

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
October 23, 2013

PRESENT:

Supervisor William Moehle	
Councilmember James Vogel	
Councilmember Louise Novros	Kenneth Gordon, Town Attorney
Councilmember Jason DiPonzio	Daniel Aman, Town Clerk
Councilmember Christopher Werner	Rebecca Cotter, Recreation Director
Mark Henderson, Police Chief	Suzanne Zaso, Finance Director
Timothy Keef, Commissioner of Public Works	Maryann Hussar, Assistant to the Supervisor

MOTION TO GO INTO EXECUTIVE SESSION AT 6:29 PM:

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to go into executive session to discuss employment of a particular person in the Parks Department and another in the Police Department

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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 7:13 PM:**RECOGNITIONS/PRESENTATIONS:**

National Friends of Library Week October 20 – 26, 2013
Jennifer Ries-Taggart, Executive Director Brighton Memorial Library, Kathy Miller, Brighton Library Board President, Nancy O'Mara, President Friends of Brighton Memorial Library, Maxine Bittker, David King and Cindy Stuart, members of Friends of Brighton Memorial Library

OPEN FORUM:

Gary Smith

APPROVAL OF AGENDA:

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

September 25, 2013 Town Board Meeting
October 9, 2013 Town Board Meeting

PUBLIC HEARINGS:

MATTER RE: Second of two Public Hearings to consider adoption of proposed Supervisors 2014 Preliminary Operating and Capital Improvement Budgets for the Town (see Resolution #1)

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to include an amendment to Resolution #1

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Christopher Werner seconded by Councilmember Jason Diponzio that the Town Board adopt the resolution as amended and prepared by the Attorney for the Town as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Second of two Public Hearings to consider adoption of proposed Assessment Rolls for service charges and sewer rent charges for proposed 2014 Special District Budgets and Sewer Rent Charges (see Resolution #2).

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Michael Feeney, Director Region 1 State Operations Office – OPWDD dated October 2, 2013 to Supervisor concerning the 19 Terrain Drive and 31 Brooklawn Homes

FROM the Brighton Memorial Library Board of Trustees, the approved minutes for the meeting held September 16, 2013

FROM Gary Smith concerning the upcoming collection for Operation Wounded Warrior on November 9 at the West Brighton Fire House

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the aforementioned communications be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services – Next meeting 10/28/13 @4:30 PM at Brookside

Finance and Administrative Services – Next meeting 11/5/13 @ 3:30 PM in the Stage Conference Room

Public Safety Services – Next meeting 11/12/13 @ 8:00 AM in Downstairs Meeting Room

Public Works Services – Next meeting 11/4/13 @ 9:00 AM 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 for payment the claims as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file communications as part of record of Public Hearing held on September 11, 2013 during written comment period concerning the Environmental Review of the proposed project known as Winfield Park (see Resolution #3, letter dated October 14, 2014 from Ramsey Boehner, Environmental Review Liaison Officer for the Town and communications received prior to September 30, 2013).

Motion by Councilmember James Vogel 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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute amendatory agreement with the City of Rochester to share remaining 20% of costs associated with the Highland Park/Canalway Trail project (see Resolution #4 , letter dated October 14, 2013 from Michael Guyon, P.E. Town Engineer and copy of agreement).

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Award bid to Pipitone Enterprises, LLC to provide labor and materials for Library rooftop HVAC replacement; with authorization for Supervisor to execute any associated documentation; approval of appropriation of \$58,000 to support funding of replacement costs; and set November 13, 2013 as Public Hearing to consider the appropriation of said funds from the town's repair reserve fund (see Resolution #5, letter dated October 3, 2013 from Chad Roscoe, Town Jr. Engineer and associated bid documents and memorandum dated October 14, 2013 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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to executive agreement with the Strong EAP of the University of Rochester to provide Employee Assistance services to the Town for 2014 (see Resolution #6, letter dated October 8, 2013 from Gary Brandt, Director of Personnel and copy of agreement).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to dedicate the Town of Brighton portion of NYS Route 15A as a Veterans Memorial Highway with authorization for Supervisor to communicate same to the appropriate parties (see Resolution #7 and copy of the Town of Mendon's formal resolution to support Mendon portion of 15A).

Motion by Councilmember James Vogel 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. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Mohawk Valley Community College to provide One Person Plowing training for snow and ice control (see Resolution #8 letter dated October 2, 2013 from Timothy Keef, P.E. Commissioner of Public Works and copy of agreement).

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: Approval to accept donation in the amount of \$1500 from the Rochester Area Community Foundation with authorization to amend the 2013 Police Department Operating Budget to include these additional funds (see Resolution #9 and letter dated October 9, 2013 from Police Chief Mark Henderson)

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. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute renewal agreement with Holfoth Risk Management & Insurance for independent risk management consulting services for 2014 (see Resolution #10, letter dated October 10, 2013 from Gary Brandt, Director of Personnel and copy of 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. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donations totaling \$4,100 from various corporate sponsors for the 2013 July 4th celebration (see Resolution #11 and letter dated October 11, 2013 from Matthew S. Beeman, Superintendent of Parks).

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. 12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donations totaling \$2,860 as additional funds received for the Veterans Memorial (see Resolution #12 and memorandum dated October 15, 2013 from Suzanne Zaso, Director of Finance).

Motion by Councilmember James Vogel 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. 13 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of a Casey Sacco to the Architectural Review Board to fulfill remainder of term for existing open seat through December 31, 2014 with an automatic reappointment thereafter for full 3-year term effective January 1, 2015 through December 31, 2017 (see Resolution Exec. 1).

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. 14 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve a 2013 budget transfer from Finance Department contracted services account in the amount of \$670 to support vehicle set-up charges for Fire Marshal vehicle (see Resolution #13 and memorandum dated October 14, 2013 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. 15 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize the disposal of certain fixed assets determined to be of no remaining value and are no longer serviceable as junk (see Resolution #14 and memorandum with corresponding documents dated October 15, 2013 from Susan Wentworth, Coordinator of Data Processing)

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. 16 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

Expenses and Revenue for month ending September 30, 2013

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the aforementioned report be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION AT 8:51 pm

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to go into executive session to discuss matters of West Brighton Fire Protection District litigation and also a tax certiorari matter

UPON ROLL CALL VOTE

MOTIOIN UNANIMOUSLY CARRIED

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel to come out of executive session at 9:14 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED AT 9:15PM:

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to adjourn at 9:15 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 proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 23rd day of October 2013 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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

WHEREAS, the Town of Brighton 2014 Tentative Budget has been prepared and presented to the Town Board and filed with the Town Clerk as the Preliminary Budget; and

WHEREAS, public hearings on such Preliminary Budget were held at meetings of the Town Board on October 9, 2013 and October 23, 2013 at 7:30 p.m. prevailing local time, and all persons having an interest therein have been heard in the matter; and

WHEREAS, the Supervisor, the Director of Finance, and the Budget Officer have recommended certain amendments to the Preliminary Budget and otherwise have recommended its approval; and

WHEREAS, the Town Board has authorized such amendments to the Preliminary Budget, and desires to approve such Budget as amended; it is therefore

RESOLVED, that a memorandum, dated October 23, 2013, from William W. Moehle, Supervisor, Suzanne E. Zaso, Finance Director, and Andrew C. Robinson, Budget Officer, concerning certain proposed amendments to the 2014 Budget, be received and filed; and be it further

RESOLVED, that the Preliminary Budget for the year 2014, as amended to include those amendments, is hereby approved and adopted as the Town's Final Budget for 2014.

Dated: October 23, 2013

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

MEMORANDUM

To: The Honorable Town Board
From: William W. Moehle, Supervisor *MM*
Suzanne E. Zaso, Director of Finance *SZ*
Andrew C. Robinson, Budget Officer *AR*
Date: October 23, 2013
Subject: Proposed Amendments to the 2014 Budget and the Levy of
Fire District, Delinquent Sewer, and Property Cleanup Charges

Based on updated information received since preparation of the Supervisor's Tentative 2014 Town and Special Districts Budgets, we recommend the following amendments prior to adoption of the 2014 Budgets by Your Honorable Body. The revised Summary of Town Budget, "Net" Budgeted Spending, and Property Tax Levy Schedule; and Special Districts Summary reflective of the amendments that follow, are enclosed for your review.

Town Taxable Assessed Value

The total town assessed value on the 2013 Assessment Roll (used for 2014 Town and County Taxes) inclusive of all adjustments to date is \$2,577,379,684. This represents a (\$34,200) decrease from the initial projection used in the development of the 2014 tentative budget.

The 2014 Town Budget Tax Rate, based on the revised budget inclusive of the below detailed amendments, is \$5.343576, yielding 2014 Town Budget taxes of \$534.36 for every \$100,000 of taxable assessed value. These changes do not require action of the Town Board.

Budgeted Appropriation Adjustments

We recommend that the Town Board adjust appropriation accounts per the attachment in the 2014 Town Budget & Special District budgets for a total of (-\$36,360) to reflect the following:

- 2% wage increase from 2013 for the non-represented employees; and
- Re-estimates for active & retired medical insurance costs.

Estimated Revenue Adjustments

We recommend that the Town Board the adjust revenue related accounts per the attachment in the 2014 Town and Special Districts budgets for a total of (-\$33,760).

Salary Schedule Modifications

We recommend that the Town Board Amend the 2014 wage schedules to reflect the following:

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<http://www.townofbrighton.org>

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- 2% wage increase for the following schedules: flat salaried positions, department heads, non-represented employees, part-time permanent employees, and the Brighton Memorial Library;
- Create flat salaried position of Senior Recreation Attendant at \$4,650 annually; and
- Create flat salaried position of Arraignment Clerk at \$1,700 annually.

Brighton Fire District

The County's Real Property Tax Office has not yet provided us with an estimate of Brighton's share of the Brighton Fire District's 2014 Tax Levy of \$5,476,637. However when the County's estimate is available, the Town Board authorizes that amount be added to the 2014 Town and County Tax Bill and collected by the Town Clerk.

Delinquent Sewer Charges

The Town of Henrietta has requested that, through our 2014 Town Tax Levy, delinquent sewer charges be levied on their behalf on parcels situated in Brighton, but served by the Henrietta Sewer District. Such charges have no impact on the 2014 Town of Brighton Budget. We recommend that the Town Board:

- Authorize the levy of \$2,078.68 in delinquent sewer charges for the Town of Henrietta Sewer District.

Property Cleanup Charges

The Town Board must authorize the levy of property cleanup charges incurred by the Town in accordance with Town Code, to be recovered through the 2014 Town Tax Levy. We recommend that the Town Board authorize the levy of \$50,620 in property cleanup charges for the following parcels:

- | | |
|-------------------------|----------|
| • 2758 W. Henrietta Rd. | \$200 |
| • 2578 W. Henrietta Rd. | \$245 |
| • 2578 W. Henrietta Rd. | \$47,915 |
| • 1356 South Winton Rd | \$605 |
| • 224 Howland Avenue | \$525 |
| • 28 Palcham Drive | \$605 |
| • 91 Riverside Drive | \$525 |

We would be happy to respond to any questions that members of the Town Board may have regarding these proposed budget amendments and related tax levy items.

**ATTACHMENT
ADJUSTMENTS TO REVENUES AND APPROPRIATION ACCOUNTS**

DEPT CODE	INCREASE / (DECREASE)
A.ASSOR.1355.1.10	\$ 2,535.00
A.ASSOR.1355.8.20	\$ 195.00
A.ASSOR.1355.8.40	\$ (380.00)
A.BOARD.1010.8.40	\$ (190.00)
A.CLERK.1330.1.10	\$ 1,500.00
A.CLERK.1330.8.20	\$ 115.00
A.CLERK.1330.8.40	\$ (150.00)
A.CLERK.1410.1.10	\$ 965.00
A.CLERK.1410.1.20	\$ 615.00
A.CLERK.1410.8.20	\$ 125.00
A.CLERK.1410.8.40	\$ (190.00)
A.CLERK.1610.1.20	\$ 830.00
A.CLERK.1610.8.20	\$ 65.00
A.DPW.1490.1.10	\$ 6,675.00
A.DPW.1490.8.20	\$ 515.00
A.DPW.1490.8.40	\$ (220.00)
A.DPW.1620.1.10	\$ 1,805.00
A.DPW.1620.1.20	\$ 235.00
A.DPW.1620.8.20	\$ 155.00
A.DPW.1620.8.40	\$ (440.00)
A.DPW.3410.1.10	\$ 1,385.00
A.DPW.3410.1.20	\$ 750.00
A.DPW.3410.8.20	\$ 165.00
A.DPW.3410.8.40	\$ (150.00)
A.DPW.7021.1.10	\$ 1,360.00
A.DPW.7021.1.20	\$ 190.00
A.DPW.7021.8.20	\$ 160.00
A.DPW.7021.8.40	\$ (440.00)
A.DPW.7115.1.20	\$ 165.00
A.DPW.7115.8.20	\$ 10.00
A.DPW.7120.1.20	\$ 285.00
A.DPW.7120.8.20	\$ 20.00
A.DPW.8020.1.10	\$ 6,130.00
A.DPW.8020.1.20	\$ 780.00
A.DPW.8020.8.20	\$ 530.00
A.DPW.8020.8.40	\$ (590.00)
A.FINCE.1310.1.10	\$ 4,280.00
A.FINCE.1310.1.20	\$ 520.00
A.FINCE.1310.8.20	\$ 365.00
A.FINCE.1310.8.40	\$ (910.00)
A.FINCE.1680.1.10	\$ 1,580.00
A.FINCE.1680.1.20	\$ 430.00
A.FINCE.1680.8.20	\$ 520.00

A.FINCE.1680.8.40	\$ (170.00)
A.HIST.7510.1.20	\$ 90.00
A.HIST.7510.8.20	\$ 5.00
A.HIST.7510.8.40	\$ (60.00)
A.HWY.5010.1.10	\$ 2,125.00
A.HWY.5132.1.20	\$ 150.00
A.HWY.5132.8.20	\$ 10.00
A.HWY.9000.8.20	\$ (4,580.00)
A.HWY.9000.8.40	\$ (5,900.00)
A.JSTCE.1110.1.10	\$ 5,705.00
A.JSTCE.1110.1.20	\$ 845.00
A.JSTCE.1110.8.20	\$ 500.00
A.JSTCE.1110.8.40	\$ (540.00)
A.POLCE.3120.1.10	\$ 6,495.00
A.POLCE.3120.1.20	\$ 2,430.00
A.POLCE.3120.8.40	\$ (10,490.00)
A.POLCE.3120.8.45	\$ (700.00)
A.POLCE.3510.1.20	\$ 1,010.00
A.PRSNL.1430.1.20	\$ 925.00
A.PRSNL.1430.8.20	\$ 70.00
A.REC.6772.1.20	\$ 140.00
A.REC.6772.8.20	\$ 15.00
A.REC.7020.1.10	\$ 5,660.00
A.REC.7020.1.20	\$ 385.00
A.REC.7020.8.20	\$ 465.00
A.REC.7020.8.40	\$ (740.00)
A.REC.7020.8.45	\$ 450.00
A.SUPVR.1220.1.10	\$ 1,315.00
A.SUPVR.1220.8.20	\$ 100.00
A.UNDST.9000.8.20	\$ (3,875.00)
A.UNDST.9000.8.40	\$ (50,585.00)
A.UNDST.9000.8.45	\$ 80.00
D.HWY.5110.1.10	\$ 960.00
D.HWY.5140.1.10	\$ 710.00
D.HWY.9000.8.20	\$ (470.00)
D.HWY.9000.8.40	\$ (325.00)
D.HWY.9000.8.40	\$ (13,790.00)
D.HWY.9000.8.45	\$ 1,130.00
L.LIBRY.7410.1.10	\$ 13,265.00
L.LIBRY.7410.1.20	\$ 9,290.00
L.LIBRY.7410.8.20	\$ 1,530.00
L.LIBRY.7410.8.40	\$ (30,315.00)
L.LIBRY.7410.8.40	\$ (1,920.00)
L.LIBRY.7410.8.45	\$ 890.00
SS.SEWER.8120.1.10	\$ 435.00
SS.SEWER.8120.1.20	\$ 75.00
SS.SEWER.8120.8.20	\$ 40.00
SS.SEWER.8120.8.40	\$ (680.00)

SS.SEWER.8120.8.40	\$ (1,120.00)
SS.SEWER.8120.8.45	\$ 310.00
A.UNDST.1001	\$ (16,375.00)
D.HWY.5140.1001	\$ (11,785.00)
L.LIBRY.7410.1001	\$ (7,260.00)
SP.PARKD.7201.1030	\$ 2,600.00
SS.SEWER.8120.1030	\$ (940.00)

**TOWN OF BRIGHTON
2014 ADOPTED BUDGET
SPECIAL DISTRICT SUMMARY**

Special Districts	2014			2014 Amount to be Raised in Charges	2013 Charges	Change in Dollars	Change as a Percent
	Appropriations	Estimated Revenues	Appropriated Fund Balance				
SA - Ambulance Services District	\$385,905	\$320	\$20,340	\$365,245	\$328,370	\$36,875	11.23%
SB - Business Improvement Dist. #1	\$2,125	\$0	\$1,000	\$1,125	\$2,880	(\$1,755)	-60.94%
SD - Drainage Districts	\$10,650	\$0	\$3,110	\$7,540	\$13,270	(\$5,730)	-43.18%
SF - W Brighton Fire Protection Dist.	\$983,515	\$68,600	\$200,000	\$714,915	\$740,175	(\$25,260)	-3.41%
SK - Sidewalk Districts	\$174,505	\$100	\$30,000	\$144,405	\$149,105	(\$4,700)	-3.15%
SL - Street Lighting Districts	\$334,860	\$165	\$57,020	\$277,675	\$242,410	\$35,265	14.55%
SM - Sidewalk Snow Removal Districts	\$34,000	\$0	\$24,545	\$9,455	\$42,275	(\$32,820)	-77.63%
SN - Neighborhood Improvement District	\$2,100	\$0	\$2,100	\$0	\$12,620	(\$12,620)	-100.00%
SP - Park Maintenance Special District	\$2,895	\$0	\$295	\$2,600	\$2,600	\$0	0.00%
SR - Refuse Collection Districts	\$850,330	\$0	\$13,120	\$837,210	\$846,300	(\$9,090)	-1.07%
SS - Sanitary Sewer Districts	\$1,969,995	\$129,970	\$175,000 *	\$1,665,025	\$1,632,720	\$32,305	1.98%
SW - Consolidated Water District	\$49,880	\$49,880	\$0	\$0	\$0	\$0	0.00%
Total Special Districts	\$4,800,760	\$249,035	\$526,530	\$4,025,195	\$4,012,725	\$12,470	0.31%

Note: *\$75,000 Appropriated from Fund Balance & \$100,000 from the Sewer Fund Reserve

TOWN OF BRIGHTON
 2014 ADOPTED BUDGET
 SUMMARY OF TOWN BUDGET, "NET" BUDGETED SPENDING, AND PROPERTY TAX LEVY

Town Fund	Authorized Appropriations	Estimated Revenues	Appropriated Fund Balance	Appropriated Reserved Fund Balance*	Amount to be Raised in Taxes
A - General Fund	\$16,247,925	\$7,061,830	\$1,125,000	\$100,000	\$7,961,095
D - Highway Fund	\$5,215,300	\$1,222,450	\$125,000	\$0	\$3,867,850
L - Library Fund	\$2,112,230	\$143,750	\$25,000	\$0	\$1,943,480
V - Debt Service Fund	\$30,280	\$0	\$30,280	\$0	\$0
Total All Town Funds	\$23,605,735	\$8,428,030	\$1,305,280	\$100,000	\$13,772,425
<u>Less Interfund Transfers to/from:</u>					
- Highway Fund	(\$110,115)	(\$110,115)	\$0	\$0	\$0
- Debt Service Fund	(\$30,280)	\$0	(\$30,280)	\$0	\$0
Net Town Funds Budget	\$23,465,340	\$8,317,915	\$1,275,000	\$100,000	\$13,772,425

"NET" BUDGETED SPENDING

"Net" Budgeted Spending Comparison:

	2014 Tentative Town Budget	2013 Adopted Town Budget	Change in Dollars	Change As a Percent
"Net" Budgeted Spending	\$23,465,340	\$22,549,905	\$915,435	4.06%

Tax Levy /Rate Comparison:

	2014 Tentative Town Budget	2013 Adopted Town Budget	Increase in Dollars	Increase As a Percent
Town Budget Tax Levy	\$13,772,425	\$13,515,450	\$256,975	1.90%
Town Assessed Valuation**	\$2,577,379,684	\$2,574,006,133	\$3,373,551	0.13%
Town Budget A.V. Tax Rate	\$5.343576	\$5.250745	\$0.092831	1.77%
Town Budget Taxes for Every \$100,000 of Taxable Assessed Value	\$534.36	\$525.07	\$9.28	1.77%

*\$50,000 Appropriated from the Workers Compensation Reserve and \$50,000 from the Streetscape Reserve

**Total Town Taxable Assessed Valuation is as determined by the final Assessment Roll as maintained by the Monroe County Real Property Tax Office.

