

MINUTES OF TOWN BOARD MEETING  
 OF THE TOWN OF BRIGHTON, COUNTY OF  
 MONROE, NEW YORK, HELD AT THE  
 BRIGHTON TOWN HALL, 2300 ELMWOOD  
 AVENUE, ROCHESTER, NEW YORK  
 September 23, 2014

**PRESENT:**

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

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 7:05 AM:****OPEN FORUM:**

Marge Alaimo

**APPROVAL OF AGENDA AS AMENDED:**

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve the agenda as amended

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to approve the agenda as amended for the second time

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

**MATTER RE:** Receive and file Negative Declaration, Affidavit of Notice and authorize approval to establish proposed Susquehanna & Northumberland Road Storm Drainage District (see Resolution #1, letter from Ramsey Boehner, Environmental Review Liaison Officer and associated documents).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Receive and file Affidavit of Notice and letter dated September 15, 2014 from George Vasho and authorize approval to establish proposed Clovercrest Drive Sidewalk Snowplow District (see Resolution #2).

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:** Receive and file Affidavit of Notice and authorize approval to establish proposed Thackery Road Sidewalk Snowplow District (see Resolution #3).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Receive and file Affidavit of Notice and authorize approval to establish proposed Thackery Road Refuse District (see Resolution #4).

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:** Approval to solicit for proposals for construction services to provide boat dock and boat put-in at the Reserve Subdivision site at the Canal (see Resolution #5 and letter dated September 9, 2014 from Michael Guyon, P.E. Town Engineer).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**From** Chris Mueller Dir. Local Franchising, Time Warner Cable regarding channels about to expire that may or may not be renewed.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services – Next meeting October 27, 2014 at 4:30 PM at Brookside  
Finance and Administrative Services – Next meeting September 30, 20214 at 3:30 PM in Stage Conference Room  
Public Safety Services – Next meeting October 14, 2014 at 8:00 AM in Downstairs Meeting Room  
Public Works Services – Next meeting October 6, 2014 at 9:00 AM in Downstairs Meeting Room

**NEW BUSINESS:**

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

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Andrew Robinson, Budget Director presenting to Town Board the Supervisors proposed 2015 Preliminary Operating and Capital Improvement Budgets for the Town

(Preliminary Budgets will be available for public viewing on the Town's Website, in the Town Clerk's office and the Brighton Memorial Library on September 24, 2014).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the aforementioned 2015 Preliminary Budget be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute inter-municipal agreement with Monroe County to provide tobacco compliance check services (see resolution #6 and letter dated September 4, 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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorization to accept legislative justice grant funding in the amount of \$10,000 to be used for purchase of covert speed detection and traffic data collection devices and (2) hand held laser radar devices along with approval to appropriate funds within the 2014 budget (see Resolution #7 and letter dated September 16, 2014 from Police Chief Mark Henderson).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to dispose of, through municipal auction program, surplus highway equipment (see Resolution #8 and letter dated September 12, 2014 from Timothy Anderson, Deputy Highway Superintendent).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute Supplemental Consultant Agreement #4 with Fisher Associates for additional right-of-way services associated with the Highland Crossing Trail project at a cost of \$14,832.50 along with approval to transfer such funding from a particular account to support same (see Resolution #9 and letter dated September 9, 2014 from Michael Guyon, P.E. Town Engineer).

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. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with the Burke Group to provide actuarial services for the valuation of Other Post- Employment Benefits (OPEB) for the fiscal year ending 12/31/14 (see Resolution #10 and memorandum dated September 15, 2014 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize and adopt post issuance compliance policies and procedures related to the Town's tax exempt obligations pursuant to Section 103 of the IRS code of 1986 (see Resolution as prepared by Town Bond Counsel and memorandum dated September 15, 2014 from Suzanne Zaso (Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to transfer balance of Sewer District Account funds to a particular General Sewer Account balance to support the MCC Sanitary Sewer Boring project (see Resolution #11 and letter dated September 16, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to amend the 2014 Police Department operating budget to appropriate seized assets funding in the amount of \$3,665.00 to support purchase of particular field use, computer equipment (see Resolution #12 and letter dated September 16, 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. 14 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Set public hearing date of October 22, 2014 for consideration of proposed Local Law#7 of 2014 Fire Protection Systems Licensure and corresponding fee schedule (see Resolution #13 and letter dated September 17, 2014 from Timothy Keef, P.E. Commissioner of Public Works and proposed Local Law).

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. 15 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Appoint Ronald M. Wexler as Chairperson of the Sustainability Oversight Committee effective immediately through December 31, 2015 (see Resolution #14)

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

**MEETING ADJOURNED AT 9:24 PM:**

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to adjourn

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**CERTIFICATION:**

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 23<sup>rd</sup> day of September, 2014 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, a Petition pursuant to Town Law Section 190 to establish a Storm Drainage District on Susquehanna Road and Northumberland Road as more particularly described in said Petition was previously received and filed; and

**WHEREAS**, a public hearing was duly called and held in such matter on September 23, 2014; and

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

**NOW THEREFORE, BE IT ORDERED**, the Town Board, as lead agency under SEQRA has given due deliberation to the matter and hereby determines that the proposed action will not have a significant effect on the environment and has previously issued a Negative Declaration under the State Environmental Quality Review Act with respect to said proposed district; and be it further

**ORDERED**, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 190 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district; (3) that it is in the public interest to grant the relief sought therein;

and be it further

**ORDERED**, that the said Petition to establish a Storm Drainage District on Susquehanna Road and Northumberland Road as more particularly described in said Petition be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

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

Dated: September 23, 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 27, 2014

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

Re: Negative Declaration - Susquehanna Rd and Northumberland Rd Drainage District

Honorable Supervisor and Members:

I recommend that your Honorable Body receive and file this letter and the attached negative declaration for the Susquehanna Rd and Northumberland Rd Drainage District.

Based on documentation prepared by Town staff, it has been determine that the proposed drainage district 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  
M. Guyon  
attachments :



State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-12-14

**Date:** September 10, 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:** Susquehanna Rd & Northumberland Rd Drainage District

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** The Town of Brighton will be installing approximately 725 LF of storm drainage along the backyards of 238,246, 252, 260, 268, 276 Susquehanna Rd and 101, 109, 117, 125, 133, 141 Northumberland Road and in a portion of Susquehanna Road that ties into the existing storm sewer. This project will reduce the localized flooding that is occurring in the backyards of said properties

**Location:** backyards of 238,246, 252, 260, 268, 276 Susquehanna Rd and 101, 109, 117, 125, 133, 141 Northumberland Road and in a portion of Susquehanna Road that ties into the existing storm sewer

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Part II) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton 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. Creation of the Drainage District to include real property will not adversely impact the storm sewer system or the character of the community.

3. The NYSDEC EAF Mapper noted an environmental remediation site adjoining the project site. The closest known site is EMC Site #24 on Monroe Avenue, which is located +/- 1,300 feet from the project site. Based on the nature of the project and the distance from the waste site, the project should have no impact on the EMC site nor the EMC site on the project.
4. 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

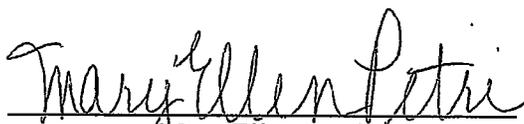
Telephone: 585-784-5229

**AFFIDAVIT OF MAILING**

STATE OF NEW YORK  
Monroe County

Mary Ellen Petri being duly sworn, deposes and says that s/he 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 9/05/14 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  
5<sup>th</sup> day of SEPTEMBER, 2014

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

**DANIEL E. AMAN**  
Notary Public - State of New York  
Monroe County - 01AM6303724  
Commission Expires: May 19, 2018

**Thomas Foster & Melissa M Miller  
OR CURRENT RESIDENT  
141 Northumberland Rd  
Rochester, NY 14618**

**Dana J Goldstein  
OR CURRENT RESIDENT  
133 Northumberland Rd  
Rochester, NY 14618**

**Evelyn R Ofowitz  
OR CURRENT RESIDENT  
125 Northumberland Rd  
Rochester, NY 14618**

**Elizabeth J Hughes  
OR CURRENT RESIDENT  
276 Susquehanna Rd  
Rochester, NY 14618**

**Sasha Levy  
OR CURRENT RESIDENT  
268 Susquehanna Rd  
Rochester, NY 14618**

**Ronald N Salzman & Susan Salzman  
OR CURRENT RESIDENT  
260 Susquehanna Rd  
Rochester, NY 14618**

**Nora C Flowers  
OR CURRENT RESIDENT  
252 Susquehanna Rd  
ROCHESTER, NY 14618**

**James Howe & Lisa Howe  
OR CURRENT RESIDENT  
246 Susquehanna Rd  
Rochester, NY 14618**

**James C Strauch  
OR CURRENT RESIDENT  
238 Susquehanna Rd  
Rochester, NY 14618**

**James Bernhardt & Melaney Bernhardt  
OR CURRENT RESIDENT  
117 Northumberland Rd  
Rochester, NY 14618**

**Matthew M Thrall & Christina T Thrall  
OR CURRENT RESIDENT  
109 Northumberland Rd  
Rochester, NY 14618**

**David M Hastings & Nicole Lueck  
OR CURRENT RESIDENT  
101 Northumberland Rd  
Rochester, NY 14618**

ment of a Storm Drainage District on Susquehanna Road and Northumberland Road as described in the above documents on September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue Brighton, New York and hereby directs the Town Clerk to publish notice of said hearing as is required by law. So. 11 02545263

NEW YORK  
County

**STATE OF NEW YORK  
Monroe County**

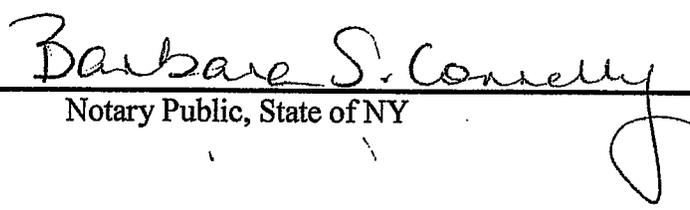
**Leslie Smith** being duly sworn, deposeth and saith that she  
is the bookkeeper for  
**BRIGHTON-PITTSFORD POST**  
**Newspaper**

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

**SEPTEMBER 11, 2014  
ENDING ON  
SEPTEMBER 11, 2014**

  
Foreman of the Publisher

Subscribed and sworn on before me,  
**This 12TH day Of SEPTEMBER 2014**

  
Notary Public, State of NY

Legal # 02545263

**BARBARA S. CONNELLY**  
Notary Public In The State Of New York  
Monroe County  
Commission Expires Jan 21, 2018

**LEGAL NOTICE**  
At a Special Meeting of the Town Board 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 24th day of August, 2014.  
PRESENT: WILLIAM W. MOEHLE, Supervisor; JAMES R. VOGEL, LOUISE N. O. V. R. O. S. CHRISTOPHER K. WERNER, JASON S. DIPON, ZIO, Councilpersons.  
RESOLVED, that a Petition pursuant to Town Law Section 190 to establish a Storm Drainage District on Susquehanna Road and Northumberland Road as more particularly described in said Petition and that correspondence dated August 19, 2014 from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 21, 2014 regarding said district and the other attachments submitted therewith be received and filed and be it further  
RESOLVED, that the Town Board pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establish

At a Special Meeting of the Town Board 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 24th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a Petition pursuant to Town Law Section 190 to establish a Storm Drainage District on Susquehanna Road and Northumberland Road as more particularly described in said Petition and that correspondence dated August 19, 2014 from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 21, 2014 regarding said district and the other attachments submitted therewith, be received and filed, and be it further

**RESOLVED**, that the Town Board pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establishment of a Storm Drainage District on Susquehanna Road and Northumberland Road as described in the above documents on September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York, and hereby directs the Town Clerk to publish notice of said hearing as is required by law.

Dated: August 26, 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

8/19/2014

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

**Re: Proposed Storm Drainage District on Susquehanna Rd & Northumberland Rd  
Receive and File Petitions  
Receive and File Map, Plan and Report  
Set Public Hearing**

**Honorable Supervisor and Members:**

Petitions have been received to establish the above Storm Drainage District, representing the residents and a 87.5% of the assessed value of the proposed District.

I recommend that you receive and file the in-formal petitions, the originals of which have been placed in the Town Clerk's Office. Since the petitions are in-formal, a permissive referendum would be required.

I further recommend that you receive and file the plan, map and report for the proposed Districts. Services would be offered on a "benefits derived" basis, and would begin in 2015.

I further recommend that your Honorable Body establish a public hearing date of for the above.

Sincerely,

Chad Roscoe  
Junior Engineer, DPW

Cc: K. Gordon  
D. Aman  
E. Ainsworth  
T. Keef



# *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

### Map, Plan & Report Proposed Storm Drainage District on Susquehanna Road & Northumberland Road

#### 1. Introduction

Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide storm drainage for Susquehanna Road & Northumberland Road.

In-formal petitions for the establishment of the District have been received from the owners of substantial majority of properties in the proposed District, representing 87.5% of the assessed value within the proposed District. A comparison of the petitions received to the total area of the proposed District is attached.

#### 2. Area of the Proposed District

The District is proposed to include all those properties shown on the attached map. A legal description of the proposed District is also attached.

#### 3. Purpose of the Proposed District

The purpose of the proposed District is to provide for the equitable, public financing of the cost of providing storm drainage within the District.

#### 4. District Charges

The charges of the proposed District will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will derive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes.

#### 5. Indebtedness

The proposed District has no plans to issue any indebtedness to finance its activities.

#### 6. Dated: 8/19/2014

**TOWN OF BRIGHTON ASSESSOR'S OFFICE  
2300 ELMWOOD AVENUE, ROCHESTER, NY 14618  
(585) 784-5216**

**TAX ID#:** 137.14-3-3 - 8 &  
137.14-3-52 - 57

**ADDRESS:** 2.874 acres (+ or -) on 12 residential addresses consisting of 238, 246, 252, 260, 268 & 276 Susquehanna Road and 101, 109, 117, 125 133 & 141 Northumberland Road in the Town of Brighton as described in Schedule A herewith and detailed on the map included

**SPECIAL DISTRICT:** Susquehanna Road & Northumberland Road Drainage District

I, Elaine K. Ainsworth, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions for the Susquehanna Road & Northumberland Road Drainage District, Town of Brighton, dated July 28, 2014 through August 18, 2014, that will be filed in the Town Clerk's Office in the Town of Brighton, County of Monroe, State of New York, and that:

- 1) The total taxable assessed valuation of the real property within the parcel of the said district extension is \$1,823,500.00.
- 2) The aggregate taxable assessed valuation of the real property therein owned by the signers of said petition is \$1,595,500.00.
- 3) Said petition purports to be signed by the owners of more than one-half (1/2) of the taxable value of the real property within the area of the proposed district.

All as appears from the 2014 Assessment Roll, which is the latest completed assessment roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 21st day of August, 2014.

