.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
June 10, 2015

Present:

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

David Marcus, Deputy Town Clerk
Kenneth Gordon, Attorney for the Town
Mark Henderson, Chief of Police
Tim Keef, Commissioner of Public Works
Suzanne Zaso, Director of Finance

MEETING CALLED TO ORDER at 7:03:

OPEN FORUM:

Judy Schwartz	179 Ashbourne Rd
Jason Zoglin	311 Rhinecliff Dr

APPROVAL OF AGENDA:

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

May 13, 2015 Town Board Meeting

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to approve and file the aforementioned minutes

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Far View Hill Road Sewer District (*see Resolution #1).*

(Complete transcript available upon request)

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. 1 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Amendment to the Amended Incentive Zoning Application for project known as the Reserve (*see letter dated June 5, 2015 from Jerry A. Goldman, Attorney of record for project).*

(Complete transcript available upon request)

Matter Held

BIDS:

MATTER RE: Approval to solicit for proposals to provide professional consulting services to the Town relating to the Incentive Zoning Application for the project known as Palazzo Plaza (*see Resolution #2 and letter dated June 1, 2015 from Ramsey Boehner, Town Planner).*

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. 2 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to solicit for proposals to purchase replacement Ambulance for Brighton Volunteer Ambulance (*see Resolution #3 and memorandum dated May 19, 2015 from Andrew Robinson, Budget Director).*

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. 3 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM: Jamie Weigel to Supervisor dated April 11, 2015 regarding the proposed Clover Lanes redevelopment project.

FROM: Monroe County Clerk of the Legislature dated May 13, 2015 regarding the Monroe County 2016-2021 Capital Improvement Program.

FROM: Michael and Jane Kallay to Supervisor dated May 24, 2015 regarding the proposed Clover Lanes redevelopment project.

FROM: Mimi Hwang to Supervisor dated May 25, 2015 regarding the proposed Clover Lanes redevelopment project.

FROM: Robert W. Burgdorf to Supervisor dated May 26, 2015 regarding the proposed Clover Lanes redevelopment project.

FROM: David Grant and Roberta Kerry-Sharick to Town Board dated May 29, 2015 regarding the proposed Clover Lanes redevelopment project.

FROM: Elinor Freer to Supervisor dated May 30, 2015 regarding the proposed Clover Lanes redevelopment project.

FROM: NY State DOT to Supervisor dated June 1, 2015 to Supervisor regarding preventive maintenance project beginning June 2nd along Routes 250, 441 and 31.

FROM: Monroe County Department of Transportation dated June 8, 2015 regarding pavement resurfacing and striping work starting week of June 8, 2015 on South Clinton Avenue between Elmwood Avenue and the City Line.

FROM: Jason Zoglin dated June 10, 2015 regarding Neighborhood maintenance. Submission included photos, foreclosure notice and a letter.

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Parks and Recreation & Community Services – Met on 5/18/15; next meeting 6/22/15 at 4:30 PM at Brookside School.

Finance and Administrative Services – Met on 6/2/15; next meeting 6/16/15 at 3:30 PM in the Stage Conference Room at Town Hall.

Public Safety Services – Met 6/9/15; next meeting 7/14/15 at 8:00 AM in the Downstairs Meeting Room at Town Hall.

Public Works Services – Met 6/2/15; next meeting 7/7/15 at 9:00 AM in the Downstairs Meeting Room at Town Hall.

OLD BUSINESS:

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. 4 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize reappointment of Dennis Adams as Chairperson and member of the Conservation Board effective July 1, 2015 through June 30, 2017 (*see Resolution #4).*

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. 5 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize reappointment of Sara Rubin, George L. Smith, Susan Riblett and Diane Richeson as members of the Conservation Board effective July 1, 2015 through June 30, 2017 (*see Resolution #5*).

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize reappointment of Stuart MacKenzie as the Chairperson and member of the Architectural Review Board effective July 1, 2015 through June 30, 2018 (*see Resolution #6).*

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. 7 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to reject all bids received for the Crittenden Road Sidewalk project with authorization to develop revised plans to complete project utilizing a Monroe County contract (*see Resolution #7 and letter dated May 28, 2015 from Michael Guyon, P.E. Town Engineer*).

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of a Volunteer Intern position to the Sustainability Oversight Committee effective immediately through September 30, 2015 (*see Resolution #8 and letter dated May 28, 2015 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. 9 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to amend the 2015 Budget to support insurance recovery funds received as reimbursement for monies spent on a particular Sewer Department truck repair (*see Resolution #9 and letter dated May 29, 2015 from Timothy Anderson, Deputy Highway Superintendent).*

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. 10 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with the Jewish Community Center for use of indoor swimming pool facility (*see Resolution #10 and letter dated June 2, 2015 from Rebecca Cotter, Recreation Director).*

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to transfer and utilize funding from the Monroe Avenue Business Improvement District #1 reserve fund, and authorize Supervisor to execute agreement with NY State Fence Co. to support repair/replacement of fence located at 1760 Monroe Avenue (*see Resolution #11 and letter dated May 28, 2015).*

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. 12 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute an agreement with Hazardous Removals of Rochester to provide asbestos remediation for the area surrounding the heat exchanger unit housed in the west wing of Town Hall (*see Resolution #12 and letter dated May 29, 2015 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: Authorize Supervisor to execute agreement and associated change orders not exceeding 10% with Hanson Aggregates NY, LLC, the lowest, responsible and responsive bidder, to provide pervious concrete for the Monroe Avenue GIGP project (*see Resolution # 13 and letter dated May 28, 2015 from Timothy Keef, P.E. Commissioner of Public Works).*

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: Approval to accept $165,000 in State Multi-Modal Funding for the Highland Avenue project and authorize Supervisor to execute all agreements and documents relating to same (*see Resolution #14 and letter dated May 28, 2015 from Timothy Keef, 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. 15 attached

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTER RE: Designate September 4, 2015 through September 18, 2015 as the "Special Events" period for 2015 in conjunction with the Brighton Community Homecoming Celebration on September 11, 2015 (*see Resolution #15).*

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

Expenses and Revenue for Month ending May 31, 2015

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION AT 10:26 PM:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to go into executive session to discuss employment of a particular person and real estate matters.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MOTION TO EXIT EXECUTIVE SESSION AT 11:10 PM:

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to come out of executive session at 11:10 PM

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

ADJOURNED AT 11:11 PM:

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to adjourn at 11:11 PM

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, David Marcus, 314 Warren Avenue. 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 10th day of June 2015 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

EXHIBIT NO. 1

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, petitions from the owners of the residences on Far View Hill Road requesting the creation of the Far View Hill Road Sewer District for the purpose of providing sewer service to the subject properties together with the Assessor's Certificate, Map, Engineer Plan and Report and a proposed Negative Declaration pursuant to SEQRA were previously received and filed; and

WHEREAS, a public hearing was duly called and held in such matter on June 10, 2015; 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 extension; and be it further

ORDERED, that it be and hereby is determined as follows: (1)that said petitions are signed and acknowledged or authenticated as required by law and are otherwise sufficient, and that the petitions comply with section 191 of the Town Law; (2) that all property and property owners benefited

by the proposed district are included within the limits of the proposed district; (3) that it is in the public interest to grant the relief sought therein; and be it further

ORDERED, that the said petitions requesting that the Far View Hill Road Sewer District be established and the same hereby are, 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: June 10, 2015

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

LOUISE NOVROS
CHRISTOPHER K. WERNER

Councilpersons

BE IT RESOLVED, that correspondence dated May 5, 2015 from Town Junior Engineer Chad Roscoe together with the petitions, Assessor's Certificate, map, Engineer's Plan and report, and proposed Negative Declaration all relating to the creation of the Far View Hill Road Sewer District, be received and filed; and be it further

BE IT RESOLVED, that the Town Board hereby sets a public hearing for said Proposed Far View Hill Road Sewer District to be held on June 10, 2015 at 7:30 p.m. at the Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, Monroe County and further directs that all requisite notice be provided for said public hearing as required by law.

