

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  
August 13, 2014

**PRESENT:**

Supervisor William Moehle  
Councilmember James Vogel  
Councilmember Louise Novros  
Councilmember Jason DiPonzio

Daniel Aman, Town Clerk  
Kenneth Gordon, Attorney for the Town  
Tim Keef, Commissioner of Public Works  
Mark Henderson, Chief of Police  
Suzanne Zaso, Director of Finance  
Maryann Hussar, Assistant to the Supervisor

**MEETING CALLED TO ORDER AT 7:08 PM:****OPEN FORUM:**

Jason Zoghlin

**APPROVAL OF AGENDA:**

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:**

July 23, 2014 Town Board Meeting

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel to approve and file the aforementioned Town Board meeting minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

**MATTER RE:** Proposed temporary amendment of the Town's Noise Law concerning construction activities and receiving, filing & adopting negative declaration relating to same (see Resolution #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. 1 attached

UPON ROLL CALL VOTE

James Vogel	Yes
Louise Novros	No
Jason DiPonzio	Yes
Supervisor Moehle	Yes

MOTION CARRIED

**MATTER RE:** Proposed Incentive Zoning/re-zoning for the Jewish Sr. Life project

Matter Held

**MATTER RE:** Approve Proposed Local Law entitled "2014 Technical Code Amendments" and; Receive, file and adopt negative declaration relating to same;

Receive and file Monroe County Dept. of Planning & Development response to development review (see Resolution #3 and letter dated August 5, 2014 from Ramsey Boehner along with referenced documents).

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Proposed Local Law entitled "2014 Dog Seizure and Impoundment" (see Resolution #4).

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Proposed removal of tree at #275 Ashbourne Road (see Resolution #5).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**BIDS:**

**MATTER RE:** Authorize solicitation for bids to provide material & services to install approximately 550LF of concrete sidewalk in a particular area along with approval to execute a Community Development Construction agreement which will provide funding to support same and receive, file and adopt negative declaration relating to same (see Resolution #6 and letter dated July 30, 2014 from Chad Roscoe, Jr. Engineer, and Ramsey Boehner dated August 5, 2014).

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to reject single and only bid received by a particular contractor, to provide for Phase 3 Boring services associated with the MCC Sanitary Sewer project due to proposal total exceeding overall project budget; and authorize re-solicitation for new proposals to be written with revised plans and specifications (see Resolution #7 and letter dated July 31, 2014 from Evert Garcia, Engineering Assistant).

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Gay Mills, Executive Dir. - Genesee Land Trust dated July 23, 2014 to Supervisor, thanking him for meeting with her on 7/22/14.

**FROM** New York State Association of Towns dated August 1, 2014 to Supervisor regarding membership for the year 2015.

**FROM** New York State Dept. of Taxation & Finance (State Office of Real Property Services) to Supervisor dated July 24, 2014 Re: final State equalization rate of 98.00 for the Town for the 2014 Assessment Roll.

**FROM** Denise Thompson-Slaughter to Supervisor dated July 29, 2014 regarding the Central America refugees matter.

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services – Next meeting 9/22/2014 @4:30 PM at Brookside  
Finance and Administrative Services – Next meeting 9/2/2014 at 3:30 PM in the Stage  
Conference Room

Public Safety Services – Next meeting 9/9/2014 at 8:00 AM in the Downstairs Meeting Room  
Public Works Services - Next meeting 9/8/2014 at 9:00 AM in the Downstairs Meeting Room

**NEW BUSINESS:**

**MATTER RE:** Reading and approval of claims

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize adoption of the 2015-2017 Capital Improvement Plan (CIP) (see Resolution #8 and memorandum dated August 5, 2014 from Andrew Robinson, Budget Officer).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Set 1<sup>st</sup> and 2<sup>nd</sup> Public Hearing for October 8, 2014 and October 22, 2014 respectively to consider adoption of proposed Supervisor's 2015 preliminary Operating and Capital Improvement Budgets (see Resolution #9 and letter dated July 28, 2014 from Suzanne Zaso, Director of Finance).

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. 9 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Set 1<sup>st</sup> and 2<sup>nd</sup> Public Hearing for October 8, 2014 and October 22, 2014 respectively to consider adoption of proposed 2015 Assessment Rolls for Service Charges, Maintenance Charges, Capital Improvements and Sewer Rent Charges for Special Improvement Districts (see Resolution #10 and letter dated July 28, 2014 from Suzanne Zaso, Director of Finance).

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:** Approve re-appointment of Mr. Paul Tankel as a member of the Sustainability Oversight Committee for another 2-year term effective September 1, 2014 through August 31, 2016 (see Resolution #11)

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. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with Mayer Hardware for provision of various hardware items used by the Town for 2014 with option to administratively extend agreement for four additional one-year terms (see Resolution #12 and letter dated July 29, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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.12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval of donation received from resident Walter J. Narog, Jr. to the Brighton Police Department in appreciation for his participation in the Citizens Police Academy (see resolution #13 and letter dated July 28, 2014 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. 13 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute a Storm Sewer Easement agreement with property owners of #40 & #50 Spier Avenue thereby allowing for access to repair failing drainage pipe connected to the Town's storm sewer system (see Resolution #14 and letter dated July 16, 2014 from Chad Roscoe, Jr. Engineer).

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:** Approval to join the East Suffolk BOCES Cooperative Bidding Group at a one-time fee cost of \$510 to support the proposed purchase of particular multi-function printers for various Town departments at discounted pricing (see Resolution #15 and letter dated August 4, 2014 from Daniel Aman, Town Clerk).

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. 15 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with Toshiba Business Solutions to purchase particular multi-function printers for various Town departments (see Resolution #16 and letter dated August 4, 2014 from Daniel Aman, Town Clerk).

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

**MATTER RE:** Approval to obtain Clerk Licensing System software to provide an online dog licensing renewal service to town residents (see Resolution #17 and letter dated August 4, 2014 from Daniel Aman, Town Clerk).

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. 17 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to designate Thursday, September 11<sup>th</sup> thru Wednesday, September 24<sup>th</sup> as the Special Events period for 2014 in conjunction with the Brighton Chamber of Commerce and Brighton Central School's Homecoming celebration (see Resolution #18).

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. 18 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE SUPERVISOR:**

**MATTER RE:** Expense & Revenue Report for month ending July 31, 2014

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE TOWN CLERK:**

A reminder that Primary Elections are being held September 9<sup>th</sup>

**MOTION TO GO INTO EXECUTIVE SESSION AT 11:10 PM:**

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to go into executive session at 11:10 PM to discuss the employment of a particular person

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel to come out of executive session at 11:22 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED AT 11:23 PM:**

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio to adjourn at 11:23 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 13<sup>th</sup> day of August 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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 13<sup>th</sup> day of August 2014 at 7:30 p.m., to consider the adoption of a proposed temporary amendment to the Town's Noise Local Law codified at Chapter 102 of the Town Code to permit certain construction activities at the Parks at Allens Creek office project in the Town; and

**WHEREAS**, the Town Board, as lead agency under the State Environmental Quality Review Act ("SEQRA") has given due deliberation to the proposed temporary amendment to the Noise Local Law and has determined that the proposed action will not have a significant effect on the environment and has through its Environmental Liaison Officer prepared a Negative Declaration under SEQRA with respect to said temporary amendment, and

**WHEREAS**, such public hearing was duly called and held on August 13, 2014 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_,  
seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that all written comments provided to the Town at the Public Hearing held on August 13, 2014 regarding the proposed Amendment together with the August 11, 2014 correspondence from Environmental Review

Liaison Officer Ramsey A. Boehner and the attached Negative Declaration be received and filed; and

**BE IT RESOLVED**, that the Town Board, as lead agency under the State Environmental Quality Review Act ("SEQRA") has given due deliberation to the proposed temporary amendment to the Noise Local Law and has determined that the proposed action will not have a significant effect on the environment and hereby adopts the above referenced Negative Declaration under SEQRA with respect to said temporary amendment, and further

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON**, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, and based on the record of the Public Hearing the Town Board hereby; adopts the proposed 2014 Temporary Amendment to Noise Control Law; and it is further

**RESOLVED**, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Amendment specified herein file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York

Dated: August 13, 2014

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

## LOCAL LAW OF 2014

### 2014 TEMPORARY AMENDMENT TO NOISE CONTROL LAW

#### Section 1. Title

This Local Law shall be known as the "2014 Temporary Amendment to Noise Control Law" of the Town of Brighton, Monroe County, New York State.

#### Section 2. Purpose

The purpose of this Local Law is to provide a temporary exemption from the Town's Noise Control Law to Broadstone Management in connection with exterior residing and related repair and maintenance work to certain buildings in the Park at Allens Creek office park. Broadstone desires that the Town grant an amendment to its Noise Control Law to permit additional evening work on the project, so as to minimize the impact of noise on its tenants. To that end, the Town Board desires to temporarily amend the Town's Noise Control Law to permit such evening construction, so long as Broadstone and its contractor and any subcontractor specifically agree to certain conditions which will minimize the impact of evening construction upon the residents of the Town of Brighton.

#### Section 3. Limited Exception to Noise Control Law

A. Section 102-2B, Exemptions, is hereby amended to add a new subsection (i), to read in its entirety as follows:

(i). Notwithstanding anything to the contrary in this chapter, construction in connection with the re-siding and related maintenance to certain buildings in The Park at Allens Creek in the Town of Brighton (the Project), shall not constitute a violation of the Town's Noise Ordinance, regardless of whether such construction occurs within the hours permitted by Section 102-3B(5) and such work and the noise created thereby shall not be considered to be unreasonable noise, so long as Broadstone Real Estate, LLC and its contractor or contractors perform work only between the hours of 7:00 am and 8:00 pm Monday through Friday and between 9:00 am and 6:00 pm Saturday and Sunday ("Permitted Hours"), adhere to the following conditions and to cause each of their subcontractors and suppliers to adhere to the following conditions:

- (1) That prior public notice of the Project, including specifically information relating to night time work, be provided, specifically, including but not limited to publication in the Brighton Pittsford Post and Democrat and Chronicle of the dates, times and nature of night work, including on site project manager's telephone number; and
- (2) That all contract and subcontract documents and bid specifications describe Brighton's requirements, including but not limited to zoning and noise regulations, that limit and apply to any off site storage area in the Town.
- (3) That all contract and subcontract documents and bid specifications related to the Project contain provisions to encourage the speedy completion of night operations, including specifically, but not limited to directing that Project work be performed on Saturdays and Sundays.
- (4) That all contract and subcontract documents and bid specifications related to the Project specifically prohibit the use of chop saws, generators and compressors except inside an enclosed trailer or other structure, and prohibit any use of nail guns after 7:00 pm Monday through Friday.
- (5) The provisions of this Section 102-2B 9i) may be revoked by the Town Board by local law, in the event of a violation of the conditions set forth in this Section 102-2B.

B. The provisions of Section 102-2B shall automatically terminate, if not earlier revoked upon Substantial Completion of the Project.

#### Section 4. Definition

SUBSTANTIAL COMPLETION - The date on which the Project is accepted as substantially complete by Broadstone Real Estate, LLC, but in no event later than October 15, 2014.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Section 6. Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

August 11, 2014

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

Re: Negative Declaration - Temporary Amendment of Noise Law concerning construction activities

Honorable Supervisor and Members:

I recommend that your Honorable Body:

1. Receive and file this letter and the attached negative declaration for the Temporary Amendment of Noise Law concerning construction activities; and
2. Receive and file the attached Monroe County Department of Planning and Development Response to Development Review Referral BH14-32Z.

Based on documentation prepared by Town staff, it has been determine that the proposed amendments to the Code will not result in any adverse environmental impacts. It is also recommended that the Town Board adopt the attached negative declaration.

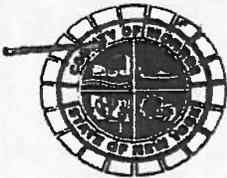
Respectfully Submitted



Ramsey A. Boehner  
Environmental Review Liaison Officer

cc: T. Keef  
attachments





**MONROE COUNTY  
DEPARTMENT OF PLANNING AND DEVELOPMENT**

**DEVELOPMENT REFERRAL FORM**

**SUBMITTAL CHECKLIST** (please check all that apply; see [www.monroecounty.gov](http://www.monroecounty.gov) for forms & more information.)

- Referral form completed in full, clearly printed or typed, signed by municipal representative.
- 5 copies of plan sets folded to 8 1/2"x11" with title block showing, including overall site plan showing phased development; or 5 copies of text amendment or new local law.
- If there is a wetland or protected stream on the property include extra copy of plan set (making a total of 6 sets).
- All information obtained by the municipality pertaining to this application (letter from agent, environmental assessment forms, agricultural data statement, etc.) is attached.
- Airport Referral Form (for projects subject to MCDP&D review under Section 239-m of the New York State (NYS) General Municipal Law (GML) and Section C5-4A of the County Charter).

	<b>Owner/Applicant</b>	<b>Agent</b>
Name:	<u>TOWN OF BRIGHTON</u>	_____
Business:	_____	_____
Address:	<u>2600 ELMWOOD AVE</u>	_____
City, State, Zip:	<u>ROCHESTER NY 14618</u>	_____
Telephone No.:	<u>585-784-5250</u>	_____
Fax No.:	<u>585-784-5368</u>	_____
E-mail Address:	_____	_____

**PROJECT INFORMATION**

Project Name: RELIEF FROM NOISE ORDINANCE

Project Description: ALLOW AFTER HOURS WORK

Project Address: 100 ALLENS CREEK RD - THE

Nearest Major Intersection and Direction: PARK AT ALLENS CREEK

Tax Account Number: 137.15-2-19

Previous MCDP&D Review Referral No.: \_\_\_\_\_

**Type of Development** (Check all that apply)

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Agricultural           | <input type="checkbox"/> Industrial                 | <input type="checkbox"/> Vacant Land                                       |
| <input type="checkbox"/> Commercial, Non-Retail | <input type="checkbox"/> Public Services            | <input type="checkbox"/> Wild, Forested, Conservation Lands & Public Parks |
| <input type="checkbox"/> Commercial, Retail     | <input type="checkbox"/> Recreation & Entertainment | <input type="checkbox"/> Other (explain) _____                             |
| <input type="checkbox"/> Community Service      | <input type="checkbox"/> Residential                |  |
- Will this development include affordable housing?     Yes     No

**Project Size**

Number of phases for overall project: _____	Phase number for this submittal: _____
Proposed Gross Floor Area: _____	Total Acreage: _____
Maximum Structure/Equipment Height: _____	Phase Acreage: _____
	Number of Lots: _____
	Number of Units: _____

**Permits:** Will this project require any permits from the following agencies?

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Army Corp of Engineers                  | <input type="checkbox"/> MC Dept. of Health          | <input type="checkbox"/> MC Dept. of Transportation |
| <input type="checkbox"/> NYS Dept. of Environmental Conservation | <input type="checkbox"/> NYS Dept. of Transportation | <input type="checkbox"/> Other (explain): _____     |

**Site Information**

Known environmental factors on site: \_\_\_\_\_

Will this project disturb more than one acre of land?     Yes     No

Will this project disturb more than five acres of land?     Yes     No

**MCDP&D Use Only**

Airport: _____	COMIDA: _____	NYS DEC: _____	Date Received: <u>7/11</u>	Referral Number: <u>BH14-32 z</u>
Army Corp: _____	Econ Develop: _____	NYS DOT: _____	Post Mark Date: <u>7/10</u>	Reviewer: _____
Canal Corp: _____	Empire Zones: _____	Parks: _____	Land Use Code: _____	DRC Due Date: _____
Community Dev: _____	Enviro. Services: _____	Public Safety: _____	Notes: _____	

- LOCAL MATTER
- AIRPORT APPROVAL

State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-10-14

**Date:** August 13, 2014

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

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** 2014 Temporary Amendment to Noise Control Law.

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Adopt a temporary amendment to the Town of Brighton Noise Control Law to allow building re-siding activities, including nighttime activities, by The Park At Allens Creek Office Park and its contractors and subcontractors on four of the eight buildings in the office park (Buildings 100, 120, 130 and 132).

**Location:** The Park At Allens Creek, 100 Allens Creek Road, Tax ID# 137.15-2-19

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with.
2. There will be no significant air or water impacts.
3. The project will not create traffic impacts.
4. The activities allowed by the temporary amendment will be short-term in nature.
5. There will be no resources of value irreversibly lost.

**For Further Information:**

**Contact Person: Ramsey A. Boehner, Environmental Review Liaison Officer**

**Address: Town of Brighton  
2300 Elmwood Avenue  
Rochester, N.Y. 14618**

**Telephone: (585) 784-5250**



July 7, 2014

Honorable Town Supervisor William W. Moehle  
And The Honorable Town Board  
Town Of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

**RE: THE PARK AT ALLENS CREEK Office Park**

Dear Honorable Supervisor and Board Members:

I am the property manager for the office park on Allens Creek Road known as The Park At Allens Creek, the first office park built in Monroe County. I am writing because we are planning exterior building renovation work in August and September which will require a variance to the Town Code concerning the Noise Ordinance (102-3 B, 5) in order to complete this work. I respectfully request that the Honorable Town Board receive and file this letter of request.

The renovation project entails replacing approximately 25% of the cedar shake siding on 3 of the 8 office buildings, Buildings 120, 130 and 132, and the south end of Building 100 as well as staining all sides of each of these buildings. The work to replace the siding consists of ripping off the deteriorated cedar and backer board, stapling on a water proof building wrap and installing new liner board, cedar shakes and trim which requires a small compressor to operate the nailing gun. The Nichols Team will be our contractor for this work. At the same time our painting contractor will work to stain all sides of the buildings; most of which will be done during regular business hours. Because these buildings are full and all are professional offices (psychologists, medical business offices, CPAs, attorneys, etc.) we cannot do the construction work before 5 pm on weekdays and have found we cannot rely on construction crews to work only weekends in the summer. I respectfully request that you consider granting a variance to the noise ordinance for the duration of the construction of this project, Mondays thru Fridays, so that the construction crew can work an 8 hour shift, from 5:00 pm to 1:00 am. Should the Town Board consider these hours unacceptable I am open to other options that will allow this project to move forward to completion.

I understand that a public hearing is required for such a variance to be considered and I request that you set the date of August 13 for this hearing to consider my request. Please feel free to contact me between 9 am and 6 pm weekdays at my office at The Park At Allens Creek, 585-244-0720, so that I may address any questions you may have; of course I will plan to attend the board meeting on August 13.

To assist you in your deliberation I am submitting with this letter a site plan which will show that this project is bordered on the north by Buildings 140, 150 and 160 of the office park, on the \*east by RG&E land and past that the Harley School, on the south by Building 110 of the project and on the west by the expressway I-590, all of which provide a substantial buffer to residential neighborhoods. \*Additionally, on the east side there are no homes

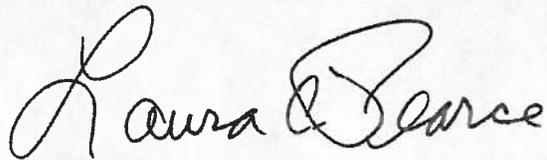
north of Allens Creek (only the Harley School) and south of the creek is a long stand of mature evergreens and hardwoods as well as the RG&E Right-of-way/Pittsford Trail System that border the property up to Allens Creek Rd. The work to Building 100 is on the south end of the building only which faces Allens Creek Road.

Thank you for your consideration.

Respectfully submitted,

Broadstone Real Estate, LLC and managing agent

For: The Park At Allens Creek, LLC

A handwritten signature in cursive script that reads "Laura A. Pearce". The signature is fluid and elegant, with the first letters of "Laura" and "Pearce" being significantly larger and more stylized than the rest of the text.

Laura A. Pearce

Commercial Property Manager



July 9, 2014

Mr. Daniel Aman, Town Clerk  
Town Of Brighton  
2300 Elmwood Ave.  
Rochester, New York 14618

RE: The Park At Allens Creek, Variance Request

Dear Mr. Aman:

As a follow up to my request for a variance to the Noise Ordinance, submitted to the Town Board earlier this evening, I am sending an accurately scaled site plan on which I have highlighted those building areas of the 4 buildings (of 8 total) to be renovated with new cedar shake siding in 2014. Additionally, I have requested an estimate from my contractor as to how long, number of hours, this project will take. I will call you with that information as soon as I have it.

I will plan to attend the meeting of the Public Works committee on August 4, as suggested by Supervisor Moehle, and of course the Town Board meeting on August 13.

I will be out of town on vacation through Thursday the 17<sup>th</sup>, as I mentioned earlier, but will be available by cell phone; please don't hesitate to call me at 585-512-7124 if you require additional information or have any questions. You may also reach me by email at: [laura.pearce@broadstone.com](mailto:laura.pearce@broadstone.com). Thank you for our consideration.

Sincerely,

The Park At Allens Creek, LLC  
Broadstone Real estate, LLC, LLC, as managing agent

A handwritten signature in black ink that reads "Laura A. Pearce". The signature is written in a cursive, flowing style.

Laura A. Pearce  
Commercial Property Manager



The Park at Allens Creek  
120 Allens Creek Rd.  
Rochester NY 14618

## Equipment specs

### Lighting

2 ea- 500W halogen lamps on tripod

### Generator

Honda 8k watt 49(idle)-58 surge  
dBA

### Compressor

DEWALT 1.6-HP 4.5-Gallon 200-PSI  
Electric 78dBA operating noise

### Nail gun

Bostich and similar pneumatic  
nailer

Chopsaw 100db (not used frequently)  
will be in enclosed trailer

Note: Compressor and Generator will  
be in an enclosed trailer for noise  
reduction.

Our crew will consist of 4-5 men



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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, certain technical amendments to the Town Code, attached hereto, were received and filed at the Town Board's July 9, 2014 meeting, and the Environmental Review Liaison Officer was directed to obtain an advisory report from the Planning Board of the Town regarding the proposed technical amendments and to also seek and obtain comments from the Monroe County Department of Planning and Development regarding the same, and

**WHEREAS**, the Town Board, as lead agency under the State Environmental Quality Review Act ("SEQRA") has given due deliberation to the technical amendments to the Town Code and has determined that the proposed action will not have a significant effect on the environment and has through its Environmental Liaison Officer prepared a Negative Declaration under SEQRA with respect to said technical amendments, and

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 13<sup>th</sup> day of August 2014 at 7:30 p.m., to consider the proposed technical amendments to the Town Code; and

**WHEREAS**, such public hearing was duly called and held on August 13, 2014 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_,

seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that correspondence dated August 5, 2014 from Environmental Review Liaison Officer Ramsey A. Boehner together with the attached Negative Declaration and the attached Monroe County Department of Planning and Development Review Referral BH14-33Z and all written comments provided to the Town at the Public Hearing held on August 13, 2014 regarding the proposed technical amendments including the advisory report of the Town Planning Board be received and filed; and further

**BE IT RESOLVED**, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York and SEQRA the Town Board hereby adopts the Negative Declaration referred to above and the attached technical amendments to the Town Code; and it is further

**RESOLVED**, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the technical amendments specified herein file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York.

Dated: August 13, 2014

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

August 5, 2014

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

Re: Negative Declaration- 2014 Technical Amendments

Honorable Supervisor and Members:

I recommend that your Honorable Body:

1. Receive and file this letter and the attached negative declaration for the 2014 Technical Code Amendments; and
2. Receive and file the attached Monroe County Department of Planning and Development Response to Development Review Referral BH14-33Z.

Based on documentation prepared by Town staff, it has been determine that the proposed amendments to the Code will not result in any adverse environmental impacts. It is also recommended that the Town Board adopt the attached negative declaration.

Respectfully Submitted



Ramsey A. Boehner  
Environmental Review Liaison Officer

cc: T. Keef  
attachments



State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-9-14

**Date:** 8-13-14

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

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Code Amendment – 2014 Technical Amendments

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Amendment to Chapters 113, 175, 201, 203 and 209 of the Town Code to: update and clarify authority of Commissioner of Public Works regarding Parks (chapter 113) and Trees (chapter 175); clarify the definition of Cultural Facilities in chapter 201 and its use in chapter 203; and modify Incentive Zoning regulations in chapter 209.

**Location:** Entire Town

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with.
2. There will be no adverse environmental impacts from the proposed amendment.
3. There will be no resources of value irreversibly lost.

**For Further Information:**

**Contact Person: Ramsey A. Boehner, Environmental Review Liaison Officer**

**Address: Town of Brighton  
2300 Elmwood Avenue  
Rochester, N.Y. 14618**

**Telephone: (585) 784-5250**



**Department of Planning and Development**  
Monroe County, New York

**Maggie Brooks**  
County Executive

**Judy A. Seil**  
Director

**To:** Town of Brighton Town Board  
**From:** Renee Casler, Planner II  
**Date:** August 1, 2014  
**Subject:** Technical Amendments: Chapter 113: Parks; Chapter 175: Trees; Chapter 201: Definitions;  
Chapter 203: Use Regulations; Chapter 209 Incentive Zoning  
MCDP&D Response to Development Review Referral (BH14-33Z)

**Review Authority and Response:**

General Municipal Law:  Section 239-m (Zoning)  
 Approval  Modification  Disapproval  Comment  No Comment

Section 239-n (Subdivision)  
 Approval  Modification  Disapproval  Comment  No Comment

County Charter:  Section C5-4.A (Airport)  
 Approval  Approval with Conditions  Disapproval

Section C5-4.C (Advisory Review)  
 Approval  Modification  Disapproval  Comment  No Comment

**Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):**  
 Yes  No

**MCDP&D Comments:**

The Monroe County Department of Planning and Development has reviewed this application and does not have any comment. If you have any questions regarding this review, please contact me at (585) 753-2026 or [rcasler@monroecounty.gov](mailto:rcasler@monroecounty.gov).

Attachment

xc: Development Review Committee

8100 CityPlace • 50 West Main Street • Rochester, New York 14614  
(585) 753-2000 • fax: (585) 753-2028 • [www.monroecounty.gov](http://www.monroecounty.gov)

**PROJECT REVIEW REPORT**  
**Monroe County Development Review Committee**

August 1, 2014

**Subject: Attachment to File BH14-33Z**

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action **PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL**.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. The following agencies reviewed this project and have no comments. (A, B)
2. This project was not sent to the following agencies for review. Applicants should verify with these agencies that they do not have jurisdictional requirements for this project. (C, D)

(A) - Monroe County Department of Health, John Frazer, 753-5476  
(B) - Monroe County Department of Transportation, Thomas Cesario, 753-7711  
(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400  
(D) - New York State Department of Transportation, David Goehring, 272-3300



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 22, 2014

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

Re: Proposed Technical Code Amendments

Honorable Supervisor and Members:

I recommend that your Honorable Body:

1. Receive and file this communication and the attached Planning Board Advisory Report dated July 17, 2014 from Ramsey Boehner, Executive Secretary, Planning Board; and
2. Set a public hearing regarding the proposed Technical Code Amendments.

Respectfully Submitted

Ramsey A. Boehner  
Town Planner

cc: T. Keef  
K. Gordan

attachments





**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 2, 2014

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

Re: Proposed Technical Code Amendments

Honorable Supervisor and Members:

I recommend that you receive and file this communication and the proposed technical code amendments to the Code of the Town of Brighton as described in the attached memoranda to Tim Keef, dated July 2, 2014.

I further recommend that your Honorable Body:

1. Request the Planning Board to review and prepare an advisory report regarding the proposed amendments; and
2. Direct the Town Planner, Ramsey Boehner to submit the required Development Referral Form and documents to Monroe County Department of Planning and Development for review.

Respectfully Submitted

Ramsey A. Boehner  
Environmental Review Liaison Officer

cc: T. Keef  
attachment



DRAFT

Town of Brighton  
Interoffice Memo

---

To: Tim Keef  
From: Building & Planning Staff  
CC:  
Date: July 2, 2014  
Subject: Technical Amendments 2014-1

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Page 2: Technical Amendment 2014-1.1

Amend Chapter 113, PARKS, to remove reference to the Director of Recreation and Parks and place all authority with the Commissioner of Public Works or designee.

Page 5: Technical Amendment 2014-1.2

Amend Chapter 175, TREES, to remove reference to the Director of Recreation and Parks and place all authority with the Commissioner of Public Works or designee.

Page 7: Technical Amendment 2014-1.3

- (1) Modify the definition of "Cultural Facilities" in §201-5, Definitions, to remove the reference to non-profit institutions and add reference to religious uses;
- (2) Modify §203-44(B)(2) and §203-52.2(B)(1) in the District Use Regulations to refer only to cultural facilities.

Page 8: Technical Amendment 2014-1.4

- (1) Revise the introduction to §209-5(B) in Chapter 209, Incentive Zoning, to require rather than allow submittal of sketch plans to the Planning Board, and
- (2) Change the text of §209-6, Cash payment in lieu of amenity, to conform to NYS Town Law §261-b 3. (h).

*Note that added language is **bolded and underlined**, language to be deleted is ~~lined out~~.*

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Technical Amendment 2014-1.1

Amend Chapter 113, PARKS, to remove reference to the Director of Recreation and Parks and place all authority with the Commissioner of Public Works or designee.

*Note that added language is **bolded and underlined**, language to be deleted is ~~lined out~~.*

Chapter 113. PARKS

§113-2. Definitions

For the purpose of this chapter, terms used herein are defined as follows:

~~DIRECTOR OF PARKS~~

~~The Director of Recreation and Parks of the Town of Brighton or his/her duly authorized agents.~~

**COMMISSIONER OF PUBLIC WORKS**

**The Commissioner of Public Works or his or her designee.**

§ 113-3. Closing of parks.

No person shall be permitted to remain, stop or park within the confines of any town park between the hours of 10:00 p.m. and 7:00 a.m. or, for parks designated by the ~~Director of Parks~~ **Commissioner of Public Works**, sunset and 7:00 a.m., prevailing local time, in the Town of Brighton, except in an emergency or with a special permit from the ~~Director of Parks~~ **Commissioner of Public Works**. In case of an emergency or when, in the judgment of the ~~Director of Parks~~ **Commissioner of Public Works**, the public interest demands it, any portion of a park may be closed to the public or to designated persons until permission is given to reopen.

§ 113-4. Permits required for certain activities; issuance of permits.

A. A permit must be obtained from the ~~Director of Parks~~ **Commissioner of Public Works** for the following uses and activities:

- (1) The use of park lodges or pavilions.
- (2) Those acts prohibited without a written permit as set forth in this chapter.

B. Permits shall be issued by the ~~Director of Parks~~ **Commissioner of Public Works** or such other office as the ~~Director of Parks~~ **Commissioner of Public Works** may determine.

D. All permits issued shall be in writing by the ~~Director of Parks~~ **Commissioner of Public Works** and shall be subject to park rules and regulations. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof and not in violation of any law, ordinance or rule or regulation governing parks. Any violation of any term or condition thereof or any law or ordinance or rule or regulation governing parks shall constitute grounds for revocation of said permit by the ~~Director of Parks~~ **Commissioner of Public Works**, whose action therein shall be final. No permit for the same purpose shall be issued to those persons whose permit has been revoked during the year in which such revocation is made.

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E. Upon obtaining a permit, the applicant shall pay a permit fee to the Town of Brighton in an amount established by the Town Board of the Town of Brighton. Such fee may vary according to the activity permitted and the facilities used.

§ 113-5. Use of park lodges and pavilions.

B. Park lodges or pavilions may be made available for overnight use upon written permission of the ~~Director~~ **Commissioner of Public Works**.

G. Use of units not already reserved may be arranged for with the ~~Director of Parks~~ **Commissioner of Public Works** or ~~his or her authorized representative~~ on a first-come-first-served basis, upon payment of a permit fee and issuance of a use slip within the park area.

§ 113-6. Certain acts prohibited without written permission.

No person shall commit any of the following acts within any park without a written permit from the ~~Director of Parks~~ **Commissioner of Public Works**:

C. Picnic or cook in any area not designated by the ~~Director~~ **Commissioner of Public Works** for that purpose or make or kindle any fire, except in places provided therefor, and then subject to such regulations as may be prescribed.

D. Write, paint or carve on any tree, bench or park structure or sleep, camp, lodge or reside in any park building, except in such places as designated for said purposes by the ~~Director of Parks~~ **Commissioner of Public Works**.

G. Carry any flowers or shrubs, slingshots, axe, saw, shovel or spade within the parks; violate the regulations of the ~~Director of Parks~~ **Commissioner of Public Works** relating to any building or place; damage any notice posted by order of the ~~Director of Parks~~ **Commissioner of Public Works**; cut parkway curbs for private drives; locate, grade or construct paths, driveways and roadways across or along any parkway or park road; or deposit materials in or upon any park or park road.

§ 113-7. General regulations.

A. Disorderly conduct.

(1) No person shall disturb the peace and good order in any park.

(2) No person shall congregate with others in a public place and refuse to comply with a lawful order of the police or the ~~Director of Parks~~ **Commissioner of Public Works** to disperse or leave the park.

B. Games regulated. No person shall engage in potentially dangerous games involving thrown or propelled objects, such as footballs, horseshoes, roller skates, golf balls or similar

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objects, except in areas designated for such usage, and then only subject to such rules as may be prescribed by the ~~Director of Parks~~ **Commissioner of Public Works**. All games of any description must be conducted in a safe and orderly manner, and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit or paying such fees.

E. Littering, rubbish, garbage, sewage and noxious material.

(1) No person shall, without the specific written consent of the ~~Director of Parks~~ **Commissioner of Public Works**, bring into, leave behind or dump any material of any kind in the park, except the refuse, ashes, garbage and other material of a picnic, camp or other permitted activity, which material shall be deposited in receptacles or pits provided for such purposes. Refuse is not to be dropped, thrown or scattered on park property. Tin cans, bottles, glassware and metallic and plastic substances shall be deposited in park receptacles.

§ 113-8. Traffic regulations.

