

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

April 7, 2009

PRESENT:

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

William Moehle
Attorney for the Town

Town Clerk
Susan Kramarsky

MEETING CALLED TO ORDER: 7:00 PM

RECOGNITIONS/PRESENTATIONS:

2009 Days of Remembrance Proclamation

Mary Hannick's 100th Birthday!

OPEN FORUM:

Alex Elkins
Tommy Begari
Joel Shapiro

APPROVAL OF AGENDA:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros that the Town Board approve the agenda.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed installation of stop signs at Danbury Circle North and South at Bonnie Brae (see Resolution #20; communication from Paul and Susan Norton, dated March 25, 2009).

Complete Transcript Under Separate Cover

Matter Held

MATTER RE: Proposed removal of a 32" tulip poplar tree from highway right of way adjacent to 349 Cromwell Drive (see Resolution #26; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated February 23, 2009, with attachment).

Complete Transcript Under Separate Cover

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. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize rejection of bids for conversion of fly-car replacement vehicle for Brighton Volunteer Ambulance (see Resolution #1; memorandum from Paula A. Parker, Director of Finance, dated April 1, 2009).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize \$159,650. bid award to North Eastern Rescue Vehicles, Inc. for ambulance purchase for Brighton Volunteer Ambulance Corp. (see Resolution #2; memorandum from Paula A. Parker, Director of Finance, dated April 1, 2009; letter from Duncan Ververs, President, Brighton Volunteer Ambulance, dated April 1, 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. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation of bids for trail maintenance services (see Resolution #3; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated March 23, 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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation of bids for Highland Avenue Reconstruction Project (see Resolution #4; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated March 27, 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. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Cindy Hirschberg, dated March 26, 2009, and Supervisor Frankel's reply, dated March 30, 2009 regarding litter along Westfall, Winton and French Roads

FROM Richard Pifer, dated March 24, 2009, to Thomas A. Low, Commissioner of Public Works regarding the University of Rochester's rezoning application

FROM Michael J. Townsend, Esq., Harris Beach PLLC, dated March 26, 2009, notifying of County of Monroe Industrial Development Agency's public hearing for Gallina Cambridge, LLC at 1880 South Winton Road to be held April 15, 2009 at 10:00 a.m. at Brighton Town Hall

FROM Robert L. Morrison, Director, City of Rochester Department of Environmental Services, dated March 30, 2009, regarding the City's South Clinton Avenue Water Supply Conduit Modernization Project

FROM Julie Warth, dated March 31, 2009, to Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, expressing thanks on behalf of the Virginia Colony Neighborhood Association for the highway department's thorough job of leaf collection last fall

FROM Andrew M. Cuomo, State of New York Attorney General, dated March 25, 2009, expressing thanks for allowing Assistant Attorney General Debra Martin the opportunity to give their Community Outreach presentation

FROM Andrew S. Doniger, M.D., M.P.H., Director, Monroe County Department of Health, dated March 25, 2009, providing copies of the Monroe County Pesticide Neighbor Notification Law brochure

FROM Jessica Bloch, dated February 21, 2009 with Supervisor Frankel's reply, dated February 25, 2009, regarding sidewalks on Elmwood Avenue between Clover Street and East Avenue

FROM Brianne Borden, dated February 25, 2009 with Supervisor Frankel's reply, dated February 25, 2009, regarding sidewalks along Elmwood Avenue between Twelve Corners and South Clinton Avenue

FROM Rebecca Ryan, dated February 23, 2009 with Supervisor Frankel's reply, dated February 24, 2009, regarding sidewalks and lighting in the Viennawood/Dunbarton area

FROM Gabe Tinkelman, dated February 23, 2009 with Supervisor Frankel's reply, dated February 24, 2009 regarding street lights and sidewalks in the Virginia Colony neighborhood

FROM Alisa Hoy, dated March 9, 2009 with Supervisor Frankel's reply, dated March 10, 2009 regarding speed limit and enforcement, sidewalks and street lighting issues in certain areas of Brighton

FROM Stan Main, dated April 1, 2009, expressing support for East Avenue sidewalks

FROM Kevin O'Buckley, Regional Director, New York State Department of Transportation, dated March 30, 2009, regarding the I-590 and Winton Road Interchange Project