Dated: May 13, 2015

William W. Moehle, Supervisor	Voting	____
Louise Novros, Councilperson	Voting	____
Christopher K. Werner, 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

5/5/15

Mr. Tim Keef, P.E.
Commissioner of Public Works
Town of Brighton
Dept. Of Public Works
2300 Elmwood Avenue
Rochester, NY 14618

Re: Far View Hill Road Sewer District

Dear Commissioner Keef:

I have reviewed the enclosed petition, map and description for the above Far View Hill Road Sewer District and find them to be in order. The Assessor's Certificate and the Negative Declaration pursuant to the State Environmental Quality Review are also enclosed. Copies are enclosed for your file, all the original documents are forwarded to Mary Ann Hussar for processing.

Please proceed to set the public hearing date for this district at the next available Town Board meeting. Do not hesitate to contact me if you have questions regarding this matter.

Sincerely,

Chad Roscoe

Chad Roscoe
Junior Engineer
Department of Public Works

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

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

Tax Id. Nos.: 136.08-1-2, 3, 4, 29, 30.1, 31, 32, 33 & 34

ADDRESS: Residences at 6, 7, 9, 10, 25, 35, 50 Far View Hill Road as well as 2 residential vacant parcels, totaling 4.34 + or – acres in the Town of Brighton

SPECIAL DISTRICT: Far View Hill Road Sewer 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 Far View Hill Road Sewer District, Town of Brighton, dated from March 13, 2015, through April 17, 2015, 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 parcels of the said district is $2,612,100.00.

2) The aggregate taxable assessed valuation of the real property therein owned by the signers of said petitions is $2,612,100.

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 23rd day of April, 2015.

Elaine K. Ainsworth

Elaine K. Ainsworth, IAO
Assessor, Town of Brighton

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: ER-5-15 **Date:** May 13, 2015

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: Far View Hill Road Sewer District

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Creation of a sanitary sewer district encompassing nine lots on Far View Hill Road for the purpose of providing equitable public financing of the cost of providing sanitary sewer service within the district.

Location: Far View Hill Road

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. Creation of a Sewer District to incorporate nine lots on Far View Hill Road will not create any significant adverse impacts, and may prevent impacts that could have occurred in the absence of the creation of the district.

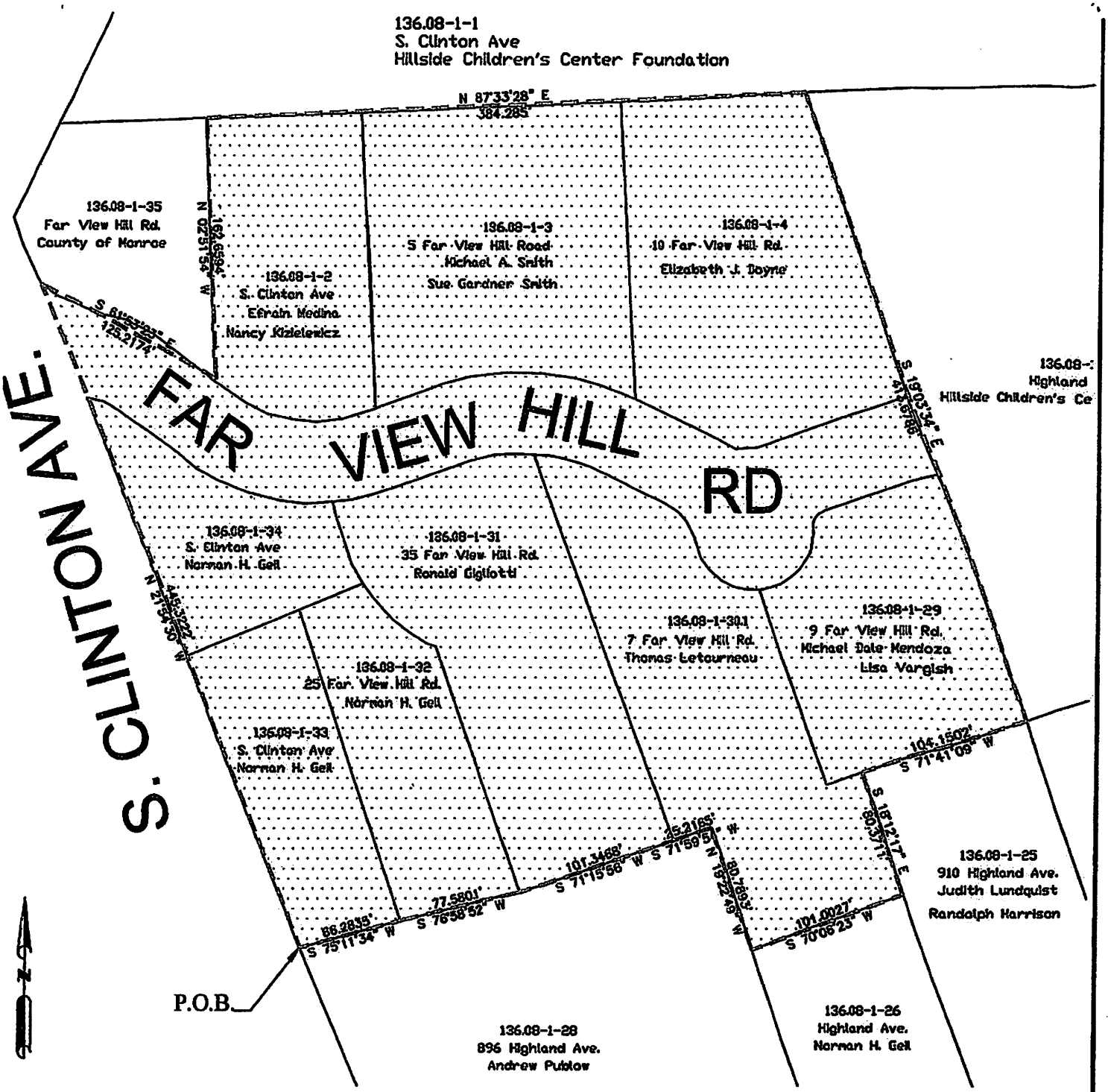
3. There will be no resources of value irreversibly lost.

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



Boundary Map for Far View Hill Road Sewer District

Short Environmental Assessment Form
Part 1 - Project Information

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.

Part 1 - Project and Sponsor Information

Name of Action or Project:
Far View Hill Road Sewer District

Project Location (describe, and attach a location map):
Far View Hill Road, located in the Town of Brighton

Brief Description of Proposed Action:
Creation of a sanitary sewer district encompassing nine lots on Far View Hill Road for the purpose of providing equitable public financing of the cost of providing sanitary sewer service within the district.

Name of Applicant or Sponsor:	Telephone: 585-784-5225
Mike Guyon, Town Engineer	E-Mail: mike.guyon@townofbrighton.org

Address:
2300 Elmwood Avenue

City/PO:	State:	Zip Code:
Rochester	New York	14618

	NO	YES
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.	☑	☐
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:	☑	☐

3.a. Total acreage of the site of the proposed action? 5.267 acres
b. Total acreage to be physically disturbed? approx. .50 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .74 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	✓	☐
b. Consistent with the adopted comprehensive plan?	☐	✓	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: Name:Not named, Reason:Environmentally sensitive, Agency:Rochester, City of, Date:3-14-88	☐	✓
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	✓
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	✓	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: water will not be disturbed during this project	✓	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment:	☐	✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	✓	☐
b. Is the proposed action located in an archeological sensitive area?	✓	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	✓	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	✓	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	☐
16. Is the project site located in the 100 year flood plain?	✓	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	☐	✓
a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☑ YES storm water will be directed into the existing storm sewer catch basins		

	NO	YES
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:	☑	☐
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:	☑	☐
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:	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

