

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

PRESENT: October 14, 2009

Supervisor Sandra Frankel William Moehle, Attorney for the Town
Councilmember Sheila Gaddis
Councilmember Louise Novros Susan Kramarsky, Town Clerk
Councilmember Ray Tierney
Councilmember James Vogel

MEETING CALLED TO ORDER: 6:40 PM

6:40 PM -- MOTION TO GO INTO EXECUTIVE SESSION:

To discuss employment of particular persons.

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

Friends of Libraries Week Proclamation

OPEN FORUM:

Dr. Anne M. Kress, President, Monroe Community College
Sue Gardner Smith and Simone Liano—Farmers' Market and Community Garden
Judy Schwartz
Roberta Schwartz
Mordechai Rennert

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to approve the agenda with the addition of an executive session to discuss the employment of a particular person.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

August 26, 2009, September 9, 2009, September 22, 2009, September 23, 2009, September 30, 2009

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

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Supervisor's 2010 Tentative Operating and Capital Budgets
(Complete transcript under separate cover)

MATTER RE: 2010 Assessment Rolls for service charges, maintenance charges, capital charges

and sewer rent charges for Special Improvement Districts and Special Improvements
(Complete transcript under separate cover)

MATTER RE: Proposed Agreement by and between the Town of Brighton and the West Brighton Fire Department, Inc. for fire protection services during 2010
(Complete transcript under separate cover)

BIDS:

MATTER RE: Authorize bid award to Mayer Hardware, Inc. for furnishing of hardware, tools and miscellaneous supplies at discount of fifteen percent (15%) less than shelf prices, effective through December 31, 2010 (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 1, 2009)

Motion by Councilmember Sheila Gaddis 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: Authorize solicitation of bids for animal transport unit and authorize \$5,000. budget transfer for purchase (see Resolution #2; letter from Thomas M. Voelkl, Chief of Police, dated September 25, 2009)

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Al Antonez, dated September 26, 2009, to Councilman Raymond Tierney III commenting on Mr. Tierney's approach to development proposals

FROM Councilman Raymond Tierney III, dated October 8, 2009, responding to Mr. Antonez

FROM The Business Council, announcing that Paul Speranza, Jr., past Chairman of the U.S. Chamber of Commerce, received The Business Council of New York State's Corning Award for Excellence for 2009

FROM Jackie E. King, dated September 16, 2009, expressing concerns with Buckingham & Pride Mark homes

FROM Carol Yunker, dated September 16, 2009, expressing great pleasure with Brighton's Farmers' Market and Community Garden

FROM New York Senator John L. Sampson, dated September 23, 2009, regarding the 2010-2011 New York State budget

FROM David J. Swarts, Chair and Commissioner of New York State Department of Motor Vehicles, dated September 21, 2009, notifying that Brighton has been awarded \$9,020. to participate in the statewide "BUCKLE UP NEW YORK!" campaign

FROM Michael J. Townsend, Attorney at Law, dated September 29, 2009, advising of County of Monroe Industrial Development Agency public hearing on October 19, 2009 at 2:00 p.m. in Brighton Town Hall regarding Cortese Dodge, 2400 West Henrietta Road

FROM Tom Cochran, CEO and Executive Director, The United States Conference of Mayors, dated September 28, 2009, regarding White House Drafting an Executive Order on Flood Plain Management

FROM Chris Mueller, Manager, Government Affairs, Time Warner Cable, dated September 30, 2009, advising of service changes

FROM Melissa Carlson, dated October 12, 2009, commenting on the community garden

FROM M. Christine Taillie, dated October 12, 2009, commenting on the community garden and the farmers' market

FROM Jane L. Peterson, dated October 11, 2009, commenting on the farmers' market

FROM Pamela Frame, dated October 10, 2009, commenting on the farmers' market and the community garden

FROM Krista Reed, dated October 13, 2009, commenting on the community garden and the farmers' market

FROM George Smith, dated October 12, 2009, commenting on the community garden

FROM Frank Wirt, President, Rochester Building and Construction Trades Council, dated September 28, 2009, regarding Asbestos Workers 12A based in New York City

FROM Leo Dodd expressing concern with the recent East Brighton Community Forum, and Supervisor Frankel's response

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to receive and file the aforementioned communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services: Next meeting November 19, 2009.

Finance and Administrative Services: Councilmember Sheila Gaddis reported on the meeting of October 7, 2009. Next meeting October 21, 2009.

Public Safety Services: Councilmember Ray Tierney reported on meeting of October 13, 2009. Next meeting on November 10, 2009.

Public Works Services: Councilmember James Vogel reported on meeting of October 5, 2009. Next meeting November 2, 2009.

