

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 13, 2009

PRESENT:
Supervisor Sandra Frankel
Councilmember Louise Novros
Councilmember Ray Tierney

William Moehle
Attorney for the Town

Town Clerk
Susan Kramarsky

MEETING CALLED TO ORDER:

RECOGNITIONS/PRESENTATIONS:

Better Hearing & Speech Month Proclamation

National Police Week Proclamation

Emergency Medical Services Week Proclamation

OPEN FORUM:

APPROVAL OF AGENDA:

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros to approve the agenda.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed budget transfers from Building Repair Reserve Account of \$143,000. for Public Safety Wing mechanical and electrical work for energy conservation measures and \$80,000. for replacement of front steps and front doors to Town Hall (see Resolution #27).

(Complete Transcript Under Separate Cover)

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. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed "2009 Technical Code Amendments Local Law" (see Resolution #24).

(Complete Transcript Under Separate Cover)

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. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Joseph D. Morelle, New York State Assemblyman, dated April 15, 2009, advising that the 2000-10 New York State Budget includes \$10,000. for the Brighton Veterans' Memorial project

FROM Brayton M. Connard, Director, Monroe County Department of Human Resources, dated May 5, 2009, notifying of a title approval for the Town of Brighton

FROM Wayne Keebler, NYMIR Underwriting Director, New York Municipal Insurance Reciprocal, dated May 4, 2009, regarding a New York State Motor Vehicle Law Enforcement Fee Change, effective June 1, 2009

FROM Lynn Quinn, Work/Transition Specialist, Monroe #1 Board of Cooperative Education Services, dated May 1, 2009, expressing appreciation for the Town's involvement in the Work Experience Program of Career Network Services at Monroe #1 BOCES

FROM Kevin O'Buckley, Regional Director, New York State Department of Transportation, dated April 27, 2009, regarding East Avenue sidewalk work and a tree near Penfield Road

FROM Sara Rubin, dated May 4, 2009, forwarding minutes from the April 6, 2009 meeting of Brighton Creeks

FROM Time Warner Cable announcing it would alter plans to test Consumption Based Billing, shelving the trials while the customer education process continues

FROM Carmella R. Mantello, Director, New York State Canal Corporation, dated April 28, 2009, advising of operation hours for Canal Corporation locks and lift bridges for the 2009 season

FROM New York State Governor David A. Paterson, dated April 28, 2009, regarding requests for and use of federal stimulus funding

FROM Robert E. Blitz, Civil Engineer 1, Regional Noise Liaison, Environmental Unit, New York State Department of Transportation, dated April 28, 2009, regarding noise barriers along NY590 in the Blossom Road and Browncroft Boulevard areas

FROM Joel Seligman, President, University of Rochester, dated April 27, 2009, expressing thanks for the Town's support on behalf of the I390 Corridor/Kendrick Road Interchange Project

FROM Dixon F. Rollins, P.E., Regional Water Engineer, New York State Department of Environmental Conservation, dated April 27, 2009, expressing thanks for submitting the year 5 annual report required by the SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), Permit no. GP-0-08-002

FROM Lauren E. McKenna, dated April 23, 2009 and Supervisor Frankel's response regarding the negative effective violence in the media has on society

FROM Richard Cooper, dated May 4, 2009 and Supervisor Frankel's response regarding speed limits in Brighton

FROM Andrew S. Doniger, MD,MPH, Director, Monroe County Department of Public Health, dated April 22, 2009, enclosing the **HEALTH ACTION** newsletter

FROM Maggie Brooks, Monroe County Executive, dated April 20, 2009, advising that \$50,000. for the South Clinton Avenue Sidewalk Project will be included on the list of Community Development Block Grant (CDBG) projects in the 2009 Annual Action Plan for Housing and Community Development in Suburban Monroe County

FROM Cassandra Petsos, President, Monroe County People for Parks, Inc., dated April 28, 2009, regarding the Ellison Park Master Plan Update—Landing Road Entrance Opening to Automobiles

FROM John Keevert and Larry Staub, Director, Monroe County Parks, dated April 29, 2009 regarding the Ellison Park Area Master Plan Update

FROM Laurie Nixon-Reinke, dated April 24, 2009, commenting on the proposal to open the “road” on the far west side of Ellison Park (off North Landing Road)

FROM Joel Seligman, President, University of Rochester, to US Congress-woman Louise M. Slaughter, dated April 17, 2009 regarding the I390 Corridor Project

FROM Eugene Henn, dated April 22, 2009, commenting on the University of Rochester’s proposed development of property behind Whipple Park

FROM Mark Aesch, Chief Executive Officer, Rochester-Genesee Regional Transportation Authority (RGRTA), dated May 1, 2009, enclosing the RGRTA’s Comprehensive Plan for the 2009-10 fiscal year (filed in DPW)

FROM New York State Canal Corporation, dated May 8, 2009, informing of ongoing efforts to preserve, protect and promote the historic waterway

FROM Scott M. Adair, Chief Financial Officer, Monroe County Department of Finance, dated May 8, 2009, regarding Monroe County sales tax distribution for the first quarter of 2009

FROM Brayton M. Connard, Director of Human Resources, Monroe County Department of Human Resources, dated May 7, 2009, notifying of title approval

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney to receive and file the aforementioned communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services - Councilmember Louise Novros reported on Clean Sweep. Next meeting May 21, 2009.

Finance and Administrative Services - Paula Parker reported on the meeting of May 6, 2009. Next meeting May 29, 2009.

Public Safety Services - Councilmember Ray Tierney reported on the meeting of May 12, 2009. Next meeting June 9, 2009.