C. No person shall cause any bus, with or without passenger, nor any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles, or solely in use for the carriage of goods, merchandise, manure or other articles, to enter or to be driven in any part of the park or parkway. This section shall not apply to vehicles engaged in the construction, maintenance or operation of the parks or parkways, or to buses under a permit from the ~~Director of Parks~~ **Commissioner of Public Works**.

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Technical Amendment 2014-1.2

Amend Chapter 175, TREES, to remove reference to the Director of Recreation and Parks and place all authority with the Commissioner of Public Works or designee.

Note that added language is **bolded and underlined**, language to be deleted is ~~lined out~~.

Chapter 175. TREES

§ 175-2

Word usage; definitions.

~~DIRECTOR OF PARKS AND RECREATION~~

~~The Director of Parks and Recreation of the Town of Brighton, or her/his authorized representative.~~

**COMMISSIONER OF PUBLIC WORKS**

**The Commissioner of Public Works or his or her designee.**

§ 175-3. Administration; enforcement.

The Town's Commissioner of Public Works ~~or his designee~~ shall have control of all trees in Town highways and in all Town **parks and** public places ~~(other than as specifically designated by the Town Council to be under the jurisdiction of the Director of Parks and Recreation)~~ and shall be authorized to investigate, resolve and prosecute complaints for injury to a Town tree or trees therein. ~~The Town's Director of Parks and Recreation or his designee shall have control of all trees in Town parks (and in those public places designated by the Town Council to be under his jurisdiction) and shall be authorized to investigate, resolve and prosecute complaints for injury to Town trees therein.~~ The Town Tree Council shall develop and recommend a comprehensive program promoting the purpose of this chapter, hereinafter referred to as the "Town Forestry Plan."

§ 175-5. Town Forestry Plan.

The Town Tree Council shall develop and present a written Town Forestry Plan to the Town Council and, as set forth in § 175-4, may request that the Town Board appoint a citizens' committee to assist in the development of such Forestry Plan. The Town Forestry Plan, after revision and adoption by the Town Council, shall constitute the official Town Forestry Plan for the Town of Brighton and shall be administered by the Commissioner of Public Works ~~and the Director of Parks and Recreation~~, and shall be subject to periodic review and revision by the Town Council. The Town Forestry Plan . . . . .

§ 175-7. Maintenance.

C. No person other than the ~~Director of Parks and Recreation~~ **Commissioner of Public Works** ~~or his duly authorized deputy or agent~~ shall fertilize, spray, cable or brace, trim, prune, cut above ground or below ground or otherwise disturb any Town tree in a Town park or other public place within his jurisdiction without first obtaining a permit from the ~~Director of Parks and Recreation~~ **Commissioner of Public Works**. He shall issue a permit if he

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determines that the work proposed is necessary for the health and maintenance of the tree and that the methods and workmanship proposed are satisfactory. He may supervise and inspect all work done on Town trees under permits issued by him.

§ 175-8. Removal.

C. No person other than the ~~Director of Parks and Recreation~~ **Commissioner of Public Works** ~~or his duly authorized deputy or agent~~ shall cut down, remove or destroy any Town tree within his jurisdiction as described in § 175-3. Any removal of a significant Town tree or a Town tree that is not dead or diseased or that does not constitute a hazard to life or property is contrary to the statutory purpose of preserving the existing trees in the community and must be reviewed by the Town Council, following a public hearing on notice published in the Town newspaper at least 10 days prior to such hearing, to determine whether the ~~Director~~ **Commissioner of Public Works** has shown good cause for the removal.

§ 175-9. Replacement and replanting.

The Town's Commissioner of Public Works ~~or the Director of Parks and Recreation~~ shall see that Town trees which must be removed are replanted or replaced in accordance with the arboricultural specifications and standards of practice included in the Town Forestry Plan, provided that such replanting or replacement is consistent with the approved budget, and that all replacement trees are selected from the Master Tree List included in the Town Forestry Plan. If conditions prevent planting at the removal site, a tree removed from the tree lawn may be replanted or replaced at an alternative site in the same area; and a tree removed from a public place may be replanted or replaced at an alternative site in the same public place of the town.

§ 175-12. Penalties for offenses.

C. The Commissioner of Public Works, ~~the Director of Parks and Recreation or their designees~~ shall have the authority to issue an appearance ticket subscribed by him/her directing a designated person to appear in a designated criminal court at a designated future time in connection with the alleged commission of a designated violation of this chapter, or any order made thereunder.

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Technical Amendment 2014-1.3

- (1) Modify the definition of "Cultural Facilities" in §201-5, Definitions, to remove the reference to non-profit institutions and add reference to religious uses;
- (2) Modify §203-44(B)(2) and §203-52.2(B)(1) in the District Use Regulations to refer only to cultural facilities.

*Note that added language is **bolded and underlined**, language to be deleted is ~~lined out~~.*

Chapter 201, General Provisions

§ 201-5. Definitions.

CULTURAL FACILITIES - Establishments, such as libraries, museums, art galleries, **schools, places of worship,** botanical **gardens** and zoological gardens, of an **primarily** historic, educational or cultural interest. ~~This definition also includes nonprofit institutions for charitable, religious, cultural or community purposes~~

Chapter 203, District Use Regulations

Article VII, Office & Office Park District (BE1).

§203-44. Permitted and conditional uses.

B. Conditional uses shall be permitted as follows, . . .

~~(2) Nonprofit museums and art galleries and nonprofit institutions for charitable, religious, cultural and community social purposes.~~

**(2) Cultural facilities.**

Article VIIA. Office - Low Density District (BE-L)

§203-52.2. Permitted and conditional uses.

B. Conditional uses shall be permitted as follows, . . .

~~(1) Nonprofit museums and art galleries and nonprofit institutions for charitable, religious, cultural and community social purposes.~~

**(1) Cultural facilities.**

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Technical Amendment 2014-1.4

The following proposed amendments modify the Incentive Zoning regulations in Chapter 209 to:

- (1) Revise the introduction to §209-5(B) to require rather than allow submittal of sketch plans to the Planning Board, and
- (2) Change the text of §209-6, Cash payment in lieu of amenity, to conform to NYS Town Law §261-b 3. (h).

Note that added language is **bolded and underlined**, language to be deleted is ~~lined out~~.

§ 209-5. Criteria and procedure for approval.

B. The Town Board shall review the proposal and inform the applicant whether or not the proposal is worthy of further consideration. If it is deemed worthy of further consideration, the applicant ~~may~~ **shall** then submit two sketch plans to the Planning Board:

- (1) The first sketch plan . . . .

§ 209-6. Cash payment in lieu of amenity.

~~Under this article, if the Town Board finds that a community benefit is not suitable on site or cannot be reasonably provided, the Town Board may require a cash payment in lieu of the provision of the amenity. These funds shall be placed in a trust fund to be used by the Town Board exclusively for amenities specified prior to acceptance of funds. Cash payments shall be made prior to the issuance of a building permit. Cash payments in lieu of amenities are not to be used to pay general and ordinary Town expenses.~~

**Under this article, if the Town Board determines that a suitable community benefit or amenity is not immediately feasible, or otherwise not practical, the board may require, in lieu thereof, a payment to the town of a sum to be determined by the board. If cash is accepted in lieu of other community benefit or amenity, provision shall be made for such sum to be deposited in a trust fund to be used by the town board exclusively for specific community benefits authorized by the town board.**

(note: this section is modified to be identical to NYS Town Law with the exception of the last sentence and the text "Under this article")



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 17, 2014

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

RE: Planning Board advisory report in regards to an Incentive Zoning/Rezoning request to construct four 3-story senior living "Green House" buildings, two one-story senior living "Green House" buildings and a 3-story 65 unit senior independent living apartment building on the grounds of the Jewish Home of Rochester, 2021 Winton Road South, known as Tax ID #s 149.12-01-034 and 150.09-01-001.1.

Dear Board Members:

At the July 17, 2014 Planning Board Meeting, the Planning Board reviewed the above referenced matter pursuant to 225-6 of the Comprehensive Development Regulations and offers the following comments regarding the adequacy of the proposal as it relates to site and the adjacent uses and structures:

1. The Planning Board supports the proposed application. The proposed project appears to be well suited for the project site and area.
2. Adequate facilities exist for the proposed project.
3. The proposed amendments are consistent with the intent of the Comprehensive Development Regulations.
4. The proposed amendments are consistent with the aims of the Comprehensive Plan.

Respectfully Submitted,

Ramsey A. Bohner  
Executive Secretary  
Planning Board



**AFFIDAVIT FOR COMPLIANCE WITH TOWN POLICY**

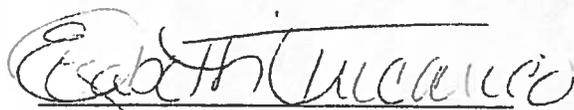
STATE OF NEW YORK )  
COUNTY OF MONROE ) SS:

**DANIEL F. BRENNAN, ESQ.**, being duly sworn, deposes and says:

1. Pursuant to the Town of Brighton's Policy on Public Notice for Incentive Zoning and Rezoning Applications, I caused to be returned by messenger service, all unused envelopes provided by the Town Clerk in connection with the Jewish Senior Life Campus incentive zoning application.
2. I also caused to be paid \$19.50 to the Town Clerk, pursuant to the same policy, for the 195 envelopes used, at a cost of \$.10 per envelope.

  
\_\_\_\_\_  
Daniel F. Brennan, Esq.

Sworn to before me this 12th  
day of August, 2014.

  
\_\_\_\_\_  
Notary Public

**ELIZABETH TRICARICO**  
Notary Public, State of New York  
No. 01175012968  
Qualified in Monroe County  
Commission Expires June 15, 2015

2015

# Woods Oviatt Gilman LLP

*Attorneys*

700 Crossroads Building  
2 State Street  
Rochester, New York 14614

Tel: 585.987.2800  
Fax: 585.454.3068  
www.woodsoviatt.com

Writer's Direct Dial Number: 585.445.2726  
Writer's Direct Fax Number: 585.445.2626  
Email: jgoldman@woodsoviatt.com

July 29, 2014

Daniel Aman  
Town Clerk  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

**Re: Jewish Senior Life Project Public Hearing Notices**

Dear Dan:

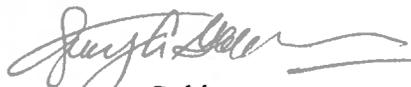
Enclosed please find a copy of the public hearing notice and cover letter, which was sent to property owners and residents within 1,000 feet of the Jewish Senior Life Campus on South Winton Road, as required by the Town of Brighton's Policy on Public Notice for Incentive Zoning and Rezoning Applications.

Also enclosed please find our Affidavits for Proof of Mailing, Compliance with Town Policy, and Sign Posting, along with the attached lists of residents in owner occupied housing and multifamily housing (**Exhibits A, B, and C**).

If you have any questions, please do not hesitate to contact me.

Sincerely,

WOODS OVIATT GILMAN LLP

  
Jerry A. Goldman

JAG/dfb



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

**Daniel Aman**  
Town Clerk/Receiver of Taxes

**David Marcus**  
Deputy Clerk / Deputy Receiver

**PUBLIC HEARING NOTICE**

July 21, 2014

Please be advised that a public hearing regarding Jewish Senior Life's Incentive Zoning and Rezoning Application has been scheduled for Wednesday, August 13, 2104 at 7:30pm during the regularly scheduled Town Board meeting at Brighton Town Hall, 2300 Elmwood Ave, Rochester, NY 14618.

The Brighton Town Board resolution setting the hearing is attached and more information on the project is available in the Building and Planning Department at Brighton Town Hall or by telephone at 784-5221.

## AFFIDAVIT FOR COMPLIANCE WITH TOWN POLICY

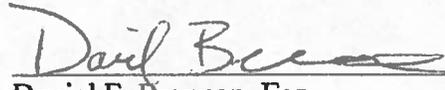
STATE OF NEW YORK )  
COUNTY OF MONROE ) SS:

**DANIEL F. BRENNAN, ESQ.**, being duly sworn, deposes and says:

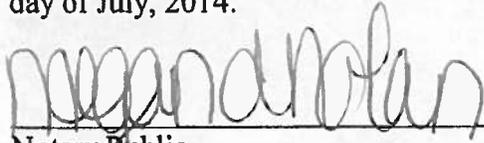
1. On or about July 21, 2014, I received a mailing list prepared by the Town of Brighton, two posting signs, a public notice and attached cover letter, and 500 envelopes labeled with the Town of Brighton return address. I also received a map showing all of the properties within 1,000 feet of the Jewish Senior Life Campus (the "applicable zone") from the Town of Brighton.
2. The mailing list contained known property owners' addresses. In accordance with the Town of Brighton "Policy on Public Notice for Incentive Zoning and Rezoning Applications" (the "Town Policy"), on or about July 18, 2014, I went to the Monroe County Board of Elections Office to obtain a list of addresses for registered voters residing in multi-family dwellings within the applicable zone.
3. Upon information and belief, following my visit, the Commissioner of the Monroe County Board of Elections emailed a list of registered voters' addresses to the Town of Brighton. The addresses were subsequently forwarded to me. The list from the Board of Elections included residents at a range of addresses from 499 French Rd. to 529 French Rd., Rochester, New York 14618. Upon careful examination of area maps, I determined that these addresses were outside of the applicable zone, and therefore did not mail notices to these addresses. The Town of Brighton was informed that we would not mail notices to these addresses.
4. On July 28, 2014, I requested that Thomas Schiffert and other colleagues in my office prepare copies of the public notice and cover letter, and mail them to each of the names and addresses identified on both lists in the Town of Brighton envelopes. For addresses within the applicable zone that I was unable to find a resident, I instructed the staff to mail to "CURRENT RESIDENT". The lists of residents in owner occupied housing, and multifamily housing are attached as **Exhibits A and B**, respectively.
5. Based on a colleague's site visit, I was informed that a range of additional addresses 242-272 Greystone Lane, and 1194-1220 French Rd. (the "Greystone-French Rd. list"), appeared to be within the applicable zone. On July 29, 2014, I visited the Monroe County Board of Elections and obtained the registered voters' names for the Greystone-French Rd. list. I requested that Mr. Schiffert prepare and mail notices to

the Greystone-French Rd. list as well. A copy of the Greystone-French Rd. list is attached as **Exhibit C**.

6. On July 29, 2014, I requested that the engineering firm BME Associates place the two signs from the Town of Brighton on the Jewish Senior Life Campus's primary frontage. The text of the signs contained "August 13, 2014", "7:30 p.m.", and "784-5250", the date of the public hearing, time of the public hearing, and a telephone number to call for information, respectively.
7. The sign notices were placed on the property, and the mailing notices were sent out more than 14 days before the public hearing was scheduled to be held.
8. The above efforts and notifications constitute full compliance with the Town Policy.

  
Daniel F. Brennan, Esq.

Sworn to before me this 29  
day of July, 2014.

  
Notary Public

**MEGAN D. NOLAN**  
Notary Public, State of New York  
Morris County  
Commission Expires August 23, 2014

**Crossbridge LLC  
OR CURRENT RESIDENT  
301 Exchange Blvd  
Rochester, NY 14608**

**Crossbridge LLC  
OR CURRENT RESIDENT  
301 Exchange Blvd  
Rochester, NY 14608**

**Crossbridge LLC  
OR CURRENT RESIDENT  
301 Exchange Blvd  
Rochester, NY 14608**

**Alex M Tong  
OR CURRENT RESIDENT  
463 Eastbrooke Ln  
Rochester, NY 14618**

**Heather L Babcock & Seth Sealfon  
OR CURRENT RESIDENT  
4 French Meadow La  
Rochester, NY 14618**

**Thomas M Voss  
OR CURRENT RESIDENT  
433 Eastbrooke Ln  
Rochester, NY 14618**

**Meridian Centre Assoc  
OR CURRENT RESIDENT  
175 Corporate Woods  
ROCHESTER, NY 14623**

**Ellen Jane Levin  
OR CURRENT RESIDENT  
100 Dartford Rd  
Rochester, NY 14618**

**Deborah L Krieger  
OR CURRENT RESIDENT  
563 Eastbrooke Ln  
Rochester, NY 14618**

**Geraldine Meisenzahl L/E & Alan  
Meisenzahl  
OR CURRENT RESIDENT  
430 Eastbrooke Ln  
ROCHESTER, NY 14618**

**Javier Cabrera & Nilsa Hernandez  
OR CURRENT RESIDENT  
33 French Meadows Ln  
ROCHESTER, NY 14618**

**Kyle R Omphroy  
OR CURRENT RESIDENT  
408 Eastbrooke  
Rochester, NY 14618**

**William Hall & Caroline Hall  
OR CURRENT RESIDENT  
1300 French Rd  
Rochester, NY 14618**

**Thomas K Miller  
OR CURRENT RESIDENT  
89 Browncroft Blvd  
ROCHESTER, NY 14609**

**Mindy R Dennis  
OR CURRENT RESIDENT  
428 Eastbrooke  
Rochester, NY 14618**

**William J Brindle  
OR CURRENT RESIDENT  
425 Eastbrooke Ln  
Rochester, NY 14618**

**James P Scallise  
OR CURRENT RESIDENT  
860 Eastbrooke  
Rochester, NY 14618**

**Keating Blvd Holding, LLC  
OR CURRENT RESIDENT  
One Airport Way, Ste 300  
Rochester, NY 14624**

**Robyn R Roberts  
OR CURRENT RESIDENT  
455 Eastbrooke Ln  
Rochester, NY 14618**

**Elizabeth Russo  
OR CURRENT RESIDENT  
260 Viennawood Dr  
Rochester, NY 14618**

**John Shaughnessy & Linda Shaughnessy  
OR CURRENT RESIDENT  
424 Eastbrooke La  
Rochester, NY 14618**

**Mary Wager  
OR CURRENT RESIDENT  
240 Viennawood Dr  
Rochester, NY 14618**

**William T Wolff & Susan L Wolff  
OR CURRENT RESIDENT  
4418 Champlin Rd  
Penn Yan, NY 14527**

**Mikhail Khatutsky & Bella Khatutsky  
OR CURRENT RESIDENT  
409 Eastbrooke Ln  
Rochester, NY 14618**

**Cynthia C Czerw  
OR CURRENT RESIDENT  
453 Eastbrooke Ln  
Rochester, NY 14618**

**Lisa H Bailey & Jacqueline P Bailey  
OR CURRENT RESIDENT  
416 Eastbrooke  
Rochester, NY 14618**

**Aaron S Weiner & Teresa Weiner  
OR CURRENT RESIDENT  
250 Viennawood Dr  
Rochester, NY 14618**

**Gallina Cambridge, LLC & COMIDA (as  
lessee)  
Suite 100  
OR CURRENT RESIDENT  
1890 Winton Rd  
Rochester, NY 14618**

**Meridian Centre Assoc  
Suite 160  
OR CURRENT RESIDENT  
175 Corporate Woods  
Rochester, NY 14623**

**Burton Segelin & Marilyn Segelin  
OR CURRENT RESIDENT  
16 French Meadow Ln  
Rochester, NY 14618**

**Lauren N Haskin  
OR CURRENT RESIDENT  
551 Eastbrooke Ln  
ROCHESTER, NY 14618**

**Steven C Lakis  
OR CURRENT RESIDENT  
22 French Meadow Ln  
Rochester, NY 14618**

**John Boyrne  
OR CURRENT RESIDENT  
230 Viennawood Dr  
Rochester, NY 14618**

**Susan Kwik  
OR CURRENT RESIDENT  
439 Eastbrooke Ln  
Rochester, NY 14618**

**Jessica L Seren  
OR CURRENT RESIDENT  
445 Eastbrooke  
Rochester, NY 14618**

**Jae K Park & Hyun M Park  
OR CURRENT RESIDENT  
15 French Meadow La  
Rochester, NY 14618**

**Elaine Montrose Usdane  
OR CURRENT RESIDENT  
559 Eastbrooke Ln  
Rochester, NY 14618**

**Rosalie M Demino  
OR CURRENT RESIDENT  
417 Eastbrooke La  
Rochester, NY 14618**

**Richard D Brammer  
OR CURRENT RESIDENT  
432 Eastbrooke  
Rochester, NY 14618**

**Raymond E Flynn  
OR CURRENT RESIDENT  
491 Eastbrooke Ln  
ROCHESTER, NY 14618**

**Matthew Lindstrom & Caron Giffi  
OR CURRENT RESIDENT  
270 Viennawood Dr  
Rochester, NY 14618**

**Patricia Ples-Helferd  
OR CURRENT RESIDENT  
854 Eastbrooke  
Rochester, NY 14618**

**Karen Poon  
OR CURRENT RESIDENT  
240 Maywood Rd  
Rochester, NY 14618**

**Marina Tharayil  
OR CURRENT RESIDENT  
423 Eastbrooke Ln  
Rochester, NY 14618**

**Jason Andrew Beck  
OR CURRENT RESIDENT  
420 Eastbrooke Ln  
Rochester, NY 14618**

**Xue Ying Guo  
OR CURRENT RESIDENT  
413 Eastbrooke Ln  
Rochester, NY 14618**

**William Hall & Caroline Hall  
OR CURRENT RESIDENT  
1300 French Rd  
Rochester, NY 14618**

**Laurie A Wiese  
OR CURRENT RESIDENT  
437 Eastbrooke  
Rochester, NY 14618**

**TGR Properties I, LLC  
Suite 300  
OR CURRENT RESIDENT  
One Airport Way  
ROCHESTER, NY 14624**

**Richard Fattaruso & Marcia Fattaruso  
OR CURRENT RESIDENT  
565 Eastbrooke Ln  
Rochester, NY 14618**

**Charles R Chapin & Bertha Chapin  
OR CURRENT RESIDENT  
1120 French Rd  
Rochester, NY 14618**

**Daniel J Livingston & Felicia Livingston  
OR CURRENT RESIDENT  
65 Thunder Ridge Dr  
Rush, NY 14543**

**Glen DeFranco  
OR CURRENT RESIDENT  
330 Viennawood Dr  
Rochester, NY 14618**

**Townhomes of Eastbrooke  
Condominium One  
OR CURRENT RESIDENT  
3495 Winton Place Bldg D  
ROCHESTER, NY 14623**

**George Good L/e & Verna Good L/e  
ESTATE  
OR CURRENT RESIDENT  
555 Eastbrooke Ln  
Rochester, NY 14618**

**Anne P Cobb  
OR CURRENT RESIDENT  
866 Eastbrooke  
Rochester, NY 14618**

**Susan F Kesys  
OR CURRENT RESIDENT  
3 French Meadows Ln  
ROCHESTER, NY 14618**

**Marilyn Goldberg L/E & Laurie Palmer  
OR CURRENT RESIDENT  
487 Eastbrooke  
Rochester, NY 14618**

**Alla Shadunsky  
OR CURRENT RESIDENT  
19 French Meadows Ln  
ROCHESTER, NY 14618**

**Winston Adams  
OR CURRENT RESIDENT  
415 Eastbrooke Ln  
Rochester, NY 14618**

Henry Weber  
OR CURRENT RESIDENT  
P.O. Box 18424  
Rochester, NY 14618

Denis M Vinnik  
OR CURRENT RESIDENT  
411 Eastbrooke Ln  
Rochester, NY 14618

Amy P Doty  
OR CURRENT RESIDENT  
402 Eastbrooke  
Rochester, NY 14618

Michael D Lenyk & Virginia Segerson  
OR CURRENT RESIDENT  
11 French Meadow Ln  
Rochester, NY 14618

Sharon Warycka  
OR CURRENT RESIDENT  
426 Eastbrooke  
Rochester, NY 14618

Catherine L Boehm  
OR CURRENT RESIDENT  
489 Eastbrooke Ln  
Rochester, NY 14618

Marjorie Handel  
OR CURRENT RESIDENT  
414 Eastbrooke  
Rochester, NY 14618

Ronald L Sham & Ina Liebman Sham  
OR CURRENT RESIDENT  
300 Viennawood Dr  
Rochester, NY 14618

Karl E Heath & Lori J Heath  
OR CURRENT RESIDENT  
407 Eastbrooke La  
Rochester, NY 14618

Uladzimir A Mikhnevich  
OR CURRENT RESIDENT  
419 Eastbrooke Ln  
Rochester, NY 14618

Meridian Centre Assoc  
Suite 160  
OR CURRENT RESIDENT  
175 Corporate Woods  
Rochester, NY 14623

Robert G Young  
OR CURRENT RESIDENT  
493 Eastbrooke La  
Rochester, NY 14618

Peter J Glennon  
OR CURRENT RESIDENT  
553 Eastbrooke La  
Rochester, NY 14618

Claudette R Wood  
OR CURRENT RESIDENT  
567 Eastbrooke Ln  
Rochester, NY 14618

Robert G Katz  
OR CURRENT RESIDENT  
495 Eastbrooke Ln  
Rochester, NY 14618

Robert C Funk  
OR CURRENT RESIDENT  
449 Eastbrooke La  
Rochester, NY 14618

Emanuel Lazerson & Rita Lazerson  
OR CURRENT RESIDENT  
864 Eastbrooke Ln  
Rochester, NY 14618

Ellen M Morse  
OR CURRENT RESIDENT  
457 Eastbrooke Ln  
Rochester, NY 14618

Katherine R Welc  
OR CURRENT RESIDENT  
404 Eastbrooke  
Rochester, NY 14618

Robert Rosenthal & Shirley Rosenthal  
OR CURRENT RESIDENT  
479 Eastbrooke Ln  
Rochester, NY 14618

Meredith Jansen  
OR CURRENT RESIDENT  
427 Eastbrooke Ln  
ROCHESTER, NY 14618

Maxim Kunin  
OR CURRENT RESIDENT  
405 Eastbrooke Ln  
Rochester, NY 14618

Alexander M Schwartzman  
OR CURRENT RESIDENT  
28 French Meadow Ln  
Rochester, NY 14618

Farooq Abdullah & Farzana Farooq  
OR CURRENT RESIDENT  
25 French Meadow Ln  
Rochester, NY 14618

Jacqueline Lopresti  
OR CURRENT RESIDENT  
436 Eastbrooke  
Rochester, NY 14618

Diane E Senf  
OR CURRENT RESIDENT  
410 Eastbrooke  
Rochester, NY 14618

Gordon F Carlson  
OR CURRENT RESIDENT  
320 Viennawood Dr  
Rochester, NY 14618

Radhe Syam Tangirila  
OR CURRENT RESIDENT  
441 Eastbrooke Ln  
Rochester, NY 14618

Jo Ann I Arcarese & Joseph G Arcarese  
OR CURRENT RESIDENT  
406 Eastbrooke La  
Rochester, NY 14618

Brett S Lasser  
OR CURRENT RESIDENT  
561 Eastbrooke Ln  
ROCHESTER, NY 14618

William N Ingraham & Mary Jo Ingraham  
OR CURRENT RESIDENT  
304 Viennawood Dr  
Rochester, NY 14618

Town Of Brighton  
A.REC.7125.425  
OR CURRENT RESIDENT  
2300 Elmwood Ave  
Rochester, NY 14618

Craig M Gerringer & Lindsay A Gerringer  
OR CURRENT RESIDENT  
858 Eastbrooke Ln  
ROCHESTER, NY 14618

French Creek Townhouses  
OR CURRENT RESIDENT  
2115 East Ave  
Rochester, NY 14610

Gail B Henry  
OR CURRENT RESIDENT  
280 Viennawood Dr  
Rochester, NY 14618

Greystone Apts 1, LLC & Greystone Apts 3,  
LLC  
OR CURRENT RESIDENT  
255 East Ave  
ROCHESTER, NY 14604

Rita Berry  
OR CURRENT RESIDENT  
435 Eastbrooke La  
Rochester, NY 14618

Carolyn Daley  
OR CURRENT RESIDENT  
116 Frenchwoods Cir  
Rochester, NY 14618

Douglas J Sfetko  
OR CURRENT RESIDENT  
485 Eastbrooke Ln  
Rochester, NY 14618

Douglas W Klipfel & Claire M Klipfel  
OR CURRENT RESIDENT  
431 Eastbrooke Ln  
Rochester, NY 14618

Gary M Levine & Amy B Chapman  
OR CURRENT RESIDENT  
290 Viennawood Dr  
Rochester, NY 14618

Svetlana Gerner  
OR CURRENT RESIDENT  
459 Eastbrooke Ln  
Rochester, NY 14618

Gary Lasser & Naomi Lasser  
OR CURRENT RESIDENT  
421 Eastbrooke Ln  
Rochester, NY 14618

Meridian Centre Assoc  
Suite 160  
OR CURRENT RESIDENT  
175 Corporate Woods  
Rochester, NY 14623

Vasilii Ivanov  
OR CURRENT RESIDENT  
481 Eastbrooke La  
Rochester, NY 14618

Marianne McDonald  
OR CURRENT RESIDENT  
429 Eastbrooke Ln  
Rochester, NY 14618

Satish T Patel & Vinaben M Patel  
OR CURRENT RESIDENT  
12 French Meadows Ln  
ROCHESTER, NY 14618

Richard P Mullaney  
OR CURRENT RESIDENT  
866 Eastbrooke  
Rochester, NY 14618

Semyon Papernov & Anna Papernov  
OR CURRENT RESIDENT  
29 French Meadow Ln  
Rochester, NY 14618

Thomas Battisti  
OR CURRENT RESIDENT  
447 Eastbrooke Ln  
ROCHESTER, NY 14618

Elisabeth R Sterchl  
OR CURRENT RESIDENT  
461 Eastbrooke Ln  
Rochester, NY 14618

Suzanne Brown  
OR CURRENT RESIDENT  
870 Eastbrooke  
Rochester, NY 14618

Meaghan Goldsmith  
OR CURRENT RESIDENT  
549 Eastbrooke Ln  
Rochester, NY 14618

Keating Blvd Holding, LLC  
OR CURRENT RESIDENT  
One Airport Way Ste 300  
Rochester, NY 14624

Ventures Basic  
OR CURRENT RESIDENT  
171 Sully's Trl  
Pittsford, NY 14634

Jewish Home & Infirmary & Of Rochester Ny  
Inc  
OR CURRENT RESIDENT  
2021 Winton Rd South  
Rochester, NY 14618

Health Care System Jewish & Rochester O  
OR CURRENT RESIDENT  
2021 Winton Road South  
Rochester, NY 14618

Town Of Brighton  
A.REC.7125.425  
OR CURRENT RESIDENT  
2300 Elmwood Ave  
Rochester, NY 14618

Jewish Home of Rochester & d/b/a Summit  
at Brighton  
Senior Housing, Inc  
OR CURRENT RESIDENT  
2021 Winton Rd  
ROCHESTER, NY 14618

Cynthia R Ratajczak  
OR CURRENT RESIDENT  
483 Eastbrooke Ln  
ROCHESTER, NY 14618

**Jewish Senior Life F/K/A,  
Jewish Hlth Cre Sys of Roc Inc  
OR CURRENT RESIDENT  
2021 Winton Rd  
ROCHESTER, NY 14618**

LTED	Ltdescsh	district	VName	ResidentialAddress
45041	Brighton	041	KYLA L BARRON	2 CHATEAU SQ
45041	Brighton	041	AHRA GHO	4 CHATEAU SQ
45041	Brighton	041	HYUNG K GHO	4 CHATEAU SQ
45041	Brighton	041	EMONI S TUCKER	6 CHATEAU SQ
45041	Brighton	041	CHAWN L TUCKER	6 CHATEAU SQ
45041	Brighton	041	AYANA E HARRIS	6 CHATEAU SQ
45041	Brighton	041	LINDA A NELSON	8 CHATEAU SQ
45041	Brighton	041	BETH L PRINCE BRADBURY	12 CHATEAU SQ
45041	Brighton	041	JASON P BRADBURY	12 CHATEAU SQ
45041	Brighton	041	ERIKA N MORRISON	16 CHATEAU SQ
45041	Brighton	041	ADAM J SPENCER	18 CHATEAU SQ
45041	Brighton	041	CAROLYN SUE SPENCER	18 CHATEAU SQ
45041	Brighton	041	FARES A RUMI	20 CHATEAU SQ
45041	Brighton	041	HILLARY A DANA-RUMI	20 CHATEAU SQ
45041	Brighton	041	SAMUEL J DUCKMAN	22 CHATEAU SQ
45041	Brighton	041	F BETTY DUCKMAN	22 CHATEAU SQ
45041	Brighton	041	STEWART DUCKMAN	22 CHATEAU SQ
45041	Brighton	041	SYDNEY MELISA DUCKMAN	22 CHATEAU SQ
45041	Brighton	041	ANTHONY J MARCELLA	24 CHATEAU SQ
45041	Brighton	041	KATHLEEN L MARCELLA	24 CHATEAU SQ
45041	Brighton	041	LILLIE A HURST	28 CHATEAU SQ
45041	Brighton	041	SHEREE M BARANES	28 CHATEAU SQ
45041	Brighton	041	MICHAEL L HURST	28 CHATEAU SQ
45041	Brighton	041	WALTER H BOLTER	30 CHATEAU SQ
45041	Brighton	041	LAURA E SANTIAGO	34 CHATEAU SQ
45041	Brighton	041	JASON M PALMERI	34 CHATEAU SQ
45041	Brighton	041	TYLER M KIME	36 CHATEAU SQ
45041	Brighton	041	MARTIN B LARSSON	36 CHATEAU SQ
45041	Brighton	041	GUDBJORG O BJORNSDOTTIR-LARSSON	36 CHATEAU SQ
45041	Brighton	041	LARS-GORAN LARSSON	36 CHATEAU SQ
45041	Brighton	041	ISIAH J EWING	40 CHATEAU SQ
45041	Brighton	041	STEPHEN A FLETCHER	42 CHATEAU SQ
45041	Brighton	041	LOTHCHANA KHOUNPACHAMSY	42 CHATEAU SQ
45041	Brighton	041	FRANCIS L SHELDRIK	42 CHATEAU SQ
45041	Brighton	041	JULIA C ACOSTA	44 CHATEAU SQ
45041	Brighton	041	RONALD ACOSTA	44 CHATEAU SQ
45041	Brighton	041	DAVID M ACOSTA	44 CHATEAU SQ
45041	Brighton	041	GLORIA M ACOSTA	44 CHATEAU SQ
45041	Brighton	041	EREA L WHEATON	48 CHATEAU SQ
45041	Brighton	041	FASMI RAZVI	50 CHATEAU SQ
45041	Brighton	041	SHOAEB H RAZVI	50 CHATEAU SQ
45041	Brighton	041	JENNIFER E CIERPIAL	52 CHATEAU SQ
45041	Brighton	041	LAURA YA MADORE	52 CHATEAU SQ
45041	Brighton	041	CHRISTIAN B CHALMERS	54 CHATEAU SQ
45041	Brighton	041	LISA R CHALMERS	54 CHATEAU SQ
45041	Brighton	041	LOUIS B CHALMERS	54 CHATEAU SQ