OLD BUSINESS:

MATTER RE: Authorize Change Order #1 to contract with Stantec Consulting Services for Senator Keating Boulevard permitting to **delete** services to obtain a curb cut permit from Monroe County and to **add** services for preparation of a schedule and cost estimate for design and construction of the Boulevard at **no change** to the total contract amount (see Resolution #3; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated September 28, 2009)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis 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

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

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Supervisor read and approve payment of the claims as set forth in Exhibit No. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve appointment of Linda G. Harrison-Bayer to the permanent, part-time position of School Crossing Guard, effective October 17, 2009, with 52-week probationary period (see Resolution #4; letter from Thomas M. Voelkl, Chief of Police, dated October 2, 2009)

Motion by Councilmember Ray Tierney seconded by Councilmember Sheila Gaddis 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 extension of Farmers' Market program through December 22, 2009 and \$1,600. budget appropriation for anticipated supplies cost, to be recovered with anticipated revenues (see Resolution #5; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated October 2, 2009)

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis 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 \$4,095. budget transfer of insurance recovery to pay for replacement of Town Park sign damaged in an automobile accident (see Resolution #6; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated October 1, 2009)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize \$24,488. budget appropriation from the Highway Fund for Community Development Block Grant road reconstruction (see Resolution #7; memorandum from Paula A. Parker, Director of Finance, dated October 2, 2009, with attachments)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis 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 \$15,000. budget transfer from Trust & Agency accounts for contract with RG&E to relocate utility poles for HDL/Walgreen's incentive zoning project sidewalks installation, with unused dollars being refunded to HDL; and authorize payment of escrow funds balance (see Resolution #8; memorandum from Paula A. Parker, Director of Finance, dated October 7, 2009)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize extension of contract with Mohawk Valley Community College to May 1, 2010 for one person plowing training, total not exceeding \$3,700 (see Resolution #9; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated September 20, 2009)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis 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 \$60,000. budget transfer for replacement of sanitary sewer section at 2244 East Avenue with larger sewer to serve Council Rock neighborhood (see Resolution #10; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated September 28, 2009)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Town of Pittsford through April 30, 2010 for Brighton's snow and ice control services on Pittsford's portion of Allens Creek Road, for reimbursement at same rate per lane-mile as paid by Monroe County, with estimated revenue of \$6,000 (see Resolution #11; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated September 24, 2009)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis 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 submission of applications to Genesee Transportation Council's Unified Planning Work Program for \$36,000 to fund, together with estimated \$69,000. of in-kind donations, a Monroe Avenue streetscape design charette; and for \$60,000. to fund East River Road corridor study (see Resolution #12; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated October 6, 2009)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis 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 \$2,211.71 budget transfer for purchase of Interprettype ITY C2.0 for communicating with deaf and hearing impaired persons (see Resolution #13; letter from Douglas S. Clapp, Director of Communications, dated September 28, 2009, with attachment)

Motion by Councilmember Sheila Gaddis 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: Authorize Supervisor to execute renewal of Employee Flexible Spending Account Administrative Contract and Service Agreement with EBS Benefit Solutions, Inc. for annual compliance fee of \$325. and at rate of \$2.90 per employee per month (see Resolution #14; memorandum from Gary Brandt, Director of Personnel, dated September 25, 2009, with attachment)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Refer to Planning Board for advisory report an Incentive Zoning application for 2875 Monroe Avenue, LLC (Mario Daniele) (see Resolution #15; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 2, 2009, with attachment)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointments to the Board of Assessment Review (see Resolution #17)
Motion by Councilmember Sheila Gaddis 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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize agreement with Bergmann Associates for their pro bono services on the concept phase of the Veterans' Memorial (see Resolution #18; letter from Peter V. Giovenco, PE, Director of Program Services and James B. Durfee, AIA, Design Principal, Bergmann Associates, dated October 6, 2009)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Brighton's 16th annual free rabies immunization clinic held October 3, 2009 (see letter from David Ewell, Animal Control Supervisor, dated October 6, 2009)

Motion by Councilmember Ray Tierney Councilmember James Vogel to receive and file the aforementioned communication.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MATTER RE: Accept \$250. donation from Paris Kirwan Associates to defray the cost of video production of a New York Municipal Insurance Reciprocal seminar (see Resolution #16; memorandum from Susan Kramarsky, Town Clerk, dated September 29, 2009)

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. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Confirm the election into active membership with West Brighton Fire Department of David C. Listen, Eric McKinley, Justin T. Rose (see letter from Pat A. Inzer, Secretary, West Brighton Fire Department, dated October 6, 2009)

Motion by Councilmember Ray Tierney Seconded by Councilmember James Vogel to receive and file the aforementioned communication.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session at 9:40 PM to discuss the employment of a particular person.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to come out of Executive session at 10:40 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to adjourn at 10:45 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York meeting held on the 14th October, 2009 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of October, 2009.