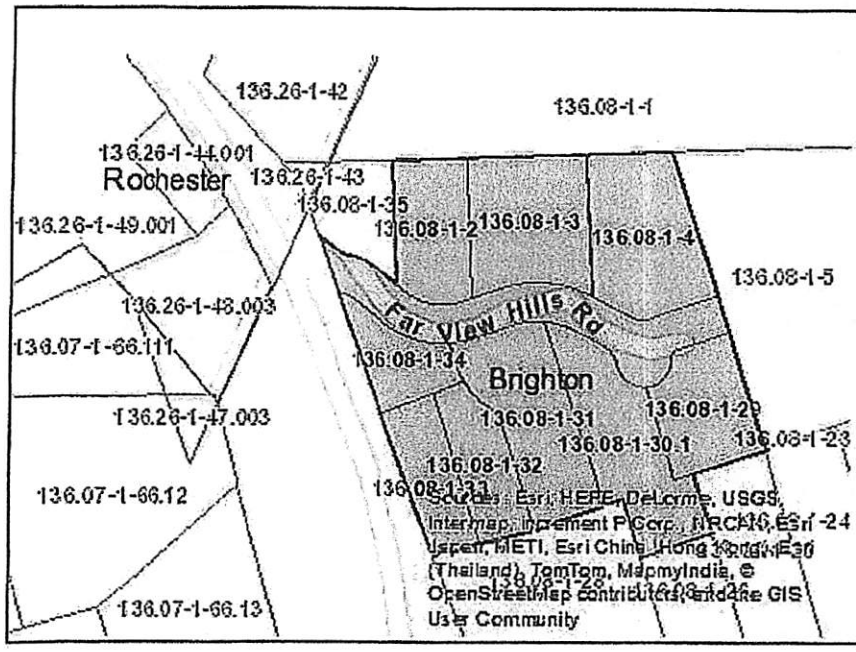
Applicant/sponsor name: Chad Roscoe Date: 4/30/15

Signature: Chad Roscoe

PRINT FORM

EAF Mapper Summary Report

Wednesday, April 22, 2015 11:08 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Not named, Reason:Environmentally sensitive, Agency:Rochester, City of, Date:3-14-86
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

	NO	YES
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: _____	☐	☐
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: _____	☐	☐
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: _____	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

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?	✓	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	✓	☐
3. Will the proposed action impair the character or quality of the existing community?	✓	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	☐
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?	✓	☐
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?	✓	☐
7. Will the proposed action impact existing: a. public / private water supplies?	✓	☐
b. public / private wastewater treatment utilities?	✓	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	☐

	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?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

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	May 1, 2015
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

Exhibit "A"

Boundary Description of
Far View Hill Road Sewer District

All that tract or parcel of land being a part of Town Lot 45, 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, that point being the southwesterly property corner of 136.08-1-33; thence

1. N 21°54'30" W a distance of 445.32 feet to a point; thence
2. S 61°53'23" E a distance of 125.22 feet to a point; thence
3. N 02°51'54" W a distance of 162.66 feet to a point; thence
4. N 87°33'28" E a distance of 384.29 feet to a point; thence
5. S 19°03'34" E a distance of 413.68 feet to a point; thence
6. S 71°41'09" W a distance of 104.15 feet to a point; thence
7. S 18°12'17" E a distance of 80.37 feet to a point; thence
8. S 70°06'23" W a distance of 101.00 feet to a point; thence
9. N 19°22'49" W a distance of 80.79 feet to a point; thence
10. S 71°59'54" W a distance of 25.22 feet to a point; thence
11. S 71°15'56" W a distance of 101.35 feet to a point; thence
12. S 76°58'52" W a distance of 77.58 feet to a point; thence
13. S 75°11'34" W a distance of 66.28 feet to a point; which is the point of beginning, having an area of 5.267 acres

Tax Account Parcels
Included within
Far View Hill Road Sewer District

136.08-1-2	136.1-1-31
136.08-1-3	136.08-1-32
136.08-1-4	136.08-1-33
136.08-1-29	136.08-1-34
136.08-1-30.1	

SCHEDULE B

Far View Hill Road Sewer District
Town of Brighton, Monroe County, New York

Engineer's Report

March 5, 2015

Far View Hill Road was constructed as part of the Dunn & Paul Subdivision in the 1920's, making it one of the oldest residential subdivisions in the Town of Brighton. Far View Hill Road was originally built as a private road which included a private combined sewer system serving the subdivision. The combined sewer system collects both sanitary sewage and storm water in one collection pipe and ultimately discharges to the City of Rochester combined sewer system on S. Clinton Avenue. The existing sewer system consists of approximately 685 feet of 8" diameter vitrified clay tile pipe.

The residential properties comprising the Dunn & Paul subdivision were not incorporated into a Town sanitary sewer district and there were and continue to be no method to fund the operation and maintenance of the sanitary sewer collection system.

The Town of Brighton is proposing to form the Far View Hill Road Sewer District to provide a method to fund the operation and maintenance costs associated with the sanitary sewer system. The proposed district will be a benefit charge district whose boundaries are illustrated in Figure 1.

Figure-1 Proposed District Boundary

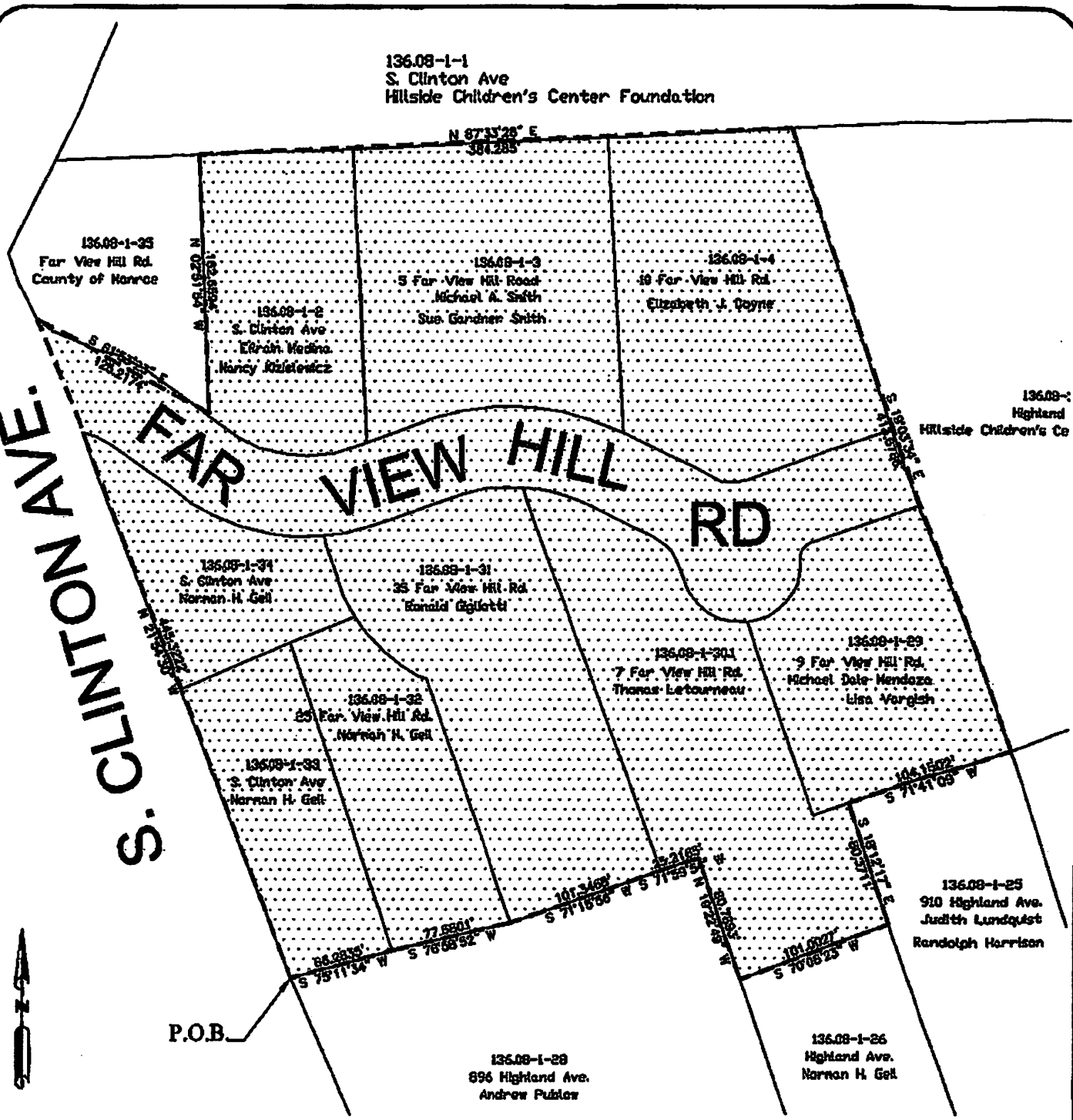
Because the system also serves as the storm sewer collection system for the roadway, any major improvements to the roadway stormwater collection system will be funded by the Highway Fund. Therefore, there is no capital improvements, acquisition of properties or facilities associated with the district formation. Hence, the district will incur no capital cost. The occupied residential properties within the sanitary sewer system will be required to pay an operation and maintenance charge similar to that of the Brighton Consolidated Sewer District. Vacant parcels will not be required to pay an operation and maintenance charge. Vacant parcels occupied by residential homes in the future will be required to pay an operation and maintenance charge similar to that of the Brighton Consolidated Sewer District. The properties within the district currently and will continue to pay Monroe County Pure Water, operation and maintenance, parcel and capital charges. Table-1 lists the charges associated with the district formation.

