

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
SEPTEMBER 27, 2012

Present:

Acting Supervisor James Vogel
Councilmember Louise Novros
Councilmember Jason DiPonzio
Councilmember Christopher Werner
Timothy Keef, Director of Public Works
Robert Cline, Police Captain
Jerry LaVigne, Director of Recreation

Kenneth Gordon, Attorney for the Town
Daniel Aman, Town Clerk
Suzanne Zaso, Director of Finance
Andrew Robinson, Budget Director
Mary Ann Hussar, Assistant to the Supervisor

MEETING CALLED TO ORDER AT 7:03 PM

OPEN FORUM:

Jacob Attanasio
Jody Taylor
Joe Diebold
Jonathan Foster
Marge Alaimo

APPROVAL OF AGENDA:

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed local law to modify parking restrictions for Glen Road (see Resolution #1, letter dated August 15, 2012 from Timothy E. Keef listing details of proposed parking restriction modifications, aerial photograph of Glen Road (west) and proposed Local Law of 2012 Parking Restrictions on Glen Road).

(Complete transcript under separate cover)

Matter held

MATTER RE: Proposed local law to amend certain Chapters to the Code of the Town of Brighton and the Appendix of Comprehensive Development Regulations (see Resolution #2, letter dated August 17, 2017 from Ramsey A. Boehner, Environmental Review Liaison Officer and listing of proposed amendments).

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. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize approval to solicit for proposals for cable television operations for Brighton public access and government channels and video production services for calendar year 2013 (see Resolution #3 and memorandum dated September 14, 2012 from MaryAnn Hussar, Assistant to the Supervisor).

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Jerry Ludwig to Betsy Brayer, cc'd to Supervisor, dated September 12, 2012 thanking Betsy for her many years of service as a member of the Brighton Historic Preservation Committee.

FROM Dr. Joan Manganello to Police Chief Mark Henderson, cc'd to Supervisor, dated September 17, 2012 regarding her experience attending Citizen Police Academy training.

FROM The United Way of Greater Rochester dated August 2012 re: Certificate of Appreciation to the Town for outstanding campaign performance during the 2012 United Way/Red Cross Campaign.

FROM Peter J. DeBaal, to Supervisor dated September 10, 2012 resigning as a member of the Sustainability Oversight Committee due to his appointment to the Architectural Review Board

FROM Anthony J. Costello dated August 18, 2012 to Supervisor, thanking Supervisor Moehle for participating in the ceremonial groundbreaking event for the RESERVE project that was held on September 13, 2012.

FROM Joseph M. Diebold Jr to the Town Board dated September 27, 2012 relating his experience as a volunteer with the West Brighton Fire Department

FROM Marge Alaimo to the Town Board dated September 27, 2012 asking if the West Brighton Fire Department signed on as of today

FROM Jacob Attanasio to the Town Board dated September 27, 2012 regarding profanity on the bench in the triangle at Twelve Corners

FROM Dennis Adams to Tim Keef and the Town Board dated August 11, 2012 regarding proposed new parking plans and other suggestions for improving accessibility and safety of Corbett's Glen

FROM Ellen Adams to Tim Keef, cc'd to the Supervisor and Chief Henderson, dated August 25, 2012 regarding the problems created by many people trying to visit Corbett's Glen

FROM Debra Corea to Tim Keef dated August 12, 2012 regarding potential parking solutions in the Glen Road access area to Corbett's Glen

FROM Alyce Adams to Tim Keef dated August 17, 2012 regarding potential parking solutions in the Glen Road access area to Corbett's Glen

FROM Ellen Adams to Tim Keef, cc'd to the Supervisor and Chief Henderson, dated August 26, 2012 regarding an amateur made sign that had been made and placed by someone trying to solve the overflow parking at Corbett's Glen

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros that the aforementioned communications be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services – Next meeting 10/29/12 at 4:30PM at Brookside
 Finance and Administrative Services – Next meeting 10/2/12 at 3:30PM in Stage Conference Room
 Public Safety Services – Next meeting 10/9/12 at 8:00AM in Downstairs Meeting Room
 Public Works Services – Next meeting 10/1/12 at 9:00AM in Downstairs Meeting Room

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve the payment of claims as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Andrew Robinson, Budget Director of the Town, presenting to Town Board the Supervisor's 2013 Preliminary Operating and Capital Improvement Budgets for the Town (Preliminary Budgets available for public viewing on the Town's Website, in the Town Clerk's office and the Brighton Memorial Library).

MATTER RE: Authorize approval to add a 1-year appointed volunteer Student Intern position to the Sustainability Oversight Citizens Committee to provide research related services (see Resolution #4 and letter dated September 14, 2012 from Michael Guyon, P.E. Town Engineer).

