY. 8160 1.10 (full time wages) to A.DPW 8560 4.43 (tree replacement program, landscape services). This will allow for the rental of a bucket truck and operator to perform our annual tree trimming operations throughout Town.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled January 31, 2012 meeting in the event that you have any questions regarding this matter.

Sincerely,

Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wpd

cc: T. Anderson
S. Zaso
A. Banker
M. Hussar
K. Gordon

FASC.HWY.FUNDS.TRANSFER.TREE.TRIM.JAN.2012.01

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated January 27, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. regarding the snow and ice control agreement amendment between the Town and New York State Department of Transportation for the 2013-2014 season (July 1, 2013 to June 30, 2014) and the proposed agreement attached thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the agreement with the New York State Department of Transportation for snow and ice removal as amended for the 2013-2014 season, subject to review and approval of the form of the agreement by the Attorney to the Town.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618
PHONE: (585)784-5250 FAX: (585) 784-5368

January 27, 2012

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

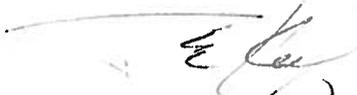
re: Snow and Ice Control Agreement Amendment
with the New York State Department of Transportation (NYSDOT)
2013/2014 Season

Dear Chairman Werner and Committee Members:

The Town of Brighton provides snow and ice control for New York State roads via an agreement with the New York State Department of Transportation. At this time I am requesting that said agreement with the NYSDOT be amended per the attached communication from the State. Therefore, I recommend that the Finance and Administrative Services Committee approve the Supervisor to execute these documents.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled January 31, 2012 meeting in the event that you have any questions regarding this matter.

Sincerely,


Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wpd

attachments

cc: T. Anderson
S. Zaso
A. Banker
M. Hussar
K. Gordon

FASC.NYSDOT.SNOW.ICE.AGREEMENT.AMEND.2013.2014.JAN.2012.01

Contract #	Municipality	Ext. season	Region #
DO12050	Town of Brighton/ Monroe County	2013/14	4

AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT

This Agreement made this _____ day of _____, _____ by and between THE PEOPLE OF THE STATE OF NEW YORK (hereinafter referred to as "STATE"), acting by and through the Commissioner of Transportation of the State of New York (hereinafter referred to as "COMMISSIONER"), and the _____ of the Town of Brighton of Monroe County (hereinafter referred to as "MUNICIPALITY") as follows:

WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No. D012050 entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of Town of Brighton" dated October 8, 1998; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, 1998 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2013; and

WHEREAS, Section 7 of the said Agreement provides that the COMMISSIONER shall furnish the MUNICIPALITY with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement.

WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the COMMISSIONER subject to the provisions of Section 9 at the time for extension of the Agreement;

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

NOW, THEREFORE, in consideration of the mutual covenants and benefits between the parties,

WITNESSETH:

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement Between New York State Department of Transportation and the MUNICIPALITY." is hereby extended for a period of one year; now to expire on June 30, 2014, unless further extended.

2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2013, unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.

3. All the terms and conditions of the original contract remain in effect except as follows. The indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be \$4,662.9107 per lane mile for 41.0 lane miles for a total of \$191,179.34 for the 2011/12 season and for the remainder of the term of the Agreement commencing July 1, 2011, unless changed by future update.

IN WITNESS WHEREOF, This Agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER, and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

over :

Agency Certification Contract No. **D012050**

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

THE PEOPLE OF THE STATE OF NEW YORK

MUNICIPALITY

BY _____
for Commissioner of Transportation

BY _____

ATTORNEY GENERAL'S SIGNATURE

COMPTROLLER'S SIGNATURE

Dated _____

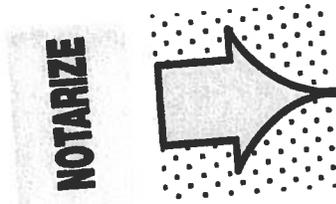
Dated _____

STATE OF NEW YORK)

) SS:

COUNTY OF)

On the _____ day of _____ in the year ____ before me personally came _____ to me known who, being by me duly sworn, did depose and say that he resides in _____, New York; that he is the _____ of _____ the municipality described in and which executed the above instrument; that he executed said instrument by order of the Governing Body of said municipality pursuant to a resolution which was duly adopted on _____; a certified copy of such resolution attached hereto and made a part hereof.



_____ Notary Public

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that the memorandum dated January 30, 2012 from Director of Finance Suzanne Zaso regarding year-end transfers and amendments to address object-level negative balances in the 2011 Town, Special District and Capital Budgets, together with the attached list of recommended budget transfers and amendments, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the budget transfers and amendments as set forth in the above referenced memorandum and the attachment thereto.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
Suzanne Zaso, Director of Finance
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
(585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *AS*
Date: January 30, 2012
Subject: Year-End Transfers and Amendments to Address Object-Level
Negative Balances in the 2011 Town, Special District, and Capital
Budgets

Each year, based on a review of year-to-date expenditures, we request Town Board authorization to record needed budget amendments and transfers to resolve any object-level negative balances in the Town and Special District Operating Budgets, and in the Capital Budget, to address:

- the proper classification of expenditures either actual or estimated
- any appropriation shortfalls resulting from actual operations (vs. budgeted)
- any unanticipated expenditures not provided for in the budget

Attached to this memo is a listing of the budget transfers and amendments we are recommending at this time, each marked accordingly.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, Department Heads, and K. Gordon

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that the memorandum dated January 30, 2012 from Director of Finance Suzanne Zaso regarding increasing the deposit and investment limit at M&T Bank necessitated by a switch in lockbox tax collections from Chase Bank to M&T Bank, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the increase in the deposit and investment limit at M&T Bank from \$10,000,000.00 to \$25,000,000.00; and be it further

RESOLVED, that said deposit and investment limit be raised by an additional \$15,000,000.00 to a total allowable limit of \$40,000,000.00 at M&T Bank during school tax collection season.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



SUZANNE E. ZASO
DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
(585) 784-5210 Fax (585) 784-5396

To: The Honorable Town Board
Attn: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance 
Date: January 30, 2012
Subject: Deposit and Investment Policy Update

I request that your Honorable Body amend the Town's Deposit and Investment Policy to increase the deposit and investment limit at M&T Bank from \$10,000,000 to \$25,000,000, with an additional \$15,000,000 added to the limit for deposits during school tax collection season. This request is necessitated by a switch in lockbox tax collections from Chase Bank to M&T Bank.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Cc: W. Moehle, D. Aman, K. Gordon

TOWN OF BRIGHTON DEPOSIT AND INVESTMENT POLICY

Policy Scope:

The following Deposit and Investment Policy shall apply to all financial resources available to the Town of Brighton for deposit and/or investment for the benefit of the Town or other individuals or entities.

Policy Objectives:

The Policy objectives of the Town of Brighton's deposit and investment activities are (in the order of their importance):

- to conform to all applicable Federal, State, and local government requirements;
- to adequately protect the principal amount of all deposits and investments;
- to plan for and provide sufficient liquidity for such deposits and investments sufficient to provide for payment of all operating and capital budget requirements in a timely manner;
- to obtain a reasonable rate of return, dependent on market conditions, on such deposits and investments.

Delegation of Authority:

Responsibility for oversight of the Town's deposits and investments is vested in the Supervisor, as Chief Fiscal Officer of the Town (Town Law Sec 29). The Supervisor delegates daily responsibility for the administration of all deposits and investments to the Director of Finance, who shall establish procedures for daily program operation that are consistent with this Policy. All subsequent references regarding powers given to the Director of Finance shall be assumed to also extend to the Supervisor since he is the Chief Fiscal Officer.

Prudence and Care:

The Supervisor, Director of Finance, their designees, and all other Town employees involved in the deposit and/or investment process shall at all times act responsibly and with a great degree of care in that such financial resources are held in the public trust. They shall avoid any financial transaction that could, or might be construed to be, in violation of the public trust.