Table-1, District Charges

Description of Charge	2014 Charge
Town Operation and Maintenance, O&M, Charges, These charges will be consistent with the Brighton Consolidated Sewer District O&M charges	$68.02 per unit
Monroe County Pure Water District, MCPW, Capital Charge	$27.39
MCPW Operation and Maintenance Cost, (based on water use)	$1.45/1000 gallons
MCPW Parcel Charge	$1.00 per parcel

The costs shown above are based on 2014 costs. The Town Board will act as the Commissioners of the Far View Hill Road Sewer District and each year shall review and set forth the annual Operation and Maintenance charge.

The district formation process will follow the petition method identified in Article 12 Section 191 of New York State Town Law. The petition must be signed by the owners of residential taxable real property situate in the proposed district owning in the aggregate at least one-half of the assessed valuation of all the residential taxable real property of the proposed district. The petition will be presented to the Town Board who will schedule a public hearing for comment. Following the public hearing the Town Board will rule on the establishment of the proposed sanitary sewer district.



Boundary Map for Far View Hill Road Sewer District

Far View Hill Road Sewer District

Address #	Address Street	Owners	Owners	TAX ID	Assessed Valuation Signed	Assessed Valuation Unsigned	Unit
6	Far View Hill Road	Efrain Medina	Nancy Kizielewicz	136.08-1-2	$ 228,000.00		P/S
7	Far View Hill Road	Kim Condon	Jason Condon	136.08-1-30.1	$ 580,000.00		P/S
9	Far View Hill Road	Michael Mendoza	Lisa Vargish	136.08-1-29	$ 429,000.00		P/S
10	Far View Hill Road	Elizabeth Doyne		136.08-1-4	$ 391,000.00		P/S
25	Far View Hill Road	Norman Geil		136.08-1-32	$ 335,000.00		P/S
		Norman Geil		136.08-1-33		$ 4,200.00	S
		Norman Geil		136.08-1-34		$ 12,900.00	S
35	Far View Hill Road	Ronald Gigliotti		136.08-1-31	$ 333,000.00		P/S
50	Far View Hill Road	Michael Smith	Sue Gardner Smith	136.08-1-3	$ 299,000.00		P/S

Total Assessed Value	$ 2,595,000.00	$ 17,100.00
Total Assessed District Value	$ 2,612,100.00	
% Assessed Value of Petitions	99%	
Total Parcels in District	9	
Total Signed Parcels	7	2
% Signed Petitons	78%	

EXHIBIT NO 2

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, in its advisory report dated May 6, 2015, concerning the proposed Incentive Zoning application submitted by Daniele Family Companies for the project known as "Palazzo Plaza" proposed for property located in the Town at 2740, 2750 and 2800 Monroe Avenue, the Planning Board advised the Town Board to retain a consultant to review traffic data submitted by the developer concerning the project; and

WHEREAS, the developer of such project has acknowledged that an Environmental Impact Statement will be prepared under the State Environmental Quality Review Act ("SEQRA") for the project and has asked the Town to retain an outside consultant to assist the Town with its SEQRA review of the project, at the developer's expense; it is

RESOLVED, that correspondence dated June 1, 2015 from Town Planner Ramsey Boehner regarding a request to authorize the solicitation of proposals for the provision of professional consulting services in connection with the Town's role as lead agency under the State Environmental Quality Review Act for the review and preparation of the scoping documents, the review of a Draft Environmental Impact Statement, the review of a Final Environmental Impact Statement and preparation of a Findings Statement for an Incentive Zoning application submitted by Danielle Family Companies for the project known as "Palazzo Plaza" proposed for property located in the Town at 2740, 2750 and 2800 Monroe Avenue, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Town Planner to solicit proposals for the provision of professional consulting services in connection with the Town's role as lead agency under the State Environmental Quality Review Act for the review and preparation of the scoping documents, the review of a Draft Environmental Impact Statement, the review of a Final Environmental Impact Statement and preparation of a Findings Statement for an Incentive Zoning application submitted by Daniele Family Companies for the project known as "Palazzo Plaza" proposed for property located in the Town at 2740, 2750 and 2800 Monroe Avenue.

Dated: June 10, 2015

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

June 1, 2015

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

Re: Request for Proposals for Professional Consulting Services
Incentive Zoning Application Submitted by Daniele Family Companies
Palazzo Plaza Project

Dear Councilperson Werner and Committee Members:

I am requesting authorization to prepare and solicit a request for proposals for professional consulting services for the review and preparation of scoping documents, the review of a Draft Environmental Impact Statement, the review of a Final Environmental Impact Statement and in the preparation of a Findings Statement for an Incentive Zoning application submitted by Daniele Family Companies for their Palazzo Plaza project in accordance with the New York State Environmental Quality Review Act (SEQR). The Town will seek expertise in traffic and environmental review services.

The applicant has submitted the attached letter dated May 26, 2015 acknowledging that an Environmental Impact statement will be prepared for the project and that the cost to hire a consultant to conduct the necessary environmental review will be the responsibility of the applicant. No action as to awarding a contract will be considered without returning to this committee.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled June 2, 2015 meeting in the event that you have any questions regarding this matter.

Respectfully,

Ramsey A Boehmer
Town Planner

cc: S. Zaso
T. Keef
attachment

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

May 26, 2015

Ramsey Boehner
Town Planner
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Whole Foods Plaza

Dear Mr Boehner,

As the applicant of the proposed Whole Foods Plaza development at 2740, 2750 & 2800 Monroe Avenue, we acknowledge that an Environmental Impact Statement will be prepared. We ask that the town of Brighton pursue the hiring of an outside SEQR consultant to assist the town in its review of this application. As the applicant, we understand that the cost of hiring an outside SEQR consultant will be the responsibility of the applicant.

Respectfully,

Anthony Daniele
Partner, Whole Foods Plaza

EXHIBIT NO. 3

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated May 19, 2015 from Budget Officer Andrew Robinson regarding a request to authorize the solicitation of bids for the purchase of a replacement ambulance by the Brighton Ambulance Service Special District to be utilized under contract by Brighton Volunteer Ambulance, Inc. in accordance with plans and specifications provided by Brighton Volunteer Ambulance, Inc. and reviewed and approved by the Town, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Department of Finance to solicit bids for the purchase of a replacement ambulance by the Brighton Ambulance Service Special District to be utilized under contract by Brighton Volunteer Ambulance, Inc. in accordance with plans and specifications provided by Brighton Volunteer Ambulance, Inc. and reviewed and approved by the Town.

Dated: June 10, 2015

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

TOWN OF BRIGHTON

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

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Andrew Robinson, Budget Officer
Date: May 19, 2015
Subject: Authorization to Seek Bids for a Replacement Ambulance

I request that Your Honorable Body authorize the Administration to seek bids for the purchase of a replacement ambulance by the Ambulance Services Special District. This ambulance would be utilized by Brighton Volunteer Ambulance, Inc. to respond to calls for service primarily in the District.