*Elaine K. Ainsworth*  
Elaine K. Ainsworth, IAO  
Assessor, Town of Brighton

*Margaret Birch Streeter*

MARGARET BIRCH STREETER  
NOTARY PUBLIC, STATE OF NEW YORK  
COUNTY OF MONROE 0197218124  
COMMISSION EXPIRES 1/11/18



**Schedule 'A'**  
**Description of Proposed Storm Drainage District**  
**on**  
**Susquehanna Road & Northumberland Road**  
**of the**  
**Rowlands Subdivision**

All that tract or parcel of land being a part of Town Lot 41, 42, 43, 44, 45, 46, 69, 70, 71, 72, 73, 38, 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 on the northwesterly property corner of #141 Northumberland Road, Tax ID 137.14-3-3;

1. thence S 03°00'42" E a distance of 356.49';
2. thence N 87°08'29" E a distance of 350.34';
3. thence N 02°54'55" W a distance of 357.58';
4. thence S 86°57'46" W a distance of 350.94';

which is the point of beginning, having an area of 125191.87 square feet, 2.874 acres

**District Parcel List:**

- **Susquehanna Road**
  - 238 - T.A.N. 137.14-3-57
  - 246 - T.A.N. 137-14-3-56
  - 252 - T.A.N. 137-14-3-55
  - 260 - T.A.N. 137.14-3-54
  - 268 - T.A.N. 137.14-3-53
  - 276 - T.A.N. 137.14-3-52
  
- **Northumberland Road**
  - 141 - T.A.N. 137.14-3-3
  - 133 - T.A.N. 137.14-3-4
  - 125 - T.A.N. 137.14-3-5
  - 117 - T.A.N. 137.14-3-6
  - 109 - T.A.N. 137.14-3-7
  - 101 - T.A.N. 137.14-3-8

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 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**WHEREAS**, a Petition pursuant to Town Law Section 190 to establish a Sidewalk Snowplow District in the Clovercrest subdivision as more particularly described in said Petition was previously received and filed; and

**WHEREAS**, a public hearing was duly called and held in such matter on September 23, 2014; and

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

**NOW THEREFORE, BE IT ORDERED**, the Town Board, as lead agency under SEQRA has given due deliberation to the matter and hereby determines that the proposed action will not have a significant effect on the environment and has previously issued a Negative Declaration under the State Environmental Quality Review Act with respect to said proposed district; and be it further

**ORDERED**, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 190 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district; (3) that it is in the public interest to grant the relief sought therein;

and be it further

**ORDERED**, that the said Petition to establish a Sidewalk Snowplow District in the Clovercrest subdivision as more particularly described in said Petition be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

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

Dated: September 23, 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	_____

**R** E C E I V E D  
SEP 17 2014

3201 Elmwood Avenue  
Rochester, NY 14618  
September 15, 2014

TOWN OF BRIGHTON  
DEPT. OF PUBLIC WORKS

Dear Mr. Keef:

Re: Creation of a sidewalk snowplow removal district

If a "sidewalk snowplow removal district" is created, my driveway could most likely be blocked.

Listed below are some of the main reasons for our opposition to the sidewalk snowplow removal district for this area.

There are two handicapped people living at this home.

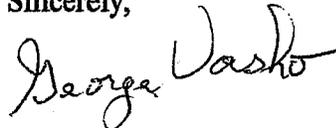
(A) Our daughter, who suffers from Rett's Syndrome, which causes severe retardation and impaired mobility.

(B) I, personally, have end stage renal disease (ERD), which requires my going for dialysis three days a week throughout the year.

(C) Constant medical appointments for the three of us (me, my wife, and our daughter).

On behalf of my family, we oppose the creation of a sidewalk snowplow district that would include Clovercrest Drive. Please note: Our address is "Elmwood Avenue", but our driveway feeds out onto Clovercrest Drive.)

Sincerely,

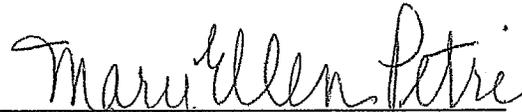


George Vasho

**AFFIDAVIT OF MAILING**

STATE OF NEW YORK  
Monroe County

Mary Ellen Petri being duly sworn, deposes and says that s/he 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 9/05/14 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  
5<sup>th</sup> day of SEPTEMBER, 20 14



Notary Public, State of New York

**DANIEL E. AMAN**  
Notary Public - State of New York  
Monroe County - 01AM6303724  
Commission Expires: May 19, 2018

**William S Morrison & Anna Morrison**  
**OR CURRENT RESIDENT**  
885 Grosvenor Rd  
ROCHESTER, NY 14618

**Sarah Sandler**  
**OR CURRENT RESIDENT**  
893 South Grosvenor Rd  
Rochester, NY 14618

**Patrick E Cahill**  
**OR CURRENT RESIDENT**  
901 Grosvenor Rd  
ROCHESTER, NY 14618

**Betsy W McCrory**  
**OR CURRENT RESIDENT**  
911 Grosvenor Rd  
ROCHESTER, NY 14618

**Robert S Minemier & Dawn M Minemier**  
**OR CURRENT RESIDENT**  
919 South Grosvenor Rd  
Rochester, NY 14618

**Shella Ostly**  
**OR CURRENT RESIDENT**  
927 Grosvenor Rd  
ROCHESTER, NY 14618

**Alexander Braun**  
**OR CURRENT RESIDENT**  
935 South Grosvenor Rd  
Rochester, NY 14618

**Midhat Zelenjakovic & Medina Zelenjakovic**  
**OR CURRENT RESIDENT**  
945 South Grosvenor Rd  
Rochester, NY 14618

**Sarah L Foster**  
**OR CURRENT RESIDENT**  
951 Grosvenor Rd  
ROCHESTER, NY 14618

**Carol Shulman**  
**OR CURRENT RESIDENT**  
957 South Grosvenor Rd  
Rochester, NY 14618

**Brian H Shafer & Amy L Shafer**  
**OR CURRENT RESIDENT**  
973 Grosvenor Dr  
ROCHESTER, NY 14618

**Harley School The**  
**OR CURRENT RESIDENT**  
1981 Clover St  
Rochester, NY 14618

**Harley School The**  
**OR CURRENT RESIDENT**  
1981 Clover St  
Rochester, NY 14618

**Lesline Derizzio**  
**OR CURRENT RESIDENT**  
35 Emmons Dr  
Rochester, NY 14618

**Kathryn Bohonos**  
**OR CURRENT RESIDENT**  
958 Grosvenor Rd  
ROCHESTER, NY 14618

**Shirley A Plescia L/E & Lisa A Plescia**  
**OR CURRENT RESIDENT**  
950 Grosvenor Rd  
ROCHESTER, NY 14618

**Everett P Brownstein & Lynn H Brownstein**  
**OR CURRENT RESIDENT**  
940 South Grosvenor Rd  
Rochester, NY 14618

**Leah H Greenman**  
**OR CURRENT RESIDENT**  
932 Grosvenor Rd  
ROCHESTER, NY 14618

**Robert C Lansing**  
**OR CURRENT RESIDENT**  
922 South Grosvenor Rd  
Rochester, NY 14618

**Barbara Challenger**  
**OR CURRENT RESIDENT**  
916 South Grosvenor Rd  
Rochester, NY 14618

**William Muar**  
**OR CURRENT RESIDENT**  
910 Grosvenor Rd  
ROCHESTER, NY 14618

**Arthur J Minier & Diane I Minier**  
**OR CURRENT RESIDENT**  
896 South Grosvenor Rd  
Rochester, NY 14618

**Asli Saba Abaci & Hicran Muazzez Abaci**  
**OR CURRENT RESIDENT**  
12 Alden Glen Dr  
Webster, NY 14580

**Michelle M Harrington & John A Murley**  
**OR CURRENT RESIDENT**  
882 Grosvenor Rd  
ROCHESTER, NY 14618

**Mary Schwid**  
**OR CURRENT RESIDENT**  
120 Babcock Dr  
Rochester, NY 14610

**Peter L Wegman & Wendy J Wegman**  
**OR CURRENT RESIDENT**  
153 Clovercrest Dr  
Rochester, NY 14618

**Dana J Barber**  
**OR CURRENT RESIDENT**  
161 Clovercrest Dr  
Rochester, NY 14618

**Peter C Chen & Lisa M Lowenstein**  
**OR CURRENT RESIDENT**  
169 Clovercrest Dr  
Rochester, NY 14618

**Deborah G Coleman & Carla Lorek**  
**OR CURRENT RESIDENT**  
185 Clovercrest Dr  
Rochester, NY 14618

**Theodore L Sherwood & Lynne Sherwood**  
**OR CURRENT RESIDENT**  
193 Clovercrest Dr  
Rochester, NY 14618

**Nancy A Moretti**  
**OR CURRENT RESIDENT**  
130 Clovercrest Dr  
Rochester, NY 14618

**Wanda Baker**  
**OR CURRENT RESIDENT**  
122 Clovercrest Dr  
Rochester, NY 14618

**W Stephen Tierney**  
**OR CURRENT RESIDENT**  
114 Clovercrest Dr  
Rochester, NY 14618

**William S Higgins**  
**OR CURRENT RESIDENT**  
106 Clovercrest Dr  
Rochester, NY 14618

**Penelope S Martin**  
**OR CURRENT RESIDENT**  
96 Clovercrest Dr  
Rochester, NY 14618

**Jason Hall & Lisa Hall**  
**OR CURRENT RESIDENT**  
88 Clovercrest Dr  
Rochester, NY 14618

**Ulrike I Stroszcek**  
**OR CURRENT RESIDENT**  
82 Clovercrest Dr  
Rochester, NY 14618

**Brenda Cuevas**  
**OR CURRENT RESIDENT**  
74 Clovercrest Dr  
Rochester, NY 14618

**Recep Tekin**  
**OR CURRENT RESIDENT**  
5 Fireside Dr  
Rochester, NY 14618

**Amy Mccusker & Drew Vaisey**  
**OR CURRENT RESIDENT**  
11 Fireside Dr  
ROCHESTER, NY 14618

**Joseph A Spina**  
**OR CURRENT RESIDENT**  
10 Clovercrest Dr  
Rochester, NY 14618

**Michael P Wright & Nancy A Wright**  
**OR CURRENT RESIDENT**  
21 Fireside Dr  
Rochester, NY 14618

**Katherine B MacDowell**  
**OR CURRENT RESIDENT**  
27 Fireside Dr  
Rochester, NY 14618

**Steven Barnett & Francine M Elkin**  
**OR CURRENT RESIDENT**  
44 Fireside Dr  
Rochester, NY 14618

**MaryBeth Fitzsimmons**  
**OR CURRENT RESIDENT**  
36 Fireside Dr  
Rochester, NY 14618

**Cathie K Armstrong**  
**OR CURRENT RESIDENT**  
28 Fireside Dr  
Rochester, NY 14618

**Jane R Amstey**  
**OR CURRENT RESIDENT**  
20 Fireside Dr  
Rochester, NY 14618

**Pamela L Amsden**  
**OR CURRENT RESIDENT**  
12 Fireside Dr  
Rochester, NY 14618

**Tamara J Finch**  
**OR CURRENT RESIDENT**  
4 Fireside Dr  
Rochester, NY 14618

**Trung Tran**  
**OR CURRENT RESIDENT**  
25 Clovercrest Dr  
ROCHESTER, NY 14618

**Angelina Grassi**  
**OR CURRENT RESIDENT**  
33 Clovercrest Dr  
Rochester, NY 14618

**Slobhan LeGros Holcomb**  
**OR CURRENT RESIDENT**  
41 Clovercrest Dr  
Rochester, NY 14618

**Patricia B De Marco**  
**OR CURRENT RESIDENT**  
49 Clovercrest Dr  
Rochester, NY 14618

**John Rhoades & Marlana Rhoades**  
**OR CURRENT RESIDENT**  
57 Clovercrest Dr  
Rochester, NY 14618

**Gregory Harloff**  
**OR CURRENT RESIDENT**  
65 Clovercrest Dr  
Rochester, NY 14618

**Mary Ann Romagnano**  
**OR CURRENT RESIDENT**  
73 Clovercrest Dr  
Rochester, NY 14618

**Elizabeth Zogby**  
**OR CURRENT RESIDENT**  
81 Clovercrest Dr  
Rochester, NY 14618

**Dana Tucker**  
**OR CURRENT RESIDENT**  
89 Clovercrest Dr  
Rochester, NY 14618

**Matthew D Wittmeyer & Jeanette D Wittmeyer**  
**OR CURRENT RESIDENT**  
97 Clovercrest Dr  
ROCHESTER, NY 14618

**Mary C Montanarella**  
**OR CURRENT RESIDENT**  
105 Clovercrest Dr  
Rochester, NY 14618

James M Atwater  
OR CURRENT RESIDENT  
201 Clovercrest Dr  
Rochester, NY 14618

Audrey J Nolan  
OR CURRENT RESIDENT  
209 Clovercrest Dr  
Rochester, NY 14618

Teresa J Chang  
OR CURRENT RESIDENT  
217 Clovercrest Dr  
Rochester, NY 14618

Francis S Pallo & Claire Pallo  
OR CURRENT RESIDENT  
225 Clovercrest Dr  
Rochester, NY 14618

Benjamin H Proctor & Rita H Proctor  
OR CURRENT RESIDENT  
45 Emmons Dr  
ROCHESTER, NY 14618

Cathy L Reitz  
OR CURRENT RESIDENT  
55 Emmons Dr  
ROCHESTER, NY 14618

Susan Gertner  
OR CURRENT RESIDENT  
234 Clovercrest Dr  
Rochester, NY 14618

Lorraine Ryan  
OR CURRENT RESIDENT  
226 Clovercrest Dr  
Rochester, NY 14618

Cynthia Townson & Gregory B Townson  
OR CURRENT RESIDENT  
41 Oak Manor Ln  
Pittsford, NY 14534

Joann M Levy  
OR CURRENT RESIDENT  
210 Clovercrest Dr  
Rochester, NY 14618

Laura R Lentz  
OR CURRENT RESIDENT  
202 Clovercrest Dr  
Rochester, NY 14618

Gerald T Carlton & Barbara Carlton  
OR CURRENT RESIDENT  
194 Clovercrest Dr  
Rochester, NY 14618

Barbara Raco  
OR CURRENT RESIDENT  
186 Clovercrest Dr  
Rochester, NY 14618

Jeffrey M Doebler & Jill M Doebler  
OR CURRENT RESIDENT  
180 Clovercrest Dr  
Rochester, NY 14618

Sharon Eduardo  
OR CURRENT RESIDENT  
170 Clovercrest Dr  
Rochester, NY 14618

Leslie A Marks  
OR CURRENT RESIDENT  
162 Clovercrest Dr  
Rochester, NY 14618

Selvakumar Chockalingam & Mirabal  
Chockalingam  
OR CURRENT RESIDENT  
50 Indian Spring Ln  
Rochester, NY 14618

Ann Brewster  
OR CURRENT RESIDENT  
103 Landon Pkwy  
Rochester, NY 14618

Rui & Joann Figueiredo  
1747 Clover St.  
Rochester, NY 14618

Richard J. Crossed  
183 E. Main St.  
6th Floor  
Rochester, NY 14604

Charles Campanella  
Steven Lipker  
1645 Clover St.  
Rochester, NY 14618

Naomi B. Benhamou  
Or Current Resident  
3165 Elmwood Avenue  
Rochester, NY 14618