**TOWN OF BRIGHTON
DEPOSIT AND INVESTMENT POLICY (Cont'd.)**

Diversification:

It shall be the policy of the Town of Brighton to diversify its deposits and investments. Diversification will further protect the principal amount of deposits and investments but may not serve to maximize interest earnings. No more than 80% of total available cash may be placed in any one particular bank at any given time. It shall be the policy of the Town of Brighton to reasonably balance the needs for yield and protection of principal.

Internal Controls:

The Director of Finance shall establish and maintain an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are properly safeguarded and that such transactions are executed and recorded properly and made and managed in compliance with applicable laws and regulations and this Policy.

Deposits

As detailed in General Municipal Law Section 10 and this Policy, the Director of Finance may deposit funds in accordance with applicable statute and this Policy. In accordance with an annual resolution of the Town Board, the following commercial banks and/or trust companies have been designated as authorized depositories for funds of the Town and/or funds within the Town's control. This Policy further regulates such deposits by limiting deposits to the following maximum amounts:

<u>Bank Name</u>	<u>Maximum Amount</u>
Bank of America	\$25,000,000
Canandaigua National Bank and Trust	\$15,000,000
Citizens Bank	\$25,000,000
J.P. Morgan Chase Bank	\$25,000,000
Key Bank	\$10,000,000
M & T Bank	\$25,000,000
HSBC Bank USA	\$10,000,000

The above-listed maximum deposit amounts for M&T Bank, JP Morgan Chase Bank and Bank of America may be increased by an additional \$15,000,000, to a maximum of \$40,000,000 when the Receiver of Taxes is collecting and disbursing school tax payments.

**TOWN OF BRIGHTON
DEPOSIT AND INVESTMENT POLICY (Cont'd.)**

Collateralizing of Deposits:

In accordance with the provisions of General Municipal Law Section 10, all deposits of the Town of Brighton, including Certificates of Deposit, in excess of amounts insured under the provisions of the Federal Deposit Insurance Act shall, at all times, be secured:

-by a pledge of "eligible securities" with an aggregate market value equal to or greater than the aggregate amount of deposits, together with agreed upon interest, to be secured in this manner. Such "eligible securities" permitted to secure Town deposits are indicated in Appendix A to this Policy. Specific types of securities qualifying as "eligible securities" are further identified in the State Comptroller's Local Government Management Guide titled Investing and Protecting Public Funds. The Director of Finance shall have discretionary authority to reject the pledge of specific eligible securities if he/she believes the securities to be inappropriate for use as collateral.

-and/or by an eligible surety bond payable to the Town of Brighton for an amount equal to or greater than the aggregate amount of deposits, together with agreed upon interest, to be secured in this manner. Such surety bond must be issued by an insurance company authorized to do business in New York, and whose claims paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

Safekeeping of Collateral Pursuant to Written Agreement:

Eligible securities used for collateralizing deposits shall be held by the depository bank or a third party custodial agent, at the discretion of the Town of Brighton, and subject to written security and custodial agreements.

The legally required written security agreement shall provide that eligible securities are being pledged to secure deposits of the Town, together with agreed upon interest (if any), and any costs or expenses arising out of the collection of such deposits upon default. The agreement shall also provide any conditions under which securities may be sold, presented for payment, substituted, or released, as well as the events which would enable the Town to exercise it's rights against the pledged securities should such action become necessary.

**TOWN OF BRIGHTON
DEPOSIT AND INVESTMENT POLICY (cont'd.)**

The legally required written custodial agreement shall provide that securities held by the depository bank or a third party custodial agent will be kept separate from the general assets of the depository bank or custodial agent. The agreement shall also provide that the depository bank or custodial agent shall confirm, in writing, any receipt, substitution, or release of securities. The agreement must also provide for the frequency of valuation of the pledged securities, which shall be no less frequently than monthly, and any provisions needed to ensure the Town's perfected interest in the securities.

Investments

As detailed in General Municipal Law Section 11 and this Policy, the Director of Finance, or their designee, may invest monies not immediately needed for expenditure in the following types of legally permitted investments:

- Interest bearing Checking and/or Savings Accounts
- Certificates of Deposit
- Obligations of the United States of America
- Obligations guaranteed by Agencies of the United States, for which the United States of America guarantees the payment of principal and interest on the obligations
- Obligations of the State of New York
- Obligations issued pursuant to Local Finance Law Section 24 or 25 (with the approval of the State Comptroller) by any municipality, school district, or district corporation other than the Town of Brighton
- Obligations of Public Authorities, Public Housing Authorities, and Urban Renewal Agencies where the State statutes governing such entities or whose specific enabling legislation authorizes such investments
- Obligations issued by the Town of Brighton where such investment shall be made from monies on deposit in a Town Board authorized reserve fund, where such investment has been authorized by resolution of the Town Board

**TOWN OF BRIGHTON
DEPOSIT AND INVESTMENT POLICY (cont'd.)**

All investment obligations shall be redeemable, at the option of the Town of Brighton, as the proceeds of the investment(s) will be needed to meet expenditures for purposes for which the monies were provided. In addition, obligations purchased with the proceeds of bonds or notes shall be redeemable within two years of the date of purchase. For Repurchase Agreements, the repurchase date and not the maturity date of the underlying security(s) shall govern.

Authorized Financial Institutions and Security Dealers:

The Town of Brighton authorizes the following list of financial institutions and security dealers for investment purposes, and establishes the maximum dollar limits of investments that may be made with each. These maximum dollar limits are inclusive of the maximum deposit amounts indicated in the Deposits section of this policy, but do not include the additional \$15,000,000 in deposits authorized during the period September 1st through November 1st in that the Town is not authorized to invest school taxes collected on behalf of the five school districts levying taxes in the Town. All financial institutions with which the Town conducts business must be credit worthy. The Director of Finance, with the assistance of higher levels of government, is responsible for evaluating the financial condition of authorized financial institutions and security dealers. Security dealers not affiliated with an authorized depository bank must be classified as a reporting dealer and affiliated with the New York Federal Reserve Bank as a primary dealer.

<u>Bank/Security Dealer Name</u>	<u>Maximum Amount</u>
Bank of America	\$25,000,000
Canandaigua National Bank and Trust	\$15,000,000
Citizens Bank	\$25,000,000
J.P. Morgan Chase	\$25,000,000
Key Bank	\$10,000,000
M & T Bank	\$25,000,000
HSBC Bank USA	\$10,000,000
Municipal Investors Service Corp	\$10,000,000

**TOWN OF BRIGHTON
DEPOSIT AND INVESTMENT POLICY (cont'd.)**

Purchase of Investments:

The Director of Finance may contract or place orders for the purchase of investments:

- Directly, through an authorized financial institution or securities dealer
- By participation in a cooperative investment program with another authorized governmental entity(s) pursuant to Article 5G of the General Municipal Law
- Through a repurchase agreement (REPO), subject to terms of a required Master Repurchase Agreement. For REPO's, trading partners are limited to those authorized banks and security dealers as identified above. Obligations purchased shall be limited to obligations of the United States of America and/or by obligations guaranteed by agencies of the United States.

All purchased obligations, unless registered in the name of the Town of Brighton, shall be purchased through, delivered to, and held in the custody of a custodial bank. All purchased obligations shall be held separately from the general assets of the custodial bank or securities dealer. Such obligations shall be purchased, sold, or redeemed in accordance with prior authorization of the Director of Finance. All transactions shall be confirmed in writing by the custodial agreement as described in General Municipal Law Section 10. Such agreement shall include all provisions necessary to provide the Town a perfected interest in the obligations(s) purchased.

Review and Amendment of Policy:

This Policy shall be reviewed on no less than an annual basis, and modified by formal action of the Town Board as necessary.