This proposed purchase was planned for in the 2015 Capital Budget. The town contributed $37,500 in 2014 and $50,000 in the current year capital budget towards an ambulance purchase. Any remaining amount could be funded from district fund balance which is currently at $160,286. The Rig Selection Committee at Brighton Volunteer Ambulance, who devised the specs for the bid, is proposing a smaller sprinter chassis similar to the last ambulance purchased in 2013.

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

EXHIBIT NO 4

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING June 10, 2015

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	$ 175,752.19
D - HIGHWAY	25,340.98
H - CAPITAL	166,143.36
L - LIBRARY	2,566.95
SL - LIGHTING DIST	21,571.65
SN-NEIGHBORHOOD DIST.	0.00
SP-PARKS DISTRICT	1,550.00
SR-REFUSE DISTRIICT	67,392.68
SS - SEWER DIST	23,258.23
TA - AGENCY TRUST	2,621.18
TE - EXPENDABLE TRUST	50.97
TOTAL	$ **486,248.19**

UPON ROLL CALL MOTION CARRIED _____

APPROVED BY: _____
SUPERVISOR

_____ COUNCIL MEMBER

_____ COUNCIL MEMBER

TO THE SUPERVISOR:

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

_____ DATE

_____ TOWN CLERK

EXHIBIT NO. 5

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that the Town Board hereby reappoints Dennis Adams of 44 Glen Road in the Town of Brighton to a two year term as a member of the Conservation Board for a term commencing July 1, 2015 and expiring June 30, 2017 and that the Town Board further reappoints Mr. Adams as Chairperson of said Board for a two year term commencing July 1, 2015 and expiring June 30, 2017.

Dated: June 10, 2015

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

EXHIBIT NO. 6

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that the Town Board hereby reappoints Sara Rubin of 150 Sunset Drive, George L. Smith of 201 Buckland Avenue, Susan Riblett of 6 Chelmsford Road and Diane Richeson of 287 Pelham Road all in the Town of Brighton, to two year terms as members of the Conservation Board for terms commencing July 1, 2015 and expiring June 30, 2017.

Dated: June 10, 2015

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

EXHIBIT NO. 7

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that the Town Board hereby reappoints Stuart MacKenzie of 5 Drury Lane in the Town of Brighton to a three year term as a member and Chairperson of the Architectural Review Board for a term commencing July 1, 2015 and expiring June 30, 2018.

Dated: June 10, 2015

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

EXHIBIT NO 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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 28, 2015 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the rejection of all bids received for the 2013 CDBG Crittenden Road Sidewalk Project as exceeding the project budget, be received and filed; and be it further

RESOLVED, that the Town Board hereby rejects all bids received for the 2013 CDBG Crittenden Road Sidewalk Project as exceeding the project budget and authorizes the Public Works Department to develop revised plans and utilize the Monroe County contract to perform the needed sidewalk construction.

Dated: June 10, 2015

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

May 28, 2015

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

Re: 2013 CDBG Crittenden Road Sidewalk Project
Bid Rejection

Dear Councilperson Werner and Committee Members:

The bids for the above referenced project were publicly advertised and publicly opened on May 26, 2015 at 9:30 AM, all as required by law. A copy of the bid advertisement is attached for your reference. Seven firms requested plans but only one firm Peter Holmes Contracting submitted a response to the bid advertisement. The total Bid Schedule, Base Bid plus Alternate #1, was $199,187.30.00 and exceeded the project budget. We are requesting that FASC reject all of the bids for the above referenced project and authorize the Town staff to develop revised plans and utilize the Monroe County contract to perform the sidewalk construction.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled June 2, 2015 meeting in the event that you have any questions regarding this matter.

Respectfully,

Michael E. Guyon
Town of Brighton

Attachments

cc: S. Zaso
T. Keef
M. Hussar

STATE OF NEW YORK
Ontario County

STATE OF NEW YORK
Monroe County

Leslie Smith being duly sworn, deposeth and saith that she
is the bookkeeper for
BRIGHTON-PITTSFORD POST
Newspaper
Published in the Town of Pittsford, County of Monroe and State of New York
A foresaid and that a notice of which the
Annexed is a printed copy, was published in the said
Paper once in each week
MAY 7, 2015
ENDING ON
MAY 7, 2015

Foreman of the Publisher
Subscribed and sworn on before me,
This 8TH day Of MAY 2015

Notary Public, State of NY

KAREN JM CONGILARO
Notary Public, State of New York
Ontario County Reg.#01CO6182864
Commission Expires 03/10/ 2016

Legal # 02 5-48794

STATE OF NEW YORK
Ontario County

STATE OF NEW
Monroe Cou

Leslie Smith being duly sworn, de
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Newspaper
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MAY 7, 20

Foreman of the Pu
Subscribed and sworn o
This 8TH day Of M

Notary Public, Stat
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Ontario C
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Legal # 02548794

LEGAL NOTICE

The Town of Brighton, Monroe County, New York will receive sealed bids for the installation of 550 lineal feet of new 5' & 7' wide concrete sidewalks along Crittenden Road.

Sealed bids will be received and bid publicly opened and read at the following place and time.

Place: Town of Brighton
Department of Public Works
2300 Elmwood Avenue
Rochester. New York, 14618
Date: Tuesday, May 26, 2015
Time: 9:30A.M. Local time

This project is funded by the U.S. Department of Housing and Urban Development (HUD) through the Monroe County Community Development Administration. Therefore, all federal regulations governing contracts apply, including Labor Standards provisions and Davis-Bacon wage rates, Equal Employment Opportunity regulations and Section 3 Provisions.

The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under each contract. A hard copy of the Plans and Specifications are available for inspection at the above location along with a CD containing a digital copy for free. If you would like a CD mailed to you there is a five ($5.00) dollar charge. A free digital copy may be obtained by contacting Chad Roscoe at 784-5224 or chad.roscoe@townofbrighton.org.

The check for the Plans and Specifications shall be made payable to the Town of Brighton. Duly authorized M/WBE's are exempt from payment of the deposit upon presentation of documented evidence of current approved certification from the State of New York.

Bidders are required to execute certifications as part of the bid proposal, including a non-collusive bid certification pursuant to Section 103-d of the General Municipal Law of the State of New York. Each bid must be accompanied by a certified check or bid bond from a domestic carrier licensed to do business in the State of New York in the amount of not less than five (5%) of the amount submitted.

The successful bidder will be required to furnish: Performance and Labor and Material Payment Bonds each in the amount of one hundred percent (100%) of the contract amounts and must provide insurances in accordance with the provisions of the Contract Documents, and a one (1) year Maintenance Bond in the amount of 100% of the contract amount in accordance with the provisions of the Contract Documents.

Bidders should be advised that the project is funded in part by the U.S. Department of Housing and Urban Development through a grant to Monroe County. The attention of the bidder is called to the requirements of all applicable Federal Regulations, particularly the following

1. Equal Employment Opportunity requirements of Section 109 of the Community Development Act of 1974, as amended, Title I of the Housing Act of 1949, as amended, Executive Order 11246 of 1965, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974.
2. Labor Standards Provisions require the Contractor and all subcontractors to pay the higher of the New York State Prevailing Wage Rate or the Federal Davis Bacon Wage Rate for each classification of worker who participates in this construction project; and
3. Section 3 Provisions of the House and Urban Development of Act of 1968, as amended, apply to contracts greater than $200,000, to ensure that employment and other economic opportunities generated by the project shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are residents of, or own businesses located in the project area. Contractors participating in projects under $200,000 are encouraged to make good faith efforts in hiring and training Section 3 residents.

Under Title VI and VII for the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans With Disabilities Act of 1990, no person shall on the grounds of race, color, religion, national origin, sex, age, or disability, be subjected to discrimination under a program or activity receiving federal financial assistance. All programs relating to housing and urban development will be administered in a manner of affirmatively further the goal of fair housing.

A Pre-Construction Conference will be held and must be attended by the prime and subcontractors prior to the start of the construction at a date, time and place specified by the owner. The purpose of the conference is to review applicable Federal, State and Local requirements and to also discuss the construction schedule, methods, financial arrangements, and other aspects of the project.

Please be advised that the HUD, the Monroe County Community Development Administration, or the Controller General of the United States shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this specific contract, for the purpose of audit, examination, excerpts and transcription.