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, the Town Board duly called and held Public Hearings on the Assessment Rolls for Service Charges, Maintenance Charges, Capital Improvements and Sewer Rent Charges for Special Improvements Districts and for Special Improvements, on October 9, 2013 and October 23, 2013, at meetings commencing at 7:30 P.M., a list of which Districts and Improvements is attached hereto as Schedule "A" and made a part hereof, for the fiscal year commencing January 1, 2014, notice of which public hearings were duly given by advertisement in the official Town newspaper, the Brighton Pittsford Post; and

WHEREAS, the Court of Appeals of the State of New York has determined that the provisions of Section 239 of the Town Law of the State of New York that permitted notice to be given of public hearings to consider the assessment rolls for special improvements districts in which assessments are determined on a "benefits derived" basis, to be unconstitutional and mandated that individuals owning property within such districts receive personal notice of such hearings; and

WHEREAS, in response to such mandate, the Town Clerk also mailed notice of such public hearings to all taxable property owners in the Town as part of the Town's newsletter; and

WHEREAS, such public hearings having been duly called and held and all persons having an interest in such matter having been heard and the matter having been considered, be it

RESOLVED, that the said Assessment Rolls for Service Charges, Maintenance Charges, Capital Improvements and Sewer Rent Charges for

Special Improvements Districts and for Special Improvements for the fiscal year commencing January 1, 2014, be and the same hereby are adopted and established and that the same be filed forthwith in the office of the Town Clerk, and be it

FURTHER RESOLVED, that the Supervisor be and hereby is directed to transmit a copy of said Assessment Rolls to the County Legislature of the County of Monroe on or before the next annual meeting of said County Legislature of the County of Monroe, in accordance with law.

On motion of Councilperson _____, seconded by Councilperson _____, and upon roll call, the following vote was recorded:

Dated: October 23, 2013

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

LEGAL NOTICE

NOTICE OF HEARING ON ASSESSMENT ROLLS FOR SERVICE CHARGES, MAINTENANCE CHARGES, CAPITAL IMPROVEMENTS AND SEWER RENT CHARGES FOR SPECIAL IMPROVEMENTS DISTRICTS AND FOR SPECIAL IMPROVEMENTS FOR FISCAL YEAR 2014

NOTICE IS HERBY GIVEN that the Town Board of the Town of Brighton, Monroe County, New York, acting in behalf of certain improvements districts in said Town, has caused to be completed the annual estimates and assessment rolls for and in connection with service charges, maintenance charges, capital improvements and sewer rent charges for the fiscal year commencing January 1, 2014, for special districts and for other special improvements in said Town, all as set forth below in Schedule A.

The same have been filed with the Town Clerk of the said Town of Brighton, and that the Town Board will meet at the Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 11th day of October, 2013, and the 25th day of October, 2013, at meetings commencing at 7:30 o'clock P.M. for the purpose of conducting a public hearing and considering any objection which may be made to the said estimates and assessment rolls.

BY ORDER OF THE TOWN BOARD Dated: July 24, 2013.

Daniel E. Aman, Town Clerk, Town of Brighton, Monroe County, New York

SCHEDULE A

Brighton Fire District	(Service)
West Brighton Fire Protection District	(Service)
Brighton Special Ambulance District	(Service)
Bel-Air Lighting District	(Service)
Council Rock Lighting District	(Service)
Council Rock Estates Lighting District	(Service)
East Ave Lighting District	(Service)
Houston Barnard Lighting District	(Service)
Ferndale Manor Lighting District	(Service)
Home Acres Lighting District	(Service)
Malvern Lighting District	(Service)
Meadowbrook Lighting District	(Service)
Roselawn Lighting District	(Service)
Stuckmar Lighting District	(Service)
Sunnymede Lighting District	(Service)
Penfield Landing Lighting District	(Service)
Victory Lane Lighting District	(Service)
Clover-Elmwood Lighting District	(Service)
Elmwood Manor Lighting District	(Service)
MCC Complex Lighting District	(Service)

Dunn & Paul Lighting District	(Service)
Metro Industrial Park Lighting District	(Service)
Meridian Centre Lighting District	(Service)
Elmwood Terrace Lighting District	(Service)
Lac-de-Ville/Sn. Keating Lighting District	(Service)
Deerfield Woods Lighting District	(Service)
Penfield Rd Lighting District	(Service)
Mercy Park Lighting District	(Service)
Reserve Lighting District	(Service)
Sidewalk Snow Removal	(Service)
Bel-Air Snow Removal District	(Service)
Fairhaven Snow Removal District	(Service)
Home Acres Snow Removal District	(Service)
Meadowbrook Snow Removal District	(Service)
Roselawn Snow Removal District	(Service)
Struckmar Snow Removal District	(Service)
N Roselawn Snow Removal District	(Service)
Brookside Snow Removal District	(Service)
Council Rock Snow Removal District	(Service)
Pelham Rd Snow Removal District	(Service)
Grosvenor Rd Snow Removal	(Service)
Ambassador Dr Snow Removal	(Service)
Sandringham Rd. Snow Removal	(Service)
Reserve Snow Removal	(Service)
Rowlands Snow Removal	(Service)
Kirk-Astor Park District	(Service)
Bel-Air Refuse District	(Service)
Home Acres Refuse District	(Service)
Roselawn Refuse District	(Service)
Struckmar Refuse District	(Service)
Dunrovin Refuse District	(Service)
Hemingway Refuse District	(Service)
Ledgerock Refuse District	(Service)
Rockhill Refuse District	(Service)
Fairhaven Refuse District	(Service)
Mandy/Woodgate Refuse District	(Service)
East Ave Refuse District	(Service)
Houston/Barnard Refuse District	(Service)
Kirk/Astor Refuse District.	(Service)
Far View Hills Refuse District	(Service)
Monroe Meadows Refuse District	(Service)

Rowlands Refuse District	(Service)
Spier Ave Refuse District	(Service)
S.Landing Rd Refuse District	(Service)
Ashley Dr Refuse District	(Service)
Brittany-Markay Refuse District	(Service)
Bronsonwood Refuse District	(Service)
Coventry Green Refuse District	(Service)
Evan Farm Refuse District	(Service)
Fairways Refuse District	(Service)
Forest Hills Refuse District	(Service)
Frankland Refuse District	(Service)
Gailhaven Court Refuse District	(Service)
Howland Ave Refuse District	(Service)
Meadow View Refuse District	(Service)
Meadowbrook Refuse District	(Service)
Parkwood Ave Refuse District	(Service)
Pelham Rd Refuse District	(Service)
Rawlingswood Refuse District	(Service)
Village Lane Refuse District	(Service)
Westerloe Ave Refuse District	(Service)
Wyatt Dr Refuse District	(Service)
Council Rock Refuse District	(Service)
Thornwood Dr Refuse District	(Service)
Greenaway Refuse District	(Service)
Schoolhouse Refuse District	(Service)
Klink-Burkedale Refuse District	(Service)
Maywood Refuse District	(Service)
Modelane Refuse District	(Service)
Pickford Refuse District	(Service)
Shalimar Refuse District	(Service)
Willowbend Refuse District	(Service)
Brighton Meadows Refuse District	(Service)
Warren & Branch Refuse District	(Service)
Continental Dr Refuse District	(Service)
Consolidated Sewer District of the Town of Brighton	(Improvements & Maintenance)
Brighton Sewer District 87A	(Improvements & Maintenance)
Consolidated Sewer District Extension 67	(Improvements & Maintenance)
Western Dr. Area Sanitary Sewer District	(Improvements & Maintenance)
Consolidated Water District of the Town of Brighton	(Improvements & Maintenance)
S Clinton/Westfall Water District	(Improvements & Maintenance)
Brighton Meadows Water District	(Improvements & Maintenance)

Brighton Meadows Drainage District	(Improvements & Maintenance)
Heatherstone Drainage District	(Improvements & Maintenance)
Meridian Centre Drainage District	(Improvements & Maintenance)
Deerfield Woods Drainage District	(Improvements & Maintenance)
LacDeVille/Sn. Keatng Drainage District	(Improvements & Maintenance)
Barclay Square Drainage District	(Improvements & Maintenance)
Mercy Park Drainage District	(Improvements & Maintenance)
Reserve Drainage District	(Improvements & Maintenance)
Brighton Consolidated Sidewalk District	(Improvements & Maintenance)
Mercy Park Sidewalk District	(Improvements & Maintenance)
Reserve Sidewalk District	(Improvements & Maintenance)
Monroe Ave. Business Improvement District #1	(Improvements & Maintenance)
Home Acres Neighborhood Improvements District	(Improvements & Maintenance)

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 14, 2013 from Environmental Review Liaison Officer Ramsey A. Boehner regarding letters received during the public comment period on the Draft Environmental Impact Statement on the project known as Winfield Park and the nine items of correspondence referenced therein, be received and filed, and included in the public record of the review of the Draft Environmental Impact Statement.

Dated: October 23, 2013

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

October 14, 2013

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

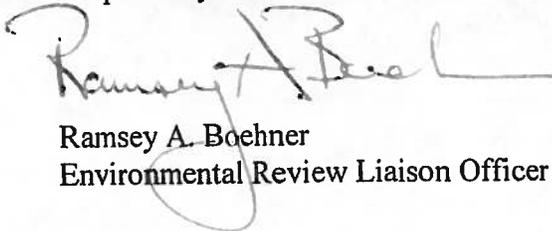
Re: Winfield Park Draft Environmental Impact Statement Written Comments

Honorable Supervisor and Members:

I recommend that your Honorable Body, as lead agency for the environmental review of the proposed Winfield Park project, receive and file this letter, along with the following attached written comments received during the written comment period for the Winfield Park Draft Environmental Impact Statement:

1. Michael Flanigan, Stantec;
2. Ramsey Bohner, Brighton Planning Board;
3. Ramsey Bohner, Brighton Architectural Review Board;
4. Brighton Sustainability Oversight Committee;
5. Rick DiStefano, Brighton Conservation Board;
6. Danial Kenyon, RGRTA;
7. Kim Merchant, NYSDEC;
8. Judy Schwartz; and
9. Richard Bianchi, MCDES

Respectfully Submitted



Ramsey A. Bohner
Environmental Review Liaison Officer

cc: T. Keef
attachments





Stantec Consulting Services Inc.
61 Commercial Street
Rochester NY 14614
Tel: (585) 475-1440
Fax: (585) 272-1814

Stantec

September 30, 2013

Mr. Ramsey Boehner
Town Planner
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

**Reference: Winfield Park
DEIS Substantive Review Comments**

Dear Ramsey:

The Winfield Park DEIS was reviewed by Town Staff and Stantec. The purpose of this review was to provide the Town of Brighton Town Board, serving as the SEQRA Lead Agency, with comments that need to be addressed by the applicant in the Final Environmental Impact Statement (FEIS). Our collective comments are provided below.

- 1) Please revisit the overall parking spaces needed for the project given that the TOP has been eliminated. Are the total number of parking spaces and the proposed locations of those spaces still accurate?
- 2) Page 6 indicates that the development will include a recycle/refuse and mail center building to serve the apartment units. What types of materials will be recycled, will refunds be provided and will this building be operated as a business?
- 3) Page 8 indicates that the MCDOT is proposing to complete roadway improvements within the study corridor. These improvements should be described along with a schedule of their implementation. Appendix K describes improvements along BHTL Road to be completed by the MCDOT. What is the impetus for the BHTL Road improvement and when will they be installed?
- 4) Page 9 indicates, that 'on-site soils should prove modestly useful as structural fills as long as an appropriate effort is made to dry them. What procedures will be used to dry the soils and how will this affect the construction schedule?
- 5) The Marketability Study includes absorption rates of project components but provides little substance regarding the overall demand for apartments. It is stated on Page 16 that "there has not been a significant amount of new construction of apartments in recent years in the sum-market area." Reasons why are not provided. It is inferred that the lack of new apartment construction in recent years is the reason why it is needed now. Please provide more information that supports the need for 360 new apartments in this area of Brighton, where many other well-established apartment complexes are located nearby.
- 6) The Geotechnical Evaluation states that the surficial soils are not currently suitable for stormwater infiltration. Soil testing must be performed in all areas with infiltration practices are

being implemented before the final design of the project. Underdrains should be considered in areas where the infiltration rate is unacceptable.

- 7) Will LED lighting be used for this project? Who will own and operate the site lighting. A lighting district may be required.
- 8) The information presented in the table titled, Table of Environmental Impacts for Project Alternatives – Wetlands and Woodlots appears to be inaccurate and should be revised.
- 9) The roadways are proposed to be private. Additionally, what provisions are provided if the maintenance mechanism fails? Will the formation of any special districts be required?
- 10) Page 19 Amenity 1 & 2 reference a 5' wide trail that would provide access for pedestrians and bikers. A 5' wide trail is not appropriate for bicycle use. The minimum width for a shared use trail is 10 feet with 12 feet. What is the width of the Erie Canal trail and will this trail be paved. These amenities serve the residents of the proposed development. How will these amenities serve the Town residents at large and how do these amenities compliment the bicycle and pedestrian master plan? The trails should be handicapped accessible.
- 11) Page 20 indicates that a cash contribution of \$30,000 will be provided for drainage improvement site work along the southwest boundary of the project site. The proposed drainage improvements must be determined. Is the \$30,000 contribution in addition to the design and construction of these drainage improvements? The proposed improvements and there estimated costs should be discussed in the FEIS.
- 12) Page 21 indicates that the homes along South Clinton and BHTL Road will be connected to the public sewer. Will laterals be extended to the homes as part of this project?
- 13) Page 21 stated, "The Applicant is proposing to construct an approximate 10,000 square foot community center to provide recreational and fitness amenities to residents and employees of the businesses in the community. The WPCC would include sustainable design features consistent with LEED certification by the US Green Building Council". Will the community center be accessible to the Town of Brighton residents at large? Is the community center the requested amenity or is the amenity a LEED certified community center?
- 14) Page 29 indicates the impact if COMIDA benefits are obtained for 50% of the project. The FEIS should include the data used to support this assumption.
- 15) All roadways must be designed in conformance with the NYS Fire Code. Appendix D of the Fire Code indicates that fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. In addition, at least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The roadway serving the four story apartments may need to be revised.

- 16) The reference to the TOP district should be removed from page 39.
- 17) Page 45 should indicate the length of the proposed cul-de-sac. Additionally, this page indicates that district formation approval from the Town Board of the Town of Brighton is required. The number and type of districts should be listed.
- 18) The utility construction phasing plan must be provided. The utility phasing plan must demonstrate that there is adequate infrastructure to accommodate each phase. For example, a hydraulic analysis showing that the proposed watermain for a particular phase can provide sufficient domestic and fire flows. Also, the drainage design must be able to convey the stormwater from a particular phase to the appropriate stormwater management facility.
- 19) Chapter X, Transportation, of the Town of Brighton 2000 Comprehensive Plan indicates that the increase in traffic volume on Brighton's major streets increases the desirability of sidewalks to provide convenient and safe pedestrian travel through Town. Therefore, we are requesting that sidewalks and sidewalk easements be provided along BHTL Road.
- 20) Page 52 indicates that the proposed number of parking spaces for any given use on the site has been proposed based upon current parking analysis and anticipated demand for each use. The parking analysis documentation should be provided for review. It appears that the number of parking spaces proposed for the office buildings vary from building to building. The FEIS should verify that each building will have the number of required parking spaces per the Town's parking requirements for professional office uses. The DEIS shows a number of the office buildings having insufficient parking for medical uses. The FEIS should identify which building will be used for medical uses and that the number of required parking spaces per the Town's parking requirements will be provided. The applicant should reserve required parking if determine not to be needed.
- 21) Documentation must be provided which demonstrates that the existing gravity sewer downstream of the project can accommodate existing and peak hour flows generated by the project. The sanitary sewer review must include the 24 existing residences potentially added to the sewer system as part of this project.
- 22) When will the proposed sanitary sewer extension for the 24 existing homes along Brighton Henrietta Town Line Road and the homes along South Clinton Avenues occur (i.e. which phase of the project)? For that matter, please provide an overall schedule of when each of the proposed amenities will be implemented.
- 23) The text on page 55 indicates that a private watermain will serve the green houses apartments, clubhouse and office buildings. The location of the RPZ's must be shown on the plans. Who will maintain the hydrants located on the private watermain?
- 24) Page 57 references improvements along the trails. The type, number and location of these improvements should be provided. Is the cost of these amenities included in the trial cost estimate? Who will be responsible for maintenance of the trail?