This Policy was reviewed and first approved by the Town Board on 4/28/93. The Policy was subsequently updated and reaffirmed by Town Board on 5/24/95, 2/14/96, 6/12/96, 2/24/99, 3/8/00, 4/11/01, 1/14/04, 1/3/05, and 1/3/06, 1/10/07, 1/3/08, 1/2/09, 1/4/10, 1/5/11, 1/3/12

APPENDIX A
Schedule of Eligible Securities

YES

(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

YES

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

YES

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

YES

(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

YES

(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

YES

(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

YES

(vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

YES

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

YES

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

YES

(x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

YES

(xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that the memorandum dated January 30, 2012 from Director of Finance Suzanne Zaso regarding approval of the West Brighton Fire Protection District Service Award Program points earned during calendar year 2011, and the list annexed thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves award of the points set forth on the submitted list referenced above of the West Brighton Fire Protection District Service Award Program points earned during calendar year 2011.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *NS*
Date: January 30, 2012
Subject: West Brighton Fire Protection District Service Award Program –
Approval of Service Points for 2011

I request that Your Honorable Body review and approve the attached listing of Service Award Program (SAP) points earned during calendar year 2011 by participating Firefighters of the West Brighton Fire Department, Inc. Pursuant to Article 11-A of the State's General Municipal Law (that authorizes the SAP), the listing of service points earned by each of the participating volunteer Firefighters must be reviewed and approved by the Town Board, acting in its capacity as the Board of Commissioners of the West Brighton Fire Protection District.

Once approved, the 2011 SAP points listing must be posted for 30 days at the offices of the West Brighton Fire Department, Inc. for review and any objection by the participating members of the SAP. Subsequent to the posting period the listing, with any appropriate changes noted, must be returned to the Town for certification and submission to the SAP Third-Party Administrator (Penflex, Inc.) who will update the "master record" and calculate the trust fund contribution due for 2011 (to be paid in 2012).

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, C. Roth, and K. Gordon

2011 SPONSOR APPROVAL FORM
SERVICE AWARD PROGRAM

Town of Brighton
West Brighton Fire Protection District

Instructions

Article 11-A of the New York State General Municipal Law requires that a list of volunteers indicating those who earned a year of service credit during 2011 be certified under oath by the Fire Department and submitted to the program sponsor for approval by March 31, 2012. The program sponsor must then review and approve the listing. To comply with Article 11-A, the Town Board must sign this form once the 2011 certified volunteer firefighter Service Award Program points listing has been reviewed and approved by the Board. Once signed, the entire 2011 Data Request Package should be returned to the Fire Department so that the approved certified list can be posted for at least 30 days as required by Article 11-A.

Approval

The Town Board has reviewed and approved the 2011 volunteer firefighter Service Award Program points listing.

Town Board Member

Date Signed

2011 FIRE DEPARTMENT SERVICE CERTIFICATION FORM
SERVICE AWARD PROGRAM

Town of Brighton
West Brighton Fire Protection District

Instructions

Article 11-A of the New York State General Municipal Law requires that a list of volunteers indicating those who earned a year of service credit during 2011 be certified under oath and submitted to the program sponsor for approval by March 31, 2012. To comply with Article 11-A, please have the person responsible for preparing the 2011 points listing sign this form and have a notary witness the signature. The 2011 Data Request Package should then be presented to the Town Board for approval of the points prior to March 31, 2012.

Certification

As required by Article 11-A, I certify under oath the attached is a list that includes all 2011 volunteers of the Fire Department and indicates the points earned by each volunteer in accordance with the Service Award Program Point System, which will be used to determine who will earn service credit for calendar 2011.

Cara Amy Secretary, W.B.F.D. 1/17/12
Signature Title Date Signed

(STATE OF NEW YORK)
(COUNTY OF Monroe) SS.:

Severally sworn to before me this 17 day of January, 2012.

MARGARET GREEN LULL
Notary Public - State of New York
Monroe County, Lic. 01LU6154299
Commission Expires Oct. 23, 2014
Margaret Green Lull

CERTIFICATION (GREEN)

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that the letter dated January 31, 2012 from Larry Pecor, Director of Safety and Loss Control for Paris Kirwan Associates regarding the authorization to approve the submission of a grant application through Paris Kirwan Associates for funding to provide Safety Training to Town Employees, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the submission of a grant application through Paris Kirwan Associates for funding to provide Safety Training to Town Employees.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Paris Kirwan Associates
1040 University Avenue
Rochester, NY 14607

PARIS KIRWAN ASSOCIATES — SAFETY & LOSS CONTROL

January 31, 2012

Susanne Zaso, Director of Finance

Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Susanne,

As you are aware, last year I worked with Gary Brandt in submitted a request for a NY State HAB Grant, which provides safety training funds to employers in New York State who request such funding and are approved. Last year the safety trained requested and received focused on 14 safety topics for the Town of Brighton Department of Public Works employees, and a grant of \$ 8,640 was awarded. That training grant (for 2011 / 2012) is now in progress, is going well, and will be completed by July 31, 2012.

Going forward, we are hoping to submit another HAB RFP for 2012 / 2013. This new grant will focus on both (1) Town employees who were not trained in last years grant, and (2) New topics for the DPW that are needed (and ones that need to be refreshed).

Requested training this year for town "Office" employees (approx 50 in management and clerical potions, etc) would include safety training topics including or related to: Safety Awareness, Back Safety and Safe Lifting, Office Ergonomics, Hazard Awareness, Emergency Action Plans, and Controlling Workplace Stress, Workplace Harassment and Workplace Violence.

Requested training for the "DPW" and the "Parks Dept employees" (not trained in present grant) would include safety training topics on or related to: Safety Awareness, Hazard ID Surveys, Outdoor Heat Exposures, Outdoor Cold Exposures, Outdoor Insect Exposures, Toxic Mold Exposures, Safe Equipment / Tool Operations, Back Lifting, Chemical Safety (the new GHS Standard), Hearing Conservation, as well as controlling Workplace Stress, Workplace Harassment, and Workplace Violence.

The exact courses and format are still in development, but it is anticipated that the grant requested will be similar or slightly larger in size than last year's grant (**estimated to be between \$8,000 to \$10,000 for this year's grant**). Please note that last year I involved the services of outside consultant to serve as the safety training "subcontractor," and the training was conducted off-site. This was primarily due to the course materials covered (like Confined Space Entry, Excavations, etc) for which a special setting was advantageous. For the current grant, the topics do not require such a setting. Therefore I will personally serve as the sub-contractor, and all training will be conducted on-site on the Town's facilities. This will be beneficial for the town, and will save time and money, as the employees will not have to drive or otherwise be transported to an off-site training facility. For reference, I have successfully facilitated a number of HAB grants in past years, and have kept exactly to the provided HAB funds.

Sincerely,

Larry Pecor, C.S.P., C.S.C.
Director of Safety and Loss Control
(585) 506-4273 Office

 **PARIS KIRWAN**
ASSOCIATES, INC.
(585) 473-8000

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated February 1, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. regarding an easement agreement with the County of Monroe, as Trustee for Monroe Community College, for installation of a proposed sanitary sewer and the proposed easement agreement annexed thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the easement agreement with the County of Monroe, subject to review and approval of the form of the agreement by the Attorney to the Town.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618
PHONE: (585)784-5250 FAX: (585) 784-5368

February 1, 2012

Supervisor William Moehle and
the Honorable Town Board
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

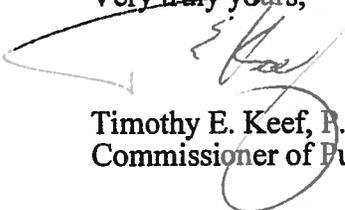
Re: Proposed South MCC Campus Sanitary Sewer Easement

Dear Supervisor Moehle and Town Council Members:

As previously discussed and recommended based upon the sanitary pump station evaluation report completed in 2008, and as authorized in the current capital improvement program, the above project will require an easement to be granted from the County for installation of the proposed sanitary sewer main. This project has been thoroughly reviewed by both the Town and County, and the County is amenable to granting said easement, requesting that the Town indicate its support of doing so by passing a resolution to this effect. Therefore, it is requested that your Honorable Body approve such action and that the form and content of the resolution be that as deemed suitable by the Attorney for the Town.