FROM Monroe County Fire Marshals and Inspectors Association, dated April 1, 2009, announcing their donation of 170 smoke alarms to Monroe County Fire Coordinator Sam DeRosa and Monroe County Public Safety Director Steve Bowman for their smoke alarm program, at the suggestion of Brighton Fire Marshal Christopher Roth

FROM Stan Main, dated April 5, 2009, and Supervisor Frankel's reply, dated April 5, 2009, regarding his expression of support for sidewalks along East Avenue

FROM Paul Howe, MD, Mariesa Howe, MD and Quentin Howe, dated April 6, 2009, expressing support for sidewalks along East Avenue

FROM Nancy and George Zimmer, dated April 6, 2009, expressing support for sidewalks along East Avenue

FROM George Raymond Babineau, M.D., dated April 6, 2009, expressing support for sidewalks along East Avenue

FROM Margaret and Joseph Willard, dated April 6, 2009, expressing support for sidewalks along East Avenue

FROM Mary Crowe, dated April 6, 2009, expressing support for sidewalks along East Avenue

FROM Mary Saucke, dated April 6, 2009, expressing support for sidewalks along East Avenue

FROM Jeff Vincent, dated March 27, 2009, commenting on the use of money in the stimulus plan for New York State

FROM Debbie Amering, dated March 26, 2009, commenting on the Monroe County proposals for Ellison Park

FROM Jane Ellen Bleeg, dated March 26, 2009, expressing concern for Monroe County's proposal to allow cars access to Ellison Park at North Landing road

FROM Lori A. Marra, dated March 19, 2009, requesting that noise barriers are erected when road work on NY590 between Blossom Road and Browncroft Blvd. commences

FROM David, Beth, David, Benjamin, Sarah, and Anna Dobrzynski, dated April 7, 2009, expressing support for East Avenue sidewalks

FROM Lissa McAnarney, dated April 7, 2009, expressing thanks for Supervisor Frankel's exemplary service to the Brighton community and support for the East Avenue sidewalks

FROM Pamela Foye, dated April 7, 2009, expressing support for 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 – no report given. The next meeting will be held on April 16, 2009.

Finance and Administrative Services – no report given. The next meetings will be held on April 15 & April 17 at 8:30 AM.

Public Safety Services - Councilmember Ray Tierney reported on the meeting of March 31, 2009. The next meeting will be held on April 14, 2009.

Public Works Services - Councilmember James Vogel reported on the meeting of April 6, 2009. The next meeting will be held on May 4, 2009.

NEW BUSINESS:

MATTER RE: Reading and approval of claims

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize transfer of funds within Assessor Department budget for clerk assistance on grievance day (see Resolution #6; memorandum from Elaine Ainsworth, Assessor, dated March 24, 2009).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize disposal of certain fixed assets as junk (see Resolution #7; memorandum from Elaine Ainsworth, Assessor, dated March 24, 2009, with attachment).

Motion by Councilmember Sheila Gaddis Seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Retirement of Officer Fred Bedet from Brighton Police Department, effective March 30, 2009 (see Resolution #9; letter from Captain Mark T. Henderson, Acting Chief of Police, dated March 27, 2009; memorandum from Officer Fred Bedet, dated March 25, 2009).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute Memorandum of Agreement with Brighton Police Patrolmen's Association clarifying the interpretation and application of Article 15 of the Collective Bargaining Agreement (see Resolution #10; letter from Thomas M. Voelkl, Chief of Police, dated March 10, 2009, with attachment).

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. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute 2009 STOP-DWI Enforcement Contract with the County of Monroe for total funds of \$26,162.50, and amend 2009 Police Department Budget to appropriate funds (see Resolution

#11; letters from Thomas M. Voelkl, Chief of Police, dated March 17, 2009, and Peggy Duffy, Monroe County STOP-DWI, dated March 9, 2009, with attachment).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize \$16,143. 2009 budget appropriation of Federal Grant Program funds for purchase of Colt M4 Patrol rifles and related equipment, tasers and one Interpretype (see Resolution #12; memorandum from Paula A. Parker, Director of Finance, and Captain Mark Henderson, dated April 1, 2009, with attachment).