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PRESENT:

JK
10/20/09

JKEL,

Supervisor

JAMES R. VOGEL
RAYMOND J. TIERNEY III
LOUISE NOVROS
SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated October 1, 2009 from Thomas A. Low, Commissioner of Public Works, concerning the award of a bid for the furnishing of hardware, tools and miscellaneous supplies, be received and filed; and be it further

RESOLVED, that the Town Board hereby awards the bid for the furnishing of hardware, tools and miscellaneous supplies to Mayer Hardware, Inc., at a discount of fifteen percent (15%) from shelf prices for a contract term of one year ending December 31, 2010, with an option on the part of the Town to renew for up to four (4) additional one-year terms, with no change in terms or conditions.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated September 25, 2009 from Thomas M. Voelkl, Chief of Police, concerning the purchase of a replacement animal transport unit for a Town animal control vehicle, and a related budget transfer, be received and filed; and be it further

RESOLVED, that the Chief of Police is hereby authorized to solicit bids for the purchase of an animal transport unit to be mounted on a cab and chassis for the town's Animal Control vehicle; and be it further

RESOLVED, that in connection therewith the Town Board hereby approves a budget transfer in the amount of \$5,000 from account A.POLCE.3120.2.21 to account A.POLCE.3510.2.21.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated September 28, 2009 from Thomas A. Low, Commissioner of Public Works, concerning proposed Change Order #1 to the contract for services related to obtaining permits for Senator Keating Boulevard construction work, with Stantec Consulting Services, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves Change Order #1 to the contract by and between the Town and Stantec Consulting Services for Senator Keating Boulevard permitting to delete the services involved in the obtaining of a curb cut permit from Monroe County and to add professional services for the preparation of a schedule and cost estimate for the design and construction of Senator Keating Boulevard, in preparation of the formation of a Transportation Development District, at no net change to the contract amount.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

October 14, 2009

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

A - GENERAL	\$	<u>328,321.86</u>
D - HIGHWAY		<u>344,628.88</u>
H - CAPITAL		<u>29,667.09</u>
L - LIBRARY		<u>55,826.82</u>
SB - BUSINESS IMPROVM		<u>398.72</u>
SF - FIRE DIST		<u>33,813.41</u>
SK - SIDEWALK DIST		<u>43.90</u>
SL - LIGHTING DIST		<u>20,123.51</u>
SR-REFUSE DISTRICT		<u>68,749.48</u>
SS - SEWER DIST		<u>44,995.17</u>
TA - AGENCY TRUST		<u>5,221.31</u>
	TOTAL \$	<u>931,790.15</u>

UPON ROLL CALL MOTION CARRIED _____

APPROVED BY: _____
SUPERVISOR

COUNCIL MEMBER

COUNCIL MEMBER

TO THE SUPERVISOR:

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

DATE

TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated October 2, 2009 from Thomas M. Voelkl, Chief of Police, concerning the appointment of a School Crossing Guard, be received and filed; and be it further

RESOLVED, that the Town Board hereby appoints Linda G. Harrison-Bayer, to the part-time position of School Crossing Guard, effective October 17, 2009, at the initial daily rate of \$46.27 for the actual hours worked, on a probationary basis with a 52-week probationary period.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated October 2, 2009 from Jerry LaVigne, Director of Parks and Recreation, concerning the Winter Farmers' Market, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver an agreement by and between the Town and Atonement Lutheran Church for the 2009 Winter Farmers' Market, upon such terms and conditions as may be approved by the Attorney for the Town; and be it further

RESOLVED, that the Town Board hereby approves the amendments to the 2009 budgets related to the Winter Farmers' Market, as set forth in the above-referenced correspondence.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



TOWN OF BRIGHTON

RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT

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

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

October 2, 2009

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

Dear Finance Committee Members:

The Farmers' Market has requested to extend their program through December 22, 2009. The market will be held at the Atonement Lutheran Church, located at 1900 Westfall Road. They are anticipating approximately 20 vendors to participate in this 7-week season. The revenues generated will cover all expenses.

The new requested budget increases would be as follows:

A.REC.8981 4.18	Program Supplies	\$1,600.00
A.REC.8981 2005	Program Fees	\$1,600.00

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

Sincerely,

Jerry LaVigne
Director of Parks and Recreation

Cc: M. Legasse

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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

JAMES R. VOGEL
RAYMOND J. TIERNEY III
LOUISE NOVROS
SHEILA A. GADDIS
Councilpersons.