As always, your consideration of matters such as this is greatly appreciated.

Very truly yours,


Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wp

cc: M. Guyon
C. Roscoe
S. Zimmer
M. Hussar
K. Gordon

EASEMENT

THIS INDENTURE, made this _____ day of _____, 2012 by and between County of Monroe, as trustee for, Monroe Community College, with offices at 1000 East Henrietta Road, Rochester, New York 14623, parties of the first part, and the Town Board of the Town of Brighton, a municipal corporation with offices at 2300 Elmwood Avenue, Rochester, Monroe County, New York, 14618, acting for and on behalf of the Brighton Consolidated Sewer District, parties of the second part,

WITNESETH:

That the parties of the first part in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to them by the parties of the second part hereby grant and release to the parties of the second part, their successors or assigns, an easement and privilege in, along and over a strip of land to be used for sanitary sewer purposes as specified herein and which land and easement are more particularly described as follows:

East Henrietta Road, Rochester, NY, 14623, Tax ID#149.14-1-1.BRC and 1048 E Henrietta Rd, Tax ID#149.14-1-1./RHC, Town of Brighton, Monroe County, New York. Hereby intending to describe and convey a part of the same premises conveyed to the party of the first part by deeds recorded in the Monroe County Clerk's Office in Liber 960 of Deeds, at page 178, Liber 3544 of Deeds, at page 131, and Liber 3639 of Deeds, at page 360, owned by said party to the easement herein granted, and to hold the premises herein granted unto the parties of the second part, their successors or assigns, with the following rights and privileges:

SEE SCHEDULE "A" ATTACHED

The County Executive of Monroe County is authorized to execute this Easement pursuant to Resolution No. ___ of 2012, adopted by the Monroe County Legislature on _____, 2012, This Easement is made and authorized pursuant to the Town of Brighton, acting for and on behalf of the Brighton Consolidated Sewer District, Resolution No. _____, adopted by the Town of Brighton on _____, 2012.

Adopted by the Monroe Community College Board of Trustees and SUNY on _____, 2012.

1. The perpetual easement granted hereunder is for the purpose of continuing, constructing, laying, maintaining, replacing or improving underground sewer mains of such sizes as from time to time may be determined by the parties of the second part, their successors or assigns, together with all necessary connections and other appurtenances for conveying and conducting through said pipes or mains; and the parties of the second part, their successors, assigns, agents and contractors, shall have the right to enter upon said premises for the purposes aforesaid.

2. The parties of the second part do hereby agree to indemnify and hold harmless the parties of the first part, their agents, employees, grantees, successors or assigns, from loss or damage resulting from the exercise of its rights under this easement, except such damages as are due to the gross negligence of the parties of the first part, their agents, employees, grantees, successors or assigns. Conversely, the parties of the first part do hereby agree to indemnify and hold harmless the parties of the second part, their agents, employees, grantees, successors or assigns, from loss or damage resulting from the exercise of its rights under this

easement, except such damages as are due to the gross negligence of the parties of the second part, their agents, employees, grantees, successors or assigns.

3. The first parties hereby reserve the right to pave, plant or maintain lawns, or other embellishments over underground pipes within the said easement, and when it is necessary for the parties of the second part, agents or contractors to enter thereon for continuing, constructing, laying, maintaining, replacing or improving underground sewer mains, connections or other appurtenances, they shall, and by acceptance of this easement, do agree to restore the property including but not limited to driveway, trees, shrubs, and utilities of the parties of the first part to the same condition as before such work is or was done insofar as it is practicable and reasonable to do.

4. The second parties, their successors, assigns, agents or contractors may, at any time thereafter, remove trees or shrubs from the areas of the easement which they determine are interfering with the operation or maintenance of the sanitary sewer or part thereof without liability to the parties of the first part.

5. The parties of the second part, their successors, assigns, agents or contractors may, at any time exercise the rights and privileges granted herein. Said rights and privileges do not convey or infer a duty by the parties of the second part, their successors, assigns or contractors to remove or replace trees or shrubs that, in the opinion of the grantee, do not interfere with or obstruct the operation of the system. Furthermore, it shall not be the duty of the parties of the second part, their successors, assigns, agents or contractors to perform routine property maintenance of the easement area outlined herein or maintain said area in a fashion that would typically be performed by the parties of the first part in the normal course of the upkeep of the property.

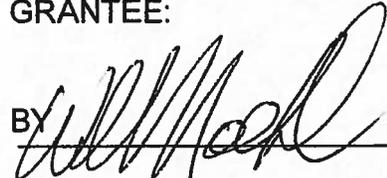
6. The parties of the first part reserve the full use and enjoyment of the said premises except for the purposes herein granted to the parties of the second part. The parties of the first part covenant that the parties of the second part shall quietly enjoy this easement and parties of the first part covenants that it is the owner in fee of the above described lands and has the right to grant this Easement and that the lands are free and clear of all liens and encumbrances, except any mortgages or easements of record.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals and/or caused its corporate seal to be hereunto affixed, and these premises to be signed by its duly authorized officer, all as of the day and year first above written.

GRANTOR(S):
County of Monroe,
as trustee for,
Monroe Community College,

By: Maggie Brooks,
County Executive

GRANTEE:

BY 

WILLIAM MOEHLE
SUPERVISOR,
TOWN OF BRIGHTON

STATE OF NEW YORK)

ss:

COUNTY OF MONROE)

On this ____ day of _____, 2012, before me, the undersigned, personally appeared Maggie Brooks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within this instrument and acknowledged to me that she executed the same in her capacity(ies), and that by her signature(s) on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

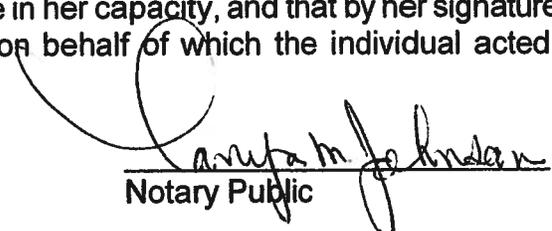
Notary Public

STATE OF NEW YORK)

ss:

COUNTY OF MONROE)

On this 26th day of January, 2012, before me, the undersigned, personally appeared WILLIAM MOEHLE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within this instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public



Schedule 'A'
Description of 30' Wide Sanitary Sewer Easement
on
1000 East Henrietta Road
Tax ID. 149.014-1-1
of the
County of Monroe Subdivision

All that tract or parcel of land being a part of Town Lot 56 & 48, Township 13, Range 7, Division 2nd, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Starting at a point that point being the property corner on the south side of entrance "A" of the Monroe Community College campus, thence S 14°58'59" E a distance of 58.10'; to a point, that point being the Point of Beginning;

1. thence S 14°58'59" E a distance of 30.00';
2. thence N 75°43'40" E a distance of 37.66';
3. thence S 14°09'48" E a distance of 301.78';
4. thence S 25°02'08" E a distance of 311.50';
5. thence S 21°05'54" E a distance of 299.67';
6. thence S 22°30'48" E a distance of 299.51';
7. thence S 18°32'05" E a distance of 274.76';
8. thence S 20°40'58" E a distance of 181.71';
9. thence S 81°27'14" W a distance of 130.89';
10. thence S 27°51'54" W a distance of 28.99';
11. thence S 16°32'02" E a distance of 6.76';
12. thence N 81°26'43" E a distance of 154.22';
13. thence S 23°32'34" E a distance of 289.35';
14. thence S 30°06'03" E a distance of 139.37';
15. thence S 54°26'59" E a distance of 156.27';
16. thence S 77°18'23" E a distance of 155.06';
17. thence N 87°18'21" E a distance of 299.91';
18. thence S 76°39'26" E a distance of 298.66';
19. thence S 82°35'17" E a distance of 197.78';
20. thence N 88°19'16" E a distance of 301.36';
21. thence N 02°44'54" W a distance of 93.93';
22. thence N 87°15'06" E a distance of 288.42';
23. thence N 61°33'56" E a distance of 306.86';
24. thence N 35°45'52" E a distance of 157.52';
25. thence N 05°17'17" E a distance of 156.83';
26. thence N 15°27'13" W a distance of 1204.48';
27. thence N 28°39'56" W a distance of 159.63';
28. thence S 61°20'04" W a distance of 30.00';
29. thence S 28°39'56" E a distance of 156.14';
30. thence S 15°27'14" E a distance of 1195.52';

