

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

May 27, 2009

PRESENT:

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

William Moehle
Attorney for the Town

Town Clerk
Susan Kramarsky

MEETING CALLED TO ORDER:

6:05 PM

6:10 P.M. -- MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to go into executive session to discuss the employment of a particular person .

UPON ROLL CALL VOTE

Councilmember Sheila Gaddis aye
Councilmember Louise Novros aye
Councilmember Ray Tierney no
Councilmember James Vogel absent until 6:30 PM
Supervisor Sandra Frankel aye

MOTION CARRIED

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to come out of executive session at 7:00 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

*Divya Seth, Third Place
Intel International Science and Engineering Fair*

Dr. Paul Maurer

Older Americans Month Proclamation

*Brighton Police Department-Best Practices in
Sex Offender Management Certification*

OPEN FORUM:

Sue Gardner Smith, Manager, Brighton Farmers' Market
Abigail Mc Donald

APPROVAL OF AGENDA: with the addition of an executive session to discuss real estate and the employment of a particular person
Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to approve the agenda.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

April 22, 2009
May 13, 2009

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTERRE: Authorize solicitation of bids for East Avenue sidewalk construction (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 15,2009)

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.

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros to amend the resolution to separate the two parts of the project to authorize bids for sidewalks on south side of East Ave. only.

UPON ROLL CALL VOTE

Councilmember Sheila Gaddis no
Councilmember Louise Novros yes
Councilmember Ray Tierney yes
Councilmember James Vogel no
Supervisor Sandra Frankel no

MOTION FAILED

by Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros to amend the resolution to seek bids for sidewalks on north side (only) of East Ave.

UPON ROLL CALL VOTE

Councilmember Sheila Gaddis no
Councilmember Louise Novros yes
Councilmember Ray Tierney no
Councilmember James Vogel no
Supervisor Sandra Frankel no

MOTION FAILED

Resolution as prepared by the attorney for the town
 UPON ROLL CALL VOTE
 Councilmember Sheila Gaddis aye
 Councilmember Louise Novros no
 Councilmember Ray Tierney no
 Councilmember James Vogel aye
 Supervisor Sandra Frankel aye

MOTION CARRIED**COMMUNICATIONS:**

FROM Andrea and Daniel Yawman, dated May 9, 2009, expressing thanks for the stop signs installed at Danbury Circle S. and Bonnie Brae

FROM Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 12, 2009, to New York State Department of Transportation regarding their accident study of Monroe Avenue between 1590 and Clover Street

FROM Sally Howard, dated May 13, 2009, thanking Supervisor Frankel for her speaking out regarding Monroe County's Master Plan for Ellison Park and for leadership in green initiatives

FROM Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 11, 2009, regarding the Town's trial of a new surface treatment program scheduled to begin the week of May 25th

FROM Buffy Hodgetts, dated May 15, 2009, commenting on the Ellison Park Master Plan proposals

FROM Timothy E. Leahy, Principal, Siena catholic Academy, dated May 20, 2009, expressing need and support for the sidewalk project on East Avenue

FROM Louise E. Johnston expressing thanks for the Highway Department's excellent work in the area where a tree was removed near her home

FROM Margaret Greene, Lila Benz, Marie Schafer, Ms. Silverstein, and Marion Cosamano, commenting on the Recreation Department's program registration requirements

FROM Lisa Nicolay, Clerk of the Monroe County Legislature, dated May 13, 2009, enclosing a copy of the Monroe County 2010-2015 Capital Improvement Program (copy filed in the Department of Public Works)

FROM Brian C. Slack, AICP, Genesee/Finger Lakes Regional Planning Council, dated May 14, 2009, inviting attendance at meetings about assessing and enhancing our region's recreational paddling resources

FROM Maggie Brooks, Monroe County Executive, dated May 11, 2009, informing that \$50,000 for the Brighton Road Repaving Project will be included on the list of Community Development Block Grant Recovery Act (CDGB-R) projects contained in the Substantial Amendment to the 2008 Annual Action Plan for Housing and Community Development in Suburban Monroe County

FROM Joel Seligman, President, University of Rochester, dated May 13, 2009 to U. S. Congressman Michael A. Arcuri urging the 1-390 Corridor Project be given high priority in the upcoming Federal transportation reauthorization

FROM Debby Andresen, T-Mobile, dated May 4,2009, regarding the lease between Monroe County Water Authority and Omnipoint Communications, Inc. for 200 Mortimer Street

FROM Monroe County Department of Planning & Development regarding public comment on the Draft 2009 Annual Action Plan for Housing and Community Development in Suburban Monroe County

FROM Richard A. Calabrese, dated May 27,2009, commenting on the proposed East Avenue sidewalks

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services Councilmember Louise Novros reported on meeting of May 21,2009. Next meeting June 18, 2009.