Stantec

September 30, 2013

Page 4 of 9

- 25) The sanitary sewer along BHTL Road referenced on page 59 will require an inter-municipal agreement with the Town of Henrietta.
- 26) Page 66 suggests that a portion of the trail surface will be mulch. Is mulch a handicap accessible surface? The trails should be A.D.A. compliant.
- 27) A schedule showing the anticipated construction of the amenities should be provided. The sanitary sewer improvements necessary to eliminate the Brighton Meadows pump station and serve the residents along S. Clinton Ave. and BHTL Road should be completed during the first phase of the construction. A LOC in an amount equal to the cost to construct the amenities by a municipality must be provided for each amenity and will be released upon their completion.
- 28) Page 73 suggests that the Greenhouses will own and maintain the water, sanitary sewer and storm sewer services to the four residence buildings. Individual laterals should be provided to each greenhouse unit otherwise a transportation corporation will be required.
- 29) The phasing schedule on Page 74 suggests that the construction of Phase 1 will result in the discharge of stormwater to the south through phases V and IV. How will this stormwater be controlled?
- 30) Page 76 indicates that the construction of each section includes the completion of earthwork, utilities, and road infrastructure. The phase construction timeline shown on the same page implies that the utilities will be installed concurrent with the earthwork and that the site grading will continue for approximately 7 years. Please confirm that this is the intended construction process. Will the site be mass graded?
- 31) The historical aerial photo graphs indicate that the project site had been farmed extensively. Based on the soils data and the geotechnical report, drain tile was likely installed to support the farming operation. The FEIS should discuss how potential conflicts with farm tiles will be resolved if disturbed by the utilities, foundations and mass grading.
- 32) Page 79 indicates that an artesian water table exists that is related to the confined and saturated sand and gravel above the bedrock. This artesian well condition must be addressed. Will the groundwater depths reduce the storage volumes of the stormwater management facility? Will the proposed development lower the existing groundwater depths and how will this affect surrounding properties and wetlands? Are there any active wells within the vicinity of this development that will be affected? Will bedrock be encountered during the construction of the utilities? How will bedrock be disposed?
- 33) It was accurately pointed out on page 85 that the wetland delineations and subsequent Jurisdictional Determinations for different parcels within the project area are valid through April 13, 2014 and August 5, 2015. These wetland boundaries will have to be re-delineated if they are disturbed after these respective dates.

- 34) Page 100 suggests that highway improvements proposed by the Town of Brighton will provide additional capacity within the existing study area. There are no improvements proposed by the Town of Brighton. This statement should be removed.
- 35) Bullet number (4) on page 111 should be completed.
- 36) Page 112 state, "The Town of Brighton has acknowledged sanitary sewer system capacity issues downstream of the pump station to the north along South Clinton Avenue". The Town is currently investigating methods to reduce the inflow and infiltration into the sewers north along S. Clinton Avenue but the sewers in this area do not have capacity issues. This statement should be revised
- 37) The number of children introduced into the school district should be quantified.
- 38) Page 114 states "The total Town of Brighton assessed valuation in 2011 was \$2,544,478,972." This figure is for the taxable assessed valuation and not the total assessed valuation. Also, this value should be updated for 2013, along with any notable changes in the fiscal analysis resulting from the update.
- 39) Page 119 references 5 story apartment buildings. This reference should be revised to indicate that the apartments are 4 stories.
- 40) The photos included in Appendix III-5 Site Photos include photos 1 – 69. It appears that the photo from I 390 were not included in the appendix. These photos should be provided.
- 41) Foundation Design recommends that further testing be conducted to finalize their analysis. When will this be conducted, and what specifically will they test for? Are the proposed depth of cuts for utilities and stormwater system consistent with Foundation Design's recommendations? Sub-slab drainage systems were recommended in basements and should therefore be identified as a mitigation measure in Section IV.A.2 on pages 129 and 130.
- 42) Please clarify/confirm that the Stormwater Pollution Prevention Plan (SWPPP) for the entire project will be responsive and reflective of the 12-phase construction plan described on pages 128 and 129. More specifically, how will the SWPPP notifications and overall implementation be managed when each construction phase duration is uncertain? The timelines for building construction has not been included given that market conditions may delay or accelerate future phases. The SWPPP needs to be both flexible yet comprehensive with no gaps in coverage since it is very significant mitigation measure.
- 43) Page 130 states, "Appropriate planning and detailed design can either avoid negative impacts from this artesian water condition". What will be done to avoid the negative impacts of the artesian water condition?
- 44) Groundwater has been known to follow utility trenches and cause settlement and drainage problems. The FEIS should discuss how this situation will be mitigated.

- 45) How will the high groundwater affect the design and operation of the green infrastructure practices? Many practices require that the groundwater be a minimum of 2 feet below the green infrastructure practice.
- 46) All slope areas 3:1 must be stabilized with erosion control jute mesh product. Additionally, soil restoration practices must be used throughout the site to restore compacted soils. Areas requiring soil restoration must be shown on the erosion control plan.
- 47) The applicant must demonstrate that the project design is consistent with the design process outlined in the New York State Stormwater Management Design manual. The document must review this five-step process that involving site planning and stormwater management practice (SMP) selection. In addition, the designer must provide justification that each of the green infrastructure techniques listed in NYS Storm water Management Manual was evaluated and identify the specific site limitations that make application of the practice(s) infeasible.
- 48) The flows in the flood zone analysis are greater than the flows in the Existing vs. Proposed analysis. These flows should be less than or equal to the Existing versus Proposed flows. Please explain this discrepancy.
- 49) It is stated on page 139 (Section IV.C.1) that wetlands will be developed in the areas of the low quality woodlots and that these newly created ecological communities will provide additional diversification of various types of wildlife. How much wetland will be created in the low quality woodlots? This acreage is not identified; therefore the amount of total wetland mitigation is unknown.
- 50) It is also stated in Section IV.C.1 that an existing 3.3 acres woodlot located in the south/central portion of the property will be the only woodlot to be fully developed. It is also stated that several of the lower quality younger woodlot areas will be redeveloped as stormwater/wetland ponds which will bring diversity to the surrounding habitat. What is the total acreage of woodlot disturbance for the entire project? How much woodlot mitigation is proposed to offset the total acreage of woodlot disturbance?
- 51) How will the changes in stormwater quantity and quality impact freshwater wetlands? Also, will there be any adverse impacts to wetlands resulting from adjacent activities? While these potential impacts are considered to be indirect impacts, they need to be addressed. The 0.45 acre of "direct" wetland disturbance resulting from the two road crossings does not include potential indirect wetland disturbances. Please address indirect wetland disturbances accordingly.
- 52) How much of the existing stream buffer area will be preserved and maintained?
- 53) The FEIS should discuss how the geese population will be controlled?
- 54) The traffic report references 3 phases. The FEIS should illustrate how these three phases coincide with the construction phases. The FEIS should discuss the timing of the traffic improvements by number of units and gross square footage constructed in addition to year. What are the potential mitigations that will be studied during Phase 3?
- 55) We recommend a slight clarification to the Monroe County Department of Transportation's following recommendation "We request the Town of Brighton, as a condition of its approval,

require the developer to provide a traffic study of the intersection of Brighton Henrietta Town Line Road (BHTL) and Winton Road following Phase 2 construction completion, currently projected for the end of 2019".

- 56) Page 155 indicates that the benefits to the community and Town for the proposed rezoning include passive recreational opportunities such as wildlife viewing platforms and boardwalks. The location of the platforms and boardwalks should be shown on the plans.
- 57) In addition to the proposed reduction of the required 100 foot buffer for blocks #1 and #7 referenced on page 161 blocks # 2 and #6 are also located less than 100 feet from the proposed BE-1 zoning.
- 58) The reference on page 162 regarding the reduction in residential units from 89 to 66 contradicts the text earlier in the DEIS where a reduction of 99 to 66 is stated.
- 59) For impacts to the various community services (Section IV F), it is recommended that the Project Sponsor, the Town of Brighton and the various service providers meet at an agreed upon time interval to review the project to date, determine the extent of calls for services, the ability of the service providers to meet the demands of the project, and to discuss needed improvements by all parties, if needed. These periodic meetings could occur after each phase is constructed, occupied and operational.
- 60) Page 168 must discuss the need to extend the Brighton Consolidated sanitary sewer district extension.
- 61) RG&E has stated that there is insufficient electrical capacity to serve the new development at this time. Given that the Project Sponsor and RG&E will undergo a full electrical study to determine the electrical loading demands and availability, the FEIS needs to address the specifics of that study, when results will be known, and what actions will be taken by each party to insure that RG&E can provide electricity to the site without disruption of service to the surrounding area.
- 62) Page 169 indicates that it is not anticipated that any of the individual uses will generate a significant increase in the services provided by the Brighton Police department. This statement is inconsistent with the statement in IV.F.4.b. and the letter from the Police Department.
- 63) What are the approximate costs for services (i.e. for Police, Ambulance and Fire Service, etc.) versus the respective tax revenues for each. It would be helpful to know if the increased tax revenues, which are identified as the mitigation measure for each service will or will not offset the cost of the increased service.
- 64) Since construction of the project may proceed for many years. The estimated increase in noise levels due to construction should be evaluated along the perimeter of the project site.
- 65) The geotechnical report indicates that cuts should be limited to 4'. The cut and fill exhibits substantial cuts greater than 4'. What precautions are being considered to address the artesian condition on the site? What will the ultimate effect of exposing the artesian condition to atmospheric condition? Will the cut at the northern portion of the site result in draining the wood wetlands. How will the wetlands be impacted?

- 66) The watermain serving the apartments must be DIP or Copper. Page 2 suggests that the Town of Brighton conducted the hydrant flow test. The Town of Brighton did not perform a hydrant flow test.
- 67) Page 3 indicates that the project should be able to provide the required minimum pressure of 20 psi/building for fire flow conditions and the required minimum of 35 psi/building for domestic flow conditions. This statement should be more definitive. Either the project can provide the required flows or it cannot provide the flows and pressures.
- 68) How was a fire flow of 3 gpm/unit derived? Will the units be sprinklered? Supporting documentation must be provided verifying the hydrant fire flow data. The statement, Per the MCWA for water service calculations single family patio homes require 5 gpm for the domestic demand and 3 gpm for fire service is an erroneous statement. Please clarify.
- 69) The description regarding the peak hour demand for the Green Houses is not clear. This calculation must be clarified.
- 70) The watershed in the OB&G study indicates that a total of 902 acres drain to the culvert at Winton Road. The Winfield Park study indicates that the watershed draining to this culvert is 841 acres a difference of 61 acres. Please explain this discrepancy.
- 71) A schematic layout of the watershed model should be provided. P-9 must be labeled on the watershed map. The canal view subarea must be noted on the plans. It appears that subarea G and canal view subarea are the same.
- 72) The report should indicate whether the Allens creek flow data is consistent with the FEMA data.
- 73) The drainage calculations must evaluate the volume of stormwater during the pre and post conditions. The volume comparison should review the reduction of volume due to the proposed green infrastructure.
- 74) The drainage calculations indicate that the volume of stormwater generated by the pre development scenario will be less than the post development scenario. The volume of stormwater should be equal for these scenarios. Please explain this discrepancy.
- 75) Analysis Point C must be shown on the watershed maps.
- 76) The capacity of the existing Southwest Branch of Allens Creek channel must be evaluated to determine that it can accommodate the 25 year storm event. The flows generated by the 100 year storm event must also be evaluated. The final design of the stormwater management facility outfall structures must consider any surcharge conditions that result from the water surface elevations in the receiving streams or downstream stormwater management facilities.
- 77) The location of and impact from the proposed RG&E Substation must be discussed in the FEIS.

Stantec

September 30, 2013

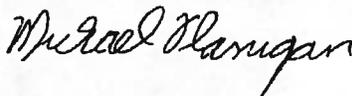
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- 78) The DEIS may not list all the incentives (include and not limited to the BE-1 area requirements) required for the project. The FEIS should list all incentives needed for this project.
- 79) What is the status of the Canal Corp's review of the proposed improvements to the Canal? The FEIS must include and discuss the Canal Corp. comments. Will the HOA be responsible for the maintenance of the proposed Canal improvements?
- 80) The FEIS must indicate and discuss easements for public access throughout the project.
- 81) Canal improvements are proposed to be installed as part of this project. Geotechnical evaluation of the Canal should be included and discussed in the FEIS.
- 82) The DEIS discusses the gross leasable area of the proposed office buildings. The FEIS must provide and discuss the gross square feet of proposed the office buildings.
- 83) The FEIS must clarify if condominiums could be created in the future for any portion of the project.
- 84) The FEIS should discuss the maintenance and structure for all entities providing infrastructure maintenance. What will the maintenance mechanism be if these entities fail?
- 85) What are the estimated costs of services and the projected tax revenues for each alternative?

Please feel free to contact me to discuss anything further.

Sincerely,

STANTEC CONSULTING SERVICES INC.



Michael Flanigan

Associate

Tel: (585) 413-5270

Fax: (585) 272-1814

michael.flanigan@stantec.com



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

September 30, 2013

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

RE: Planning Board comments on the Draft Environmental Impact Statement for
Winfield Park

Honorable Board Members:

The Planning Board has reviewed the Draft Environmental Impact Statement for
Winfield Park and has the following comments:

Page Specific Comments:

1. Page 9: Lighting Source:

- The DEIS states the applicant will use metal halide or high pressure sodium light source. Have LED or other more recent innovations been considered?

2. Page 15: Description of Project Action:

- Applicant states that all roads are to be private. Will school buses enter private roads to pick up students? Will postal service enter private roads? What services will BCSD be required to provide, if any? Will the Henrietta School District be responsible for all services to students and their families?
- Applicant states the home price will start at approximately \$200,000. What is the estimated HOA fee? What percentage of residents will be eligible for the STAR tax exemption?

3. Page 18: Amenities / Benefits:

- Please define exactly what is 'sustainable' about this design.



- Explain what is 'innovative' about the storm water management system and the green infrastructure techniques and exactly how these will enhance wildlife habitat diversity.
- Explain in this section where the 'growing population of empty nesters and seniors' are coming from. This information may be in the market study, but it is important to move it to this section.

4. Pages 19-22 Amenities Description:

- The 'Affordable Housing' benefit is only offered to the apartment renters and not home buyers. Who is responsible to monitor, long term, if the applicant is continuing to offer this benefit to residents?
- The calculation for the 'Affordable Housing' benefit needs justification, as it seems high. Has the methodology for determining the benefit value been used in other projects? If so, where?
- There is not sufficient discussion of the trail on the south side of the Canal. One amenity is a stair to the canal trail, however the canal trail is not in good condition. What is the benefit of bring residents and workers to the canal.

5. Page 35 Design, Layout and Approvals:

- What land use was used to determine parking ratios and trip generation specifically for the office portion of the project? It is hard to tell if they assumed 100% medical office or not. The FEIS should identify which buildings are proposed for medical use and that and Town's parking requirements are satisfied.

6. Page 36 Design, Layout and Approvals:

- The proposed parking count appears high. The Planning Board should be granted the flexibility during site plan approval to discuss land banking the parking.

7. Page 73: Construction and Operations:

- Who will own manage the apartments and will the apartments (collectively) contribute to the HOA?
- Who will own and manage the office buildings and will the office complex contribute to the HOA?

- Who will own and manage the senior housing and will the senior housing project contribute to the HOA?
- Will there be multiple HOA's ?
- The FEIS should provide greater detail regarding HOA services, responsibilities and costs to buyers and renters. The applicant discusses the HOA responsibility to maintain the project wide infrastructure, however, there is no discussion of HOA responsibility to individual properties, including; lawn and landscape maintenance, refuse disposal, driveway sealing, etc. Further, there is no discussion of common architectural maintenance for the townhomes including roofs, siding, etc. More detail is needed on costs. This will affect the assumption of absorption rates.

8. Page 92 Woodlands and Trees:

- The applicant states that the Reinhart parcel is substantially covered in Green Ash. What is the impact of the Emerald Ash Borer on this vegetation and what will be the overall impact of wetlands and wildlife habitat?

9. Pages 100-101 Transportation:

- It would be helpful to add to each phase a quick discussion of the anticipated percentage of build out in those years (i.e. 2016 x% housing, apts, office).

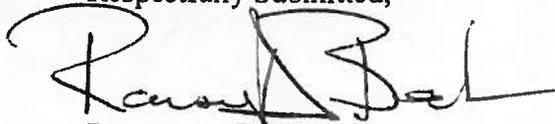
General Comments:

1. The project is inconsistent with the recommendations of Comprehensive Plan 2000, in that it proposes an Office and Office Park (BE-1) zoning in addition to the residential Planned Unit Development zoning.
2. There is concern that the amenities will be provided at the end of the project while the incentives will be granted immediately. Based on an initial review, it appears that the amenities offered are not commensurate with the incentives requested. Many of the amenities only benefit the project and its residents. The only exceptions are the sanitary sewer improvement proposed.
3. It is unclear if the proposed amenity to extend the sanitary sewer to 24 existing homes on Brighton Henrietta Town Line Rd includes connecting the homes to the extended sanitary sewer. As part of the project, will an existing sanitary sewer district need to be extended or a new district be created that includes the project area and the 24 homes? What are the district costs involved for the project and what are the costs for residents of the 24 homes?

4. How does the proposed apartment unit density per acre compare to similar apartment complexes within the Town of Brighton? What is gross square footage per acre for the single family homes, townhomes, apartments, and non-residential buildings? What is the overall gross square footage per acre for the project?
5. The project should reduce the density and further cluster the proposed development in order to preserve the existing environmental features on the project site.
6. It is unclear in the DEIS how many acres of wetlands will be impacted by the proposed development. Can you please clarify the extent of wetland impacts and the amount and type of mitigation proposed? Please include the location of any proposed mitigation.
7. The project should use more multi-story office buildings instead of single-story office buildings to decrease the amount of impervious cover and increase the amount of green space.
8. It appears a number of trees will be lost. A Woodlot EPOD Permit will be required to be obtained from the Planning Board. A tree survey should be prepared in accordance with the Town Code. Significant trees should be maintained.
9. Sustainable development should be used throughout the entire project. Universal design standards should be considered for the site and building design and construction.
10. In accordance with the Comprehensive Plan recommendations, it is important that the project encourage and promote Fair Housing, along with providing a set-aside for affordable housing units.
11. The Planning Board will require sidewalks to be included along Brighton Henrietta Town Line Road. The Planning Board will also require additional sidewalks and trails throughout the project to facilitate safe pedestrian travel. The applicant should work closely with the Planning Board, Parks and Recreation Board and the Conservation Board to adequately address the placement and design of trails throughout the site
12. What is the status of the Canal Corp's review of this project? Will the Corp. approve the proposed improvements on the south side of the Canal? The Canal Corp. comments regarding the proposed improvements should be included within the FEIS.