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. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize \$4,500. 2009 Shared Services budget transfer for professional services related to removal of the underground fuel storage tank for the backup generator (see Resolution #13; memorandum from Paula A. Parker, Director of Finance, dated April 1, 2009, with attachment).

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize \$4,000. fund transfer within Townwide Sidewalks Account for necessary repair of retaining wall in front of Zebb's Restaurant along Clinton Avenue sidewalk (see Resolution #14; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated March 31, 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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract, not exceeding \$56,300., to Clark, Patterson, Lee Architects for final design and construction phase services on town hall, public safety wing and operations center roofs (see Resolution #15; letters from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated March 25, 2009 and Paul Tankel, AIA, LEED AP, Principal, Clark, Patterson, Lee Architects, dated March 23, 2009, with attachment).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute contract with Zoladz Construction Co., Inc., to process and remove wood wastes and leaves for a two year period, renewable by mutual consent (see Resolution #16; letters from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated March 31, 2009, and James G. Hayden, Counsel, Zoladz Construction Co., Inc., dated March 13, 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 Pilot Street Lighting Project (see Resolution #17; letter form Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated March 26, 2009; inter-office memo from Rick Cortina, dated January 8, 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

MATTER RE: Authorize Supervisor to execute agreement with The Metro Group, Inc. for waterside treatment protection of the Public Safety Wing cooling tower system, total not exceeding \$2,000. (see Resolution #18; letters from Laraine Albers, dated March 13, 2009 and Joe Gilfoy, Account Manager, The Metro Group, dated March 1, 2009, with attachment).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute letter of understanding with Video Propulsion, Inc. for no cost extension of their cable television programming services (see Resolution #19; letter from Douglas S. Clapp, Director of Communications, dated March 27, 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. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize submission of Home Rule request to allow certain

towns within Monroe County to establish town wide speed limits of twenty-five miles per hour (see Resolution #22; letters from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated March 12, 2009 and New York State Senator James S. Alesi, dated March 12, 2009, with attachment).

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. 20 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize application to Monroe County under the American Recovery and Reinvestment Act for Community Development Block Grant funding to repave approximately 13,000 SY of Town roads (see Resolution #23; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated April 2, 2009, with attachment).

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 21 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Accept donation of Right of Way for Highland Avenue Reconstruction Project (see Resolution #25; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated April 3, 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. 22 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to submit to Monroe County, the Town of Brighton Public Safety Committee Findings on potential public safety and other impacts relative to the proposal to reopen an abandoned road in Ellison Park (see Resolution #27; Findings Statement, dated March 31, 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

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adjourn at 8:40 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 7th April 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 7th day of April, 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

WHEREAS, the Town Board previously received and filed correspondence from Thomas A. Low, Commissioner of Public Works, requesting that a public hearing be called to consider the removal of a 32" Tulip Poplar tree from the highway right-of-way adjacent to 349 Cromwell Drive; and

WHEREAS, based upon such correspondence, the Town Board duly called and held a public hearing on April 7, 2009, pursuant to Section 175.8 of the Town Code, to consider the removal of such tree referenced in such correspondence, and all persons having an interest in such matter having had an opportunity to be heard at such hearing; it is therefore

RESOLVED, that the Town Board hereby determines that the Commissioner of Public Works has shown good cause for the removal of the tree, namely, the disease and/or decay of such tree and the consequent danger to person and/or property, and therefore determines that the recommendation of the Commissioner of Public Works to remove such tree be and it hereby is affirmed.

Dated: April 7, 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 7th day of April 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 1, 2009, from Paula A. Parker, Director of Finance, concerning the rejection of a bid for the purchase of a fly car for Brighton Volunteer Ambulance and authorization to re-bid the same, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the rejection of all bids for the purchase of a fly car for Brighton Volunteer Ambulance as advertised on March 12, 2009 and opened March 27, 2009; and be it further

RESOLVED, that the Town Board authorizes the Fly Car to be re-advertised and re-bid.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that communications, dated April 1, 2009, from Paula A. Parker, Director of Finance, and from Duncan Ververs, President, Brighton Volunteer Ambulance, dated April 1, 2009, concerning the award of an ambulance bid to North Eastern Rescue Vehicles, Inc., be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the award of a bid for the purchase of an ambulance to North Eastern Rescue Vehicles, Inc., the lowest responsive and responsible bidder, at a bid price of \$159,650.