Finance and Administrative Services Councilmember Sheila Gaddis reported on meeting of May 20,2009. Next meeting June 3, 2009

Public Safety Services - Next meeting June 9, 2009.

Public Works Services - Next meeting June 2,2009.

OLD BUSINESS:

MATTER RE: Authorize Supervisor to execute supplemental agreement with New York State Department of Transportation for the Highland park/Canalway Trail Design Phase (see Resolution #8; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 15, 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.2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to Table of Organization and job title change, reducing one position of permanent part-time Telephone Operator and adding one Office Clerk IV position (see Resolution #16; letter from Douglas S. Clapp, Director of Communications dated May 5, 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.3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of Karen Winterroth to permanent part-time position of Office Clerk IV, effective June 1, 2009 with 52 week probationary period (see Resolution #15; letter from Douglas S. Clapp, Director of Communications, dated May 5, 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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract with Denine K. Carr for employee training on employment law related issues, as complying with State and Federal anti-discrimination and harassment laws and policies (see Resolution #14; memorandum from Gary Brandt, Director of Personnel, dated March 27, 2009, with attachment; and letter from Denine K. Carr, dated March 27, 2009)

Motion by Supervisor Sandra Frankel seconded by Councilmember Sheila Gaddis to reconsider the matter of authorizing a contract with Denine Carr.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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. 5 attached.

UPON ROLL CALL VOTE

Councilmember Sheila Gaddis aye
Councilmember Louise Novros no
Councilmember Ray Tierney no
Councilmember James Vogel aye
Supervisor Sandra Frankel aye
MOTION CARRIED

NEW BUSINESS:

MATIERRE: Reading and approval of claims

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel read and approve payment of the claims as set forth in Exhibit NO.6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize traffic control device ordinance for establishment of "No Left Turn/Westbound" traffic control on Westfall Road at Sawgrass Drive (W.leg), "Stop/Northbound" traffic control on Sawgrass Drive (W.leg) at Westfall Road, and "No Left Turn/Northbound" traffic control on Sawgrass Drive (W. leg) at Westfall Road (see Resolution #2; letters from Terrence J. Rice, P.E., Monroe County Director of Transportation, dated May 7, 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.7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize acceptance of \$480. ACT for Youth Development mini grant to support Summer Recreation "Green Team" program (see Resolution #3; letters from Rebecca J. Cotter, Assistant Director, Recreation and Parks Department, dated May 14, 2009; Melanie Bloodworth, ACT for Youth Coordinator, City of Rochester, Bureau of Recreation, dated May 5, 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.8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize 2009 budget appropriation for \$5,991 .50 balance of Stantec review services on the University of Rochester project rezoning (see Resolution #4; memorandum from Paula A. Parker, Director of Finance, dated May 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. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize 2009 budget appropriation of \$1,200. in a new account for the Community Garden Program (see Resolution #5; memorandum from Paula A. Parker, Director of Finance, dated May 20, 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.10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize transfer of funds, not exceeding \$66,000., for plan review and building inspection services (see Resolution #6; memorandum from Paula A. Parker, Director of Finance, dated May 20, 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. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract with LMC Codes for "as needed" plan review services, total not exceeding \$3,800. through June 1, 2010 (see Resolution #7; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 15, 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: Set June 24, 2009 public hearing for proposed code amendments to Plan Review and Building Inspection, Chapter 73 (see Resolution #13; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 15, 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. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Adopt Bicycle Work Plan (see Resolution #9; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 14, 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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Submit proposed amendments to the Sustainability Code for bicycle and pedestrian access to the Planning Board for an advisory report (see Resolution #10; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 14, 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. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of Linda M. Stango to part-time position of Architect, effective June 15, 2009 with 12-month probationary period (see Resolution #11; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 19, 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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of Paul Moore to full-time position of Building Inspector, effective June 22, 2009, with 12-month probationary period (see Resolution #12; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 19, 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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MAITERRE: Polling location for election districts 11, 15, 18 and 34 changed from Indian Landing School to Temple Sinai (see memorandum from Susan Kramarsky, Town Clerk, dated May 19, 2009)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION 9:25 PM

Councilmember James Vogel

Seconded by Councilmember Sheila Gaddis

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

To discuss matter of real estate and the employment of a particular person.