31. thence S 05°17'17" W a distance of 143.17';
32. thence S 35°45'52" W a distance of 142.48';
33. thence S 61°33'56" W a distance of 293.14';
34. thence S 87°15'06" W a distance of 311.58';
35. thence S 02°44'54" E a distance of 93.37';
36. thence S 88°19'16" W a distance of 268.41';
37. thence N 82°35'17" W a distance of 193.84';
38. thence N 76°39'26" W a distance of 301.34';
39. thence S 87°18'21" W a distance of 300.09';
40. thence N 77°18'23" W a distance of 144.94';
41. thence N 54°26'59" W a distance of 143.73';
42. thence N 30°06'03" W a distance of 131.18';
43. thence N 23°32'34" W a distance of 298.77';
44. thence N 20°40'58" W a distance of 199.34';
45. thence N 18°32'05" W a distance of 275.24';
46. thence N 22°30'48" W a distance of 300.18';
47. thence N 21°05'54" W a distance of 300.33';
48. thence N 25°02'08" W a distance of 309.68';
49. thence N 14°09'48" W a distance of 328.93';
50. thence S 75°46'35" W a distance of 68.08';

which is the point of beginning, having an area of 4.178 acres

TEMPORARY 50' CONSTRUCTION
EASEMENTS FOR WORK AREA

Temporary easements to be exercised in, on and over the property above delineated and hereinafter described on attached *Schedule 'A'*, for the purpose of sanitary sewer work and a work area in connection with the construction of the sewer and appurtenances for use shall be exercisable during the initial construction of the sanitary sewer system, or for future repairs to the sanitary sewer system. Upon final completion of initial construction of the sanitary sewer system, parties of the first part may exercise full use of the area within the temporary easement(s), including but not limited to building construction. At such time parties of the second part deem it necessary to enter the property in the future to make repairs to the sewer system, parties of the second part reserve the right to enter any temporary easement areas remaining outside of any building improvements that may be within said temporary easement areas, to exercise its rights under this easement.

Schedule 'A'
Description of Temporary 50' Wide Construction Easement
on
1000 East Henrietta Road
Tax ID. 149.014-1-1
of the
County of Monroe Subdivision

All that tract or parcel of land being a part of Town Lot 56 & 48, Township 13, Range 7, Division 2nd, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Starting at a point that point being the property corner on the south side of entrance "A" of the Monroe Community College campus, thence S 14°58'59" E a distance of 48.00'; to a point, that point being the Point of Beginning;

1. thence S 14°58'59" E a distance of 50.00';
2. thence N 75°50'12" E a distance of 27.51';
3. thence S 14°09'48" E a distance of 292.74';
4. thence S 25°02'08" E a distance of 312.11';
5. thence S 21°05'54" E a distance of 299.45';
6. thence S 22°30'48" E a distance of 299.29';
7. thence S 18°32'05" E a distance of 274.60';
8. thence S 20°40'58" E a distance of 169.52';
9. thence S 81°27'14" W a distance of 110.60';
10. thence S 28°27'38" W a distance of 41.74';
11. thence S 16°32'02" E a distance of 16.85';
12. thence N 81°26'44" E a distance of 145.14';
13. thence S 23°32'34" E a distance of 282.25';
14. thence S 30°06'03" E a distance of 142.10';
15. thence S 54°26'59" E a distance of 160.45';
16. thence S 77°18'23" E a distance of 158.43';
17. thence N 87°18'21" E a distance of 299.86';
18. thence S 76°39'26" E a distance of 297.77';
19. thence S 82°35'17" E a distance of 199.09';
20. thence N 88°19'16" E a distance of 312.34';
21. thence N 02°44'54" W a distance of 94.12';
22. thence N 87°15'06" E a distance of 280.70';
23. thence N 61°33'56" E a distance of 311.43';
24. thence N 35°45'52" E a distance of 162.54';
25. thence N 05°17'17" E a distance of 161.38';
26. thence N 15°27'13" W a distance of 1207.47';
27. thence N 28°39'56" W a distance of 160.78';
28. thence S 61°20'04" W a distance of 50.00';
29. thence S 28°39'56" E a distance of 154.99';
30. thence S 15°27'14" E a distance of 1192.53';

31. thence S 05°17'17" W a distance of 138.62';
32. thence S 35°45'52" W a distance of 137.46';
33. thence S 61°33'56" W a distance of 288.57';
34. thence S 87°15'06" W a distance of 319.30';
35. thence S 02°44'54" E a distance of 93.18';
36. thence S 88°19'16" W a distance of 257.42';
37. thence N 82°35'17" W a distance of 192.52';
38. thence N 76°39'26" W a distance of 302.23';
39. thence S 87°18'21" W a distance of 300.14';
40. thence N 77°18'23" W a distance of 141.57';
41. thence N 54°26'59" W a distance of 139.55';
42. thence N 30°06'03" W a distance of 128.45';
43. thence N 23°32'34" W a distance of 297.94';
44. thence N 20°40'58" W a distance of 198.91';
45. thence N 18°32'05" W a distance of 275.40';
46. thence N 22°30'48" W a distance of 300.41';
47. thence N 21°05'54" W a distance of 300.55';
48. thence N 25°02'08" W a distance of 309.07';
49. thence N 14°09'48" W a distance of 337.98';
50. thence S 75°50'12" W a distance of 78.23';

which is the point of beginning, containing 6.949 acres, more or less.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated February 3, 2012 from Town of Brighton Junior Engineer Chad Roscoe regarding the proposed Extension #94 to the Brighton Consolidated Sewer District to serve the proposed site of the Empire State College on South Clinton Avenue in the Town of Brighton and the amended petition for said extension dated January 6, 2012 and all of the supporting documents referenced in said correspondence and amended petition, be received and filed; and be it further

RESOLVED, that the Town Board hereby sets a public hearing for said Extension #94 to be held on March 14, 2012 at 7:30 p.m. at the Brighton Town Hall and further directs that all requisite notice be provided for said public hearing as required by law.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ★ ROCHESTER, NEW YORK 14618 ★ PHONE (585)784-5250 ★ FAX (585)784-5368

February 3, 2012

Honorable Town Board.
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Re: Empire State College
Extension #94 to the Brighton Consolidated Sewer District

Dear Board Members:

The Department of Public works staff has reviewed the enclosed amended petition dated January 6, 2012, Schedule A, Extension #94 to the BCSD boundary map dated January 2011 and description dated 1/6/12, and find them to be in order. The Assessor's Certificate and the Negative Declaration pursuant to the State Environmental Quality Review are also enclosed. Copies are enclosed for your file. All the original documents have been forwarded to Mary Ann Hussar for processing.

The entrance fee for this district is calculated as follows:

11.86 acres+/- @ \$700/acre = \$8302

Legal & Advertising Fee = \$150
Total = \$8452

Said fee was processed at the Town Hall on February 10, 2012 and a photocopy has been included also. Please receive and file the attached information and consider scheduling a public hearing date for this district. Do not hesitate to contact me if you have questions regarding this matter.