Public Works Services - Tom Low reported on the meeting of May 4, 2009. Next meeting June 2, 2009.

BIDS:

MATTER RE: Authorize solicitation of bids for replacement of front doors to Town Hall (see Resolution #1; letter from Laraine Albers, dated May 4, 2009).

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney 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 solicitation of bids for replacement of front steps to Town Hall (see Resolution #2; letter from Laraine Albers, dated May 4, 2009).

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney 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

OLD BUSINESS:

MATTER RE: Authorize change order #3 to contract with Chatfield Engineers for sewer flow monitoring program additional services, *increasing* the total amount by \$6,818. (see Resolution #3; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 1, 2009).

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

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros that the Supervisor 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 certiorari settlement for 3505 Elmwood Avenue (see Resolution #28; memorandum from Elaine Ainsworth, Assessor, dated April 16, 2009).

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. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Assessment Roll Policy Statement (see Resolution #4; memorandum from Elaine Ainsworth, Assessor, dated May 1, 2009).

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney 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 permanent part-time appointment of Fred Bedet to position of court attendant, effective June 6, 2009 (see Resolution #5; letter from Dianne W. Burdett, Administrative Court Clerk, dated April 24, 2009).

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. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize 2009 budget appropriation from Special Reserve for purchase of computer equipment for Library (see Resolution #6; memorandum from Paula A. Parker, Director of Finance, and Jennifer Ries-Taggart, Executive Director, Brighton Memorial Library, dated April 27, 2009).

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney 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 contract award to Traci's Property Maintenance Company for park trail maintenance (see Resolution #7; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated May 1, 2009).

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. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize grant application to Greater Rochester Health Foundation for Children's Program at the Farmers' Market (see Resolution #8; memorandum from Paula A. Parker, Director of Finance, and Sue Gardner-Smith, Farmers' Market Coordinator, dated May 5, 2009).

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. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize application to New York State Agriculture and Markets' New York State Farmers' Market Nutrition Program (see Resolution #9; memorandum from Paula A. Parker, Director of Finance, and Sue Gardner-Smith, Farmers' Market Coordinator, dated May 1, 2009).

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. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to Table of Organization and job title change, abolishing position of one permanent part-time telephone operator and creating one permanent part-time Office Clerk IV position (see Resolution #10; letter from Douglas S. Clapp, Director of Communications dated May 5, 2009).

Matter Held

MATTER RE: Authorize appointment of Karen Winterroth to position of Office Clerk IV, effective May 18, 2009 with 52 week probationary period (see Resolution #11; letter from Douglas S. Clapp, Director of Communications, dated May 5, 2009).

Matter Held

MATTER RE: Authorize exception to compensation policy to allow Tim Anderson to carry over vacation time (see Resolution #12; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated April 22, 2009).

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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute supplemental agreements with New York State Department of Transportation, the City of Rochester and Fisher Associates for the Highland Park/Canalway Trail Project design phase (see Resolution #13; letters from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 1, 2009 and Daniel Hallowell, Manager, Regional Program Development and Management, NYS DOT, dated April 22, 2009).

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. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize 2009 budget appropriation for the Highland Park/ Canalway Trail Project design phase (see Resolution #14; memorandum from Paula A. Parker, Director of Finance, and Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 1, 2009).

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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to Table of Organization to create position of full time Building Inspector and part time Architect (see Resolution #16; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 11, 2009).

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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize temporary appointment of William Plymell to full-time position of Laborer in the Sewer Department, effective May 18, 2009 with 52 week probationary period (see Resolution #17; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 1, 2009).

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. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: First reading of Sustainability Code amendments for bicycle and pedestrian access (see Resolution #18; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 5, 2009, with attachment).

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. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: First reading of Bicycle Plan (see Resolution #19; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated may 5, 2009, with attachment).

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. 20 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize written comment on the 2009 Monroe County Community Development Block Grant "Action Plan" for sidewalks along South Clinton Avenue from Woodsmeadow to Town Line (see Resolution #20; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated April 24, 2009).

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. 21 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Policy for Sustainability Oversight Board (see Resolution #21; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated April 23, 2009, with attachment).

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. 22 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 #26; 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 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. 23 attached.

UPON ROLL CALL VOTE THE FOLLOWING VOTE WAS RECORDED

| | |
|-----------------------------|----|
| Councilmember Ray Tierney | |
| Councilmember Louise Novros | no |
| Supervisor Sandra Frankel | no |

MOTION FAILED

MATTER RE: Set June 10, 2009 public hearing for proposed District Extension #3 to the Houston-Barnard Refuse District for 231 Georgian Court Road (see Resolution #25; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated May 5, 2009, with attachments).

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. 24 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set June 10, 2009 public hearing for proposed removal of a 73" silver maple tree at 1555 Elmwood Avenue (on Elmwood Terrace) (see Resolution #22; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated April 13, 2009).

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 25 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set June 10, 2009 public hearing for proposed removal of a 32" Norway maple tree at 114 Village Lane (see Resolution #23; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated March 27, 2009 with attachments).

Motion by Councilmember Louise Novros Seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 26 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set June 10, 2009 public hearing for proposed noise ordinance amendment to allow Monroe County Department of Transportation's to resurface Town Line Road and Winton Road at night (see Resolution #30; letters from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated May 12, 2009 and Timothy P. Frelter, P.E., Associate Engineer, MCDOT Highways, dated May 11, 2009).

Motion by Councilmember Louise Novros Seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 27 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Revenue and Expense Reports for period ended April 30, 2009.