MOTION TO COME out of EXECUTIVE SESSION Councilmember James Vogel at:

Seconded by Councilmember Ray Tierney at 10:40 PM

MEETING ADJOURNED:

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros that the Town Board 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 27th May 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 15, 2009 from Thomas A. Low, Commissioner of Public Works, concerning a bid for the construction of sidewalks on the north and south sides of East Avenue, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to solicit competitive bids for the construction of sidewalks on the north side of East Avenue from Oak Lane to Penfield Road, and the south side of East Avenue from Siena Academy to Ambassador Drive.

Dated: May 27, 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

WHEREAS, a Project for the Highland Park/Canalway Trail Design, P.I.N. 4754.08(the "Project") is eligible for funding under title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal funds and 10% non-federal funds; and

WHEREAS, the Town of Brighton and City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Project, 67% of which is committed by the Town of Brighton and 33% of which is committed by the City of Rochester.

NOW, THEREFORE, the Brighton Town Board, duly convened does hereby

RESOLVE, that correspondence dated May 15, 2009 from Thomas A. Low, Commissioner of Public Works, concerning simple mutual agreements fro the Highland Park/Canalway Trail Project, be received and filed, together with an attachment thereto; and it is further

RESOLVED, that the Brighton Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Brighton Town Board hereby authorizes the Town's Director of Finance to pay in the first instance 67% of the federal and non-federal share of the cost of design work for the Project or portions thereof, with the 33% City of Rochester share to be paid by the City; and it is further

RESOLVED, that the Town Board previously at its May 13, 2009 meeting appropriated such funds *all* as more fully set forth in correspondence dated May 1, 2009 and received and filed at such meeting, a copy of which correspondence is attached hereto and made a part hereof, and made such funds available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board of the Town of Brighton shall convene as soon as possible to appropriate its 67% share of said excess amount immediately upon the notification by the Commissioner of Public Works thereof, and it is further

RESOLVED, that the Supervisor of the Town of Brighton be and is hereby authorized to execute all necessary Agreements, certifications or reimbursements requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Brighton with the New York State Department of Transportation in connection with the advancement

or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

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 27th day of May, 2009.

EXHIBIT NO.3

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 5, 2009 from Douglas S. Clapp, Director of Communications, concerning a change in job title and amendment to the Table of Organization, be received and filed, together with attachment thereto; and be it further

RESOLVED, that the Town Board hereby amends the Table of Organization to reduce one permanent part-time Telephone Operator position and add one permanent part-time Office Clerk IV position.

Dated: May 27, 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

5/28/2009

At a Town Board Meeting of the Town of Brighton, Monroe county, New York, held at the Brighton Town Hal 1, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 5, 2009 from Douglas S. Clapp, Director of Communications, concerning the appointment of Karen Winterroth to the position of Office Clerk IV, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby appoints Karen Winterroth to the position of Office Clerk IV at Group 3 Step II at the initial wage rate of \$12.67 per hour, effective June 1,2009, on a probationary basis for a 52 week probationary period.

Dated: May 27, 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 1, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of May 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated March 27, 2009 from Gary Brandt, Director of Personnel, concerning a proposed contract for Professional Consulting Services, be received and filed, together with correspondence dated March 27, 2009 from Denine K. Carr, Esq. and a proposed Professional Services Contract; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Denine K. Carr, Esq. for training relating to Harassment, at a cost not to exceed \$1,000, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 27, 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: Paula Parker, Director of Finance
FROM: Gary Brandt, Director of Personnel 
DATE: March 27, 2009
RE: FASC Approval of Training Consultant

Attached is a proposed contract for professional consulting services for attorney Denine K. Carr. Ms. Carr is a resident of Brighton and an expert on harassment law and harassment risk management. She recently completed an investigation for the Town Board in a matter related to the Town Policy on Harassment.

I am requesting authorization for an amount up to \$1000. If approved, Ms. Carr will collaborate with me in a comprehensive training program for supervisors and staff in April.

In the past, harassment training for the Town was conducted by other staff not fully acquainted with recent legislation and case law in matters related to harassment and employer retaliation. Recent U.S. Supreme Court decisions in the Burlington Northern v. White and the Crawford v. Metro Gov't of Nashville indicated that a lower threshold for proving retaliation and securing awards for plaintiffs.