45041 Brighton 041 DEBORAH L KIBA  
45043 Brighton 043 MOHD M KACHLAN  
45043 Brighton 043 NOOR SUKKAR  
45043 Brighton 043 STANISLAV KHAITIN  
45043 Brighton 043 BARRY L ZIMMERMAN  
45043 Brighton 043 YELINA M KHAITIN  
45043 Brighton 043 BRANDON A CONTRERAS  
45043 Brighton 043 ELIEZER LUBITCH  
45043 Brighton 043 MACKENZIE A GOSS  
45043 Brighton 043 JONATHAN L RICE  
45043 Brighton 043 DANIEL L NELSON  
45043 Brighton 043 VERETTA M NELSON  
45043 Brighton 043 CHRISTINE J KOH  
45043 Brighton 043 ALBERT S KOH  
45043 Brighton 043 EDWARD A THORP  
45043 Brighton 043 VIRGINIA THORP  
45043 Brighton 043 TRAVIS DIXON TINKER  
45043 Brighton 043 KATHLEEN BROOKS TINKER  
45043 Brighton 043 KIRK L NELSON  
45043 Brighton 043 CHRISTINE A NELSON  
45043 Brighton 043 MEREDITH H MOORE  
45043 Brighton 043 JAYDEN A DAVIS  
45043 Brighton 043 JANEL J HUNLEY  
45043 Brighton 043 RICKEY D HUNLEY, SR  
45043 Brighton 043 STEVEN H CASE  
45043 Brighton 043 DEBORAH S EDWARDS  
45043 Brighton 043 CHRISTOPHER G CAIN  
45043 Brighton 043 ANALE E CAIN  
45043 Brighton 043 YANCY L ELLIS  
45043 Brighton 043 JESSICA L ROESSER  
45043 Brighton 043 NORMA B TOURANGEAU  
45043 Brighton 043 TALIYA LYNN DAVIS  
45043 Brighton 043 SANDER STERN  
45043 Brighton 043 ROBERT F SZALAPSKI  
45043 Brighton 043 JOAN PA PANEPINTO  
45043 Brighton 043 RAJIBANIR MIRZA  
45043 Brighton 043 MARGARET A AMBRIDGE  
45043 Brighton 043 DAVID J SCHOLL  
45043 Brighton 043 DAVID W SCHOLL  
45043 Brighton 043 KAREN L SALERNO  
45043 Brighton 043 GREGORY A GENRICH  
45043 Brighton 043 SEYMOUR G SOLOMON  
45043 Brighton 043 RICHARD SOLOMON  
45043 Brighton 043 LARRY FANTAUZZI TALAVERA  
45043 Brighton 043 LARRY FANTAUZZI  
45043 Brighton 043 EMILIE DOWLING  
45043 Brighton 043 BRUCE STALBOT

58 CHATEAU SQ  
9 FRENCH CREEK DR  
9 FRENCH CREEK DR  
11 FRENCH CREEK DR  
11 FRENCH CREEK DR  
11 FRENCH CREEK DR  
15 FRENCH CREEK DR  
21 FRENCH CREEK DR  
41 FRENCH CREEK DR  
46 FRENCH CREEK DR  
49 FRENCH CREEK DR  
49 FRENCH CREEK DR  
50 FRENCH CREEK DR  
50 FRENCH CREEK DR  
53 FRENCH CREEK DR  
53 FRENCH CREEK DR  
54 FRENCH CREEK DR  
54 FRENCH CREEK DR  
57 FRENCH CREEK DR  
57 FRENCH CREEK DR  
61 FRENCH CREEK DR  
73 FRENCH CREEK DR  
73 FRENCH CREEK DR  
73 FRENCH CREEK DR  
77 FRENCH CREEK DR  
84 FRENCH CREEK DR  
93 FRENCH CREEK DR  
93 FRENCH CREEK DR  
101 FRENCH CREEK DR  
123 FRENCH CREEK DR  
127 FRENCH CREEK DR  
131 FRENCH CREEK DR  
135 FRENCH CREEK DR  
140 FRENCH CREEK DR  
140 FRENCH CREEK DR  
143 FRENCH CREEK DR  
144 FRENCH CREEK DR  
147 FRENCH CREEK DR  
147 FRENCH CREEK DR  
148 FRENCH CREEK DR  
152 FRENCH CREEK DR  
156 FRENCH CREEK DR  
156 FRENCH CREEK DR  
159 FRENCH CREEK DR  
159 FRENCH CREEK DR  
160 FRENCH CREEK DR  
176 FRENCH CREEK DR

45043 Brighton 043	SELENA M TALBOT	176 FRENCH CREEK DR
45043 Brighton 043	MORTEZA REZAAE	180 FRENCH CREEK DR
45043 Brighton 043	FARIBA REZAAE	180 FRENCH CREEK DR
45043 Brighton 043	SURYAKANTA R YENNAMANDRA	188 FRENCH CREEK DR
45043 Brighton 043	ANUPAMA YENNAMANDRA	188 FRENCH CREEK DR
45043 Brighton 043	FRANCOISE M UWIMANA	192 FRENCH CREEK DR
45043 Brighton 043	SANDRINE U UWIMANA	192 FRENCH CREEK DR
45043 Brighton 043	ANTOINE UWIMANA	192 FRENCH CREEK DR
45043 Brighton 043	GIULIO RUGGIERO	499 FRENCH RD #1
45043 Brighton 043	JAMES G BAKER	499 FRENCH RD #1
45043 Brighton 043	ISABELLE J JONES	499 FRENCH RD #2
45043 Brighton 043	JOHN M RANDALL	499 FRENCH RD #3
45043 Brighton 043	DAVID J PINTO	501 FRENCH RD #3
45043 Brighton 043	DAVID H RUSSELL	501 FRENCH RD #4
45043 Brighton 043	NICHOLE RODRIGUEZ	501 FRENCH RD #5
45043 Brighton 043	STEPHEN D NOWAK, JR	501 FRENCH RD #6
45043 Brighton 043	KEVIN J WILT	501 FRENCH RD #8
45043 Brighton 043	FRANCIS SULLIVAN	503 FRENCH RD #1
45043 Brighton 043	RACHEL P KOSOFF	503 FRENCH RD #2
45043 Brighton 043	ZACHARY B MILLER	503 FRENCH RD #3
45043 Brighton 043	GORDON STOWELL HOFFMAN	505 FRENCH RD #1
45043 Brighton 043	JAMES J MCPADDEN	505 FRENCH RD #2
45043 Brighton 043	PAUL B FREY	505 FRENCH RD #5
45043 Brighton 043	JOSHUA R NACMAN	505 FRENCH RD #6
45043 Brighton 043	ROSAMARY LAW	505 FRENCH RD #7
45043 Brighton 043	JOSEPH A TROIANO	505 FRENCH RD #8
45043 Brighton 043	CECILE OLIN	507 FRENCH RD #1
45043 Brighton 043	ARMONNY P LEVATINO	507 FRENCH RD #2
45043 Brighton 043	MICHAEL J OLIVER	507 FRENCH RD #4
45043 Brighton 043	MICHAEL A JAMES, JR	507 FRENCH RD #5
45043 Brighton 043	PAMELA JAMES	507 FRENCH RD #5
45043 Brighton 043	KATHLEEN SPENCER	507 FRENCH RD #6
45043 Brighton 043	JAMES R OLIVER	507 FRENCH RD #7
45043 Brighton 043	MICHAEL C BERGER	507 FRENCH RD #8
45043 Brighton 043	CHARLES M FEINBERG	509 FRENCH RD
45043 Brighton 043	SANTHER GIVAS	509 FRENCH RD #2
45043 Brighton 043	ROBERT M CELEIN	509 FRENCH RD #5
45043 Brighton 043	ROBERT KOHLIN	509 FRENCH RD #8
45043 Brighton 043	KATHERINE E MILBURN	511 FRENCH RD #2
45043 Brighton 043	ALEXIA CONDON	511 FRENCH RD #5
45043 Brighton 043	ELLEN KELLY	511 FRENCH RD #6
45043 Brighton 043	ELISEY A SMITH	511 FRENCH RD #6
45043 Brighton 043	ELISA DELOVE	511 FRENCH RD #7
45043 Brighton 043	KATHERINE BUTLER	511 FRENCH RD #8
45043 Brighton 043	ELISA J CLIMES	513 FRENCH RD #4
45043 Brighton 043	MARK R WETZEL	513 FRENCH RD #8
45043 Brighton 043	ELISE BOND	515 FRENCH RD #1



**Name** **House No. Greystone Lane, Rochester, NY 14618**

Tatyana Makismovich	242
Erlin Marte	248
Ali Liaquat	250
Kyle E. Taylor	254
Michael T. Hendrick	256
Devid D. Deangelo	258
Awilda J. Swete	260
Danielle K. Igoe	262
Tehia V. Bumbry	264
Amy L. Rongo	266
Deborag M. Itoh	268

**House No. French Rd. Rochester, NY 14618**

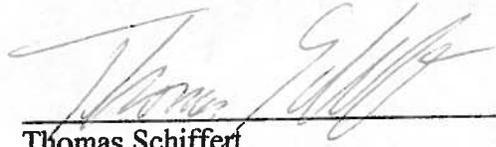
Thoan N. Bui	1194
Jeremy T Knope	1198
Andebrham	1200
Susan G. Delorme	1214
Robter E. Davis	1216
Carolyn Thompson	1218

**AFFIDAVIT FOR PROOF OF MAILING**

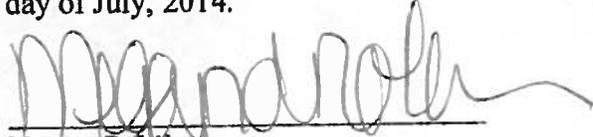
STATE OF NEW YORK )  
COUNTY OF MONROE ) SS:

**THOMAS SCHIFFERT**, being duly sworn, deposes and says:

1. On July 29, 2014, I mailed envelopes labeled with Town of Brighton return addresses to each of the addresses listed in the documents attached to the Affidavit for Compliance with Town Policy as **Exhibits A, B, and C**.
2. Each of the envelopes contained a notice of hearing and cover letter.
3. The envelopes were sent to the above referenced addresses by first class mail.

  
\_\_\_\_\_  
Thomas Schiffert

Sworn to before me this 29  
day of July, 2014.

  
\_\_\_\_\_  
Notary Public

**MEGAN D. NOLAN**  
Notary Public, State of New York  
Monroe County  
Commission Expires August 28, 2014

**AFFIDAVIT FOR SIGN POSTING**

STATE OF NEW YORK )  
COUNTY OF MONROE ) SS:

**Dylan Danks**, being duly sworn, deposes and says:

1. I am an employee of BME Associates. On July 29, 2014, I received two signs from Daniel F. Brennan, Esq., noticing a public hearing held by the Town Board in the Town Hall for the Jewish Senior Life Application on August 13, 2014 at 7:30 p.m. Telephone number "784-5250" was listed for information.
2. The same day, I conspicuously placed the two signs on the Jewish Senior Life Campus in Brighton, with one sign facing South Winton Road, and one sign facing Meridian Centre Boulevard.

  
Dylan Danks

Sworn to before me this 29<sup>th</sup>  
day of July, 2014.

  
Notary Public

**KATHLEEN LANNING**  
Notary Public, State of New York  
Qualified in Monroe County  
Reg. No. 01LA488496  
Commission Expires June 25, 2014



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

June 26, 2014

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

Re: Jewish Senior Life Incentive Zoning and Rezoning Application

Honorable Supervisor and Members:

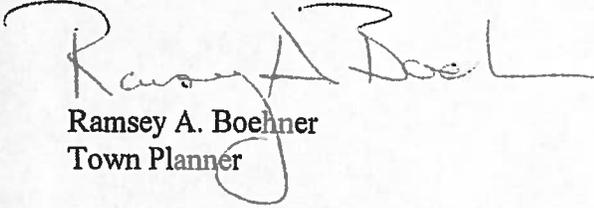
I recommend that your Honorable Body:

1. Receive and file this communication and the attached amended/supplemental letter of intent prepared and submitted by Jerry A. Goldman, dated June 26, 2014;
2. Directs the Environmental Review Liaison Officer, Ramsey Boehner to coordinate the review and to seek lead agency status for the project pursuant to the State Environmental Quality Review Act;
3. Receive and file the attached communication dated June 18, 2014 from Ramsey Boehner, Executive Secretary Planning Board;
4. Direct the Town Planner, Ramsey Boehner to submit the required Development Referral Form and documents to Monroe County Department of Planning and Development for review;
5. Request the Planning Board to review and prepare a report regarding the proposed rezoning amendment pursuant to 225-6 of the Comprehensive Development Regulations; and
6. Set a public hearing regarding the Incentive Zoning and Rezoning Application.



7. Direct the Town Planner to provide the applicant a copy of the Town of Brighton's Policy on Public Notice for Incentive Zoning and Rezoning Applications.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Ramsey A. Boehner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ramsey A. Boehner  
Town Planner

cc: T. Keef  
K. Gordan

attachments



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

June 18, 2014

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

RE: Planning Board advisory report in regards to an Incentive Zoning/Rezoning request to construct four 3-story senior living "Green House" buildings, two one-story senior living "Green House" buildings and a 3-story 65 unit senior independent living apartment building on the grounds of the Jewish Home of Rochester, 2021 Winton Road South, known as Tax ID #s 149.12-01-034 and 150.09-01-001.1.

Dear Board Members:

At the June 18, 2014 Planning Board Meeting, the Planning Board reviewed the above referenced matter and offers the following comments regarding the adequacy of the proposal as it relates to site and the adjacent uses and structures.

**General**

1. The Planning Board supports the proposed application. The proposed project appears to be well suited for the project site and area.
2. Consider alternative site design and layout of the 3 story Independent Living Unit Building and parking area to minimize the amount of asphalt and visible parking along Meridian Centre Blvd .
3. The architectural design and building materials of the proposed buildings should be reviewed and approved by the Town of Brighton Architectural Review Board.
4. The proposed buildings will have to be sprinklered in accordance with Town requirements.
5. The Planning Board recommends a coordinated review be conducted with all involved and interested agencies to obtain comments pursuant to State Environmental Quality Review Act.
6. The Planning Board recommends that the Town move to a public hearing on this application only after receiving firm commitments on the proposed amenities. 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.

7. Prior any granting any rezoning approvals, the Planning Board should review and prepare a report regarding the proposed rezoning amendment pursuant to 225-6 of the Comprehensive Development Regulations

### **Sustainability**

1. 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.
2. The proposed project should include provisions for public transportation. The applicant should contact the Rochester Genesee Regional Transportation Authority to promote the use of public transportation to and from the proposed development.
3. 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 the "heat island effect". Trees of substantial size should be provided along roadways and parking areas to create a canopy large enough to offset the "heat island effect". In addition, light roof colors should be provided which further reduces this phenomenon.
4. Consideration should be given to the proposed buildings being constructed to LEED standards.
5. The project should include provisions for recycling trash that will be generated by the residents occupying the site.
6. Alternative energy sources can significantly cut greenhouse gas emissions and energy costs over time. Consideration should be given to the installation of alternative energy technologies such as solar and geothermal?
7. The proposed buildings should consider orientation and spacing to maximize the potential for passive solar heating and shading devices to minimize the cooling load.
8. All landscaping material should be indigenous to this area. The Sustainable Oversight Committee discourages the installation of potable water lawn sprinkler system.
9. Pervious pavements should be considered where applicable such as sidewalks, trails, and driveways.
10. Consideration should be given to using LED lighting for the project.

**Conservation Board**

The Conservation Board had the following comments regarding this proposal:

1. The Board has no serious concerns with the project as presented.
2. Use of alternative energy sources is encouraged.
3. The Board will have additional comments as plans progress.

Respectfully Submitted,



Ramsey A. Bohner  
Executive Secretary  
Planning Board

# Woods Oviatt Gilman LLP

*Attorneys*

700 Crossroads Building  
2 State Street  
Rochester, New York 14614

Tel: 585.967.2800  
Fax: 585.454.5988  
www.woodsoviatt.com

Writer's Direct Dial Number: 585.445.2726  
Writer's Direct Fax Number: 585.445.2626  
Email: jgoldman@woodsoviatt.com

June 26, 2014

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

**Re: Application of Jewish Senior Life  
Incentive Zoning and Rezoning  
AMENDED/SUPPLEMENTAL LETTER OF INTENT**

Dear Board Members:

This office has been retained by Jewish Senior Life (and its related entities) to assist in obtaining municipal approvals for the enhancement for its existing facilities on the easterly portion of the Jewish Senior Life (JSL) Campus. The subject property is located west of South Winton Road, south of the Interstate 590 Expressway and north of Meridian Center Boulevard.

By letter dated May 8, 2014, we commenced the formal Incentive Zoning and Rezoning process. Since that time, the following events have occurred:

1. The application was received and filed by the Town Board and referred to the Planning Board for comment on May 14, 2014.
2. The Conservation Board reviewed the application on June 10, 2014 and provided their comments to the Planning Board.
3. The Planning Board reviewed the subject application on June 18, 2014 and adopted a resolution to send a referral letter to the Town Board.

In addition, further discussions have been conducted with the Town Administration with regard to the proposed amenities for the project. Again, no specific infrastructure needs were identified in the immediate area of the project and a cash amenity was confirmed. Based upon the Town administrations further analysis, the applicant is agreeable to a restructured amenity payment of \$75,000.00 upon issuance of the first building permit and \$40,000.00 annual payment in lieu of taxes (PILOT) payment, which would be adjusted annually. A formal amenity agreement superseding the prior amenity agreement entered into between the Town and the predecessor of Jewish Senior Life will be executed.

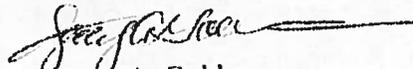
Town Board – Town of Brighton  
LETTER OF INTENT  
June 26, 2014  
Page 2

It is our fervent hope that the Town Board will accept the Planning Board referral, declare its intent to be Lead Agency for environmental review under the State Environmental Quality Review Act (SEQRA) and schedule a public hearing on this matter at your July 9 meeting.

If you have any questions with regard to this matter, please do not hesitate to contact me.

Very truly yours,

WOODS OVIATT GILMAN LLP

  
Jerry A. Goldman

JAG/mxm  
Enclosure

12241523 1

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, proposed Local Law #4 of 2014 entitled "Dog Seizure and Impoundment" Local Law was previously received and filed at the Town Board's July 9, 2014 meeting in the form attached hereto, and

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 13<sup>th</sup> day of August 2014 at 7:30 p.m., to consider the proposed Local Law #4 of 2014 as an amendment to the Town Code; and

**WHEREAS**, such public hearing was duly called and held on August 13, 2014 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_,  
seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that all written comments provided to the Town at the Public Hearing held on August 13, 2014 regarding the proposed Local Law #4 of 2014 be received and filed and included in the record of the Public Hearing; and further

**BE IT RESOLVED**, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York the Town Board hereby amends the Town Code by adopting the provisions of Local Law #4 of 2014 entitled "Dog Seizure and Impoundment" Local Law in the form attached hereto; and it is further

**RESOLVED**, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Local Law referred to herein file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York.

Dated: August 13, 2014

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

**Local Law #4 of 2014**  
**"Dog Seizure and Impoundment" Local Law**

**Section 1. Title**

This Local Law shall be known as the "Dog Seizure and Impoundment" Local Law of the Town of Brighton.

**Section 2. Purpose.**

It is the purpose and intent of this Local Law to amend the Town Code to provide clarification of the Town's policies on seizure and impoundment of dogs and the fees to be charged for a dog's release to its owner.

**Section 3. Amendments to the Town Code.**

Section 40-14 of the Brighton Town Code is hereby amended to read as follows (deleted language is shown as crossed out and additional language is underlined):

In accordance with § 117 of the Agriculture and Markets Law:

A. The Animal/Dog Control Officer shall seize:

- (1) Any dog which is not licensed, whether on or off the owner's premises.
- (2) Any licensed dog which is not in the control of its owner or custodian or not on the premises of the dog's owner or custodian, if there is probable cause to believe the dog is dangerous.

(3) Any dog which poses an immediate threat to the public safety.

B. The Animal/Dog Control Officer, when acting pursuant to his or her special duties, shall make and maintain a complete record of any seizure and subsequent disposition of any dog. Such record shall include, but not be limited to, a description of the dog, the date and hour of seizure, the municipal identification number of the such dog (if any), the location where seized, the reason for the seizure and the owner's name and address, if known.

C. Each dog seized in accordance with the provisions of this article shall be properly sheltered, fed and watered at the expense of the Town during the redemption period as hereinafter provided.

D. Each dog which is not identified shall be held for a period of five days from the day seized if unlicensed at the time seized, and if licensed at the time of seizure for a period of seven days from the day the owner of said dog is notified personally of said seizure and for a period of nine days from the day of mailing by certified mail of notice of seizure to the owner of said dog if such notice is sent by mail, during which period the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of this article and further provided that the owner pays the impoundment fees as established by Town Board resolution If a dog is seized for a violation of § 40-5 hereof only and the dog is wearing an identification tag, the Animal Control Officer or peace officer shall ascertain the owner of the dog and shall give immediate notice by personally serving (or by service by certified mail, return receipt requested) such owner with a notice in writing stating that the dog has been seized and will be adopted or destroyed unless redeemed as herein provided.

E. If, at the end of the appropriate redemption period, said dog has not been redeemed by its owner, the owner shall forfeit all title to the dog and it shall be available for adoption or be released to an authorized humane society or shelter, or destroyed by the Animal Control Officer or such Officer's designee. In the case of adoption, the adopter must pay the incurred boarding costs to the Clerk, and also obtain a license for such dog.

F. Prior to releasing a dog to its owner or adopting out a dog, the Clerk shall deliver to the owner a statement of number of days the dog has been in the shelter and the costs for any veterinary care. The owner or person adopting the dog shall pay such statements and costs in full unless waived by the Clerk, pursuant to Subsection E. The owner or person adopting shall take such statement to the Animal Control Officer, whereupon the Animal Control Officer shall release such dog to the owner or adopter, as the case may be.

G. If a dog is destroyed, the person who destroys the dog shall immediately dispose of the dog and make a written report of such destruction and disposition to the Town Clerk. The owner of such dog shall be responsible for the payment of impoundment and other fees incurred prior to disposition, and no license shall be issued to any other dog owned by such person until all such fees have been paid in full.

H. In the event that emergency veterinary care (minimal life support as determined by the veterinarian) was necessary at the time of seizure and said care was provided pursuant to 40-14C, the owner of the dog or his agent must pay the costs incurred therefore before said dog may be redeemed.

#### Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

**Daniel Aman**  
Town Clerk/Receiver of Taxes

**David Marcus**  
Deputy Clerk / Deputy Receiver

**To: Honorable Town Board**  
**From: Daniel Aman, Town Clerk / Receiver of Taxes**  
**Date: June 27, 2014**  
**Subject: Public Hearing for Code Amendments**

Dear Supervisor Moehle and Town Council Members:

As you may be aware, I proposed several changes to the Town Code section 40-14 in relation to seizure and impoundment of dogs to the Public Safety Committee back in February. The current wording of the Code lists exact dollar amounts for fees. Each time the contract with the animal hospital comes up for renewal, the Town Board has to hold a public hearing to adjust the amount of the fees.

The proposed changes remove these dollar amounts to allow the Code to be evergreen and allow the fees to be changed simply by Town Board resolution.

I would therefore ask that the Town Board receive and file this communication, that a public hearing be set for this matter and any requisite notice be sent out. As always, your consideration of matters such as this is greatly appreciated.

Sincerely,

**Daniel Aman**  
Town Clerk / Receiver of Taxes

**Local Law #4 of 2014**  
**"Dog Seizure and Impoundment" Local Law**

**Section 1. Title**

This Local Law shall be known as the "Dog Seizure and Impoundment" Local Law of the Town of Brighton.

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**Section 3. Amendments to the Town Code.**

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In accordance with § 117 of the Agriculture and Markets Law:

A. The Animal/Dog Control Officer shall seize:

- (1) Any dog which is not licensed, whether on or off the owner's premises.
- (2) Any licensed dog which is not in the control of its owner or custodian or not on the premises of the dog's owner or custodian, if there is probable cause to believe the dog is dangerous.

(3) Any dog which poses an immediate threat to the public safety.

B. The Animal/Dog Control Officer, when acting pursuant to his or her special duties, shall make and maintain a complete record of any seizure and subsequent disposition of any dog. Such record shall include, but not be limited to, a description of the dog, the date and hour of seizure, the municipal identification number of the such dog (if any), the location where seized, the reason for the seizure and the owner's name and address, if known.

C. Each dog seized in accordance with the provisions of this article shall be properly sheltered, fed and watered at the expense of the Town during the redemption period as hereinafter provided.

D. Each dog which is not identified shall be held for a period of five days from the day seized if unlicensed at the time seized, and if licensed at the time of seizure for a period of seven days from the day the owner of said dog is notified personally of said seizure and for a period of nine days from the day of mailing by certified mail of notice of seizure to the owner of said dog if such notice is sent by mail ~~seized if licensed at the time seized~~, during which period the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of this article and further provided that the owner pays the impoundment fees as established by Town Board resolution ~~and further provided that the owner pays the impoundment fees set forth below, which fees are subject to change by Town Board resolution.~~ If a dog is seized for a violation of § 40-5 hereof only and the dog is wearing an identification tag, the Animal Control Officer or peace officer shall ascertain the owner of the dog and shall give immediate notice by personally serving (or by service by certified mail, return receipt requested) such owner with a notice in writing stating that the dog has been seized and will be adopted or destroyed unless redeemed as herein provided.

~~(1) Not less than \$30 (\$50 for an unlicensed dog) for the first 24 hours or part thereof and \$10.50 for each additional 24 hours or part thereof for the first impoundment of any dog owned by that person.~~

~~(2) Not less than \$60 (\$75 for an unlicensed dog) for the first 24 hours or part thereof and \$10.50 for each additional 24 hours or part thereof for the second impoundment, within one year of the first impoundment, of any dog owned by that person.~~

~~(3) Not less than \$90 (\$100 for an unlicensed dog) for the first 24 hours or part thereof and \$10.50 for each additional 24 hours or part thereof for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.~~

~~(4) If, upon redemption, any dog received a rabies vaccination, the charge for such vaccination shall be added to impoundment fees. the fee required to be paid for the release of the dog.~~

~~(5) In the event an owner seeks to redeem a licensed dog during a weekend or holiday, when the Clerk and/or Animal Control Officer are not available, the owner may redeem the dog by paying all applicable fees plus an additional special handling fee of \$35, directly to the animal hospital or other agent with whom the Town contracts to impound dogs, and upon such payment the animal hospital or other agent may thereupon release the dog to the owner.~~

**E. If, at the end of the appropriate redemption period, said dog has not been redeemed by its owner, the owner shall forfeit all title to the dog and it shall be available for adoption or be released to an authorized humane society or shelter, or destroyed by the Animal Control Officer or such Officer's designee. In the case of adoption, the adopter must pay the incurred boarding costs to the Clerk, unless payment of such fees is waived by the Clerk in her sole discretion, and also obtain a license for such dog.**

F.

Prior to releasing a dog to its owner or adopting out a dog, the Clerk shall deliver to the owner a statement of number of days the dog has been in the shelter and the costs for any veterinary care. The owner or person adopting the dog shall pay such statements and costs in full unless waived by the Clerk, pursuant to Subsection E. The owner or person adopting shall take such statement to the Animal Control Officer, whereupon the Animal Control Officer shall release such dog to the owner or adopter, as the case may be.

G.

If a dog is destroyed, the person who destroys the dog shall immediately dispose of the dog and make a written report of such destruction and disposition to the Town Clerk. The owner of such dog shall be responsible for the payment of impoundment and other fees incurred prior to disposition, and no license shall be issued to any other dog owned by such person until all such fees have been paid in full.

H.

In the event that emergency veterinary care (minimal life support as determined by the veterinarian) was necessary at the time of seizure and said care was provided pursuant to 40-14C, the owner of the dog or his agent must pay the costs incurred therefore before said dog may be redeemed.

#### Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, pursuant to the provisions of the Chapter 175 of the Town Code, the Town Board previously received and filed communication and a report regarding the removal of a town tree consisting of a 48" Black Walnut at 275 Ashbourne Drive, and

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 13<sup>th</sup> day of August 2014 at 7:30 p.m., to consider the proposed removal of said tree; and

**WHEREAS**, pursuant to the provisions of Section 175-8 of the Town Code, notice of such public hearing was sent by first class mail at least 20 days prior to the scheduled hearing addressed to the owners of each of the properties adjoining the above referenced tree and the owners directly across the Town highway from and the properties contiguous to the adjoining properties, and

**WHEREAS**, such public hearing was duly called and held on August 13, 2014 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that all written comments provided to the Town at or before the Public Hearing held on August 13, 2014 regarding the proposed tree removal be received and filed as part of the record of the hearing; and further

**BE IT RESOLVED**, that pursuant to the provisions of Chapter 175 of the Town Code, and based on the record of the Public Hearing, the Town Board hereby authorizes the Commissioner of Public Works, and or his designee, to remove the above referenced tree in accordance with the provisions of Chapter 175 including but not limited to the arboricultural specifications and standards of practice in the Town Forestry Plan.

Dated: August 13, 2014

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

## Daniel Aman

---

**From:** Tim Keef [tim.keef@townofbrighton.org]  
**Sent:** Monday, August 04, 2014 2:54 PM  
**To:** 'Nadjimzadah, Hamed'  
**Cc:** daniel.aman@townofbrighton.org; tim.anderson@townofbrighton.org  
**Subject:** RE: Proposed town tree removal

Hamed,

Thank you for your response and advice. This communication will be entered into the public record and I will have the Highway Department plan on installing a replacement tree, most likely next spring when we do our annual plantings. Have a great day.

Timothy E. Keef, P.E.  
Commissioner of Public Works  
Town of Brighton DPW  
2300 Elmwood Avenue  
Rochester, New York 14618  
585-784-5223 (office)  
585-784-5368 (fax)  
tim.keef@townofbrighton.org

**From:** Nadjimzadah, Hamed [mailto:Hamed\_Nadjimzadah@URMC.Rochester.edu]  
**Sent:** Monday, August 04, 2014 2:20 PM  
**To:** 'tim.keef@townofbrighton.org'  
**Subject:** Re: Proposed town tree removal

Dear Mr. Keef,

Thanks for the heads up on the removal of the tree in front of my property at 275 Ashbourne Rd. I certainly share the same concerns with you in regards to the current condition and health of the tree and agree with its removal. Also I definitely would be interested in planting a replacement tree.

Since I will not be able to attend the set public hearing on Aug. 13<sup>th</sup>, I would very much appreciate it if you would consider this email as my response to this matter and use for the public record.

Let me please know if you still require a written and signed letter for your consideration.

Best regards.

Hamed.

Hamed Nadjimzadah  
Decision Support Services  
URMC Information Systems Division  
585.758.0898



8/4/2014



# 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

July 14, 2014

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

Re: Proposed Tree Removal

Dear Supervisor Moehle and Town Council Members:

It is recommend that your Honorable Body receive and file this advisory communication pursuant to Chapter 175 of the Town Code, Trees, Section 8, Removal. The following tree is proposed to be removed in accordance with the provisions of said chapter due to tree health and/or safety reasons:

1) #275 Ashbourne Road 48" Black Walnut

The Public Works Committee and the Tree Council have previously reviewed the attached report, as prepared by our consulting arborist, associated with the above location and concur with the proposed action. The above tree is considered significant, therefore a public hearing will be required. The requisite communication to each adjoining owner(s) will be issued prior to the public hearing in accordance with the provisions of the Town Code. This department will coordinate replacement of this tree with the affected property owner.

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  
D. Aman  
M. Hussar  
K. Gordon



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 10, 2014

Timothy Keef, Commissioner of Public Works  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, NY 14618

RE: Tree Removals

Dear Commissioner Keef:

In response to your letter, dated June 25, 2014, and attached tree evaluation forms regarding the proposed removal of town trees located at

133 Monroe Parkway  
25 Emmons Drive  
75 Grosvenor Road  
131 Grosvenor Road  
275 Ashbourne Road

22" Basswood  
26" Sugar maple  
25" Ash  
25" Ash  
48" Black walnut

the Tree Council reviewed the forms and visited the sites. The Council is in agreement with the evaluations and supports the removal of the identified trees. If feasible, the Council suggests that replacement trees be planted as soon as possible. If it is not feasible to plant replacement trees in the removal areas, consideration should be given to planting replacement trees elsewhere on the street.