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

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

Dated: May 7, 2015
Town of Brighton
Timothy Keef, P.E. Commissioner of Public Works
(585) 784-5223
My 97-02548794

EXHIBIT NO 9

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 28, 2015 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the naming of a new volunteer student intern to the Sustainability Oversight Committee for a period commencing immediately and ending September 30, 2015, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the naming of a new volunteer student intern to the Sustainability Oversight Committee for a period commencing immediately and ending September 30, 2015.

Dated: June 10, 2015

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

May 28, 2015

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

Re: Town of Brighton Sustainability Oversight Committee
Volunteer Intern Position

Dear Councilperson Werner and Committee Members:

The Town of Brighton Town Board created a volunteer student intern position for the Sustainability Oversight Committee at their September 18, 2012 meeting. The Sustainability Oversight Committee with the support of Karen Berger of the University of Rochester hopes to name a new intern to this position for the summer, June 2015 to September 2015. The intern would support the Climate Smart Community initiative of the SOC and will assist with completion of a greenhouse gas and energy use inventory.

The intern will continue the work associated with an inventory of the Town government's greenhouse gas emissions. The student intern will work together with Town Staff, under the supervision of an SOC member, to assist in the gathering of data, entry into the inventory software, and analysis of results.

The expectations for the intern include the following:

- Meeting or communicating on a weekly or biweekly basis with the supervising SOC member;
- Meeting with Town staff, as needed, to coordinate information gathering;
- Attendance at occasional SOC evening meetings (anticipated 1-3 times during the semester);

Qualifications for the position include the following:

- Strong organizational skills and attention to detail;
- Familiarity with Excel spreadsheets;
- Motivation to pursue information even when it is not easily available;
- Maturity to act in a professional manner with Town staff and SOC members; and
- Ability to present information clearly in both written and oral form.

EXHIBIT NO. 10

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 29, 2015 from Deputy Highway Superintendent Timothy Anderson regarding a request to amend the 2015 Budget to account for the receipt of additional unanticipated funds in the amount of $3,804.65 received as reimbursement for towing expense and repairs to Sewer Department Truck 8 which was involved in a motor vehicle accident, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the amendments to the 2015 Budget as set forth in the above referenced correspondence relating to the receipt of additional unanticipated funds in the amount of $3,804.65 received as reimbursement for towing expense and repairs to Sewer Department Truck 8.

Dated: June 10, 2015

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

May 29, 2015

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

Re: Appropriation of Funds

Honorable Supervisor and Members of the Board:

I recommend that the Town Board amend the 2015 Budget by increasing and appropriating $3,804.65 from insurance recovery in the consolidated sewer district sewer operations account (SS.SEWER.8120 2680), and by increasing appropriations in the collision repair line (SS.SEWER.8120 4.64) by $3,754.65 and other contactor services line (SS.SEWER.8120 4.49) by $50.00.

The revenue was not anticipated, and came as a final reimbursement for towing and repairing collision damage to Sewer Department's Truck 8 which was involved in a motor vehicle accident.

Sincerely,

Timothy J. Anderson
Deputy Highway Superintendent

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

EXHIBIT NO 11

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated June 2, 2015 from Director of Recreation Rebecca J. Cotter regarding a request to authorize the Supervisor to execute an agreement, nunc pro tunc, with the Jewish Community Center of Greater Rochester, Inc. relating to the use of the pool at Brighton High School, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement, nunc pro tunc, with the Jewish Community Center of Greater Rochester, Inc. relating to the use of the pool at Brighton High School in a form previously approved by the Attorney to the Town.

Dated: June 10, 2015

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

TOWN OF BRIGHTON
RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT
220 Idlewood Road
Rochester, NY 14618
http://www.townofbrighton.org
(585) 784-5260
Fax: (585) 784-5365
TTY: (585) 784-5381

June 2, 2015

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

I respectfully request your permission to authorize Supervisor Moehle to approve and sign a contractual agreement between the Town of Brighton and the Jewish Community Center. This agreement will allow for JCC Member use of the Brighton High School Pool during Town of Brighton scheduled swim programs while the JCC Pool undergoes total reconstruction. The Town of Brighton will be reimbursed by the JCC for fees associated with this program sharing as outlined in the agreement.

Please let me know if you have any questions or concerns regarding this request.

Thank you for your consideration,

Rebecca Cotter

Rebecca J. Cotter
Recreation Director
Town of Brighton

USE AGREEMENT FOR POOL FACILITY

WITH JEWISH COMMUNITY CENTER

May 20, 2015

This Agreement is made this 20th day of May , 2015 by and between the TOWN OF BRIGHTON, (hereinafter the "Town") a municipal corporation having offices at 2300 Elmwood Avenue, Town of Brighton, County of Monroe, State of New York and The JEWISH COMMUNITY CENTER OF GREATER ROCHESTER, INC., (hereinafter the "JCC") a New York non for profit corporation having offices at 1200 Edgewood Avenue, Town of Brighton, County of Monroe, State of New York.

WHEREAS, the Town has entered into a contract with the Brighton Central School District to allow the Town to utilize the indoor swimming pool facility including related locker rooms located at the Brighton High School on South Winton Road in the Town of Brighton (hereinafter the "pool"); and

WHEREAS, the Town desires to allow access to the pool to members of the JCC during the limited amount of time from June 1, 2015 through September 30, 2015 that the JCC's own swimming facilities are under reconstruction;

NOW, THEREFORE, the parties hereto agree as follows:

1. The Town does hereby grant to the JCC and its members the right to use the pool during Town community drop in swim programs.
2. JCC members will not pay any fee for the use of the pool but shall be required to sign in and display evidence of membership at the JCC.
3. For the above use, the JCC shall pay to the Town the following fees:

   $3 per member attending an open Town swim session;

   $6 per member attending an Aqua Aerobics Town session.
4. The Town provides and pays for one lifeguard on duty during the above cited Town swim programs. In addition to the above charges, the JCC shall pay to the Town a reimbursement for the cost of any additional lifeguards deemed on the basis of the number of participants and swimmers to be necessary in the sole discretion of the Town, and the JCC shall pay to the Town a reimbursement for any and all lifeguards provided by the Town for any time outside of the

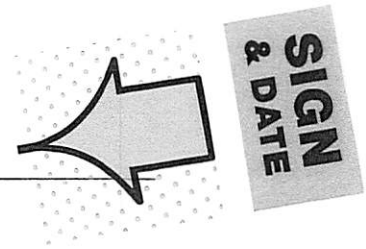
normally scheduled Town swim programs for which the JCC requests the Town provide lifeguards at the pool. The reimbursement rate to be paid by the JCC to the Town will be $11.15 per hour for each hour or portion thereof that such additional lifeguard is working at the pool during the Town swim sessions or at such other times as requested by the JCC.

5. The Town will record the attendance by JCC members and provide the attendance record to the JCC along with an invoice for the payment of the above fees.

6. The JCC is free to contract with the Brighton Central School District for access to the pools during times other than when the Town conducts its Town swim sessions, but all expenses associated therewith shall be paid for entirely by the JCC and not the Town.
7. The use of the pool provided for hereunder shall commence on June 1, 2015 and terminate on September 30, 2015.
8. Either party may terminate this agreement at any time by delivering by first class mail to the addresses first set forth above written notice of cancellation of this agreement. Cancellation shall be effective no sooner than ten business days following the sending of said notice.
9. This agreement may only be modified in a written document executed by both parties hereto.
10. The JCC will provide to the Town proof that it has in place comprehensive general liability insurance including coverage for liability in connection with the activities contemplated hereunder in the amount of at least $2 million for the JCC as the principal insured and the Town as an additional insured.
11. The JCC will indemnify and hold the Town harmless at all times during and after the term of this Agreement from all claims, damage, liability and expense, including reasonable attorneys fees, arising from or in any way connected with the use of the pool by members of the JCC.

12. The failure of the Town at any time to enforce its rights hereunder strictly in accordance with the same shall not be construed to be a waiver or relinquishment of any such rights.
13. This Agreement may be executed by the parties separately and shall be valid upon the execution of the same by each party.
14. This Agreement shall be governed by and construed in accordance with the Laws of the State of New York.