Albert C. Burke III  
Andrea Rabideau  
1767 Clover St.  
Rochester, NY 14618

Hengping Xu  
Hong Fu  
228D Leicestershire Dr.  
Rochester, NY 14621

George & Marie Vasho  
Or Current Resident  
3201 Elmwood Ave.  
Rochester, NY 14618

pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establishment of a Clovercrest Drive Sidewalk Snowplow District as described in the above documents on September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York and hereby directs the Town Clerk to publish notice of said hearing as is required by law. Se 11 02545262

NEW YORK  
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

SEPTEMBER 11, 2014  
ENDING ON  
SEPTEMBER 11, 2014

*Leslie Smith*  
Foreman of the Publisher

Subscribed and sworn on before me,  
This 12TH day Of SEPTEMBER 2014

*Barbara S. Connelly*  
Notary Public, State of NY

Legal # 02545262

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

**LEGAL NOTICE:**  
At a Special Meeting of the Town Board 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 24th day of August, 2014.  
PRESENT: WILLIAM W. MOEHLE, Supervisor; JAMES R. VOGEL, LOUISE N. O'VRO, CHRISTOPHER K. WERNER, JASON S. DIPONZIO, Councilpersons.  
RESOLVED, that a Petition pursuant to Town Law Section 190 to establish a Sidewalk Snowplow District in the Clovercrest subdivision as more particularly described in said Petition and that correspondence dated August 14, 2014 from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 15, 2014 and the Environmental Assessment Form and proposed Negative Declaration regarding said district and the other attachments submitted therewith be received and filed, and be further  
RESOLVED that the Town Board

At a Special Meeting of the Town Board 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 24th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a Petition pursuant to Town Law Section 190 to establish a Sidewalk Snowplow District in the Clovercrest subdivision as more particularly described in said Petition and that correspondence dated August 14, 2014 from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 15, 2014 and the Environmental Assessment Form and proposed Negative Declaration regarding said district and the other attachments submitted therewith, be received and filed, and be it further

**RESOLVED**, that the Town Board pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establishment of a Clovercrest Drive Sidewalk Snowplow District as described in the above documents on September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York, and hereby directs the Town Clerk to publish notice of said hearing as is required by law.

Dated: August 26, 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

8/14/2014

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

Re: Proposed Clovercrest Drive Sidewalk Snowplow District  
Receive and File Petitions  
Receive and File Map, Plan and Report  
Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to establish the above Sidewalk Snowplow District, representing the residents and a 52.34% of the assessed value of the proposed District.

I recommend that you receive and file the in-formal petitions, the originals of which have been placed in the Town Clerk's Office. Since the petitions are in-formal, a permissive referendum would be required.

I further recommend that you receive and file the plan, map and report for the proposed Districts. Services would be offered on a "benefits derived" basis, and would begin in 2015.

I further recommend that your Honorable Body establish a public hearing date of for the above.

Sincerely,

Chad Roscoe  
Junior Engineer, DPW

Cc: K. Gordon  
D. Aman  
E. Ainsworth  
T. Keef



# *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

## Map, Plan & Report Proposed Clovercrest Drive Sidewalk Snowplow District

### 1. Introduction

Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide sidewalk snowplow services.

In-formal petitions for the establishment of the District have been received from the owners of substantial majority of properties in the proposed District, representing 52.34% of the assessed value within the proposed District. A comparison of the petitions received to the total area of the proposed District is attached.

### 2. Area of the Proposed District

The District is proposed to include all those properties shown on the attached map. A legal description of the proposed District is also attached.

### 3. Purpose of the Proposed District

The purpose of the proposed District is to provide for the equitable, public financing of the cost of providing services to remove snow from the public sidewalks within the District.

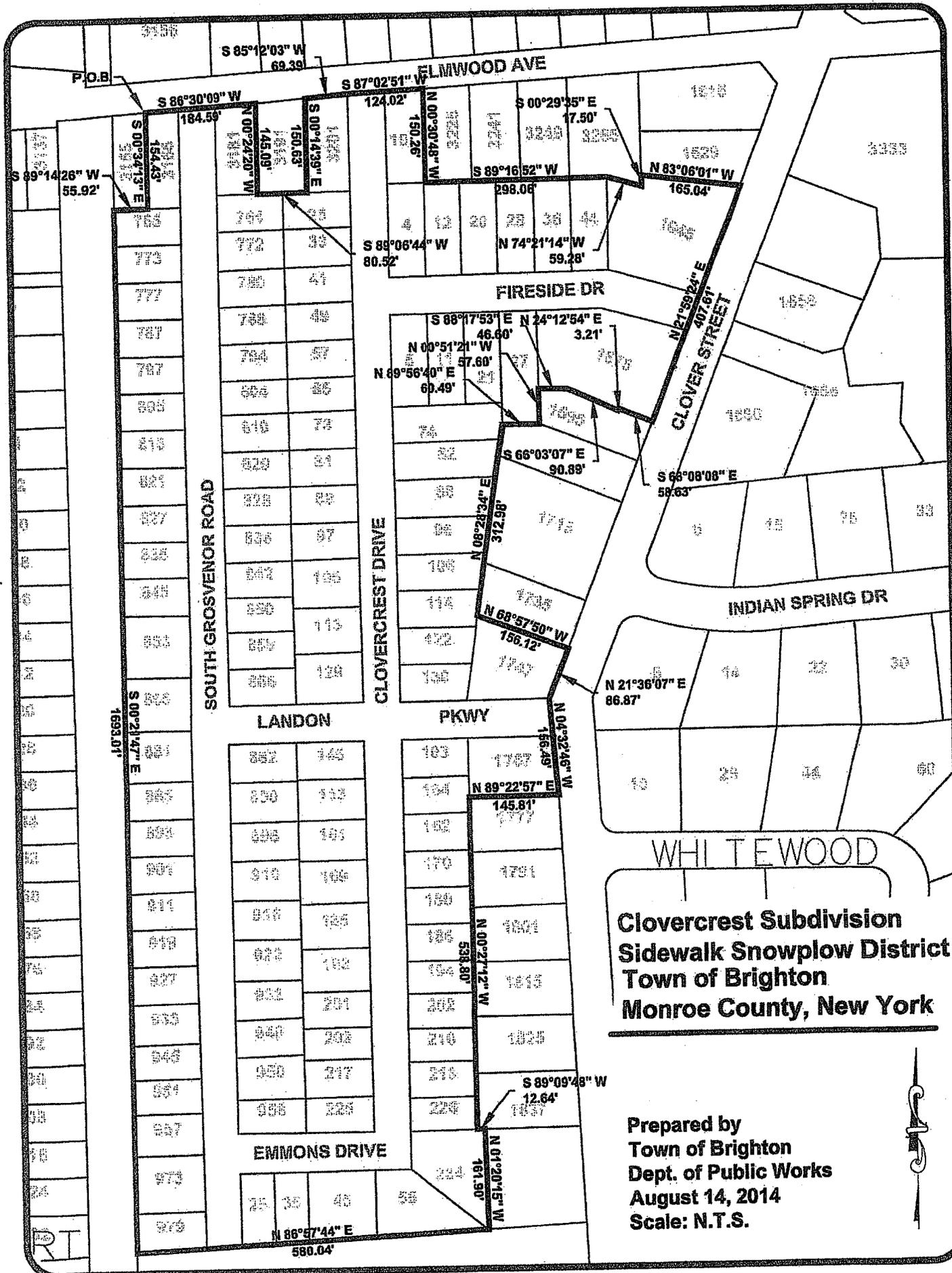
### 4. District Charges

The charges of the proposed District will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will derive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes.

### 5. Indebtedness

The proposed District has no plans to issue any indebtedness to finance its activities.

### 6. Dated: 8/14/2014



**Clovercrest Subdivision  
 Sidewalk Snowplow District  
 Town of Brighton  
 Monroe County, New York**

Prepared by  
 Town of Brighton  
 Dept. of Public Works  
 August 14, 2014  
 Scale: N.T.S.



**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

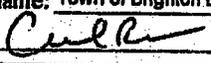
**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Town of Brighton Department of Public Works			
<b>Name of Action or Project:</b> Clovercrest Drive Sidewalk Snowplow District			
<b>Project Location (describe, and attach a location map):</b> (See Description section, below)			
<b>Brief Description of Proposed Action:</b> Residents of the Clovercrest Drive and South Grosvenor Road area would like to form a Sidewalk Snowplow District. This would allow the Town of Brighton to remove snow that has fallen on the public sidewalks allowing residents to utilize them during winter months.  Location: Clovercrest Drive (all lots), S. Grosvenor Road (from Elmwood Avenue to and including 979 S. Grosvenor Road), Fireside Parkway (all lots), Landon Parkway (all lots), and Emmons Drive (all lots), Clover Street (#s 1645, 1675, 1747, 1767), and Elmwood Avenue (#s 3165, 3181)			
<b>Name of Applicant or Sponsor:</b> Chad Roscoe		<b>Telephone:</b> 585-784-5224 <b>E-Mail:</b> chad.roscoe@townofbrighton.org	
<b>Address:</b> 2300 Elmwood Avenue			
<b>City/PO:</b> Rochester		<b>State:</b> NY	<b>Zip Code:</b> 14618
<b>1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</b> If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<b>NO</b>	<b>YES</b>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>2. Does the proposed action require a permit, approval or funding from any other governmental Agency?</b> If Yes, list agency(s) name and permit or approval:		<b>NO</b>	<b>YES</b>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3.a. Total acreage of the site of the proposed action?</b>		_____ 28 acres	
<b>b. Total acreage to be physically disturbed?</b>		_____ acres	
<b>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</b>		_____ acres	
<b>4. Check all land uses that occur on, adjoining and near the proposed action.</b>			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



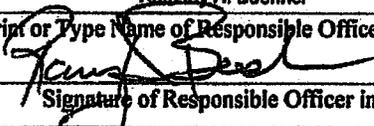
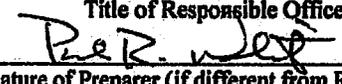
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Town of Brighton DPW, Chad Roscoe</u> Date: <u>6/18/14</u>		
Signature: <u></u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.**

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Brighton Town Board	June 20, 2014
Name of Lead Agency	Date
Ramsay A. Bohner	Environmental Review Liaison Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-4-14

**Date:** June 25, 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:** Clovercrest Drive Sidewalk Snow Removal District

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Creation of a Sidewalk Snow Removal District to include 115 lots on Clovercrest Drive (all lots), S. Grosvenor Road (from Elmwood Avenue to and including 979 S. Grosvenor Road), Fireside Parkway (all lots), Landon Parkway (all lots), and Emmons Drive (all lots), Clover Street (#s 1645, 1675, 1747, 1767), and Elmwood Avenue (#s 3165, 3181 & 3201) a total of 27.954 acres.

**Location:** Clovercrest Drive (all lots), S. Grosvenor Road (from Elmwood Avenue to and including 979 S. Grosvenor Road), Fireside Parkway (all lots), Landon Parkway (all lots), and Emmons Drive (all lots), Clover Street (#s 1645, 1675, 1747, 1767), and Elmwood Avenue (#s 3165, 3181 & 3201)

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Part II) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton 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. Creation of the Clovercrest Drive Sidewalk Snow Removal District to include real property will not create any significant adverse impacts.

3. **There will be no resources of value irreversibly lost**

**For further information:**

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

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

**Telephone: 585-784-5229**

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

DATE: August 15, 2014  
TAX ID#: 115 parcels: 137.11-3-1, 3,  
4, 22, 23, 29-74 &  
137.11-4-33-45 &  
137.15-2-34-84  
ADDRESS: 27.95 Acres (+ or -); 115  
residential parcels detailed on  
Schedule "A" and special  
district map and parcel listing  
for Clovercrest Drive  
Sidewalk Snowplow District  
attached  
Re: Clovercrest Drive Sidewalk  
Snowplow District

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

- 1) The total assessed valuation of the real property within the parcel of the said district extension is \$15,801,500.00.
- 2) The aggregate assessed valuation of the real property therein owned by the signers of said petition is \$8,270,500.
- 3) Said petition purports to be signed by the owners of more than one-half (1/2) the assessed value of the real property within the area of the proposed Clovercrest Drive Sidewalk Snowplow District.

All as appears from the 2014 Assessment Roll, which is the latest completed assessment roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 18th day of August 2014.

*Elaine K. Ainsworth*  
Elaine K. Ainsworth, IAO  
Assessor, Town of Brighton



*Terina M. Johnson* 8/18/14

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS** a Petition pursuant to Town Law Section 190 to establish a Sidewalk Snowplow District on Thackery Road as more particularly described in said Petition was previously received and filed; and

**WHEREAS**, a public hearing was duly called and held in such matter on September 23, 2014; and

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

**NOW THEREFORE, BE IT ORDERED**, the Town Board, as lead agency under SEQRA has given due deliberation to the matter and hereby determines that the proposed action will not have a significant effect on the environment and has previously issued a Negative Declaration under the State Environmental Quality Review Act with respect to said proposed district; and be it further

**ORDERED**, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 190 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district; (3) that it is in the public interest to grant the relief sought therein; and be it further

**ORDERED**, that the said Petition pursuant to Town Law Section 190 to establish a Sidewalk Snowplow District on Thackery Road as more particularly described in said Petition be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

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

Dated: September 23, 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	_____

**AFFIDAVIT OF MAILING**

STATE OF NEW YORK  
Monroe County

Mary Ellen Petri being duly sworn, deposes and says that s/he 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 9/05/14 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  
5<sup>th</sup> day of September, 2014