Sincerely,

Rick DiStefano, Secretary  
Brighton Tree Council

cc: Tim Anderson



Jerry Peterson  
444 Clover Street  
Rochester, NY 14610  
ISA Certified Arborist – Municipal Specialist NY 0468AM

April 4, 2014

Timothy E. Keef, P.E.  
Commissioner of Public Works  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, NY 14618

**RE: 275 Ashbourne Rd.**

Dear Mr. Keef:

In response to your request, I have inspected the tree within the right of way at 275 Ashbourne Rd. The following is a summary of my findings.

**Field Inspection Data**

The tree is a 48 in. diameter Black Walnut in the lawn area at the above address. The purpose of the inspection was to determine tree health and structural integrity. The inspection was performed on Thursday April 3, 2014 and involved the visual inspection from ground level of the trunk, limbs, root flare and overall site conditions.

**Tree Health**

Measurement of twig growth, wound closure, bud density and presence of decay in the stem union indicate this tree is in poor condition.

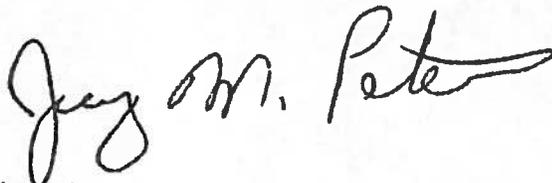
**Tree Structure**

The tree's structure consists of a single trunk forming 3 leads 9 feet from ground level. There is a large trunk wound on the street side of the tree extending from the ground to above the main crotch. There is a large girdling root on the root flare on the street side with extensive decay in the root flare and lower trunk. Probing indicates decay above and below ground in a major portion of the trunk and root flare. Analysis of shoot growth indicates this tree is entering a state of decline.

**Conclusions and Recommendations**

From my observations, the structural integrity of this tree is poor. This is a large tree with significant decay in the root flare and lower trunk, a large crown with heavy end weighted branches and declining health. This tree poses a significant risk of failure during a crown loading event. It is my professional opinion that this tree should be removed and replaced.

Sincerely



Jerry M. Peterson

ISA Certified Arborist – Municipal Specialist NY-0468AM



# A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas

## TREE HAZARD EVALUATION FORM 2nd Edition

Site/Address: 225 Ashbourne Rd.  
 Map/Location: \_\_\_\_\_  
 Owner: public  private \_\_\_\_\_ unknown \_\_\_\_\_ other \_\_\_\_\_  
 Date: 4/3/14 Inspector: Jerry Peterson NY-0168AM  
 Date of last inspection: 1-15-14

HAZARD RATING:						
<u>3</u>	+	<u>3</u>	+	<u>3</u>	=	<u>9</u>
Failure Potential		Size of part		Target Rating	=	Hazard Rating
<input checked="" type="checkbox"/>						Immediate action needed
						Needs further inspection
						Dead tree

### TREE CHARACTERISTICS

Tree #: \_\_\_\_\_ Species: Black Walnut  
 DBH: 48 # of trunks: 1 Height: 50' Spread: 40'  
 Form:  generally symmetric  minor asymmetry  major asymmetry  stump sprout  stag-headed  
 Crown class:  dominant  co-dominant  intermediate  suppressed  
 Live crown ratio: 80% Age class:  young  semi-mature  mature  over-mature/senescent  
 Pruning history:  crown cleaned  excessively thinned  topped  crown raised  pollarded  crown reduced  flush cuts  cabled/braced  
 none  multiple pruning events Approx. dates: \_\_\_\_\_  
 Special Value:  specimen  heritage/historic  wildlife  unusual  street tree  screen  shade  indigenous  protected by gov. agency

### TREE HEALTH

Foliage color:  normal  chlorotic  necrotic Epicormics? Y N Defoliated Growth obstructions:  
 Foliage density:  normal  sparse Leaf size:  normal  small Defoliated  stakes  wire/ties  signs  cables  
 Annual shoot growth:  excellent  average  poor Twig Dieback? Y N  curb/pavement  guards  
 Woundwood development:  excellent  average  poor  none  other \_\_\_\_\_  
 Vigor class:  excellent  average  fair  poor  
 Major pests/diseases: \_\_\_\_\_

### SITE CONDITIONS

Site Character:  residence  commercial  industrial  park  open space  natural  woodland/forest  
 Landscape type:  parkway  raised bed  container  mound  lawn  shrub border  wind break  
 Irrigation:  none  adequate  inadequate  excessive  trunk wetted  
 Recent site disturbance? Y (N)  construction  soil disturbance  grade change  line clearing  site clearing  
 % dripline paved: \_\_\_\_\_ 0% 10-25% 25-50% 50-75% 75-100% Pavement lifted? Y N  
 % dripline w/ fill soil: \_\_\_\_\_ 0% 10-25% 25-50% 50-75% 75-100%  
 % dripline grate lowered: \_\_\_\_\_ 0% 10-25% 25-50% 50-75% 75-100%  
 Soil problems:  drainage  shallow  compacted  droughty  saline  alkaline  acidic  small volume  disease center  history of fail  
 clay  expansive  slope \_\_\_\_\_ aspect: \_\_\_\_\_  
 Obstructions:  lights  signage  line-of-sight  view  overhead lines  underground utilities  traffic  adjacent veg.  \_\_\_\_\_  
 Exposure to wind:  single tree  below canopy  above canopy  recently exposed  windward, canopy edge  area prone to windthrow  
 Prevailing wind direction: West Occurrence of snow/ice storms  never  seldom  regularly

### TARGET

Use Under Tree:  building  parking  traffic  pedestrian  recreation  landscape  hardscape  small features  utility lines  
 Can target be moved? Y (N) Can use be restricted? Y (N)  
 Occupancy:  occasional use  intermittent use  frequent use  constant use

275  
Ashbourne Rd  
Page 2

**TREE DEFECTS**

**ROOT DEFECTS:**

Suspect root rot:  N Mushroom/conk/bracket present: Y  ID: \_\_\_\_\_  
 Exposed roots:  severe  moderate  low Undetermined:  severe  moderate  low  
 Root pruned: \_\_\_\_\_ distance from trunk Root area affected: \_\_\_\_\_ % Buttress wounded: Y  N When: \_\_\_\_\_  
 Restricted root area:  severe  moderate  low Potential for root failure:  severe  moderate  low  
 LEAN: \_\_\_\_\_ deg. from vertical  natural  unnatural  self-corrected Soil heaving: Y  N  
 Decay in plane of lean: Y  N Roots broken Y  N Soil cracking: Y  N  
 Compounding factors: \_\_\_\_\_ Lean severity:  severe  moderate  low

**CROWN DEFECTS:** Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT/CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper	M			
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark			L	
Excessive end weight				
Cracks/splits				
Hangers				
Girdling	M		M	
Wounds/seam		S	S	
Decay	M	S	S	
Cavity	M			
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/galls/burrs				
Previous failure				

**HAZARD RATING**

Tree part most likely to fail: Structure of crown at main trunk Failure potential 1 - low 2 - medium; 3 - high; 4 - severe  
 Inspection period: \_\_\_\_\_ annual \_\_\_\_\_ biannual \_\_\_\_\_ other \_\_\_\_\_  
 Failure Potential + Size of Part + Target Rating = Hazard Rating  
3 + 3 + 3 = 9  
 Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm); 3 - 18-30" (45-75 cm); 4 - >30" (75 cm)  
 Target rating 1 - occasional use; 2 intermittent use; 3 - frequent use 4 - constant use

**HAZARD ABATEMENT**

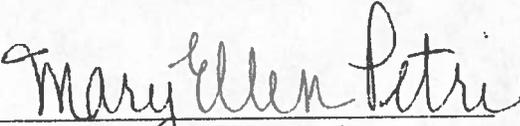
Prune:  remove defective part  reduce end weight  crown clean  thin  raise canopy  crown reduce  restructure  shape  
 Cable/Brace: \_\_\_\_\_ Inspect further:  root crown  decay  aerial  monitor  
 Remove tree:  N Replace?  N Move target: Y  N Other: \_\_\_\_\_  
 Effect on adjacent trees:  none  evaluate  
 Notification: \_\_\_\_\_ owner \_\_\_\_\_ manager  governing agency Date: 4/3/14

**COMMENTS**

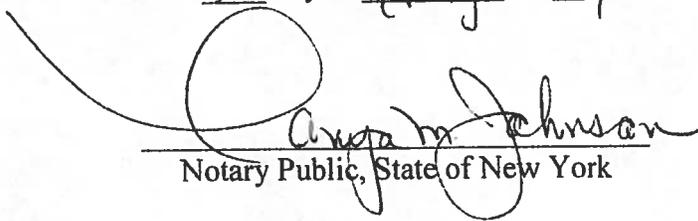
**AFFIDAVIT OF MAILING**

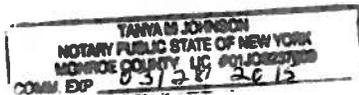
STATE OF NEW YORK  
Monroe County

Mary Ellen Petri being duly sworn, deposes and says that she works in the Department of Public Works for the Town of Brighton, County of Monroe and State of New York. A printed copy of the notice which is attached, was sent on July 24, 2014 via first class mail to the adjoining property owners, a list of whom is attached,

  
\_\_\_\_\_  
Mary Ellen Petri  
Town of Brighton

Subscribed and sworn on before me, this  
25<sup>th</sup> day of July, 2014

  
\_\_\_\_\_  
Notary Public, State of New York





**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 24, 2014

Hamed Nadjimzadah  
Or Current Resident  
275 Ashbourne Road  
Rochester, New York 14618

Re: Proposed Town Tree Removal

Dear Home Owner/Resident:

Please be advised that the 48" black walnut tree in the Town's right of way at your property should be removed due to its present condition. The removal of this Town tree, which will be done at the Town's expense, is being recommended based upon its relative health, safety concerns and other factors. Much consideration has been given to date to arrive at this determination, inclusive of Highway Department personnel, an evaluation of the tree by an independent consulting arborist and review by the Town's Tree Council.

Since this tree is considered a significant tree, a public hearing on the proposed removal is required. This public hearing will be held at approximately 7:30 PM on Wednesday, August 13, 2014, during the regularly scheduled Town Board meeting that evening. You may speak to this matter at the public hearing if you so desire. However, if you are unable to attend and wish to provide written communication regarding this matter, please do so to my attention prior to the meeting and I will have this entered into the public record. If you would like to discuss this matter during the interim, I'd be happy to do so. If you would be interested in the planting of a replacement tree, we can discuss this as well.

Do not hesitate to contact me (e-mail: [tim.keef@townofbrighton.org](mailto:tim.keef@townofbrighton.org); phone 784-5223) with any questions or concerns regarding this matter.

Sincerely,

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

TEK/mep

Cc: Tim Anderson, Deputy Highway Superintendent





**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 24, 2014

Aron G. Troppe  
Amy M. Ephron Troppe  
Or Current Resident  
281 Ashbourne Road  
Rochester, New York 14618

Re: Proposed Town Tree Removal

Dear Home Owner/Resident:

Please be advised that, as adjoining property owners, the 48" black walnut tree in the Town's right of way at #275 Ashbourne Road should be removed due to its present condition. The removal of this Town tree, which will be done at the Town's expense, is being recommended based upon its relative health, safety concerns and other factors. Much consideration has been given to date to arrive at this determination, inclusive of Highway Department personnel, an evaluation of the tree by an independent consulting arborist and review by the Town's Tree Council.

A public hearing on the proposed removal is scheduled for August 13, 2014, at 7:30. You may speak to this matter at the public hearing if you so desire. However, if you are unable to attend and wish to provide written communication regarding this matter, please do so to my attention prior to the meeting and I will have this entered into the public record. If you would like to discuss this matter during the interim, I'd be happy to do so.

Do not hesitate to contact me (e-mail: [tim.keef@townofbrighton.org](mailto:tim.keef@townofbrighton.org); phone 784-5223) with any questions or concerns regarding this matter. The owners at 275 Ashbourne Road have also been notified of this matter under separate cover.

Sincerely,

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

TEK/mep

cc: Tim Anderson, Deputy Highway Superintendent





**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 24, 2014

Joel Kasdin  
Or Current Resident  
259 Ashbourne Road  
Rochester, New York 14618

Re: Proposed Town Tree Removal

Dear Home Owner/Resident:

Please be advised that, as adjoining property owners, the 48" black walnut tree in the Town's right of way at #275 Ashbourne Road should be removed due to its present condition. The removal of this Town tree, which will be done at the Town's expense, is being recommended based upon its relative health, safety concerns and other factors. Much consideration has been given to date to arrive at this determination, inclusive of Highway Department personnel, an evaluation of the tree by an independent consulting arborist and review by the Town's Tree Council.

A public hearing on the proposed removal is scheduled for August 13, 2014, at 7:30. You may speak to this matter at the public hearing if you so desire. However, if you are unable to attend and wish to provide written communication regarding this matter, please do so to my attention prior to the meeting and I will have this entered into the public record. If you would like to discuss this matter during the interim, I'd be happy to do so.

Do not hesitate to contact me (e-mail: [tim.keef@townofbrighton.org](mailto:tim.keef@townofbrighton.org); phone 784-5223) with any questions or concerns regarding this matter. The owners at 275 Ashbourne Road have also been notified of this matter under separate cover.

Sincerely,

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

TEK/mep

cc: Tim Anderson, Deputy Highway Superintendent





**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 24, 2014

Michael & Judith S. Cohen  
Or Current Resident  
276 Ashbourne Road  
Rochester, New York 14618

Re: Proposed Town Tree Removal

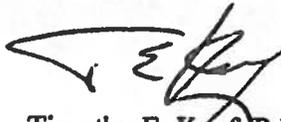
Dear Home Owner/Resident:

Please be advised that, as adjoining property owners, the 48" black walnut tree in the Town's right of way at #275 Ashbourne Road should be removed due to its present condition. The removal of this Town tree, which will be done at the Town's expense, is being recommended based upon its relative health, safety concerns and other factors. Much consideration has been given to date to arrive at this determination, inclusive of Highway Department personnel, an evaluation of the tree by an independent consulting arborist and review by the Town's Tree Council.

A public hearing on the proposed removal is scheduled for August 13, 2014, at 7:30. You may speak to this matter at the public hearing if you so desire. However, if you are unable to attend and wish to provide written communication regarding this matter, please do so to my attention prior to the meeting and I will have this entered into the public record. If you would like to discuss this matter during the interim, I'd be happy to do so.

Do not hesitate to contact me (e-mail: [tim.keef@townofbrighton.org](mailto:tim.keef@townofbrighton.org); phone 784-5223) with any questions or concerns regarding this matter. The owners at 275 Ashbourne Road have also been notified of this matter under separate cover.

Sincerely,



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

TEK/mep

cc: Tim Anderson, Deputy Highway Superintendent





**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

July 24, 2014

Lillian Merson  
Mary Delaney  
Or Current Resident  
270 Ashbourne Road  
Rochester, New York 14618

Re: Proposed Town Tree Removal

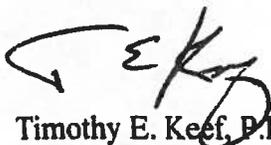
Dear Home Owner/Resident:

Please be advised that, as adjoining property owners, the 48" black walnut tree in the Town's right of way at #275 Ashbourne Road should be removed due to its present condition. The removal of this Town tree, which will be done at the Town's expense, is being recommended based upon its relative health, safety concerns and other factors. Much consideration has been given to date to arrive at this determination, inclusive of Highway Department personnel, an evaluation of the tree by an independent consulting arborist and review by the Town's Tree Council.

A public hearing on the proposed removal is scheduled for August 13, 2014, at 7:30. You may speak to this matter at the public hearing if you so desire. However, if you are unable to attend and wish to provide written communication regarding this matter, please do so to my attention prior to the meeting and I will have this entered into the public record. If you would like to discuss this matter during the interim, I'd be happy to do so.

Do not hesitate to contact me (e-mail: [tim.keef@townofbrighton.org](mailto:tim.keef@townofbrighton.org); phone 784-5223) with any questions or concerns regarding this matter. The owners at 275 Ashbourne Road have also been notified of this matter under separate cover.

Sincerely,



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

TEK/mep

cc: Tim Anderson, Deputy Highway Superintendent

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 30, 2014 from Junior Engineer Chad Roscoe regarding a request to authorize the solicitation of bids to provide materials and services to install approximately 550 linear feet of concrete sidewalk on the south side of Crittenden Road from the corner of West Henrietta Road westward to the eastern entrance of Crittenden Way Apartments and to authorize the Supervisor to sign the Community Development Construction Agreement to provide \$32,365.00 in funding from the 2013 Community Development Block Grant (CDBG) for this project, and that correspondence dated August 5, 2014 from Environmental Liaison Officer Ramsey A. Boehner regarding the above described sidewalk installation and the draft Negative Declaration regarding the same be received and filed; and further

**BE IT RESOLVED**, that the Town Board, as lead agency under the State Environmental Quality Review Act ("SEQRA") has given due deliberation to the sidewalk installation project, and has determined that the proposed action will not have a significant effect on the environment and hereby adopts the Negative Declaration referred to above; and it is further

**RESOLVED**, that the Town Board authorizes the solicitation of bids to provide materials and services to install approximately 550 linear feet of concrete sidewalk on the south side of Crittenden Road from the corner of West

Henrietta Road westward to the eastern entrance of Crittenden Way Apartments and authorizes the Supervisor to sign the Community Development Construction Agreement to provide \$32,365.00 in funding from the 2013 CDBG for this project, subject to the review and approval of said agreement by the Attorney to the Town.

Dated: August 13, 2014

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

July 30, 2014

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

Re: 2013 CDBG Crittenden Road Sidewalk Project  
Solicit a Request for Bidders.

Dear Councilperson Werner and Committee Members:

The Town of Brighton received a 2013 CDBG Grant in the amount of \$32,625 to install approximately 550LF of concrete sidewalk on the south side of Crittenden Road from the corner of W. Henrietta Road westward to the eastern entrance of Crittenden Way Apartments. The new sidewalk will be installed within the public ROW and the acquisition of additional property is not necessary. Town of Brighton staff has completed the final construction bid documents and are awaiting final approvals from the Monroe County and New York State Departments of Transportation. Once these approvals are obtained we would like to advertise the project for bid. I am requesting authorization to solicit a request for bidders to provide those construction services necessary to install the proposed sidewalk referenced above. Funds have been allocated for this project in the account A.DPW.5410 2.65. No action as to awarding a contract will be considered without returning to this committee.

In addition, I am requesting that FASC authorize the Supervisor to sign the Community Development Construction Agreement Competitive Bid, attached, which provides funding, \$32,625, for the 2013 Crittenden Road Sidewalk Project. Prior to obtaining the supervisor's signature the agreement will be reviewed and approved by the Town Attorney.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled August 5, 2014 meeting in the event that you have any questions regarding this matter.

Respectfully,

Chad Roscoe  
Junior Engineer

cc: S. Zaso  
T. Keef  
Mary Ann Hussar



**TOWN OF BRIGHTON**  
MONROE COUNTY, NEW YORK

August 5, 2014

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

Re: Negative Declaration  
Crittenden Rd. Sidewalks 1

Honorable Supervisor and Members:

The Crittenden Road Sidewalk Project involves installation of 550 linear feet of concrete sidewalk within the ROW on the south side of Crittenden Road. Based on the review of the Environmental Assessment form prepared for the Project and documentation prepared by Town staff, it appears that the project will not result in any adverse environmental impacts.

I recommend that your Honorable Body:

1. Receive and file this letter and the attached negative declaration for the Crittenden Rd. Sidewalks 1; and
2. Adopt the attached negative declaration prepared by Town Staff.

Respectfully Submitted



Ramsey A. Boehner  
Environmental Review Liaison Officer

cc: T. Keef  
M. Guyon  
C Roscoe

attachment



State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-8-14

**Date:** August 5, 2014

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

The Town of Brighton, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Crittenden Road Sidewalks I

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** The project involves the installation of 550 linear feet of concrete sidewalk within the ROW of Crittenden Road (Monroe County jurisdiction) on the south side of the road. A permit from the Monroe County Highway Department will be required.

**Location:** Within the Crittenden Road ROW of 1625 Crittenden Rd. (T.A.N. 148.12-3-87) & 2411 W. Henrietta Rd. (T.A.N. 148.12-3-88).

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with.
2. There will be no resources of value irreversibly lost.
3. The project construction period will be short; noise impacts from construction and impacts upon traffic flow will be limited.
4. Proper erosion control measures will be used. There will be no adverse impact on the environment.

5. Prior to the start of construction, the project will be submitted to the NYS Historic Preservation Office for their evaluation. Any requirements of that office will be met.
6. A listed environmental remediation site (Conway GMC Truck Division) at 2654 W. Henrietta Road has a completion date of 8/23/01 and is located +/- 2,000 feet from the project site. Based on its distance and the nature of the proposed project, the listed site will have no impact on the project area, or vice versa.
7. Two small trees within the right-of-way will need to be removed. There will be no environmental impacts involved with their removal.

**For Further Information:**

**Contact Person: Ramsey A. Boehner, Environmental Review Liaison Officer**

**Address: Town of Brighton  
2300 Elmwood Avenue  
Rochester, N.Y. 14618**

**Telephone: (585) 784-5229**

**COMMUNITY DEVELOPMENT**  
**CONSTRUCTION AGREEMENT**  
**COMPETITIVE BID**

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between **MONROE COUNTY**, a municipal corporation with offices in the County Office Building, 39 West Main Street, Rochester, New York 14614, (hereinafter referred to as "COUNTY") and the **TOWN OF BRIGHTON**, a municipal corporation with offices at 2300 Elmwood Avenue, Rochester, New York 14618, (hereinafter referred to as the "MUNICIPALITY").

**WITNESSETH:**

**WHEREAS**, the COUNTY has entered into an Agreement with the United States of America, Department of Housing and Urban Development (HUD) under the Community Development Block Grant Program, and

**WHEREAS**, the MUNICIPALITY and the COUNTY desire to enter into an Agreement that provides for the **Crittenden Road sidewalk project** in neighborhoods in the Town of Brighton, (hereinafter referred to as the "Project" and described more fully in the Project Proposal attached to and made a part of this Agreement as Attachment A), and

**WHEREAS**, the Monroe County Community Development Administration, (hereinafter referred to as "CDA") has approved said Project for implementation, and

**WHEREAS**, the Monroe County Legislature, by **Resolution No. 153 of June 11, 2013** authorizes the Monroe County Executive, or her designee, to execute contracts necessary to accomplish programs in the towns and villages participating in the Monroe County Consolidated Plan Consortium.

**NOW, THEREFORE**, the COUNTY and the MUNICIPALITY do mutually agree, in consideration of the covenants, terms and conditions contained herein, as follows:

**I. SCOPE OF SERVICES**

A. The MUNICIPALITY shall provide, or cause to be provided, the following elements necessary to accomplish the Project:

1. Engineering services sufficient to design and inspect all phases of the Project;
2. Design and construction of the Project in accordance with the requirements for architectural specifications for handicapped accessibility stated in the most stringent of the Americans With Disabilities Act of 1990 Guidelines, the Uniform Federal Accessibility Standards, the Federal American National Standards Specifications, and the New York State American Standards Institute Regulations, or such other federal or state standard which provides more stringent standards;

3. Procurement of the construction services and/or materials necessary for the successful completion of the Project. The construction services and /or materials shall be procured in an approved manner and in accordance with the federal administrative requirements of 24 CFR Part 85 and any other applicable federal, state, and other regulations, laws and policies, and as follows:

a. the MUNICIPALITY, or its designated Engineer, shall prepare the technical specifications and the contract bid documents together with CDA staff and shall provide the final technical specifications and final contract bid documents to CDA for review before the bid is let;

b. the MUNICIPALITY shall utilize a fair and competitive bidding program to solicit bids to perform the Project; and

c. the MUNICIPALITY shall subsequently award a contract to the construction contractor submitting the lowest responsible bid for the performance of the Project. The MUNICIPALITY shall be the sole owner of the contract.

4. The personnel, skills, expertise and equipment required to successfully complete the Project.

**B. Reporting - The MUNICIPALITY:**

1. Shall maintain and submit sufficient documentation, at the direction of CDA, to enable reporting, evaluation, and monitoring of the program to verify that the Project is implemented in accordance with all applicable HUD regulations;

2. Shall submit documentation to the COUNTY that identifies project status and accomplishments, to include a copy of the contractor's request for payment that indicates work/services completed by the contractor and verified by the MUNICIPALITY. Each request from the MUNICIPALITY for payment under this Agreement will be submitted on a Monroe County Claim Voucher and will be accompanied by the above referenced documentation:

a. a copy of the contractor's request for payment that indicates materials provided by the contractor and verified by the Municipality; and

b. copies of reasonable and verified expenditures that the Municipality has incurred for labor and equipment usage for the construction of the Project by the Municipality's labor forces.

3. Shall submit to the COUNTY, upon request, documentation verifying that it has complied with the federal administrative requirements for the procurement of construction services and/or materials for the Project as contained in 24 CFR Part 85;

4. Agrees to the monitoring of the program by CDA to verify its reports and to verify that the Project is implemented in accordance with all applicable HUD regulations; and

C. The MUNICIPALITY shall assist CDA in assuring compliance with all county, state and federal requirements. This includes all applicable federal, state and local laws and regulations that pertain to the Project.

A. In accordance with 24 CFR 85.43, the COUNTY may suspend or terminate the work of the MUNICIPALITY in whole or in part under this Agreement whenever the MUNICIPALITY shall default in the performance of this Agreement in accordance with its terms (including in the term "default" any failure by the MUNICIPALITY to make progress in the actual work required with respect to the development of the Project), and shall fail to cure or diligently begin to cure such default within a period of ten (10) days (or such longer time as the COUNTY may allow) after delivery by the COUNTY to the MUNICIPALITY of a notice specifying the default.

B. Termination or suspension shall be effected by a written notice to the MUNICIPALITY and shall be effective immediately. The MUNICIPALITY shall be paid in full for all work performed until the date of termination or suspension provided that the COUNTY may deduct from any funds due to the MUNICIPALITY, any reasonable costs incurred by the COUNTY as a result of the MUNICIPALITY'S default. Default by the MUNICIPALITY may result in the prohibition of the MUNICIPALITY from entering into any future agreements with the COUNTY or from acting as a subgrantee of the COUNTY for the purpose of carrying out the Community Development Program. In addition to the foregoing, this Agreement may be terminated for convenience in accordance with 24 CFR 85.44.

## VII. REQUIRED STANDARD CLAUSES FOR COUNTY CONTRACTS

A. Appendix "A" contains the standard clauses for all Monroe County contracts and is attached hereto and is hereby made a part of this Agreement as if set forth fully herein.

B. In addition to Appendix "A", the following shall apply to the referenced sections as follows:

1. **Section 3. INDEMNIFICATION:** The parties understand and agree that this is solely a Project of the MUNICIPALITY. The COUNTY is involved only to assist the MUNICIPALITY to obtain a grant under the COUNTY'S Community Development Block Grant Program. The COUNTY shall neither control nor supervise any portion of the construction herein, nor be involved in any act relating directly or indirectly to the construction of this Project.

2. **Section 7. FEDERAL SINGLE AUDIT ACT:** Of the amount specified in Section III (A) of this Agreement, namely **Thirty Two Thousand Six Hundred Twenty Five Dollars (\$32,625)**, one hundred percent (100%) of such amount is being passed through the COUNTY from the United States Government under the following:

Award Name: Community Development Block Grant

Award Number: **B-13-UC-36-0002**

Award Year: **2013**

Name of Federal Agency: U.S. Department of Housing and Urban Development

Catalog of Federal Domestic

Assistance (CFDA) Number: 14.218

The Award is [ ] is not [X] related to Research and Development.

## **II. TERM OF CONTRACT**

This Agreement shall commence on **June 1, 2014** and terminate on **May 31, 2015**. The Project shall be completed no later than one year after the execution of this Agreement. The COUNTY reserves the right to cancel any payments to be made under this Agreement for any expenses incurred by the MUNICIPALITY on the Project after **May 31, 2015**.

## **III. PAYMENT FOR SERVICES**

A. It is agreed that the COUNTY shall expend for this Project, the sum of eligible Project costs, not to exceed the community development grant in the amount of **Thirty Two Thousand Six Hundred Twenty Five Dollars (\$32,625)**.

B. Eligible project costs for reimbursement shall consist of reasonable and verified expenditures that the MUNICIPALITY has incurred for materials and labor associated with the installation of the Project by the construction contractor(s) selected by the MUNICIPALITY through the competitive bid process. Such costs shall be verified by the COUNTY. Remittance to the MUNICIPALITY shall be in the form of a check or checks to be issued by the COUNTY. The checks shall be made payable to the MUNICIPALITY and shall be issued upon receipt of a duly executed Monroe County Claim Voucher approved by CDA. Final payment will not be released until the Project has been successfully completed by the MUNICIPALITY and approved by CDA.

C. It is understood that payment shall not be made by the COUNTY for engineering and administrative expenses incurred by the MUNICIPALITY.

D. The MUNICIPALITY agrees to pay all project costs in excess of the community development grant that are necessary for the successful completion of the Project.

## **IV. COMPLIANCE WITH GRANT AGREEMENT**

The MUNICIPALITY agrees to adhere to all terms and conditions applicable to contractors under the grant agreement between the COUNTY and HUD. The MUNICIPALITY further agrees that all activities performed under this Agreement will be performed consistent with the requirements of the Community Development Block Grant Regulations (24 CFR 570).

## **V. ASSET DISPOSITION**

In the event that the MUNICIPALITY will purchase assets with a unit acquisition cost of \$1,000 or greater (nonexpendable property), in whole or in part, with the funds from this Agreement, the MUNICIPALITY agrees that the use and disposition of the property will be governed by the property management standards of federal regulation 24 CFR Part 85. Generally, such assets shall be returned or other compensation made, to CDA when the property is no longer needed in the project or program for which it was provided.

## **VI. DEFAULT AND TERMINATION**

3. **Section 8. RIGHT TO INSPECT:** Designated representatives of the COUNTY shall include, but not be limited to, HUD.

4. **Section 9. JOB OPENINGS:** As a local MUNICIPALITY within the COUNTY, the MUNICIPALITY shall not be required to give notice where the position is subject to a published civil service list.

5. **Section 20. MISCELLANEOUS:**

To follow a. and b. on Appendix A

c. the MUNICIPALITY agrees that no amount of funds provided under this Agreement will be used directly or indirectly for any partisan political activity, or to further the election or defeat of any candidate for public office.

d. the MUNICIPALITY agrees that no amount of funds provided under this Agreement will be used directly or indirectly for publicity or lobbying purposes designed to support or defeat legislation pending before the United States Congress, the Legislature of the State of New York, or the Legislature of Monroe County. Notwithstanding the above, nothing contained herein shall prohibit the MUNICIPALITY from developing and forwarding to appropriate officials specific recommendations for programs, regulations, and/or institutional arrangements which arise from the experience and findings of this demonstration program.

e. The MUNICIPALITY agrees that no member, officer or employee of the MUNICIPALITY will have any monetary interest in, or derive monetary benefit directly or indirectly from any ensuing contracts or subcontracts, or proceeds thereof, for work funded under this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year first above written.

This Agreement complies with the requirements for routine Monroe County contracts

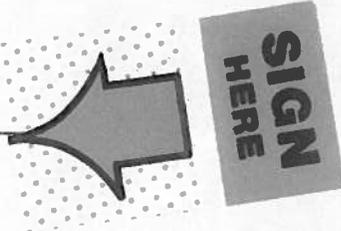
\_\_\_\_\_  
Dept. Dir. Initials

**COUNTY OF MONROE**

**BY** \_\_\_\_\_  
**MAGGIE BROOKS**  
**COUNTY EXECUTIVE**

**TOWN OF BRIGHTON**

**BY** \_\_\_\_\_  
**WILLIAM W. MOEHLE**  
**SUPERVISOR**



State of New York    )  
                              )  
County of Monroe    )            ss:

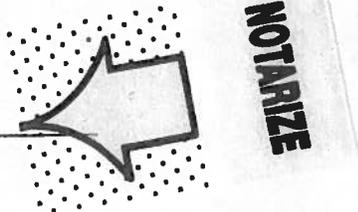
On the \_\_\_\_ day of \_\_\_\_\_ in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared **MAGGIE BROOKS**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signatures on the instrument, the individual(s), or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

State of New York    )  
                              )  
County of Monroe    )            ss:

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared **WILLIAM W. MOEHLE**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that [s]he executed the same in his/her capacity, and that by his/her signatures on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public



**ATTACHMENT A  
PROJECT PROPOSAL**



**Maggie Brooks**  
County Executive

**2013 Community Development Block Grant  
Application for Funding  
Due Date: February 15, 2013**

Submit completed application, environmental review and project map (if applicable) no later than February 15, 2013 at 5:00 p.m. to the following:

Monroe County Community Development  
8100 CityPlace • 50 West Main Street  
Rochester, NY 14614

Phone: 753-2011 • Fax: 753-2028

Email: [cshafer@monroecounty.gov](mailto:cshafer@monroecounty.gov)

Do not use this application for affordable housing developments. To complete this application as a Word document, "click" into the blank spaces or use the tab key to move through the document. The entire application is formatted as a series of tables. See last page for environmental review information

<b>General Information</b>	
Name of Applicant / Organization	Town of Brighton
Contact Person (Name & Title)	Chad Roscoe (Junior Engineer)
Address	2300 Elmwood Avenue
Phone	585-784-5224
Fax	585-784-5368
Email	<a href="mailto:chad.roscoe@townofbrighton.org">chad.roscoe@townofbrighton.org</a>
<b>Project Information</b>	
Project / Program Name	Crittenden Road Sidewalks
Project Address	2411 W. Henrietta Road & 1625 Crittenden Road
Census Block Group(s) [if applicable]	130.019 130.011
Amount of CDBG Funds Requested	\$32,625
<p><i>Brief Summary of Proposed Project. (Please note if project disturbs more than 4,000 square feet of land, involves a building more than 50 years old, and/or encroaches on a wetland, 100-year floodplain or the Erie Canal)</i></p> <p>Install approximately 550LF of concrete sidewalk with areas of 7' wide and 5' wide on the south side of Crittenden Road from the corner of W. Henrietta Road westward. The new sidewalk will be installed within the cleared &amp; graded public ROW. All work will comply with ADA requirements</p>	
<p><i>Issue(s) or condition(s) to be addressed</i></p> <p>Pedestrian safety along Crittenden Road and access to bus stops will be improved.</p>	

Linear footage for sidewalks, waterlines, sewers, etc.	550		
Competitive Public Bid	Yes	Request for Proposals	
Municipal Force Account		Other	
<b>IMPORTANT – New Application Requirement</b>			
<i>Environmental reviews in accordance with the State Environmental Quality Review Act (SEQR) and the National Environmental Protection Act (NEPA) are required for CDBG projects. All applicants must complete the attached Environmental Review Checklist and submit it along with any required documentation. Applicants may contact Rochelle Bell, Monroe County Environmental Planner, with questions at 585-753-2034 or via email at: rbell@monroecounty.gov.</i>			

*The applicant certifies the information contained herein is true, correct and complete to the best of his/her knowledge and belief. The applicant further understands that the application is a request and there is no guarantee, expressed or implied, that funds will be provided to the applicant. All organizations awarded federal funds will be subject to federal and local regulatory compliance.*

*[Handwritten Signature]*

*2/11/2013*

Signature

Date

### Standards to Determine Compliance with National Objectives

Each Activity must meet one of the three broad national objectives:

1. To benefit low to moderate-income persons.
2. To aid in the prevention or elimination of slums or blight.
3. To meet community development needs having a particular urgency.