Motion by Councilmember Louise Novros seconded by Councilmember Ray Tierney that the Town Board receive and file the Revenue and Expense Reports for the period ended April 30, 2009.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros that the Town Board go into Executive Session at 9:05 PM to discuss the employment of a particular person.

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros to come out of Executive Session at 10:55 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros that the Town Board adjourn at 10:56 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 13th 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 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

WHEREAS, under provisions of the General Municipal Law, expenditures from the Town's Building Repair Reserve Account can only be made following a public hearing, which was duly called and held by the Town Board on May 13, 2009; and

WHEREAS, based on the testimony received at such hearing and the materials submitted in support of such request, the Town Board hereby determines to expend funds from the Building Repair Reserve Fund, for energy conservation measures at Town Hall, repair, resurfacing and restriping of the Town Hall Parking Lot and replacement of the Town steps and doors of Town Hall; it is therefore

RESOLVED, that the Town Board hereby approves a budget transfer for the expenditure of \$143,000 from the Building Repair Reserve Account A.889.REPAR, to account A.SSVCS.3010.263 and \$80,000 from the Building Repair Reserve Account A.889.REPAR, to account A.SSVCS.1620.260, with any unused monies to be returned to the Building Repair Reserve following the conclusion of the projects.

Dated: May 13, 2009

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|------------------------------------|--------|-------|
| 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

April 13, 2009

Honorable Finance Committee
Town of Brighton

Dear Committee Members:

We respectfully request that a public hearing be set for authorization of budget transfers from the Building Repair Reserve (A 889.REPAR), not exceeding \$143,000. to Shared Services Public Safety Wing (A.SSVCS 3010.263). and, not exceeding \$80,000., to Shared Services Facilities Improvements (A.SSVCS 1620.260). Any unused monies will be returned to the Building Repair Reserve.

The \$143,000. transfer for Public Safety Wing mechanical and electrical work is for energy conservation measures identified in the recent energy audit.

A portion of the estimated \$80,000. is for repair, resurfacing and restriping of the entire Town Hall campus parking lot, which had been planned for last year but contracting schedules were changed by weather conditions and ultimately not done. The continued deterioration of the parking lot and indistinguishable parking spaces, as well as ever increasing labor and product costs, justify that this work be done now.

The remaining portion will be used for replacement of the Town Hall front steps and three front doors. The Town Hall steps continue to deteriorate and pose safety concerns. The main entrance doors, original to the building, are not energy efficient and the two end sets prohibit entrance from outside, causing considerable inconvenience and safety risk, particularly to elderly visitors.

Thank you for your consideration.

Sincerely,

Thomas A. Low, Commissioner of Public Works

Laraine Albers

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 13th day of May, 2009, at 7:30 P.M., prevailing time, to consider the adoption of a proposed Local Law of 2009 entitled "2009 Technical Code Amendments Local Law" for the Town of Brighton, Monroe County, New York, and the environmental impact thereof; and

WHEREAS, such public hearing was duly called and held and all persons having an interest in the matter having had an opportunity to be heard; and

WHEREAS, the Town Board deems it necessary and advisable to adopt the proposed Local Law.

NOW, THEREFORE, On motion of Councilperson _____, seconded by Councilperson _____,

BE IT RESOLVED, that the Town Board hereby receives, files and adopts the Negative Declaration under the State Environmental Quality Review Act with respect to the proposed Local Law; and

BE IT RESOLVED, that the Town Board of the Town of Brighton, pursuant to the provisions of Article 3 of the Municipal Home Rule Law

of the State of New York, hereby adopts the Local Law of 2009 entitled "2009 Technical Code Amendments Local Law", as attached hereto as Exhibit "A", for the Town of Brighton, Monroe County, New York; and

BE IT RESOLVED, that the Town Board hereby directs the Town Clerk to cause the Local Law to be filed with the Department of State.

Dated: May 13, 2009

Sandra L. Frankel, Supervisor

James R. Vogel, Councilman

Raymond J. Tierney III, Councilman

Louise Novros, Councilperson

Sheila A. Gaddis, Councilperson

Members of the Town Board of
Brighton, New York, Monroe County

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 4, 2009 from Laraine Albers, concerning the solicitation of bids for the front door of Town Hall, be received and filed; and be it further

RESOLVED, that Laraine Albers is hereby authorized to solicit bids for the replacement of the front door at Town Hall.

Dated: May 13, 2009

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|------------------------------------|--------|-------|
| 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 13th 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 4, 2009 from Laraine Albers, concerning the solicitation of bids for replacement of the front steps of Town Hall, be received and filed; and be it further

RESOLVED, that Laraine Albers is hereby authorized to solicit bids for the replacement of the front steps at Town Hall.

Dated: May 13, 2009

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| 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 13th 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 1, 2009 from Thomas A. Low, Commissioner of Public Works and correspondence dated April 30, 2009 from Paul R. Chatfield, P.E., of Chatfield Engineers, P.C., both concerning proposed Change Order #3 to the sewer flow monitoring program agreement, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the Change Order No. 3 to the agreement by and between the Town and Chatfield Engineers for sewer services, to increase the contract amount by \$6,818.00 to provide complete construction documents for the replacement of a sanitary sewer on East Avenue near I-490 and to provide services to the Town during the bidding and construction phases of such project.

Dated: May 13, 2009

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|------------------------------------|--------|-------|
| 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 1, 2009

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

Re: Authorize Change Order #3
Chatfield Engineers
Sewer Flow Monitoring Program

Honorable Members:

I recommend that a change order be approved to the above contract to provide for **additional** professional services for the replacement of a section of sanitary sewer on East Ave., and to **increase** the total amount by an amount of \$6,818.00 (13%) to a new total of \$57,968.00. The need for this replacement was identified in their recently-completed study.