Dated: April 7, 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
7th day of April 2009.

PRESENT :

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 23, 2009, from
Jerry La Vigne, Director of Parks and Recreation, concerning trail
maintenance services, be received and filed; and be it further

RESOLVED, that the Director of Parks and Recreation is
hereby authorized to solicit bids for trail maintenance services in
Town Parks during 2009.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

RESOLVED, that correspondence dated March 27, 2009, from Thomas A. Low, Commissioner of Public Works, concerning the solicitation of bids for the Highland Avenue reconstruction project, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to solicit bids for the Highland Avenue reconstruction project, consisting of approximately .42 miles of Highland Avenue between the border between the Town of Brighton and the City of Rochester and Clover Street.

Dated: April 7, 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 7th day of April 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 24, 2009, from Elaine Ainsworth, Town Assessor, concerning a budget transfer to support staffing on Grievance Day in the Assessor's Office, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the transfer of \$125 from account A.ASSOR.1355.454, \$115 of which would be transferred to account A.ASSOR.1355.120 (Part Time Wages) and \$10 of which would be transferred to account A.ASSOR.1355.820 (FICA/Medicare).

Dated: April 7, 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 7th day of April 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 24, 2009, from Elaine Ainsworth, Town Assessor, concerning the disposal of certain fixed assets, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the disposal as junk of a Cannon copier Image Runner 330, serial number NNY16273, which has no remaining value and/or is no longer serviceable.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 27, 2009, from Mark T. Henderson, Captain and Acting Chief of Police, and a memorandum dated March 25, 2009 from Police Officer Fred Bedet, both concerning the retirement of Officer Bedet from the Brighton Police Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts the resignation of Police Officer Fred Bedet with regret.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 10, 2009, from Thomas M. Voelkl, Chief of Police, together with an attachment thereto, concerning a Memorandum of Agreement clarifying Article 15 of the Collective Bargaining Agreement between the Brighton Police Patrolmen's Association and the Town, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver a Memorandum of Agreement by and between the Town and the Brighton Police Patrolmen's Association, clarifying the interpretation and application of Article 15 of the collective bargaining agreement between the Brighton Police Patrolmen's Association and the Town.

Dated: April 7, 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

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Thomas M. Voelkl
Chief of Police

Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

March 10, 2009

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

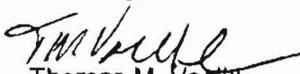
Dear Board Members:

The current Collective Bargaining Agreement (CBA) between the Brighton Police Patrolman's Association (BPPA), and the Town of Brighton contains a provision that is intended to address and compensate members who work a 5/2 schedule, primarily Criminal Investigators. Employees in such assignments work an average of eighteen (18) days per year over officers assigned to uniform patrol, who work a 4/2 schedule. This provision, in place since 2000, awards forty (40) hours of compensatory time to 5/2 employees as a mechanism to equalize the disparity in work schedule.

In 2008, two (2) instances of extended sick leave were incurred by employees in the 5/2 category and the compensatory time "award" was reduced accordingly. The BPPA took exception to the action. A request for a waiver of time limit under the CBA grievance procedure was filed by the BPPA on December 19, 2008, so that the parties could discuss and hopefully resolve the matter informally. Several meetings were held to attempt this resolution. The attached Memorandum of Agreement (MOA) is proposed to resolve the grievance.

I recommend that the Supervisor be authorized to execute a Memorandum of Agreement between the Brighton Police Patrolman's Association and the Town of Brighton, clarifying the interpretation and application of Article 15 of the Collective Bargaining Agreement between the BPPA and the Town. I have attached two (2) copies of the Memorandum of Agreement for the Supervisor's signature. I will be happy to answer any questions you may have regarding this request.