WHEREAS, the park entrance sign at the Brighton Town Park was damaged as a result of an automobile accident and must be replaced; and

WHEREAS, the insurance company of the driver at fault in the accident has agreed to reimburse the Town for the full replacement cost of the sign, but the 2009 Budget must be amended to reflect such reimbursement; it is therefore

RESOLVED, that correspondence dated October 1, 2009 from Jerry LaVigne, Director of Parks and Recreation, concerning a budget amendment in connection with the replacement of the Town Park sign damage as a result of an automobile accident and the related reimbursement of the driver's insurance company for the cost of replacing the damaged sign, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the amendment to the 2009 Budget, to reflect the cost to the Town of replacing the Brighton Town Park sign and the reimbursement of such cost by the at-fault driver's insurance company, all as set forth in the above correspondence.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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) 784-5385
TTY: (585) 784-5381

October 1, 2009

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

Dear Finance Committee Members:

The park entrance sign at the Town Park was damaged as a result of an automobile accident in September, and needs to be replaced. The insurance company of the driver at fault is paying the full replacement cost of the sign. I respectfully request that you authorize the increases in the following budget accounts.

A. REC 7120 2680	Insurance Recovery	\$4,095
A. REC 7120 4.41	Maintenance Repair	\$4,095

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

Sincerely,

Jerry LaVigoe
Director of Parks and Recreation

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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that a memorandum dated October 2, 2009 from Paula A. Parker, Director of Finance, concerning a 2009 Budget appropriation in the Highway Fund to reflect a Community Development Block Grant for highway reconstruction, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the 2009 Budget appropriations to reflect the receipt of a Community Development Block Grant for highway reconstruction, all as set forth in the above memorandum, with an aggregate amount appropriated of \$24,488.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



PAULA A. PARKER, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE SUITE 110
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: Paula A. Parker, Director of Finance
Date: October 2, 2009
Subject: **2009 Budget Appropriation**
Highway Fund
Community Development Block Grant
Road Reconstruction

As approved by resolution at the Town Board meeting held on September 9, 2009, I recommend that Your Honorable Body approve a 2009 budget appropriation as follows:

To expenditure accounts:

D.HWY.5110 4.16	Road Materials	\$ 18,260
D.HWY.5110 4.45	Equipment Rental	6,228

To Revenue accounts:

D.HWY.5140 4895	CDBG Revenue	\$ 24,488
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The total amount to be appropriated is \$24,488. The matching funds are currently available in the 400 level of accounts in the Highway Department budget. This represents approximately one-third (1/3) of the total project and an additional appropriation will be needed in the 2010 budget to finish the remainder of the grant project.

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

Copy to: S. Frankel, T. Low

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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

WHEREAS, the Town Board previously approved a settlement of litigation entitled HDL Property Group, LLC and Fallsbridge Development VI, LLC vs. Town of Brighton, authorized the Supervisor to execute an Escrow Agreement in connection therewith, and approved an amendment to the Incentive Zoning Agreement for the construction of the Walgreen's store located at the corner of Elmwood Avenue and South Clinton Avenue; and

WHEREAS, in connection therewith, the Town will pay all but \$15,000.00 of the net proceeds of a letter of credit deposited as security for the construction of off-site sidewalks pursuant to the terms of the Incentive Zoning Agreement for the Walgreen's store, to an escrow account held by James Morris, Esq. and will pay the cost of certain utility relocations in connection with the construction of such sidewalks from the \$15,000.00 retained by the Town and will pay the unused balance of the \$15,000.00 to the escrow fund; and

WHEREAS, the Finance Director has recommended certain budget amendments and related actions to carry out of the intent of those resolution; it is therefore

RESOLVED, that a memorandum dated October 7, 2009 from Paula A. Parker, Director of Finance, concerning a 2009 Budget appropriation, for the relocation of utility poles for off-site sidewalk installation pursuant to the terms of the Incentive Zoning Agreement for the Walgreen's store located at the corner of Elmwood Avenue and South Clinton Avenue, and related financial matters, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the budget appropriations as set forth in the above-referenced memorandum, for

the relocation of utility services required for the installation of off-site sidewalks on Elmwood Avenue and South Clinton Avenue, under the terms of the Incentive Zoning Agreement and the settlement agreement for the litigation related to the Walgreen's store; and be it further

