

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

July 8, 2009

PRESENT:

Supervisor Sandra Frankel
Councilmember Sheila Gaddis
Councilmember Louise Novros
Councilmember Ray Tierney

William Moehle, Attorney for the Town
Susan Kramarsky, Town Clerk

MEETING CALLED TO ORDER: 7:00 PM

RECOGNITIONS/PRESENTATIONS:

Swearing-In Ceremony for Brighton, Police Officer Allison B. Gromek

APPROVAL OF AGENDA:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to approve the agenda with the addition of communication from Dan Hallowell and an executive session to discuss matters of real estate & the employment of particular persons.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

June 24, 2009

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to approve and file the aforementioned minutes.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Pat Dougherty, dated June 25, 2009, expressing appreciation to the Parks Department for all their help in setting up the memorial for Dick Dougherty in Corbetts' Glen Park

FROM Thomas Goodwin, Planning Manager, Monroe County Department of Planning and Development, dated June 23, 2009, enclosing a copy of the 2008 Land Use Report for Monroe County (filed in the Department of Public Works)

FROM Taylor Whitney, thanking Supervisor Frankel for her participation in the recent ribbon cutting of Preserving the Past

FROM Chris Mueller, Manager, Government Affairs, dated June 29, 2009, regarding certain programmer agreement renewals

FROM Robert Zinck, Executive Director, Rochester-Monroe County Youth Bureau, dated June 24, 2009, advising of a new endeavor, the Rochester Community Asset Mapping Project (RCAMP)

FROM Andrew S. Doniger, MD, MPH, Director, Monroe County Department of Public Health, dated June 25, 2009, regarding recommendations for private well testing

FROM Mary Ellen Blanchard, dated June 29, 2009, advising that she is resigning from the Zoning Board of Appeals

FROM Lawrence M. Howk, Treasurer, Brighton Fire District, dated June 30, 2009, enclosing the December 31, 2008 Report of Rotenberg & Company, L.L.P. (filed in Finance Department)

FROM Dan Hallowell, Regional Planning and Program Manager at the New York State Department of Transportation, dated July 6, 2009 regarding a request for construction of noise barriers on a portion of 1-590.

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services Next meeting July 16, 2009.

Finance and Administrative Services July 1, 2009. Next meeting July 15, 2009.

Public Safety Services. Next meeting July 14, 2009.

Public Works Services Report by Councilmember Sheila Gaddis on meeting of June 29, 2009. Next meeting August 3, 2009

OLD BUSINESS:

MATTER RE: Set August 12, 2009 public hearing for proposed amendments regarding Sustainability Code Amendments-Bicycle and Pedestrian Access (see Resolution #3; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated June 30, 2009 and Planning Board Advisory Report dated June 24, 2009)

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.1 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 Louise Novros that the Supervisor read and approve payment of the claims as set forth in Exhibit NO.2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize submission of applications to Genesee Transportation Council funding under the 2011-2014 Transportation Improvement Program for specific proposed projects (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated June 29, 2009).

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. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Accept cash, in-kind donations and grant funds for support of the Clean Sweep Community Program (see Resolution #2; memorandum from Paula A. Parker, Director of Finance and Councilmember Louise Novros, dated July 1, 2009, with attachment)

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.4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor Frankel to send a letter to NY State Senate in support of marriage equality.

Motion by Councilmember Ray Tierney 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.5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MATTER RE: Authorize amendment to the Town's organization chart to include two part-time Clerk III positions in the office of the Town Clerk (see Resolution #4; memorandum from Susan Kramarsky, Town Clerk, dated June 29, 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. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney to go into executive session at 8:30 PM to discuss matters of real estate and the employment of particular persons.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Sheila Gaddis seconded by Councilmember Ray Tierney to come out of Executive Session at 8:55 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis to adjourn at 8:55 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 8 July 2009 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 8th day of July, 2009.