Motion by Councilmember Jason DiPonzio 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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept donations totaling \$1,795 as additional monies received for the Town of Brighton Veterans Memorial fund (see Resolution #5 and memorandum dated September 14, 2012 from Suzanne Zaso, Director of Finance).

Motion by Councilmember Louise Novros 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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to declare one (1) Chevy Pick-up truck, deemed no longer serviceable or able to support highway departmental operations as surplus along

with approval for sale or auction of same (see Resolution #6 and letter dated September 13, 2012 from Timothy Anderson, Deputy Highway Superintendent).

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to create Office Clerk III position in the Town Finance Department under Information Systems and appoint a particular employee to Permanent Part Time status in this newly created position (see Resolution #7 and letter dated September 13, 2012 from Susan Wentworth, Coordinator of Data Processing).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to amend computer consulting agreement with Richard S. Cortina and authorize approval for budget transfer in support of those amendments (see Resolution #8 and letter dated September 14, 2012 from Michael Guyon, P.E. Town Engineer).

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. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

Dan reminded people that School Taxes are due October 1.

MEETING ADJOURNED AT 9:20 PM:

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio to adjourn

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 27th day of September 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 27th day of September, 2012.

PRESENT:

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

Councilpersons

WHEREAS the Town Board previously received and filed correspondence dated August 17, 2012 from Environmental Review Liaison Officer, Ramsey A. Boehner regarding a proposed local law amending the Code of the Town of Brighton and the Appendix of Comprehensive Development Regulations and the text of the proposed Code and Regulation amendments, and

WHEREAS a public hearing was duly noticed and held on September 27, 2012 regarding said proposed local law amending the Code of the Town of Brighton and the Appendix of Comprehensive Development Regulations, and

WHEREAS the Town Board at the public hearing received and reviewed certain testimony and evidence regarding said proposed amendments to the Town Code and the Appendix of Comprehensive Development Regulations, and

WHEREAS the Town Board hereby finds and determines that the proposed amendments are consistent with the intent of the Comprehensive Development Regulations and the aims of the Comprehensive Plan, it is hereby

RESOLVED, that the Town Board hereby immediately adopts the amendments to the Town Code and Appendix of Comprehensive Development Regulations as previously received and filed and hereby directs the Town Clerk to take all action required by law to incorporate said amendments into the official Town Code and Appendix of Comprehensive Development Regulations.

Dated: September 27, 2012

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

August 17, 2012

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

Re: Proposed Code Amendments
Chapters 62, 91, 149, 129, 201, 205, 207, 217, 224
Appendix of Comprehensive Development Regulations

Honorable Supervisor and Members:

I recommend that your Honorable Body receive and file this communication, the proposed amendments to the Code of the Town of Brighton Chapters 62, 91, 149, 129, 201, 205, 207, 217, 224 and the Appendix of Comprehensive Development Regulations as described in the attached memoranda to Tim Keef dated August 17, 2012 and the Planning Board's advisory report dated July 17, 2012.

The proposed amendments were received and filed by your Honorable Body at your meeting of June 27, 2012. Based on the comments received at the Public Works Committee meeting of July 9, 2012, I have eliminated the proposed amendments to Chapter 203, District Use Regulations from consideration at this time to allow additional opportunity to further research Certificates of Compliance and the change of ownership and proprietorship. Proposed amendments to Chapter 203 will be resubmitted to your Honorable Body at a later date.

I further recommend that you set a public hearing for these propose amendments for your September 12, 2012 meeting.

Respectfully Submitted

Ramsey A. Boehner
Environmental Review Liaison Officer

cc: T. Keef
attachments



Town of Brighton
Interoffice Memo

To: Tim Keef
From: Staff
CC:
Date: August 17, 2012
Subject: Amendments 2012-1: Draft Amendments

The following amendments to the Town Code are proposed:

- p. 1 **2012-1.1** Chapter 62, Electrical Standards. Amend §62-2(A), listing approved electrical inspection organizations, to remove the NYS Board of Fire Underwriters and the City of Rochester as authorized electrical inspectors, and add New York Electrical Inspection Agency, Inc.
- p. 1 **2012-1.2** Chapter 91, Lead-Based Paint Removal. Add §91-1.1 to identify the applicability of the requirements of the chapter to prevent conflict with new federal lead-based paint rules for contractors and others.
- p. 2 **2012-1.3** Chapter 149, Sewer Use, Article III, Use of Public Sewers for Discharge of Non-domestic Wastes. Amend §149-9, Prohibited discharges to sanitary sewer, to add language regulating piping of waters to any sanitary sewer.
- p. 2 **2012-1.4** Chapter 129, Property Maintenance. Add a new subsection (I) to Section 129-9, Office, commercial and industrial uses, and a new subsection (G) to Section 129-10, Residential uses, to regulate temporary portable storage units (e.g., PODS)
- p. 3 **2012-1.5** Chapter 201, General Provisions. Amend §201-5, Definitions, to:
 - a) change definition of "Family" to allow two unrelated persons in addition to a "Functional Family Unit," so that it corresponds to the two unrelated persons allowed in addition to a group of related persons.
 - b) Delete the definition of "Bakery," which is not needed and conflicts with other definitions
- p. 4 **2012-1.6** Chapter 205, Bulk & Parking Regulations. Make minor corrections to §205-8.