13. The FEIS should also address how the trail system design will address gateways, visibility, surface treatments, signage, public access and other design features to make the trail system desirable for use by the general public.
14. Will the general public utilizing the trail network be allowed to park in the parking lots? The Board recommends that the incentive zoning and rezoning approvals, if granted, include a condition that assures the general public the right to access the project and parking within the project area.
15. The Planning Board requests that all of the foregoing comments be addressed in the Final Environmental Impact Statement.
16. It is further recommended that the incentive zoning and rezoning approvals, if granted, do not include any commitment regarding the site plan layout or any commitment regarding approval of the proposed overall density, except as a maximum limit.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ramsey Bohner", written over a circular stamp.

Ramsey A. Bohner
Executive Secretary
Planning Board



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

September 30, 2013

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

RE: Architectural Review Board comments on the Winfield Park Draft Environmental Impact Statement

Dear Honorable Board Members:

The Architectural Review Board reviewed the Draft EIS for the proposed "Winfield Park" project. The Board offers the following comments regarding the design of the proposed buildings:

Club House

1. The elevation and site plan orientation are not coordinated, they seem flipped. The southern elevation shows the pool with a southern exposure and the site plan shows the pool with a northern exposure. It would seem that the pool would function better with a southern exposure. Please revise the elevation or site plan to show orientation.
2. Can more stone be added to the club house to reduce the amount of siding throughout the building? The FEIS should address this issue.
3. The FEIS should discuss the proposed materials for the Club House.

Apartments

1. Can the roof plane be broken-up or minimized? The FEIS should address this issue.
2. It appears that parking is proposed under the building. Are the windows grated? What is the material under the grate?
3. Will the balcony doors swing or slide?
4. Can the path along the south side of the Canal be used by pedestrians? Has the Canal Corp. reviewed the proposed plans? Will they allow the proposed improvements?
5. The FEIS should discuss the proposed materials for the Apartments.

2300 Elmwood Avenue • Rochester, New York 14618 • 585-784-5250 • Fax: 585-784-5373

<http://www.townofbrighton.org>



Townhomes

1. Front loaded garages are proposed. The appearance of the garage doors could be improved with windows and should be addressed in the FEIS.
2. Can the roof plane be broken-up or minimized? The FEIS should address this issue.
3. The FEIS should discuss the proposed materials for the Townhomes.
4. The elevation drawings note the project as "Buffalo Road Townhomes Chili, N.Y. 4 unit Building". The drawing should be corrected.

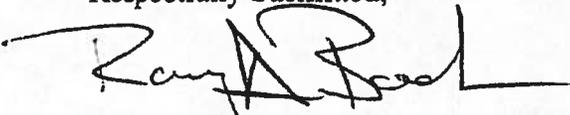
Commercial Buildings and Single Family Homes

- 1 The FEIS should discuss the proposed materials for the both the Commercial Buildings and the Single Family Homes.

General Comments

1. For aesthetics and durability, the Board prefers non-vinyl materials be used for this project.
2. The architectural design and materials of buildings should not be assumed to be approved until formal Architectural Review Board review is conducted in conjunction with Site Plan review.

Respectfully Submitted,



Ramsey A. Bohner
Acting Secretary



Date: September 30, 2013

From: Sustainability Oversight Committee, SOC

To: Town of Brighton Planning Board

Re: Winfield Park Subdivision
DEIS Review Comments

The Sustainability Oversight Committee reviewed the Draft Environmental Impact Statement documents for the above referenced project and offers the following comments:

General:

1. Page 6 indicates that the development will include a recycle/refuse and mail center building to serve the apartment units. The recycle center should be available to the entire community. What types of materials will be recycled, will refunds be provided and will this building be operated as a business?
2. Page 18 includes a bullet which states, "A priority by the project sponsor to create a sustainable community". Will the development conform to the LEED ND Rating system or some other community rating system? The aspects of the project that create a sustainable community should be listed.
3. Page 25 indicates that the added cost of completing a LEED compliant project is an additional 8% of the construction and design costs. Documentation justifying the 8% increase in construction cost due to a LEED certified construction must be provided. Some studies suggest that these costs can be as low as 2%. The cost analyses should consider the long term environmental and operating costs.
4. A natural vegetative buffer from each bank shall be retained adjacent to the Creek to absorb floodwaters, to trap sediments, to protect adjacent fish and wildlife habitats and to protect scenic qualities. This buffer area must be shown on the plans.
5. Page 198 should indicate the LEED certification that will be sought for the two story office buildings.

Transportation:

1. The transportation system serving the project should include specific lanes or lane markings to accommodate bicycle traffic.
2. The apartment building architectural drawings include parking garages. However, Page 188 indicates that parking garages have ultimately not been proposed for this project due to the considerable increase in cost per parking stall versus the traditional pavement parking areas. Documentation should be provided supporting this statement.
3. The DEIS indicates that RGRTA does not feel that the amount of ridership, or lack thereof, would warrant service to the development at this time. Additionally, RGRTA prefers not to enter onto private roads for legal reasons. The SOC anticipate that the ridership may be larger than RGRTA's estimate due to its proximity to the local universities and encourages the applicant to continue to pursue RGRTA to establish a bus stop within the site or along BHTL Road.
4. Page 36 indicates that the development will require 6.4 parking spaces per 1000 square feet of building area. Whereas the Code of the Town of Brighton requires 4 spaces per 1000 square feet. The increased parking request results in a 64% increase in parking and substantially increases the impervious area associated with the project. The amount of parking should be reduced where feasible. Documentation should be provided supporting the request for the additional parking spaces. The applicant may consider land banking parking faces.
5. The Multiversity Concept described in the Town of Brighton's Comprehensive Pedestrian and Bicycle Master Plan recommends a connection to MCC extending a trail from the west side of S. Clinton just south of the canal to the Erie Canalway Trail and ultimately to the ring road of MCC using existing informal trails. This trail would benefit the community by provided a safe alternative bike/pedestrian route to MCC. This trail should be considered during the design and development of the Winfield Park subdivision.
6. The Town of Brighton's Comprehensive Pedestrian and Bicycle Master Plan indicates that the installation of a sidewalk along Brighton Henrietta Town Line Road is a Priority Sidewalk Addition. Sidewalks should be extended along BHTL Road.
7. The parking areas should be designed to encourage pedestrian and bicycle traffic. Bicycle facilities such as bike racks should be provided throughout the development.

8. Page 57 indicates the trail will be located along the northern bank of the existing Creek. We suggest that the trail be moved further to the north and minimize the disturbance to the stream bank. The shared use trail should be a minimum width of 10 feet.
9. Pervious pavements should be considered where applicable such as sidewalks, trails, and driveways.

Lighting:

1. LED light fixtures should be considered. A comparative cost analysis which considers the capital, operation and maintenance costs should be provided before LED light fixtures are rejected.
2. The Heritage Casting fixture shown on the plans appears similar to RG&E's colonial fixture. RG&E's colonial fixture is not fully shielded and not considered dark sky compliant. The proposed lighting, as indicated in the DEIS, should be fully shielded and dark sky compliant.

Stormwater/Grading:

1. Will the site be mass graded? The SOC strongly discourages this approach and suggests that the site be designed to minimize earth disturbance and the stockpiling of soil. All disturbed areas shall be restored per Chapter 66 of the Code of the Town of Brighton, General Permit No. GP-0-10-00 1, latest New York Standards and Specifications for Erosion and Sediment Controls and the latest New York State Stormwater Management Design Manual.
2. The final design of the project should identify and preserve significant trees where feasible.
3. Page 79 indicates that an artesian water table exists that is related to the confined and saturated sand and gravel above the bedrock. This artesian well condition must be addressed. Will the groundwater depths reduce the storage volumes of the stormwater management facility? Will the proposed development lower the existing groundwater depths and how will this affect surrounding properties and wetlands? Are there any active wells within the vicinity of this development that will be affected? Will bedrock be encountered during the construction of the utilities? How will bedrock be disposed?
4. The removal of trees and the clearing of or constructing on any land area is regulated activities within a Woodlot Protection District. Several of the stormwater/green infrastructure improvements are located within the Woodlot Protection District. The existing trees absorb storm water, provide habitat for natural wildlife and are a part of the bird migration route from Canada to the South Americas. The applicant shall preserve as many trees and as much mature

vegetation as possible, including but not limited to the preservation of trees and mature landscaping to screen or obscure from view the proposed development. Additionally, all development within the Woodlot Protection District must comply with ARTICLE XVI, EPOD (2) Woodlot Protection District of the Code of the Town of Brighton.

5. Rainwater harvesting and on-site storage as part of overall design scheme is strongly recommended. Harvested water can be used as a resource for sprinkler systems, etc. on a regular basis.

Miscellaneous:

1. The proposed project includes the construction of large impervious surfaces which cause the immediate area to become warmer than the surrounding land forming an island of higher temperatures known as "heat island effect". Additional trees of substantial size should be provided within the parking areas to create a canopy large enough to offset the "heat island effect". In addition, light roof particularly flat roofs and pavement colors, (concrete in lieu of asphalt) should be provided which further reduces this phenomenon.
2. The proposed buildings should consider orientation and spacing to maximize the potential for passive solar heating and shading devices to minimize the cooling load. Photo Voltaic's for electric should be used particularly on the large flat roof areas. The applicant should contact NYSERDA to investigate funding programs for photo voltaic installations. A claim that the systems are not financially practical must be supported by a financial analysis that includes the savings associated with the NYSERDA funding programs.
3. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.
4. All landscaping material should be indigenous to this area. The SOC discourages the installation of lawn sprinkler systems.
5. The applicant should consider LEED certification for the apartment buildings.



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

September 26, 2013

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

RE: Conservation Board comments on the Winfield Park Draft Environmental Impact Statement

Dear Honorable Board Members:

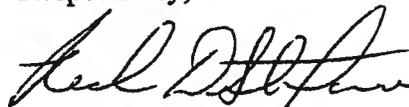
The Conservation Board at their meeting held September 10, 2013, reviewed the Draft EIS for the proposed "Winfield Park" project. The Board offers the following comments:

1. Wildlife habitat mitigation needs to be analyzed further. A very large area of existing habitat is being lost. Enhancement of the wetlands and stormwater mitigation areas may not provide suitable habitat for all wildlife that is being impacted. Not all greenspace area (e.g. lawn area) is suitable habitat. Also, wildlife corridors must be plotted and maintained throughout development providing contiguous and continuous belts of trees and brush to insure the free movement of birds and animals and offer them appropriate shelter area.
2. As per Town Code Regulations, a tree inventory is required when disturbance is proposed within a woodlot EPOD. Although some of the woodlots within the development site may not be of the best quality, they are important in serving as wildlife habitat. It appears there will be some disturbance to some of the woodlots, can/will any trees within these woodlots be preserved and what additional mitigation can be provided due to their loss?
3. In the Topography discussion in IIIA on pg. 77 and in Exhibit II-14 the draft highlights that the Banks of the Allens Creek Tributary on the site, and the new roadway(s) crossing it, may represent "Potential Steep Slopes EPOD" situations. With the overall site being relatively flat and only modest streambanks for the existing tributary a Steep Slope EPOD is unlikely to come into play here. The only exception might be if the topography is artificially altered or if the stream crossings are built up significantly by the developer. If so, this should be further addressed. Also, even though the Allens Creek Tributary is not a listed watercourse EPOD, potential impacts to it should be analyzed and protected during and post development in accordance with the Town's Watercourse EPOD regulations.



4. The use of "cool pavement" technologies, pervious concrete, grass pavers or geo-grid pavements should be further analyzed and possibly incorporated into the project to help mitigate the overall loss of pervious surface and reduce the heat island effect. Installation and maintenance of these technologies over the entire site may be cost prohibited, but a combination of these technologies with conventional pavement will provide additional benefits to the community.
5. Will there be public access to the trail system and the canal? Public access from South Clinton Avenue only (if that is how it is proposed) does not appear to provide a safe area for vehicular parking.
6. 360 apartment units seems excessive. Reduction in the number of units/buildings will reduce impervious surface coverage and building coverage lessening the environmental impacts of the project.
7. Greater clarification is needed in regards to the Winfield Park Community Center LEED compliant amenity. To what level of LEED compliance will the community center be built? Basic LEED compliance is not much greater than what is required under NYS Building Code compliance. A higher level of LEED compliance should be required for this amenity to be accepted. Why won't additional building throughout the project be LEED certified?
8. The preliminary landscaping plan needs greater detail. The size and quantity of plantings should be listed helping to determine if they provide adequate mitigation. Native plantings should be used primarily.
9. Expansion of the sidewalk network along Brighton Henrietta Town Line Road, linking the existing sidewalk at 2864 Brighton Henrietta Town Line Road to the existing sidewalk at Canal View Blvd. should be a considered amenity. This will provide the residents of Winfield Park and residents in the immediate area the ability to walk to nearby services and help to promote a sustainable community.
10. Will there be any form of public transportation servicing the community helping to mitigate traffic impacts?

Respectively,



Rick DiStefano, Secretary
Conservation Board

cc: Dennis Adams, Chairman - Conservation Board



ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY

1372 East Main Street • Rochester, New York 14609
Phone (585) 654-0200 • Fax (585) 654-0293 • www.rgrta.com

September 30, 2013

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Secretary

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Michael P. Jankowski
Treasurer

Wyoming County
Frank Vitagliano, Jr.

Mr. Ramsey A. Boehner
Environmental Review Liaison Officer
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Re: Winfield Park - DEIS Comments

Dear Mr. Boehner,

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Winfield Park Project in the Town of Brighton (Project #ER-2-11). Rochester Genesee Regional Transportation Authority (RGRTA) is committed to providing quality, affordable, and dependable public transportation service and supports well designed developments in our local communities that include transit components.

As an interested agency, RGRTA was contacted and did provide initial comments during the final scoping process. Discussion also occurred with BME Associates regarding the viability of providing public transportation services to and within Winfield Park. The written summary in the DEIS does not accurately reflect our comments or viewpoint however. On pages 144 and 145 (Transportation Potential Impacts IV.D.1) the DEIS states "Per correspondence from RTS, the development density offered by the development will not necessitate having a bus stop along BHTL Road". Although we do view that the proposed development itself is strongly auto dependent, our review of the area has led us to believe that Brighton - Henrietta Town Line Road (BHTL) has high potential for future transit service development as an important east - west transit corridor.

To that end, RGRTA recommends that in accordance with the Town of Brighton's Comprehensive Plan 2000, this development opportunity should be utilized by the Town to connect sidewalks in this area. The plan states that the Town should "provide and encourage an efficient, safe & convenient transportation system, including roads, trails, waterways and public transit". In addition, it mentions as a recommended goal to "provide safe pedestrian linkages between neighborhoods and commercial and recreation areas" and further expresses "...it is often the condition of the approval of new development that sidewalks are installed by the developer of the project".

In addition to clarifying RGRTA's position, other points stated in the Winfield Park DEIS as it relates to transit and transportation, should be clarified. On page 144 the DEIS states "Pedestrians and bicyclists will have the opportunity to utilize public means of transportation by accessing public bus stops on either South Clinton Ave. or by Winton Road". In fact, there are no public bus stops along S. Clinton Avenue adjacent to the project area. The closest bus stop on S. Clinton Avenue from the proposed main entrance is approximately 1.5 miles away. The closest existing bus stop on S. Winton Road is approximately one-half mile to the east. The pedestrian linkages between Winfield Park's proposed main entrance and these transit facilities are intermittent. As the DEIS points out on page 115 (Section III.F.9 Available Sidewalks) that "There are no available sidewalks in the vicinity of the project along Brighton Henrietta Town Line Road. The nearest sidewalks are located along the frontage of the Canal View Office Park approximately 800' to the east of the project site." Placement of sidewalks along

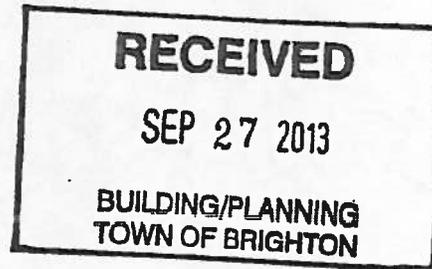
all development frontages by the developer would go a long way to resolving the lack of pedestrian connection to the nearest transit facility.

I appreciate the opportunity to submit comments for this important project and look forward to collaborating with the Town of Brighton on future developments involving public transit.

Sincerely,

Daniel Kenyon - Transportation Planner II
Rochester Genesee Regional Transportation Authority
(585) 654-0605
dkenyon@rgta.com.

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 8
6274 East Avon-Lima Road, Avon, New York 14414-9519
Phone: (585) 226-5400 • Fax: (585) 226-2830
Website: www.dec.ny.gov



September 20, 2013

Mr. Ramsey Boehner
Environmental Review Liaison Officer
2300 Elmwood Ave.
Rochester, NY 14618

RE: Winfield Park
Clearinghouse Number: 5238
Town of Brighton, Monroe County

Dear Mr. Boehner;

The NYS Department of Environmental Conservation (the Department) has received and reviewed the SEQR DEIS for the above referenced project. Thank you for discussing this project with me. We offer the following comments:

Water Certification

The Department may have to issue a 401 Water Quality Certification. We are coordinating with the US Army Corps of Engineers to determine this.

Work in certain waters and wetlands of the United States may require a permit from the U. S. Army Corps of Engineers (Corps). If a Corp permit is required, the Corps may request that the DEC make a determination (Water Quality Certification, pursuant to Section 401 of the Federal Clean Water Act) that discharges from the proposed activities, for which an applicant is seeking a Corps permit approval, will comply with the applicable effluent limitations, water quality standards, and any other applicable conditions of the State Law. The Buffalo Office of the Corps should be contacted regarding permit jurisdictions. Their address is Chief Regulatory Branch, U. S. Army Corps of Engineers, Buffalo District, 1776 Niagara Street, Buffalo NY 14207. Their phone number is (716) 879-4330. Documentation in support of a 401 Water Quality Certification would include demonstration of compliance with either the Department's State Pollutant Discharge Elimination System (SPDES) General Permit for Storm Water Discharges from Construction Activities (GP-0-10-001) or the MS4 (Municipal Separate Storm Sewer Systems). This documentation would include submission of a completed Notice of Intent and, in an MS4 area, a copy of the local municipality's approved MS4 Stormwater Pollution Prevention

Biotic Communities/Endangered and Threatened Species of Flora and Fauna

We have reviewed the available information in the New York State Natural Heritage Program databases for known occurrences of federally-listed or proposed endangered or threatened species; state-listed endangered, threatened or rare animal and plant species; significant natural communities; and other significant habitats. No occurrences were found in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed information only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

NYS Protection of Waters Permit NOT Required/Potential for Army Corps of Engineers Approval

The stream(s) near/in the project area has (have) a NYS Stream Classification of Class C and is therefore not considered a NYS protected water body. A determination has been made that the stream would not be considered a navigable stream as defined in the Protection of Water Regulations (6NYCRR Part 608). As this section of stream is not navigable or protected, disturbance of the stream's channels and banks will not require a permit from the DEC. Standard sedimentation and erosion controls should be employed to avoid contravention of the water quality standards. However, your project may be subject to Federal regulations. You should contact the United States Army Corps of Engineers' staff at the Buffalo District Office, 1776 Niagara Street, Buffalo NY 14207. They can also be reached by phone at (716) 879-4330.