IN WITNESS WHEREOF, we have signed this Agreement.



By_____ By_____

JEWISH COMMUNITY CENTER TOWN OF BRIGHTON

State of New York) ss:
County of Monroe)

On the _____ day of May, 2015, before me, the undersigned, personally appeared William W. Moehle, Supervisor of the Town of Brighton, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

State of New York) ss:
County of Monroe)

On the 27th day of May, 2015, before me, the undersigned, personally appeared EKE AIONO, ASSOC. EXEC. of the Jewish Community Center of Greater Rochester, Inc., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

David J. Pieramico
Notary Public

DAVID J. PIERAMICO
Notary Public, State of New York
Monroe County
Reg. No. 01PI4933525
Commission Expires May 31, 2018

EXHIBIT NO. 12

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 28, 2015 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the use of up to $1,200.00 in restricted fund balance to repair or replace a certain stockade fence in the Monroe Avenue Business Improvement District #1 and to authorize the Supervisor to execute an agreement with New York State Fence to repair or replace said fence using the County's bid for such work, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the use of up to $1,200.00 in restricted fund balance to repair or replace a certain stockade fence in the Monroe Avenue Business Improvement District #1 and further authorizes the Supervisor to execute an agreement with New York State Fence to repair or replace said fence using the County's bid for such work.

Dated: June 10, 2015

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

May 28, 2015

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

re: Proposed Use of Fund Balance
Monroe Avenue Business Improvement District #1
Fence Replacement at #1760 Monroe Avenue

Dear Chairman Werner and Committee Members:

If you recall, the above Business Improvement District was created in 2000. Subsequent improvements were made to the properties within the district, inclusive of a stockade fence behind Dunkin' Donuts (#1760 Monroe Avenue). The fence has required some maintenance efforts the past few years, however, the wooden support posts have failed and repair/replacement is now warranted. The estimated cost for the necessary work is approximately $1,200.00. Unfortunately, this year's district funds will not fully cover these costs. I respectfully request that fund balance be considered for these additional monies. If the Committee is amenable to this request I recommend the following and ask your consideration in the same:

1) to utilize up to $1,200.00 from the District Reserve Fund for the repair/replacement of said fence, transferring this amount to the BID01 4.43 account

2) to authorize an agreement with New York State Fence pursuant to the Town's procurement policy of using County bid for the repair/replacement of the fence

As always, thank you for your consideration and I will be in attendance at your regularly scheduled June 2, 2015 meeting in the event that you have any questions regarding this matter.

Sincerely,

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

TEK/wpd

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

FASC.MONROE.BUSINESS.DISTRICT.FUNDS.TRANSFER.FENCE.REPAIR.MAY.2015.01

EXHIBIT NO. 13

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 29, 2015 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute an agreement with Hazardous Removals of Rochester for asbestos related work in connection with HVAC improvements in the west wing of Town Hall at a cost not to exceed $1,680.00, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Hazardous Removals of Rochester for asbestos related work in connection with HVAC improvements in the west wing of Town Hall at a cost not to exceed $1,680.00, subject to the review and approval of said agreement by the Attorney to the Town.

Dated: June 10, 2015

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

May 29, 2015

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

re: Asbestos Remediation Agreement
Hazardous Removals of Rochester

Dear Chairman Werner and Committee Members:

The heating problems experienced by the west wing of the Town Hall this past winter season are still being diagnosed, requiring an assessment of the heat exchanger unit located in the boiler room. In order to do so asbestos will need to be removed from around the heat exchanger. Prices were solicited from two firms, R&J Asbestos ($1750.00) and Lead Removal and Hazardous Removals of Rochester ($1,680). Based upon the process submitted it is recommended to execute a contract with Hazardous Removals of Rochester for $1,680.00 and enlist their services to provide the asbestos remediation.

As always, thank you for your consideration and I will be in attendance at your regularly scheduled June 2, 2015 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. Spencer
S. Zaso
A. Banker
M. Hussar
K. Gordon

FASC.ASBESTOS.AGREEMENT.REMEDIATION.MAY.2015.01

EXHIBIT NO 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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 29, 2015 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute an agreement with Hanson Aggregates NY, LLC as the lowest responsible and responsive bidder to provide pervious concrete for the Monroe Avenue GIGP project for the base unit price bid (A) and options (B, C and D) for a total price not to exceed $35,000.00, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Hanson Aggregates NY, LLC as the lowest responsible and responsive bidder to provide pervious concrete for the Monroe Avenue GIGP project for the base unit price bid (A) and options (B, C and D) for a total price not to exceed $35,000.00, said contract being renewable at the Town's exclusive option for up to two additional years and to further authorize the Supervisor to execute change order not exceeding 10% in total of the base contract amount, subject to the review and approval of said agreement by the Attorney to the Town.

Dated: June 10, 2015

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

May 28, 2015

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

re: Award of Bid
Pervious Concrete for Monroe Avenue GIGP

Dear Chairperson Werner and Committee Members:

The above bid was publicly advertized and publicly opened on May 8, 2015, all as required by law. A copy of the advertisement and of the bid tabulation are attached for your reference. Based upon the bid submittals, the following is recommended:

1) that the above bid be awarded for the referenced work to the low, responsible and responsive bidder, Hanson Aggregates NY, LLC for the base unit prices bid (A) and options (B, C and D) for a total not to exceed $35,000.00;

2) that the Supervisor be authorized to execute an agreement with the bidder for this contract;

3) that the Supervisor be authorized to execute change orders not exceeding 10% in total of the base contract amount in the event it becomes necessary to do so; and

4) the contract is renewable for up to two additional years.

Funds are available from the Monroe Avenue GIGP force account for the costs incurred.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled June 2, 2015 in the event that you have any questions regarding this matter.

Sincerely,

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

attachments

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

FASC.GIGP.PERVIOUS.CONCRETE.CONTRACT.MAY.2015.01

		Options							
Bid #	Company	A		B		C		D	
1	Manitou Concrete	$ 118.00	CY	$ 10.00	CY	$ 135.00	HR	$ 85.00	Load
2	Hanson Aggregates NY LLC	$ 110.00	CY	$ 11.00	CY	$ 200.00	HR	$ 50.00	Load

A	Pervious Portland Cement Concrete, delivered
B	Additional for Heat
C	Additional for Conveyor
D	Deliveries under 3CY

STATE OF NEW YORK
Ontario County

STATE OF NEW YORK
Monroe County

Leslie Smith being duly sworn, deposeth and saith that she
he bookkeeper for
N-PITTSFORD POST
Newspaper
ord, County of Monroe and State of New York
d that a notice of which the
ed copy, was published in the said
r once in each week
PRIL 23, 2015
ENDING ON
PRIL 23, 2015

man of the Publisher
d and sworn on before me,
H day Of APRIL 2015

LEGAL NOTICE
ADVERTISEMENT FOR BIDS
The Town of Brighton, Monroe County, New York will receive sealed bids for:
PERVIOUS CONCRETE MATERIAL
Sealed Bids will be received and bids publicly opened and read at the following place and time:

Place:	Town of Brighton Dept. of Public Works 2300 Elmwood Avenue Rochester, New York 14618
Date:	May 8, 2015
Time:	10:00 A.M. Local Time

The work consists of one contract for the furnishing and delivery, F.O.B, of Portland cement pervious concrete, to any point within the Town of Brighton. The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under the contract. Specifications are available for inspection at the above location and may be obtained there. Bids must be made in writing on the forms furnished.
The Town of Brighton is exempt under New York State Tax law, and therefore, no sales tax on the cost of materials incorporated into the project shall be included in the bid.
All prices bid shall be good for a period of sixty (60) days after opening. The Town of Brighton reserves the right to consider bids for sixty (60) days after their receipt before awarding any contract. The Town of Brighton further reserves the right to reject any and all bids, and to accept any Proposal or individual item or items, which it may deem to be the most favorable to its best interests.
A noncollusive bidding certificate shall be included with each bid.
The attention of the Bidder is call to the requirements as to the conditions of employment and the minimum wage rates to be paid under this contract.
Dated: April 23, 2015
Town of Brighton

Timothy E. Keef, P.E.
Commissioner of Public Works
(585)784-5223
Ap 23
02548574

Barbara S. Connelly
Notary Public, State of NY

Legal # 02548574

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

EXHIBIT NO. 15

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 28, 2015 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the acceptance of $165,000.00 in State Multi-Modal Funding for the Highland Avenue project and to further authorize the Supervisor to execute all related agreements relating to the same, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the acceptance of $165,000.00 in State Multi-Modal Funding for the Highland Avenue project and further authorizes the Supervisor to execute all related agreements relating to the same.