RESOLVED, that the Town Board hereby authorizes the payment of the proceeds of the letter of credit securing the construction of the off-site sidewalks related to the Walgreen's store at the corner of Elmwood Avenue and South Clinton Avenue, less \$15,000.00 which the Town Board hereby authorizes to be withheld from such proceeds and used to pay the cost of utility relocations, to an escrow account established by James E. Morris, Esq., pursuant to the terms of the escrow agreement previously authorized by the Town Board in connection with the settlement of litigation entitled HDL Property Group, LLC and Fallsbridge Development VI, LLC v. Town of Brighton;

RESOLVED, that following payment of all costs related to the relocation of utility services, the Town Board hereby approves payment of the balance of the \$15,000.00 withheld for that purpose to the aforementioned escrow account established by James E Morris, Esq.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



PAULA A. PARKER, DIRECTOR OF FINANCE
 2300 ELMWOOD AVENUE SUITE 110
 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: Paula A. Parker, Director of Finance
 Date: October 7, 2009
 Subject: **2009 Budget Appropriation**
 General Fund
 HDL Trust Funds
 Utility Pole Relocation for sidewalk installation

I request your honorable body approve a budget appropriation for a contract with RG & E to relocate utility poles for the installation of sidewalks as related to the HDL / Walgreen's incentive zoning project.

To expense account:			
A.DPW.5410 4.49	Contracted Services		\$15,000
To revenue account:			
A.DPW.5410 1289	Other Departmental Revenue		\$15,000

Funds will be transferred from the Trust & Agency accounts TA 30.WALGR. Also authorization needed to pay the balance of the currently held funds (approximately \$208,101.45) in that account to an escrow account as approved via resolution at the special town board meeting held on September 30, 2009. Also approval needed to refund to HDL any unused funds from the utility pole project.

Copy to: S. Frankel, T. Low, T. Keef

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

JAMES R. VOGEL
RAYMOND J. TIERNEY III
LOUISE NOVROS
SHEILA A. GADDIS
Councilpersons.

RESOLVED, that correspondence dated September 20, 2009 from Thomas A. Low, Commissioner of Public Works, concerning an amendment to the contract with Mohawk Valley Community College for one-person snowplow training, be received and filed; and be it further

RESOLVED, that the contract by and between the Town and Mohawk Valley Community College for one-person snowplow training, be amended to extend the termination date thereof to May 1, 2010 with no other changes in terms, rates or conditions.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated September 28, 2009 from Thomas A. Low, Commissioner of Public Works, concerning a budget transfer for sewer construction, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the 2009 Budget amendment transferring \$60,000.00 from account SS.SEWER.8121.240 to account SS.SEWER.8120.280, to be used for the replacement of a section of sanitary sewer adjacent to 2244 East Avenue with a larger sewer to serve the Council Rock neighborhood.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

September 28, 2009

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

Re: Transfer of Funds
Sewer Construction

Honorable Members:

I recommend that the 2009 Budget be amended to transfer funds from:

Sewer Pump Stations- maintenance equipment (SS.SEWER.8121.240)
in the amount of \$60,000.00

and to:

Sewer Operations- sewer construction (SS.SEWER.8120.280) in
the amount of \$60,000.00

The funds are proposed to be used for the replacement of a section of sanitary sewer at #2244 East Ave. with a larger sewer to serve the Council Rock neighborhood.

The funds transferred were to have been used to replace controls, pumps and motors at the Winton Rd. pump station. Subsequent to the development of the 2009 Budget, we completed preliminary engineering for the pump station. That analysis would indicate that we have some years yet before failure can be reasonably anticipated. Work at the station has now been rescheduled for 2012.

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: P. Parker



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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated September 24 2009 from Thomas A. Low, Commissioner of Public Works, concerning an agreement with the Town of Pittsford for snow and ice control on Allens Creek Road, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town of Brighton and the Town of Pittsford for snow and ice control on Allens Creek Road, under which the Town will provide snow and ice control services over Pittsford's portion of Allens Creek Road and Pittsford will reimburse the Town of Brighton for the cost of such services at the same rate per lane-mile as is paid by the Monroe County Department of Transportation under its Snow and Ice Control Agreement with the Town of Brighton, for a term ending April 30, 2010, which agreement shall in form and substance as may be approved by the Attorney for the Town.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated October 6, 2009 from Thomas A. Low, Commissioner of Public Works, concerning applications to the Genesee Transportation Council for grant funding under the Unified Planning Work Program for a corridor study for East River Road and for a design charette for Monroe Avenue, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Commissioner of Public Works to submit grant applications to the Genesee Transportation Council for \$36,000 in funding for a streetscape design charette for Monroe Avenue and \$60,000 in funding for a corridor study for East River Road.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

October 6, 2009

Honorable Town Board
Town of Brighton
2300 Elmwood Ave.
Brighton, NY 14618

Re: Applications
Genesee Transportation Council
Unified Planning Work Program
East River Rd. Corridor Study
Monroe Ave. Design Charette

Honorable Supervisor and Members:

I recommend that your Honorable Body authorize the submission of an application to the GTC for:

a] \$36,000 in funding for a streetscape design charette for Monroe Ave.. This amount would be sufficient for our out-of-pocket expenses for arranging, conducting and creating a vision plan from the charette. There would be an estimated \$69,000 in in-kind services, primarily from the local design community.