These services are not a part of the current contract. This change order would provide for the following, additional work:

#3 Provide complete construction documents for the replacement of a sanitary sewer on East Ave. At I-490; provide services during the bid and construction phases.

Funds are available for this purpose in account SS.SEWER.8120.452.

Sincerely,

Thomas A. Low
Commissioner of Public Works

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

May 13, 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>307,411.19</u> |
| D - HIGHWAY | | <u>38,192.56</u> |
| H - CAPITAL | | <u>131,680.01</u> |
| L - LIBRARY | | <u>165.71</u> |
| SA - AMBULANCE DIST | | <u>1,474.04</u> |
| SF - FIRE DIST | | <u>120,000.00</u> |
| SL - LIGHTING DIST | | <u>19,205.71</u> |
| SR-REFUSE DISTRICT | | <u>65,321.05</u> |
| SS - SEWER DIST | | <u>12,881.12</u> |
| TA - AGENCY TRUST | | <u>9,309.13</u> |
| | TOTAL \$ | <u>705,640.52</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 13th 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 April 16, 2009 from Elaine Ainsworth, Town Assessor, concerning the proposed settlement of tax certiorari litigation involving property located at 3505 Elmwood Avenue, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the settlement of tax certiorari litigation involving property located at 3505 Elmwood Avenue, upon the terms and conditions set forth in the above referenced memorandum from the Town Assessor, and further authorizes the Supervisor or her designee to execute and deliver any documents and agreements necessary in connection therewith, which shall be in form and substance as may be approved by the Attorney to the Town.

Dated: May 13, 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 13th 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 1, 2009 from Elaine Ainsworth, Town Assessor, together with the proposed Assessment Roll Policy Statement Update attached thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the Assessment Roll Policy Statement Update in the form attached to the above correspondence.

Dated: May 13, 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
ASSESSOR'S OFFICE
2300 Elmwood Avenue
Rochester, NY 14618
(585) 784-5216

May 1, 2009

To: Town of Brighton Finance Committee
From: Elaine Ainsworth
Re: Assessment Roll Update Policy Statement update

Elaine Ainsworth

The Town of Brighton completed the first town-wide revaluation project in 40 years in 1994. That investment of time and capital restored tax equity. The town has a responsibility to continue to maintain a fair and equitable Assessment Roll. Periodic revaluations are a part of that maintenance. As a tool to guide the town board through the process of scheduling update projects, a Town of Brighton Assessment Update Policy Statement was developed and presented to the town board following that important 1994 revaluation.

The review of values is part of the Assessment Update process. And, the review of the update policy itself is an important way to make sure that the guidance provided in the policy is relevant and current..

Supervisor Frankel, Town Attorney, Bill Moehle and I have reviewed and updated the language in the Town of Brighton Assessment Update Policy Statement and want to now present it to you for review and then forward to the full Town Board to receive and file and use as a guidance tool for future Town-Wide Assessment Roll Update scheduling.

TOWN OF BRIGHTON
ASSESSOR'S OFFICE
2300 Elmwood Avenue
Rochester, NY 14618
(716) 473-8800 Ext.313

May 2009

TOWN OF BRIGHTON
ASSESSMENT UPDATE
POLICY STATEMENT

The Town of Brighton establishes the following review procedures to determine an appropriate commencement date for an assessment update.

Beginning with information produced by the State of New York Office of Real Property Services during any even numbered assessment year, the Assessor will review the Town's Final Equalization Rate and the Coefficient of Dispersion (COD) to see that these measures fall into satisfactory ranges as established by this policy.

If the Equalization rate deviates from the Uniform Percentage of Value of 100% by plus or minus 10.00%, the Assessor may recommend Town Board authorization of an update project and allocation of funds for the project.

OR

If the COD for all properties exceeds 15.00%, the Assessor may recommend that the Town Board authorize an update project and allocate funds for the project.

OR

If the COD for all properties exceeds 10.00% **and** the Equalization rate is 5.00% greater or less than the Uniform Percentage of Value of 100%, the Assessor may recommend that the Town Board authorize an update project and allocate funds for the project.

OR

If New York State legislation or New York State Office of Real Property Services Rules and Regulations significantly change relative to maintenance aid payments such that the Town may be eligible for substantial update funding, and key indicators support an update, the Assessor will recommend that the Town Board authorized an update project and allocate funds for the project.

OR

If New York legislation or New York State Office of Real Property Services Rules and Regulations significantly change relative to any potential compliance penalties such that the Town is at risk for a significant fine or other penalty, the Assessor may recommend that the Town Board authorize an update project and allocate funds for the project.

Further, the revaluation project would need to be completed on taxable status date within two years from the commencement directive issued by the Town Board.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated April 24, 2009 from Diane Burdett, Administrative Court Clerk of the Justice Court of the Town of Brighton, concerning the appointment of a part-time court attendant, be received and filed; and be it further

RESOLVED, that the Town Board hereby appoints Fred Bedet as a part-time permanent court attendant, effective June 6, 2009 at Group 2, Step 1 at a rate of \$11.32 per hour.

Dated: May 13, 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 13th 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 April 27, 2009 from Paula A. Parker, Director of Finance, and Jennifer Ries-Taggart, Executive Director of Brighton Memorial Library, concerning a 2009 Budget Appropriation from the Special Reserve, to fund computer equipment purchases for the Library, be received and filed, together with attachments thereto; and be it further

RESOLVED, that the Town Board hereby approves the appropriation of \$7,200 from the General Reserve account L.870 to account L.LIBRY.7410.213 (Library-Computer Equipment), for the purchase of computers for the Brighton Memorial Library.