Please ensure that the proposed project meets at least one of the following eligibility criteria:

**Low-Mod area benefit activities.** Monroe County's CDBG funds are intended to be used in the suburban towns and villages that comprise the Community Development Consortium. HUD determines the Upper Quartile ranking of eligible Census Block Groups based on the most recent Census and current consortium membership. CD staff will verify that the project location is in an eligible Low-Mod Area.

**Limited clientele activities.** Limited clientele activities benefit low to moderate-income persons without regard to the area being served. At least 51% of the persons participating in the activity must be low to moderate-income and the activity must meet one of the following criteria:

- **Presumption of low to moderate-income.** The activity may serve persons that are presumed to be low to moderate-income, such as abused children, battered spouses, elderly persons, disabled persons, homeless persons, illiterate adults, persons living with AIDS, migrant farm workers, etcetera; or,
- **Income guidelines.** Activities must have eligibility requirements which limit the activity exclusively to low to moderate-income persons; or,
- **Nature and location.** The activity must be of such a nature and in such a location that it may be concluded that the activity's clientele will primarily be low to moderate-income persons, i.e. public housing activities.

**Housing activities.** An activity carried out for the purpose of providing or improving permanent residential structures which, upon completion, will be occupied by low to moderate-income households.

**Job retention activities.** An activity designed to create or retain permanent jobs where at least 51% of which, computed on a full-time equivalent basis, involve the employment of low to moderate-income persons.

**Slum and blight.** Activities that aid in the prevention or elimination of slums or blight. This objective is generally not applicable to locations in suburban Monroe County.

**Urgent need.** Community development activities having an urgent need. This objective is rarely used and is reserved for alleviating emergency situations, such as natural disasters.

### Standards to Determine Project Eligibility

1. Describe the location of your project and how the area will benefit from the project. Include the boundaries, Census Block Group(s) and/or service area.

The new sidewalks will give the occupants of Crittenden Way Apartments (432 units) and home owners along Crittenden Road a safer way to access local RTS bus stops and businesses along W. Henrietta Road.

2. Describe the population/target group your project will serve and how low to moderate-income persons will benefit.

Within the 432 units located at Crittenden Way apartments, there is a mixture of college students from UR, MCC, and RIT along with single family and older residents. The installation of these sidewalks will encourage safer foot traffic along Crittenden Road to access area businesses and RTS bus stops.

3. What evidence do you have that at least 51% of the persons to benefit from the proposed project are considered to be of low to moderate-income (LMI)? Please check the appropriate category below.

Income Survey     Census Data     Limited Clientele     Other (please explain)

4. In the table below, outline the major steps/activities your agency will undertake to complete the project.

Major Steps / Activities	Number of Clients Served
Example: Home buyer counseling session of 1.5 hours	20 potential home buyers
Design & Bid Construction of Sidewalks	432 units (Apartment Complex)

**Standards to Determine Budget Compliance**

Two separate budget forms are provided for your use, a Community Service & Planning Study Budget and a Public Works & Public Facility Improvement Budget. The forms are meant to act as a guide. You may provide your own budget in another format, if available.

Prior to completing the Budget Form, review the following limitations on the use of CDBG funds:

- CDBG funds may not be used for acquisition of property used for primarily religious purposes or to promote religious interests regardless of the use of the property.
- Requests for funds to undertake capital improvements to real property or open space development must include proof of legal ownership or authorization from the owner to perform the improvements.
- Renovation costs may include equipment provided the equipment is fixed and permanent and is not moveable.
- Lease or rental of capital equipment is generally advised because all assets acquired by a third-party contractor with CDBG funds have, upon termination of the contract, to be transferred to the County or the contractor must reimburse the CDBG program at the current per unit fair market value less the amount of depreciation previously agreed upon with the County.
- The following costs are not allowed: bad debts; contingencies; contributions and donations; entertainment costs (including meals for social events and awards/graduation banquets); gifts or incentive awards to individuals; fines and penalties resulting from violations of or non-compliance with Federal, State or Local laws; interest on borrowed capital; fundraising; investment management; losses on other awards; and, litigation expenses.

**Funding Sources**

Please list all amounts and funding sources for the project, as required by HUD.		
Type	Amount	Source
Applicant	\$	
Section 108 Loan Guarantee Funds	\$	
Other HUD Funds (HOME / ESG / HOPWA)	\$	
Other Federal Funds	\$	
Appalachian Regional Commission	\$	
State or Local Funds	\$	
Private Funds	\$	
Other	\$32,625	CDBG

Community Development Division Contacts				
Kathi Gingello	kgingello@monroecounty.gov	CD Manager	CDBG, HOME & ESG program administration	753-2005
Rich Mikiciuk	rmikiciuk@monroecounty.gov	Sr. Rehabilitation Specialist	CDBG public works and facilities projects; Home Improvement Program inspections and administration	753-2024
Chanh Quach	cquach@monroecounty.gov	Community Liaison	Affordable Rental Housing and Homeless	753-2021
Phil Morgan	pmorgan@monroecounty.gov	Assistant Rehabilitation Specialist	Home Improvement Program inspections and administration	753-2003
Cathy Shafer	cshafer@monroecounty.gov	Community Development Assistant	administration; Public Services and ESG	753-2011
Betty Ann Cordero	ecordero@monroecounty.gov	Community Development Assistant	Home Improvement Program intake;	753-2033

**COMMUNITY SERVICE & PLANNING STUDY BUDGET**

<b>Budget Item</b>	<b>Calculation</b>	<b>CDBG Request</b>
<b>PERSONNEL</b>		
Salaried Positions – Job Titles	Provide rate of pay (hourly/salary) and percentage of time spent on project (full-time equivalent) or hours per week.	
Salaries Total		
Fringe Benefits		
<b>Total Personnel</b>	Total of personnel and fringe benefits	
<b>OPERATING COSTS</b>	Provide a description of how you arrive at total for each line.	
Supplies		
Equipment		
Rent/Lease		
Insurance		
Printing		
Phone		
Travel		
Other		
<b>Total Operating Costs</b>		
<b>CONTRACT SERVICES</b>		
<b>Total Contract Services</b>		
<b>TOTAL BUDGET</b>		



**Department of Planning and Development**  
 Monroe County, New York

**Maggie Brooks**  
 County Executive

**Judy A. Seil**  
 Director

**PUBLIC WORKS & PUBLIC FACILITY IMPROVEMENT BUDGET**

Budget Item	Calculation	CDBG Request
<b>PERSONNEL</b>		
Salaried Positions – Job Titles	Provide rate of pay (hourly/salary) and percentage of time spent on project (full-time equivalent) or hours per week.	
Salaries Total		
Fringe Benefits		
<b>Total Personnel</b>	Total of Personnel and Fringe Benefits	
<b>DELIVERY COSTS</b>		
	Provide a description of how you arrive at the total for each line.	
Construction Hard Costs	550 LF @ \$40.0/LF	\$22,000
Physical Inspections		
Architectural		
Engineering	10% of construction cost	By Town DPW at no cost
Rehab Loan Costs		
Permits and Fees	Monroe County DOT Hwy Permit	\$625
Insurance		
Legal Fees		
Financing		
Appraisal Costs		
Other	Relocation of Telephone pole	\$10,000
<b>Total Delivery Costs</b>		
		\$32,625
<b>CONTRACT SERVICES</b>		
		\$32,625
<b>Total Contract Services</b>		\$32,625
		\$32,625
<b>TOTAL BUDGET</b>		
		\$32,625

**ATTACHMENT B  
INSURANCE CERTIFICATES**

**ATTACHMENT C  
CERTIFICATION REGARDING  
DEBARMENT, SUSPENSION, AND RESPONSIBILITY**

The undersigned certifies, to the best of his/her knowledge and belief, that the Contractor and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any Federal department or agency;
2. Have not within a three (3) year period preceding this transaction/application/proposal/contract/agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
4. Have not within a three (3) year period preceding this transaction/application/proposal/contract/agreement had one or more public transactions (Federal, State or local) terminated for cause or default.

**CERTIFICATION REGARDING MONROE COUNTY PROCUREMENT POLICY  
AND CONSEQUENCES FOR VIOLATION**

The undersigned certifies, to the best of his/her knowledge and belief, that the Contractor and its principals:

5. Have read and understand the Monroe County Procurement Policy and agree to abide by its terms (<http://www2.monroecounty.gov/purch-overview.php>);
6. Understand that any violation of the Monroe County Procurement Policy may result in the exclusion of any response to a public bid, Request for Proposals (RFP) or Request for Qualifications (RFQ) submitted on our behalf; and
7. Understand that any contract or agreement entered into subsequent to a violation of this policy during the procurement process is null and void.

Date: \_\_\_\_\_

\_\_\_\_\_  
[Print Name of Contractor]

By: \_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Print Name]

\_\_\_\_\_  
[Print Title/Office]

**APPENDIX A**  
**STANDARD CLAUSES FOR COUNTY CONTRACTS**

## APPENDIX A

### STANDARD CLAUSES FOR COUNTY CONTRACTS

The parties to the attached Agreement (hereinafter, "the Agreement") agree to be bound by the following clauses which are hereby made a part of the Agreement (the word "Contractor" herein refers to any party other than the County, whether a contractor, licenser, licensee, lessor, lessee or any other party):

#### **Section 1. AMENDMENTS**

This Agreement may be modified or amended only in writing duly executed by both parties. Any modification or amendment shall be attached to and become part of this Agreement. All notices concerning this Agreement shall be delivered in writing to the parties at the principal addresses as set forth above unless either party notifies the other of a change in address.

#### **Section 2. INSURANCE**

The Contractor will at its own expense, procure and maintain a policy or policies of insurance during the term of this Agreement. The policy or policies of insurance required are standard Worker's Compensation and Disability Insurance, if required by law; professional liability and general liability insurance (including, without limitation, contractual liability) with single limits of liability in the amount of \$1,000,000 per occurrence, and \$3,000,000 aggregate coverage; automobile liability insurance in the amount of \$1,000,000 with a minimum of \$1,000,000 each occurrence, bodily injury, and property damage. Original certificates and endorsements evidencing such coverage shall be delivered to the County before final execution of this Agreement. The certificates shall indicate that such coverage will not be cancelled or amended in any way without thirty (30) days prior written notice to the County and original renewal certificates conforming to the requirements of this section shall be delivered to the County at least sixty (60) days prior to the expiration of such policy or policies of insurance. The Contractor's insurance shall provide for and name Monroe County as an additional insured. All policies shall insure the County for all claims arising out of the Agreement. All policies of insurance shall be issued by companies in good financial standing duly and fully qualified and licensed to do business in New York State or otherwise acceptable to the County.

If any required insurance coverage contain aggregate limits or apply to other operations of the Contractor, outside of those required by this Agreement, the Contractor shall provide Monroe County with prompt written notice of any incident, claims settlement, or judgment against that insurance which diminishes the protection of such insurance affords Monroe County. The Contractor shall further take immediate steps to restore such aggregate limits or shall provide other insurance protection for such aggregate limits.

#### **Section 3. INDEMNIFICATION**

The Contractor shall defend, indemnify and save harmless the County, its officers, agents, and employees from and against all liability, damages, costs or expenses, causes of actions, suits, judgments, losses, and claims of every name not described, including attorneys' fees and disbursements, brought against the County which may arise, be sustained, or occasioned directly or indirectly by any person, firm or corporation arising out of or resulting from the performance of the services by the Contractor, its agents or employees, the provision of any products by the Contractor, its agents or employees, arising from any act, omission or negligence of the Contractor, its agents or employees, or arising from any breach or default by the Contractor, its agents or employees under the Agreement. Nothing herein is intended to relieve the County from its own negligence or misfeasance or to assume any such liability for the County by the Contractor.

**Section 4. INDEPENDENT CONTRACTOR**

For the purpose of this Agreement, the Contractor is and shall in all respects be considered an independent contractor. The Contractor, its individual members, directors, officers, employees and agents are not and shall not hold themselves out nor claim to be an officer or employee of Monroe County nor make claim to any rights accruing thereto, including, but not limited to, Worker's Compensation, unemployment benefits, Social Security or retirement plan membership or credit.

The Contractor shall have the direct and sole responsibility for the following: payment of wages and other compensation; reimbursement of the Contractor's employees' expenses; compliance with Federal, state and local tax withholding requirements pertaining to income taxes, Worker's Compensation, Social Security, unemployment and other insurance or other statutory withholding requirements; and all obligations imposed on the employer of personnel. The County shall have no responsibility for any of the incidences of employment.

**Section 5. EXECUTORY NATURE OF CONTRACT**

This Agreement shall be deemed executory only to the extent of the funding available and the County shall not incur any liability beyond the funds annually budgeted therefore. The County may make reductions in this Agreement for the loss/reduction in State Aid or other sources of revenues. If this occurs, the Contractor's obligations regarding the services provided under this Agreement may be reduced correspondingly.

**Section 6. NO ASSIGNMENT WITHOUT CONSENT**

The Contractor shall not, in whole or in part, assign, transfer, convey, sublet, mortgage, pledge, hypothecate, grant any security interest in, or otherwise dispose of this Agreement or any of its right, title or interest herein or its power to execute the Agreement, or any part thereof to any person or entity without the prior written consent of the County.

**Section 7. FEDERAL SINGLE AUDIT ACT**

In the event the Contractor is a recipient through this Agreement, directly or indirectly, of any funds of or from the United States Government, Contractor agrees to comply fully with the terms and requirements of Federal Single Audit Act [Title 31 United States Code, Chapter 75], as amended from time to time. The Contractor shall comply with all requirements stated in Federal Office of Management and Budget Circulars A- 102, A-110 and A-133, and such other circulars, interpretations, opinions, rules or regulations that may be issued in connection with the Federal Single Audit Act.

If on a cumulative basis the Contractor expends Five Hundred Thousand and no/100 Dollars (\$500,000.00) or more in federal funds in any fiscal year, it shall cause to have a single audit conducted, the Data Collection Form (defined in Federal Office of Management and Budget Circular A-133) shall be submitted to the County; however, if there are findings or questioned costs related to the program that is federally funded by the County, the Contractor shall submit the complete reporting package (defined in Federal Office of Management and Budget Circular A-133) to the County.

If on a cumulative basis the Contractor expends less than Five Hundred Thousand and no/100 Dollars (\$500,000.00) in federal funds in any fiscal year, it shall retain all documents relating to the federal programs for three (3) years after the close of the Contractor's fiscal year in which any payment was received from such federal programs.

All required documents must be submitted within nine (9) months of the close of the Contractor's fiscal year end to:

Monroe County Internal Audit Unit  
402 County Office Building  
39 West Main Street  
Rochester, New York 14614

The Contractor shall, upon request of the County, provide the County such documentation, records, information and data and response to such inquiries as the County may deem necessary or appropriate and shall fully cooperate with internal and/or independent auditors designated by the County and permit such auditors to have access to, examine and copy all records, documents, reports and financial statements as the County deems necessary to assure or monitor payments to the Contractor under this Agreement.

The County's right of inspection and audit pursuant to this Agreement shall survive the payment of monies due to Contractor and shall remain in full force and effect for a period of three (3) years after the close of the Contractor's fiscal year in which any funds or payment was received from the County under this Agreement.

#### **Section 8. RIGHT TO INSPECT**

Designated representatives of the County shall have the right to monitor the provision of services under this Agreement which includes having access at reasonable times and places to the Contractor's employees, reports, books, records, audits and any other material relating to the delivery of such services. The Contractor agrees to maintain and retain all pertinent records related to this Agreement for a period of ten (10) years after final payment.

#### **Section 9. JOB OPENINGS**

The Contractor recognizes the continuing commitment on the part of Monroe County to assist those receiving temporary assistance to become employed in jobs for which they are qualified, and the County's need to know when jobs become available in the community.

The Contractor agrees to notify the County when the Contractor has or is about to have a job opening within Monroe County. Such notice shall be given as soon as practicable after the Contractor has knowledge that a job opening will occur. The notice shall contain information that will facilitate the identification and referral of appropriate candidates in a form and as required by the Employment Coordinator. This would include at least a description of conditions for employment, including the job title and information concerning wages, hours per work week, location and qualifications (education and experience.)

Notice shall be given in writing to:

Employment Coordinator  
Monroe County Department of Human Services  
Room 204  
111 Westfall Road  
Rochester, New York 14620  
Fax: (585) 753-6096  
Telephone: (585) 753-1245

The Contractor recognizes that this is an opportunity to make a good faith effort to work with Monroe County for the benefit of the community. Nothing contained in this provision, however, shall be interpreted as an obligation on the part of the Contractor to employ any individual who may be referred by or through the County for job openings as a result of the above notice. Any decisions made by the Contractor to hire any individual referred by or through the County shall be voluntary and based solely upon the Contractor's job requirements and the individual's qualifications for the job, as determined by the Contractor.

**Section 10. NON-DISCRIMINATION**

To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

**Section 11. CONTRACTOR QUALIFIED, LICENSED, ETC.**

The Contractor represents and warrants to the County that it and its employees is duly and fully qualified under the laws of the state of its incorporation and of the State of New York, to undertake the activities and obligations set forth in this Agreement, that it possesses as of the date of its execution of this Agreement, and it will maintain throughout the term hereof, all necessary approvals, consents and licenses from all applicable government agencies and authority and that it has taken and secured all necessary board of directors and shareholders action and approval.

**Section 12. CONFIDENTIAL INFORMATION**

a. For the purpose of this Agreement, "Confidential Information" shall mean information or material proprietary to the County or designated as "Confidential Information" by the County, and not generally known by non-County personnel, which Contractor may obtain knowledge of or access to as a result of a contract for services with the County. The Confidential Information includes, without limitation, the following types of information or other information of a similar nature (whether or not reduced to writing): methods of doing business, computer programs, computer network operations and security, finances and other confidential and proprietary information belonging to the County. Confidential Information also includes any information described above which the County obtained from another party which the County treats as proprietary or designates as Confidential Information, whether or not owned or developed by the County. Information publicly known and that is generally employed by the trade at the time that Contractor learns of such information or knowledge shall not be deemed part of

the Confidential Information.

**1. Scope of Use**

- a. Contractor shall not, without prior authorization from the County acquire, use or copy, in whole or in part, any Confidential Information.
- b. Contractor shall not disclose, provide or otherwise make available, in whole or in part, the Confidential Information other than to those employees of Contractor who have executed a confidentiality agreement with the County, have a need to know such Confidential Information, and who have been authorized to receive such Confidential Information.
- c. Contractor shall not remove or cause to be removed, in whole or in part, from County facilities, any Confidential Information, without the prior written permission of the County.
- d. Contractor shall take all appropriate action, whether by instruction, agreement or otherwise, to insure the protection, confidentiality and security of the Confidential Information and to satisfy its obligations under this Confidentiality Agreement.

**2. Nature of Obligation**

Contractor acknowledges that the County, because of the unique nature of the Confidential Information, would suffer irreparable harm in the event that Contractor breaches its obligation under this Agreement in that monetary damages would be inadequate to compensate the County for such a breach. The parties agree that in such circumstances, the County shall be entitled, in addition to monetary relief, to injunctive relief as may be necessary to restrain any continuing or further breach by Contractor, without showing or proving any actual damages sustained by the County.

**Section 13. FEDERAL, STATE AND LOCAL LAW AND REGULATIONS COMPLIANCE**

Notwithstanding any other provision in this Agreement, the Contractor remains responsible for ensuring that any service(s) provided pursuant to this Agreement complies with all pertinent provisions of Federal, State and local statutes, rules and regulations, including without limitation, Title VI of the Civil Rights Act of 1964 (CRA Title VI), Federal Executive Order 13166, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA).

**Section 14. LAW**

This Agreement shall be governed by and under the laws of the State of New York without regard or reference to its conflict of law principles. In the event that a dispute arises between the parties, venue for the resolution of such dispute shall be the County of Monroe, New York.

**Section 15. NO-WAIVER**

In the event that the terms and conditions of this Agreement are not strictly enforced by the County, such non-enforcement shall not act as or be deemed to act as a waiver or modification of this Agreement, nor shall such non-enforcement prevent the County from enforcing each and every term of this Agreement thereafter.

**Section 16. SEVERABILITY**

If any provision of this Agreement is held invalid by a court of law, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the laws of the State of New York.

**Section 17. TITLE TO WORK**

a. The title to all work performed by the Contractor and any unused materials or machinery purchased by the Contractor with funds provided by the County in order to accomplish the work hereunder shall become legally vested to the County upon the completion of the work required under this Agreement. The Contractor shall obtain from any subcontractors and shall transfer, assign, and/or convey to Monroe County all exclusive, irrevocable, or other rights to all work performed under this Agreement, including, but not limited to trademark and/or service mark rights, copyrights, publication rights, distribution rights, rights of reproduction, and royalties.

b. No information relative to this Agreement shall be released by the Contractor or its employees for publication, advertising or for any other purpose without the prior written approval of the County. The Contractor hereby acknowledges that programs described herein are supported by this Agreement by the County and the Contractor agrees to state this fact in any and all publicity, publications and/or public information releases.

**Section 18. WAGE AND HOURS PROVISIONS**

If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the County of any County approved sums due and owing for work done upon the project.

**Section 19. STATE FINANCE LAW PROVISIONS**

a. In accordance with Section 139-d of the State Finance Law, if this Agreement was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the County a non-collusive bidding certification on Contractor's behalf.

b. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the Contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the County may terminate this Agreement by providing written notification to the Contractor in accordance with the terms of the Agreement.

**Section 20. MISCELLANEOUS**

a. The Contractor agrees to comply with all confidentiality and access to information requirements in Federal, State and Local laws and regulations.

b. This Agreement constitutes the entire Agreement between the County and the Contractor and supersedes any and all prior Agreements between the parties hereto for the services herein to be provided.

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 31, 2014 from Engineer Assistant Evert Garcia regarding a request to reject all bids submitted for the Phase 3 MCC Sanitary Sewer Project as all bids exceeded the project budget and to authorize the development of revised plans to allow for the re-bidding of the project, be received and filed; and it is further

**RESOLVED**, that the Town Board rejects all bids submitted for the Phase 3 MCC Sanitary Sewer Project as all bids exceeded the project budget and hereby authorizes the development of revised plans to allow for the re-bidding of the project.

Dated: August 13, 2014

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

July 31, 2014

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

Re: Phase 3 MCC Sanitary Sewer Project  
Bid Rejection

Dear Councilperson Werner and Committee Members:

The bids for the above referenced project were publicly advertised and publicly opened on July 17, 2014 at 10:00 AM, all as required by law. A copy of the bid advertisement is attached for your reference. Four firms and one bid clearinghouse service requested plans but only one firm Randsco Pipeline, Inc. submitted a response to the bid advertisement. The total Bid Schedule, Base Bid plus Alternate A plus Alternate G, was \$479,910.00 and exceeded the project budget. We are requesting that FASC reject all of the bids for the above referenced project and authorize the Town staff to develop revised plans and re-bid the project.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled August 5, 2014 meeting in the event that you have any questions regarding this matter.

Respectfully,

Evert Garcia  
Engineering Assistant

Attachments

cc: S. Zaso  
T. Keef  
M. Hussar

**LEGAL NOTICE  
ADVERTISEMENT FOR BIDS**

The Town of Brighton, Monroe County, New York will receive sealed bids for MCC Sanitary Sewer - Phase 3 Boring Contract. 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, July 17, 2014

Time: 10:00 A.M. Local Time

The work consists principally of the installation of approximately 682.0 linear feet of 12" sanitary sewer by trenchless methods, the installation of manholes and piping appurtenances, and surface restoration of disturbed areas. The bid includes four (4) alternate methods of trenchless pipe installation. The piping material used will vary depending on the trenchless pipe installation method selected by the Town.

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 and hard copies may be obtained upon payment of twenty-five (\$25.00) dollars (non-refundable) for each set of documents requested. The check for the Plans and Specifications shall be made payable to the Town of Brighton. Additionally, Plans and Specifications can be downloaded from the Town's website ([www.townofbrighton.org](http://www.townofbrighton.org)) under the Town Departments - Public Works - Current Bid Offerings.

The Town of Brighton will hold a site-walk thru on Monday, July 7, 2014 at 9:00 A.M. Local Time 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 called to the requirements as to the conditions of employment and the minimum wage rates to be paid under this contract.

This project is being funded by the Town of Brighton. The Town of Brighton encourages to the greatest extent possible the participation of minority and women-owned business enterprises in Town funded projects. The Contractor, by bidding on the contract, acknowledges the Town of Brighton's desire and pledges to consider the participation of minority and women-owned business enterprises to the greatest extent possible.

Dated: June 28, 2014  
Town of Brighton

Timothy Keel, P.E.,  
Commissioner of Public Works  
(585) 764-5250  
Jn 28  
02544136

STATE OF NEW YORK  
Ontario County

STATE OF NEW YORK  
Monroe County

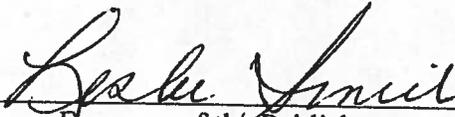
Leslie Smith being duly sworn, deposeth and saith that she  
is the bookkeeper for

**BRIGHTON-PITTSFORD POST**  
Newspaper

Published in the Town of Pittsford, County of Monroe and State of New York

A foresaid and that a notice of which the  
Annexed is a printed copy, was published in the said  
Paper once in each week

JUNE 26, 2014  
ENDING ON  
JUNE 26, 2014



Foreman of the Publisher

Subscribed and sworn on before me,  
This 27TH day Of JUNE 2014



Notary Public, State of NY

Legal # 025-44134

BARBARA S. CONNELLY  
Notary Public in The State of New York  
Monroe County  
Commission Expires Jan 21, 2018

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

August 13, 2014

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

A - GENERAL	\$	<u>76,723.73</u>
D - HIGHWAY		<u>113,389.40</u>
H - CAPITAL		<u>48,711.42</u>
L - LIBRARY		<u>25,406.96</u>
SA - AMBULANCE DIST		<u>2,092.44</u>
SB - BUSINESS IMPROVM		<u>143.75</u>
SD - DRAINAGE DIST		<u>905.00</u>
SF - FIRE DIST		<u>238,014.40</u>
SK - SIDEWALK DIST		<u>2,982.50</u>
SL - LIGHTING DIST		<u>5,572.50</u>
SM - SNOW REMOVAL DST		<u>2,580.00</u>
SN-NEIGHBORHOOD DIST.		<u>25.00</u>
SP-PARKS DISTRICT		<u>155.00</u>
SR-REFUSE DISTRICT		<u>74,834.49</u>
SS - SEWER DIST		<u>33,549.75</u>
SW - WATER DIST		<u>1,427.50</u>
TA - AGENCY TRUST		<u>6,183.27</u>
TOTAL	\$	<u>632,697.11</u>

UPON ROLL CALL

MOTION CARRIED \_\_\_\_\_

APPROVED BY: \_\_\_\_\_  
SUPERVISOR

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

TO THE SUPERVISOR:

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TOWN CLERK

EXHIBIT NO. 8

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated August 5, 2014 from Budget Officer Andrew Robinson regarding a request to adopt the proposed 2015-2017 Capital Improvement Plan attached to said memorandum and correspondence dated July 14, 2014 from the Sustainability Oversight Committee regarding the proposed Capital Improvement Plan, be received and filed; and it is further

**RESOLVED**, that the Town Board hereby adopts the proposed 2015-2017 Capital Improvement Plan attached to the above referenced memorandum.

Dated: August 13, 2014

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



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: *AR* Andrew Robinson, Budget Officer  
Date: August 5, 2014  
Subject: Proposed 2015-17 Capital Improvement Plan

I recommend that Your Honorable Body adopt the enclosed proposed 2015-17 Capital Improvement Plan (CIP). This annually updated planning tool has been subject to the review of the Finance and Administrative Services Committee, the Supervisor's Budget Review Task Force, and by the Sustainability Oversight Committee.

We believe the proposed 2015-17 CIP meets all critical Town and Special District capital needs for infrastructure management, park planning and development, major equipment purchases and replacements, and Town facility improvements and repairs. However, it is important to note that the CIP serves primarily as a financial planning tool and that the Capital Budget for each of these years ultimately determines the level of cash capital funding to be provided in each year.

Suzanne Zaso and I would be happy to respond to any questions that the Town Board may have regarding this matter.



# Town of Brighton

MONROE COUNTY, NEW YORK

## SUSTAINABILITY OVERSIGHT COMMITTEE, SOC

2300 ELMWOOD AVE. \* ROCHESTER, NEW YORK 14618 \* PHONE (585) 784-5250 \* FAX (585) 784-5368

July 14, 2014

Sustainability Oversight Committee  
Town of Brighton  
2300 Elmwood Avenue  
Brighton NY 14618

Dear Supervisor Moehle:

The Policy for the Sustainability Oversight Committee indicates that within sixty calendar days of receipt of the Capital Improvement Plan (CIP), the Committee will submit a written report to the Supervisor. Such report will evaluate the proposed projects and acquisitions in terms of the sustainability objectives of the Town, and make recommendations as to sustainable alternatives to be considered in their design and operation. The SOC received the Capital Improvement Plan on June 16, 2014 and offers the following written comments for your consideration.

Many of the CIP comments are similar to those presented last year's report. The SOC requests a brief response to our comments in order to understand which issues have already been addressed, identify comments that will be addressed in the upcoming calendar year, and eliminate duplicate remarks on future CIP reviews.

### General Comments:

- In 2011, the Town completed an evaluation of its lawn debris collection process. The evaluation concluded that use of a truck with a tow behind vacuum trailer is 18% cheaper in costs and competitive in terms of fuel consumption and production, with the current leaf collection program. The SOC supports the transition to the tow behind vacuum process, but understands the inefficiency with the purchase of a vehicle that can only be used seasonally. The SOC suggests that the Town investigate leasing a tow behind vacuum trailer in 2015 to evaluate its performance and energy use and determine if the potential savings resulting from the use of this equipment outweigh its seasonal use limitations.
- The SOC suggests that the Town consider purchasing route optimization software for snow plowing, debris pick-up, and leaf pick-up. Optimization of these transportation routes can reduce energy costs (lower fuel consumption), the Town's carbon footprint (reduced idling and fuel consumption), and vehicle maintenance costs. This software should be compatible with the Town's current GIS software.

### Capital Improvement Plan, CIP Comments:

- The heavy equipment industry has been and continues to develop machinery with improved energy efficiencies. Prior to the purchase of heavy equipment by any Department, the Town should investigate new technologies such as heavy equipment hybrids and energy recovery systems. Hybrid systems that apply unconventional energy-use technology promise lower fuel consumption and the potential for increased productivity. In addition, heavy equipment purchases should consider the installation of energy-saving power generators that allow workers to use power tools and other equipment without having to keep the engines idling. This investigation should consider the purchase cost, energy costs, and energy savings over the expected life of the equipment.