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

**DANIEL E. AMAN**  
Notary Public - State of New York  
Monroe County - 01AM6303724  
Commission Expires: May 19, 2018

**Dean V Stanley**  
**OR CURRENT RESIDENT**  
45 Thackery Rd  
Rochester, NY 14610

**Madelyn DI Muro**  
**OR CURRENT RESIDENT**  
55 Thackery Rd  
Rochester, NY 14610

**Mitchell J Lovett & Judith Lovett**  
**OR CURRENT RESIDENT**  
63 Thackery Rd  
Rochester, NY 14610

**Gerald Grumet**  
**OR CURRENT RESIDENT**  
73 Thackery Rd  
Rochester, NY 14610

**Walter Sonnenfeldt & Deborah R**  
**Sonnenfeldt**  
**OR CURRENT RESIDENT**  
83 Thackery Rd  
Rochester, NY 14610

**Jalli Shojaie & Elaine J Shojaie**  
**OR CURRENT RESIDENT**  
91 Thackery Rd  
Rochester, NY 14610

**Stephen M Brauer & Alice Joan Saab**  
**OR CURRENT RESIDENT**  
101 Thackery Rd  
ROCHESTER, NY 14610

**Alyne R Phillips**  
**OR CURRENT RESIDENT**  
7791 Wind Key Dr  
Boca Raton, FL 33434

**Elaine Hoffman**  
**OR CURRENT RESIDENT**  
76 Thackery Rd  
Rochester, NY 14610

**Robert H Israel & Merilyn Israel**  
**OR CURRENT RESIDENT**  
64 Thackery Rd  
Rochester, NY 14610

**Douglas P Rosenzweig & Debra**  
**Rosenzweig**  
**OR CURRENT RESIDENT**  
56 Thackery Rd  
Rochester, NY 14610

**Christopher Bryant Edwards**  
**OR CURRENT RESIDENT**  
46 Thackery Rd  
Rochester, NY 14610

**Andrew J Berger & Karen Plaut Berger**  
**OR CURRENT RESIDENT**  
36 Thackery Rd  
Rochester, NY 14610

**Steven O Fussell & Phyllis J Rifkin-Russell**  
**OR CURRENT RESIDENT**  
26 Thackery Rd  
Rochester, NY 14610

**Kenneth J Reed & Shirley A Reed**  
**OR CURRENT RESIDENT**  
245 Thackery Rd  
Rochester, NY 14610

**Susan Barnett**  
**OR CURRENT RESIDENT**  
227 Thackery Rd  
Rochester, NY 14610

**Barbara Braverman**  
**OR CURRENT RESIDENT**  
211 Thackery Rd  
Rochester, NY 14610

**Neal Lissack**  
**OR CURRENT RESIDENT**  
199 Thackery Rd  
Rochester, NY 14610

**Scott A Turcotte & Mary C Turcotte**  
**OR CURRENT RESIDENT**  
187 Thackery Rd  
Rochester, NY 14610

**Rodney L Parshall & Jean S Parshall**  
**OR CURRENT RESIDENT**  
171 Thackery Rd  
Rochester, NY 14610

**Kevin Riley**  
**OR CURRENT RESIDENT**  
155 Thackery Rd  
Rochester, NY 14610

**Edward Zinkin & Joyce Zinkin**  
**OR CURRENT RESIDENT**  
141 Thackery Rd  
Rochester, NY 14610

**Patricia Fishman & Willaim Maniscalco**  
**OR CURRENT RESIDENT**  
121 Thackery Rd  
Rochester, NY 14610

**Marie Aydelotte & Jonathan Turner**  
**OR CURRENT RESIDENT**  
111 Thackery Rd  
Rochester, NY 14610

**Scott Singer & Fredda I Silverstein**  
**OR CURRENT RESIDENT**  
100 Thackery Rd  
Rochester, NY 14610

**Robert G Katz & Linda G Katz**  
**OR CURRENT RESIDENT**  
120 Thackery Rd  
Rochester, NY 14610

**Barry T Srolls & Sure R Srolls**  
**OR CURRENT RESIDENT**  
130 Thackery Rd  
Rochester, NY 14610

**Donald Goldman & Rena Goldman**  
**OR CURRENT RESIDENT**  
150 Thackery Rd  
Rochester, NY 14610

**Gerald Camardo & Roberta Camardo**  
**OR CURRENT RESIDENT**  
166 Thackery Rd  
Rochester, NY 14610

**Abraham Seldmann**  
**OR CURRENT RESIDENT**  
180 Thackery Rd  
Rochester, NY 14610

**Sidney Sobel & Barbara L Sobel**  
**OR CURRENT RESIDENT**  
200 Thackery Rd  
Rochester, NY 14610

**Erminio DiSalvo**  
**OR CURRENT RESIDENT**  
220 Thackery Rd  
Rochester, NY 14610

**Lillian Atkins**  
**OR CURRENT RESIDENT**  
240 Thackery  
Rochester, NY 14610

Michael P. Riordan  
2525 Highland Ave.  
Rochester, NY 14610

Michael S. Mayer  
Cynthia Mayer  
2555 Highland Ave.  
Rochester, NY 14610

walk Snow Re-  
moval District as  
described in the  
above documents  
on September 23,  
2014 at 7:30 pm  
at Brighton Town  
Hall, 2300 Elm-  
wood Avenue,  
Brighton, New  
York, and hereby  
directs the Town  
Clerk to publish  
notice of said  
hearing as is re-  
quired by law.  
Se:11  
02545261

NEW YORK  
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

SEPTEMBER 11, 2014  
ENDING ON  
SEPTEMBER 11, 2014

*Leslie Smith*

Foreman of the Publisher

Subscribed and sworn on before me,  
This 12TH day Of SEPTEMBER 2014

*Barbara S. Connelly*

Notary Public, State of NY

LEGAL NOTICE

At a Special  
Meeting of the  
Town Board of  
the Town of  
Brighton, Monroe  
County, New  
York held at the  
Brighton Town  
Hall, 2300 Elm-  
wood Avenue in  
said Town of  
Brighton on the  
24th day of Au-  
gust 2014.  
PRESENT: WIL-  
LIAM W.  
MOEHLE, Super-  
visor; JAMES R.  
VOGEL, LOUISE  
NOVROS,  
CHRISTOPHER  
K. WERNER, JA-  
SON S. DIPON-  
ZIO, Councilper-  
sons.  
RESOLVED that  
a Petition pur-  
suant to Town  
Law Section 190  
to establish a  
Sidewalk Snow  
plow District on  
Thackeray Road  
as more particu-  
larly described in  
said Petition and  
that correspond-  
ence from Junior  
Town Engineer  
Chad Roscoe re-  
garding said pro-  
posed district and  
the Map Plan  
and Report relat-  
ing thereto to-  
gether with the  
Assessor's Certi-  
fication dated Au-  
gust 4, 2014, and  
the Environmen-  
tal Assessment  
Form and pro-  
posed Negative  
Declaration re-  
garding said dis-  
trict and the other  
attachments sub-  
mitted therewith  
be received and  
filed and be fur-  
ther  
RESOLVED that  
the Town Board  
pursuant to Town  
Law Section 193  
hereby orders  
that a public hear-  
ing be held to  
consider the pro-  
posed establish-  
ment of a Thack-  
ery Road Side

Legal # 02545261

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

At a Special Meeting of the Town Board 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 24th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a Petition pursuant to Town Law Section 190 to establish a Sidewalk Snowplow District on Thackery Road as more particularly described in said Petition and that correspondence from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 4, 2014 and the Environmental Assessment Form and proposed Negative Declaration regarding said district and the other attachments submitted therewith, be received and filed, and be it further

**RESOLVED**, that the Town Board pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establishment of a Thackery Road Sidewalk Snow Removal District as described in the above documents on September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York, and hereby directs the Town Clerk to publish notice of said hearing as is required by law.

Dated: August 26, 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

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

Re: Proposed Thackery Rd Sidewalk Snow Removal District  
Receive and File Petitions  
Receive and File Map, Plan and Report  
Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to establish the above Thackery Rd Sidewalk Snow Removal District, representing the residents and a 57.3% of the assessed value of the proposed District.

I recommend that you receive and file the in-formal petitions, the originals of which have been placed in the Town Clerk's Office. Since the petitions are in-formal, a permissive referendum would be required.

I further recommend that you receive and file the plan, map and report for the proposed Districts. Services would be offered on a "benefits derived" basis, and would begin in 2015.

I further recommend that your Honorable Body establish a public hearing date of for the above.

Sincerely,

Chad Roscoe  
Junior Engineer, DPW

Cc: K. Gordon  
D. Aman  
E. Ainsworth  
T. Keef



# 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

## Map, Plan & Report Proposed Thackery Road Sidewalk Snow Removal District

### 1. Introduction

Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide Sidewalk Snow Removal services.

In-formal petitions for the establishment of the District have been received from the owners of substantial majority of properties in the proposed District, representing 57.3% of the assessed value within the proposed District. A comparison of the petitions received to the total area of the proposed District is attached.

### 2. Area of the Proposed District

The District is proposed to include all those properties shown on the attached map. A legal description of the proposed District is also attached.

### 3. Purpose of the Proposed District

The purpose of the proposed District is to provide for the equitable, public financing of the cost of providing services to remove snow from the public sidewalks within the District.

### 4. District Charges

The charges of the proposed District will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will derive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes.

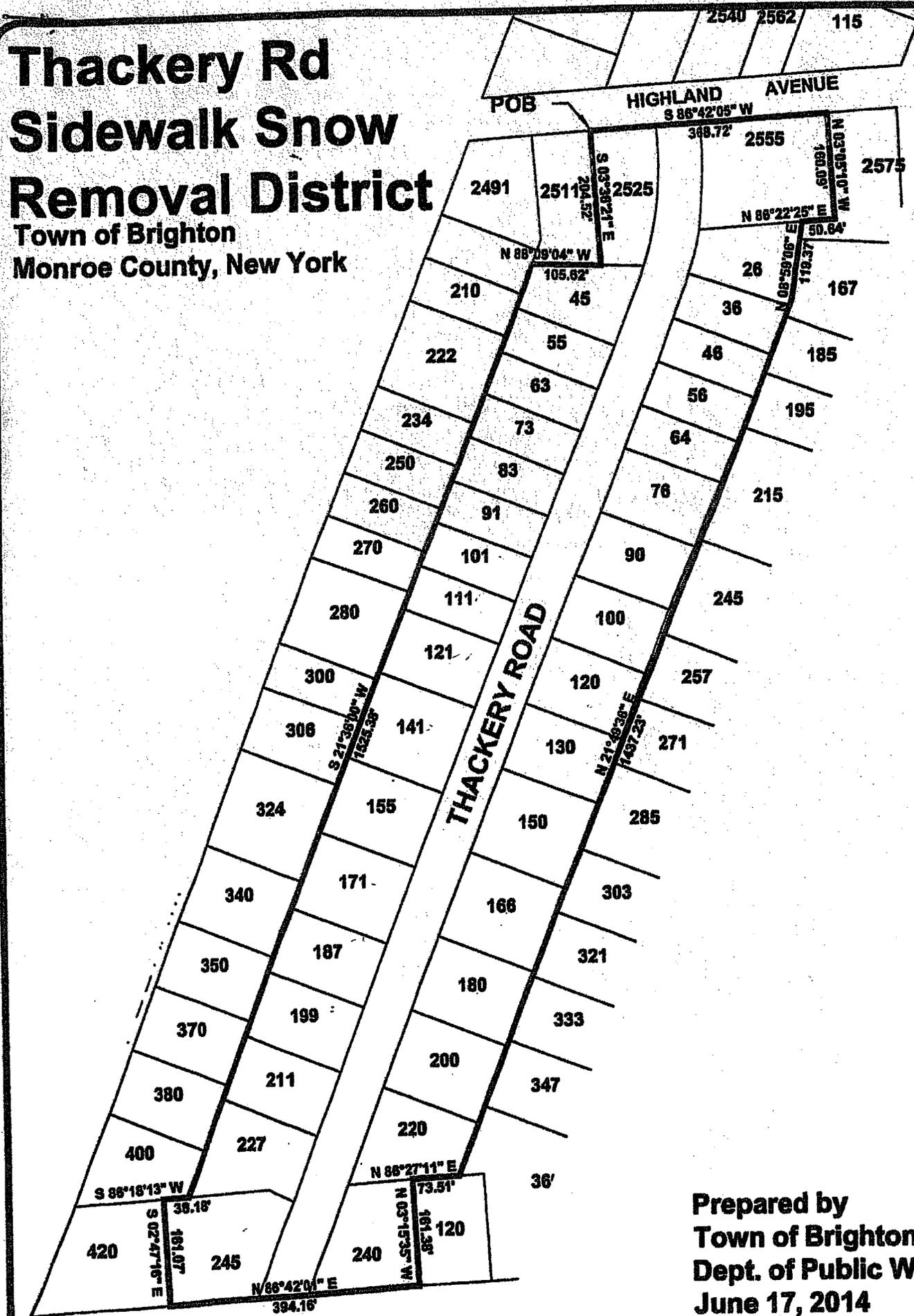
### 5. Indebtedness

The proposed District has no plans to issue any indebtedness to finance its activities.

6. Dated: 6/17/14

# Thackery Rd Sidewalk Snow Removal District

Town of Brighton  
Monroe County, New York



Prepared by  
Town of Brighton  
Dept. of Public Works  
June 17, 2014  
Scale: N.T.S.



**Schedule 'A'**  
**Description of**  
**Thackery Road Sidewalk Snow Removal District**

All that tract or parcel of land being a part of Township 13, Range 7, 2nd 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 on the northwesterly property corner of #2525 Highland Avenue, Tax ID 122.19-2-87, thence;

beginning at a ;

1. thence S 03°36'21" E a distance of 204.52';
2. thence N 88°09'04" W a distance of 105.62';
3. thence S 21°36'00" W a distance of 1525.38';
4. thence S 86°18'13" W a distance of 38.18';
5. thence S 02°47'16" E a distance of 161.07';
6. thence N 86°42'01" E a distance of 394.16';
7. thence N 03°15'35" W a distance of 161.38';
8. thence N 86°27'11" E a distance of 73.51';
9. thence N 21°49'36" E a distance of 1437.23';
10. thence N 08°59'06" E a distance of 119.37';
11. thence N 86°22'25" E a distance of 50.64';
12. thence N 03°05'10" W a distance of 160.09';
13. thence S 86°42'05" W a distance of 368.72';

which is the point of beginning, having an area of 728729.04 square feet, 16.729 acres

State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-3-14

**Date:** June 25, 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:** Thackery Road Sidewalk Snow Removal District

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Creation of a Sidewalk Snow Removal District to include 35 lots on Thackery Road, a total of 16.729 acres

**Location:** Thackery Road from Highland Avenue to Esplanade Drive.

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Part II) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton 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. Creation of the Thackery Road Sidewalk Snow Removal District to include real property will not create any significant adverse impacts.
3. There will be no resources of value irreversibly lost

**For further information:**

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

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

**Telephone:** 585-784-5229

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

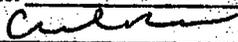
**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Town of Brighton Department of Public Works			
<b>Name of Action or Project:</b> Thackery Road Sidewalk Snow Removal District			
<b>Project Location (describe, and attach a location map):</b> Thackery Road from Highland Avenue to Esplanade Drive			
<b>Brief Description of Proposed Action:</b> Residents of the Thackery Road area would like to form a Sidewalk Snow Removal District. This would allow the Town of Brighton to remove snow that has fallen on the public sidewalks allowing residents to utilize them during winter months.			
<b>Name of Applicant or Sponsor:</b> Chad Roscoe		<b>Telephone:</b> 585-784-5224	
		<b>E-Mail:</b> chad.roscoe@townofbrighton.org	
<b>Address:</b> 2300 Elmwood Avenue			
<b>City/PO:</b> Rochester		<b>State:</b> NY	<b>Zip Code:</b> 14618
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b> <input checked="" type="checkbox"/>
			<b>YES</b> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b> <input checked="" type="checkbox"/>
			<b>YES</b> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 16.7 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



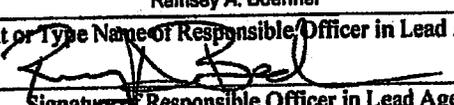
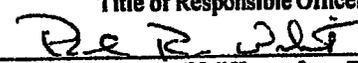
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Chad Roscoe, Town of Brighton DPW</u>		Date: <u>June 19, 2014</u>
Signature: <u></u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Brighton Town Board	June 20, 2014
Name of Lead Agency	Date
Ramsey A. Boehner	Environmental Review Liaison Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

TOWN OF BRIGHTON ASSESSOR'S OFFICE  
2300 ELMWOOD AVENUE  
ROCHESTER, NY 14618 (585) 784-5216

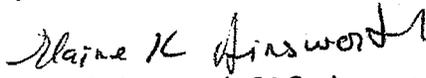
DATE: August 4, 2014  
Tax Id Nos.: 122.20-1-44,45,46,  
122.19-2-87,88,89,90,91,92,  
93,94  
122.20-1-40,42,41,43.1,43.2  
137.07-4-35,36,37,38,39,  
40,41,42,43,44,45,46,47,  
48,49,50,51,52,53, all as  
Described on Schedule A  
Re: New Units Based Special  
District: Thackery Road  
Sidewalk Snow Removal  
District

I, Elaine K. Ainsworth, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions for the establishment of the Thackery Road Sidewalk Snow Removal District in the Town of Brighton, filed in the Town Clerk's Office in the Town of Brighton, County of Monroe, State of New York, and that:

- 1) The total assessed valuation of the real property within the parcels of the said new special district is \$11,030,000.00.
- 2) The aggregate assessed valuation of the real property therein owned by the signers of said petition is \$6,345,000.00.
- 3) Said petitions purport to be signed by the owners of more than one-half (1/2) the value of the real property within the area of the proposed district.