And, b] \$60,000 in funding for a corridor study for East River Rd.. The study would include, in a public process, the review of traffic (including bicyclists and pedestrians), safety and land use along the Road.

Funds would be available in April, 2010.

This matter has been reviewed by the Public Works Committee.

Sincerely,



Thomas A. Low

Commissioner of Public Works

cc: T. Keef



At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL
RAYMOND J. TIERNEY III
LOUISE NOVROS
SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated September 28, 2009 from Douglas S. Clapp, Director of Communications, concerning a budget transfer for the purchase of equipment that will facilitate communication with deaf and hearing impaired persons doing business with the Town, together with attachments thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the transfer of \$2,211.71 from account A.CABLE.8060.214 to account A.SSVS.1620.213 for the purchase of one Interprettype ITY C2.0 to be used to enhance communications with deaf and hearing impaired persons doing business with the Town.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



Town of Brighton
Office of Communications
2300 Elmwood Avenue
Rochester, New York 14618-2196
585-784-5253 OFFICE 585-784-5203 FAX

September 28, 2009

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

Re:

Honorable Members:

I hereby request the transfer of \$2,211.71 from cable account A.Cable.8060.2.14 Audio/Visual Equipment to Shared Services account A.SSVS.1620.2.13 Computer Equipment for the purchase of one Interprettype ITY C2.0 per attached estimate #435 dated 5/7/2009.

The purchase of this equipment for the purpose of communicating with deaf and hearing impaired persons doing business with the town has been discussed extensively. Funds for purchase were omitted from the 2009 Shared Services Adopted Budget.

At this time, funds are available in the cable budget, though purchase of other equipment will need to be deferred. Use of these Cable funds for purchase of this equipment is justified as the Interprettype may well be used at Town Board meetings for deaf individuals either in person at the meeting or by telephone.

Interprettype, LLC is the sole source for this product, which uses patented technology and software for non-verbal face-to-face communication. (See letter attached.)

Please note that I have confirmed the price as of today with Bruce Craig at Interprettype (see email attached.)

Respectfully Submitted,

A handwritten signature in cursive script that reads "Douglas S. Clapp".

Douglas S. Clapp
Director of Communications

Cc:

P. Parker
S. Wentworth

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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that a memorandum dated September 25, 2009 from Gary Brandt, Director of Personnel, concerning the 2010 Employee Flexible Spending Account Service Agreement with EBS-RMSCO, be received and filed, together with a proposed agreement attached thereto; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and EBS-RMSCO for administration of the Town's Employee Flexible Spending Account during 2010, in substantially the form attached to the above-referenced correspondence.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

TO: Members of the Finance & Administrative Services
Committee of the Town Board, and
Paula Parker, Director of Finance

FROM: Gary Brandt, Director of Personnel 

DATE: September 25, 2009

RE: 2010 Employee Flexible Spending Account (FSA)
Service Agreement with EBS-RMSCO

I am submitting the Excellus EBS-RMSCO 2010 FSA annual service agreement for your review and approval.

The monthly fee per employee participant (n=60) in each of the last 3 years was:

2007	\$2.65 per employee
2008	\$2.80 per employee
2009	\$2.80 per employee

The monthly fee for 2010 will be \$2.90 per employee for a monthly charge of \$174. and an annual charge of \$2,088.

The other required fee in this agreement is the annual FSA Plan compliance fee of \$325. This fee covers the IRS annual Section 410(b) non-discrimination test, as well as the Section 125 and Section 129 compliance testing. There is no increase in this compliance testing fee for 2010.

I recommend that the Board approve the execution of this agreement.