Flood Plain and Levee Protection Area

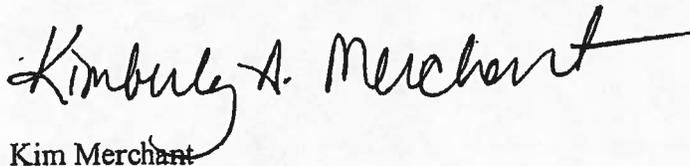
The project/site is located within a 100 year floodplain boundary. As shown in the attached Flood Insurance Rate maps, a large portion of the project site is in Zone X. Structural designs should take these criteria into account and allow passage of the flood waters flowing through the floodway. This project must be completed in compliance with Town flood control ordinances. As required by Floodplain Management Regulations, if any state monies are used, this project must also be in compliance with 6 NYCRR Part 502 Floodplain Management Criteria for State Projects.

The placement of fill in the floodplain on this property may result in exacerbation of existing downstream flooding problems during certain flood events along Irondequoit Creek, particularly in the Panorama Plaza. There is little floodplain left along the creeks leading to Irondequoit or to Irondequoit itself. This is one parcel that happens to have some flood plain left. Please document how downstream flooding issues will not be exacerbated by this development. We recommend that the project be designed to minimize fill in the flood plain and thus minimization of downstream flooding issues.

The habitat offered by this site may be more important to existing wildlife or migrants due to the lack of other greenspace in the area.

Thank you for the opportunity to review this project. Forms may be obtained on the DEC Website at: www.dec.ny.gov. If you have questions regarding the information provided in this letter, please don't hesitate to contact me at (585) 226-5392.

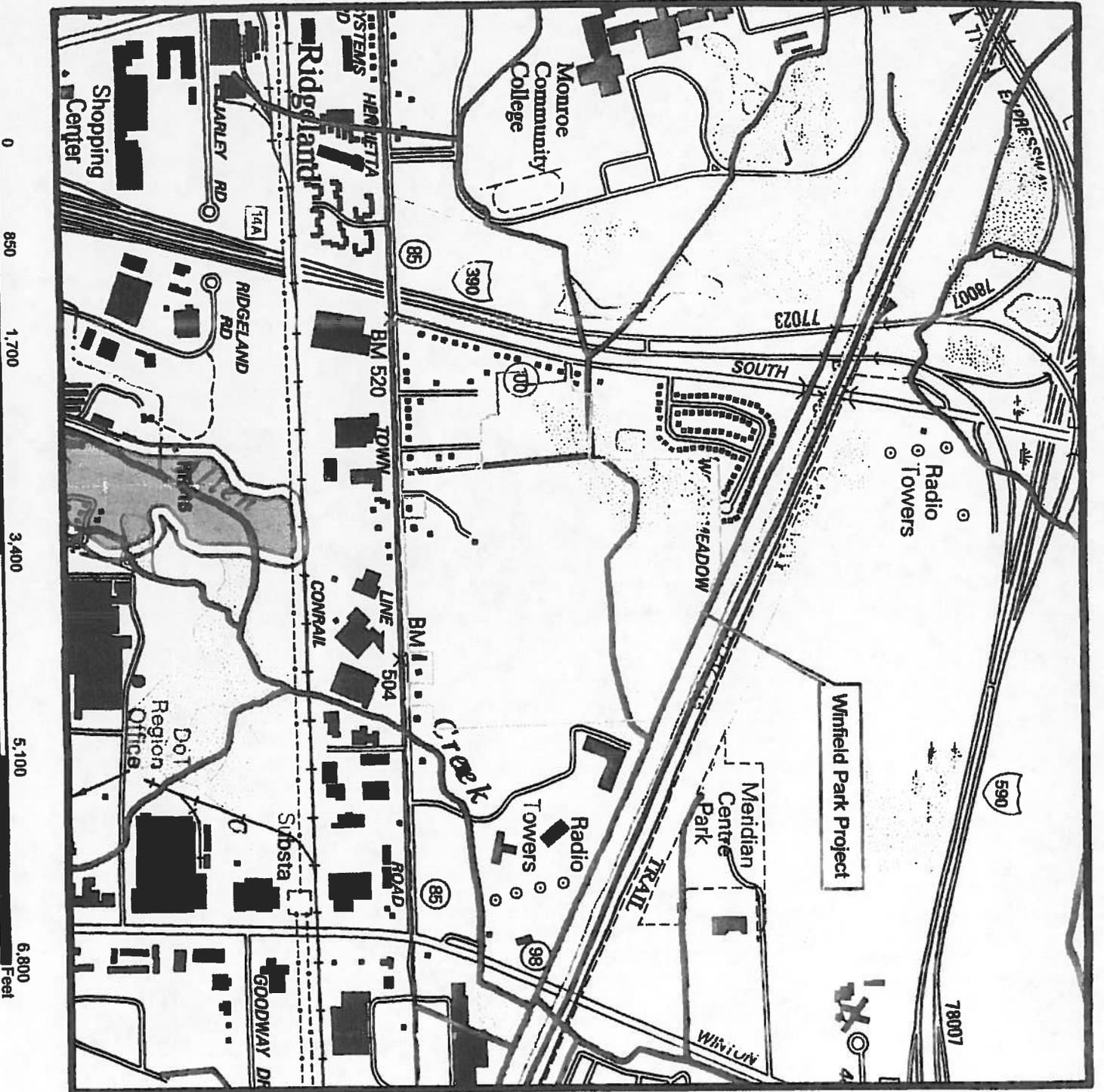
Sincerely,

A handwritten signature in black ink that reads "Kimberly A. Merchant". The signature is written in a cursive style with a long horizontal stroke at the end.

Kim Merchant
Division of Environmental Permits

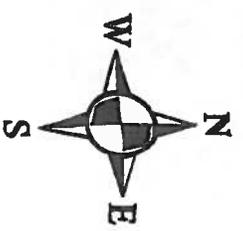
CC: T. Haley, DEC
S. Rodabaugh, RWE, DEC
S. Metivier, ACOE
BME Associates
Supervisor, Town of Penfield
G. Benway, Town of Penfield

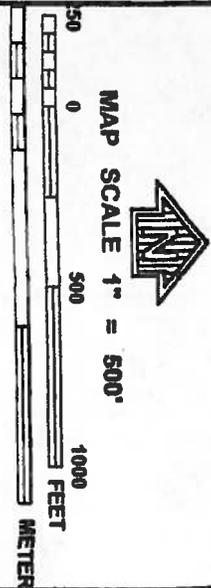
5238- Winfield Park Project Brighton (T), Monroe (C)



- Legend**
- Freshwater Wetland
 - Regulated Adjacent Area Boundary
 - Unprotected Streams
 - Protected Streams
 - Archeological Sites of Sensitivity
 - Monroe Flood Plain
 - Federal Wetlands**
 - Lacustrine
 - Palustrine
 - Riverine

NYS, DEC
08/07/2013





NATIONAL FLOOD INSURANCE PROGRAM

FIRM	PANEL 0361G
FLOOD INSURANCE RATE MAP	
(FOR MONROE COUNTY, NEW YORK (ALL JURISDICTIONS))	
CONTAINS:	
COMMUNITY*	NUMBER
BRIGHTON, TOWN OF	360410
HENRIETTA, TOWN OF	360419
ROCHESTER, CITY OF	360431
PANEL 351 OF 528	
MAP SUFFIX: G	
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)	

*Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
36055C0351G

EFFECTIVE DATE
AUGUST 28, 2008

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov

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330

Town of Henrietta
360419
ZONEX

ZONEX

ZONEX

S CLINTON AVENUE

S CLINTON

ZONEX

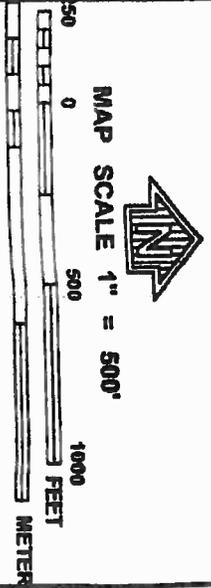
BRIGHTWOODS LANE

ZONEX

WOODSMEADOW LANE

47

430N



NFIP

PANEL 0362G

FIRM

FLOOD INSURANCE RATE MAP

for MONROE COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
BRIGHTON, TOWN OF	380410
HENRIETTA, TOWN OF	360419

PANEL 352 OF 528

MAP SUFFIX: G

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
36055C0362G

EFFECTIVE DATE
AUGUST 28, 2008

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www/fema.gov

TO: Brighton Town Board
FROM: Judy Schwartz
DATE: September 11, 2013
RE: Proposed Winfield Park

Good evening. My name is Judy Schwartz and I live at 179 Ashbourne Road. I have been here at subsequent hearings on this proposal and I must comment that it has not changed in any great measure. The TOP portion has recently been eliminated and the access from S. Clinton Avenue has likewise been eliminated from the proposal. The proposal for this Residential Low Density (RLB) site is still extremely dense. It will change the character of our town dramatically, not only the area; it will be built upon a known perpetually wet/poorly drained area and will result in the elimination of acres upon acres of natural beauty.

While I have read and will comment on some aspects of this document, there are many aspects in which I did not comment as others may speak and/or send in their written comments.

In the June 26, 2013 letter from Ramsey Boehner, in the section "III.F.3 Private Utilities , R,G &E was provided with a copy of the project site plan for review and to determine if sufficient capacity exists in their gas and electric lines to service the proposed project. They have determined that there does not appear to be sufficient electric capacity at this time and a study is required to determine the necessary upgrades to the system to provide the needed capacity. The initial cost of this study will be borne by the applicant...Frontier Telephone and Time Warner Cable have also been provided with a copy of the project site plan for review to determine if sufficient capacity exists in their respective lines to provide adequate telephone, internet and cable service to the proposed project." **There was no response from them in this communication. However, the response/comment from R,G,&E is a clear indication that this proposal is still too large.**

P. 39 As justification and as per the Town of Brighton Comprehensive Development Regulations Section 203-150, a PUD shall achieve the following objectives:

(2) More usable open space and recreation areas.

Response:...and approximately 13 acres within the proposed TOP district will be provided.

This component was eliminated some time ago and causes me to question the credibility and validity of this summary

P. 41 (7) A development pattern in harmony with the objectives of the Master Plan

Response: ...Additionally, the Applicant feels that the following maintains the objectives and exemplifies the intent of the Town's Master Plan:

*The preservation of existing federally regulated wetland areas, with the exception of minor crossings for access to development areas. **What is minor to one may be major to another- what type of crossing and size?**

*The enhancement of wetland areas and wildlife habitat diversity through the innovative approach to stormwater management for the project, including green infrastructure techniques. **I question this, as it is a perfect example of trying to fool Mother Nature- wildlife will be driven out due to the removal of habitat and the construction process itself. How and what innovative approach will enhance the wetland areas and establish a diverse wildlife habitat? I feel that this is being stated because it sounds impressive, but is not realistic.**

P.42 (8) A more desirable environment than would be possible through the strict application of these regulations. The conventional development of the land would result in the removal of approx. 22.75 acres of woodlot from the site. The total amount of open space that would be preserved with a conventional layout would be approx. 23.87 acres. By comparison, the preferred development

plan would maintain approx. 83 acres of open space and the removal of approx. 19.9 acres of existing woodlot. While the number of acres of woodlot to be removed from the site may not be substantially different between the development options, the amount of greenspace that would not be under control and maintained by a single entity is significant. The intent with the proposed development plan is to have the open space areas of the site controlled by a homeowners association, as such, there would be better continuity with maintenance on the site. It is the Applicant's position that the proposed development is a more attractive and more desirable use of the land than a conventional development. I take exception to this remark which tries to give reasoning to allow this proposal. To imply that a residential area can only be attractive if there is an HOA with professional lawn service is insulting to the greater community. This parcel could be developed as zoned and be lovely like the other residential areas that make Brighton as desirable as it is.

P.43/44 A) Changes in the allowable uses from what is currently permitted under the existing RLB Zoning District to allow for single-family patio lots, townhouses, apartments, skilled nursing residences, a community center, and office space (Section 203-9 of the Town of Brighton Code).
C) The minimum percentage of single-family lots within a PUD district is 20 percent. The proposal includes a total of 66 single-family lots out of the overall 495 residential units. Therefore, approval is requested for this reduction to approximately 13 percent. I feel that the 20% should be met, if this proposal comes to be. This can be achieved by eliminating the apartments thus being able to meet the required 20% of single family lots quite easily. As I stated at the previous hearing, at that time Brighton had 7,604 apartment units. As of today with the Villas of Brighton on Westfall Rd. and Lac de Ville Blvd. extension, we now have 7,645 apartment units. That equals about 42% of our residential stock, a figure grossly out of proportion. Apartments are not part of the Conventional Zoning Plan or the Comprehensive Plan for good reason. I question the marketing study of the number of apartment units absorbed per month. The examples cited were of complexes with a fraction of the number of units as this proposal. Also, it contradicted itself. It was stated in the study that newer construction (within 5 years) had a higher absorption than older units. However, a complex built in 1995, Blueberry Hill, absorbed 10 units/month, a higher rate than many built within the last 5 years according to the market study. I am a true supporter of affordable housing and note that this proposal has 10%, or a total of only 36 apartments, designated affordable. I will go further and say that the affordable housing component should not be incorporated into the apartments. A portion of the town homes, and even the patio homes, should be made affordable-thus, another reason for eliminating the apartments. This would be more egalitarian, create a more neighborly feeling and also drastically reduce the high density of the proposal. I will go one step further and say that the entire housing component should be owner occupied and not rental at all. As stated just above, 42% of our housing stock is rental property. We have evidence in Brighton that single-family affordable housing can be very successful.

P. 46 Approximately 49.9 acres of the ±132.9 acre site are proposed impervious areas... Approximately 104 acres of the site are proposed to be disturbed with this project. The soil testing indicated poorly drained very clayey, silty soil. In the chart on P. 77, almost 50% of the soils on the site were found to be impermeable and/or reside in areas having a high perched water table at or close to the surface. Another four soils were also hydric soils that have a high or seasonally water tables that often support wetland vegetation. This area is very wet, much of the time. Chances are the number of impervious acres will increase, if this is approved. It is hard to believe that there will be enough mitigation to even maintain the current situation. Retention ponds, swales, shallow wetland areas, etc. can do just so much. Also, disturbing almost the entire

site will certainly exacerbate the current condition. Proposing to leave only 26.8 acres of the site undeveloped out of 132.9 acres, as stated on p. 68 again emphasizes the massiveness of this proposal.

P. 48 states that "the single family residential lot #3040 South Clinton Avenue will not be part of the Incentive Zoning proposal and will be subdivided from the overall parcel. The existing curb cut will remain as a point of access for this lot." I am not discussing Incentive zoning, but am concerned that the mere mention of a point of access at 3040 S. Clinton Ave. sends up a red flag to me, even though it will be subdivided from the overall parcel. There is a wetland involved near or at this access point, but that does not necessarily stop the possibility of creating an actual access point down the road. Also, I believe that this was the access point that was removed a few years ago at the urging of the residents of Woods Meadow.

P. 48 states that the main entrance way contains four lanes of traffic. Though it will be divided into two lanes for egress and two for ingress by a 20' wide landscaped median, this further demonstrates the massiveness of this proposal. This is the main entry for the apartment buildings. Again, I say if this component were eliminated from the proposal it would dramatically reduce the massive feel of the plan and even perhaps the magnitude of this entry way which as planned is not residential in character or appearance.

P. 49 Parking- Though it was challenging to figure out parking spaces from the various areas of information, the following is my calculation: for just the proposed BE-1 offices, 2,182 parking spaces are required. This does not take into account the provision for handicap spaces which will equal 32 spaces. For the PUD, it was stated that 2 spaces will be provided per dwelling. That comes to a total of 262 more spaces. Required parking for these particular apartments (they are not efficiency) is 2 spaces per unit. That equals 720 more spaces. Parking around the clubhouse is another 78 spaces and 30 are planned for St. John's. The grand total of parking spaces for this proposal is 3,314 spaces. All of Pittsford Plaza is only 2,025 spaces. Again, here is a clear indication that this proposal is far too dense and far too massive. Eliminating the apartment component will reduce the parking by 720 spaces, still leaving a sea of asphalt larger than Pittsford Plaza by 1,289 parking spaces.

P. 52 last paragraph discusses drainage and states that the majority of the site topography is fairly flat, generally consisting of slopes ranging from 0-5%. However, the Town feels that there will be a potentially large impact on the site as there will be a physical change to the project site and specifically refers to construction on slopes of 15% or greater or where the general slopes in the project area exceed 10%. Furthermore, on P. 68 under approvals from the Town of Brighton, it clearly states that an EPOD for Steep Slopes is required. Yet, on P. 77, it is stated that the proposal may require a Steep Slope EPOD permit. This may be a minor detail, but it clearly questions the credibility of this document. The attitude of the applicant seems to dismiss any value of the topography.

P. 71 states that the overall construction has been delineated into 12 phases, comprising 7 sections. This construction is proposed to last for 7 years. This is an extremely long period of time to endure for the residents and those who travel these corridors. Again, this strongly emphasizes that this proposal as is, is far too massive and far too dense.

P. 88, III.C.3. **Wildlife Habitat** describes several different types of habitats associated with the site including, wooded areas, scrub/brush, grassland and wetlands. A wide variety of species was listed-

as amphibians (salamanders, toads, frogs, newts), waterfowl, marsh birds (heron, kingfisher, rails), song birds, muskrat, turtles and fish. Based on several site inspections, either by sight or other indicators, very few of these species could actually reside within the subject property. However, it only lists "past summer 2011" as the time of inspection. One needs to go out in different seasons. To me, this is a clear indication of downplaying the significance and importance of the wildlife in the area.

P. 93 III.C.6. Endangered Species A letter dated April 20, 2011, from the NYSDEC reviewing the New York Natural Heritage Program, indicated the only State rare species was the Blackchin Shiner... It is highly unlikely this species is on or even within the vicinity of the proposed site. However, there was no observation to see if this statement is valid. Again, I question the validity of this document.