All as appears from the 2014 Assessment Roll, which is the latest completed assessment roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 4<sup>th</sup> day of August, 2014.

  
Elaine K. Ainsworth, IAO, Assessor  
Town of Brighton

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS** a Petition pursuant to Town Law Section 190 to establish a Refuse District on Thackery Road as more particularly described in said Petition was previously received and filed; and

**WHEREAS**, a public hearing was duly called and held in such matter on September 23, 2014; and

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

**NOW THEREFORE, BE IT ORDERED**, the Town Board, as lead agency under SEQRA has given due deliberation to the matter and hereby determines that the proposed action will not have a significant effect on the environment and has previously issued a Negative Declaration under the State Environmental Quality Review Act with respect to said proposed district; and be it further

**ORDERED**, that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or authenticated as required by law and is otherwise sufficient, and that the petition complies with section 190 of the Town Law; (2) that all property and property owners benefited by the proposed district are included within the limits of the proposed district; (3) that it is in the public interest to grant the relief sought therein; and be it further

**ORDERED**, that the said Petition to establish a Refuse District on Thackery Road as more particularly described in said Petition be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

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

Dated: September 23, 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	_____

**AFFIDAVIT OF MAILING**

STATE OF NEW YORK  
Monroe County

Mary Ellen Petri being duly sworn, deposes and says that s/he 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 9/05/14 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  
5<sup>th</sup> day of SEPTEMBER, 20 14

  
Notary Public, State of New York

DANIEL E. AMAN  
Notary Public - State of New York  
Monroe County - 01AM6303724  
Commission Expires: May 19, 2018

**Dean V Stanley**  
**OR CURRENT RESIDENT**  
45 Thackery Rd  
Rochester, NY 14610

**Madelyn Di Muro**  
**OR CURRENT RESIDENT**  
55 Thackery Rd  
Rochester, NY 14610

**Mitchell J Lovett & Judith Lovett**  
**OR CURRENT RESIDENT**  
63 Thackery Rd  
Rochester, NY 14610

**Gerald Grumet**  
**OR CURRENT RESIDENT**  
73 Thackery Rd  
Rochester, NY 14610

**Walter Sonnenfeldt & Deborah R  
Sonnenfeldt**  
**OR CURRENT RESIDENT**  
83 Thackery Rd  
Rochester, NY 14610

**Jaili Shojale & Elaine J Shojale**  
**OR CURRENT RESIDENT**  
91 Thackery Rd  
Rochester, NY 14610

**Stephen M Brauer & Alice Joan Saab**  
**OR CURRENT RESIDENT**  
101 Thackery Rd  
ROCHESTER, NY 14610

**Alyne R Phillips**  
**OR CURRENT RESIDENT**  
7791 Wind Key Dr  
Boca Raton, FL 33434

**Elaine Hoffman**  
**OR CURRENT RESIDENT**  
76 Thackery Rd  
Rochester, NY 14610

**Robert H Israel & Marilyn Israel**  
**OR CURRENT RESIDENT**  
64 Thackery Rd  
Rochester, NY 14610

**Douglas P Rosenzweig & Debra  
Rosenzweig**  
**OR CURRENT RESIDENT**  
56 Thackery Rd  
Rochester, NY 14610

**Christopher Bryant Edwards**  
**OR CURRENT RESIDENT**  
46 Thackery Rd  
Rochester, NY 14610

**Andrew J Berger & Karen Plaut Berger**  
**OR CURRENT RESIDENT**  
36 Thackery Rd  
Rochester, NY 14610

**Steven O Russell & Phyllis J Rifkin-Russell**  
**OR CURRENT RESIDENT**  
26 Thackery Rd  
Rochester, NY 14610

**Kenneth J Reed & Shirley A Reed**  
**OR CURRENT RESIDENT**  
245 Thackery Rd  
Rochester, NY 14610

**Susan Barnett**  
**OR CURRENT RESIDENT**  
227 Thackery Rd  
Rochester, NY 14610

**Barbara Braverman**  
**OR CURRENT RESIDENT**  
211 Thackery Rd  
Rochester, NY 14610

**Neal Lissack**  
**OR CURRENT RESIDENT**  
199 Thackery Rd  
Rochester, NY 14610

**Scott A Turcotte & Mary C Turcotte**  
**OR CURRENT RESIDENT**  
187 Thackery Rd  
Rochester, NY 14610

**Rodney L Parshall & Jean S Parshall**  
**OR CURRENT RESIDENT**  
171 Thackery Rd  
Rochester, NY 14610

**Kevin Riley**  
**OR CURRENT RESIDENT**  
155 Thackery Rd  
Rochester, NY 14610

**Edward Zinkin & Joyce Zinkin**  
**OR CURRENT RESIDENT**  
141 Thackery Rd  
Rochester, NY 14610

**Patricia Fishman & Willaim Maniscalco**  
**OR CURRENT RESIDENT**  
121 Thackery Rd  
Rochester, NY 14610

**Marie Aydelotte & Jonathan Turner**  
**OR CURRENT RESIDENT**  
111 Thackery Rd  
Rochester, NY 14610

**Scott Singer & Fredda I Silverstein**  
**OR CURRENT RESIDENT**  
100 Thackery Rd  
Rochester, NY 14610

**Robert G Katz & Linda G Katz**  
**OR CURRENT RESIDENT**  
120 Thackery Rd  
Rochester, NY 14610

**Barry T Srolls & Sure R Srolls**  
**OR CURRENT RESIDENT**  
130 Thackery Rd  
Rochester, NY 14610

**Donald Goldman & Rena Goldman**  
**OR CURRENT RESIDENT**  
150 Thackery Rd  
Rochester, NY 14610

**Gerald Camardo & Roberta Camardo**  
**OR CURRENT RESIDENT**  
166 Thackery Rd  
Rochester, NY 14610

**Abraham Seldmann**  
**OR CURRENT RESIDENT**  
180 Thackery Rd  
Rochester, NY 14610

**Sidney Sobel & Barbara L Sobel  
OR CURRENT RESIDENT  
200 Thackery Rd  
Rochester, NY 14610**

**Erminio DiSalvo  
OR CURRENT RESIDENT  
220 Thackery Rd  
Rochester, NY 14610**

**Lillian Atkins  
OR CURRENT RESIDENT  
240 Thackery  
Rochester, NY 14610**

Michael P. Riordan  
2525 Highland Ave.  
Rochester, NY 14610

Michael S. Mayer  
Cynthia Mayer  
2555 Highland Ave.  
Rochester, NY 14610

September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York and hereby directs the Town Clerk to publish notice of said hearing as is required by law. Se 11 02545264

STATE OF NEW YORK  
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

SEPTEMBER 11, 2014  
ENDING ON  
SEPTEMBER 11, 2014

*Leslie Smith*  
\_\_\_\_\_  
Foreman of the Publisher  
Subscribed and sworn on before me,  
This 12TH day Of SEPTEMBER 2014

*Barbara S. Connelly*  
\_\_\_\_\_  
Notary Public, State of NY

Legal # 02545264

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

LEGAL NOTICE  
At a Special Meeting of the Town Board of the Town of Brighton, Monroe County, New York, held at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York, on the 24th day of August, 2014.  
PRESENT:  
LIAM W. MOEHLE, Supervisor; JAMES R. VOGEL, LOUISE N. O'VRO'S, CHRISTOPHER K. WERNER, JASON S. BIPONZIO, Councilpersons.  
RESOLVED, that a Petition pursuant to Town Law Section 190 to establish a Refuse District of Thackeray Road, as more particularly described in said Petition and that correspondence from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 1, 2014 and the Environmental Assessment Form and proposed Negative Declaration regarding said district and the other attachments submitted therewith be received and filed, and be it further  
RESOLVED, that the Town Board pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establishment of a Thackeray Road Refuse District as described in the above documents on

At a Special Meeting of the Town Board 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 24th day of August, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a Petition pursuant to Town Law Section 190 to establish a Refuse District on Thackery Road as more particularly described in said Petition and that correspondence from Junior Town Engineer Chad Roscoe regarding said proposed district and the Map, Plan and Report relating thereto together with the Assessor's Certification dated August 1, 2014 and the Environmental Assessment Form and proposed Negative Declaration regarding said district and the other attachments submitted therewith, be received and filed, and be it further

**RESOLVED**, that the Town Board pursuant to Town Law Section 193 hereby orders that a public hearing be held to consider the proposed establishment of a Thackery Road Refuse District as described in the above documents on September 23, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue, Brighton, New York, and hereby directs the Town Clerk to publish notice of said hearing as is required by law.

Dated: August 26, 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

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

Re: Proposed Thackery Road Refuse District  
Receive and File Petitions  
Receive and File Map, Plan and Report  
Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to establish the above Refuse District, representing the residents and a 54.3% of the assessed value of the proposed District.

I recommend that you receive and file the in-formal petitions, the originals of which have been placed in the Town Clerk's Office. Since the petitions are in-formal, a permissive referendum would be required.

I further recommend that you receive and file the plan, map and report for the proposed Districts. Services would be offered on a "benefits derived" basis, and would begin in 2015.

I further recommend that your Honorable Body establish a public hearing date of for the above.

Sincerely,

Chad Roscoe  
Junior Engineer, DPW

Cc: K. Gordon  
D. Aman  
E. Ainsworth  
T. Keef



# *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

## Map, Plan & Report Proposed Thackery Road Refuse District

### 1. Introduction

Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide refuse collection and disposal services.

In-formal petitions for the establishment of the District have been received from the owners of substantial majority of properties in the proposed District, representing 54.3% of the assessed value within the proposed District. A comparison of the petitions received to the total area of the proposed District is attached.

### 2. Area of the Proposed District

The District is proposed to include all those properties shown on the attached map. A legal description of the proposed District is also attached.

### 3. Purpose of the Proposed District

The purpose of the proposed District is to provide for the equitable, public financing of the cost of providing services to remove and to dispose of refuse and recyclables within the District.

### 4. District Charges

The charges of the proposed District will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will derive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes.

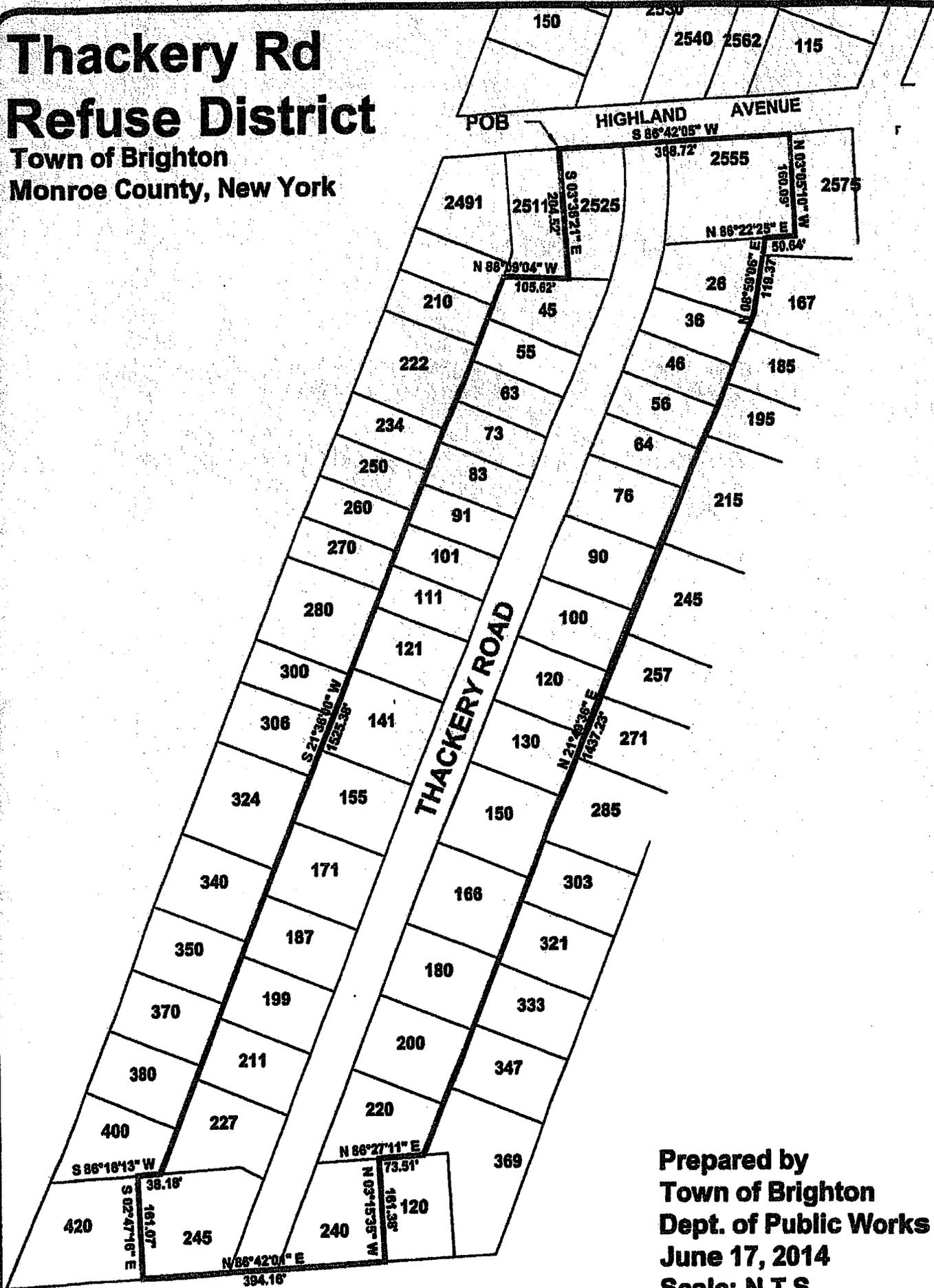
### 5. Indebtedness

The proposed District has no plans to issue any indebtedness to finance its activities.