Dated: May 13, 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
Jennifer Ries-Taggart, Executive Director
Date: April 27, 2009
Subject: **2009 Budget Appropriation from Special Reserve**
Computer Equipment Purchases

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

To expenditure account:

L.LIBRY.7410 2.13 Computer Equipment in the amount of \$7,200.

Funds will be appropriated from the General Reserve account L.870 in the same amount of \$7,200.

Funds will be used to purchase the remaining need computers for the Library bringing the total computers to be purchased to twenty-nine (29). The Library Finance Committee and the Library Board have approved of this transfer and use of the Library's reserve funds.

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, R. Tierney

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that a correspondence dated May 1, 2009 from Jerry LaVigne, Director of Parks and Recreation, concerning the award of a contract for trail maintenance, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the award of a contract for trail maintenance during 2009 to Traci's Property Maintenance Company, with the option to the Town to renew for 2010, upon the terms and conditions set forth in the above-referenced memorandum and attachment, which contract shall be in form and substance as may be approved by the Attorney to the Town.

Dated: May 13, 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 13th 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 5, 2009 from Paula A. Parker, Director of Finance, and Sue Gardner-Smith, Farmers' Market Coordinator, concerning a grant application for a children's program at the Brighton Farmer's Market, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver a grant application in the amount of \$2,200 from the Greater Rochester Health Foundation to set up and operate a nutrition education program to promote healthy eating for children at the Brighton Farmers' Market.

Dated: May 13, 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 13th 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 1, 2009 from Paula A. Parker, Director of Finance, and Sue Gardner-Smith, Farmers' Market Coordinator, concerning an application for the New York State Department of Agriculture and New York State Farmer's Market Nutrition Program, be received and filed, together with attachment thereto; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver an application for the Brighton Farmer's Market to participate in the New York State Farmer's Market Nutrition Program to provide eligible participants through the Women, Infants and Children and Senior nutrition program access to fresh fruits and vegetables.

Dated: May 13, 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 13th 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 April 22, 2009 from Thomas A. Low, Commissioner of Public Work, concerning an exception to the Town's Compensation Policy concerning the carry-over of vacation time, be received and filed; and be it further

RESOLVED, that based upon the recommendation of the Commissioner of Public Works, the Town Board hereby authorizes Tim Anderson, Construction Inspector, to be allowed to hold up to 38 days of vacation time in his vacation bank during the period commencing as of the date hereof through November 1, 2009 only.

Dated: May 13, 2009

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|------------------------------------|--------|-------|
| 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 13th 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 1, 2009 from Thomas A. Low, Commissioner of Public Works, authorizing Supplemental Agreements with the New York State Department of Transportation, the City of Rochester and Fisher Associates for the Highland Park/Canal Trail-Design Phase, be received and filed, together with correspondence dated April 22, 2009 from Daniel Hallowell, Manager, Regional Program Development and Management for the New York State Department of Transportation; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver Supplemental Agreements with the New York State Department of Transportation, the City of Rochester and Fisher Associates, in connection with the Design Phase of the Highland Park/Canal Trail project, under which the estimated project cost will be increased to \$220,000, with the Federal share increased to \$176,000 and the local share increased by \$20,000 to \$44,000, 67% of which will be paid by the City of Rochester, and 33% of which will be paid by the Town of Brighton.

Dated: May 13, 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 13th 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 1, 2009 from Paula A. Parker, Director of Finance, and Thomas A. Low, Commissioner of Public Works, concerning a 2009 Budget Appropriation for the General Fund and the Capital Projects Fund in connection with the Highland Park/Canalway Trail Project, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the 2009 Budget Appropriations in the amounts and to the accounts as more fully set forth in the above-referenced memorandum.

Dated: May 13, 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 1, 2009
 Subject: **2009 Budget Appropriation for General Fund and
 The Capital Projects Fund**
 Highland Park / Canalway Trail Project

Handwritten initials and a '2' in the top right corner.

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

General Fund:

To expenditure account:

A.REC.7120 9.20 Contribution to the Capital Project Fund \$27,400.
 (this consists of \$14,000 of 2008 funds that are in our fund balance as well as \$13,400 of unplanned expenses. Note that \$2,000 was budgeted in the 2009 budget)

Capital Projects Fund:

To revenue accounts:

| | |
|---|-----------|
| H.PARKS.TPTRL 2389 Intergovernmental Fees | \$ 14,600 |
| (City of Rochester's share @ 33%) | |
| H.PARKS.TPTRL 4585 Federal Aid – Transportation | 176,000 |
| H.PARKS.TPTRL 5010 Transfer from General Fund | 29,400 |
| (Town of Brighton's share @ 67%) | |

To expenditure account:

| | |
|-------------------------------------|-----------|
| H.PARKS.TPTRL 4.52 Engineering Fees | \$220,000 |
|-------------------------------------|-----------|

These appropriations are necessary to fund the Design Phase of the Highland Park / Canalway Trail. The Federal Funds represent 80% or \$176,000 of the total estimated engineering phase of \$220,000. The City of Rochester and the Town of Brighton will split the remaining 20% match or \$44,000 at 33% and 67% respectively.

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, 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 13th 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 11, 2009 from Thomas A. Low, Commissioner of Public Works, concerning an amendment to the Table of Organization for the Building and Planning Department, be received and filed; and be it further

RESOLVED, that the Table of Organization for the Building and Planning Department be amended to create the full-time position of Building Inspector in Group 7, competitive class, at a salary of \$45,536.40 to \$58,130.80 per year, and the position of part-time Architect (16-20 hours), competitive class, at a flat salary of \$32 - \$35 per hour.