- p. 4 **2012-1.7** Chapter 205, Bulk & Parking Regulations. Amend §205-12. Parking schedule, to delete the standards for "Bakery;" bakery standards to be included with other specialty foods stores.
- p. 5 **2012-1.8** Chapter 207, Supplementary Regulations. Amend Article II, All Residential Districts, Subsection 207-10, Exceptions to yard requirements, to add awnings and gas fireplace box/vent projections to the list of permitted intrusions into a required yard in Subsection 207-10.A(1), and add a new Section, 207-13.1, titled "Exceptions to yard requirements," to Article III, All Nonresidential Districts, to allow the same exceptions to setback requirements for principal buildings (cornices, eaves, awnings, windowsills, etc.) in non-residential districts as are allowed in residential districts.
- p. 5 **2012-1.9** Chapter 207, Supplementary Regulations, Amend Article III, All Nonresidential Districts, section 207-14.1, Waste container & grease/oil container standards, to modify the limitation on height for waste container enclosures.
- p. 6 **2012-1.10** Chapter 217, Planning Board. Amend §217-6, Procedures for conditional uses, to modify the standards governing the voiding of conditional uses.
- p. 6 **2012-1.11** Chapter 217, Planning Board. Amend §217-9 to better describe projects that require site plan review by the Planning Board.
- p. 7 **2012-1.12** Chapter 224, Historic Preservation. Amend §224, Certificate of appropriateness application procedure, subsection §224-6(D), to change the mailing requirements for HPC decisions from requiring sending by registered mail to requiring sending by certified mail, and add Subsection (E), providing for the expiration of a Certificate of Appropriateness if construction is not started, and Subsection (F), providing for the revocation of a Certificate of Appropriateness
- p. 8 **2012-1.13** Appendix of Comprehensive Development Regulations. Create a "Part 5" of the Appendix to the Comprehensive Development Regulations to include, by reference, the "Monroe Avenue Design Plan, Guidelines and Standards," the "Monroe Avenue Streetscape Standards and Construction Details," and any other area/street corridor design standards that may be developed in the future.

2012-1.1 Chapter 62, Electrical Standards. Amend §62-2(A), listing approved electrical inspection organizations, to add New York Electrical Inspection Agency and remove the NYS Board of Fire Underwriters and the City of Rochester as authorized electrical inspectors.

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

§62-2. Appointment of inspector.

- A. The Commissioner of Public Works of the Town of Brighton is hereby authorized to appoint an inspector or inspectors of the **Gunther Home Inspection, Inc., dba New York Electrical Inspection Agency** ~~the New York Board of Fire Underwriters, the Middle Department Inspection Agency, Inc. or Commonwealth Electrical Inspection Service, Inc. or the City of Rochester Bureau of Building and Zoning~~ as electrical inspectors and agents of the Town of Brighton to make inspections of all electrical installations hereinbefore or hereinafter referred to and to approve or disapprove the same.

2012-1.2 Chapter 91, Lead-Based Paint Removal. Add §91-1.1 to identify the applicability of the requirements of the chapter to prevent conflict with new federal lead-based paint rules for contractors and others.

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

Chapter 91. Lead-Based Paint Removal.

§91-1. Purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare by provisions designed to:

- A. Regulate methods of lead-based paint removal which are dangerous to health, safety and property.
- B. Protect the health, safety and welfare of those workers participating in the removal of lead-based paints.
- C. Protect the health, safety and welfare of residents and individuals who are in and around the work area where lead-based paints are being removed.

§91-1.1. Applicability

The requirements of this chapter shall apply to all persons and activities not covered by the requirements of federal Lead-Based Paint Renovation, Repair and Painting rules.

2012-1.3 Chapter 149, Sewer Use, Article III, Use of Public Sewers for Discharge of Non-domestic Wastes. Amend §149-9, Prohibited discharges to sanitary sewer, to add language regulating piping of waters to any sanitary sewer.
(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

§149-9. Prohibited discharges to sanitary sewer.