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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that a memorandum dated October 2, 2009 from Thomas A. Low, Commissioner of Public Works, concerning an Incentive Zoning Application submitted by 2875 Monroe LLC for property located at 2875 Monroe Avenue in the Town, together with a copy of the Incentive Zoning Application attached thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby finds the proposed Incentive Zoning Application submitted by 2875 Monroe, LLC to be worthy of further consideration and recommends that it be referred to the Planning Board for an advisory report.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____

**2875 Monroe, LLC
2740 Monroe Avenue
Rochester, NY 14618**

October 1, 2009

Sandra Frankel, Supervisor
Brighton Town Board Members
Town of Brighton
Elmwood Avenue
Rochester, NY 14618

Dear Sandra,

I am writing to you today requesting incentive zoning for the property located at 2875 Monroe Avenue tax ID 150.07-2-19, formerly a Mobil service station. The redevelopment of this long-vacant property will, I believe, move us closer to the vision set out in the Comprehensive Plan for the Town and for Monroe Avenue in particular.

As we have discussed, it is our intent to construct a \$1,300,000.00 automated eco-friendly car wash and vacuum facility with incidental sales at this location. I have attached a detailed description of our proposed project that outlines the operation in detail. Our intent to construct according to the "Bricks of Brighton" model.

The project will require signage facing Monroe Avenue size to be determined but less than the 10% of that building face, we are also requesting a small sign above the exit of the car wash facing Clover Street. (Similar to the photo attached).

Preliminary conversations with the DOT have yielded their request to have the Clover street curb cut moved to the southern most point of the property. This will require a setback of about 2 feet along the Southern property boundary. Additionally, to insure proper turning radius for fire safety vehicles, the front drive along Monroe avenue will require a minimal setback at one point (see attached conceptual site plan layout). We are asking for a 5' setback at that point.

There are 5 parking spots proposed which should be more than sufficient for this use.

Our engineers analysis attached, reveals that the sewer, water, transportation, waste and fire protection facilities at this location are more than adequate to meet the requirements outlined in the Town of Brighton Incentive Zoning Code Section 209-5 3b. We recognize that traffic volumes are challenging at this intersection, and will provide further information during the review to demonstrate that our proposal can be accommodated.

Preliminary public response has been positive. As of October 1st, we have received 10 calls in response to the invitation sent to the 500 residences near the proposed development, all have been positive. One neighbor commented, "I am happy to see the Danieles fixing another corner in Brighton."

In lieu of a specific amenity, we propose to offer the Town of Brighton an amount of \$20,000.00 to be available to facilitate a design charrette to explore the improvement of Monroe Avenue from the Clover Street intersection to 2740 Monroe Avenue or any other purpose the town supervisor and board feel appropriate within the list of amenities set forth in the Code. This amount is offered in exchange for the granting of the above incentive zoning request.

We appreciate your consideration of our application. You may reach me at 585-271-1111 if you require any further information regarding our proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mario Daniele', written in a cursive style.

Mario Daniele

Proposed Automated Car Wash in Brighton

Location:

2875 Monroe Avenue, Town of Brighton. Formerly the site of a Mobil Gas and Service Station at the South West corner of Clover and Monroe. Tax no. 150.07-2-19

Description:

A tunnel style car wash that is based on biodegradable “green” chemicals and using new water saving technologies that re-use up to 80% of wash water. **Eco-wash certified.**

The system uses full automation so no human contact is required to wash the vehicles. Payment and wash selection is done at one of two automated kiosks. Pre-wash and post dry, typically serviced by human hands, is done using the latest wash technologies and create a more efficient experience that uses less water, less energy and less chemicals than traditional pre-wash sprayers and cloth dry that requires laundering of drying towels. Minimal sale of retail items like air fresheners, cleaning cloths and other car cleaning items may exist.

The operation would require at least one employee supervising and troubleshooting the operation at all times with a second or third employee during peak times to help with flow and customer assistance.

Hours of Operation:

Seven days per week, 8am – 9pm.

Job Creation:

It is anticipated that this business will create 10-14 jobs that will appeal to youth age 17-24. 2-3 full time and 9-11 part time.

Ownership Supervision:

This operation will be owned and operated locally by the Daniele family. Being the owners of two other businesses in Brighton including Mario’s Restaurant located less than 1000 feet down Monroe Avenue, the owners have the unique ability to manage this operation and troubleshoot any issues in a very short time.

Best Use for the Property:

Although many uses for this property have been studied, due to the current downfall of the real estate leasing market and the general demand in the community for this type of product, this site becomes an ideal location in Brighton for a locally owned and operated higher end car wash. Numerous residents have voiced their desire for a redevelopment for the Monroe and Clover intersection, which has been left vacant and unattended for the better part of ten years. Every resident that has been interviewed regarding their opinion of a car wash in this corner has been met with extreme enthusiasm and positive feedback.

Construction and Design:

The construction for this site will be consistent with the current standards of the Town of Brighton. Exterior materials will consist of brick, stone and high-end materials in order to exemplify the higher end look of Monroe Avenue between Pittsford and Brighton. Landscaping will also be manicured to the level of expectation in which the Daniele properties have sustained through the years doing business in Brighton.