Dated: May 13, 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 13th 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 1, 2009 from Thomas A. Low, Commissioner of Public Works, concerning the appointment of a Laborer in the Sewer Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby concurs in the temporary appointment effective May 18, 2009 of William Plymell, to the full-time, 40 hour per week position of Laborer in the Sewer Department, at an hourly rate of \$15.78 on a probationary basis, with a probationary period of 52 weeks.

Dated: May 13, 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 13th 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 Thomas A. Low, Commissioner of Public Works, concerning the proposed Code Amendments for bicycle and pedestrian access, be received and filed, together with a memorandum from the Building and Planning Department staff dated April 20, 2009, containing the proposed Amendments, be received and filed.

Dated: May 13, 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
Interoffice Memo

To: Tom Low
From: Staff
CC:
Date: April 20, 2009
Subject: Amendment 2009-1: Bicycle and Pedestrian Access

The following amendments are proposed:

2009-1.1 Amend Chapter 217, Planning Board, to add a new Section 217-7.2, to authorize the Planning Board to require bicycle racks and parking lot sidewalks during Conditional Use Permit review for office, industrial, commercial, and multi-family projects.

217-7.2. Bicycle and pedestrian access

Office, industrial, commercial, and multi-family uses shall provide bicycle racks, and shall also provide sidewalks, marked crosswalks and other pedestrian pathways to and within parking lots, when required to do so by the Planning Board.

2009-1.2. Amend Chapter 217, Planning Board, to add amend a subsection and add a new subsection to Section 217-12(B)(4) to include bicycle and pedestrian facilities in the list of contents for preliminary site plans, and to add a new Section 217-15.1 to authorize the Planning Board to require sidewalks along street frontages and within parking lots, and to require bicycle racks, during the site plan review process.

217-12. Procedures for preliminary site plan review.

B. Content of the preliminary site plan.

(4) Proposed development.

(e) The location and arrangement of proposed means of access, ~~and~~ egress, **and circulation for vehicles, bicycles, and pedestrians, including sidewalks, marked crosswalks and other pedestrian pathways to and within parking lots, sidewalks along street frontages, driveways or and** other paved areas. ~~Profiles indicating grading and cross sections showing width of roadway, location and width of sidewalks, and location and size of water and sewer lines.~~

- (o) The location of proposed bicycle racks and other facilities to support bicycle access.**
- (p) Profiles indicating grading and cross sections showing width of roadway, location and width of sidewalks, and location and size of water and sewer lines.**

217-15.1. Bicycle and pedestrian facilities.

- A. Sidewalks shall be provided along street frontages, and sidewalks, marked crosswalks and other pedestrian pathways shall be provided to and within the parking lots of office, industrial, commercial and multi-family uses, when required by the Planning Board.**
- B. Bicycle racks shall be provided by office, industrial, commercial and multi-family uses when required by the Planning Board.**

LOCAL LAW # ___ OF 2009

Title: 2009 BICYCLE AND PEDESTRIAN ACCESS LOCAL LAW

TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK STATE

Section 1. Title

This Local Law shall be known as the 2009 Bicycle and Pedestrian Access Local Law, Town of Brighton, Monroe County, New York State.

Section 2. Purpose and Intent

It is the purpose and intent of this Local Law to amend the Town Code to make certain technical changes thereto relating to planning and development issues. All references herein to Sections shall be deemed to refer to Sections of the Brighton Town Code.

Section 3. Amendments

I. A new Section 217-7.2 is hereby added, reading in its entirety as follows:

§217-7.2 Bicycle and pedestrian access

Office, industrial, commercial, and multi-family uses shall provide bicycle racks, and shall also provide sidewalks, marked crosswalks and other pedestrian pathways to and within parking lots, when required to do so by the Planning Board.

II. Section 217-12(B)(4)(e) is hereby amended, and new Sections 217-12(B)(4)(o) and 217-12(B)(4)(p) are hereby added, each to read in their entirety as follows:

(e) The location and arrangement of proposed means of access, egress, and circulation for vehicles, bicycles, and pedestrian, including sidewalks, marked crosswalks and pedestrian pathways to and within parking lots, sidewalks along street frontages, driveways, and other paved areas.

(o) The location of proposed bicycle racks and other facilities to support bicycle access.

(p) Profiles indicating grading and cross sections showing width of roadway, location and width of sidewalks, and location and size of water and sewer lines.

III. A new Section 217-15.1 is hereby added, reading in its entirety as follows:

§217-15.1. Bicycle and pedestrian facilities.

A. Sidewalks shall be provided along street frontages, and sidewalks, marked crosswalks and pedestrian pathways shall be provided to and within the parking lots of office, industrial, commercial and multi-family uses, when required by the Planning Board.

B. Bicycle racks shall be provided by office, industrial, commercial and multi-family uses when required by the Planning Board.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Section 5. Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 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 Thomas A. Low, Commissioner of Public Works, concerning the preparation of a Town Bicycle Plan, be received and filed, together with a memorandum dated May 1, 2009 from Thomas A. Low, Commissioner of Public Works, concerning a proposed work plan for the Town Bicycle Plan.

Dated: May 13, 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 | _____ |

GREEN BRIGHTON TASK FORCE
BICYCLING COMMITTEE
DRAFT WORK PLAN

Time Frame: Approximately Six Months

Objective: Prepare a bicycle plan for inclusion, physically or by reference, in the Comprehensive Plan Update.

- I. Data collection: Identify & examine existing plans & information
 - A. 2000 Comprehensive Plan Trails Plan
 - B. Genesee Transportation Council (GTC)
 1. Bicycling Map (2009)
 2. Regional Bicycle Plan/Map (1998)
 3. Regional Trails Initiative Final Report & Action Plan (2002)
 4. On-Street Bicycle Facility Opportunities Review (2002)
 - C. Capital Improvement Programs
 1. Brighton
 2. County
 3. State
 - D. Other?