Sincerely,

Chad Roscoe
Junior Engineer
Department of Public Works

CC: T. Keef
M. Hussar
S. Zaso
S. Zimmer
E. Ainsworth

IN THE MATTER OF

Extension #94 to Brighton Consolidated Sewer
District, Town of Brighton, Monroe County,
New York

EMPIRE STATE COLLEGE

PETITION TO THE TOWN BOARD OF THE TOWN OF
BRIGHTON, MONROE COUNTY, NEW YORK

The undersigned, being the owners of the real property situate in the proposed extension to the Brighton Consolidated Sewer District of the Town of Brighton, which proposed extension is hereinafter described, and owning in the aggregate more than one-half of all of the assessed value of all the taxable real property of said proposed extension, as shown upon the latest completed assessment roll of said Town, and including resident owners of said property in said extension owning taxable real property aggregating at least one-half of all the taxable real property in said extension owned by resident owners according to the latest completed assessment roll, hereby petition the Town Board to extend the Brighton Consolidated Sewer District to include the real property hereinafter described, which is located in the Town of Brighton, outside of any incorporated village.

Attached hereto as Schedule A is a description of the proposed extension labeled "Description of Proposed Extension #94 To The Brighton Consolidated Sewer) District, Town of Brighton", and a map prepared by Larsen Engineers, duly licensed professional engineers, dated January 6, 2012 showing the boundaries of the proposed extension to the Consolidated Sewer District and a plan of additional sewer lines and facilities required to serve the proposed extension.

The undersigned property owners will undertake whatever construction is necessary with regard to the proposed extension and shall bear the full cost associated therewith. Accordingly, no assessment associated with such construction shall be levied against the property owners by the Town of Brighton.

Name of Property Owners

Residence - N/A
And P. O. Address

Assessed Valuation

New York State

Tax Acct. Nos:

136.15-1-7

136.15-1-8

136.15-1-9

State University Plaza
Albany, NY12246

\$169,600

\$120,000

\$674,500

Dated: 4/6, 2012

By: 
Paul Tucci
Vice President for Administration
Empire State College

SCHEDULE A

DESCRIPTION OF PROPOSED EXTENSION No. 94 TO THE BRIGHTON CONSOLIDATED SEWER DISTRICT TOWN OF BRIGHTON

All those tracts or parcels of land, situate in the Town of Brighton, County of Monroe, State of New York, and hereinafter designated as EXTENSION No, 94 to B.C.S.D. as shown on the attached map of, EXTENSION NO. 94 to B.C.S.D., prepared by Larsen Engineers, dated January 2011 and more particularly described as follows:

Beginning at a point on the centerline of Clinton Avenue South, said point being the easterly extension of the southerly boundary of Tax Acct. No. 136.15-01-007; thence

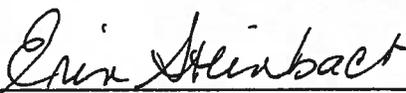
1. S 87°11'23" W, along the southerly boundary of Tax Acct. No. 136.15-01-007, a distance of 632.97 feet to the southwesterly corner of Tax Acct. No. 136.15-01-007; thence
2. N 20°36'16" E, along the westerly boundary of Tax Acct. No. 136.15-01-007 and Tax Acct. No. 136.15-01-009, a distance of 1017.86 feet to the northwesterly corner of Tax Acct. No. 136.15-01-009; thence
3. S 75°10'30" E, along the northerly boundary of Tax Acct. No. 136.15-01-009, and continuing along that line to its intersection of the centerline of Clinton Avenue South, a distance of 538.15 feet; thence

S 17°26'05" W, along the centerline of Clinton Avenue South, a distance of 821.77 feet to the Point Of Beginning, being approximately 516,499.84 sq. ft. or 11.86 acres more or less.

1/17/11 R.S.B.
Revised 1/6/12

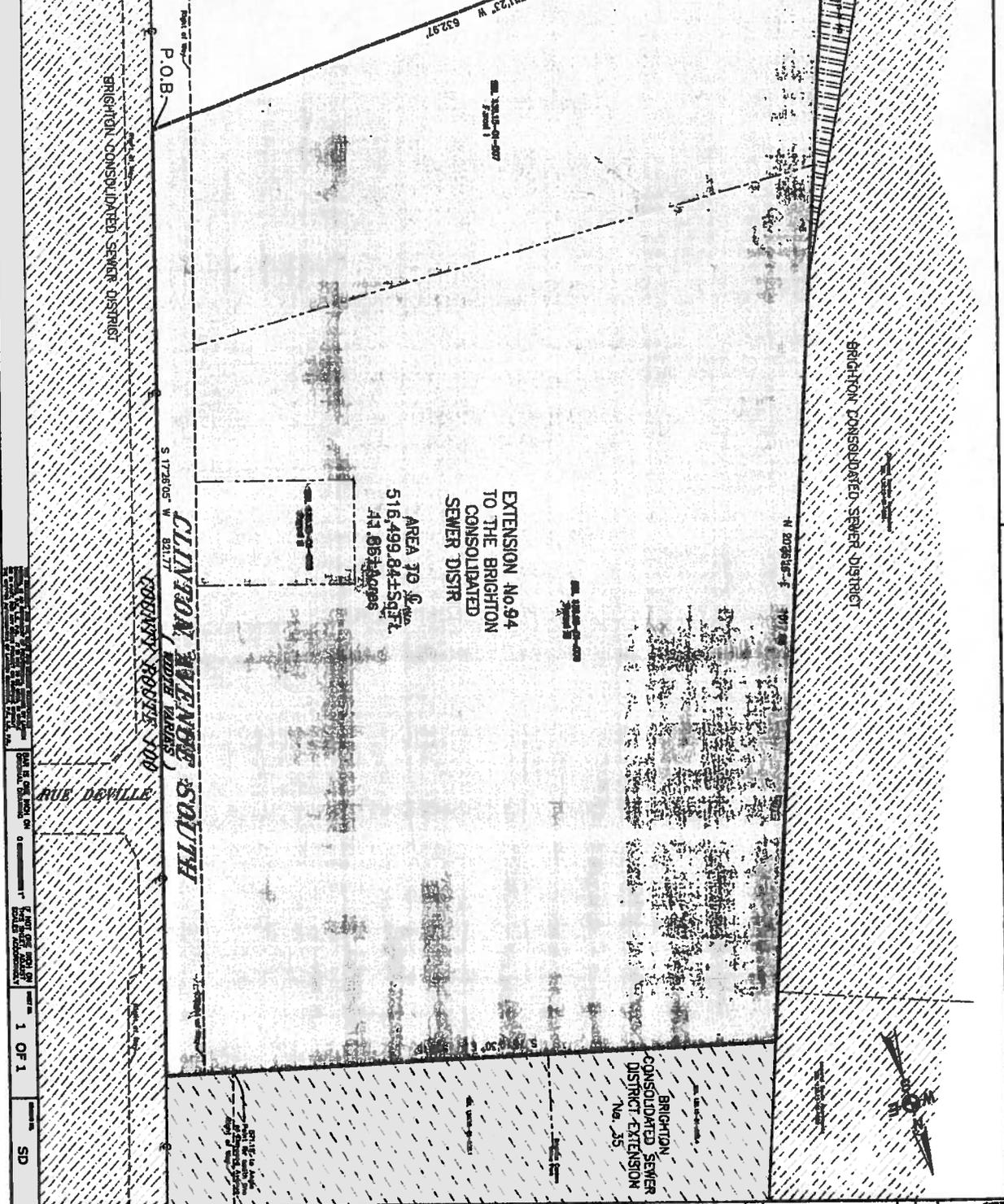
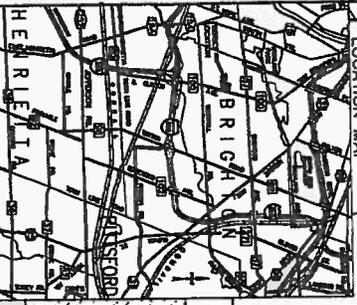
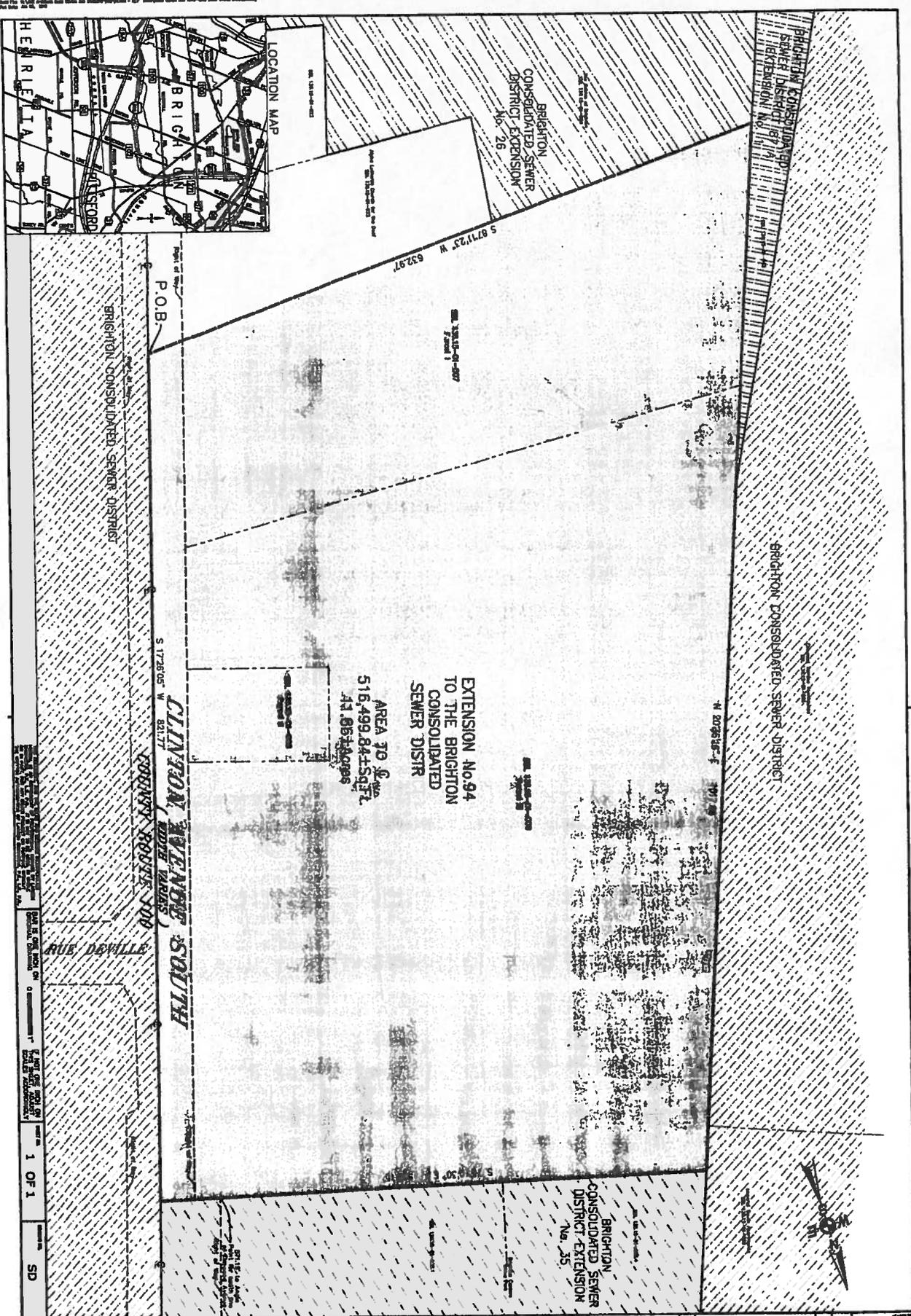
STATE OF NEW YORK)
COUNTY OF-----) SS.:

On the 6 of January in the year 2012 before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL TUCCI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public





1915 - 1923 CLINTON AVENUE SOUTH
 CITY OF BRIGHTON, COUNTY OF WASHINGTON, STATE OF NEW YORK
 EXTENSION No. 94
 TO THE BRIGHTON CONSOLIDATED
 SEWER DISTRICT



NO.	REVISIONS	BY	DATE
1	REVISE SEWER DISTRICT NUMBER	SD	1/2/11

DATE	1/2/11
SCALE	1"=10'
APP.	January 2, 2011

TOWN OF BRIGHTON
ASSESSOR'S OFFICE
2300 ELMWOOD AVENUE
ROCHESTER, NY 14618
(585) 784-5215

DATE: February 2, 2012
TAX ID NOS.: 136.15-1-7
136.15-1-8
136.15-1-9
ADDRESS: 11.4 acres (+ or -) of
land & a residential
dwelling on South
Clinton Ave./Town of
Brighton
EXTENSION NO.: 94 of Brighton
Consolidated
Sewer District

I, Elaine K. Ainsworth, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petition for the Extension Number 94 to the Brighton Sewer District, Town of Brighton, to be filed in the Town Clerk's Office in the Town of Brighton, County of Monroe, State of New York, and that:

- 1) The total assessed valuation of the real property within the parcel of the said district extension is \$964,100.
- 2) The aggregate assessed valuation of the real property therein owned by the signers of said petition is \$964,100.
- 3) Said petition purports to be signed by the owners of more than one-half (1/2) the value of the real property within the area of the proposed extension of the district.

All as appears from the 2011 Assessment Roll, which is the latest completed assessment roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 2nd day of February 2012.



Elaine K. Ainsworth, IAO, Assessor
Town of Brighton

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number 40028

Date: December 23, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The State University Construction Fund as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

SUCF Project 40028, Empire State College Regional Center, Monroe County

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Construct a 33,032 GSF building (with 14,220 SF footprint), access driveway, parking for 100 cars, paved walkways to building, patio area, utilities (including sanitary sewer system, water, electric and gas, and telecommunications), stormwater mgmt system, landscaping, signage and site lighting.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

1915-1923 Clinton Avenue South, Town of Brighton, Monroe County

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

SUCF has reviewed the plans and supporting documentation, and considered Parts II and III of the Environmental Assessment Form. Based on the Environmental Assessment and supporting documentation, knowledge of the proposed site location, and review of 6 NYCRR Part 617.7, SUCF has determined that the proposed Project, the Empire State College Regional Center, will not have a significant impact, and has determined that the proposed Project be granted a Negative Declaration and has determined that the SEQRA process is complete. See attached addendum.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Margaret McSorley

Address: c/o SUCF, 353 Broadway, Albany NY 12246

Telephone Number: 518 320 1710

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer, Town / ~~City~~ / ~~Village~~ of Brighton

Other involved agencies (If any)

Monroe County DOH, Monroe County Envir Serv/Div Pure Waters, NYSDEC

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway Albany NY 12233-1750 (Type One Actions only)

Environmental Assessment Short Form, Parts II and III- ADDENDUM

New York State Environmental Quality Review

SUNY Empire State College- Regional Center, Monroe County

Determination of Non-Significance for an Unlisted Action and Negative Declaration

The proposed Project is located on an 11.192 acre parcel of currently undeveloped land. Project elements include: Regional Center Building (33,032 GSF with a 14,220 SF building footprint); Access driveway; Parking for 100 cars (including reserved handicap parking); Paved walkways to building; Patio area; Utilities to service the building, including sanitary sewer system, water service, electric and gas service, and telecommunications service; Stormwater management system; Landscaping; Signage; and Site lighting. The new building will host meeting rooms and administrative offices.

1. Existing air quality, surface or groundwater quality, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems?

The proposed Regional Center and 100 space parking lot, as outline in Part 1 of the EAF, will not have a substantial adverse change in the existing air quality. Air impacts resulting from construction activities, such as emissions from construction vehicles and dust, will be controlled by implementing Best Management Practices in construction methods, and will be limited in duration. Best Management Practices include dust control with water, and, if necessary, NYSDEC approved additives.