III.D. Transportation- Traffic Volumes as of February 2011 were used for this document- that's almost 3 years ago. One can easily determine that the 3,314 parking spaces, plus deliveries, trash pickup, and visitors to the site will generate traffic significantly above present levels and result in reduced LOS in the general area. In Table A Capacity Analysis- Study Area, Woods Meadow Lane as of now is LOS C. In 2016, it will go down to D as well in 2019 and 2022. The AM will be LOS C. In Table B, I find it hard to believe that the current A.M. LOS D for Clinton Ave. and Westfall Rd. will go to LOS C for 2016, 2019 and 2022. The existing intersections at AM Peak Hours are at LOS B for all of the projected years. Again, another reason to question the credibility of this document. Evening peak hour on BHTL Rd. and Winton Rd. and Clinton Ave. and Westfall Rd. have an LOS D and will from now to 2022 regardless of what happens. It does not seem right that a proposal should create an even worse traffic condition than the existing. Again, this proposal is far too massive and far too dense. On P. 100, just one of the recommendations in Phase I for the intersection of BHTL Rd. at East Site Driveway is beyond unreal- Construct a 250 ft. eastbound left-turn lane, a 200 ft. westbound right-turn lane, and a 150 ft. westbound left-turn lane. Just visualizing this is heartbreaking as this neighborhood will be compromised more than anyone can imagine. Again, I cannot stress often enough that this proposal is far too massive and far too dense for this site and now we realize, for the greater surrounding area as well.

III.F.4. Police Service – only a description of the make up of our Police Dept., but no comment as to whether our current police staff can support this proposal. In Section 47. IV-4, Brighton Police, there is a letter from Chief Henderson to Mike Simon stating, " Based upon a review of the Supplemental Traffic Impact Study and associated material, I do foresee an increase in the demand for police service and the potential (overall impact of the development) does exist for the need for additional police staffing to meet this increased demand for police services." The Town cannot absorb this cost and there is no evidence that the tax revenue from the applicant will be sufficient. Again, my mantra- further evidence that this proposal is far too massive and far too dense for this area.

III.F.5. Fire Service- again just a description, but no comment regarding the ability to support the probable increase in demand for service. In Section 48. IV-5 Brighton Fire Marshal, Chris Roth, Chief Fire Marshal in a letter dated Dec. 14, 2011 to Mike Simon states that an Emergency Services Study is to be concluded soon. He states further, that this large development could impact the demands of the delivery of local emergency service and due to this active study not being complete, he cannot fully commit to a position as to how this project could impact emergency services demands. Once this study is completed and long term service providers are identified, then it can be determined if any

specific resources are necessary for this large project. Today is Sept. 11, 2013, almost three years later and this is all that there is on this critical issue. Again, one wonders why the applicant wasn't more forthcoming, even to say that no results of the study have been received as pertaining to this proposal. I find this missing information unacceptable and reason to cast more doubt on the credibility of this document. One could also surmise, that the report is not favorable to the massiveness of this proposal. To compound this issue, today's newspaper reported a break down in an agreement between the Henrietta Fire District and Wbfd. In essence, there is no plan.

III.F.6. Educational Service - The residential target market for the development is a mix of young single and married professionals, retired couples as well as empty nesters. Additionally there is the four St. Johns Greenhouses that will serve elderly people in need of assisted care. Given the target demographics, it is not anticipated that a large influx of school aged children will be introduced in the school district. However, Rush-Henrietta School Superintendent J. Kenneth Graham feels just the opposite. He anticipates that a significant number of school age children will eventually reside within the development and attend the Rush-Henrietta school system. While he supports development within the district, it is also important that the development generate tax revenues in proportion to the increased costs that will be added. Therefore, we would propose that NO COMIDA property tax abatements be provided by this project. He stated this very firmly in capital letters. This letter is dated November 6, 2011. "The Applicant and previous owners of the property have annually paid town, county and school taxes on the parcels with little or no need of town services or educational requirements." That is the American way, we pay before we need the services, while we need them and afterwards. I find the applicant's comment a bit disconcerting.

III.I. Noise- while interesting charts were provided, it did not say where on the property these readings were taken. It did not seem to be in the backyards of the residential properties in particular. Therefore, I would make an educated guess that the noise levels would be lower. This proves that this site is relatively quiet, except for the sounds of birds chirping or a frog croaking, etc. These are not noises. The noise that would be generated by this proposal is real noise- huge refuse trucks emptying commercial dumpsters, large delivery trucks servicing the commercial and office buildings, etc. Again, not truly straight forward responses diminishing the level of credibility of this document and the inappropriateness of this proposal for this site.

I do not feel confident with the proposed measures during construction that are supposed to control the erosion as it relates to silt runoff. The proposed ponds will also be used as silt sinks during construction. Upon completion of construction and establishment of groundcover, the accumulated silt will be excavated from the basins. This does not sound plausible to me and seems to be quite labor intensive, if indeed it can be accomplished. I am extremely skeptical as to the implementation of this plan. I question whether the seeding and mulching of disturbed areas will be completed in a timely fashion. How often will site inspections occur to check if the erosion control measures are being implemented as described on Pgs 131-132?

IV.B.1. Potential Impacts-P. 133 states," Due to the proposed increase of impervious surface as compared to existing conditions, there will be an anticipated increase of peak stormwater run-off rate and volume and a degradation in water quality. Increase in flow rates and volumes could affect the floodway ponding elevations. Increase in nitrogen, phosphorous and thermal pollutants may also be experienced from the developed portions of the site. The increase in volume and rates of run-off could also impact downstream conditions when combined with offsite upstream and downstream

flows, etc." The outcome of all of this states," The data provided in the Engineer's Report attached in Appendix A shows that the Winfield Park project will decrease peak flow rates and peak water elevations. Therefore the Winfield Park development will not adversely affect downstream drainage conditions. " There is no credence given to the possible damage to the existing residential areas along the way. The only concern seems to be getting from point A to point B. This, to me, does not fully explain the impact on the existing properties as the water goes downstream. This omission leads me to question the credibility of this document once again.

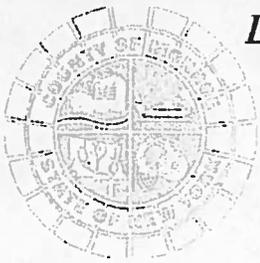
Wildlife is described on several pages. Naturally, I am very concerned because I feel that if this proposal, even in a smaller version, moves forward, the wildlife will disappear as they will not be able to survive many years of construction. It is stated, "The development will displace existing wildlife species to either other undisturbed areas on the property or into proposed "green" areas." This is a response that I have heard many times over the years and guess what? The wildlife disappear and/or get displaced- not into the areas mentioned. This statement tries to appease the community, but it's not realistic. If the proposal were less dense, more wildlife habitat could be preserved, which is critical. There are several "promises" through mitigation concerning wildlife, water, etc. If this proposal should come to be, however, it must be really reworked. Feet should be held to the fire to see that all of these "promises" become realities.

I found it quite disturbing that this document contradicts itself as well as other professionals:

1. It was stated that the variety of housing would not put children in the schools, the district refuted that. On P. 170 IV.F.6., Educational Services - IV.F.6.a. Potential Impacts There will be additional students added to the Rush-Henrietta Central School District as a result of the development. A certain demographic may be anticipated, there are no guarantees. BME recently performed a study associated with the number of school aged children generated with apartment units in the intended Winfield market demographic and price range which is included as Exhibit IV-6. The findings determined that approximately .11 students per apartment unit would be generated. This would produce a total of 40 new students being added to the school system. Therefore, the projected total of new students from the residential portion of the development would be approximately 79. COMIDA is a huge issue. If the proposal is approved, it will impact the taxes to the school district. This is an example of making the numbers do what you want them to do. The Superintendent of the Rush-Henrietta school district clearly stated that this proposal will have a potentially significant impact on the school district, as I stated earlier. The applicant states on P. 172, "It is not anticipated that the development will produce a significant impact or burden on the R-H School District therefore no mitigation is proposed." This is unacceptable, an insult to the superintendent and to all of us, frankly. There is no question that the integrity and credibility of this document is shaky at best.

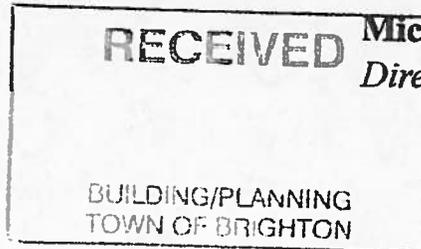
I could continue commenting on the few remaining pages, but I am certain that you have more than a sense of my concerns and reasons why this proposal should not go forward as presented.

In summary, there is no doubt that this proposal, as is, in no way fits into the Town of Brighton. It is far too dense, far too massive, far too destructive to the vegetation, wildlife, water supply, aesthetics, well being of the Town, and quality of life of the residents along BHTL Rd., S. Clinton Ave. and Woods Meadow Lane. There is no degree of mitigation that could begin to equal the devastation that this proposal will cast upon this amazing environmentally sensitive and important part of our community. In truth, it will have a devastating effect on the entire Town of Brighton- that once gone, is gone forever.



Department of Environmental Services
Monroe County, New York

Maggie Brooks
County Executive



Michael J. Garland, P.E.
Director

September 13, 2013

Mr. Ramsey A. Bohner
Environmental Review Liaison Officer
Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

**Re: Draft Environmental Impact Statement
Winfield Park Office Development
Town of Brighton Project #ER-2-11
Irondequoit Bay South Central Pure Waters District**

Dear Mr. Bohner,

Upon review of the documents for the above referenced project, Monroe County Pure Waters on behalf of the Irondequoit Bay South Central Pure Waters District reserves comment regarding significant impact on our facilities and/or the environment at this time pending a full comprehensive review of site plans.

Please be advised that we must review and approve any plans prior to sanitary sewer construction for the Irondequoit Bay South Central Pure Waters District. Site civil plans may be submitted to the Office of Development Review located 444 East Henrietta Road, Rochester, New York 14620.

Requirements also include connection fees of \$350.00 (non-residential) or \$250.00 (residential) for each new connection to the public main sewer. Checks must be made payable to the Irondequoit Bay South Central Pure Waters District prior to plan approval.

If you have any questions or comments, please do not hesitate to call me at 753-7614.

Sincerely,

Richard J. Bianchi
MCDES - Division of Pure Waters
Office of Development Review

xc: Thomas Goodwin, MC/PLN
File

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 14, 2013 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the Supervisor to execute an amendatory agreement with the City of Rochester to share costs associated with the Highland Park/Canalway Trail project, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an amendatory agreement with the City of Rochester to share costs associated with the Highland Park/Canalway Trail project, substantially in accordance with the terms and conditions included in the above referenced correspondence, subject to the review and approval of the agreement by the Attorney to the Town.

Dated: October 23, 2013

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

October 14, 2013

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

Re: Highland Park/Canalway Trail
City of Rochester
Amendatory Agreement

Dear Councilperson Werner and Committee Members:

The Genesee Transportation Council approved an amendment to the Highland Crossing Trail agreement which adds \$25,000 of design and \$200,000 of right-of-way acquisition funding for the above referenced project. The FASC at their May 14, 2013 meeting recommended that the Town Board authorize the Town Supervisor to endorse Supplemental Agreement No. 3 to the Federal-Aid Local Project Agreement. This agreement allows the NYSDOT to reimburse the Town of Brighton eighty percent of the additional design services and right of way acquisition phase fees for this project. The remaining 20% of the project cost will be shared between the City of Rochester and the Town of Brighton.

Subsequently, we prepared an Amendatory Agreement between the Town of Brighton and the City of Rochester that defines the cost sharing methodology for funding the remaining 20% of the project cost associated with the additional design services and right-of-way acquisition. The agreement requires that the City of Rochester fund 60% of the remaining cost of the additional design services and the total remaining cost for any property acquisition within the City of Rochester limits.

I am requesting that the FASC recommend that the Town Board authorize the Town Supervisor to endorse the attached amendatory agreement.

I will be in attendance at your regularly scheduled October 15th meeting in the event that you have any questions regarding this correspondence. As always, your consideration of matters such as this is greatly appreciated.

Respectfully,



Michael E. Guyon
Department of Public Works

Cc Tim Keef
Mary Ann Hussar
Suzanne Zaso

**Amendatory Agreement for the
Highland Crossing Trail
(Formerly the Highland Park/ Canal way Trail)**

This Amendatory Agreement is made, pursuant to General Municipal Law Section 119-0, between the Town of Brighton ("Brighton"), a municipal corporation having offices at Town Hall, 2300 Elmwood Ave., Rochester, New York, 14618, and the City of Rochester ("Rochester"), a municipal corporation having offices at City Hall, 30 Church St., Rochester, New York, 14614.

WITNESSETH:

WHEREAS, the Highland Crossing Trail formerly known as the Highland Park/Canalway Trail project ("Project") has been programmed for Federal assistance in the Genesee Transportation Council's Transportation Improvement Program as P.I.N. 4754.08; and,

WHEREAS, Brighton has executed a Federal-Aid Highway Local by the New York State Department of Transportation for the preliminary engineering and final design phases of the Project; and

WHEREAS, the parties entered into an agreement for the preliminary engineering and final design of the Project (including the receipt and administration of Federal Aid for the Project) on September 25, 2008, and,

WHEREAS, the parties now desire to amend said agreement to provide for additional final design and right of way acquisition for the Project; and,

WHEREAS, Brighton authorized such an amendatory agreement, (Supplemental Agreement No. 1) with the New York State Department of Transportation at a Town Board meeting on May 13, 2009; and,

WHEREAS, Brighton authorized such an amendatory agreement, (Supplemental Agreement No. 2) with the New York State Department of Transportation at a Town Board meeting on October 13, 2010; and,

WHEREAS, Brighton authorized such an amendatory agreement on, (Supplemental Agreement No. 3) with the New York State Department of Transportation at a Town Board meeting on May 22, 2013; and

NOW THEREFORE, in consideration of the terms and conditions herein, it is hereby agreed by and between the parties to amend the September 25, 2008 Agreement as follows:

1. Definition:

- a. Project Costs: The Project Costs shall be increased by \$225,000, for a new "not to exceed" amount of \$535,000.00

2. Final Design Services and Right of Way Acquisition for, the Project:

- a. The City of Rochester shall, within thirty days of the receipt of a written recommendation from Brighton, review the proposed scope and fees for the amendatory agreement with the consultant's (Fisher Associates') services, and approve or disapprove of the award. This shall be furnished in writing to Brighton.

3. Calculation of the Shares

- a. The Local Share of the Final Design Services associated with Supplemental #3 shall be divided between the Town of Brighton and the City of Rochester at the ratio Rochester's Share is 60% of the costs: Brighton's, 40%. Federal and state funds would be applied to the Final Design Services costs associated with Supplemental #3 against these shares in the same ratio.
- b. The Local Share of the Right of Way Acquisition costs associated with Supplemental #3 shall be divided between the Town of Brighton and the City of Rochester based upon the land acquired within each municipality. The local share of land acquired within the City of Rochester will be reimbursed by the City of Rochester. Likewise, the local share of the land acquired within the Town of Brighton will be paid for by the Town of Brighton. Federal and state funds will be pay for 80% of the land acquired.

Based upon the preliminary appraisal values provided by RK Hite the City of Rochester's gross share of the revised Project Costs is estimated to be \$193,229 with matching funds of \$38,645.80 payable to the Town of Brighton. The Town of Brighton's gross share of the revised Project Costs is estimated to be \$336,747 with matching funds of \$67,349.40.

4. Terms and Conditions of the underlying Agreement

a. All terms and conditions of the underlying Agreement (dated September 25, 2008) shall remain in full force and effect unless specifically modified herein.

IN WITNESS WHEREOF, the parties have duly executed this Agreement on the _____ day of _____, 2013.

CITY OF ROCHESTER

BY: _____

Thomas S. Richards, Mayor

TOWN OF BRIGHTON

BY: _____

William W. Moehle, Supervisor

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 3, 2013 from Town Junior Engineer Chad Roscoe regarding a request to authorize the Supervisor to execute an agreement with Pipitone Enterprises, LLC to perform the work required for the 2013 Library Rooftop HVAC System Replacement project for a cost not to exceed \$108,000.00 and to execute any necessary change orders that do not collectively exceed ten percent of the awarded contract price and a memorandum from Finance Director Suzanne Zaso regarding a request that the Town Board authorizing the appropriation of \$58,000.00 from the repair reserve Fund (A.889.REPAR) to the Library Rooftop HVAC Unit capital project (H.LIBRY.HVAC 2.63 - Building Improvements) to help fund the costs associated with the purchase and installation of a replacement HVAC unit on the Library Rooftop and to set a public hearing on said reserve fund appropriation for November 13, 2013 at 7:30 pm pursuant to General Municipal Law Section 6-d, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Pipitone Enterprises, LLC to perform the work required for the 2013 Library Rooftop HVAC System Replacement project for a cost not to exceed \$108,000.00 and to execute any necessary change orders that do not collectively exceed ten percent of the awarded contract price, subject to the review and approval of the agreement by

the Attorney to the Town, and be it further

RESOLVED, that the Town Board hereby sets a public hearing for November 13, 2013 at 7:30 pm pursuant to General Municipal Law Section 6- d to consider the appropriation of \$58,000.00 from the repair reserve Fund (A.889.REPAR) to the Library Rooftop HVAC Unit capital project (H.LIBRY.HVAC 2.63 - Building Improvements) to help fund the costs associated with the purchase and installation of a replacement HVAC unit on the Library Rooftop.

Dated: October 23, 2013

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

10/3/2013

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

Re: Award of Bid
2013 Library Rooftop HVAC System Replacement

Dear Councilperson Werner and Committee Members:

The bids for the above referenced project were publicly advertised and publicly opened on October 3, 2013 at 10:00 AM, all as required by law. A copy of the bid advertisement and bid tabulation are attached for your reference. Three bids were received and are shown in Table - 1.

Table - 1 Bid Results Summary

	Company	Base Bid
1	<i>Leo J. Roth Corporation</i>	<i>\$115,500</i>
2	<i>Bell Mechanical Contractors, Inc.</i>	<i>\$118,000</i>
3	<i>Pipitone Enterprises, LLC</i>	<i>\$108,000</i>

The Town Staff reviewed the bids for completeness and accuracy and concluded that the low bid submitted by Pipitone Enterprises, LLC is a true representation of the costs to complete the project and the contractor is qualified to complete the works of the Contract. Therefore, I am requesting that FASC recommend that the Town Board award the base bid, for the 2013 Library Rooftop HVAC System Replacement to the low, responsible and responsive bidder, Pipitone Enterprises LLC of Rochester, N.Y. for a cost not to exceed \$108,000. I further recommend that the Supervisor be authorized to execute any necessary change orders that do not collectively exceed ten percent of the awarded contract price.