### 6. Dated: 6/17/14

# Thackery Rd Refuse District

Town of Brighton  
Monroe County, New York



Prepared by  
Town of Brighton  
Dept. of Public Works  
June 17, 2014  
Scale: N.T.S.



**Schedule 'A'**  
**Description of**  
**Thackery Road Refuse District**

All that tract or parcel of land being a part of Township 13, Range 7, 2nd 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 on the northwesterly property corner of #2525 Highland Avenue, Tax ID 122.19-2-87, thence;

beginning at a ;

1. thence S 03°36'21" E a distance of 204.52';
2. thence N 88°09'04" W a distance of 105.62';
3. thence S 21°36'00" W a distance of 1525.38';
4. thence S 86°18'13" W a distance of 38.18';
5. thence S 02°47'16" E a distance of 161.07';
6. thence N 86°42'01" E a distance of 394.16';
7. thence N 03°15'35" W a distance of 161.38';
8. thence N 86°27'11" E a distance of 73.51';
9. thence N 21°49'36" E a distance of 1437.23';
10. thence N 08°59'06" E a distance of 119.37';
11. thence N 86°22'25" E a distance of 50.64';
12. thence N 03°05'10" W a distance of 160.09';
13. thence S 86°42'05" W a distance of 368.72';

which is the point of beginning, having an area of 728729.04 square feet, 16.729 acres

**State Environmental Quality Review**

**NEGATIVE DECLARATION**

**Notice of Determination of Non-Significance**

**Project Number:** ER-5-14

**Date:** June 25, 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**      Thackery Road Refuse District

**SEQR Status:**      Unlisted

**Conditioned Negative Declaration:**      No

**Description of Action:** Creation of a Refuse District to include 35 lots on Thackery Road, a total of 16.729 acres.

**Location:** Thackery Road from Highland Avenue to Esplanade Drive

**Reasons Supporting This Determination:**

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Part II) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton 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. Creation of the Thackery Road Refuse District to include real property will not create any significant adverse impacts.
3. There will be no resources of value irreversibly lost

**For further information:**

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

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

**Telephone:** 585-784-5229

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Town of Brighton Department of Public Works			
Name of Action or Project: Thackery Road Refuse District			
Project Location (describe, and attach a location map): Thackery Road from Highland Avenue to Esplanade Drive			
Brief Description of Proposed Action: Residents of the Thackery Road area would like to form a Refuse District. This would allow the Town of Brighton's waste hauler to remove the residents refuse on a specific day.			
Name of Applicant or Sponsor: Chad Roscoe		Telephone: 585-784-5224	
		E-Mail: chad.roscoe@townofbrighton.org	
Address: 2300 Elmwood Avenue			
City/PO: ROchester		State: NY	Zip Code: 14618
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 28 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Town of Brighton DPW, Chad Roscoe</u>		Date: <u>June 18, 2014</u>
Signature: <u></u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

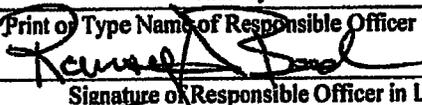
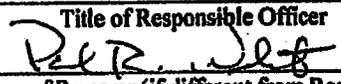
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Brighton Town Board	June 25, 2014
Name of Lead Agency	Date
Ramsey A. Bohner	Environmental Review Liaison Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

TOWN OF BRIGHTON ASSESSOR'S OFFICE  
2300 ELMWOOD AVENUE  
ROCHESTER, NY 14618 (585) 784-5216

DATE: August 1, 2014  
Tax Id Nos.: 122.20-1-44,45,46,  
122.19-2-87,88,89,90,91,92,  
93,94  
122.20-1-40,42,41,43.1,43.2  
137.07-4-35,36,37,38,39,  
40,41,42,43,44,45,46,47,  
48,49,50,51,52,53, all as  
Described on Schedule A  
Re: New Units Based Special  
District: Thackery Road  
Refuse District

I, Elaine K. Ainsworth, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions for the establishment of the Thackery Road Refuse District in the Town of Brighton, filed in the Town Clerk's Office in the Town of Brighton, County of Monroe, State of New York, and that:

- 1) The total assessed valuation of the real property within the parcels of the said new special district is \$11,030,000.00.
- 2) The aggregate assessed valuation of the real property therein owned by the signers of said petition is \$5,962,000.00.
- 3) Said petitions purport to be signed by the owners of more than one-half (1/2) the value of the real property within the area of the proposed district.

All as appears from the 2014 Assessment Roll, which is the latest completed assessment roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 4<sup>th</sup> day of August, 2014.

*Elaine K. Ainsworth*  
Elaine K. Ainsworth, IAO, Assessor  
Town of Brighton

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**RESOLVED**, that correspondence dated September 9, 2014 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the solicitation of bids from contractors to construct a "boat dock and boat put in" along the Erie Canal as part of The Reserve Subdivision, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the solicitation of bids from contractors to construct a "boat dock and boat put in" along the Erie Canal as part of The Reserve Subdivision.

Dated: September 23, 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

September 9, 2014

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

Re: The Reserve Subdivision  
Proposed Boat Dock and Boat Put In  
Construction Bid Documents

Dear Councilperson Werner and Committee Members:

As part of The Reserve Subdivision the applicant, Anthony J. Costello & Son Development, LLC., entered into an agreement with Town of Brighton to design and construct a boat dock and boat put in along the Erie Canal. The applicant agreed to pay the local share of the proposed improvements and provided a letter of credit in the amount of \$225,000. In addition, the Town of Brighton entered into an agreement with the New York State Canal Corporation who will make available \$225,000 for these canal improvements.

The applicant has indicated that the plans and specifications for the boat dock and boat put in will be available for bid in October 2014. Therefore, I am requesting authorization to solicit a request for bidders to provide those construction services necessary to construct the boat dock and boat put in along the Erie Canal. No action as to awarding a contract will be considered without returning to this committee.

As always, thank you for your consideration. Tim Keef will be in attendance at your regularly scheduled September 16, 2014 meeting in the event that you have any questions regarding this matter.

Respectfully,

Michael E. Guyon, P.E.  
Town Engineer

cc: S. Zaso  
T. Keef  
Mary Ann Hussar

## CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

September 23, 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>391,378.77</u>
D - HIGHWAY		<u>128,712.60</u>
L - LIBRARY		<u>29,259.45</u>
SA - AMBULANCE DIST		<u>4.55</u>
SB - BUSINESS IMPROVM		<u>216.00</u>
SF - FIRE DIST		<u>825.57</u>
SK - SIDEWALK DIST		<u>48,210.82</u>
SL - LIGHTING DIST		<u>19,785.55</u>
SN-NEIGHBORHOOD DIST.		<u>0.00</u>
SP-PARKS DISTRICT		<u>100.00</u>
SS - SEWER DIST		<u>156,229.86</u>
TA - AGENCY TRUST		<u>27,828.76</u>
	TOTAL \$	<u>802,551.93</u>

UPON ROLL CALL

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

APPROVED BY:

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

TO THE SUPERVISOR:

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

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 4, 2014 from Chief of Police Mark T. Henderson regarding a request to authorize the Supervisor to execute an Inter-Municipal agreement with Monroe County to provide tobacco compliance check services, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an Inter-Municipal agreement with Monroe County to provide tobacco compliance check services.

Dated: September 23, 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

September 4, 2014

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

**RE: INTER-MUNICIPAL AGREEMENT WITH MONROE COUNTY  
TOBACCO COMPLIANCE CHECKS**

Dear Board Members:

I recommend that the Supervisor be authorized to digitally sign an agreement between the County of Monroe and the Town of Brighton for the Inter-municipal Agreement with Monroe County Tobacco Compliance Checks. Along with the signed agreement, they have requested the Supervisor to forward insurance certificates that are required in order for the contract to be processed. Attached is a printout of the digital agreement.

Thank you for your consideration. I would be happy to answer any questions you may have regarding this request.

Respectfully,

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

Mark T. Henderson  
Chief of Police

Attachment

c: Captain Robert Cline  
JP O'Brien

**AGREEMENT**

**FOR Town of Brighton Police Department Tobacco Checks**

**April 1, 2014 THROUGH March 31, 2015**

THIS AGREEMENT, which shall be deemed to be dated as of the date the last party executed this Agreement, by and between the COUNTY OF MONROE, a municipal corporation with offices in the County Office Building, 39 West Main Street, Rochester, New York, 14614, hereinafter referred to as "County" and, Town of Brighton, with offices at 2300 Elmwood Avenue, Rochester, NY, 14618, hereinafter referred to as the "Contractor".

**WITNESSETH:**

WHEREAS, County is desirous of obtaining the services of the Contractor to perform the scope of services set forth in Section I hereof, and;

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

WHEREAS, the County Legislature, by Resolution Number 237 adopted on September 10, 2013, authorized the execution of an Agreement with the Contractor for such services;

NOW, THEREFORE, it is mutually covenanted and agreed by and between the parties hereto as follows:

**I. SCOPE OF SERVICES**

The Contractor's Police Department shall perform the following services for the County:

A. Conduct a maximum of Thirty (30) tobacco compliance checks of tobacco retail outlets, including vending machines and re-inspections, located in the Town of Brighton. Conduct one (1) follow-up check within two to three months of all outlets that have had their licenses suspended or revoked to determine if tobacco is being sold.

1. New compliance checks during contract period April 1, 2014 - March 31, 2015. Complete at least one (1) unannounced compliance check with a minor at all facilities where tobacco is sold by March 31, 2015.

2. Re-inspections during contract period April 1, 2014 - March 31, 2015. For each facility that, on April 1, 2014, has active points on their record, complete a minimum of two (2) additional compliance checks with a minor before March 31, 2015.

3. Synar Survey - When required, complete assigned compliance checks and submit inspection reports by the deadline for the annual random Synar survey.

B. Verify that the retailer/vendor is registered with NYS Department of Taxation and Finance to sell tobacco. Verify name and address of the legal operator on the outlet's Certificate of Registration.

C. Verify that there are no self-service of tobacco products and that the products are located in a secure cabinet or behind the sales counter accessible only to sales clerks. Verify that out of package tobacco items (loosies) are not for sale and that bidis are not sold in outlets without a tobacco registration. Verify that the required signage is posted in the facility.

D. Verify that vending machines have proper registration and are properly located and supervised.

E. When a retailer/vendor is found in violation:

- Verify name and address of operator.

- Notify operator of violations by presenting a copy of the "Notification of Violation" letter provided by the Health Department. Note on the compliance check form that letter has been delivered.
  - Note full name of actual seller (sales clerk) of the tobacco product on the compliance check form. Lottery agent number, if a New York State Lottery agent, must be noted on the compliance check form.
- F. Provide the personnel and minors (16-17 years of age) with the required training needed to conduct the compliance checks. Obtain written parental permission for participating minors.
- G. Follow the protocol for conducting tobacco compliance checks as developed by the New York State Health Department. \*Protocol is included as Appendix B.
- H. Complete the compliance check report forms (developed and provided by the New York State Department of Health) and submit the originals to the County within two (2) working days from the date the checks were conducted. Any evidence obtained must be labeled and held in a safe and secure location until such time as the administrative enforcement hearing is conducted or the contractor is otherwise instructed by the Health Department.
- I. Assure that the Police Department's personnel and/or minors involved in the compliance checks will be available to present testimony and evidence, if needed, in any Administrative Enforcement Hearings and/or judicial proceedings, initiated by or against the County, as a result of compliance checks.

**II. TERM OF INTERMUNICIPAL AGREEMENT**

- A. The term of this Agreement shall be for the period of April 1, 2014 through March 31, 2015.
- B. This Agreement shall remain in effect for the period specified above, unless it is terminated by either party hereto, at any time upon sixty (60) days prior written notice sent by registered or certified mail to the County's Health Director or the Contractor without incurring any penalty on account of such termination. This notice shall be sent to the respective party at the addresses first above set forth or at such other address as specified in writing by either party. Upon termination of this Agreement, the Contractor shall have no further responsibility to the County or to any other person with respect to those services specified in this Agreement. Upon termination of this Agreement, the County shall be obligated to pay the Contractor for services only performed through the date of termination. Following such payment, the County shall have no further obligations to the Contractor under this Agreement.
- C. Notwithstanding the provisions of the above paragraph, the County may terminate this Agreement immediately upon written notice to the Contractor upon the happening of any of the following:
1. Funding for the services to be performed under this contract is terminated or curtailed.
  2. The Contractor becomes bankrupt, insolvent or makes an assignment for the benefit of creditors.
  3. The Contractor violates any of the terms and conditions of this agreement, or any relevant statute or regulation.
  4. The County determines that the services performed by Contractor do not adequately meet the standards of quality as prescribed by State and Federal governments.

**III. PAYMENT FOR SERVICES**

The County agrees to pay the Contractor, and the Contractor agrees to be paid, a sum in full satisfaction of all expenses and compensation due the Contractor not to exceed TWO THOUSAND, FOUR HUNDRED DOLLARS (\$2,400.00). This sum shall be paid as follows:

In quarterly installments, at a rate of \$80.00 per compliance check conducted.

**In the event that the New York State Department of Health modifies its grant contract vouchering requirements at any other time during the term of this Agreement, County will so notify Contractor in writing and Contractor will adhere to said modifications as soon thereafter as reasonably possible, without the need for further contract amendments. Such written notification by County to Contractor will be attached to the Contract and be incorporated herein.**

The Contractor will submit properly completed and executed Monroe County claim vouchers setting forth in detail the services provided by the Contractor.

Each submitted voucher will be approved by the County Health Director or his duly designated representative and audited by the Controller of the County.

The County may audit records relating to expenses for services provided by the Contractor pursuant to this Agreement at any time during this Agreement and through and including twelve (12) months following this Agreement.

The Contractor shall prepare and make available such statistical and financial service and other records pursuant to regulations promulgated by New York State Department of Health, New York State Education Department and or requested by the County. These records shall be subject at all reasonable times to inspection, review or audit by the County, the State of New York and other personnel duly authorized by the County. These records shall be maintained for the period set forth in the State regulations.

The Contractor will submit a copy of any audit findings relating to services funded under this agreement to the County Department of Public Health.

#### **IV. INSURANCE**

If applicable, in addition to the requirements of Appendix A, Contractor certifies that no medical professionals or other medical personnel shall be involved in the performance of the services described herein.

#### **V. CONTRACTOR QUALIFIED, LICENSED, ETC.**

In addition to the requirements of Appendix A, Contractor further assures that all professional staff are qualified for their positions and all educational records and other credentials are genuine and on file. The records are to include but not limited to proof of: academic degrees, continuing education transcripts, state certifications, and professional licenses.

#### **VI. USAGE OF COMPUTER AND ELECTRONIC EQUIPMENT**

The Contractor acknowledges and agrees that usage of any computer hardware, computer software and/or electronic equipment used in the course of carrying out duties under this Agreement will be governed by all applicable laws, rules and regulations.