- II. Existing facilities map: Prepare updated map of existing facilities
 - A. Streets with suitability rating for bicycling (data from GTC)
 - B. Existing multi-use trails
 - C. Currently planned multi-use trails
 - D. Destinations and points of interest
 - E. Recreational biking opportunities in Town parks

- III. Opportunities & constraints: Identify constraints of existing system and opportunities for improvement
 - A. Barriers to bicycling & potential avenues for addressing barriers
 - B. Opportunities for linkages
 1. Between neighborhoods & destinations
 2. Between existing bike routes
 3. With surrounding communities
 - C. Opportunities related to Capital Improvement Programs
 - D. Opportunities for additional bicycle access to Town parks

- IV. Recommendations: Develop map and text of recommendations

- V. Review map and recommendations with Sustainability Committee and Parks & Recreation Advisory Board

- VI. Prepare bicycle plan for submission to Comprehensive Plan Committee

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated April 24, 2009 from Thomas A. Low, Commissioner of Public Works, concerning, together with a memorandum dated April 20, 2009 from Patricia A. Stevens, Monroe County Department of Planning and Development, Community Development Manager, concerning the 2009 Monroe County Community Development Block Grant Action Plan, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to submit written comments to Monroe County in support of the South Clinton Avenue Sidewalk Project from Woodsmeadow Drive to Brighton Henrietta Townline Road, which is to be included in the Monroe County Community Development Block Grant Action Plan.

Dated: May 13, 2009

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| 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 13th 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 April 23, 2009 from Thomas A. Low, Commissioner of Public Works, concerning a proposed work plan and policy for the Sustainability Oversight Board, be received and filed; and be it further

RESOLVED, that the Town Board hereby requests advisory reports from the Planning Board and Conservation Board concerning the proposed policy and work plan for the Sustainability Oversight Board.

Dated: May 13, 2009

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| 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 | _____ |

POLICY FOR SUSTAINABILITY OVERSIGHT BOARD

§ ___-1. Legislative purpose and intent.

The sustainability of Town operations and of the built environment within the Town of Brighton, in the face of increasing energy costs and of climate change, is found to be of increasing and vital importance to the health, welfare and economic well-being of present and future residents of the Town of Brighton. Establishment of a committee for the review of progress towards a sustainable community is a necessary step in fostering unified action on energy conservation, climate change and other issues of sustainability.

§ ___-2. Creation of Board.

The Town Board of the Town of Brighton hereby creates a board which shall be known as the "Brighton Sustainability Oversight Board," hereinafter called the "Board."

§ ___-3. Membership.

- A. The Board shall consist of seven (7) members who shall be appointed by the Town Board. Persons residing within the Town of Brighton who are interested in the improvement and preservation of environmental quality shall be eligible for appointment as a member of the Board. The members shall be appointed for a two-year term. Vacancies on the Board shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of a term of office shall be filled only for the remainder of the unexpired term. Good faith efforts shall be made to provide that at least one member shall be a professional with energy-related technical expertise, and that at least one member shall be a business owner residing in the Town
- B. A member of the Town Board, and other officials as may hereafter be designated by the Supervisor shall be ex officio members of the Board. Ex officio members shall not be voting members. The Supervisor shall designate a member of the town staff as Secretary to the Board.

§ ___-4. Officers, meetings, records and reports.

The Town Board shall designate a member of the Board to act as Chair. The Board shall adopt rules and procedures for its meetings, establish bylaws and establish liaisons between other municipal boards and committees as appropriate. It shall keep adequate records of its meetings and activities and shall file an annual report with the Town Board.

§ ___-5. Powers.

The powers of the Board shall be limited to:

- A. Upon the request of the Town Board and/or Planning Board, advise those Boards on matters affecting the energy conservation efforts and climate change mitigation measures, both public and private, in the regulation, development, use and maintenance of the natural and built features and conditions of the Town of Brighton .
- B. Develop and, after receiving general approval by resolution of the Town Board, participate in programs of public information in the community which shall be designed to foster increased understanding of the nature of sustainability problems and issues and support for their solutions.

- C. In conjunction with town staff and/or through the use of consultants engaged by the Town Board, oversee studies, surveys and inventories of energy consumption and carbon dioxide discharges within the Town of Brighton and such other studies and surveys as may be necessary to carry out the general purposes of this chapter. This shall include the preparation and periodic update of a "climate action plan"
- D. Oversee the maintenance of an up-to-date inventory or index of all recommendations for action on sustainability issues, and of their status, so as to provide a base of information for other recommendations by the Board for further action.
- E. Receive from the Supervisor each year his/her proposed Capital Improvement Plan and, within sixty calendar days thereafter, submit a written report to the Supervisor and Town Board. Such report shall evaluate the proposed projects and acquisitions in terms of the sustainability objectives of the Town, and shall make recommendations as to sustainable alternatives to be considered in the design and operation
- F. Receive, review and comment upon drafts of the 2010 Comprehensive Plan Update.
- G. Seek to coordinate, assist and unify the efforts of private groups, institutions and individuals within the Town of Brighton in accordance with the purposes of this chapter.
- H. Maintain liaison and communications with public and private agencies and organizations of local, state and national scope whose programs and activities have an impact on the quality of the environment or who can be of assistance to the Board.
- I. Carry out such other duties as may be assigned from time to time by the Town Board.
- J. **Review of LEED certifications submitted by developers for projects in the Town of Brighton**

§ ___-6. Reports.