As always, thank you for your consideration. A representative from our department will be in attendance at your regularly scheduled October 15, 2013 meeting in the event that you have any questions regarding this matter.

Respectfully,

Chad J. Roscoe
Junior Engineer

Attachments

cc: S. Zaso, T. Keef, M. Hussar, Kevin Hall

SECTION 00030
ADVERTISEMENT FOR BIDS

The Town of Brighton, Monroe County, New York will receive sealed bids for the improvements to the
2013 LIBRARY ROOFTOP HVAC SYSTEM REPLACEMENT

Sealed Bids will be received and bids publicly opened and read at the following place and time:

Place: Town of Brighton
Dept. of Public Works
2300 Elmwood Avenue
Rochester, New York 14618

Date: **Thursday, October 3rd, 2013**

Time: **10:00 A.M. Local Time**

The work consists principally of mechanical and electrical work for the replacement of an existing multi-zone packaged rooftop unit.

The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under each contract. Plans and Specifications are available for inspection at the above location or you can download them from the Town's website (www.townofbrighton.org) under the Town Departments – Public Works – Current Bid Offerings.

The Town of Brighton will hold a site walk thru on September 20th, 2013, at 10:00AM which we encourage any and all bidding contractors to attend.

Bids must be made in writing on the forms furnished and shall be accompanied by a bid guarantee for an amount not less than five percent (5%) of the amount bid in accordance with the INSTRUCTIONS TO BIDDERS.

The Town of Brighton is exempt under New York State Tax law, and therefore, no sales tax on the cost of materials incorporated into the project shall be included in the bid.

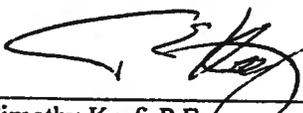
All prices bid shall be good for a period of sixty (60) days after opening. The Town of Brighton reserves the right to consider bids for sixty (60) days after their receipt before awarding any contract. The Town of Brighton further reserves the right to reject any and all bids, and to accept any Proposal or individual item or items, which it may deem to be the most favorable to its best interests.

A noncollusive bidding certificate shall be included with each bid.

The attention of the Bidder is call to the requirements as to the conditions of employment and the minimum wage rates to be paid under this contract.

The Contractor, by bidding on the contract, acknowledges his or her understanding and support of this policy and pledges to fully cooperate within the Town of Brighton in meeting State requirements as set forth in the Bidding and Contract Documents.

Dated: **September 12, 2013**
Town of Brighton



Timothy Keef, P.E.
Commissioner of Public Works
(585)784-5225

BID TABULATION SHEET

OPENING DATE: 10/3/2013 **TIME:** 10:00 AM **PERSON:** Chad Roscoe
PROJECT NAME: 2013 Library Rooftop HVAC System Replacement
TOB PROJECT NO.: BIDS-4030.00 **CONTRACT FOR:** Town of Brighton, DPW & Library

2013	BID PACKAGE #	CONTRACTOR (COMPANIES NAME)	Addenda Received (Sec. 300-1.4) <input type="checkbox"/> 1	5% Bid Security (Sec. 300-1.3) <input type="checkbox"/>	Base Bid (Sec. 300-2.2.1)	APPARENT LOW BIDDER
1		Leo J. Roth Corporation 841 Holt Road Webster NY 14580	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	115,500	2
2		Bell Mechanical Contractors, Inc. 105 Lincoln Rakway East Rochester, NY 14445	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	118,000	3
3		Pipitone Enterprises, LLC 3225 Chili Avenue Rochester, NY 14618	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	108,000	1
4			<input type="checkbox"/>	<input type="checkbox"/>		
5			<input type="checkbox"/>	<input type="checkbox"/>		
6			<input type="checkbox"/>	<input type="checkbox"/>		
7			<input type="checkbox"/>	<input type="checkbox"/>		

- | | | | | | | | | | |
|---------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 300-2.2 Signatures | <input checked="" type="checkbox"/> |
| 410 Bid Security | <input checked="" type="checkbox"/> |
| 450 Bidder Responsibility | <input checked="" type="checkbox"/> |
| 470 Corporate Resolution | <input checked="" type="checkbox"/> |
| 480 Non-Collusive | <input checked="" type="checkbox"/> |
| 485 MacBride | <input checked="" type="checkbox"/> |
| 490 Site Investigation | <input checked="" type="checkbox"/> |

COMMENTS:

COMMENTS:

COMMENTS:

COMMENTS:

COMMENTS:

COMMENTS:

COMMENTS:



SUZANNE ZAS, 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 *SZ*
Date: October 14, 2013
Subject: Appropriation of Repair Reserve Funds for Library Rooftop HVAC Unit and Set Public Hearing

On August 8, 2012 the Town Board authorized a Bond Resolution which included \$75,000 for the purchase and installation of a replacement HVAC unit on the Library rooftop. Upon further engineering review it was discovered that a heavier unit than originally estimated is required which will increase the cost of the unit. Bids for the unit have now been received with the low bid being for \$108,000. To offset the additional costs for engineering, purchase, installation, and contingencies, I am recommending that the Town Board appropriate funds from the Town's Repair Reserve account.

My formal request to the Town Board is to authorize the appropriation of \$58,000 from the Repair Reserve Fund (A.889.REPAR) to the Library Rooftop HVAC Unit capital project (H.LIBRY.HVAC 2.63 – Building Improvements) to help fund the costs associated with the purchase and installation of a replacement HVAC unit on the Library rooftop.

General Municipal Law section 6-d requires that a public hearing be set to appropriate repair reserve funds. Therefore, it is also requested that the Town Board set a public hearing at their November 13, 2013 meeting to consider the appropriation of \$58,000 from the Town's Building Repair Reserve Fund for HVAC unit purchase and installation.

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

Copy to: M. Guyon
C. Roscoe
K. Hall
J. Ries-Taggart

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated October 8, 2013 from Director of Personnel Gary Brandt regarding a request to authorize the Supervisor to execute an agreement with Strong EAP of the University of Rochester to provide Employee Assistance services to the Town for 2014, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Strong EAP of the University of Rochester to provide Employee Assistance services to the Town for 2014.

Dated: October 23, 2013

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

TO: Christopher Werner, Chair, Finance & Admin. Services Committee
FROM: Gary Brandt, Director of Personnel
DATE: October 8, 2013
RE: Strong EAP Contract for FY 2014

I respectfully request your review and approval of the FY 2014 Employee Assistance Program (EAP) contract with the Strong EAP of the University of Rochester Medical Center.

The cost for 2014 is a fixed rate of \$21.53 per employee, based on a total of 202 employees. This represents a 3.0% increase over the rate of \$20.90 for 202 employees for the current contract for 2013.

The total contract amount for FY 2014 will be \$4,349.06, or an increase of \$117.26 from the prior year.

Strong EAP has been our EAP consultant since 2008 and they have provided the Town and our employees with excellent service. I recommend the approval of the agreement for FY 2014.

c: Suzanne Zaso, Director of Finance



AGREEMENT OF PROFESSIONAL SERVICES

THIS AGREEMENT is made this ____ day of _____, 20__ by and between, the **Town of Brighton** and the Department of Psychiatry of the University of Rochester, providing services through its Strong Employee Assistance Program, located at 496 White Spruce Blvd, Rochester, New York 14623, hereinafter known as "Strong EAP".

WITNESSETH:

WHEREAS, Town of Brighton, desires to secure the professional services of Strong EAP to provide Employee Assistance Program (EAP) services for employees of **Town of Brighton** and

WHEREAS, Strong EAP has the necessary equipment, personnel, and expertise to perform EAP services.

NOW THEREFORE, in consideration of the terms and conditions contained herein, the parties do covenant and agree as follows:

The Department of Psychiatry will establish an employee assistance program (EAP) as a separate and distinct program. This program will be comprised of a specialized clinical and administrative team who will provide a confidential setting to address the needs of all employees and immediate family members (those living in the household) of the covered employees of **Town of Brighton** and its affiliates.

Section 1. DESCRIPTION OF SERVICES

Strong EAP, upon the commencement date specified in Section 2 hereof, shall perform in a professional manner to the reasonable satisfaction of the **Town of Brighton**, all of the services required below or reasonably required in order to carry out the services set forth herein:

A. The services provided may be conducted at Strong EAP facilities, or other locations as determined by Strong EAP.

B. Strong EAP will assist and advise the **Town of Brighton** in updating its written policy for referrals to the EAP, which will include procedures to be utilized by supervisory personnel to identify, contact, evaluate and refer employees to the EAP.

C. Strong EAP agrees to assume responsibility for the promotion of the program, including various brochures and posters. Any promotional activities or publications must first be approved by the **Town of Brighton**. Included in the promotional activities are posters, program brochures, and informational sessions for both supervisory personnel and the general employee population. Strong EAP will also provide information about EAP services at staff meetings and other sessions as requested by the **Town of Brighton**. The **Town of Brighton** agrees that all documents and promotional materials of Strong EAP are the exclusive property of Strong EAP and the **Town of Brighton** shall not reproduce or summarize the contents by any method whatsoever without first obtaining specific approval from Strong EAP.

D. Strong EAP agrees to provide training for supervisors and managerial personnel to assist them in making appropriate referrals to the EAP. The training materials and format of the training sessions will be approved by the **Town of Brighton**. Training will include, but not be limited to, an instructional session on the program's objectives utilizing appropriate audiovisual materials, review and discussion of the **Town of Brighton** policy and referral procedure, and any specific follow-up as may be requested by an individual supervisor. This supervisory/managerial training will take place during the first six (6) months of the contract and will be scheduled at times and locations that are approved in advance by the **Town of Brighton**. Strong EAP agrees to provide subsequent supervisory training sessions annually for new supervisory personnel and as a refresher for existing staff.

E. Strong EAP agrees to provide orientation sessions on the EAP for all covered employees. The materials and format of these orientation sessions will be approved by the **Town of Brighton**. These employee orientation sessions will take place during the first six (6) months of the contract and will be scheduled at times and locations that are approved in advance by the **Town of Brighton**. Strong EAP agrees to provide subsequent employee orientation sessions for new employees annually and to develop, as requested by the **Town of Brighton**, follow-up sessions to update all employees on the program.

F. Strong EAP offers a series of wellness programs, which address individual issues that can affect the workplace. Such programs include: Developing Resiliency While Moving Through Change, Conflict Resolution Skills, Effective Communication Skills, Coping with Work and Family Stress, Compassion Fatigue: When the Helping Professional Hurts, Employee Relationships: How Close Is Too Close, When Substance Abuse Comes to Work, Dealing with Difficult People, Motivating Your Employees through Tough Times, Depression, Self-Esteem, Moving Forward: Coping with Loss and Change, When a Co-worker Dies, and Critical Incident Stress Response. **Five (5) one-hour** programs will be offered at your site under this contract. Additional programs will be billed at a rate of **\$130/hour**.

G. Strong EAP agrees to provide **two (2) Critical Incident Stress Management (CISM)** responses per year. A CISM response is a structured intervention to an event, which caused, or has the potential to cause, unusually strong emotional reactions that ultimately may interfere with an individual or group of individual's ability to function in his/her/their work role. These services are available 24 hours per day, 7 days per week by contacting a Strong EAP through our answering service. Strong EAP will respond to all additional CISM requests at rate of **\$130.00** per hour. EAP's attendance at a critical incident before 7:00am or after 5:00pm will be billed at **\$200.00 per hour**.

H. Strong EAP agrees to provide **Town of Brighton** employees and their immediate family members with assessment and referral and short-term supportive interventions. These interventions will be without charge to the employee or his/her family. If long-term counseling (greater than five sessions) is required, the employee may be required to pay for services provided by the agency to which the employee is referred. Strong EAP agrees to refer employees to agencies that are qualified to handle the employee's problems, and wherever feasible, to refer an employee to an agency whose fees will be covered by the employee's health insurance. Assessment, referral, and short-term interventions are intended to address the following issues: alcohol and substance abuse, mental and emotional difficulties, and personal problems such as marital and family difficulties, employment concerns, and legal, financial, and credit problems.

I. Strong EAP agrees to provide emergency coverage (24hours/7 days a week) by a mental health professional via pager service to manage crisis related problems. This emergency pager service will be listed in all promotional materials and discussed during all informational sessions conducted by Strong EAP.

J. Strong EAP agrees that its staff and the staff of any sub-contractor or any other entity referenced under this agreement shall possess the necessary qualifications, licenses, and training to perform the services to be provided under this contract.

K. Strong EAP agrees to maintain the privacy, security and confidentiality of all information, including all patient medical records, charts, and related information, transmitted, received through or maintained in connection with the services provided pursuant to this Agreement, in accordance with (i) all applicable statutes and regulations, including without limitation, the applicable requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, Title II, Subtitle F, and regulations from time to time promulgated thereunder ("HIPAA") and (ii) the protocols, rules, policies and other requirements of Strong EAP and any accrediting agencies, licensors and authorities that are applicable to Strong EAP. All patient records, charts and related information developed in connection with this Agreement shall remain the property of Strong EAP.

L. Strong EAP agrees to provide regular service reports on client utilization. Follow-up information compiled from participant evaluations of the program and its services will accompany the service reports. In no case will this information infringe on the confidentiality of the participant's records.

M. Strong EAP agrees to administer a consumer satisfaction survey at a mutually agreed upon time following the commencement date of the contract. The survey results will be shared with the **Town of Brighton**, and focus groups will be developed to address any areas of concern.

N. This agreement cannot be assigned or transferred without prior written approval and may only be modified or amended upon the written consent of both parties.

O. Strong EAP agrees that it will maintain adequate books, accounts and records relating to its performance under this contract for inspection by the **Town of Brighton** during reasonable business hours. The confidentiality of the identity of those persons referred will at all times be maintained by Strong EAP. Books, accounts and records will be made available in a form that best protects that confidentiality.

Section 2. **TERM AND TERMINATION**

This agreement shall remain in effect for a **one (1) year term and commence on January 1, 2014 and terminate on December 31, 2014**

This agreement may be terminated under any of the following circumstances:

- a. Either party may terminate this Agreement without cause upon 60 days prior written notice to the other party;
- b. Either party may terminate this Agreement for cause upon 30 days prior notice to the other party if the noticed party fails to fulfill any of its material obligations and responsibilities under this Agreement. The termination notice shall include the specifics other party's default and specify the termination date. Failure to cure such default within the 30-day notice period shall result in an automatic termination of this Agreement.

Termination shall not relieve the either party of its obligations accruing prior to the termination date.

Section 3. **FEE**

The Town of Brighton agrees to pay Strong EAP a sum of **\$4,349.06** annually [based on 202 employees x \$21.53]. Such contract sum shall not change during the contract year. The total contract sum shall be paid by the Town of Brighton to Strong EAP in **twelve (12) installments of \$362.42 each**, with the first installment due on the first day of the contract and monthly thereafter.

Additional wellness sessions and additional CISM responses provided by Strong EAP will be billed at the above rates (Section 1, Paragraph F & G) and shall be due within 30 days of the billing date. If the Town of Brighton is required to provide any EAP benefits to former employees and their families under COBRA, such services shall be billed at a rate mutually agreed upon by the parties.

Failure to pay within the 30-day grace period will result in a 3% late payment charge on the remaining balance, which shall be assessed every 30 days.

Payment should be made to **URMC Department of Psychiatry** and mailed to **MFG Business Office, 601 Elmwood Avenue, Box 888, Rochester, NY 14642.**

Section 4. **INDEMNIFICATION AND OBLIGATION TO COMPLY WITH LEGAL REQUIREMENTS**

Both parties agree to indemnify and hold each other harmless from any claims, losses, damages, judgments, penalties, fees, or settlements, (including reasonable legal fees) arising from or relating to any acts and/or omissions constituting gross negligence or intentional wrong doing on their part, or on the part of their officers, agents, or employees.

The Department of Psychiatry, a Division of the University of Rochester, remains responsible for ensuring that any service provided pursuant to this contract complies with all pertinent provisions of Federal, State and local statutes, rules and regulations.

Section 5. **EQUAL OPPORTUNITY**

Strong EAP is committed to equal opportunity for all persons regardless of race, religion, color, age, sex, handicap, national origin, marital status, disabled veteran, or Vietnam veteran status.

This constitutes the entire agreement.

IN WITNESS THEREOF, the parties have duly executed this Agreement on the date first written above.

TOWN OF BRIGHTON

BY: _____

William Moehle
Town Supervisor

**DEPARTMENT OF PSYCHIATRY
UNIVERSITY OF ROCHESTER**

BY: _____

Joanne A. Dermady, Director
Employee Assistance Programs

BY: _____

Eric Caine, MD,
Chair Dept. of Psychiatry

UNIVERSITY OF ROCHESTER

BY: _____

William Passalacqua, Senior Director
School of Medicine & Dentistry
Taxpayer Id. No.: 16-0743209

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

WHEREAS, the Brighton Town Board values the contributions and sacrifices made by our Nation's military veterans and has most recently expressed its strong honor of our veterans through the creation and dedication of the Brighton Town Veterans' Memorial at Buckland Park, and

WHEREAS, the Town of Brighton has a long and proud history of helping preserve our liberty and freedom with many Brighton residents having previously served or presently serving in the military, and

WHEREAS, the Town Board has been made aware of a pending proposal to dedicate a portion of NYS Route 15-A (East Henrietta Road) as a Veterans Memorial Highway and wishes to express its support for said proposal, now therefore it is hereby

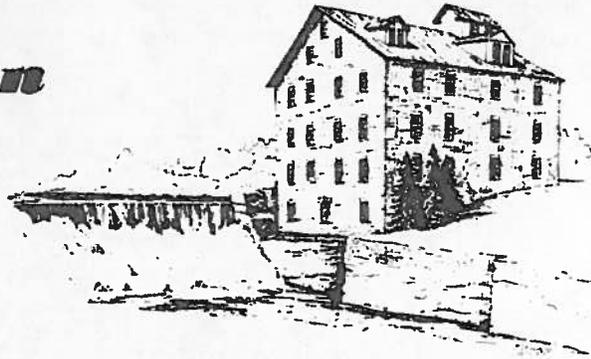
RESOLVED, that the Town Board authorizes the Supervisor to send a letter to the New York State Commissioner of Transportation and such other public officials as may be appropriate to communicate the Town's support for the dedication of the portion of NYS Route 15-A (east Henrietta Road) in the Town of Brighton as a Veterans' Memorial Highway.