[Amended 1-24-1996 by L.L. No. 1-1996]

No person shall discharge or cause to be discharged any unpolluted stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, impounded water or unpolluted industrial process waters to any sanitary sewer. **Any piping used or intended for such discharge shall be removed.**

. or allow piping to remain for the purpose of the discharge of.

2012-1.4 Chapter 129, Property Maintenance. Add a new subsection (I) to Section 129-9, Office, commercial and industrial uses, and a new subsection (G) to Section 129-10, Residential uses, to regulate temporary portable storage units (e.g., PODS), as follows.

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

§129-9. Office, commercial and industrial uses.

The following shall apply to office, commercial and industrial uses:

I. Temporary portable storage units (e.g., PODS units) are permitted for a period not to exceed 60 days, provided that they do not overflow with debris, are not used for items that may create offensive odors or a health hazard and are used only for items from the property on which they are located. With a valid building permit and good cause shown, the Commissioner of Public Works or designee may allow a maximum of one extension for the placement of the temporary portable storage units for a period not to exceed 60 days.

§129-10. Residential users.

G. Temporary portable storage units (e.g., PODS units) are permitted for a period not to exceed 60 days, provided that they do not overflow with debris, are not used for items that may create offensive odors or a health hazard and are used only for items from the property on which they are located. With a valid building permit and good cause shown, the Commissioner of Public Works or designee may allow a maximum of one extension for the placement of the temporary portable storage units for a period not to exceed 60 days.

2012-1.5 Chapter 201, General Provisions. Amend §201-5, Definitions, to:

- a) change definition of "Family" to allow two unrelated persons in addition to a "Functional Family Unit," so that it corresponds to the two unrelated persons allowed in addition to a group of related persons.
- b) Delete the definition of "Bakery," which is not needed and conflicts with the definition of "specialty food store".

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

§201-5. Definitions.

FAMILY [Amended 1-11-2006 by L.L. No. 1-2006]

A. One of the following:

- (1) Not more than three persons occupying a dwelling unit; or
- (2) Four or more persons occupying a dwelling unit, each of whom is related to all of the others by blood, marriage, or legal adoption, plus not more than two additional unrelated individuals; or
- ~~(3) A functional family unit: four or more persons occupying a dwelling unit as the functional equivalent of a "natural family" with respect to those characteristics that are consistent with the purposes of zoning restrictions in residential neighborhoods, and who use all rooms and housekeeping facilities in common.~~
- (3) A functional family unit — four or more persons occupying a dwelling unit as the functional equivalent of a "natural family" with respect to those characteristics that are consistent with the purposes of zoning restrictions in residential neighborhoods, and who use all rooms and housekeeping facilities in common — plus not more than two additional unrelated individuals.**

B. In determining whether

BAKERY

~~A retail sales establishment where bread, pastries, cakes, bagels, donuts and similar baked goods are baked or sold. Any such establishment where baked goods are commercially sold for any on-premises consumption, regardless of whether served by a waiter or waitress or whether service is available from a counter-type installation, shall not be considered a "bakery" and shall be deemed a restaurant.~~

2012-1.6 Chapter 205, Bulk & Parking Regulations. Make minor corrections to §205-8, as follows:

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

§205-8. Light Industrial and Technology and Office Park Districts.

Minimum Requirements	IG	IG*	TOP
Project size (acres)	--	--	25
Lot area (square feet)	80,000	40,000	40,000
Lot width (feet)	200	100	60
Lot depth (feet)	200	--	200
Front yard (feet)	100	60	75
Side yard (feet)	50	20	40
Side yard abutting a residential district (feet)	200	--	100
Rear yard (feet)	50	30	60
Rear yard abutting a residential district (feet)	200	--	100
Gross floor area of a principal structure (square feet)	1,000		1,000

* NOTE: Industrial District located on a Town street, or on a private street serving only industrial uses

2012-1.7 Chapter 205, Bulk & Parking Regulations. Amend §205-12. Parking schedule, to delete the standards for "Bakery;" bakery standards to be included with other specialty foods stores.

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

§205-12. Parking schedule.

~~Bakery~~

~~† for each 30 square feet of gross floor area~~

2012-1.8 Chapter 207, Supplementary Regulations. Amend Article II, All Residential Districts, Subsection 207-10, Exceptions to yard requirements, to add awnings and gas fireplace box/vent projections to the list of permitted intrusions into a required yard in Subsection 207-10.A(1), and add a new Section, 207-13.1, titled "Exceptions to yard requirements," to Article III, All Nonresidential Districts, to allow the same exceptions to setback requirements for principal buildings (cornices, eaves, awnings, windowsills, etc.) in non-residential districts as are allowed in residential districts.

(Deletions are ~~crossed out~~, additions are **bolded and underlined**)

Article II. All Residential Districts.