The proposed Project will not impact surface water or groundwater quality or quantity. The Project will not impact either State or federal wetlands. It will also not result in a substantial increase in potential for erosion, flooding, leaching or drainage problems. The new facility will be designed in conformance with the Phase II Erosion and Sediment Control Regulations, including implementation of a Stormwater Pollution Prevention Plan.

The main construction elements of this Project will be clearing, grading, building construction, paving and landscaping. General construction noise impacts are expected. Best Management Practices will be used to minimize construction noise, and because the construction will be short term, noise impacts from construction are not expected to be significant. Operational noise impacts will not increase over ambient levels.

The *Central Brighton Transportation Study (1993)* traffic projection model assumed that, at maximum development, the site could accommodate 112,500 square feet of office space (*Town of Brighton Comprehensive Plan 2000*, page 83). At 33,032 GSF, the proposed Project is not anticipated to have a negative impact on traffic.

2. Aesthetic, agricultural, historic or other natural or cultural resources; or community or neighborhood character.

The proposed Project will not have a substantial adverse change on aesthetic resources, as the surrounding area is currently developed. The property is located across Clinton Avenue from McQuaid Jesuit High School, and office buildings located within the Lac de Ville mixed use complex. It is bounded

on the north by professional offices, on the west by apartments, and to the south by a senior assisted living complex and church.

The *Town of Brighton Comprehensive Plan 2000* states that Brighton's visual character is defined by its natural resources, its residential development, and its commercial and institutional development, with the Tops Brighton Plaza (formerly Loehmann's Plaza), in the Project neighborhood, being an example of the later (page 91).

The proposed Project will not have an adverse affect on agricultural lands, as the immediate area is already developed. The site is not located in an agricultural district pursuant to the NYS Agriculture and Markets Law, Article 25-AA; the site soils are, however, rated as suitable for farmland (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>).

The proposed Project is not located within a sensitive archaeological area or within a State or National Historic Register area, and will not have an impact on the character or quality of important historical or archaeological character. See Attached *OPRHP and Archeological Sensitive Areas Map*.

3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats or rare, threatened or endangered species?

A Woodlot Environmental Protection Overlay District covers nearly the entire 11.192 acre parcel. Approximately 4.59 acres of land will need to be cleared for the proposed Project, and the remaining acreage will be preserved as a woodlot. The Project will not result in the removal or destruction of large quantities of fauna, and will not substantially interfere with the movement of any resident or migratory wildlife or fish species, impact significant habitat area, or have substantial impacts on any rare, threatened or endangered species. There are no State or federal classified wetlands on the Project site. See attached *Environmental Resources Map*.

4. A community's existing plans or goals as officially adopted, or a change in use or intensity of land or other natural resources?

The proposed Project is located in a BE-L Zoning District, "Office- Low Density." In accordance with Town plans, the BE-L District is intended to achieve one or more of the following objectives: "promote the preservation of existing natural features and habitats; protect sensitive environmental features; aid in preserving the open character of an area; provide for office and business service uses that are scaled and designed for compatibility with surrounding residential areas; provide a transition zone between major highways or higher intensity commercial, office or industrial zones and lower intensity residential zones, parkland or other low-intensity uses; and/or limit impacts on traffic and the environment that can accompany higher intensity uses" (Town of Brighton Zoning Regulations, Article VIIA, Section 203-52.1). The proposed Project is compatible with this land use.

The Project is also compatible with the *Town of Brighton Comprehensive Plan 2000*. Within the Plan, the Project site is identified as Area 28, and the Plan describes the site as follows:

This site is bounded on the north by Brighton Corners office park. On the east are Clinton Avenue South, Brighton Plaza shopping center, McQuaid High School, and office and high-density residential development. Area 28 is bounded on the south by a church and high density residential development (The Gables), and on the west by an apartment complex.

Area 28 is recommended for low density office use. Low density office would help to protect the residential development to the west and south of the site, and would mitigate traffic impacts on Clinton Avenue South (as compared to standard density office development). Development of Area 28 should: 1) protect, to the extent possible, the woodlot that covers nearly the entire site; 2) provide access to Brighton Corners offices to the north and The Gables to the south; and 3) provide access to S. Clinton Ave. that is aligned with Rue De Ville Blvd.

The proposed Project is compatible with the Town Comprehensive Plan, and will comply to the extent practicable with the recommendations of the Plan.

5. Growth, subsequent development, or related activities likely to be induced by the proposed action?

The proposed Project will not result in any significant number of new Town residents or population. No growth, subsequent development, or related activities are anticipated as a result of this Project.

6. Long term, short term, cumulative or other effects not identified in Questions 1-5?

No long term, short term, cumulative or other effects from the Project not identified in Questions 1-5 are anticipated.

7. Other impacts (including changes in either the quantity or type of energy)?

The property lies completely within the Monroe County Water Authority Service area. Public water is available to the property, but is currently not connected. The property was formerly served by a private well. Public sewer service is available to the property and there is currently a disconnected stub to the existing building. The Town of Brighton plans to extend its existing sewer district to include the Project property. The Rochester Gas and Electric Company provides electrical and gas services to the property. There are no active hookups to any utilities.

The proposed new Regional Center will not have significant impact on energy consumption. The building and site design will incorporate principles of sustainable design according to the requirements of the USGBC LEED program.

The ENB SEQRA Notice Publication Form - Please check all that apply

Deadline: Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

- | | |
|---|--|
| <input checked="" type="checkbox"/> Negative Declaration - Type I | <input type="checkbox"/> Draft EIS |
| <input type="checkbox"/> Conditioned Negative Declaration | <input type="checkbox"/> with Public Hearing |
| <input type="checkbox"/> Draft Negative Declaration | <input type="checkbox"/> Generic |
| <input type="checkbox"/> Positive Declaration | <input type="checkbox"/> Supplemental |
| <input type="checkbox"/> with Public Scoping Session | <input type="checkbox"/> Final EIS |
| | <input type="checkbox"/> Generic |
| | <input type="checkbox"/> Supplemental |

DEC Region # 8 County: Monroe Lead Agency: State University Construction Fund

Project Title: Project 40028, Empire State College Regional Center, Rochester

Brief Project Description: The action involves construction of a 33,032 GSF building (with 14,220 SF footprint), access driveway, parking for 100 cars, paved walkways to building, patio area, utilities to service the building (including sanitary sewer system, water service, electric and gas service and telecommunications service, stormwater management system, landscaping, signage and site lighting in the town of Brighton.

Project Location (include street address/municipality): 1915-1923 South Clinton Avenue, Brighton NY

Contact Person: Margaret McSorley c/o SUCF

Address: 353 Broadway City: Albany State: NY Zip: 12246

Phone: 518 320 1710 Fax: 518 689 2635 E-mail: peggy.mcsorley@suny.edu

For Draft Negative Declaration / Draft EIS: Public Comment Period ends: ____ / ____ / ____

For Public Hearing or Scoping Session: Date: ____ / ____ / ____ Time: ____:____ am/pm

Location:

A hard copy of the DEIS/FEIS is available at the following locations:

The online version of the DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that the printed copy of the electronic mail communication dated January 25, 2012 from Pat A. Inzer, Secretary of the West Brighton Fire Department, Inc. regarding the election of a new member, be received and filed; and be it further

RESOLVED, that the Town Board hereby confirms, as requested in said communication, the membership of Mr. Hushoth Thayalakeshari with the West Brighton Fire Department, Inc.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of February, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that the memorandum dated January 26, 2012 from Town Clerk Daniel Aman regarding approval to increase the Town Clerk Change Fund to allow the Clerk and his staff to better serve the Town's taxpayers, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the increase from \$250.00 to \$300.00 in the Town Clerk Change Fund.

Dated: February 8, 2012

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____