Dated: June 10, 2015

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

May 28, 2015

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

re: Multi-Modal Funding for Highland Avenue
New York State Department of Transportation (NYSDOT)
Contract #D026025

Dear Chairman Werner and Committee Members:

As you may recall, Senator Robach's office nominated the Town's Highland Avenue Improvement Project for $165,000 in Multi-Modal Funding. This department has now received the funding agreement confirming receipt of these monies. I recommend that the Town accept these funds and the Finance and Administrative Services Committee authorize the Supervisor to execute these documents.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled June 2, 2015 meeting in the event that you have any questions regarding this matter.

Sincerely,

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

TEK/wpd

attachments

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

FASC.NYSDOT.SNOW.ICE.AGREEMENT.AMEND.2016.2017.MARCH.2015.01

NEW YORK STATE OF OPPORTUNITY | Department of Transportation

ORIGINAL

ANDREW M. CUOMO
Governor

JOAN McDONALD
Commissioner

KEVIN BUSH, P.E.
Regional Director

May 26, 2015

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

Ref: NYSDOT Multi- Modal Funding
Contract# D026025
PIN 4MS515.30A
Highland Ave

Dear Mr. Keef:

Funding for the subject project has been approved. Enclosed are 5 copies of the requisite funding agreement for execution. Please have each copy of the agreement signed by the Town Supervisor and notarized. Within the agreement is Schedule A for the project. Please be sure this document is signed on line 12 as well.

When completed, please return all five copies to me for further processing. Only costs incurred *after* the date of final approval of this agreement by the NYS Office of the State Comptroller will be eligible for reimbursement.

Once approved by the Comptroller and returned to the Regional office, the contract will be mailed to you and work can commence. If there are any questions please feel free to call me at 585-272-3424.

Regards,

Charles McGarry
Planning and Program Management
NYSDOT Region 4
1530 Jefferson Road
Rochester, NY 14623

RECEIVED
MAY 28 2015
TOWN OF BRIGHTON
DEPT. OF PUBLIC WORKS

SUPPLEMENTAL AGREEMENT Schedule No. 2 to:
MASTER AGREEMENT *Comptroller's Contract No.* **D026025**

This Agreement, effective this _____ day of _____ 20__ , is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232,

and the Town of Brighton, 2300 Elmwood Ave, Rochester, NY 14618
acting by and through the _Supervisor_____

This agreement supplements or amends the existing Master Agreement between the parties that consists of the agreements titled *(check applicable categories)*:

- ☑ Multi-Modal Prior SUPPLEMENTAL AGREEMENT Nos. __1___dated _10/24/07__;
- ☑ Multi-Modal Project Agreement (MM Program # 4) dated:_6/2/06_;
- ☐ OTHER -

in the following respects only *(check applicable categories)*:

☑ Amends a previously adopted Schedule or Supplements Master Agreement by Adding Schedules A and/or B, in accordance with the provisions of such Master Agreement for such Supplemental Schedules (check applicable categories):

If Amending a Prior Project:	If adding a Project:
☐ Amends Schedule A project description;	☑ Adds a project description under the same D#
☐ Amends Schedule A scheduled funding;	☑ Adds project funding under the same D#
☐ Amends Schedule A phase completion date;	☑ Sets project completion date for the same D#
☐ Amends a previously adopted Schedule B	☐ Adds Schedule B under the same D#
☐ Appendix 2-S Iran Divestment Act	☑ Appendix 2-S Iran Divestment Act

☐ Amending the text of the Master Agreement as described below:
(Complete Amendment to Master Agreement Text here (as applicable))

Universal Supplemental Agreement Cover for all Local Agreements
SPONSOR: **Town of Brighton**
PROJECT ID NO. **4MS515.30A**

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

MUNICIPALITY: _Town of Brighton__ DATE: _____ Title: Supervisor, Town of Brighton BY: _____ (have signature notarized below)	NYSDOT: DATE: _____ BY: _____ For Commissioner of Transportation **Agency Certification:** In addition to the acceptance of this contract I also certify the original copies of this signature page will be attached to all other exact copies of this contract.
	APPROVED AS TO FORM BY NYS ATTORNEY GENERAL: By: _____ Assistant Attorney General
	NYS COMPTROLLER APPROVAL: DATE: _____ BY: _____ For the New York State Comptroller Pursuant to State Finance Law §112.

STATE OF NEW YORK)
)ss.:
COUNTY OF)

On this _____ day of _____in the year 20___, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, acknowledged to me that he is the _____ of the _____, executed such instrument in his capacity pursuant to authority duly vested in him by the _____ and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.

_____
Notary Public

SUPPLEMENTAL MUNICIPAL MULTI-MODAL PROGRAM
SCHEDULE A

This Schedule may not be used where other Multi-Modal, State or Federal funding sources co-exist)

1. **Name of Municipal Project Owner:** Town of Brighton

2. **Project Title:** Highland Ave improvements from S. Clinton to City Line

3. **MM Project ID#:** 4MS515.30A **MM Program ID:** MM#4

4. **Maximum MM Project Reimbursement (under this Agreement):** $ 165,000.00

5. **MASTER Municipal MM OSC Contract #:** D026025

6. **Municipal Contact:**
   Timothy Keef, P.E., Commissioner of Public Works:
   Town of Brighton
   2300 Elmwood Ave
   Rochester, NY 14618

7. **Project Location:** Town of Brighton Route/Name: Highland Ave

   From: S. Clinton Ave To: City Line (east)

8. **Project Description/Scope:** Mill and resurface pavement; curbing, sidewalks and drainage improvements.

9. **Project Schedule Beginning Date:** 10/1/2014 **Project Ending Date:** 12/31/21

10. **Project Cost Summary:**

SUMMARY COST TOTAL:	State Multi-Modal Funding under this Schedule A	Local Funding (Insert Zero if None)
$307,000.00	**$165,000.00**	**$ 142,000.00**

11. **Eligible Project Type:** (Please check one)

_X_ Highway Resurfacing
__ Bridge Rehabilitation Construction
__ New Highway Construction
__ New Bridge
__ Highway Reconstruction
__ Bridge Replacement Improvement
__ Interchange Const.\Reconstruction
__ Intersection
__ Aviation (Is this project consistent with an approved Airport Layout Plan)? ___ Yes ___No
__ Other (Please explain):
_____

12. **Signature of responsible Local Official:** _____ **Date:** _____

13. **Please print your Name & Title here:** William W. Moehle, Supervisor Town of Brighton

Please list your area code & phone number here: 585-784-5252

APPENDIX 2-S
IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.

EXHIBIT NO. 16

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 10th day of June, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, the Town's Special Events Local Law authorizes the Town Board to set a period, not to exceed fourteen days in duration each year, as a Special Events period under Chapter 207 of the Town Code, during which time, various activities that would otherwise be prohibited in certain zoning districts are permitted, in order to allow businesses to engage in publicity and other activities; and

WHEREAS, the Town Board desires to set such dates in conjunction with the Brighton Chamber of Commerce and Brighton Central School District Homecoming celebration, which is being held September 11, 2015; it is therefore

RESOLVED, that the Town Board hereby designates September 4, 2015 through September 18, 2015 as the Special Events period for 2015, pursuant to Article VII of Chapter 207 of the Brighton Town Code, during which time the activities set forth in Section 207-37 of the Town Code will be permitted in the zoning districts described in Section 207-36 of the Town Code, without further reviews, approvals or permits, subject to the provisions of such Special Events Law.

Dated: June 10, 2015

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