§207-10. Exceptions to yard requirements.

A. Features of principal buildings.

- 1) Cornices, eaves, cantilevered roofs, **awnings, gas fireplace box/vent projections** and chimneys may project not more than two feet into a required yard. Belt courses, windowsills and other ornamental features may project no more than six inches into a required yard.

§207-13.1. Exceptions to yard requirements: features of principal buildings.

Cornices, eaves, cantilevered roofs, awnings, gas fireplace box/vent projections and chimneys may project not more than two feet into a required yard. Belt courses, windowsills and other ornamental features may project no more than six inches into a required yard.

(Note: These elements of principal buildings are currently allowed only in residential districts)

2012-1.9 Chapter 207, Supplementary Regulations, Amend Article III, All Nonresidential Districts, section 207-14.1, Waste container & grease/oil container standards, to modify the limitation on height for waste container enclosures, to read as follows: (Deletions are ~~crossed out~~, additions are **bolded and underlined**)

§ 207-14.1, Waste container & grease/oil container standards.

A. Enclosures.

- (1) Waste containers and grease/oil containers may be located in the same or separate enclosures, provided that all waste containers and grease/oil containers are completely enclosed in an approved enclosure.
- (2) Enclosures for waste containers and grease/oil containers shall, at minimum, equal the height of the container and shall not exceed **six ten** feet.
- (3)

2012-1.10 Chapter 217, Planning Board. Amend §217-6, Procedures for conditional uses, to modify the standards governing the voiding of conditional uses.

§217-6. Procedures for conditional uses.

D. A conditional use permit shall become void one year after approval unless, by conditions of the use permit, greater or lesser time is specified as a condition of approval or unless, prior to expiration of one year, ~~a building permit is issued~~ **the use is established as approved**. The conditional use permit shall be void if the use shall cease for more than ~~six months~~ **one year** for any reason. The Planning Board may extend the permit subject to the requirements of this article.

2012-1.11 Chapter 217, Planning Board. Amend §217-9 to better describe projects that require site plan review by the Planning Board.

(Deletions are ~~crossed out~~, additions are **bolded and underlined**)

§ 217-9 Exceptions. [~~Amended 7-26-2006 by L.L. No. 8-2006~~]

~~Prior to the issuance of a building permit in any zoning district or a permit for a change in use or approval of a conditional use, the Building Inspector shall require site plan approval in accordance with the provisions of this article. All new land use activities shall require site plan approval, including new structures, new uses, expansions of existing structures, excavation operations, new conditional uses and legal conversions of existing buildings to other uses. Exceptions to these requirements are:~~

- ~~A. Permitted accessory structures to one- and two-family dwellings.~~
- ~~B. Ordinary repair or maintenance or interior alterations to existing structures or uses.~~
- ~~C. Exterior alterations or additions to one- and two-family dwellings.~~

§ 217-9. **Review required.**

A. Pursuant to §201-1 of these regulations, and except as provided in subsection B, below, the Planning Board shall have the authority to review and approve, modify, or disapprove site development plans for the following land use activities prior to the issuance of building, clearing, drainage, highway, or other permits or the commencement of development activities:

- (1) Construction of new buildings or structures.**
- (2) Expansion of existing buildings or structures.**
- (3) Development, expansion, or modification of parking areas.**
- (4) Activities that would result in the modification of an approved site plan.**
- (5) Other site modifications deemed by the Executive Secretary of the Planning Board to warrant site plan review.**

B. Exceptions to the requirements of subsection A, above, are:

- (1) Ordinary repair or maintenance or interior alterations to existing structures or uses.**
- (2) Exterior alterations or additions to one- and two- family dwellings.**
- (3) Construction of permitted accessory structures to one- and two-family dwellings**
- (4) Accessory buildings as excepted from Planning Board review in §207-6 of this Code.**
- (5) Construction/installation of fences, signs or other minor structures as determined by the Executive Secretary of the Planning Board.**

2012-1.12 Chapter 224, Historic Preservation. Amend §224, Certificate of appropriateness application procedure, subsection §224-6(D), to change the mailing requirements for HPC decisions from requiring sending by registered mail to requiring sending by certified mail, and add Subsection (E), providing for the expiration of a Certificate of Appropriateness if construction is not started, and Subsection F, providing for the revocation of a Certificate of Appropriateness, as follows:

(Deletions are crossed-out, additions are **bolded and underlined**)

§ 224-6, Certificate of appropriateness application procedure.

D. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by ~~registered~~ **certified** mail and a copy filed at the office of the Town Clerk and Department of Public Works for public inspection.

E. Unless construction is commenced within one (1) year of the date of the granting of a certificate of appropriateness, and thereafter diligently pursued, such certificate shall become null and void, unless renewed upon application to the Historic Preservation Commission.