#### **VII. MISCELLANEOUS**

The following are in addition to the requirements of Appendix A:

A. The Contractor represents and warrants that neither it, nor its employees or contractors, are excluded from participation, or are otherwise ineligible to participate, in a "federal health care program" as defined in 42 U.S.C. Section 1320a-7b(f) or in any other government payment program. The Contractor further agrees that it will, at a minimum, check monthly all of its employees and subcontractors against:

- The General Services Administration's Federal Excluded Party List System (or any successor system),
- The United States Department of Health and Human Services Office of the Inspector General's Lists of Excluded Individuals and Entities or any successor list;

- And, the NYSDOH Office of the Medicaid Inspector General's list of Restricted, Terminated, or Excluded Individuals or Entities.

In the event the Contractor, or one of its employees or contractors, is excluded from participation, or becomes otherwise ineligible to participate in any such program during the term of the Agreement, the Contractor will notify the County in writing within three (3) days after such event. Upon the occurrence of such event, whether or not such notice is given to the Contractor, the County reserves the right to immediately cease contracting with the Contractor.

B. To the extent that State-funds/State-authorized payments (SF/SAP) received are used to pay for program services by covered providers, any subcontractors or sub-awardees shall be made aware of the provisions of the regulations of 9 NYCRR Part 6157 - "Limits on Administrative Expenses and Executive Compensation". Additionally, Contractor and any subcontractors shall review as appropriate Executive Order No. 38, which can be located at <http://executiveorder38.ny.gov>.

#### **VIII. REQUIRED STANDARD CLAUSES FOR COUNTY CONTRACTS**

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 set forth fully herein.

IN WITNESS THEREOF, Maggie Brooks the County Executive of the COUNTY OF MONROE and William Moehle, Town Supervisor of Town of Brighton (Federal Tax ID# 16-6002187), hereto have executed this agreement as of the day and year appearing opposite their respective signatures below. By electronically approving this Agreement, both parties agree to all terms and conditions listed in this contract document, as well as all attachments included with the document.

CERTIFICATION REGARDING

DEBARMENT, SUSPENSION AND RESPONSIBILITY

By electronically approving this contract, 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

By electronically approving this contract, 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.

Town of Brighton

APPENDIX A

APPENDIX B

## **DIGITAL SIGNATURES**

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**RESOLVED**, that correspondence dated September 16, 2014 from Chief of Police Mark T. Henderson regarding a request to authorize the acceptance of a \$10,000.00 Legislative Justice Grant to be used by the Police Department for the purchase of covert speed detection and traffic data collection devices and two handheld laser radar devices and further authorize an increase of \$10,000.00 in account A.POLICE 3125.2.17 to correspond to the receipt of the grant funds, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the acceptance of a \$10,000.00 Legislative Justice Grant to be used by the Police Department for the purchase of covert speed detection and traffic data collection devices and two handheld laser radar devices and further authorizes an increase of \$10,000.00 in account A.POLICE 3125.2.17 to correspond to the receipt of the grant funds.

Dated: September 23, 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

September 16, 2014

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

**RE: DCJS Byrne Justice Grant  
LG14014764**

Dear Board Members:

I am pleased to report that New York State Senator Joseph Robach has secured a \$10,000.00 Legislative Grant for the Brighton Police Department. The grant funding will be used to purchase covert speed detection and traffic data collection device and two (2) hand-held Lidar laser radar speed measurement devices.

I hereby request that the Supervisor be allowed to accept the terms and conditions of this grant through the Grant Management System of the New York State Department of Criminal Justices Services.

Once the grant is accepted and approved I request that appropriations in account **A.POLCE.3125.2.17 (law enforcement equipment)** be increased by **\$10,000.00**.

Respectfully,

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

Mark T. Henderson  
Chief of Police

## GRANT AWARD INFORMATION

September 16, 2014

**Project ID:** LG14-1165-D00

**DCJS Number:** LG14014764

**Award Recipient:** Brighton Town Police Department

**Mailing Address:** Brighton Town Police Department  
2300 Elmwood Avenue  
Rochester, NY 14618

**Contact Person:** Captain David Catholdi

**Award Amount:** \$10,000

**DCJS Contact:** Jodi Clark, Criminal Justice Program Representative  
Division of Criminal Justice Services  
Office of Program Development and Funding  
80 S. Swan Street  
Albany, NY 12210  
(518) 485-0913  
(518) 485-2728 Fax

**Application Return Date: Within 30 Days of Receipt of this Award Notice**

Technical Assistance to Complete  
Applications Available Upon Request  
GMS Help Desk  
At (518) 457-9787

## Reminders and New Requirements for SFY 2014-2015:

### **NEW:**

- **Reports and Vouchers:** Grantees are now expected to submit quarterly progress reports and vouchers by the last day of the month following each calendar quarter.
- **Vendor Prequalification:** New York has initiated a new statewide prequalification process designed to facilitate prompt contracting for not-for-profit vendors. Not-for-profits will be asked to submit commonly requested documents, and answer frequently asked questions regarding your organization's capacity, legal compliance, and integrity. Prequalification is required prior to contract approval. To learn more about prequalification, go to the Grants Reform website: <http://www.grantsreform.ny.gov/Grantees>
- **Proof of Workers Compensation and proof of Disability Insurance** is required for all not for profit entities. Both of these insurance documents must list the New York State Division of Criminal Justice Services (DCJS) as the certificate holder. Please attach a copy of these two certificates to your GMS project when you submit your application.
- **M/WBE Requirement:** In accordance with the New York State Executive Law Article 15-A, DCJS is obligated to promote opportunities for the participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of DCJS contracts. Grantees receiving in excess of \$25,000 must submit documentation showing compliance with New York State Executive Law Article 15-A. If this applies to your organization, you must complete and submit the Local Assistance MWBE Equal Employment Opportunity Staffing Plan (DCJS-3300), Local Assistance MWBE Subcontractor/Supplier Utilization Proposal Form (DCJS-3301), and Local Assistance MWBE NPS Discretionary Budget Determination Worksheet (DCJS-3309) before your contract can be approved. For more information please visit: <http://www.criminaljustice.ny.gov/ofpa/mwbe/index.htm>

### **REMINDERS:**

- **Vendor Responsibility:** Not-for-Profit (NFP) organizations that are receiving an award of \$100,000 or greater are required to complete an *updated* Vendor Responsibility Questionnaire. The questionnaire and additional information are available on the NYS Office of State Comptroller website: [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm).
- **Charities Registration:** Please ensure that your filing status is up-to-date with the Charities Bureau of the NYS Attorney General's Office. Requirements may be obtained at the Attorney General's website: <http://www.charitiesnys.com/home.jsp>



STATE OF NEW YORK  
DIVISION OF CRIMINAL JUSTICE SERVICES  
80 S. Swan Street  
Albany, New York 12210  
<http://criminaljustice.ny.gov>

TO: Award Recipients

FROM: Michael C. Green  
Executive Deputy Commissioner, Division of Criminal Justice Services

SUBJECT: Legislative Grant Awards

---

I am pleased to notify you the State Budget for State Fiscal Year 2014-2015 includes an appropriation of funds to support the program noted on the enclosed attachment.

The application **must be submitted within 30 days** of receiving this notice, otherwise you will be in jeopardy of losing this year's award. Please be aware there is no guarantee of ongoing funding for this project in these times of serious fiscal crisis in New York State and the nation. All grantees should make every effort to manage funds efficiently and seek ways to sustain their program with other resources wherever possible.

If you are a not-for-profit, this award is conditioned on the requirement that you prequalify in the Grants Gateway. Additional information on prequalification and the Grants Gateway can be found on the Grants Reform website (<http://grantsreform.ny.gov/>). Please attend to this requirement in a timely manner to avoid any delay in approval.

In the very near future an Office of Program Development and Funding Criminal Justice Program Representative will contact your office to assist you in the development of the grant contract. Applications must be completed and submitted through the DCJS internet-based automated GMS as soon as possible. Once the application is received, we will begin the grant contracting process.

DCJS is looking forward to working with you on this important initiative during the coming year. We look forward to working with you in your efforts in developing crime fighting and violence prevention initiatives that will enhance the quality of life in your community. Should you have any questions, please have a member of your staff contact Joann Tierney-Daniels at (518) 457-0002 or email at [joann.tierneydaniels@dcjs.ny.gov](mailto:joann.tierneydaniels@dcjs.ny.gov).

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 12, 2014 from Deputy Highway Superintendent Timothy J. Anderson regarding a request to authorize the disposal of certain highway equipment, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby declares the following equipment surplus and directs that they be disposed of through public auction through auctioneer Roy Teitsworth at the Monroe County Municipal Auction to be held on October 4, 2014:

Asset #360460 - 2004 Chevy Silverado Pick Up Truck with Plow

Asset #D50714 - 2000 Ford One Ton Dump Truck.

Dated: September 23, 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

*Operations Center*

1941 Elmwood Ave. / Rochester, New York 14620 / Phone (585) 784 - 5280 Fax (585) 784 - 5385

September 12, 2014

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

Re: Authorize Disposal of Equipment and Material

Honorable Members:

I recommend the disposal of certain highway equipment as listed below. The items listed are no longer able to support departmental operations.

#47 2004 Chevy Silverado Pick Up Truck w/Plow    Asset #360460  
#73 2000 Ford 1 TN Dump Truck                      Asset #D50714

I further recommend that I be authorized to dispose of this equipment at an auction conducted by Roy Teitsworth at the Monroe County Municipal auction on October 4<sup>th</sup> of this year.

Sincerely,

Timothy J. Anderson  
Deputy Highway Superintendent

Cc: M. Hussar  
S. Zaso  
T. Keef  
A. Banker

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 9, 2014 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the Supervisor to execute Supplemental Consultant Agreement #4 with Fisher Associates for additional right-of-way services associated with the Highland Crossing Trail project at a cost not to exceed \$14,832.50, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute Supplemental Consultant Agreement #4 with Fisher Associates for additional right-of-way services associated with the Highland Crossing Trail project at a cost not to exceed \$14,832.50.

Dated: September 23, 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

September 9, 2014

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

Re: Highland Park/Canalway Trail  
Fisher Associates  
Supplemental Agreement #4, Additional Right of Way Incidental Services

Dear Councilperson Werner and Committee Members:

I am requesting that the FASC authorize the Supervisor to endorse Supplemental Agreement #4 with Fisher Associates for the additional services required to complete the right of way incidental work. The cost of the additional services is \$14,832.50 and includes:

- The real property appraisal reports prepared in December, 2012 are acceptable for a 1 year period. The NYS property acquisition process delayed the project in excess of one year and the 2012 appraisals must be updated.
- The consultant must review the updated appraisal reports per the original scope of services.
- Update the title searches and certifications are required due to the passage of time resulting from the project delay referenced above.
- The NYS property acquisition process requires that a last owner property certification be completed. The last property owner for the NYS owned properties dates back to the 1800's which requires a thorough and expensive title search. Following lengthy discussions it was concluded that a three year title search will be completed for the NYS owned properties. The cost of the 3 year title search is an additional service.

The funds needed to reimburse the cost of the additional services will be transfer from the acquisition of property phase to the incidental right of way phase. The total project cost will remain unchanged and no additional funding is being requested.

If authorized, this agreement will reduce the funding available for property acquisition from \$200,000 to \$185,167.50 and the total project cost will remain unchanged. Based on the existing property appraisals, the anticipated cost to acquire the necessary easements is \$109,000. Therefore, sufficient funding will remain to complete the property acquisition

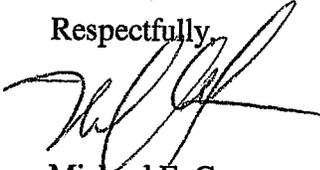
2300 Elmwood Avenue • Rochester, New York 14618 • 585-784-5250 • Fax: 585-784-5373  
<http://www.townofbrighton.org>



phase. The NYSDOT indicated that the transfer of funding from the property acquisition phase to the right of way incidental phase is permissible.

Tim Keef will be in attendance at your regularly scheduled September 16, 2014 meeting in the event that you have any questions regarding this correspondence. As always, your consideration of matters such as this is greatly appreciated.

Respectfully,



Michael E. Guyon  
Department of Public Works

Cc Tim Keef  
Mary Ann Hussar  
Suzanne Zaso



At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated September 15, 2014 from Finance Director Suzanne Zaso regarding a request to authorize the Supervisor to execute an agreement with the Burke Group to provide actuarial services for the valuation of "Other Post-Employment Benefits" for fiscal year 2014, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an agreement with the Burke Group to provide actuarial services for the valuation of "Other Post-Employment Benefits" for fiscal year 2014 for a cost of \$4,000.00.

Dated: September 23, 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

MEMORANDUM

To: The Honorable Town Board  
Attn.: Finance and Administrative Services Committee  
From: Suzanne Zaso, Director of Finance *yz*  
Date: September 15, 2014  
Subject: Actuarial Services for Other Post-Employment Benefits  
GASB 45

In accordance with GASB 45 provisions for valuating and disclosing the cost of Other Post-Employment Benefits (OPEB), the Town must obtain a full valuation for the fiscal year ending 12/31/14. When the last full valuation was done two years ago, the Town requested proposals from four firms. The Burke Group was chosen from those proposals to perform these services. While there was one other firm that came in \$300 less than the Burke Group, they did not have any municipal experience providing OPEB valuation services.

Since the Burke Group has an understanding of the Town and its benefits in providing these valuation services for two of the last three valuations periods and also is the firm that is providing these services to many other local municipalities, I am recommending that the Town Board authorize the Supervisor to sign an agreement with the Burke Group for a base fee of \$4,000 to prepare and provide a report on the full valuation of post-retirement healthcare benefits for the Town of Brighton for the fiscal year ending 12/31/14, as required under GASB 45. This is the same fee charged in 2012.

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

A meeting of the Town Board of the Town of Brighton, Monroe County, New York, held at Brighton Town Hall, 2300 Elmwood Avenue, Rochester, New York 14618 on September 23, 2014 at seven o'clock p.m., prevailing time.

The meeting was called to order by Town Supervisor, William W. Moehle, and upon roll being called, the following were:

PRESENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_

The following resolution was offered by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_, to-wit:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING AND ADOPTING POST ISSUANCE COMPLIANCE POLICIES AND PROCEDURES RELATED TO THE TOWN'S TAX-EXEMPT OBLIGATIONS, SUCH POLICIES AND PROCEDURES INTENDED TO ENSURE THAT THE REQUIREMENTS IMPOSED UPON THE TOWN PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, WILL BE SATISFIED**

WHEREAS, the Town of Brighton, Monroe County, New York (the "Town") previously has issued bond and notes (the "Tax-Exempt Obligations"), the interest on which is excluded from gross income of the owners thereof pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Town intends to issue additional series of Tax-Exempt Obligations in the future; and

WHEREAS, in order to ensure that that interest on Town's Tax-Exempt Obligations will continue to be excluded from gross income of the owners thereof for purposes of federal income taxation, and that the Town complies with its tax certifications relating to the Tax-Exempt Obligations, the Town has determined, based on the advice of the Town's Bond Counsel, to adopt certain written Post-Issuance Compliance Policies and Procedures in the form attached hereto as Exhibit A and made a part hereof (the "Post-Issuance Compliance Procedures").