The Board shall prepare and submit an annual report to the Town Board, written for review during April of each year, concerning the activities and work of the Board and, from time to time, shall submit such reports and recommendations as may be necessary to fulfill the purposes of this chapter.

§ ___-7. Compensation and expenses.

The members of the Board, including ex officio members, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefor.

§ ___-8. Construal of provisions.

This chapter shall be deemed an exercise of the powers of the Town of Brighton to preserve and improve the quality of the natural and built environment on behalf of the present and future inhabitants thereof. This chapter is not intended and shall not be deemed to impair the powers of any other public corporation.

§ ___-9. Word usage; definitions.

- A. When not inconsistent with the context, words used in the present tense include the future,

words in the plural include the singular and words in the singular include the plural. The word "shall" is mandatory and not merely directory.

- B. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

SUSTAINABILITY – The ability of a system to meet its current needs without compromising the ability of the future system to meet its own needs.

CODE — The Code of the Town of Brighton, as adopted by the Town Council.

COMMISSIONER OF PUBLIC WORKS — The Commissioner of Public Works of the Town of Brighton, or his authorized representative.

CONSERVATION BOARD — The Conservation Board of the Town of Brighton, established pursuant to Chapter 223 of the Code.

My documents\green brighton\sustainability.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 13th day of May 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 13, 2009

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|------------------------------------|--------|-------|
| 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 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

In the Matter of
Extension No. 3 of
The Houston Barnard Refuse District
Town of Brighton, Monroe County,
New York

WHEREAS, petitions have been presented to and filed with the Town Board of the Town of Brighton by the record owners of all of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit "A" and also including the signatures of resident owners owning all of the assessed value of taxable real property owned by resident owners within such area, praying that Extension No. 3 of the Houston Barnard Refuse District, be established in such area, which is wholly within the Town of Brighton, County of Monroe, New York; and

WHEREAS, by said petitions it appears that none of said property is located within a city or incorporated village; and

WHEREAS, it appears by said petitions that refuse services are to be provided within such proposed extension, and the cost of providing such service is to be paid by the owners of the benefited property on a benefits derived basis and no Town obligations will be required to be issued to defray any part of said cost; and

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____, it is

ORDERED, that the above-referenced petitions, a map plan and report for the proposed Extension, dated October 21, 2008, and correspondence from Thomas A. Low, Commissioner of Public Works dated May 5, 2009, and a memorandum from Rick Cortina dated March 10, 2009, with attachments, concerning the proposed Extension to the Houston Barnard Refuse District, be received and filed; and be it further

ORDERED, that a public hearing be held at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 10th day of June, 2009, at the Town Hall, 2300 Elmwood Avenue to consider the said petition and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

ORDERED, that the Town Clerk of the Town give notice of such hearing by duly publishing this Order and by posting a certified copy thereof on the Town Clerk's bulletin board pursuant to law.

Dated: May 13, 2009

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|------------------------------------|--------------|
| 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 _____ |

STATE OF 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 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

WHEREAS, the Commissioner of Public Works has recommended that a significant Town tree, that poses a threat to persons and property be removed, which recommendation is subject to public hearing; it is therefore

RESOLVED, that correspondence dated April 13, 2009 from Thomas A. Low, Commissioner of Public Works, together with attachments thereto, concerning proposed tree removal, be received and filed; and be it further

RESOLVED, that the Town Board hereby sets a public hearing to hear all persons for or against the removal of significant Town tree that poses a hazard to persons and property, namely a 73" Silver Maple tree located in the highway right of way adjacent to 1555 Elmwood Avenue, to be held on June 10, 2009 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue in the Town; and be it further

RESOLVED, that the Town Clerk is hereby directed to cause notice of such hearing to be given as required under Chapter 175 of the Town Code.

Dated: May 13, 2009

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|------------------------------------|--------|-------|
| 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 13th day of May, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

WHEREAS, the Commissioner of Public Works has recommended that a significant Town tree that poses a danger to persons and property be removed, which recommendation is subject to public hearing; it is therefore

RESOLVED, that correspondence dated March 27, 2009 from Thomas A. Low, Commissioner of Public Works, together with attachments thereto, concerning proposed tree removal, be received and filed; and be it further

RESOLVED, that the Town Board hereby sets a public hearing to hear all persons for or against the removal of significant Town tree because it poses a hazard to persons and property, namely a 32 inch Norway maple tree located in the highway right of way adjacent to 114 Village Lane, to be held on June 10, 2009 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue in the Town; and be it further

RESOLVED, that the Town Clerk is hereby directed to cause notice of such hearing to be given as required under Chapter 175 of the Town Code.

Dated: May 13, 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 13th 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 12, 2009 from Thomas A. Low, Commissioner of Public Works, and correspondence dated May 11, 2009 from Timothy P. Frelier, P.E., Associate Engineer, Monroe County Department of Transportation, both concerning an amendment to the Town's Noise Control Law for resurfacing of Brighton Henrietta Townline Road and South Winton Road by Monroe County Department of Transportation, be received and filed, together with attachments thereto; and be it further

RESOLVED, that pursuant to Article 3 of the Municipal Home Rule Law of the State of New York, a public hearing on the proposed Local Law of 2009 entitled "2009 Temporary Amendment to Noise Control Law" in the form presented to this meeting, be held by the Town Board of the Town of Brighton on the 10th day of June, 2009 at 7:30 o'clock P.M. prevailing time at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town, to consider the proposed Local Law and the environmental impact thereof 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 and posted by the Town Clerk, pursuant to Law.

Dated: May 13, 2009

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|------------------------------------|--------|-------|
| 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 | _____ |