- The SOC suggests that the Town conduct a fleet audit to identify opportunities to reduce the total fleet operating costs and fuel costs. The audit could examine the following areas: vehicle use policy, department sharing of vehicles, vehicle acquisitions, vehicle models and makes, fuel economy, vehicle duties, maintenance, matching vehicles with task requirements, and driving habits.
- The purchase of any new vehicles including utility and pick-up trucks should consider sustainable alternatives such as hybrid and/or alternate fuel vehicles. Where possible flex fuel vehicles should be purchased during the timeframe of the plan and should consider alternative biofuels such as E85 that could be available via the fuel depot expansion. This would allow newly purchased vehicles to switch to more environmentally friendly fuels as they become available. For "administration" vehicles (e.g., Fire Marshal and Police), hybrid vehicles should be considered. For diesel vehicles, on-board vehicle monitoring should be considered to reduce engine-on and idle time along with idle reducing auxiliary power units such as power inverters. Prior to purchasing new vehicles the Town should research the availability and practicality of alternate fuel, hybrid and/or economy fuel vehicles and should consider delaying vehicle purchases until this research is complete. We suggest that when preparing for future CIP, price quotes and fuel consumption data be obtained for hybrid and/or alternative fuel vehicles in addition to standard vehicles so a fair comparison can be made between both vehicle types.
- The Federal Highway Administration, (FHWA) supports and promotes the use of recycled highway materials in pavement construction to preserve the natural environment, reduce waste, and provide a cost effective material. The Town Highway Department should consider the use of recycled and/or reclaimed asphalt for resurfacing and treating Town roads, parking areas, and recreation facilities. Additionally, roadway materials that are removed during construction such as concrete gutters, and curbs should be reused where practical. If reuse is found to be impractical, the Town should investigate methods to recycle these materials.
- The CIP includes the annual replacement of storm sewers because of insufficient capacity or poor structural condition. The design of these replacement sewers should consider the increased frequency and intensity of severe storms due to climate change. In addition, all newly constructed storm sewers include consider green infrastructure techniques where appropriate and the increased frequency and intensity of severe storms.
- The CIP includes the full tear off and replacement of the salt barn roof. The CIP suggests that fiberglass shingles will be installed as the replacement roof. Shingles that are manufactured using recycled material should be considered. In addition, the SOC suggests that the Town consider sustainable roofing alternatives such as a light colored membrane roof, photovoltaic panel systems and metal roofing.
- The CIP suggests that new paving and pavement repairs are planned at the Operation Center. The Town of Brighton Operation Center includes a large amount of impervious area that ultimately drains into Buckland Creek. New paving should consider the use of permeable pavements and green infrastructure to capture and treat the storm water runoff. The SOC strongly supports the implementation of these green infrastructure practices and encourages the Town Board to consider including these improvements in the CIP item titled, "Paving & Repairs at OPS Center. Additionally, the CIP includes re-surfacing Town owned tennis and basketball courts. Where practical, this project should consider permeable pavement and green infrastructure improvements.



- The Town should conduct an evaluation of the generator requested in the CIP to determine the minimum size (power) required to meet the Town's emergency requirements.
- The proposed facility assessment study for the OPS Center should include an evaluation of alternate energy sources such as solar and geothermal energy.
- The CIP includes an item to mill, tack coat and place asphalt overlay on existing asphalt surrounding the existing landfill building and road to the lower part of the landfill. Is this improvement necessary and can a more sustainable surface such as porous asphalt or concrete be provided that will meet the requirements of the landfill while reducing the impervious footprint of the landfill?
- The CIP includes the replacement of all windows in Town Hall. The current windows are made of wood and are original to the building (1950-1970's) and have issues with moisture/rotting. New windows should consider two surface low E argon filled windows. Argon filled windows increase soundproofing and minimize heat exchange. Low E glass reflects heat back to its source and studies have suggested that it will provide 30 to 50 percent reduction in energy use.
- The CIP includes the replacement of the roof over the operations center's main office. The SOC requests that the Town consider replacing the roof with a white roof or other green roof technology. The Green Roof for Healthy Cities provides a Green Roof Energy Calculator that compares roofing alternatives over a specific time period to determine the lowest life-cycle costs. This calculator can be found at the follow website:  
[www.greenroofs.org/index.php/resources/greensavecalculator](http://www.greenroofs.org/index.php/resources/greensavecalculator)
- The Town should seek grant opportunities for the expansion of the existing fueling depot to insure that this improvement is funded. Additionally, upgrades to the fuel depot should consider the selection of alternate fuel vehicles and provide flexibility to accommodate new technologies and energy sources.
- We congratulate the Town of Brighton for its commitment to preserve trees and replace those trees that are severely stressed, dying or dead. Has the Town considered developing an area to cultivate replacement trees?
- The CIP suggests that the Town will be designing and installing green infrastructure improvements along Monroe Ave. in 2014 through 2016. The SOC applauds the Town Board for undertaking this sustainable project. The SOC discourages the use of a sprinkler system for watering all landscaping and strongly encourages the use of heat and drought tolerant native landscaping materials that require minimal maintenance and watering. In addition, rainwater harvesting should be considered wherever possible.
- The CIP indicates that the engineering of the Farash Trail will begin in 2014 and construction will follow in 2015. The trail design must minimize disturbance to the existing wetlands and woodlot. Additionally, the trail materials should be sustainable and minimize the impact to the wetland and woodlot ecologies.
- The building infrastructure projects listed in the CIP should consider high efficiency heating, cooling, and electrical systems. The CIP suggests that the Town is considering the replacement of the heat pumps serving the public safety wing. The SOC requests that the Town evaluate the existing heat pump system and explore more efficient modes of heating and cooling. For example, a centralized system for the Public Safety Wing could result in energy and maintenance savings. The Town should investigate the availability of NYSERDA funding to complete this evaluation



and for the installation of the proposed improvements. It may also be prudent to group building projects to qualify for NYPA funding.

- The CIP includes an item titled, "Town Hall Boiler Replacement". The replacement boiler should be a high efficiency boiler with an efficiency rating of not less than 98%. Additionally, we are pleased that the Town Board previously considered the practical implementation of a geothermal HVAC system at Town Hall. The SOC understands the Town Board chose not to pursue this system due to its protracted return on investment. However, with rising energy costs and improved technologies, it may be prudent to consider sustainable options such as geothermal heat pumps and enthalpy wheels in the future. Also, HVAC systems addressing humidity control to decrease heating and cooling load requirements should be strongly considered.
- The CIP suggests that the IT Department is considering the replacement of two servers while the Brighton Memorial Library is considering substantial computers upgrades. The Town may wish to consider the latest "Cloud" technology for off-site storage and data processing versus the purchase of new servers. The SOC suggests that the Town should investigate "Cloud" technology in lieu of purchasing new department servers. Cloud servers tend to be more reliable, scalable, offer more management features, and cost less.

The SOC would like to thank the Town Board and Finance Department for the opportunity to review and comment on the 2014 CIP and if desired we would be glad to discuss these issues in greater detail with Town Board members and/or Finance Department staff.

Sincerely,

Sustainability Oversight Committee  
Paul Tankel, chair  
Eric Williams  
Rochelle Bell  
Steve Kittelberger  
Erinn Ryen  
Ron Wexler  
Shubhangi Gandhi

**TOWN OF BRIGHTON  
2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP)**

Note: (Budget = Town Funds or Special District Operating Budget Funded, Reserves = Reserve/Fund Balance Funded, Grant = Grant/Aid/Privatey Funded)

Department / Category / Item Description:	2014 Budget			2015 Request			2016 Request			2017 Request		
	Budget	Reserves	Grant	Budget	Reserves	Grant	Budget	Reserves	Grant	Budget	Reserves	Grant
<b>HWAY DEPARTMENT</b>												
Heavy Equipment	192,000	20,000	-	187,250	40,000	-	341,000	38,000	-	228,750	-	-
Large Plow/Salt/Dump Trucks	-	-	-	-	-	-	46,500	-	-	41,000	-	-
Small Dump Trucks	-	-	-	-	-	-	54,000	-	-	36,000	-	-
Pick-Up / Utility Trucks / SUV	150,900	40,000	-	196,630	-	-	-	-	-	200,500	-	-
Sweepers	9,000	-	-	9,500	-	-	62,450	-	-	-	-	-
Tractors/Backhoes	-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure	346,435	-	205,430	376,550	-	205,430	404,570	-	205,430	434,570	-	205,430
Resurface (30 yr.) and Treat Roads (10 yr.) Cycle	79,280	-	-	90,900	-	-	103,550	-	-	114,075	-	-
Replace/Maintain Storm Sewers on 100-yr Cycle	-	-	-	110,000	-	-	108,300	-	-	62,400	-	-
Replace Concrete Gutters on a 30-yr cycle	-	-	-	184,000	-	-	-	-	-	-	-	-
Replace Fairfield Rd. culvert pipe.	-	-	-	-	-	-	60,800	-	-	68,250	-	-
Replace Fairfield Rd. culvert pipe.	-	-	-	-	-	-	-	-	-	-	-	-
Curb Replacements on 200-Year cycle	-	-	-	-	-	165,000	-	-	-	-	-	-
Highland Ave., S. Clinton east to City line	-	-	-	-	-	-	-	-	-	-	-	-
Facilities (HWY/SWR Split)	80,000	-	-	-	-	-	79,750	-	-	-	-	-
Salt Shed Roof Repair (HWY only)	-	-	-	-	-	-	33,250	-	-	34,500	-	-
Replace Metal Siding Upper Storage Bldg.	-	-	-	31,750	-	-	22,500	-	-	-	-	-
Paving & Repairs at OPS Center	-	-	-	-	-	-	23,750	-	-	-	-	-
Facility Assessment Study for OPS Center	-	-	-	-	-	-	-	-	-	-	-	-
Paving at Landfill	-	-	-	28,650	-	-	-	-	-	-	-	-
Replacement Windows	-	-	-	143,500	-	-	22,000	-	-	-	-	-
Roof Replacement of OPS Center Main Bldg.	-	-	-	-	-	-	78,950	-	-	-	-	-
Update Electrical System	-	-	-	-	-	-	-	-	-	-	-	-
Update 2-Way Radio System	-	-	-	-	-	-	-	-	-	-	-	-
<b>SUB-TOTAL HWAY DEPARTMENT</b>	<b>857,615</b>	<b>60,000</b>	<b>205,430</b>	<b>1,358,730</b>	<b>40,000</b>	<b>370,430</b>	<b>1,441,370</b>	<b>38,000</b>	<b>205,430</b>	<b>1,220,045</b>	<b>-</b>	<b>205,430</b>
<b>DEPARTMENT OF PUBLIC WORKS (DPW)</b>												
Infrastructure & Planning	-	-	432,125	-	-	755,250	30,200	-	377,625	111,300	-	-
Construct New Storm Sewers & Drainage	-	-	226,000	-	-	225,000	-	-	-	-	-	-
Reserve Development Project	-	-	50,000	-	-	100,000	50,000	-	-	95,000	-	-
Comprehensive Plan Update	86,000	-	-	50,000	-	-	44,590	-	288,170	-	-	-
Tree Management Program	70,400	-	552,360	50,000	-	948,280	25,000	-	-	25,000	-	-
Highland Canal Trail	-	25,000	-	-	25,000	-	25,000	-	-	25,000	-	-
Pedestrian Bicycle Master Plan Implementation	-	25,000	-	-	25,000	-	17,615	-	75,600	18,275	-	69,220
Monroe Avenue Streetscape Improvements	17,390	-	32,625	18,200	-	40,800	-	-	-	105,000	-	-
Sidewalk Construction / Reconstruction	-	-	-	-	-	-	-	-	-	-	-	-
Auburn Trail	-	82,260	-	-	571,860	-	145,000	-	-	-	-	-
Farash Trail	-	-	-	-	-	-	-	-	-	-	-	-
Landfill Watermain Project	-	-	-	-	-	-	-	-	-	-	-	-
Vehicles, Equipment and Services	-	-	-	27,000	-	-	337,405	-	741,395	379,575	-	-
Replace Fire Marshal Car	-	-	-	-	-	-	-	-	-	-	-	69,220
<b>SUB-TOTAL DEPT. OF PUBLIC WORKS</b>	<b>173,790</b>	<b>132,260</b>	<b>1,292,110</b>	<b>145,200</b>	<b>621,860</b>	<b>2,069,330</b>	<b>337,405</b>	<b>-</b>	<b>741,395</b>	<b>379,575</b>	<b>-</b>	<b>69,220</b>

**TOWN OF BRIGHTON**

**2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP)**

Note: (Budget = Town Funds or Special District Operating Budget Funded, Reserves = Reserve/Fund Balance Funded, Grant = Grant/Aid/Private/Funded)

Department / Category / Item Description:	2014 Budget			2015 Request			2016 Request			2017 Request		
	Budget	Reserves	Grant	Budget	Reserves	Grant	Budget	Reserves	Grant	Budget	Reserves	Grant
<b>GENERAL GOVERNMENT</b>												
Facilities	35,000	-	-	-	35,000	-	-	-	-	-	-	-
Public Safety Wing Air Conditioning System	-	-	-	-	-	-	-	-	-	41,500	-	-
Town Hall Window Replacement	-	-	-	-	-	-	80,000	-	-	-	-	-
Town Hall HVAC Replacement	-	-	-	-	-	-	-	-	-	-	-	-
Technology	25,000	-	-	25,310	-	-	25,000	-	-	25,000	-	-
Replace Information Systems Equipment	-	-	-	-	-	-	-	-	-	-	-	-
Assessment Update	20,000	-	-	15,000	-	-	15,000	-	-	15,000	-	-
Contribution to Assessment Update Reserve Fund	80,000	-	-	40,310	35,000	-	120,000	-	-	81,500	-	-
<b>SUB-TOTAL GENERAL GOVERNMENT</b>												
	265,000	-	-	265,620	70,000	-	350,000	-	-	350,000	-	-
<b>POLICE DEPARTMENT</b>												
Replace Police Patrol and Admin Cars	66,500	-	-	108,000	-	-	108,000	-	-	72,000	-	-
Bullet Proof Vests	-	-	-	15,320	-	15,320	-	-	-	-	-	-
Replace Firearms	-	-	-	26,000	-	10,000	-	-	-	-	-	-
	66,500	-	-	149,320	-	25,320	108,000	-	-	72,000	-	-
<b>SUB-TOTAL POLICE DEPARTMENT</b>												
	66,500	-	-	149,320	-	25,320	108,000	-	-	72,000	-	-
<b>RECREATION DEPARTMENT</b>												
Year Round Farmers Market (Gross Barn)	-	-	-	-	-	50,000	-	-	-	350,000	-	-
	-	-	-	-	-	50,000	-	-	-	350,000	-	-
<b>SUB-TOTAL RECREATION</b>												
	-	-	-	-	-	50,000	-	-	-	350,000	-	-
<b>PARKS DEPARTMENT</b>												
Secure / Demolish Gross Farm Buildings	-	-	-	-	-	-	36,300	-	-	-	-	-
Tractors & Utility Vehicles	-	-	-	-	-	-	52,000	-	-	-	-	-
Renovate Carmen Clark Lodge at Town Park	23,000	-	-	-	-	-	-	-	-	-	-	-
Pavilion at Meridian Centre Park	-	-	-	-	-	-	-	-	-	40,000	-	-
Pick Up Trucks	-	-	-	-	-	-	17,000	-	-	35,000	-	-
Re-Surface Tennis / Basketball Courts	-	-	-	-	-	-	-	-	-	26,300	-	-
Veterans Memorial Project	-	-	-	-	-	-	-	-	-	25,000	-	-
Roof and Window replacement Town Park Lodge	-	-	-	-	-	-	-	-	-	162,600	-	-
Buckland Park Trail Paving and Bleacher Pads	-	-	-	-	-	-	-	-	-	-	-	-
	23,000	-	-	-	-	57,000	106,300	-	-	162,600	-	-
<b>SUB-TOTAL PARKS</b>												
	23,000	-	-	-	-	57,000	106,300	-	-	162,600	-	-
<b>BRIGHTON MEMORIAL LIBRARY</b>												
Replace Library Computers & Library Furniture	12,770	-	-	15,375	-	-	16,890	-	-	6,400	-	-
	12,770	-	-	15,375	-	-	16,890	-	-	6,400	-	-
<b>SUB-TOTAL LIBRARY</b>												
	12,770	-	-	15,375	-	-	16,890	-	-	6,400	-	-
<b>SPECIAL DISTRICTS</b>												
Ambulance District	37,500	-	-	50,000	-	-	50,000	-	-	50,000	-	-
Purchase Ambulance Emergency Vehicles	-	-	-	-	-	-	-	-	-	-	-	-
Sidewalk District	123,440	30,000	-	113,440	40,000	-	118,250	40,000	-	127,515	40,000	-
District Sidewalk replacement Program	160,940	30,000	-	163,440	40,000	-	169,250	40,000	-	177,515	40,000	-
<b>SUB-TOTAL SPECIAL DISTRICTS</b>												
	221,640	60,000	-	216,880	80,000	-	227,500	80,000	-	254,515	80,000	-
<b>CONOLIDATED SEWER DISTRICT</b>												
Heavy Equipment	-	-	-	-	-	-	128,000	200,000	60,000	221,000	-	-
Tractors / Backhoes	6,200	-	-	20,800	-	-	6,200	-	-	20,800	-	-
Miscellaneous Equipment	52,000	-	-	-	-	-	238,000	-	-	-	-	-
Infrastructure	270,000	-	-	270,000	-	-	295,000	-	-	320,000	-	-
Sewer Rehabilitation Program (Grouting & Re-Lining)	-	-	-	-	-	-	-	-	-	35,000	-	-
Sewer Pump Station Rehabilitation (Engineering)	-	-	-	-	-	-	78,100	-	-	366,358	-	-
Aliens Creek Road Sanitary Sewer Updates	-	-	-	-	-	-	-	-	-	-	-	-
Winton Road Pump Station Renovation	70,000	-	-	70,000	-	-	-	-	-	-	-	-
South MCC Campus Sanitary Sewer Phase 3	45,000	100,000	-	175,000	-	-	-	-	-	-	-	-
East Avenue Sanitary Sewer Rehabilitation	7,200,000	200,000	-	7,453,000	200,000	60,000	7,453,000	200,000	60,000	963,158	-	-

**TOWN OF BRIGHTON  
2016-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP)**

Note: (Budget = Town Funds or Special District Operating Budget Funded, Reserves = Reserve/Fund Balance Funded, Grant = Grant/Aid/Private Funded)

Department / Category / Item Description:	2014 Budget			2015 Request			2016 Request			2017 Request		
	Budget	Reserves	Grant	Budget	Reserves	Grant	Budget	Reserves	Grant	Budget	Reserves	Grant
<b>EXISTING DEBT SERVICE</b>												
Library Construction Bonds (2011 Refunding)	114,525	-	-	112,425	-	-	105,315	-	-	103,125	-	-
Highway Fuel Depot Bonds (2007)	60,710	-	-	63,490	-	-	61,165	-	-	-	-	-
Parkland Bonds (2007)	316,080	-	-	317,980	-	-	319,455	-	-	379,380	-	-
Elmwood Ave Relief Sewer I Bonds (2005)	36,305	-	-	35,950	-	-	35,500	-	-	-	-	-
Elmwood Ave Relief Sewer II Bonds (2010)	45,785	-	-	45,230	-	-	45,035	-	-	44,575	-	-
Brighton-Henrietta T. L. Road Sewer Bonds (2005)	16,895	-	-	16,500	-	-	11,965	-	-	11,215	-	-
Western Dr. Sewer Bonds (2005)	11,470	-	-	11,715	-	-	11,965	-	-	-	-	-
2012 Serial Bonds	52,050	-	-	51,375	-	-	50,690	-	-	116,990	-	-
2013 Bond Anticipation Note	116,990	-	-	116,990	-	-	116,990	-	-	86,710	-	-
2014 Bond Anticipation Note	86,710	-	-	86,710	-	-	86,710	-	-	762,895	-	-
<b>SUB-TOTAL EXISTING DEBT SERVICE</b>	<b>857,310</b>	<b>-</b>	<b>-</b>	<b>858,365</b>	<b>-</b>	<b>-</b>	<b>854,055</b>	<b>-</b>	<b>-</b>	<b>3,825,588</b>	<b>40,000</b>	<b>274,650</b>
<b>GRAND TOTALS</b>	<b>2,875,125</b>	<b>322,260</b>	<b>1,554,540</b>	<b>3,266,540</b>	<b>736,860</b>	<b>2,515,080</b>	<b>3,897,570</b>	<b>278,000</b>	<b>1,356,825</b>	<b>3,825,588</b>	<b>40,000</b>	<b>274,650</b>

**CIP Notes:**  
This Capital Improvement Plan is used for planning purposes only. Inclusion of a project does not represent a commitment of funding. Funding for approved capital projects is provided in the annual Capital Budget. To "qualify" as a Capital Improvement Plan project, the estimated project cost must be at least \$20,000. Capital expenditures estimated at less than \$20,000 are treated as operating expenditures and funded in the Operating Budget. Contributions to Capital Reserve Funds are included in this Capital Improvement Plan.

TOWN OF BRIGHTON  
2016-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS

Project Name	Details / Justification	Funding Source	2014	2015	2016	2017
			Total	Total	Total	Total
<b>HIGHWAY DEPARTMENT</b>						
<b>Heavy Equipment</b>						
Large Plow/Salt/Dump Trucks	2015: Replace - #51 2002 10 wheel Sterling Plow/Salt truck (\$227,250);	2014: \$212,000 Bond 2015: \$40,000 Highway Equipment Reserve 2016: \$38,000 Highway Equipment Reserve	212,000	227,250	379,000	228,750
	2016: Replace - #57 - 2002 10 wheel Sterling Plow/Salt truck (\$235,750); Replace #43 2005 6 wheel International brush truck (\$143,250)					
Small Dump Trucks	2017: Replace - #52 - 1997 Mack Plow Truck (\$228,750)	Budget	-	-	46,500	41,000
	Truck 51 (117,525 miles, driven 9,800 mi/yr., will have over 125,000 miles in 2015, \$5,350/yr. average maintenance cost) Truck 57 (109,850 miles, driven 9,160 mi/yr., will have over 130,000 miles in 2016, \$5,120/yr. average maintenance cost) Both trucks 51 and 57 are Sterling trucks which are no longer made and parts are becoming scarce and expensive. Truck 43 (117,350 miles, driven 13,050 mi/yr., will have over 140,000 miles in 2016, \$3,460/yr. average maintenance cost.) Truck 52 (107,525 miles, driven 6,324 mi/yr. will have over 125,000 miles in 2017, \$6,324/yr. average maintenance cost.) Trucks 51, 52, and 57 are main snow and ice control trucks that are prone to breakdown. During a snow event a break down will cause a delay in snow removal from roads (down time can last from a day to several weeks). Truck 43 is a truck used for bulk yard debris pick up. It has recently had an engine electrical fire and is now prone to various electrical failures. The truck body is starting to rust out which may have to be replaced. New vehicles will result in reduction in maintenance costs and downtime & maintains level of service. New vehicles have reduced emissions through Tier 4 engines and slightly improved fuel economy. Truck 52 is a 2 person plow truck, replacement trucks will be OPP which would result in some savings during winter operations. Currently no alternative fuel available for large dump trucks.					
Pick-Up / Utility Trucks / SUV	2016 - Replace #79, 2003 Small dump truck (\$41K)	Budget	-	-	54,000	36,000
	2017 - Replace #55 - 2003 Small dump truck (\$41K)					
Sweepers	Truck 79 (67,000 miles, driven 6,100 mi/yr., will have almost 80,000 miles in 2016, \$760/yr. average maintenance costs.) Truck 65 (86,750 miles, driven 7,900 mi/yr., will have over 110,000 miles in 2017, \$3,225/yr. average maintenance costs) Truck 79 is a medium duty dump truck that is used daily for brush pickup and hauling of materials for various Town projects. Currently the frame of the dump body is starting to rot away. These are structural members which will need repair. Truck 65 is a medium duty dump truck that is used daily for brush pickup and hauling of materials for various Town projects. New medium duty dump trucks have reduced emissions through Tier 4 engines and slightly improved fuel economy. New vehicles will result in reduction in maintenance costs and downtime and maintains level of service. Small dump trucks can be converted to run on LPG. \$500 factory charge for gaseous engine prep package and an additional \$12K for the conversion package from an aftermarket source (assuming current Diesel and LPG prices and 8,000 miles driven per year, the conversion cost would take approx. 10 years to pay back from lower fuel costs). Town currently does not have LPG for fueling.	Budget	-	-	-	-
	2016 Replace Truck #78 - 2001 Mechanic's truck w/service body (\$54,000)					
Sweepers	2017 Replace Truck #47 - 2004 Pick up truck w/low and lift gate (\$36,000)	Budget	190,900	196,630	-	-
	2015: Replace 2002 Elgin Sweeper #88 (\$196,630)					
<p>2016 Replace Truck #47 - 2004 Pick up truck w/low and lift gate (\$36,000)</p> <p>Truck 78 (63,000 miles, driven 4,050 mi/yr., \$1,250 average maintenance cost) is a service truck for mechanics to attend to equipment repairs in the field and to pick up various repair parts. Currently the truck's cab doors and front bumper are rotting out. The service body has various holes in the floor and the doors are rusting out exposing tools and parts to the weather. Truck 47 (65,100 miles, driven 6,520 mi/yr., \$3,495/yr. average maintenance cost) is used for picking up dead roadside animals, plowing of town hall complex, moving of materials and supplies around town for various projects and towing trailer with lawnmower for mowing of small town parks within the ROW.</p> <p>New vehicles will reduce maintenance costs and down time and will maintain level of service. Limited amount of flex fuel heavy duty pick ups available. Town does not currently have E85 gasoline available. Pick up trucks can be converted to run on LPG. \$500 factory charge for gaseous engine prep package and an additional \$10K for the conversion package from an aftermarket source (assuming current Diesel and LPG prices and 8,000 miles driven per year, the conversion cost would take approx. 10 years to pay back from lower fuel costs). Town currently does not have LPG for fueling.</p> <p>2015: Replace 2002 Elgin Sweeper #88 (\$196,630)</p> <p>Sweeper #88 (6,200 hours, operated 700 hours/yr., \$5,060 average maintenance cost)</p> <p>This sweeper has required extensive repairs to keep it on the road. The sweeper is starting showing structural degradation and will require major rebuilding. New sweepers have pressurized cabs to help keep out contaminants from the operator's cab which can effect their health, and there is increased sound suppression in the cab which would reduce hearing loss. A new sweeper will result in an improvement in employee health and safety, reduction in maintenance costs and downtime, and maintains level of service. New sweeper purchased in 2014 for \$190,900 vendor recommendation to add three percent to 2014 purchase price for 2015 estimated cost. This vehicle can use B20 diesel fuel. Town does not currently have B20 diesel fuel.</p>						

TOWN OF BRIGHTON  
2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS

Project Name	Details / Justification	Funding Source	2014 Total	2015 Total	2016 Total	2017 Total
Tractors/Backhoes	<p>2015-2017: Trade in Backhoe #89 annually (\$8,500)</p> <p>2016: Replace 2004 Kubota Tractor #17 (\$52,950)</p> <p>2017: Replace 2000 Loader #82 w/plow and wing (\$191,000)</p> <p>Backhoe trade-in cost of \$9,500 (\$96,500 avg. less trade \$89,000 avg). Newer backhoes have reduced fuel emissions due to Tier 4 requirements, improved ergonomics for operator health and safety, and decrease down time for repairs. This trade-in program makes sense given an average useful life of ten years for backhoe (splitting the \$96,500 cost straight over 10 years would be \$9,650 which is more than the annual trade in cost).</p> <p>Tractor #17 (2536 hours, 260 hour/yr. operated, \$707 average maintenance cost) has been involved in an accident which twisted the frame.</p> <p>The Kubota tractors are primarily used for plowing of Town sidewalks and are also used for brush and leaf pickup. There is no back up for the tractor if one goes down. Additional sidewalks are being added yearly to plow.</p> <p>Loader #82 (14,000 hours, 1000 hour/yr., \$3,385/yr. average maintenance cost) is primarily used at the Town's composting facility for pushing up brush and spoils, loading out compost, stone, moving material around the composting facility, it is equipped with a snow plow and wing to plow town roads. Occasionally works on yard debris pick up. Current loaders are more fuel efficient, have reduced fuel emissions due to Tier 4 requirements and have improved ergonomics for operator health and safety. Reduction in maintenance costs and down time, maintains level of service.</p>	Budget	9,000	9,500	62,450	200,500
Infrastructure	<p>Resurface and spot reconstruction of Town Roads on 30 yr. cycle: Asphalt Overlay of town roads on a 30 yr. cycle, including stone for reconstruction (1000 TN), milling, tack coat, paver, paver operator, screed man, tack coat truck and excavator rental costs but excluding labor and equipment changes. (\$450 MT per year). From Monroe County contracts: stone has increased by a 3% avg., milling has been stable, tack coat has increased 10.5%/yr. avg., paver rental has increased 2.5%/yr. avg., paver operator and screed man has increased 4.3%/yr. avg., tack coat truck has increased 7.7%/yr. avg., heavy equipment rental has increased 3.4%/yr. avg.</p> <p>Treat Surface of Town Roads on 10 yr. cycle: Patch, crack seal, then surface treat Town roads on an approximately 10 yr. cycle. 90,000 SY of Chip Seal, 7,050 SY of micro-pave treatments, 3,000 Gal of crack fill material. Crack seal material has increased 8.9%/yr. avg., stone for chip seal has increased by 5%/yr. avg., oil for chip seal has increased by 1%/yr. avg., micro-pave has increased 8.9%/yr. avg.</p> <p>Town maintains 192.5 lane miles of road. BMP suggest maintaining 10%/yr (19.3 LM/yr). Currently, with the requested quantities 18.6 LM/yr will be maintained. Resurfacing &amp; Treating Roadways reduces user delays and user costs by maintaining smooth and safe road surfaces for traveling public. Reduction in premature pavement failures which avoids the need for total reconstruction. Costs based on City, County, and NYS contract price history for the past six years.</p> <p>Annual replacement of storm sewers of insufficient capacity or poor structural condition, based upon either complaints or upon the results of the televising of storm sewers in advance of the paving program. A 100 year program (.75 miles per year) could be assumed. Our experience to date indicates a need for less (approx. 400 LF per year), County contract price of \$123/LF in 2007 increased to \$236/LF in 2014. An annual increase of 11.5%/yr.</p> <p>Justification - Reduction of calls for basement flooding, reduction in street flooding; compliance with USEPA requirements; reduction in ex-filtrations to sanitary sewer (and resultant sanitary sewer surcharging). Reduction in premature pavement failures due to degradation of the storm sewer system. Done in conjunction with asphalt overlay program in order to minimize storm sewer repairs after the road has been overlaid.</p>	<p>2014: \$346,435 Budget, \$205,430 CHIPS Grant</p> <p>2015: \$441,215 Budget, \$205,430 CHIPS Grant</p> <p>2016: \$471,015 Budget, \$205,430 CHIPS Grant</p> <p>2017: \$502,430; \$205,430 CHIPS Grant</p>	551,865	581,980	610,000	640,000
Replace/Maintain Storm Sewers on 100-yr cycle	<p>Replace selected concrete gutters, to coordinate with our overlay program</p> <p>2015: Woodmont Rd. - 835 SY</p> <p>2016: Hunters La. - 800 SY</p> <p>2017: Stamford Dr. - 415 SY</p> <p>Town maintains 41 miles of gutter. A 30 Yr. program will yield 1.37 miles/yr. (2,010 SY/yr.) of gutter needing to be replaced. Our history to date indicates a need for less. Monroe County contract price for 2014 - \$121.00/SY. Gutter price has increased 8.6% avg. increase/yr. since 2008</p> <p>Justification - Replaces gutters that have been paved over or are in disrepair, maintains roadside drainage, preserves pavement condition; reduces street and roadside flooding; enhances value of adjoining property, reduced damage to adjoining lawn areas. Reduce calls for gutters not working properly.</p>	Budget	110,000	108,300	92,400	
Replace Fairfield Rd. culvert pipe.	<p>2015: Current culvert pipe is corrugated metal pipe and is rotting away. Highway department had to do an emergency repair in spring of 2014 due to a sink hole that appeared. Project includes removing and replacing the existing culvert pipe and head walls, creek diversion, pavement and lawn restorations. Staff estimate.</p> <p>Justification - Maintains access to Fairfield subdivision, provides pathway for Buckland Creek.</p>	Budget	184,000	60,800	68,250	
Curb Replacements on 200-Year cycle	<p>Annual replacement of deteriorated sandstone and concrete curbs with new, stone curbs in conjunction with the asphalt overlay program. Monroe county contract price for Option B of installing 1000 LF of granite curbing for 2014 - \$54,000/LF. Monroe County contract pricing for stone curbing has increased an avg. of 9%/yr. since 2008. Town crews do prep work.</p> <p>Justification - Preserves drainage along roadside, preserves pavement condition; reduces street and roadside flooding; protects adjoining lawn areas from vehicle damage, and improves the appearance of residential neighborhoods</p>	Grant	165,000			
Highland Ave., S. Clinton east to City line	<p>2015: Improvements includes removing existing gutter on south side, install new granite curbing, remove old concrete sidewalk, install new sidewalk, installing sidewalk where currently there is no sidewalk, modify existing storm drainage system, mill and repave to adjust cross slope of Highland Ave., and adjust adjoining driveways. Existing roadway along this portion of Highland Ave. is deteriorating and existing cross slope on the south side of Highland is greater than the typical roadway section.</p>					