EXHIBIT NO. 1

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUIS NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence from Thomas A. Low, Commissioner of Public Works dated June 30, 2009 and an advisory report of the Planning Board dated June 24, 2009, be received and filed; and

On motion of Councilperson _____, seconded by Councilperson _____, **it is**

ORDERED, that pursuant to Article 3 of the Municipal Home Rule Law of the State of New York, a public hearing on a proposed Local Law of 2009 entitled "Bicycle and Pedestrian Access Local Law", in the form presented to this meeting, be held by the Town Board of the Town of Brighton on the 12th day of August, 2009, at 7:30 o'clock PM, prevailing time, at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town to consider the proposed Local Law and to hear all persons interested therein and to take such action as may be proper, and **it is further**

ORDERED, that Notice of the time and place of such hearing, describing the purpose of said Local Law be published pursuant to Law.

Dated: July 8, 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

July 8, 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>161,233.22</u>
D- HIGHWAY	<u>18,573.10</u>
H - CAPITAL	<u>17,819.24</u>
L - LIBRARY	<u>992.78</u>
SF - FIRE DIST	<u>574.25</u>
SP-PARKS DISTRICT	100.00
SR-REFUSE DISTRICT	<u>68,749.38</u>
SS - SEWER DIST	<u>13,111.82</u>
TA - AGENCY TRUST	<u>11,444.97</u>
TOTAL	\$ <u>292,598.76</u>

UPON ROLL CALL

MOTION CARRIED _____

APPROVED BY:

Luca J. Frankel
SUPERVISOR

Raymond O. Perry
COUNCIL MEMBER

Shirley G. Gaudin
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.

7/8/09

DATE

Susan McMorris
TOWN CLERK

Exhibit 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 8th day of July, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated June 29, 2009, from Thomas A. Low, Commissioner of Public Works, concerning grant applications to the Genesee Transportation Council for the 2011-2014 Transportation Improvement Program, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the submission of applications for grant funding to the Genesee Transportation Council, under the 2011-2014 Transportation Improvement Program, for a) the design and construction of the 1-590 Bypass Trail, from Town Hall through Buckland and Meridian Centre Parks to the Canalway Trail with a maximum local share contribution of \$1,200,000, b) the full rehabilitation of the Corwin Road Bridge, to include the piers, rails and balusters, with a maximum local share contribution of \$232,000.

Dated: July 8, 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 8th day of July, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated July 1, 2009 from Paula A. Parker, Director of Finance and Louise Novros, Town Board Member, concerning the acceptance of donations for the Clean Sweep Community Program, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the cash contributions, grant funds and in-kind donations for the Town of Brighton Clean Sweep held on May 9, 2009, all as set forth on the listing attached to the above-referenced memorandum.

Dated: July 8, 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 8th day of July, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

WHEREAS, the Town Board of the Town of Brighton believes that marriage is a fundamental human right and that all people should have access to the legal rights and protections afforded under law to persons that are civilly married; and

WHEREAS, legislation has been approved by the New York Assembly to amend the Domestic Relations Law of New York to permit all persons to marry civilly in New York, whether such marriages are between same sex or different sex couples, and the same legislation, A7732jS4401 is currently pending before the New York Senate; and

WHEREAS, the Town Board of Brighton congratulates the Assembly for approving such legislation and encourages the Senate to do the same, because such legislation would ensure that all people in New York have access to the legal rights of marriage without forcing any clergy person to perform a marriage ceremony against their religious beliefs or the beliefs of their religious denomination; it is therefore

RESOLVED, that the Town Board of the Town of Brighton hereby supports the legislation pending in the New York Senate, S4401, that would grant equal marriage rights to same sex and different sex couples, and urges Senator Joseph Robach and all New York Senators to come together to approve this important legislation that would grant all Brighton and New York same sex and opposite sex couples equal access to marriage, without requiring any clergy person to perform a marriage ceremony against their religious beliefs or the beliefs of their religious denomination.

Dated: July 8, 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

Brighton, Monroe County, New York, held
at the Brighton Town Hall, 2300 Elmwood
Avenue, in said Town of Brighton on the
8th day of July, 2009.

EXHIBIT NO. 6

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that a memorandum dated June 29, 2009 from Susan Kramarsky, Town Clerk, concerning a vacancy in the position of Clerk III, be received and filed; and

RESOLVED, that the Town's organization chart be amended to include two part-time Clerk III positions in the office of the Town Clerk.

Dated: July 8, 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