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Brighton, Monroe County, New York (the "Board"), as follows:

**Section 1.** The Board hereby approves and adopts the Post-Issuance Compliance Procedures.

**Section 2.** The Board hereby appoints the Director of Finance of the Town to serve as the "Designated Tax Compliance Official" under the Post-Issuance Compliance Procedures and hereby authorizes and directs the Director of Finance, acting in such capacity, to take such actions, after appropriate consultation with Bond Counsel to the Town, as the Director of Finance deems necessary, appropriate or desirable to effect the implementation of the Post Issuance Compliance Procedures, and hereby further authorizes the Director of Finance, as such Designated Tax Compliance Official, to delegate to such other Town officials or employees as the Director of Finance shall determine is necessary or appropriate, the responsibility to take certain specific actions called for by the Post-Issuance Compliance Procedures.

**Section 3.** This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows.

_____	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

## Exhibit A

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

#### **POST-ISSUANCE COMPLIANCE POLICIES AND PROCEDURES Related to Tax-Exempt Obligations**

Adopted: September 23, 2014

These Post-Issuance Compliance Policies and Procedures (the "Procedures") are adopted by **TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK** (the "Town") to ensure that interest on tax-exempt obligations of the Town (the "Bonds") remains excludable from gross income under Section 103 of the Internal Revenue Code of 1986 (the "Code").

In order to ensure continued compliance with requirements of the Code and the applicable regulations (the "Applicable Federal Tax Law") associated with the issuance of Bonds, the Town will consult with the Town's bond counsel, in advance, regarding deviations from the facts and expectations set forth in the closing certifications relating to any issue of Bonds.

If as a result of changes to the Applicable Federal Tax Law or the New York State Local Finance Law these Procedures are in conflict with such laws, the Town will consult with Bond Counsel regarding the proper course of action, including amending these Guidelines.

#### **I. Procedures**

The Director of Finance of the Town (the "Designated Tax Compliance Official") is the primary person to consult with the Town's bond counsel ("Bond Counsel"), financial advisor and other advisors on a continual basis for the entire term of the Bonds. The Designated Tax Compliance Official may delegate to his or her staff or contract with independent contractors (such as an arbitrage/rebate consultant) responsibility for different aspects of post-issuance tax compliance. However, the Designated Tax Compliance Official will be ultimately responsible for implementing the procedures described herein.

## **II. Securing Closing Documents**

Following each issuance of Bonds, the Designated Tax Compliance Official or his or her designee will:

- a. Confirm the filing of the Form 8038 or Form 8038-G (or applicable successor form) with Internal Revenue Service ("IRS"). Filing of the applicable Form 8038 is usually undertaken or overseen by Bond Counsel at or soon after the closing of a bond issue.
- b. Obtain and store the Transcript of Proceedings prepared by Bond Counsel (which typically includes the applicable Form 8038 and the Arbitrage and Tax Certificate containing the Town's expectations as of the date of issuance of the bond issue).

## **III. Recordkeeping**

The Designated Tax Compliance Official or his or her designee will:

- a. Establish a plan for keeping relevant books and records as to the investment and the expenditure of bond proceeds.
- b. Keep accurate records including:
  - (i) Basic records relating to the bond transactions (including the bond resolutions, closing documents, and the Bond Counsel Opinion (see Securing Closing Documents, above);
  - (ii) Documentation evidencing the expenditure of bond proceeds;
  - (iii) Documentation evidencing use of bond-financed property by public and private sources (i.e., copies of leases, management contracts);
  - (iv) Documentation evidencing all sources of payment or security for the bonds; and
  - (v) Documentation pertaining to any investment of bond proceeds (including the purchase and sale of securities, subscriptions for United States Treasury Securities-State and Local Government Series ("SLGs"), yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts and rebate calculations).
- c. Keep all records in a manner that ensures their complete access to the IRS so long as they are material.
- d. Keep the relevant records for each issue of bonds for as long as such issue of bonds is outstanding (including any bonds issued to refund such issue of bonds) plus three (3) years after the final redemption date of the bonds.

## **IV. Arbitrage Rebate and Arbitrage Yield Restriction**

The Designated Tax Compliance Official or his or her designee will:

- a. Engage the services of the Town's financial advisor or an arbitrage/rebate consultant for assistance in compliance with arbitrage related issues.

- b. Work with the Town's Bond Counsel, financial advisor and/or arbitrage/rebate consultant to monitor compliance with "temporary period exceptions" for expenditure of bond proceeds, typically three (3) years for new money bonds and provide for yield restriction of investments or "yield reduction payments" if exceptions are not satisfied.
- c. Work with the Town's Bond Counsel and financial advisor to ensure investments acquired with bond proceeds are purchased at fair market value. This may include use of bidding procedures under the regulatory safe harbor (Section 1.148-5(d) of the Regulations).
- d. Consult with the Town's Bond Counsel or arbitrage rebate consultant prior to the creation of funds which would reasonably be expected to be used to pay debt service on tax-exempt bonds to determine in advance whether such funds must be invested at a restricted yield (i.e., yield restricted).
- e. Consult with the Town's Bond Counsel and financial advisor before engaging in post issuance credit enhancement transactions (e.g., bond insurance, letter of credit) or hedging transactions (e.g., interest rate swap, cap).
- f. Consult with the Town's Bond Counsel, financial advisor, and/or arbitrage rebate consultant to identify situations in which compliance with applicable yield restrictions depends upon subsequent investments (e.g., purchase of 0% SLGS from U.S. Treasury) and monitor implementation.
- g. Work with an arbitrage rebate consultant to arrange for timely computation of rebate/yield reduction payment liability and, if an amount is payable, for timely filing of Form 8038-T, Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate (or applicable successor form), and payment of such liability. Rebate/Yield Reduction payments are ordinarily due at 5-year intervals.

#### **V. Private Use of Bond-Financed Facilities**

The Designated Tax Compliance Official or his or her designee will:

- a. Create and maintain records of which proceeds of bond issues were used to finance which facilities. These records shall incorporate the refunding or partial refunding of any bond issues.
- b. Record the allocation of bond proceeds to expenditures, including reimbursements. These records will be consistent with the expenditures used for arbitrage purposes.
- c. Record the allocation of bond proceeds and funds from other sources in connection with any bond funded project. Review expenditure of bond proceeds with Bond Counsel to ensure bond proceeds are used for qualifying costs.
- d. Review with Bond Counsel prior to the sale or lease of a bond-financed facility, or the granting of a license or management contract, or any other arrangement allowing private use of a bond financed facility, the terms of such arrangement.

- e. Keep records of private use, if any, of bond financed facilities to monitor the amount of private use of bond financed facilities. Private use of bond-financed facilities shall be reviewed no less frequently than once a year (in connection with the preparation of the annual financial statements). If a change in private use occurs, Bond Counsel will be consulted to determine if remedial action is necessary.

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

I, the undersigned Town Clerk of the Town of Brighton, Monroe County, New York, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Clerk of the Town of Brighton, Monroe County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board of the Town, and am duly authorized to execute this certificate.

2. A Regular Meeting of the Town Board of the Town was held on \_\_\_\_\_, 2014, and attached hereto is a true and correct copy of a resolution duly adopted at such meeting and entitled:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING AND ADOPTING POST ISSUANCE COMPLIANCE POLICIES AND PROCEDURES RELATED TO THE TOWN'S TAX-EXEMPT OBLIGATIONS, SUCH POLICIES AND PROCEDURES INTENDED TO ENSURE THAT THE REQUIREMENTS IMPOSED UPON THE TOWN PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, WILL BE SATISFIED**

3. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Brighton this \_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_ Clerk

[SEAL]



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

MEMORANDUM

To: The Honorable Town Board  
Attn.: Finance and Administrative Services Committee  
From: Suzanne Zaso, Director of Finance   
Date: September 15, 2014  
Subject: Post-Issuance Compliance Procedures for Tax-Exempt Debt

The IRS is requiring that issuers of tax-exempt debt adopt procedures to ensure that the requirements imposed upon the Town as the issuer of such debt are satisfied. Such requirements include securing closing documents, keeping a record of all relevant material as to the investment and the expenditure of bond proceeds for up to 3 year after final redemption of the bonds, and complying with arbitrage related issues.

I am requesting that the Town Board adopt the attached resolution as prepared by the Town's Bond Counsel outlining these procedures.

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

Attachment

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 16, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the transfer of \$60,000.00 from fund balance to SS.SEWER 8120 2.80 to support the completion of the MCC Sanitary Sewer Boring project through a contract for said work with the County of Monroe, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the transfer of \$60,000.00 from fund balance to SS.SEWER 8120 2.80 to support the completion of the MCC Sanitary Sewer Boring project through a contract for said work with the County of Monroe.

Dated: September 23, 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

September 16, 2014

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

re: Proposed Use of Sewer District Balance Funds  
for MCC Sanitary Sewer Borings

Dear Chairman Werner and Committee Members:

As you may recall, bids were previously received for the above project and subsequently rejected as the costs exceeded the estimates. The Sewer Department has continued to pursue this matter and has determined that a County bid is available for this work at a total cost of \$193,478.00. Currently there is \$138,433.00 in this year's budget (SS.SEWER 8120 2.80) for this undertaking. I request that \$60,000.00 be transferred from the Sewer District balance into this account in order to provide sufficient funding for the project and use of the County contract.

As always, thank you for your consideration and I will be in attendance at your regularly scheduled September 16, 2014 meeting in the event that you have any questions regarding this matter.

Sincerely,

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

TEK/wpd

cc: S. Zimmer  
S. Zaso  
A. Banker  
M. Hussar  
K. Gordon

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED,** that correspondence dated September 16, 2014 from Chief of Police Mark T. Henderson regarding a request to amend the 2014 Police Department Operating Budget to appropriate seized asset funds in the amount of \$3,665.00 from the Forfeited Property Account (A. 889. JSTCE) to the Computer Equipment Account (A.POLICE 3125.2.13) to fund the purchase of particular computer equipment, be received and filed; and be it further

**RESOLVED,** that the Town Board hereby authorizes the amendment of the 2014 Police Department Operating Budget to appropriate seized asset funds in the amount of \$3,665.00 from the Forfeited Property Account (A. 889. JSTCE) to the Computer Equipment Account (A.POLICE 3125.2.13) to fund the purchase of particular computer equipment, all as more fully set forth in the above referenced correspondence.

Dated: September 23, 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

September 16, 2014

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

**RE: PURCHASES USING SEIZED ASSETS ACCOUNT**

Dear Board Members:

I hereby request that an amendment be approved to the 2014 Police Department operating budget to provide for sufficient appropriations for the purchase of the following item:

**Computer Equipment                      \$3,665.00**

I propose that the Proceeds of Forfeited Property be used to fund this purchase. I request that appropriations in account **A.POLCE.3125.2.13 (Computer Equipment)** be increased by **\$3,665.00**. The total expenditure will be supported with the use of Forfeited Property account **A.889.JSTCE**. I have consulted with the United States Attorney's Office and they concur that the use of seized forfeiture asset funds for the purpose of these purchases is appropriate.

Respectfully,

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

**Mark T. Henderson**  
Chief of Police

MTH:jpo

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of September, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**RESOLVED**, that correspondence dated September 17, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. together with a proposed Negative Declaration regarding proposed Local Law # 7 of 2014 titled "Fire Protection Systems Licensure" Local Law and the text of the proposed Local Law, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby sets a public hearing on the adoption of said Local Law for October 8, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton and directs that the Town Clerk post and publish such proper legal notice of said public hearing as is required by law.

Dated: September 23, 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

September 17, 2014

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

Re: Proposed Local Law #7 of 2014  
Fire Protection Systems Licensure

Dear Supervisor Moehle and Town Council Members:

I recommend that your Honorable Body receive and file this communication and the proposed Local Law as attached, which has been reviewed by the Attorney for the Town, as well as previously processed through the Public Safety Committee. At this time the recommended fee schedule is \$100.00 per license issued, which I also request your concurrence. Staff has performed the necessary SEQOR review and issued a negative declaration in this regard. I further recommend that you set a public hearing for this proposed Local Law #7 of 2014.

As always, thank you for your time and consideration in these matters.

Very truly yours,



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

TEK/wp

attachments

cc: C. Roth  
R. Bohner  
M. Hussar  
D. Aman  
K. Gordon

State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

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

**Date:** 10-8-14

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 – Fire Protection Systems Licensure LL

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Amendment to Chapter 73 of the Town Code to provide a mechanism to make sure that entities installing, servicing, maintaining and testing fire protection systems are properly qualified to perform such work.

**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**

**Local Law # 7 of 2014**  
**"Fire Protection Systems Licensure" Local Law**

**Section 1. Title**

This Local Law shall be known as the "Fire Protection Systems Licensure" 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 a mechanism to make sure that entities installing, servicing, maintaining and testing fire protection systems are properly qualified to perform such work.

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

Chapter 73, is amended by changing the title of Article IV thereof to read "**Fire Extinguishers and Fire Protection Systems**" and is further amended as follows:

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

**Section 73-38. Definitions.**

As used in this Article IV of Chapter 73, the following terms shall have the meanings indicated:

**MARSHAL** – The Fire Marshal of the Town of Brighton.

**TRADE** – The trade of installing, charging, filling, maintaining, recharging, refilling, repairing and/or testing rechargeable fire extinguishers , fire extinguishing systems or fire protection systems.

**FIRE PROTECTION SYSTEMS** – shall be defined as Manual and Automatic Fire Alarms, Portable Fire Extinguishers, Type I Commercial Cooking Hoods and Fixed Pipe Fire Suppression Systems including hoods, canopies, automatic fire sprinklers, alternative automatic fire-extinguishing systems and stand pipe systems.

Section 73-39. License required.

No person shall engage in or conduct the trade within the Town of Brighton without first having obtained a license therefor issued by the Marshal or his designee, and without having first obtained and filed with the Marshal or his designee an insurance certificate, showing coverages as may be determined by the Marshal, consistent with the provisions of § 73-41. The Marshal or his designee may issue a license under this Chapter 73 to any applicant **meeting the current licensing requirements of the National Institute for Certification in Engineering Technologies ("NICET")** or holding a license to engage in the trade issued by the City of Rochester or holding any other license to engage in the trade issued by another jurisdiction which the Marshal determines has requirements for its issuance that are substantially similar to the licensing requirements of the City of Rochester or of NICET. **The license issued by the Marshal shall expire on December 31 each calendar year, shall not be transferable and shall be limited in scope to allow only those disciplines included in the Trade that the licensee has demonstrated by the above referenced documentation it is qualified to perform.**

**Section 4. Fees**

A schedule of fees is on file and available in the office of the Building Inspector and/or the office of the Fire Marshal. Fees for permits issued under this chapter shall be set by resolution of the Town Board. Fees shall be collected prior to the issuance of a permit.

**Section 5. 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 23rd day of September, 2014.

**PRESENT:**

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

**RESOLVED**, that Ronald M. Wexler of 15 Chadbourne Road, Rochester, NY 14618 is hereby appointed as the Chairperson of the Sustainability Oversight Committee for a term commencing immediately through December 31, 2014 and a two (2)-year term thereafter through December 31, 2016.

Dated: September 23, 2014

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