In my view, it is very important for the Town to invest a modest sum in proper training for supervisors, managers and employees to ensure proper conduct and to preserve an affirmative defense should ever an action be brought against the Town.

xc: William Moehle

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

May 27, 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>178,395.91</u>
D - HIGHWAY		<u>123,035.54</u>
H -CAPITAL		<u>25,115.88</u>
L - LIBRARY		<u>32,111.55</u>
SR-REFUSE DISTRICT		<u>13,752.28</u>
SS - SEWER DIST		<u>22,030.53</u>
TA - AGENCY TRUST		<u>25,367.20</u>
	TOTAL \$	<u>419,808.89</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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that two items of correspondence dated May 7, 2009 from Terrence J. Rice, P.E., Monroe County Director of Transportation, concerning the installation of traffic control devices at the corner of Sawgrass Drive and Westfall Road, be received and filed; and be it further

RESOLVED, that pursuant to the Vehicle and Traffic Law of the State of New York Sections 1651 and 1652-a, the Town Board of the Town of Brighton hereby consents to the installation of a stop sign northbound on the west leg of Sawgrass Drive at Westfall Road, a no-left turn sign northbound on the west leg of Sawgrass Drive at Westfall Road, and a no-left turn sign westbound on Westfall Road at the west leg of Sawgrass Drive.

Dated: May 27, 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



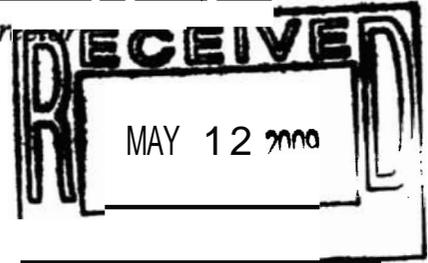
Department of Transportation

Monroe County, New York

Maggie Brooks
County Executive

Terrence J. Rice, P.E.

Director



May 7, 2009

Ms. Susan Kramarsky
Town Clerk
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

RE: TRAFFIC CONTROL DEVICE ORDINANCE

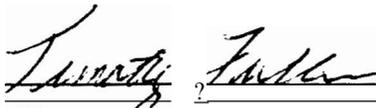
Dear Ms. Kramarsky:

The County of Monroe Department of Transportation, pursuant to authority granted by Sections 1651 and 1652-a of the New York State Vehicle and Traffic Law, does hereby request the establishment of the following traffic controls.

SIGN TYPE/DIRECTION	LOCATION
No Left Turn Westbound	Westfall Rd. @ Sawgrass Dr. (W. leg)

Please have your Town Board pass an appropriate ordinance for this regulation at your earliest convenience. The Monroe County Department of Transportation is installing the above traffic control devices in accordance with the New York State Manual of Uniform Traffic Control Devices to establish the above regulation.

The above regulations are to be effective upon installation of said traffic control devices.


for Terrence J. Rice, P.E.
Director of Transportation

Town Clerk Date
Town of Brighton

Please sign, date and return this form and a copy of the ordinance, to the Monroe County Department of Transportation as soon as possible.

TJRlbn

cc: D. Wiegand

6100 CityPlace· 50 West Main Street· Rochester, New York 14614-1231
(585) 753-7720 • fax: (585) 753-7730 • www.monroecounty.gov

At a Town Board Meeting of the Town of Brighton, Monroe county, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 14, 2009 from Rebecca J. Cotter, Assistant Director, Town of Brighton of Parks and Recreation Department, and correspondence dated May 5, 2009 from Melanie Bloodworth, ACT for Youth Coordinator, City of Rochester, Bureau of Recreation, concerning a grant, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts an ACT for Youth Development grant in the amount of \$480.00 from the City of Rochester to support the "Green Team" program for the Town Parks and Recreation Department; and be it further

RESOLVED, that the Town Board hereby approves the Budget Amendments related to the receipt of the grant, as more fully set forth in the above correspondence from Rebecca J. Cotter.

Dated: May 27, 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated May 20, 2009, from Paula A. Parker, Director of Finance, concerning a 2009 budget appropriation to the Building and Planning Department for project review of the University of Rochester Campus redevelopment project, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves a 2009 Budget appropriation in the amount of \$5,991.50 to account DPW.8020.452 (Public Works - Engineering Fees), in connection with the University of Rochester campus redevelopment project.