TOWN OF BRIGHTON  
2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS

Project Name	Details / Justification	Funding Source	2014	2015	2016	2017
			Total	Total	Total	Total
Facilities (HWYS/SWR Split) Salt Shed Roof Repair (HWY only)	Highway Budget Full Cost Tear-off and re-roof entire building w/30 yr. 3 in 1 Fiberglass shingles, including new metal rake and drip edge repair or replace defective plywood sub-struc. Approx. 10,500 SF of roof surface. Roof is 28 yrs. old and is past its useful life. Currently after heavy winds roof shingles have to be replaced. \$697 for repairs 2010, \$1240 for repairs in 2012. Recent inspection of roof decking material shows signs of deterioration and some rot. Preserve structural members of salt storage building. Vendor estimate.	Budget	80,000	-	-	-
Replace Metal Siding Upper Storage Bldg.	Cost Share: 2/3 Highway, 1/3 Sewer. Upper building had a new roof installed in 2010 and new overhead doors in 2008. This is the final item to replace on the exterior to make the building weather tight. Costs includes removal of old siding and furnishing and installing new metal siding. Cost includes a 5% contingency for unknown issues plus money for engineering and design. Building is used for the sign shop and cold storage of equipment and materials that are not moisture sensitive. Existing siding is rusting, falling off and in disrepair. New siding will make building weather tight. Vendor estimate	Budget	-	-	79,750	-
Paving & Repairs at OPS Center	Cost Share: 2/3 Highway, 1/3 Sewer. Budget number includes milling, tack coat, asphalt concrete and paver rental w/opp. Resurface approximately 30,000 SF/yr. Part 2 of a 4 year plan to resurface all of Ops center. Improvements will reduce further deterioration of Town facilities, maintains smooth and safe pavement surface for moving around Ops facility. Reduction in premature pavement failures which avoids the need for total reconstruction. Monroe County contract pricing used. Use of permeable asphalt was not looked at this time. The area around the OPS center is not conducive to permeable asphalt. Salt is stored at the OPS center for snow and ice control along with stone piles and excavated materials which would eventually decrease the permeability of the material. Installing permeable asphalt would require total reconstruction along with additional drainage features that will substantially increase the cost over milling and resurfacing. Grants would have to be sought out for this alternative.	Budget	-	31,750	33,250	34,500
Facility Assessment Study for OPS Center	Cost Share: 2/3 Highway, 1/3 Sewer. Facility Assessment Study for OPS Center to aid in future budgeting for facility upkeep and improvements along with identifying areas for energy savings.	Budget	-	-	22,500	-
Paving at Landfill	Cost Share: 90% Landfill, 10% Highway. Mill, tack coat and place asphalt overlay on existing asphalt around landfill building and road to the lower part of the landfill. Pave approx. 21,000 SF/yr. over the next 3 yrs. Reduces user delays and user costs by maintaining smooth and safe road surfaces. Reduction in premature pavement failures which avoids the need for total reconstruction. Better condition pavements.	Budget	-	-	23,750	-
Replacement Windows	Cost Share: 2/3 Highway, 1/3 Sewer. Replace all windows in office and break room area of the Ops center. Existing windows are over 25 yrs. old and are not energy efficient.	Budget	-	28,650	-	-
Roof Replacement of OPS Center Main Bldg.	Cost Share: 2/3 Highway, 1/3 Sewer. A facility assessment and energy report was conducted by Mossien Associates and IBC engineering in 2002. Recommendation at the time was to wait five (5) years for reconstruction of roof. The truck and maintenance garage roofs were replaced in 2009. The roof over the main office has not been replaced which is currently 28 years old. The report found some pull away of flashing from the membrane. The roof over the main office area currently has to be patched for leaks 1-2 times/year.	Budget	-	143,500	-	-
Update Electrical System	Cost Share: 2/3 Highway, 1/3 Sewer. Improvements will reduce repairs, provide better reliability of electrical system, and prevent further deterioration of Town facilities. Staff estimate.	Budget	-	-	22,000	-
Update 2-Way Radio System	Cost Share: 2/3 Highway, 1/3 Sewer. Cost includes replacing base stations, 5 portable and 70 equipment radios & antenna, 11 desk remote radios, 2 digital repeaters, programming software, 2 UHF antenna systems, and updating FCC license. Justification: Existing radio system is two generations old. Update existing radio system to a digital system for better coverage and clearer communicating with less interference. Capability to expand and communicate with other agencies. Vendor Estimate from NYSOGS.	Budget	-	-	78,950	-
<b>DEPARTMENT OF PUBLIC WORKS (DPW)</b>						
Infrastructure & Planning Construct New Storm Sewers & Drainage	2015: \$755,250 Monroe Avenue Green Innovation Project - GIGP - (State Assistance \$679,725, Local Match \$75,525) 2016: \$30,200 Susquehanna Road 2016: \$377,625 Monroe Avenue GIGP Project (State Assistance \$339,863, Local Match \$37,763) 2017: \$68,900 for Panarrow Road Phase 2 & \$42,400 for West Brighton Drainage Improvements In 2011 The Town received a \$1,565 million State grant for Monroe Avenue storm water improvements. This project will require no monetary contribution from the Town as the local match will be provided through in-kind construction services by the Highway Dept. Justification -- Reduction in calls for basement flooding; reduction in street flooding; compliance with USPECA requirements; preserves drainage along roadside; reduction in infiltration to sanitary sewer (and resultant sanitary sewer surcharging).	2015: \$755,250 Grant funded through NYS Green Innovation Grant. 2016: \$30,200 Budget Funded, Susquehanna Rd 2016: Grant NYS GIGP grant 2017: Budget funded	432,125	755,250	407,825	111,300
Reserve Development Project	2014-2015: \$450K for public improvements along the existing Canalway trail & \$60K for construction observation services The proposed "Reserve at Brighton" is a 327 unit mixed-use residential project (along with a clubhouse/pool/tennis courts/putting green/gazebo) that would be located on a 63 acre parcel accessed from South Clinton Ave along the Erie Canal. As part of the incentive zoning proposal, \$450K in public improvements (boat put-ins, boat dock, benches, signage, and landscaping) would be provided (\$225K from State Grant and \$225K from Private Developer) on the north side of the Canal between the western boundary of Meridian Centre Park and the City Line. Due to the size of the project, the Town would also require construction observation services (estimate of \$60K to be reimbursed by Private Developer) for the proposed highway and sewer infrastructure components.	\$225,000 Canal Corp. Grant, \$225,000 developer per Incentive Zoning, and \$60K for construction observation from Developer.	225,000	225,000	-	-

**TOWN OF BRIGHTON  
2016-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS**

Project Name	Details / Justification	Funding Source	2014	2015	2016	2017
			Total	Total	Total	Total
Comprehensive Plan Update	Update of 2000 Comprehensive Plan & Development of Parkland Plan. The Comprehensive Plan should be updated every 10 years to ensure that it responds to the needs and issues confronting our community. It improves planning decisions, on which zoning and planning approvals are determined. The Parkland master plan is also included in this cost.	Grant Funded	50,000	100,000	-	-
Tree Management Program	2015 - 2017: \$50K Emergency tree take downs, tree trimming, outside tree consultant, tree plantings and supplies. 2017: Additional \$45K for Emerald Ash Borer Treatment (3 year cycle with last treatment in 2014). Price from past bids. Annual tree management expenses include tree plantings, hazard trimming and scheduled take downs of Town trees in the Town's Right of Way (includes 240 hours rental of bucket truck w/operator), Emergency take downs of trees (15 trees/yr.), and outside tree consultant. Pursuant to various planning documents, as well as being an overall benefit to the Town and its citizens, it is important to manage our urban forest so that it is properly maintained in order to promote healthy and ever present trees.	Budget	86,000	50,000	50,000	95,000
Highland Canal Trail	2015-2016: Trail Construction (Brighton local share est. \$178K) This trail has cost share between Genesee Transportation Council (GTC) grant funding, The Town and the City of Rochester. Project will construct new multi-use trail from the canal trail (in Town Park) north to Elmwood Ave. (in the St. John's expansion) to a new trail to be built in the city. Will provide safe link in the bicycle and pedestrian system. The trail would be a passive recreational site and is part of the GTC trail Plan.	\$2.127 million total project cost; G.T.C 80%, Local Costs 20% (City of Rochester 33%, Brighton 67%)	622,780	998,280	332,780	-
Pedestrian Bicycle Master Plan Implementation	2015-2016: \$25K per year for TBD improvements to implement the Pedestrian bicycle master plan which is currently being conducted through a \$68.5K grant received in 2011. These improvements will increase safety and expand the pedestrian/bicycle system	Reserves in 2014	25,000	25,000	25,000	25,000
Monroe Avenue Streetscape Improvements	2015-2017: \$25K annually to install trees, landscaping and new sidewalks at various locations on Monroe Avenue per the recommendations of the Monroe Avenue Charrette study. This project will improve visibility of corridor to customers, improve entrances to neighborhoods and stimulation to private investment in adjoining businesses.	Reserves in 2014	25,000	25,000	25,000	25,000
Sidewalk Construction / Reconstruction	2015-2017 Town Sidewalk Reconstruction: 1,800 sqft per year = \$18,200 2015 East Crittenden Sidewalks 650 ft = \$40,800 (CDBG Funded) 2016 East Crittenden Sidewalks 1050 ft = \$75,600 (60,400 CDBG funded) 2017: Construction of sidewalks on west side of Winlon Rd of approx. 1200 feet = \$69,220 (CDBG Funded). Sidewalks provide for safer pedestrian travel (especially school children). Crittenden and West Henrietta Roads are heavily traveled by pedestrians as evidenced by the paths along the roadway. The Town has applied for CDBG funding for Crittenden Road and will apply for future CDBG funding for W. Henrietta Roads.	2015: \$34,000 Fed Grant, \$6,800 in kind, Budget \$16,985 2016: \$60,400 Fed Grant, \$15,200 in kind, Budget \$17,615 2017: \$55,000 Fed Grant, \$11,220 in kind, Budget \$18,275	50,015	59,000	93,215	87,495
Auburn Trail	The Town of Brighton Bicycle and Pedestrian Master Plan recommends the construction of the Auburn Trail (highland to clover). The Town will likely pursue Federal Highway funding for the project. The grant will likely fund 80% of the trail and the Town will be responsible to pay 20% of the construction costs. Estimated cost in 2013=\$879,000. Anticipated cost in 2017 based on PPI of 2.02% increase per year = \$950,023. Engineering (\$105,000) starts in 2017. Note that this project will require grant funding.	Future Federal Highway Administration Grant	-	-	-	105,000
Farash Trail	The Town of Brighton Bicycle and Pedestrian Master Plan recommends the construction of the Farash Trail. The Town will likely pursue Federal Highway funding for the project. The potential grant will likely fund 80% of the trail and the Town will be responsible to pay 20% of the construction costs. Estimated Cost in 2013-\$655,120. Engineering will begin in 2014.	Town Portion to be funded through Reserves	82,260	571,860	-	-
Landfill Watermain Project	The Town has experienced a number of fires and the landfill and is proposing to extend a fire hydrant to the lower level of the landfill to help fight the fires. The cost of the watermain is estimated to be approximately \$145,000 with engineering	Consolidated Water District	-	-	145,000	-
<b>GENERAL GOVERNMENT</b>	<b>Replace existing vehicle with an SUV. Will replace a 2003 Crown Victoria over 111,500 miles.</b>	Budget	-	27,000	-	-
<b>Facilities</b>	<b>2015:\$35,000 Replace AC System</b> The existing Air Conditioning system in the Public Safety Wing (Police/Courts) is 20 years old and needs to be replaced due to age and breakdown of current units. The current system utilizes 16 separate heat pump units. Due to the complexity of the HVAC system, it would be preferable to replace all the heat pumps at the same time. Two of the units have completely failed within the past year. Depending on engineering study, may need additional funding.	Reserves	35,000	35,000	-	-
Public Safety Wing Air Conditioning System	2015: \$36,800 for Replacement of all windows in Town Hall (exclude Library and Public Safety Wing) Maintenance continues to increase for aging windows. The current windows are made of wood and are original to the building (1950-1970's) and have issues with moisture/rotting. New windows will provide better energy conservation and will reduce repair and maintenance costs.	Budget	-	-	-	41,500
Town Hall Window Replacement	Replace Rooftop AC Chiller units for the Auditorium and DPW rooms. The auditorium units date from the 1950's DPW from the 1970's.	Budget	-	-	80,000	-

TOWN OF BRIGHTON  
2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS

Project Name	Details / Justification	Funding Source				
		2014 Total	2015 Total	2016 Total	2017 Total	
<b>Technology</b> Replace Information Systems Equipment	2015: Replace 2 servers for Laserfiche records system and Color Printer for DPW (Replacement of the servers that host the Laserfiche Electronic Database Records and the majority of users files are out of warranty and approaching the end of their useful life. The HP Color Laserjet printer that the Town received on a GIS Grant in 2003 failed in November 2013 and was not able to be replaced due to the lack of funding. This printer was shared by all departments in the main Town Hall and was heavily used for 10 years. The color copies from the copier do not have the necessary quality of finish for certain projects. Examples of use for this printer include: code enforcement, mapping projects, assessment photos as well as brochure creation) 2016 - 2017: Ongoing replacement of equipment out of warranty / past useful life (historical amount needed for IT replacements)	Budget	25,000	25,310	25,000	25,000
<b>Assessment Update</b> Contribution to Assessment Update Reserve Fund	2015-2017: Contribute \$15,000 to Assessment Reserve for 2018 Roll Update. The Assessment Roll Update total cost are estimated to be \$200,000 - \$250,000 and was originally scheduled for 2014, then postponed until 2016 (Last update in 2008). If the Level of Assessment (LOA) stays at, or near, 100% a final postponement until 2016 may be possible considering the cost of the project and the enormous cost of the contractor that often result from an update project. (Assessment Reserve account currently has a balance of \$81,410). Assessment Roll Updates are necessary to maintain market value assessments and equity in Real Property Taxation. The Real Estate market does not change equally across all property types, with the passage of time, making periodic roll updates necessary.	2015-2017 Budget Contribution to Assessment Reserve	-	15,000	15,000	15,000
<b>POLICE DEPARTMENT</b>						
Replace Police Patrol and Admin Cars	These vehicles are scheduled to reach 95,000 (+) miles in 2015 2015: Replace 3 Road Patrol Cars 2016: Replace 3 Road Patrol Cars 2017: Replace 2 Road Patrol Cars Pricing per state contract #PC85854 (2014) \$30,000, plus Set Up / Equipment \$6,000. Total replacement of one vehicle \$36,000.	Budget	66,500	108,000	108,000	72,000
Bullet Proof Vests	Replace the current Bullet Proof Vests for sworn officers. The current Vests were purchased in 2010 and have a life expectancy of 5 years. This purchase is needed to keep the protective vests up to date and is essential to the safety of our officers. Pricing based on current county contract #1212-12, \$928.50 per vest	50% Budget, 50% BVP Program if still applicable	-	30,640	-	-
Replace Firearms	Replace current firearms for 40 officers. Current firearms will be reaching the 10 year life expectancy. Pricing based on estimate from vendor on State Contract. Cost includes all equipment but does not include Ammunition. Potential trade in value of \$10,000 for current firearms	Budget with \$10K trade in estimate	-	36,000	-	-
<b>RECREATION DEPARTMENT</b>						
Year Round Farmers Market (Gross Barn)	The Town Received a \$250,000 grant in Nov 2011 from NYS Ag&Markets to redevelop a Barn on the Buckland park expansion parcel as a year-round site for the Brighton Farmer's Market. This grant application was renewed in 2014. In 2014 \$150,000 in additional grant money is being awarded to the Town of Brighton for Farmer's Market development. At this time the estimates of the final construction costs are still in development.	Grant Funded	-	50,000	350,000	-
<b>PARKS DEPARTMENT</b>						
Secure / Demolish Groos Farm Buildings	2016-17: \$36K per year to secure/demolish/redevelop the 10 vacant Groos Farm Buildings on East & West side of Buckland park. Total initial cost to Secure / Demolish the 10 Groos farm buildings.	Budget	-	-	36,300	36,300
Tractors & Utility Vehicles	2016: Replace 1996 Park tractor and 2004 Gator Utility Vehicle. (Tractor will be 20 years old and maintenance costs are between \$600-\$1000 per year. Gator will be 12 years old and needs constant repair. Both items are heavily used for all park maintenance projects on a daily basis. Renovations to Brighton Town Park Lodge (Carmen Clark Lodge). Lodge was constructed in 1982 and is in need of complete kitchen replacement, bathroom replacement as well as some other updates including rear entry door. With the volume of rentals and regular use we receive many complaints on the appearance and functionality of this lodge. Construction of a Pavilion at Meridian Centre Park. Funded by private developer as part of the Reserve project	Budget	23,000	-	-	-
Pavilion at Meridian Centre Park	2017: Replace 2005 Chevy Silverado Work Truck. Vehicle will be 10 years old and have over 40k miles.	Private Developer Funded	25,000	-	-	-
Pick Up Trucks	2017: Recolor and paint court surfaces for both the tennis (2) and basketball (2) courts at Buckland Park	Budget	-	-	17,000	40,000
Re-Surface Tennis / Basketball Courts	2016: Resurface tennis (2) courts at Meridian Centre (Outdoor courts need to be resurfaced every 5-8 years) Courts last resurfaced in 2005 2017: Recolor and paint court surfaces for both the tennis (2) and basketball (2) courts at Buckland Park	Budget	-	-	17,000	35,000
Veterans Memorial Project	Phase II -- \$25K grant from New York State Legislature & \$7K donations. Complete granite curb installation along memorial path	\$7K Donations, \$25K State Grant	32,000	-	-	-
Roof and Window replacement Town Park Lodge	2017: Tear Off Roof Replacement and Window Replacement at Town Park Lodge. Roof will be nearing 33 years and is showing signs of needed repair. Windows are original (1981), almost all are broken or non-functioning.	Budget	-	-	-	26,300
Buckland Park Trail Paving	2017: Asphalt Paving of Troublesome areas on Park Perimeter Trail. Asphalt Bleacher Pads on Baseball Fields to aid in	Budget	-	-	-	25,000

TOWN OF BRIGHTON  
2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS

Project Name	Details / Justification	Funding Source	2014	2015	2016	2017
			Total	Total	Total	Total
<b>BRIGHTON MEMORIAL LIBRARY</b>						
Replace Library Computers & Library Furniture	2015: Replace 21 staff PCs with MS Office Pro licenses (\$732 ea.) 2016: Repair & Reupholster all (74) wood hardback chairs (\$90 ea.), 8 cafe stools (\$120 ea.), 1 octagon study carrel (\$830), 4 stack chairs (\$125 ea.), 11'x13' heavy duty rug (\$830), and 4 chairs with foldable table/lam (\$450 ea.) 2017: Replace 16 circulation/library catalog & database PC computers with thin clients (\$400 ea.) The (2015 & 2017) computer replacement schedule proactively addresses anticipated breakdowns due to heavy usage by patrons and staff. Down time is limited and ongoing repairs costly. By the time of replacement, PCs will be over 5-6 years old with hard wear time and out of warranty, with some components already beginning to fail. Pushing the server virtualization project out to the library floor, via thin client architecture, will allow BML to continue to realize cost and time savings. The (2016) library furniture request addresses the long overdue replacement/repair of current library furniture, which, at time of replacement will be seventeen years old. This request will be an integral part of the library's public area redesign anticipated in 2016.	Budget	12,770	15,375	\$16,890	\$6,400
<b>SPECIAL DISTRICTS</b>						
Ambulance District Purchase Ambulance Emergency Vehicles	The town traditionally has supported the purchase of 1 ambulance every two years. We set aside an annual contribution from budget funds and also borrow for a portion of the ambulance (See debt service portion below).	Budget (Capital Contribution for bi-annual ambulance purchase)	37,500	50,000	50,000	\$50,000
Sidewalk District District Sidewalk replacement Program	Repair 15,000 SF of existing residential sidewalks in the District (also 1,800 in Town Sidewalks which is budgeted separately). Will result in safer pedestrian travel & reduction in potential hip hazards and premature sidewalk failure. The winning bid has increased 3.6%/YR avg. over the past nine years.	2015 - 2017: \$40K per year fund balance with the remainder budget funded	153,440	153,440	159,250	167,515
<b>CONSOLIDATED SEWER DISTRICT</b>						
Heavy Equipment Trucks	2016: Replace #98 2007 Flusher Truck for \$398,000 (utilize \$200K SWR reserve, currently \$217K in the reserve); Flusher Truck #98 has 3899 miles/3964 hours on it with approx. \$5014 in repairs annually (5 yr. average). The truck is used for emergency purposes to clear blockages that cause sewage overflows, and regularly to clean sanitary and storm sewer mains. Since we only have one flusher, this truck is critical and needs to be very reliable. The previous Flusher Truck was utilized for 8.5 years. There is not currently data for how much time the Flusher Truck has been inoperable due to repairs. In the event of the flusher being unavailable, the sewer departments on the East side of the river have borrowed/donated equipment and everyone is willing to help each other in an emergency. Flusher trucks are very specialized and it is not a commonly rented item. Sanitary backups average 15-20+ a year, not including catch basins and storm sewers. During a backup event in which we had to borrow a flusher from another town the response time would be 1.5-2 hours at best. These lengthy response delays can cause potentially large insurance claims. 2016: Replace 2000 (10) Wheel Dump #26 for \$180,000; Dump Truck #26 has 73,456 miles on it and is driven 6,121 miles per year with approx. \$1787 annually (5 yr. average) 15 yr. useful life 2000-2015. This truck is a Heavy duty dump truck used regularly for sewer repairs to haul dirt, stone and blacktop. 2017: Replace Truck #11 - 1996 Small Dump (\$41,000)	Budget Funded except for \$200K from SWR Reserve towards 2015 Flusher Truck Replacement	-	-	398,000	221,000
Tractors / Backhoes	2015: Trade-in 2013 Backhoe #92 (bi-annually) for \$14,800; Keeping Backhoe #92 beyond 2 years would cost at today's prices \$2800 for tires and \$475 per oil change over 500 hours, plus any other repairs; 2014-2017: Replace both Bobcats (annually) at a net cost of \$6,200/yr. per 'buy back program. The cost of keeping the bobcats past the one year warranty period would be tires at \$1100 to \$1500, filters/oil at \$336 to \$448 plus any other repairs. Backhoe/Bobcat trade-in: there is reduced O&M costs, newer machines are more fuel efficient and better ergonomics for the operator. 2017: Trade-in 2015 Backhoe #92 (bi-annually) for \$14,800. 2016: Replace Main Line Camera Equipment, existing equipment is currently over 10 years old, technology is outdated and newer equipment will improve efficiencies.	Budget (Backhoe \$122K with \$104.7K trade-in, Bobcats \$30K each with \$26.9K trade-in)  Budget	6,200	20,800	6,200	20,800
Miscellaneous Equipment		Budget	\$2,000	-	238,000	-
Infrastructure Sewer Rehabilitation Program (Grouting & Re-Lining)	Annual re-lining & rehabilitation of sewers throughout the district. The anticipated service life of the various types of sewer pipe within the Town is approximately 100 years. The Town of Brighton has over 738,500 feet of sanitary sewer pipe of which 448,700 feet is older than 100 years. The Town has been repairing and rehabilitating approximately 3170 feet of sewer pipe per year. At this rate it will require over 140 years to completely address the existing sewer pipe with an age of 100+ years. Obviously, the length of sewer pipe older than 100 years will continue to increase as time passes. The past sanitary sewer replacement/repair budget was approximately \$270,000. We are proposing to gradually increase this budget to permit the replacement/repair of 1% or 4,500 feet of the sewers whose age is greater than 100 years. The total annual budget is estimated to be \$382,500.	Budget	270,000	270,000	295,000	320,000

TOWN OF BRIGHTON  
2015-2017 ADOPTED CAPITAL IMPROVEMENT PLAN (CIP) - PROJECT DETAILS

Project Name	Details / Justification	Funding Source	2014	2015	2016	2017
			Total	Total	Total	Total
Sawgrass Pump Station Rehabilitation (Engineering)	Engineering Study to re-hab and renovate. Pump station was built in 1993 and has not been operating as designed. Arcadis study in 2008 recommended that some improvements be made, and re-evaluate as development progresses and more flow is added to the station.	Budget	-	-	-	35,000
Aliens Creek Road Sanitary Sewer Updates	2016: The Aliens Creek Sanitary Sewer has experienced surcharge conditions. The surcharging is likely caused by several hydraulic inefficiencies pipe configuration, conflicting pipe diameters, abrupt changes in direction and excessive inflow and infiltration sources. The sewer should be evaluated to identify the hydraulic inefficiency and evaluate improvements such as realignment, increase pipe size and relining that will increase its capacity and reduce the frequency of surcharging.	Budget	-	-	78,100	-
Winton Road Pump Station Renovation	2017: Pump station was built in 1986 and has not had any updates since constructed. Arcadis engineering study in 2008 recommended improvements to fix deficiencies with the station and wet well at a cost of \$310,000. Development along Brighton Henrietta Townline Road in the near future may require additional equipment to be installed. Using the PPI of 2.02 % increase we estimate that the cost to complete this project in 2017 is \$366,358	Budget	-	-	-	366,358
South MCC Campus Sanitary Sewer Phase 3	Phase II of the project (Town resources to complete work at roughly \$60K-\$70K per year 2012-2015) stated to go forward in June 2013. Project will eliminate Metro Park pump station which is in need of a major renovation. On-going costs including utilities, parts, and repairs would also be eliminated. Pump station was built in the mid 1960's, and still has most of its original equipment.	Budget	70,000	70,000	-	-
East Avenue Sanitary Sewer Rehabilitation	East Avenue Sanitary Sewers are some of the oldest in Brighton and due to their configuration directly under the storm sewer, it would be very costly to repair them with conventional means. Re-lining the sanitary sewers would greatly improve structural integrity and reduce infiltration from the storm sewer. Excessive infiltration can cause surcharging, basement flooding, and reduces the capacity for domestic sewage. Project was spread between 2014 and 2015, due to engineering estimate. 2015 - \$55K was removed from 2014 Budget, needs to be added back for 2015.	Budget and \$100K from Sewer Fund Balance (set aside in 2013 budget)	145,000	175,000	-	-
<b>DEBT SERVICE</b>						
Library Construction Bonds (2011 Refunding)	1999 Bonds Refinanced in 2011		114,525	112,425	105,315	103,125
Highway Fuel Depot Bonds (2007)	10 YR Bond @ 3.8%		60,710	63,480	61,165	-
Parkland Bonds (2007)	2007 Bond for \$4 Million		316,090	317,980	319,455	379,380
Elmwood Ave Relief Sewer I Bonds (2005)	2005 EFC Bonds at 0% to Refinance Series 1998 Bonds (\$680,000)		36,305	35,950	35,500	-
Elmwood Ave Relief Sewer II Bonds (2010)	2010 20 YR Bonds (\$730,000)		45,765	45,230	45,035	44,575
Brighton-Henrietta T. L. Road Sewer Bonds (2005)	2005 EFC Bonds at 0%		16,895	16,500	21,230	20,900
Western Dr. Sewer Bonds (2005)	2005 EFC 20 YR Bonds at 0% (\$236,000)		11,470	11,715	11,985	11,215
2012 Serial Bonds	4 YR Bond (Ambulance, Telephones, Municipality Software, Pub Works Software)		52,050	51,375	50,690	-
2013 Bond Anticipation Note	Town Hall Roof, Fire Alarm at TH and HWY5SR, Library HVAC, HWY Plow Truck		116,990	116,990	116,990	116,990
2014 Bond Anticipation Note	HWY Salt Shed Roof, Sweeper Truck, Plow Truck, Ambulance		86,710	86,710	86,710	86,710

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 28, 2014 from Finance Director Suzanne Zaso regarding a request to set two public hearings to consider the adoption of the proposed Supervisor's 2015 preliminary Operating and Capital Improvement Budgets, be received and filed; and it is further

**RESOLVED**, that the Town Board hereby sets October 8, 2014 and October 22, 2014 at 7:30 pm each day respectively as the first and second public hearings at Brighton Town Hall, 2300 Elmwood Avenue, Town of Brighton, New York to consider the adoption of the proposed Supervisor's 2015 preliminary Operating and Capital Improvement Budgets.

Dated: August 13, 2014

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

July 28, 2014

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

Re: Public Hearings for the 2015 Town and Special Districts Budgets

Dear Honorable Members:

The Town is required under Section 239 of Town Law to hold at least one public hearing prior to the adoption of the 2015 Special District Budgets to review the Assessment Roll for Special District charges and Sewer rents. The Town is also required under Section 108 of Town Law to hold at least one public hearing prior to adopting the 2015 Town Operating and Capital Improvement Budgets to review the preliminary budget. Such hearings must be held prior to December 10, 2014.

Historically, the Town has provided two separate public hearings in October before the adoption of the budget to allow for appropriate community input. Therefore, I recommend that your Honorable Town Board hold two Public Hearings for the above mentioned issues at the regularly scheduled Town Board meetings of October 8, 2014 and October 22, 2014.

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

Sincerely,

A handwritten signature in cursive script that reads "Suzanne E. Zaso".

Suzanne E. Zaso  
Director of Finance

cc: Andrew Robinson, Budget Officer  
Daniel Aman, Town Clerk

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 28, 2014 from Finance Director Suzanne Zaso regarding a request to set two public hearings to consider the adoption of the proposed 2015 Assessment Rolls for Service Charges, Maintenance Charges, Capital Improvements and Sewer Rent Charges for Special Improvement Districts within the Town, be received and filed; and it is further

**RESOLVED**, that the Town Board hereby sets October 8, 2014 and October 22, 2014 at 7:30 pm each day respectively as the first and second public hearings at Brighton Town Hall, 2300 Elmwood Avenue, Town of Brighton, New York to consider the adoption of the proposed 2015 Assessment Rolls for Service Charges, Maintenance Charges, Capital Improvements and Sewer Rent Charges for Special Improvement Districts within the Town.

Dated: August 13, 2014

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

July 28, 2014

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

Re: Public Hearings for the 2015 Town and Special Districts Budgets

Dear Honorable Members:

The Town is required under Section 239 of Town Law to hold at least one public hearing prior to the adoption of the 2015 Special District Budgets to review the Assessment Roll for Special District charges and Sewer rents. The Town is also required under Section 108 of Town Law to hold at least one public hearing prior to adopting the 2015 Town Operating and Capital Improvement Budgets to review the preliminary budget. Such hearings must be held prior to December 10, 2014.

Historically, the Town has provided two separate public hearings in October before the adoption of the budget to allow for appropriate community input. Therefore, I recommend that your Honorable Town Board hold two Public Hearings for the above mentioned issues at the regularly scheduled Town Board meetings of October 8, 2014 and October 22, 2014.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne E. Zaso".

Suzanne E. Zaso  
Director of Finance

cc: Andrew Robinson, Budget Officer  
Daniel Aman, Town Clerk

EXHIBIT NO. 11

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that the Town Board hereby reappoints Paul Tankel of 70 Penarrow Road in the Town of Brighton as a member of the Sustainability Oversight Committee for a two year term commencing September 1, 2014 and ending August 31, 2016.

Dated: August 13, 2014

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 29, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute an agreement with Mayer Hardware Inc. for provision of various hardware items used by the Town for 2014 with the option to extend the agreement for four additional one-year terms pending future budget allocation and approval by the Supervisor or his designee, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an agreement with Mayer Hardware Inc. for provision of various hardware items used by the Town for 2014 with the option to extend the agreement for four additional one-year terms pending future budget allocation and approval by the Supervisor or his designee, without further Town Board action, subject to the review and approval of the agreement by the Attorney to the Town.

Dated: August 13, 2014

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

July 29, 2014

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

re: Award of Annual Hardware Contract

Dear Chairman Werner and Committee Members:

I recommend that an award for the above services be approved to the low, responsive and responsible bidder, Mayer Hardware, Inc. in an amount not to exceed \$7,500.00. It is further recommended that it also be authorized to have the option to renew this contract for an additional four one year periods as stipulated in the contract proposal. Funds are available in the 2014 budget, A.DPW 1620 4.11 account, for this purpose. Requests for quotations were also solicited from Monroe Hardware, Wilson Hardware, Home Depot (2) and Lowe's for this service, however, they were non responsive.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled August 5, 2014 meeting in the event that you have any questions regarding this matter.

Very truly yours,

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

TEK/wp

attachment

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



TOWN OF BRIGHTON  
MONROE COUNTY, NEW YORK

RECEIVED  
JUL 25 2014

TOWN OF BRIGHTON  
DEPT. OF PUBLIC WORKS  
BID FOR HARDWARE, HAND TOOLS, GARDEN TOOLS, PAINT ELECTRICAL  
SUPPLIES AND MISCELLANEOUS BUILDING SUPPLIES

**intent:** The Town of Brighton requests your bid for the furnishing of hardware, hand tools, garden tools, paint, electrical supplies and miscellaneous building supplies for use by the Town of Brighton, in quantities as ordered during calendar year 2014. The Town reserves the right to continue purchase of such items under applicable State, County, City and Town contracts and the Town's procurement policy. This contract is intended to meet the Town's requirements for unplanned, miscellaneous purchases.

**materials:** All materials to be guaranteed to be new and unused. All equipment for which there is a listing service shall bear a UL label.

**quantities:** The estimated, total dollar volume per year is \$7,500, but no minimum quantity is guaranteed.

**maximum, gross price per item:** one hundred (\$100) dollars.

**maximum, net price per transaction:** four hundred (\$400) dollars.

**bidder qualifications:** In recognition of the cost of the pickup by Town employees, the location bid must lie within a five-air-mile radius of the Brighton Town Hall. Bidders must carry a full range (as determined by the Commissioner of Public Works) of hardware, hand tools, paint, electrical and building repair supplies.

**bid security:** A bid bond or certified check in the amount of \$350 must accompany all bids. This security will be returned to all but the two apparent, lowest bidders within three (3) business days of bid opening. The security of the two lowest bidders will be held until the awarded Contractor has accepted the blanket purchase order.

**term:** execution until 12/31/14. Renewable thereafter (with no changes in terms and conditions) for up to four, one-year terms, by the Town.

**payment:** Payment will be made upon satisfactory completion of all work, and thereafter within 30 days of the submission of an invoice. Contractor must accept a Town purchase order. Contractor to furnish receiving slip(s) with each invoice, each to be signed by Town employee (with name printed as well). Contractor to sort and total receiving slips by purchase order. Invoice shall refer to specific receiving slips. Invoice shall show list prices, discount, and net prices for each item.

**delivery:** is not included. All items to be picked up by Town employees.



**employee identification:** Town to provide a list of authorized employees for use by the Contractor. Contractor to request positive identification of purchasers as Town employees, and are to deny purchase to those that cannot furnish same or to those whose name does not appear on the authorized employee list.

**bid:** shall be a single, percentage discount (to two decimal places; e.g., eighteen percent would be expressed as .18) from the price available to the general public for all materials furnished. The discount will be applicable to sale merchandise and to coupon transactions. The price shall include all labor, fringe benefits, materials, equipment rental, insurance, fuel, profit, etc. . The Town is tax-exempt, and taxes are not to be included. Discount bid quoted shall be good for the duration of the contract. The enclosed bid form shall be completed in full.