F. The Historic Preservation Commission shall have the authority to revoke or suspend any certificate of appropriateness issued by the commission where it is found that there have been false statements or misrepresentations as to a material fact in the application, plans or specifications upon which the Certificate of Appropriateness was granted.

2012-1.13 Appendix of Comprehensive Development Regulations. Create a "Part 5" of the Appendix to the Comprehensive Development Regulations to include, by reference, the "Monroe Avenue Design Plan, Guidelines and Standards," the "Monroe Avenue Streetscape Standards and Construction Details," and any other area/street corridor design standards that may be developed in the future, as follows:

Part 5. Design Plans, Guidelines and Standards

This appendix is intended to contain, by reference, any area or corridor design plans, guidelines or standards that have been developed to guide development in specific areas of the town. Copies of the listed plans are available from the town offices, 2300 Elmwood Avenue, and may be available on the town website, www.townofbrighton.org.

The following documents are incorporated here by reference:

1. **Monroe Avenue Design Plan, Guidelines and Standards**
Environmental Design & Research, P.C.
Adopted November 17, 1999
2. **Monroe Avenue Streetscape Standards and Construction Details**
Environmental Design & Research, P.C.
Adopted November 17, 1999



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

July 31, 2012

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

RE: Advisory Report - Proposed Code Amendments
Chapters 62, 91, 149, 129, 201, 205, 207, 217, 224
Appendix of Comprehensive Development Regulations

Dear Board Members:

At the July 17, 2012 Planning Board meeting, the Planning Board reviewed the proposed amendments to the Comprehensive Development Regulations. The Planning Board offers the following findings:

1. The proposed amendments are consistent with the intent of the Comprehensive Development Regulations.
2. The proposed amendments are consistent with the aims of the Comprehensive Plan.

Respectfully,

Ramsey A. Bochner
Executive Secretary
Planning Board



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 27th day of September, 2012.

PRESENT:

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

Councilpersons

RESOLVED, that a memorandum from Assistant to the Supervisor , MaryAnn Hussar dated September 14, 2012 regarding proposals for professional services for cable television operations for Brighton Public Access and Government Channels 12 and 15 on Time Warner Cable and for video production services for the period January 1, 2013 - December 31, 2013, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes MaryAnn Hussar, to solicit proposals for professional services for cable television operations for Brighton Public Access and Government Channels 12 and 15 on Time Warner Cable and for video production services for the period January 1, 2013 - December 31, 2013.

Dated: September 27, 2012

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



MARYANN HUSSAR Assistant to the Supervisor
2300 Elmwood Avenue
Rochester, NY 14618

Handwritten initials in a cursive script, possibly "MH", enclosed in a hand-drawn circle.

MEMORANDUM

TO: Members of the Finance and Services Committee
The Honorable Town Board
Date: September 14, 2012
Subject: Approval to request proposals to provide professional services for cable television operations for Brighton Public Access and Government Channels 12 and 15 on Time Warner Cable and for video production services for the period January 1, 2013 – December 31, 2013.

The Town's current agreement with Electronic Field Production Inc. is due to expire on December 31, 2012. Since the Town is desirous in continuing to outsource these services to an outside contractor/provider, I request authorization at this time to solicit for proposals for these services.

These Services will be as required by the Town and will include, but will not be limited to, the following:

- Live Cablecast of Brighton Town Board Meetings (per scope of services to be included in RFP)
- Location Video Production
- Cable Television Operations (per scope of services to be included in RFP).
- Full Service Video Production and Editing

Thank you.

c.c. Susan Wentworth, IT Coordinator

mah

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

September 27, 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>282,734.51</u>
D - HIGHWAY		<u>208,905.82</u>
H - CAPITAL		<u>179,217.50</u>
L - LIBRARY		<u>33,080.13</u>
SF - FIRE DIST		<u>23,766.75</u>
SK - SIDEWALK DIST		<u>20,939.90</u>
SS - SEWER DIST		<u>71,173.29</u>
TA - AGENCY TRUST		<u>19,335.00</u>
TE - EXPENDABLE TRUST		<u>8,500.00</u>
	TOTAL \$	<u>847,652.90</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 27th day of September, 2012.

PRESENT:

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

Councilpersons

RESOLVED, that correspondence from Town Engineer, Michael E. Guyon, P.E. dated September 14, 2012 regarding appointing a volunteer student intern to assist the Sustainability Oversight Committee, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the creation of a volunteer student intern position to assist the Sustainability Oversight Committee said volunteer to be appointed to a unpaid one year position.