Dated: May 27, 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: May 20, 2009
Subject: **2009 Budget Appropriation**
Building and Planning Department
University of Rochester (Stantec Services)

I recommend that Your Honorable Body approve a 2009 budget appropriation as follows:

To expenditure account:

A.DPW.8020 4.52 Engineering Fees	\$5,991.50
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These funds represent the remaining amount from original amount of the estimated services (\$36,000) from the project review being done by Stantec.

In 2004 The University of Rochester submitted and application for a campus rezoning project. The U of R paid the Town of Brighton \$36,000 and the Town contracted with Stantec for the project review services. There was a *total* of \$30,008.50 paid to Stantec for their review services for this project. The \$5,991.50 represents the remaining funds left from the original deposit by the U of R. While these funds will be drawn from our General Fund unappropriated fund balance, there will ultimately be no impact on the budget since we have received these very same funds from the U of R.

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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 20, 2009 from Paula A. Parker, Director of Finance, concerning a 2009 budget appropriation for the Town's Community Garden program, be received and filed; and be **it** further

RESOLVED, that the Town Board hereby approves the 2009 budget actions and appropriations for the Town's Community Garden program as set forth in the above-referenced memorandum.

Dated: May 27, 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 ²Committee
From: Paula A Parker, Director of Finance
Date: May 20, 2009
Subject: **2009 Budget Appropriation**
Community Garden Program

I recommend that Your Honorable Body approve a 2009 budget appropriation as follows:

Establish a new department AREC.8983 Community Garden Program

To expenditure account:

AREC.8983 4.18 Program Supplies / Expenses in the amount of \$1,200

To revenue accounts:

AREC.8983 2005 Program Participant Fees \$750

AREC.8983 2705 Gifts & Donations \$450

Finance Director shall be authorized and directed to set up the appropriate account numbers in the Town of Brighton's Finance System.

This appropriation is needed in the 2009 budget to reflect the expenses and revenues for the new "Community Garden Program".

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, B. Moehle

At a Town Board Meeting of the Town of Brighton, Monroe county, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated May 20, 2009 from Paula A. Parker, Director of Finance, and Thomas A. Low, Commissioner of Public Works, concerning a 2009 budget transfer for plan review and building inspection services, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the budget transfers for plan review and building inspection services, all as more fully set forth in the attachment to the above-referenced memorandum.

Dated: May 27, 2009

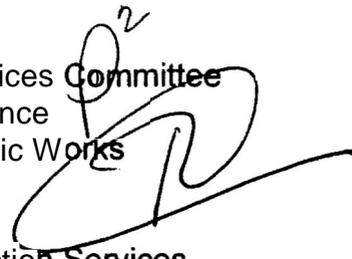
Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting



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
Tom Low, Commissioner of Public Works
Date: May 20, 2009
Subject: **2009 Budget Transfer**
Plan Review and Building Inspection **Services**

A handwritten signature in black ink, appearing to be "P. Parker", with a small "2" written above it. The signature is written over the "Committee" and "Services" parts of the distribution list.

I recommend that Your Honorable Body approve a 2009 budget transfer as noted on the attached, with the total not to exceed \$66,000.

From the following accounts within the Building and Planning Department (ADPW.8020) a total not to exceed \$60,000 will be transferred. The remaining \$6,000 will be transferred from the contingency account AUNDST.1990 4.90. This will leave a balance of \$44,000 in the contingent account.

The funds are proposed to be used to hire in-house staff in the positions as approved by the Town Board on May 13th, 2009 to replace the services withdrawn by the City of Rochester. Commissioner Low has found that contracting out for these services would be significantly more expensive.

We 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, B. Moehle, 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 15, 2009, from Thomas A. Low, Commissioner of Public Works, concerning a Professional Services Contract for plan review services, 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 and LMC Codes for Plan Review Services on an as needed basis, at an hourly rate of \$95 per hour, not to exceed \$3,800 in the aggregate, for a term commencing immediately and ending June 1, 2010, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 27, 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

May 15, 2009

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

Re: Professional Services Contract
Plan Review Services
LMC Codes

Honorable Members:

The employment of a part-time architect (plan reviewer) will meet most of our needs in the review of building plans and permit applications. There may be times, however, where the prolonged absence of the architect, or where conflicts of interest, prevent our employee from performing a particular review. In those cases, outside services will be required.