Dated: October 23, 2013

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 Mendon

*Preserving the Past...
Protecting the Present...
Promoting the Future*



VETERANS MEMORIAL HIGHWAY – NYS RT 15A – LETTER OF SUPPORT (Resolution 13-208)

A motion was made by Mr. Roberts, seconded by Mr. Rooney, to adopt the following:
WHEREAS, the Mendon Town Board would like to recognize the Veterans who served our Country, and
WHEREAS, the Mendon Town Board supports dedication of the Mendon portion of NYS RT 15A as a Veterans Memorial Highway as a fitting tribute to their service.
NOW, THEREFORE, BE IT RESOLVED, that the Mendon Town Board supports dedication of the Mendon portion of NYS RT 15A as a Veterans Memorial Highway, and authorizes the Supervisor to communicate this support to the appropriate parties.
Adopted: Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

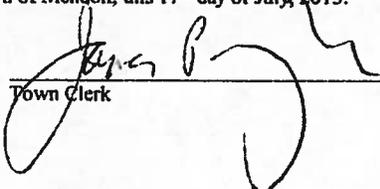
STATE OF NEW YORK }
COUNTY OF MONROE } ss:
TOWN OF MENDON }

I, James P. Merzke, Town Clerk of the Town of Mendon, Monroe County, New York, DO HEREBY CERTIFY, that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Mendon at a meeting of said Board on the 15th day of July 2013, and that the foregoing is a true and correct transcript of said original resolution and of the whole thereof, and that said original resolution is on file in my office.

(SEAL)

I DO FURTHER CERTIFY that each of the members of said Town Board had due notice of said meeting, and that John D. Moffitt, Supervisor, and Wayne H. Menz, Michael E. Roberts, and John E. Rooney, Town Board Members, were present at such meeting, and Morris W. Bickweal, Town Board Member, was absent.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Mendon, this 17th day of July, 2013.



Town Clerk

Office of the Town Clerk/Receiver of Taxes
16 West Main Street, Honeoye Falls, NY 14472-1199 • (585) 624-6060 • FAX (585) 624-6065
www.townofmendon.org

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 2, 2013 from Commissioner of Public Works Timothy E. Keef. P.E. regarding a request to authorize the Supervisor to execute an agreement with Mohawk Valley Community College to provide One Person Plowing training for snow and ice control for a cost not to exceed \$5,370.00 for six employees, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Mohawk Valley Community College to provide One Person Plowing training for snow and ice control for a cost not to exceed \$5,370.00 for six employees, subject to the review and approval of the agreement by the Attorney to the Town.

Dated: October 23, 2013

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

October 2, 2013

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

re: Mohawk Valley Community College (MVCC) Agreement
One Person Plowing (OPP) Training for Snow and Ice Control

Dear Councilperson Werner and Committee Members:

As you are the Town continues to implement our OPP program. There is a continued need for training of Highway personnel to either become certified operators and/or maintain their certification. As our most recent contract with Mohawk Valley Community College for these services has expired, I am recommending:

- 1) that a new contract, as attached, be established to provide for our upcoming needs;
- 2) that the not to exceed contract amount be established at \$5,370.00 (\$4,370.00 for training and \$1,000.00 (estimated) for travel and expenses). Presently, there is a balance of \$5,000.00 remaining in the 2013 budget (D.HWY.5142 4.74) for this purpose. The balance of \$370.00 will be provided from the 2014 budget; and
- 3) that the Supervisor be authorized to sign said agreement with MVCC.

Please note that MVCC remains our sole source for these services.

I will be in attendance at your regularly scheduled October 15, 2013 meeting in the event that you have any questions regarding this correspondence. 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

attachment

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



1101 Sherman Drive
 Utica, New York 13501-5394
www.mvcc.edu/cced

Center for Corporate & Community Education
 315-792-5300
 Fax 315-792-5682

TRAINING AGREEMENT

Name of Contracting Organization/Institution: Town of Brighton DPW
Address: 2300 Elmwood Avenue, Rochester, NY 14618
Organization Contact: Tim Anderson Title: Deputy Highway Superintendent
 Phone 585-784-5288 Fax: 585-784-5385
 email: tim.anderson@townofbrighton.org

MVCC Contact: Jack Altdoerffer Title: Director Corporate Training
 Phone: (315) 792-5681 email:jaltdoerffer@mvcc.edu

Course Title: OPP Snow Plow Training

Course Description:

Number of Participants: 6

Training	Rate	Total
Classroom	4 hours@\$110	\$440.00
Pre- Op/Shop	3 hours @\$110	\$330.00
Dry Run	6 hours @\$120 (1 hour per participant)	\$720.00
Assessment	24 hours @ \$120 (4 hours per participant)	\$2880.00

Number of Training Hours: approximately 37 Hours

ESTIMATED TOTAL COST: ----- \$4370.00 + Expenses

Estimated Instructor Travel Expenses \$500-\$1625 (depends on the number of trips)
 Instructor Travel Rate \$50/ hour (from and to home)
 Travel Mileage \$.555 per mile
 Misc. for example (tolls, meals, hotel)

All billing will be invoiced on actual time and expenses.

Date(s): Oct 1, 2013 – March 31, 2014
Location: Town of Brighton DPW
 Equipment required: Provided by Town of Brighton DPW

Signature Organization Contact: _____ **Date:** _____

MVCC Contact: _____ **Date:** _____

To pay by credit card. --Call Joann Dickson at 792-5524 --in our office to finalize payment.
 To pay by check make payable to **MVCC Center for Corporate and Community Education**
 and mail it to:
 Center for Corporate and Community Education
 Mohawk Valley Community College
 1101 Sherman Drive, Utica NY 13501-5394

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 9, 2013 from Chief of Police Mark T. Henderson regarding a request to authorize the Town Board to accept a donation from the Rochester Area Community Foundation in the amount of \$1,500.00 to be deposited to A.POLCE 3120.2705 Gifts and Donations and requesting a corresponding increase in the 2013 Police Department Budget in A.POLICE 3120 4.18 Program Supplies, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the acceptance of a donation from the Rochester Area Community Foundation in the amount of \$1,500.00 to be deposited to A.POLCE 3120.2705 Gifts and Donations and authorizes a corresponding increase in the 2013 Police Department Budget in A.POLICE 3120 4.18 Program Supplies.

Dated: October 23, 2013

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

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

October 9, 2013

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

Re: Donation

Dear Board Members:

Recently, the Police Department received a donation of \$1,500.00 from the Rochester Area Community Foundation. The donation was directed to be used for costs associated with the Brighton Police Youth Explorer Program.

I request that the Town Board authorize the acceptance of this gift, and that the donation be recorded as revenue to the 2013 Police Department Operating Budget. I further request that the 2013 Police Department Operating Budget be amended to increase line **A.POLCE 3120 4.18 Program Supplies** by \$1,500.00 to be fully supported by an increase in **A.POLCE 3120.2705 Gifts and Donations**. I have attached a copy of my letter to the Rochester Area Community Foundation expressing the department's gratitude for this generous donation.

Sincerely,

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

Mark T. Henderson
Chief of Police

attachment



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

October 9, 2013

Rochester Area Community Foundation
500 East Avenue
Rochester, New York 14607

Dear Rochester Area Community Foundation:

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

While it is not necessary to make direct donations to the department for services provided, your thoughtfulness and consideration will provide much needed supplies to our youth Explorer program. In keeping with the spirit of your donation, I have directed that the \$1,500.00 donation be placed in the budget line which supports this valuable community service function.

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

Sincerely,

A handwritten signature in blue 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

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated October 10, 2013 from Director of Personnel Gary Brandt regarding a request to authorize the Supervisor to execute an agreement with Holfoth Risk Managemet to provide risk management services for 2014, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Holfoth Risk Managemet to provide risk management services for 2014, in substantially the form attached hereto.

Dated: October 23, 2013

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

TO: Suzanne Zaso, Director of Finance
FROM: Gary Brandt, Director of Personnel & HR 
DATE: October 10, 2013
RE: Request Approval for Town Supervisor to Execute the
Holfoth Risk Management Contract for 2014

Attached is the 2013 contract renewal request letter from James Hood, CPCU of Holfoth Risk Management, a division of Aldrich & Cox of Buffalo, NY. Mr. Hood is proposing a modest increase in his hourly rate from \$110. to \$115. per hour (see attached memo).

Mr. Hood has been a valuable asset as the risk management and municipal insurance consultant to the Town since 1997. He also serves as a standing member of the Town Insurance Committee.

I therefore request that the Town Board authorize the Town Supervisor to execute the 2014 Holfoth Risk Management & Insurance Consultant agreement.

c: Dan Aman, Town Clerk



Subject: 2014 Contract
From: "James Hood" <hood@aldrichandcox.com>
To: "Gary Brandt" <gary.brandt@townofbrighton.org>
Cc: "Daniel C. Buser" <dbuser@aldrichandcox.com>

Gary, we are at \$110 per hour now and propose working as directed next year for \$115 per hour. Our costs continue to increase as with all businesses and we are increasing our rates for all renewals. We hope we have the pleasure of continuing to work with the Town of Brighton.

Jim

James B. Hood, Jr., CPCU
Director
Holfoth Risk Management
Tel: 716-675-0505
Fax: 716-675-2098
Mobile: 716-435-9665
Email: hood@aldrichandcox.com
Web: www.aldrichandcox.com

We do NOT sell insurance!



-----Original Message-----

From: Gary Brandt [mailto:gary.brandt@townofbrighton.org]
Sent: Thursday, October 03, 2013 2:05 PM
To: James Hood
Subject: 2014 Contract

Hi Jim,

I am preparing to submit to the Town Board in November the current contracts that will need a renewal for FY 2014.

Please send me your proposed 2014 contract and if you have any price increase(s), please attach the justification for the Town Board to review.

many thanks, gary

Gary A. Brandt
Director of Personnel & HR
Town of Brighton
2300 Elmwood Ave.
Rochester, NY 14618
(585) 784-5201
gary.brandt@townofbrighton.org
gab10@cornell.edu

A G R E E M E N T

THIS AGREEMENT, made effective as of January 1, 2014, by and between the Town of Brighton, a municipal corporation, with offices at 2300 Elmwood Avenue, Rochester, New York 14618, hereinafter referred to as the "Town," and Holfoth Risk Management, with offices at 3075 Southwestern Blvd. Suite 202 Orchard Park, New York 14127-1287, hereinafter referred to as the "Contractor".

W I T N E S S E T H

WHEREAS, the Town of Brighton is desirous of obtaining the services of the Contractor to perform the scope of services set forth in Section 1 Hereof; and

WHEREAS, the Contractor is willing, able and qualified to perform such services.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto mutually agree as follows:

1. The Contractor hereby agrees to assist the Town by providing professional independent risk management consulting services, as part of The Town's overall risk management program, on a demand basis.
2. The term of this agreement shall be from January 1, 2014 through December 31, 2014. The Town of Brighton may terminate this contract at any time upon 30 days written notice to the Contractor.

accruing thereto, including, but not limited to, Workers' Compensation, unemployment benefits, Social Security or retirement membership or credit.

8. The Contractor agrees that in carrying out its activities under the terms of this agreement that it shall not discriminate against any person due to such person's race, color, creed, sex or national origin, and that at all times it will abide by the applicable provisions of the Human Rights law of the State of New York as set forth in Section 290-301 of the Executive Law of the State of New York.
9. The Contractor agrees to indemnify, defend and hold the Town of Brighton harmless from and against any claims or causes of action, including reasonable attorney's fees, which may be asserted against the Town of any of its officers and/or employees, and arising out of this agreement or out of services which the Contractor may perform for the Town pursuant to this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

TOWN OF BRIGHTON

By:

William Moehle, Supervisor

By:

James B. Hood, Jr. CPCU, Director
Holfoth Rick Management

Fed. I.D. #

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 11, 2013 from Superintendent of Parks Matthew S. Beeman regarding a request to authorize the acceptance of donations from various corporate sponsors totaling \$4,100.00 for the 2013 July 4th celebration, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the acceptance of donations from various corporate sponsors totaling \$4,100.00 for the 2013 July 4th celebration.

Dated: October 23, 2013

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
RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT

220 Idlewood Road
Rochester, NY 14618
<http://www.townofbrighton.org>

(585) 784-5260
Fax: (585) 784-5365
TTY: (585) 784-5381

October 11, 2013

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

Dear Finance Committee Members:

I respectfully request your permission to accept the following donations that were made by various corporate sponsors for our 2013 July 4th celebration. Their contributions are as follows:

Wegmans	\$2,000.00
Paris Kirwan Associates	\$300.00
JP Morgan Chase	\$300.00
Canandaigua National Bank	\$300.00
Stantec	\$300.00
Klee Real Estate/Don's Original	\$300.00
Kornerstone Kitchens	\$300.00
Xceed Financial Credit Union	\$300.00

Total \$4,100

I will be happy to answer any questions you may have regarding this matter.

Sincerely,

Matthew S. Beeman
Superintendent of Parks

2013 July 4th Corporate Sponsors

Klee Real Estate Group/Don's Original	\$300
Canandaigua National Bank & Trust	\$300
Xceed Financial Credit Union	\$300
Wegmans	\$2000
Stantec	\$300
Paris Kirwan Associates	\$300
Kornerstone Kitchens	\$300
JP Morgan Chase	\$300
Hurlbut Family Trust	\$5000
Total Donations:	\$9,100

The Finance Department is currently waiting for the sponsor check from the Hurlbut Family Trust. That donation will be sent for FASC approval separately.

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated October 15, 2013 from Director of Finance Suzanne Zaso regarding a request to authorize the acceptance of donations totaling \$2,860.00 for the Veterans' Memorial, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the acceptance of donations totaling \$2,860.00 for the Veterans' Memorial.

Dated: October 23, 2013

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, NY 14618

MEMORANDUM

TO: The Honorable Town Board
FROM: Suzanne Zaso, Director of Finance *JZ*
Date: October 15, 2013, 2013
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 \$2,860 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

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that the Town Board hereby appoints Casey Sacco, living at 20 Dartford Road, in the Town of Brighton to fulfill the remainder of the term for an open seat on the Architectural Review Board through December 31, 2014 and along with a full three year term on said board for a period beginning January 1, 2015 and ending December 31, 2017.

Dated: October 23, 2013

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated October 15, 2013 from Director of Finance Suzanne Zaso regarding a request to authorize the transfer of \$670.00 from contracted services in the Finance Department (A.FINCE 1310 4.49) to vehicle set-up in the Fire Marshal's Budget (A.DPW 3410 2.29) to pay for the marking of three vehicles used by the Fire Marshal and staff, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the transfer of \$670.00 from contracted services in the Finance Department (A.FINCE 1310 4.49) to vehicle set-up in the Fire Marshal's Budget (A.DPW 3410 2.29) to pay for the marking of three vehicles used by the Fire Marshal and staff.

Dated: October 23, 2013

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
Date: October 14, 2013
Subject: Budget Transfer for Fire Marshal Vehicle Set-Up Costs

In order to identify and distinguish the vehicles used by the Town Fire Marshal and his staff, we plan to have all three vehicles marked at a cost of \$155 each. This cost was not anticipated in the 2013 budget but funds are available for transfer from the Finance Department budget due to reduced payroll expenses. In addition, LED lights failed on the Fire Marshal's vehicle and needed to be replaced at a cost of \$205 that was not planned for in 2013.

My formal request to the Town Board is for authorization to transfer \$670 from contracted services in the Finance Department's budget (A.FINCE.1310 4.49) to vehicle set-up in the Fire Marshal's budget (A.DPW.3410 2.29).

I will 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: Chris Roth
Tim Keef

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 23rd day of October, 2013.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated October 15, 2013 from Coordinator of Data Processing Susan Wentworth regarding a request to authorize the disposal of certain fixed assets determined to be of no remaining value, be received and filed, and be it further.

RESOLVED, that the Town Board hereby authorizes the disposal of the fixed assets set forth in the above referenced memorandum as junk as having no remaining value.

Dated: October 23, 2013

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
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
(585) 784-5390 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
Subject: Recommended Disposal of Certain Fixed Assets

From: Susan Wentworth, Coordinator of Data Processing *AW*

Date: October 15, 2013

In accordance with the Town Board's Fixed Asset Policy and Procedures (as amended), I am requesting that Your Honorable Body authorize the disposal of certain fixed asset items in my care and custody as listed on the attached Fixed Assets/Inventory Update Sheet(s). The item(s) listed are no longer needed or available to support departmental operations. In this particular instance:

The item(s) listed have remaining value, are serviceable, and should be sold to the highest bidder by auction to be conducted by the Town, or by the Town's authorized agent.

The item(s) listed have remaining value, are serviceable, and should be sold to the highest bidder by means of a sealed bid.

The item(s) have no remaining value and/or are no longer serviceable and should be disposed of as junk.

The item(s) listed have been lost or destroyed and should be removed from the Town's fixed asset and inventory records.

The formal action being requested of the Town Board is the declaration as surplus or junk (as indicated above) of the item(s) listed on the attached. As the department head responsible for the care and custody of the item(s) listed, I would be happy to respond to any questions the Committee, or other members of the Town Board may have.

Copy to: S. Zaso, Finance Department

Attached: Fixed Assets/Inventory Update Sheet

**TOWN OF BRIGHTON
DISPOSAL OF FIXED ASSET**

DEPT. Information Systems

REQUESTING EMPLOYEE
Susan Wentworth

DATE October 15, 2013

DEPT. HEAD SIGNATURE
Susan A. Wentworth

TOWN I.D. # *	ITEM DESCRIPTION	MANUFACTURER	MODEL	YEAR	VIN or SERIAL NUMBER	COST	COMMENTS
2858	AS400 Operator Console	IBM	N/A	1991	N/A	\$1,000.00	
3327	Twinax Remote Access Controller	Unknown	N/A	1996	340003402	\$2,714.00	
4502	Computer	Dell	OptiPlex GX150	2001	556KD01	\$1,018.00	
4749	Computer	Dell	OptiPlex GX240	2002	6LZQM11	\$1,696.00	
4906	Computer	Dell	OptiPlex GX240	2002	2LZQM11	\$1,471.00	
4910	Computer	Dell	OptiPlex GX240	2002	1VZQM11	\$1,556.00	
4918	Computer	Dell	OptiPlex GX260	2002	J37T821	\$1,578.00	
4940	Computer	Dell	OptiPlex GX260	2003	1Z2WW21	\$1,200.00	
5066	Computer	Dell	Precision 360	2003	14BQT31	\$3,615.00	
5084	Computer	Dell	Precision 360	2004	1ZQ1M51	\$1,857.00	
5100	Computer	Apple	PowerMac G4	2004	XB41203QQ6P	\$2,841.00	
5158	Laptop	HP	NX5000	2005	CNU504FZD4	\$1,965.00	
5170	Computer	Dell	OptiPlex 170L	2005	B0X5J61	\$1,024.64	
5221	Computer	Dell	OptiPlex GX620	2005	7Y6H191	\$1,248.40	

* For vehicles use the last 6 characters of the VIN number.

Finance Office Use: _____ Town Board Authorization Date _____ Insurance Notification Date _____