Traffic Control:

Obviously the biggest concern as an operator is customer convenience and safety, both critical to the success of an operation. Traffic movement has been studied by FRA Associates who has done specific work for the NYS DOT relative to car washes; stacking of cars, demand relative to traffic flow and other issues relating to car wash traffic flow and requirements. In their expert opinion this site, with proper design, can accommodate this use with out risk of congesting traffic on Monroe or Clover.

We are proposing ingress only from Monroe Avenue for Eastbound traffic, with ingress and egress on Clover Street. Westbound traffic on Monroe Avenue will make a left on Clover Street using the arrow, and a right into the site. Clover street egress is not a concern given the gaps measured in the southbound traffic even during peak hours and the speed of traffic close to the light at Monroe.

Given a single tunnel wash with a one car per 90 second speed of entrance, cars will not stack more than 20 cars deep, which would be a 30 minute wait for a wash, much more than most customers would wait. We are allowing room for 30 cars to stack, which is way beyond what would ever happen. Upon exiting the wash, and given no towel drying, the cars have 90 seconds each to exit onto Monroe and room to stack 7 cars; again, more than sufficient to avert any bottleneck or hazard. As an additional safety feature, if the cars exiting where to back up past 6 cars, the electronic eye would stop the conveyor on the wash not allowing any more cars to stack. Unlikely that this will ever happen, but an additional safeguard never the less.

Additionally during peak times, one or two employees in reflective vests will be assigned to traffic control and have the ability to close the entrance to the wash if it where ever to get that full.

We have preliminarily discussed this proposal with the NYS DOT and they are open to the idea as long as traffic safety concerns are addressed through a formal process and traffic study that we are prepared to undertake.

Public Feedback:

As previously stated, the public we have interviewed who live nearby have overwhelmingly received this as a favorable use for the intersection and filling a service need in the town of Brighton. There are no other car washes near this area.

We have preliminarily scheduled a public informational meeting for October 7 at Mario's. 500 postcards will be mailed to the adjoining neighborhoods and citizens of Brighton and Pittsford.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, in said Town of Brighton on the 14th day of October 2009

PRESENT:

SANDRA L. FRANKEL,
Supervisor

JAMES R. VOGEL,
RAYMOND J. TIERNEY III,
LOUISE NOVROS,
SHEILA GADDIS,
Councilpersons

RESOLVED, that the following appointments be and hereby are made to the Town of Brighton Board of Assessment Review:

Andrew T. Dollinger, of 315 Avalon Drive, Rochester, NY 14618, for a **five-year term** effective immediately through September 30, 2014; and

Barbara Moehle, of 109 S. Landing Road, Rochester, NY 14610; **Lauren Judson**, of 2500 East Avenue, Apt. 3K/3L, Rochester, NY 14610 for **one-year terms**, effective immediately through September 30, 2010

Dated: October 14, 2009

Sandra Frankel, Supervisor
James R. Vogel, Councilperson
Raymond J. Tierney III, Councilperson
Louise Novros, Councilperson
Sheila Gaddis, Councilperson

Voting _____
Voting _____
Voting _____
Voting _____
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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL
RAYMOND J. TIERNEY III
LOUISE NOVROS
SHEILA A. GADDIS

Councilpersons.

WHEREAS, Bergmann Associates has offered to provide conceptual design services at no cost to the Town in connection with the development of the Town's proposed Veteran's Memorial, and the Town desires to accept such services and to enter into an agreement with Bergmann Associates memorializing such understanding; it is therefore

RESOLVED, that a proposed letter agreement dated October 6, 2009, from Peter V. Giovenco, PE, Director of Program Services at Bergmann Associates, and James B. Durfee, Design Principal at Bergmann Associates, offering to provide conceptual design services to the Town in connection with the Town's proposed Veteran's Memorial, at no cost to the Town, be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the donation of services from Bergmann Associates and authorizes the Supervisor to execute and deliver a letter agreement, by and between the Town and Bergmann Associates, for conceptual services in connection with the proposed Veterans Memorial, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, 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 14th day of October, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that a memorandum dated September 29, 2009 from Susan Kramarsky, Town Clerk, concerning donations from Paris Kirwan and Associates and the New York Municipal Insurance Reciprocal (NYMIR), be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts donations from Paris Kirwan and Associates and NYMIR, both in the amount of \$250, to be used to defray the cost of video production and recording of a seminar sponsored by NYMIR.

Dated: October 14, 2009

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Sheila A. Gaddis, Councilperson	Voting	_____