Proposals for such services were solicited as a part of my research on alternatives to services by the City. Fees were proposed as follows:

LMC Codes	\$95/ hour
Linda Stango	\$95/ hour
Robson/Woese	\$115- \$130/ hour
F/R/A	\$110-\$125/ hour

I now recommend that a contract for such "as-needed" services be awarded to LMC Codes for an hourly rate of \$95/ hour, for a total not to exceed \$3,800 and for a term to end 6/1/10.

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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

WHEREAS, the Town Board desires to set a public hearing to consider a proposed local law to make certain technical amendments to Chapter 73 of the Town Code, dealing with Plan Review and Building Inspections; it is therefore

RESOLVED, that correspondence dated May 15, 2009 from Thomas A. Low, Commissioner of Public Works, concerning proposed technical amendments to the Town Code, be received and filed, together with the text of the proposed amendments attached thereto; and be it further

RESOLVED, that pursuant to Article III of the Municipal Home Rule Law of the State of New York, a public hearing on a proposed Local Law of 2009 entitled "2009 Plan Review and Building Inspection Local Law" in the form presented to this meeting, be held by the Town Board of the Town of Brighton on the 24th day of June, 2009 at 7:30 p.m. prevailing time at Brighton Town Hall, 2300 Elmwood Avenue, in said Town, to consider the proposed Local Law and to hear all persons having an interest therein, and to take such action with respect thereto as may be proper; and be it further

RESOLVED, that notice of the time and place of such public hearing, describing the purpose of said Local Law, be published and posted by the Town Clerk, as required by law.

Dated: May 29, 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 14, 2009, from Thomas A. Low, Commissioner of Public Works, concerning the proposed Town bicycle plan, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves and adopts the Green Brighton Task Force Bicycling Committee Draft Work Plan.

Dated: May 27, 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 14, 2009, from Thomas A. Low, Commissioner of Public Works, concerning proposed amendments to the Town Code for bicycle and pedestrian access, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the proposed Town Code Amendments concerning bicycle and pedestrian access be submitted to the Planning Board for an advisory report.

Dated: May 27, 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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 19, 2009, from Thomas A. Low, Commissioner of Public Works, concerning the appointment of an Architect, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the provisional probationary appointment of Linda M. Stango, to the part-time, up to 20 hour per week position of Architect at a flat wage of \$35.00 per hour, effective June 15, 2009, with a probationary period ending twelve months from the starting date, conditioned upon approval by the Monroe County Civil Service Commission.

Dated: May 27, 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

May 19, 2009

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

Re: Appointment of Architect

Honorable Supervisor and Members:

We recommend that your Honorable Body approve the provisional, probationary appointment (to be effective on June 15, 2009) of Ms. Linda M. Stango to the part-time, 20 hr./wk. position of Architect at a flat wage of \$35/ hour.

This position is classified as competitive under the civil service regulations, and the proposed appointee meets the minimum requirements. The appointment is provisional, as there is no current Civil Service list. Such appointment shall also be probationary, with the probationary period to end twelve months from her starting date.

This position was recently approved in our Table of Organization, but requires the further approval of the County Civil Service Commission. The offer would be conditioned, therefore, upon Civil Service approval, as well as our standard physical and driver's license checks.

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: G. Brandt
R. Boehner

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 27th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 20, 2009, from Thomas A. Low, Commissioner of Public Works, concerning the appointment of a Building Inspector, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the provisional probationary appointment of Paul Moore to the full-time, 35 hour per week position of Building Inspector at Group 7, step 4 for an annual salary currently at \$52,670.80, effective June 22, 2009, with a probationary period ending twelve months from the start date, conditioned upon approval by the Monroe County Civil Service Commission.

Dated: May 27, 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

May 20, 2009

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

Re: Appointment of Building Inspector

Honorable Supervisor and Members:

We recommend that your Honorable Body approve the provisional, probationary appointment (to be effective on June 22, 2009) of Mr. Paul Moore to the full-time, 35 hr./wk. position of Building Inspector at Group 7, step 4 (an annual salary of \$52,670.80).

This position is classified as competitive under the civil service regulations, and the proposed appointee meets the minimum requirements. The appointment is provisional, as there is no current Civil Service list. Such appointment shall also be probationary, with the probationary period to end twelve months from his starting date.

This position was recently approved in our Table of Organization, but requires the further approval of the County Civil Service Commission. The offer would be conditioned, therefore, upon Civil Service approval, as well as our standard driver's license check.

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: G. Brandt
R. Boehner