Dated: September 27, 2012

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

September 14, 2012

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

Re: Sustainability Oversight Committee
Intern Position

Dear Councilperson Werner and Committee Members:

The Sustainability Oversight Committee and Karen Berger of the University of Rochester are investigating the creation of a volunteer intern position which would support the efforts of the SOC and also be recognized by the University. The student intern would be responsible for the following:

- Attend monthly meetings of the Sustainability Oversight Committee throughout the 2012 – 2013 academic year
- Research three of the mutually agreed upon areas as listed below:
 - Stormwater runoff
 - Transportation alternatives
 - Recycling
 - Residential street lighting
 - Alternative fuels for Town vehicles
 - Incentive zoning
 - Wind generation (not sure if we should keep this on the list)
 - Refuse districts/ consider alternatives
 - Noise pollution
 - Heat island effect of asphalt

Research will include both a qualitative and quantitative assessment of the selected topics and will result in a report including presentation material. The selected research projects may run concurrently or one after the other depending on the scope and specific needs of the research.

- The Committee point of contact will be the Town Engineer; Town resources such as work space and access to information will be made available through the Town Engineer.
- Review required reading material as selected by the SOC on the areas of research.



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

I am requesting that the FASC authorize the Town Board to create the position of volunteer intern to the Sustainability Oversight Committee. The position will be an unpaid 1 year appointment and will be budget neutral. We have contacted the University of Rochester and requested that worker's compensation and General Liability insurance with the Town being named an additional insured be provided. .

As always, thank you for your consideration. I will be in attendance at your regularly scheduled September 18, 2012 meeting in the event that you have any questions regarding this matter.

Respectfully,

Mike Guyon, P.E.
Town Engineer

cc: S. Zaso
T. Keef
M. Hussar
G. Brandt

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 27th day of September, 2012.

PRESENT:

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

Councilpersons

RESOLVED, that a memorandum from Director of Finance, Suzanne Zaso dated September 14, 2012 regarding additional donations received for the Veterans Memorial Fund, be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts additional donations totaling \$1,795.00 to the Veteran's Memorial Fund.

Dated: September 27, 2012

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, NY 14618

MEMORANDUM

TO: The Honorable Town Board
FROM: Suzanne Zaso, Director of Finance 
Date: September 14, 2012
Subject: Town of Brighton Veterans Memorial Fund Donations

It is with great pleasure that we request that Your Honorable Body authorize the acceptance of additional monetary donations received from generous area organizations and citizens, to the Town of Brighton for the Veterans Memorial Fund.

We have greatly appreciated the outpouring of community support and endorsement received for this project so far, and we sincerely hope that donations will continue.

The total additional amount of monies received is \$1,795 and have been deposited into Account Number TE 92.Vets. (Veterans Memorial Fund).

Thank you.

c.c. James R. Vogel
Town of Brighton Councilmember
Chairperson of Town of Brighton Veterans Committee

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 27th day of September, 2012.

PRESENT:

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

Councilpersons

RESOLVED, that correspondence from Deputy Highway Superintendent, Timothy J. Anderson dated September 13, 2012 regarding declaring surplus and authorizing the disposition of a certain 2011 Chevrolet Pickup (VIN 1GC2KVCG1BZ281457), be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes that a certain 2011 Chevrolet Pickup (VIN 1GC2KVCG1BZ281457) be declared surplus and be disposed of by sale or auction by the Town Highway Department.

Dated: September 27, 2012

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

September 13, 2012

Honorable Finance Committee
Town of Brighton
2300 Elmwood Ave.
Rochester, NY 14618

Re: Authorize Disposal of Certain Fixed Assets

Honorable Members:

A Highway Department vehicle was involved in accident in June of this year. The vehicle has been declared a total loss. The following vehicle is no longer available to support departmental operations.

(1) 2011 Chevy Pick up truck #7, VIN #1GC2KVCG1BZ281457 Asset #281457

I further recommend the vehicle be declared surplus/junk, and to be sold.

Sincerely,

Timothy J. Anderson
Deputy Highway Superintendent

Cc: S. Zaso
A. Banker
M. Hussar



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 27th day of September, 2012.

PRESENT:

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

Councilpersons

RESOLVED, that correspondence from Coordinator of Data Processing, Susan Wentworth dated September 13, 2012 regarding authorization to create Office Clerk III position in the Town Finance Department under Information Systems as a Permanent Part-time Position, with a maximum of 20 hours per week, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the creation of a Permanent Part-time Office Clerk III position in the Town Finance Department under Information Systems; and be it further

RESOLVED, that the Town Board hereby appoints Gretchen Arnold to said newly created position effective October 1, 2012 with appointment subject to a 26-week probationary period at a wage of \$14.80 per hour (Group V, Step 1, Part-time Permanent and Seasonal Employee Wage Schedule for the Town).