**award:** shall be based upon qualifications, compliance with specifications and upon the lowest percent discount. The Town reserves the right to waive minor informalities and to reject all bids.

**non-collusive bidder's certificate:** to be submitted with each bid.

**purchase contract:** The bidder shall also complete his portion of the enclosed purchase contract. Upon award by the Town Board, and if the bidder is selected, that document will become our agreement.

**submission:** An original of the bid should be sent to: Timothy E. Keef, Commissioner of Public Works, Town of Brighton, 2300 Elmwood Avenue, Rochester, New York, 14618, by 4:00 PM on Friday, July 25, 2014. Please direct any questions to Kevin Hall, Facilities Manager, at 585-784-5230. Thank you for your interest in the proposal.

SECTION 00480  
Noncollusive Bidding Certificate

In Compliance with Section 103 of the General Municipal Law

By submission of this bid, the bidder and each person signing on behalf of the bidder certifies, and in the case of a joint bid each party hereto certifies as to its own organization, under the penalty of perjury, that to the best of knowledge and belief:

- A) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- B) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- C) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- D) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf; and
- E) That attached hereto (if a corporate bidder) is a certified copy of the resolution authorizing the execution of this certificate by the signatory of this bid or proposal in behalf of the corporate bidder.

A bid shall not be considered for award nor shall any award be made where (A), (B), (C), (D) and (E) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (A), (B), (C), (D) and (E) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

(SEAL OF CORPORATION)

MAJOR HARDWARE, INC.  
(Name of Corporation)

Signature *[Handwritten Signature]*

Title Contractor

Address 226 Winter Rd. N.  
Rehobster Ny 14610

Sworn to and subscribed before me this 24 day of July, 2014.

Thomas Michael Green  
Notary Public

THOMAS MICHAEL GREEN  
Notary Public in the State of New York  
MONROE COUNTY, NY  
Commission Expires March 30, 2016

*[Handwritten Initials]*

**Bid Sheet - Furnishing of Hardware, Hand tools, Garden tools, Paint, Electrical Supplies and Misc. Building Supplies (2014)**

The undersigned offers to take in full payment, for the supplies and materials specified, the public price less the following discount:

FIFTEEN Percent Discount  
(Discount in words)

In numerals: 15 Percent Discount

Note:

1. All deviations must be clearly and completely outlined on the Date Sheet.
2. A non-collusive bidding certificate must accompany all bids.
3. The Town reserves the right to reject any or all bids, to waive any minor informalities and/or minor deviations, as it sees fit.

Signed: PEL 1/12

Title: Controller

Representing: MAYER HARDWARE INC.

Address: 226 WINDON RD NORTH

Telephone: 258-7665 Email: mayerhardware@coxhosted.rr.com

Date: 7/24/14

# PURCHASE CONTRACT

I, PETER HEIER (print name), do hereby certify that I am the

CONTROLLER (print title) for the bidder, and that I am authorized to sign this document on behalf of the bidder. Should the Town Board of the Town of Brighton resolve to select our bid and to award this contract to our firm, the bidder hereby agrees to supply all materials in complete accord with the contract documents. I also understand that these documents will become the official purchase contract, and that the Bidder must supply all goods and services to the Town's complete satisfaction prior to receiving payment.

Signed: Peter Heier

Title: CONTROLLER

Entity: MAYER HARDWARE INC

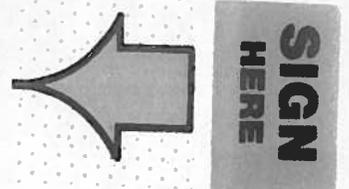
Date: 7/24/14

**Accepted by the Town:**

By: \_\_\_\_\_

William W. Moehle, Supervisor

Date: \_\_\_\_\_



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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 28, 2014 from Chief of Police Mark T. Henderson regarding a request to authorize the acceptance of a donation of \$50.00 to the Brighton Police Department by Walter J. Narog, Jr., be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the acceptance of a donation of \$50.00 to the Brighton Police Department by Walter J. Narog, Jr. and expresses its gratitude for the same.

Dated: August 13, 2014

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

July 28, 2014

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

Dear Board Members:

Recently, the Police Department received a donation of \$50.00 from resident Walter J. Narog, Jr.

I request that the Town Board authorize the acceptance of this gift, and that the donation be recorded as revenue to the 2014 Police Department Operating Budget under A.POLCE.3120.2705 Gifts and Donations. I have attached a copy of my letter to Mr. Narog 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

MTH:dm  
attachment



received  
7-23-14

Brighton Police Dept.  
2300 Elmwood Ave.  
Rochester, NY 14618

Attn: Chief Mark Henderson

Greetings Chief,

Just wanted to take a moment to express my gratitude and appreciation for the time and effort you and your staff put in to develop the Brighton Citizen's Police Academy. Special thanks to Sgt. David Swancott for facilitating a most interesting and diverse eight week program. I have a much broader appreciation and respect for the BPD's role in the public safety sector, and a far better understanding of the mysteries of the legal system.

Thank you to all who took the time out of their leisure hours to present such a wonderful program. Sgt Fisher, Investigator Karch, the Monroe County Sheriff from the K-9 Unit, DA Doorley, Public Defender Donaher, Brighton Town Judges Morris and Falk, you all made an impact on my thoughts of what really goes on in your profession.

I have to thank my friend, Supervisor Bill Moehle, for mentioning the BCPA to me. Sure glad he did. I would recommend this program to anyone in our town. Truth be told, I'd like to attend again, especially the laser shooting at the Scottsville Rd. facility. I was surprised at how well I handled my controlled scenario. After all these years away from the military, it's good to know that I've still "got it." It has encouraged me to get that pistol permit moving and do some practice range work.

I'm enclosing a check for fifty dollars to the BPD. Please put it toward whatever cost pool seems appropriate. I know there are expenses in presenting this no fee program and I want to help in some small way. I would be proud display a BPD and/or MC Sheriff's bumper sticker if you have one.

Sincerely,

Walter J. Narog Jr.  
aka *Wally Moon*

xc: William Moehle

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 16, 2014 from junior Engineer Chad J. Roscoe regarding a request to authorize the Supervisor to execute a Storm Sewer Easement agreement with the owners of 40 and 50 Spier Avenue to allow the Town access to repair a failing drainage pipe, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a Storm Sewer Easement agreement with the owners of 40 and 50 Spier Avenue to allow the Town access to repair a failing drainage pipe, subject to a review and approval of the Easement Agreement by the Attorney to the Town.

Dated: August 13, 2014

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

7/16/2014

The Honorable Town of Brighton Town Board  
Town of Brighton  
2300 Elmwood Ave.  
Rochester, New York 14618

Re: 40 & 50 Spier Avenue  
Storm Sewer Easement

Dear Supervisor Moehle and Town Board Members:

The residents at 40 & 50 Spier Avenue have graciously granted the Town permission through an easement to repair a failing drainage pipe that ties into the Town's Storm Sewer System. A copy of the easement agreement, description and map are attached for your reference. The Town staff has reviewed the easement language, map and description and finds them acceptable.

I am requesting that the Town Board authorize the Supervisor to sign this easement which allows us to file it with the Monroe County Clerk's Office and to proceed with the project.

If you have any questions regarding this easement or project please contact me.

Sincerely,

Chad J. Roscoe  
Junior Engineer  
Department of Public Works

## STORM WATER DRAINAGE EASEMENT

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between **Gennady Tsvasman, Innesa Tsvasman** as the owner(s) of property known as **40 Spier Avenue, Rochester, New York, 14620, Tax ID 136.08-4-41**, situate in the Town of Brighton, Monroe County, New York, and all other individuals and corporations who may execute this instrument, first parties, and the Town Board of the Town of Brighton, a municipal corporation with offices at 2300 Elmwood Avenue, Rochester, Monroe County, New York, 14618, second parties,

### WITNESETH:

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

### SEE SCHEDULE "A" ATTACHED

to have and to hold the premises herein granted unto the second parties, their successors or assigns, with the following rights and privileges:

1. The perpetual easement granted hereunder is for the purpose of continuing, constructing, laying, maintaining, replacing or improving underground storm sewer collection piping and/or channels of such sizes as from time to time may be determined by the second parties, their successors or assigns, together with all necessary connections and other appurtenances for conveying and conducting through said storm sewer collection piping and/or channels; and the second parties, their successors, assigns, agents or contractors, shall have the right to enter upon said premises for the purposes aforesaid.
2. The second parties do hereby agree to indemnify and hold harmless the first parties, their agents, employees, grantees, successors or assigns, from loss or damage resulting from the exercise of its rights under this easement, except such damages as are due to the gross negligence of the first parties, their agents, employees, grantees, successors or assigns.

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

3. The first parties hereby reserve the right to pave, plant or maintain lawns, or other embellishments over underground pipes within the said easement, and when it is necessary for the second parties, agents or contractors to enter thereon for continuing, constructing, laying, maintaining, replacing or improving underground storm sewer collection piping and/or channels, connections or other appurtenances, they shall, and by acceptance of this easement, do agree to restore the property including but not limited to driveway, trees, shrubs, and utilities of the first parties to the same condition as before such work is or was done insofar as it is practicable and reasonable to do.
4. The second parties, their successors, assigns, agents or contractors may, at any time thereafter, remove trees or shrubs from the areas of the easement which they determine are interfering with the operation or maintenance of the storm sewer or drainage system or part thereof without liability to the first parties.
5. The second parties, their successors, assigns, agents or contractors may, at any time exercise the rights and privileges granted herein. Said rights and privileges do not convey or infer a duty by the second parties, their successors, assigns or contractors to remove or replace trees or shrubs that, in the opinion of the grantee, do not interfere with or obstruct the operation of the system. Furthermore, it shall not be the duty of the second parties, their successors, assigns, agents or contractors to perform routine property maintenance of the easement area outlined herein or maintain said area in a fashion that would typically be performed by the first parties in the normal course of the upkeep of the property
6. The first parties reserve the full use and enjoyment of the said premises except for the purposes herein granted to the second parties. The first parties covenant that the second parties shall quietly enjoy this easement and first parties warrant the title to same.

Any person or party not the record owner of the above described property who executes this instrument does so for the sole purpose or purposes of subordinating mortgages recorded in the Monroe County Clerk's Office in Liber **11046** of Deeds at Page **454** dated **7/13/1992**, owned by said person or party to the easement herein granted.

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

GRANTOR(S):

BY G. Tsvasman

[Gennady Tsvasman]

BY Innesa Tsvasman

[Innesa Tsvasman]

BY \_\_\_\_\_

STATE OF NEW YORK)

ss:

COUNTY OF MONROE)

On this 11<sup>th</sup> day of June, 2014, before me, the undersigned, personally appeared Gennady Tsvasman / Innesa Tsvasman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to within this instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

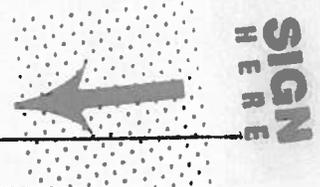
Sandra P. Witt  
Notary Public

SANDRA P. WITT  
Notary Public - State of New York  
No. 01-W16204010  
Qualified in Monroe  
My Commission Exp. 04/13/2017

GRANTEE:

BY \_\_\_\_\_

WILLIAM W. MOEHLE  
SUPERVISOR, TOWN OF BRIGHTON

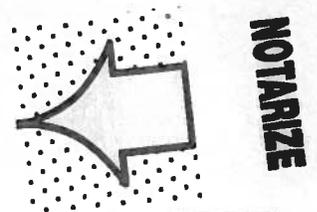


STATE OF NEW YORK)

ss:

COUNTY OF MONROE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, the undersigned, personally appeared WILLIAM W. MOEHLE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within this instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



\_\_\_\_\_

Notary Public

**Schedule 'A'**  
**Description of Proposed Storm Sewer Easement**  
**on**  
**40 Spier Avenue**  
**Tax ID. 136.08-4-41**  
**of the**  
**Highland Grove Subdivision**

All that tract or parcel of land being a part of Town Lot AR 150, Township 13, Range 7, 2<sup>nd</sup> Division, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Beginning at a point, that point being the southeasterly property corner of 136.08-4-41 (40 Spier Ave.) and the southwesterly property corner of 136.08-4-40 (50 Spier Ave.),

1. thence S 65°48'55" W a distance of 2.73';
2. thence S 76°24'55" W a distance of 17.62';
3. thence N 33°06'22" W a distance of 77.78';
4. thence N 56°53'38" E a distance of 11.15';
5. thence S 38°38'28" E a distance of 84.48'; which is the point of beginning, containing 0.029 acres, more or less.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**JOINT MUNICIPAL COOPERATIVE BIDDING PROGRAM**

WHEREAS, various educational and municipal corporations located within the State of New York desire to bid jointly for generally needed services and standardized supply and equipment items; and

WHEREAS, the Town of Brighton a municipal corporation (hereinafter the "Participant") is desirous of selectively participating with other educational and/or municipal corporations in the State of New York in joint bidding in the areas mentioned above pursuant to General Municipal Law § 119-o and Education Law Section 1950; and

WHEREAS, the Participant is a municipality within the meaning of General Municipal Law § 119-n and is eligible to participate in the Board of Cooperative Educational Services, First Supervisory District of Suffolk County (hereinafter Eastern Suffolk BOCES) Joint Municipal Cooperative Bidding Program (hereinafter the "Program") in the areas mentioned above; and

WHEREAS, the Participant acknowledges receipt of the Program description inclusive of Eastern Suffolk BOCES' standard bid packet and the general conditions relating to said Program; and

WHEREAS, with respect to all activities conducted by the Program, the Participant wishes to delegate to Eastern Suffolk BOCES the responsibility for drafting of bid specifications, advertising for bids, accepting and opening bids, tabulating bids, awarding the bids, and reporting the results to the Participant.

BE IT RESOLVED that the Participant hereby appoints Eastern Suffolk BOCES to represent it and to act as the lead agent in all matters related to the Program as described above; and

BE IT FURTHER RESOLVED that the Participant hereby authorizes Eastern Suffolk BOCES to place all legal advertisements for any required cooperative bidding in Newsday, which is designated as the official newspaper for the Program; and

BE IT FURTHER RESOLVED that a Participant Meeting shall be held annually consisting of a representative from each Program Participant. Notice of the meeting shall be given to each representative at least five (5) days prior to such meeting; and

BE IT FURTHER RESOLVED that an Advisory Committee will be formed consisting of five to ten representatives of Program Participants for a term of three (3) years as authorized by General Municipal Law §119-o.2.j.

BE IT FURTHER RESOLVED that this Agreement with the Participant shall be for a term of one (1) year as authorized by General Municipal Law §119-o.2.j.

BE IT FURTHER RESOLVED that the Participant agrees to pay Eastern Suffolk BOCES an annual fee as determined annually by Eastern Suffolk BOCES to act as the lead agent for the Program.

Dated: August 13, 2014

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

**Daniel Aman**  
Town Clerk/Receiver of Taxes

**David Marcus**  
Deputy Clerk / Deputy Receiver

**To: Christopher Werner, Chair, Finance & Admin Services Committee**  
**From: Daniel Aman, Town Clerk**  
**Date: August 4, 2014**  
**Re: Town of Brighton Multi Function Printers**

I am asking for the Town Board to pass the attached resolution from the East Suffolk BOCES to join their cooperative bidding group specifically for multi function printers. Additionally, I ask that the Board authorizes payment of a one time fee of \$510 to join the group. Participation in their program requires the adoption of the resolution as well as the fee.

The quote that we received from Toshiba for multi function printers was taken from this East Suffolk BOCES program. They also provided a quote without utilizing this program but the *monthly* expense was \$500 higher.

**Board of Cooperative Educational Services  
First Supervisory District of Suffolk County  
("Eastern Suffolk BOCES")**

**PROGRAM DESCRIPTION**

**Joint Municipal Cooperative Bidding Program – CoSer 612**

Description of the Program

Cooperative bidding is an alternative method of bidding that Eastern Suffolk BOCES can offer to local school districts and other municipalities. By using the Eastern Suffolk BOCES Joint Municipal Cooperative Bidding Program (hereinafter the "Program"), school districts, and other municipalities (hereinafter "Participants") may realize significant time allocation and cost savings within their purchasing functions. This method of bidding allows Participants to join with Eastern Suffolk BOCES to coordinate some or all of their bidding needs by cooperatively bidding goods and services for their mutual benefit. Eastern Suffolk BOCES will assign a Program Coordinator to administer the Program. The Program is offered pursuant to General Municipal Law §119-o and Education Law §1950.

Benefits of the Program

Participants may benefit from cooperative bidding activities with Eastern Suffolk BOCES in many ways, including the following:

1. **Lower (shared) administrative costs:** By eliminating duplicative efforts, Participants may save on administrative and clerical time as well as copying and legal publishing costs;
2. **Improved response from vendors:** Vendors may realize they are bidding on a potentially larger quantity and may be encouraged to compete for the purchase award. In addition, the bid solicitations may attract a broader range of vendors. Greater competition may lead to lower bid prices;
3. **Better product specifications:** Combining the knowledge and experience of all Participants in the Program may result in developing better bid specifications for goods and services; and
4. **Better compliance with State statutes on purchasing:** Since many purchases are subject to competitive bidding, cooperative bidding activities coordinated by Eastern Suffolk BOCES will potentially foster better compliance with bidding statutes and produce heightened awareness of legal requirements.

Participation in the Program

1. Participation in the Program must be evidenced by the adoption of either of the two attached (Exhibit 1 and Exhibit 2) Joint Municipal Cooperative Bidding Program Resolutions by the governing body of the Participant before its acceptance to the Program. A Participant

enrolling in the Program must file said resolution with Eastern Suffolk BOCES by July 31 of the school year in which it wishes to participate in awards of the Program.

2. The costs of operation of the Program will be prorated and will be paid by the Participant to Eastern Suffolk BOCES as an annual fee, payable over a period of ten (10) months commencing in September.
3. Eastern Suffolk BOCES shall act as the lead agency for Program Participants. Eastern Suffolk BOCES shall be responsible for drafting of bid specifications, advertising for bids, accepting and opening bids, tabulating bids, either recommending or awarding the bids dependent upon which resolution is filed, and reporting the results to the Participants.
4. A Membership Committee shall be formed to assist Eastern Suffolk BOCES. The Membership Committee shall consist of one (1) representative from each Participant. The Membership Committee shall meet at least annually.
5. An Advisory Council shall be formed pursuant to the guidelines in Exhibit 3.
6. Bids will be developed by Eastern Suffolk BOCES based upon categories determined pursuant to applicable procedures.
7. An invitation to bid, with a statement of requirements and general conditions, will be sent to vendors, and advertised pursuant to General Municipal Law § 103.
8. Eastern Suffolk BOCES will place all legal advertisements for such cooperative bidding in Newsday, which shall be designated as the official newspaper for the Program.
9. Bids received before the designated time for opening will remain sealed and confidential until the designated time for opening. Sealed envelopes containing the bids will be stamped to indicate the date, time, and place of receipt. A bidder may seek to change his/her bid before the bids are opened. If this occurs, there will be no objection on the part of the Program Coordinator, provided the revised bids are received prior to the time and date specified in the bid opening. Bids received after the time and date specified for bid opening shall be refused and returned to the bidder.
10. Awards will be recommended and/or made by Eastern Suffolk BOCES to the lowest responsible bidder who meets the specifications. Participants that elect not to delegate awarding authority to Eastern Suffolk BOCES are responsible for making all bid awards through their governing body.
11. Participants in the Program shall issue their own purchase orders when purchasing from an award of the Program and accept full responsibility for all payments due the vendor relating to said purchase orders.
12. Eastern Suffolk BOCES, as the lead agent, will comply with notice requirements imposed by New York State Labor Law § 220 after awarding a public works contract. All Participants

utilizing such an award are also individually responsible for notifying the Department of Labor of the name and address of the contractor, the date a contract was let, and the consideration stipulated in the contract, as well as following any other prevailing wage laws.

13. Participants in the Program may not deviate from the terms of the bid specifications when utilizing an award of the Program and will notify Eastern Suffolk BOCES of any material deviations by the vendor from the bid specifications.
14. School districts or other municipalities may only utilize awards of the Program if they are a member at the time of bid award.
15. Eastern Suffolk BOCES supports their bids through vendor issue resolution and manages any legal issue that may arise.

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated August 4, 2014 from Town Clerk Daniel Aman regarding a request to authorize the Supervisor to execute a contract with Toshiba and the "Solution Proposal" dated July 30, 2014 from Toshiba attached to said memorandum, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an agreement with Toshiba for the acquisition of the equipment outlined in the above referenced "Solution Proposal" under the Eastern Suffolk BOCES Pricing (Bid # 2013-044-0530) subject to the review and approval of said agreement or agreements by the Attorney to the Town.

Dated: August 13, 2014

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

**Daniel Aman**  
Town Clerk/Receiver of Taxes

**David Marcus**  
Deputy Clerk / Deputy Receiver

**To: Christopher Werner, Chair, Finance & Admin Services Committee**  
**From: Daniel Aman, Town Clerk**  
**Date: August 4, 2014**  
**Re: Town of Brighton Multi Function Printers**

Several months ago we assembled a group of stakeholders from the various departments across the Town to investigate options for replacing our current fleet of Xerox multi function printers which were coming off lease in July. Staff went on several field trips to get a first hand look at machines from Konica, Toshiba and Xerox. We also met with representatives from Canon.

Looking at the evolving needs of the staff across the Town (and with discussions with department heads), the group is recommending all color machines. There will also be one new machine in the Engineering office that was not on the Xerox contract. This will replace a color printer that failed several years ago.

The equipment costs plus the cost per copy rates based on estimated volumes – even with the addition of the Engineering machine and adding color to the machines that are currently black & white only - are expected to save the Town \$70 a month.

After seeing the machines first hand and after analyzing the pricing information in the attached spreadsheets, the group is recommending that the Town Board authorize the Supervisor to sign an agreement with Toshiba. See attached proposal.

# Solution Proposal

## ❖ Town of Brighton

*Prepared By: John Leonard*

*Sr. Document Imaging Consultant  
Phone: (585) 697-5520*

*Date: July 30, 2014*



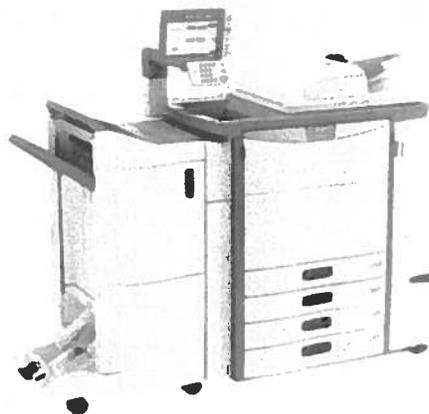
**TOSHIBA**  
BUSINESS SOLUTIONS  
New York

**Toshiba e-Studio 5560CT Color MFP**

**Possible Placements for:  
Town Reception, Recreation, Police**

Featuring:

- **55 B&W Images per minute**
- **55 Color Images per minute**
- 100 Sheet Reversing Automatic Doc Feeder
- 10.4" Color LCD Touch Panel
- 77 Scans per minute (Color & B&W)
- 2,400 x 600 dpi printing
- (2) 540 sheet paper cassettes
- 2,340 Sheet Large Capacity Cassette
- 100 sheet bypass tray
- Up to 140 index through drawers
- Up to 47" Banner Size Output
- **Multi-Position Finisher/Stapler**
- **Hole Punch Unit**
- 160 GB Hard Disc Drive
- AES Hard Drive Encryption
- E-Bridge Print/Scan Controller
- PCL6, Postscript 3 (Standard)
- Color Scanning
- Color Scan Preview
- Omit Blank Page
- Scan to File/Email (PDF, Tiff, JPEG, Slim PDF)
- USB Direct Scan & Print
- **Fax Module**



**Pricing: Toshiba e-Studio 5560CT**

**Eastern Suffolk BOCES Pricing  
Bid # 2013-044-0530**

**Toshiba e-Studio 5560CT Color MFP:**

<b>Purchase Price</b>	<b>\$6,761.70</b>
<b>36 Month DPP</b>	<b>\$187.83/mth</b>
<b>48 Month DPP</b>	<b>\$140.87/mth</b>

**TOS Service Agreement:**

Covers: all service calls, preventative maintenance calls, all labor, Travel, parts, and supplies including **toner, color toner, developer and drums**. Excludes staples and paper. Includes the Toshiba Commitment to Quality Guarantee.

<b>All B&amp;W Images to be billed monthly at</b>	<b>\$.0040/image</b>
<b>All Color Images to be billed monthly at</b>	<b>\$.0432/image</b>

**Options**

<b>Network Connectivity &amp; Training</b>	<b>Included</b>
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- **Eastern Suffolk BOCES Pricing requires onetime \$500.00 Participation Fee**

**Toshiba e-Studio 3555C Color MFP**

**Possible Placements for:  
Highway Dept, DPW Public Works, Library**

Featuring:

- **35 B&W Images per minute**
- **35 Color Images per minute**
- **Reversing Automatic Document Feeder**
- **(2) 550 Sheet paper cassette**
- **2,000 Sheet Large Capacity Tray**
- **100 sheet bypass tray**
- **Up to 110 lb index through bypass**
- **Envelope Printing from bypass**
- **Automatic Vertical Duplexing**
- **Inner Finisher/Stapler**
- **Hole Punch Unit**
- **2 GB RAM, 160 GB HDD**
- **AES Hard Drive Encryption**
- **e-File Document Storage**
- **Department Management Codes**
- **E-Bridge Print/Scan Controller**
- **73 Scans per minute for B&W and Color**
- **PCL6, Postscript 3**
- **Omit Blank Page**
- **Scan to File (PDF, TIFF, JPEG, Secure PDF, Slim PDF)**
- **Scan to Email (PDF, TIFF, JPEG, Secure PDF, Slim PDF)**
- **Fax Module**
- **Fax Forwarding**



**Pricing: Toshiba e-Studio 3555C**

**Eastern Suffolk BOCES Pricing  
Bid # 2013-044-0530**

**Toshiba e-Studio 3555C Color MFP:**

<b>Purchase Price</b>	<b>\$5,218.92</b>
<b>36 Month DPP</b>	<b>\$144.97/mth</b>
<b>48 Month DPP</b>	<b>\$108.72/mth</b>

**TOS Service Agreement:**

Covers: all service calls, preventative maintenance calls, all labor, Travel, parts, and supplies including **toner, color toner, developer and drums.** Excludes staples and paper. Includes the Toshiba Commitment to Quality Guarantee.

<b>All B&amp;W Images to be billed monthly at</b>	<b>\$.0040/image</b>
<b>All Color Images to be billed monthly at</b>	<b>\$.0478/image</b>

**Options**

<b>Network Connectivity &amp; Training</b>	<b>Included</b>
--	-----------------



- **Eastern Suffolk BOCES Pricing requires onetime \$500.00 Participation Fee**

**Toshiba e-Studio 356 B&W MFP**

**Possible Placements for:  
Court Clerk**

**Featuring:**

- **35 B&W Images per minute**
- Reversing Automatic Document Feeder
- (2) 550 Sheet paper cassette
- 2,000 Sheet Large Capacity Tray
- 100 sheet bypass tray
- Up to 110 lb index through bypass
- Envelope Printing from bypass
- Automatic Vertical Duplexing
- **Inner Finisher/Stapler**
- **Hole Punch Unit**
- 1 GB RAM, 60 GB HDD
- AES Hard Drive Encryption
- e-File Document Storage
- Department Management Codes
- E-Bridge Print/Scan Controller
- 57 Scans per minute for B&W and Color
- PCL6, Postscript 3
- Omit Blank Page
- Scan to File (PDF, TIFF, JPEG, Secure PDF, Slim PDF)
- Scan to Email (PDF, TIFF, JPEG, Secure PDF, Slim PDF)
- Fax Module
- Fax Forwarding



**Pricing: Toshiba e-Studio 356**

**Eastern Suffolk BOCES Pricing  
Bid # 2013-044-0530**

**Toshiba e-Studio 356 B&W MFP:**

<b>Purchase Price</b>	<b>\$3,181.44</b>
<b>36 Month DPP</b>	<b>\$88.37/mth</b>
<b>48 Month DPP</b>	<b>\$66.28/mth</b>

**TOS Service Agreement:**

Covers: all service calls, preventative maintenance calls, all labor, Travel, parts, and supplies including **toner, color toner, developer and drums**. Excludes staples and paper. Includes the Toshiba Commitment to Quality Guarantee.

**All B&W Images to be billed monthly at** **\$\$.0040/image**

**Options**

**Network Connectivity & Training** **Included**



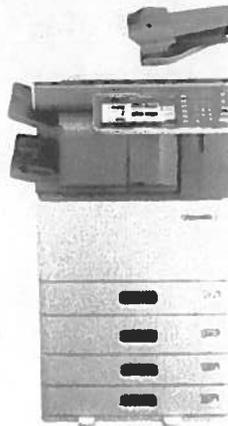
- **Eastern Suffolk BOCES Pricing requires onetime \$500.00 Participation Fee**

**Toshiba e-Studio 2555C Color MFP**

**Possible Placement for:  
DPW Engineering**

**Featuring:**

- **25 B&W Images per minute**
- **25 Color Images per minute**
- Reversing Automatic Document Feeder
- (2) 550 Sheet paper cassette
- 2,000 Sheet Large Capacity Tray
- 100 sheet bypass tray
- Up to 110 lb index through bypass
- Envelope Printing from bypass
- Automatic Vertical Duplexing
- **Electronic Sorting**
- 2 GB RAM, 160 GB HDD
- AES Hard Drive Encryption
- e-File Document Storage
- Department Management Codes
- E-Bridge Print/Scan Controller
- 73 Scans per minute for B&W and Color
- PCL6, Postscript 3
- Omit Blank Page
- Scan to File (PDF, TIFF, JPEG, Secure PDF, Slim PDF)
- Scan to Email (PDF, TIFF, JPEG, Secure PDF, Slim PDF)



**Pricing: Toshiba e-Studio 2555C**

**Eastern Suffolk BOCES Pricing  
Bid # 2013-044-0530**

**Toshiba e-Studio 2555C Color MFP:**

<b>Purchase Price</b>	<b>\$3,505.79</b>
<b>36 Month DPP</b>	<b>\$97.38/mth</b>
<b>48 Month DPP</b>	<b>\$70.04/mth</b>

**TQS Service Agreement:**

Covers: all service calls, preventative maintenance calls, all labor, Travel, parts, and supplies including **toner, color toner, developer and drums**. Excludes staples and paper. Includes the Toshiba Commitment to Quality Guarantee.

<b>All B&amp;W Images to be billed monthly at</b>	<b>\$.0042/image</b>
<b>All Color Images to be billed monthly at</b>	<b>\$.0488/image</b>

**Options**

<b>Network Connectivity &amp; Training</b>	<b>Included</b>
--	-----------------



- **Eastern Suffolk BOCES Pricing requires onetime \$500.00 Participation Fee**

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 13th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated August 4, 2014 from Town Clerk Daniel Aman regarding a request to authorize the Supervisor to execute a contract with Business Automation Services, Inc. for software at a cost to the Town for the first year not to exceed \$1740.00 so as to allow for online dog license renewals by Town residents, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an agreement with Business Automation Services, Inc. for software at a cost to the Town for the first year not to exceed \$1740.00 so as to allow for online dog license renewals by Town residents, subject to the review and approval of said agreement by the Attorney to the Town.

Dated: August 13, 2014

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

**Daniel Aman**  
Town Clerk/Receiver of Taxes

**David Marcus**  
Deputy Clerk / Deputy Receiver

**To: Christopher Werner, Chair, Finance & Admin Services Committee**  
**From: Daniel Aman, Town Clerk**  
**Date: August 4, 2014**  
**Re: Online Dog Licensing**

I am looking to offer an online dog license renewal option to our residents. This would allow any residents with current rabies vaccinations to renew their dog's license online with a credit card. If a vaccination is not current, they will still need to renew in person or via mail.

The fees for this system will be \$1740 for the first year. There are one-time setup and training costs totaling \$240 and annual maintenance fees of \$600.



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7/11/2014

# TOWN OF BRIGHTON

## CLERK LICENSING SYSTEM QUOTATION

<u>SOFTWARE/SERVICES:</u>	<u>Cost</u>
Clerk Licensing System (+30,000 population)	
Online Dog Licensing	\$1,000
System Configuration, Installation & Training (Remote Training)	\$240
Annual Software Hosting & Maintenance Fee	\$600
Subtotal:	\$1,840
Less 10% Customer Loyalty Allowance: (software only)	-\$100
<b>Total 1<sup>st</sup> Year Investment:</b>	<b>\$1,740</b>

Please Note: This Quote is Valid for 90 Days

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 13th day of August, 2014

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**WHEREAS**, the Town's Special Events Local Law authorizes the Town Board to set a period, not to exceed fourteen days in duration each year, as a Special Events period under Chapter 207 of the Town Code, during which time, various activities that would otherwise be prohibited in certain zoning districts are permitted, in order to allow businesses to engage in publicity and other activities; and

**WHEREAS**, the Town Board desires to set such dates in conjunction with the Brighton Chamber of Commerce and Brighton Central School District Homecoming celebration, which is being held September 19, 2014; it is therefore

**RESOLVED**, that the Town Board hereby designates September 11, 2014 through September 24, 2014 as the Special Events period for 2012, pursuant to Article VII of Chapter 207 of the Brighton Town Code, during which time the activities set forth in Section 207-37 of the Town Code will be permitted in the zoning districts described in Section 207-36 of the Town Code, without further reviews, approvals or permits, subject to the provisions of such Special Events Law.

Dated: August 13, 2014

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