Dated: September 27, 2012

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



Susan Wentworth, Coordinator of Data Processing
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618
(585) 784-5390, (585) 784-5396 Fax

September 13, 2012

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

Re: Create Office Clerk III position in the Finance Department under Information Systems and appoint employee to Permanent Part Time status

Dear Honorable Members:

The workload in Information Systems was successfully managed with the addition of the Seasonal Office Clerk III position held by Gretchen Arnold. I have established a good working relationship with Ms. Arnold and her contributions to my department have been significant.

This request is to create the Office Clerk III position in the Finance Department under Information Systems and appoint Gretchen Arnold as a permanent part time Office Clerk III employee subject to Town Board approval. This position would be in lieu of the Micro Computer Support Technician position that was approved last spring. The effective date of hire for this non-competitive position will be October 1, 2012. The wage shall be \$14.80 per hour (Group V, Step 1 of the Part-Time Permanent and Seasonal Employee Wage Schedule) with a maximum of 20 hours per week. This appointment is subject to a 26 week probationary period effective the date of hire on October 1, 2012.

I respectfully request that the Honorable Town Board authorize the appointment of Ms. Gretchen Arnold to the permanent part-time position of Office Clerk III subject to the conditions referenced above.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Susan A. Wentworth".

Susan Wentworth
Coordinator of Data Processing

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

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 27th day of September, 2012.

PRESENT:

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

Councilpersons

RESOLVED, that correspondence from Town Engineer, Michael E. Guyon, P.E. dated September 14, 2012 regarding an amendment to the agreement with Richard S. Cortina for computer consulting services with a new overall agreement amount not to exceed \$15,975.00, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an amendment to the agreement with Richard S. Cortina to extend the term of the agreement, to include an additional 105 hours of computer database consulting services with a new overall agreement amount not to exceed \$15,975.00; and be it further

RESOLVED, that the Town Board hereby approves a budget transfer in the amount of \$6,165 in available funds from the Highway Department's full-time wages in road repairs account (D.HWY.5110 1.10) to contracted services in the Highway Administration account (DHWY.5140 4.49) to support additional monies needed to cover said amendments.

Dated: September 27, 2012

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)784-5388

September 21, 2012

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

Re: Computer Database Consulting Services
Contract Amendment

Dear Councilperson Werner and Committee Members:

I am requesting to amend Richard S. Cortina's agreement to include an additional 105 hours of Consulting Services. Fifteen of these hours are required to complete the transition from the Fox Pro database to the new PubWorks software, 70 hours are necessary to migrate the Fox Pro database to the new DPW/Building and Planning Departments software, Muncity, and 20 hours have been set aside for ongoing maintenance of the Fox Pro Database.

The Town Board authorized approval for the Supervisor to execute an agreement with Mr. Richard Cortina to provide Computer Data Base Consulting Services along with the approval of a budget transfer of \$6,000 to cover the associated costs at their September 14, 2011 meeting. Since September 2011 Mr. Cortina has assisted with the maintenance of the aging Fox Pro database, helped prepare and review the Request for Proposals for the Planning Department and Operation Center software, assist with payroll reporting, install and configure the Town's snow route software, support the operation of the Laserfiche file system and facilitate the transfer of the Fox Pro database to the new Operation Center software, Pubworks. These efforts have utilized approximately 95% of the budget transfer and the hours remaining in the contract, (3±) are not sufficient to complete the transition from the Fox Pro database to the PubWorks software, implement the new Muncity software and provide support to maintain the existing Fox Pro system.

I am requesting that the FASC recommend that the Town Board amend Richard S. Cortina's contract to include an additional 105 hours, or \$9,975, for a new total contract not-to-exceed amount of \$15,975. The contract amendment will include a scope of services to be performed by Mr. Cortina for a fixed fee price not to exceed \$9,975.00. Mr. Cortina has agreed that he will provide Fox Pro support while completing the transition from the Fox Pro Database to the Muncity and PubWorks software for the fixed fee amount referenced previously. Additionally, I am requesting to extend Mr.



Town of Brighton

MONROE COUNTY, NEW YORK

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Cortina's existing contract for a period of six months from the date of the signed contract amendment. Town Board authorization is also requested to transfers \$6,165 from the Highway Department's full-time wages in road repairs (D.HWY.5110 1.10) to contracted services in the Highway Administration account (D.HWY.5140 4.49). These funds are available due to a vacancy in the department. The balance of the contract will be covered by existing funds in the Public Works and Sewer Departments.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled September 18, 2012 meeting in the event that you have any questions regarding this matter.

Respectfully,

Mike Guyon, P.E.
Town Engineer

cc: S. Zaso
T. Keef
M. Hussar