Sincerely,


Thomas M. Voelkl
Chief of Police

Attachments

xc: Paula Parker, Director of Finance
Gary Brandt, Director of Personnel
Mr. William Moehle, Attorney for the Town

MEMORANDUM OF AGREEMENT

It is hereby agreed by and between the Town Board of the Town of Brighton and the Brighton Police Patrolman's Association, hereinafter referred to as the "parties," that the interpretation and application of Article 15, section 20 of the collective bargaining agreement between the parties, dated January 1, 2007 – December 31, 2010, shall be as follows:

Article 15

20. Employees assigned to a five on and two off schedule on a regular basis, shall be allowed to accumulate compensatory time up to a maximum of two hundred forty (240) hours. If an officer elects to receive pay in lieu of this compensatory time, he shall submit this request on the prescribed departmental form when this compensatory time is earned and in that payroll period. Such accumulated time may be taken off only with the approval of the Chief or his designee in accordance with staffing needs. Such time may be paid in lieu of time taken off only upon retirement or termination. Retroactive to January 1, 2000, and on each subsequent January 1st, employees working a five on and two off schedule on a regular basis, shall, for a 12-month period of such assignment, receive a additional forty (40) hours in their compensatory time bank.

The parties agree that compensatory time credited to employees covered by the above cited provision shall not reduced as a result of sick time taken during the course of this agreement. The parties further agree that the terms of this Memorandum of Understanding shall expire on December 31, 2010, and shall not be construed as a "past practice" in future negotiations or successor collective bargaining agreements.

For BPPA:

For Town of Brighton:

Signature

Date

Signature

Date

Sgt. Michael Desain, President
Brighton Police Patrolmen's Assn.

Sandra L. Frankel, Supervisor
Town of Brighton

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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 17, 2009, from Thomas M. Voelkl, Chief of Police, concerning the 2009 Stop DWI Enforcement Contract between the County of Monroe and the Town of Brighton, be received and filed, together with correspondence dated March 9, 2009 from Peggy Duffy, Monroe County STOP-DWI Coordinator, and a proposed contract attached thereto, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver the 2009 STOP-DWI Enforcement Contract by and between the Town and the County of Monroe, under which the Town will receive \$26,162.50 for DWI enforcement activities and equipment, which contract shall be in substantially the form attached to the above correspondence; and be it further

RESOLVED, that the Town Board hereby amends the 2009 Police Department Budget, by increasing appropriations in account A.POLCE.3120.130 (Police Department Operations - Paid Overtime), in account A.POLCE.3120.415 (Police Department Supplies) by \$3,500 and account A.POLCE.3120.465 (Vehicle Maintenance) by \$500 supported by increased estimated revenues in account A.POLCE.3120.1580 (Police Dept. Operations-Stop DWI Grant Funds) in the amount of \$26,162.50.

Dated: April 7, 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 7th day of April 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 1, 2009 from Paula A. Parker, Director of Finance, and Police Captain Mark Henderson, concerning a 2009 budget appropriation to reflect a Federal Grant Program, administered by the City of Rochester, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves a 2009 Budget Amendment appropriating \$16,143 to account A.POLCE.3120.217 (Police Law Enforcement Supplies), to be supported by an increase in revenues in the same amount in account A.POLCE.3120.4389 (Police Federal Aid (DCJS)).

Dated: April 7, 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 7th day of April 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 1, 2009 from Paula A. Parker, Director of Finance, concerning a 2009 budget transfer related to the removal of the Public Safety Wing generator fuel storage tank, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby approves a 2009 Budget transfer in the amount of \$4,500 from account A.SSVCS.1620.263 (Shared Services - Building Improvements) to account A.SSVCS.1620.452 (Shared Services - Engineering Fees) to fund the Stantec Professional Services Contract for engineering and related services in connection with the removal of the underground fuel storage tank for the generator servicing the Public Safety Wing.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

RESOLVED, that correspondence dated March 31, 2009 from Thomas A. Low, Commissioner of Public Works, concerning a budget transfer for the repair of a retaining wall that supports sidewalks on South Clinton Avenue, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that correspondence dated March 31, 2009, from Thomas A. Low, Commissioner of Public Works, concerning the transfer of funds for a sidewalk project, be received and filed; and be it further

RESOLVED, that \$4,000 be transferred from account A.DPW.5410.265 (Public Works - Sidewalk Construction), \$3,000 of which shall be transferred to account A.DPW.5410.401 (Public Works - Department Charge - Highway) and \$1,000 of which shall be transferred to account A.DPW.5410.411 (Public Works - Maintenance Supplies).

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 25, 2009 from Thomas A. Low, Commissioner of Public Works, and correspondence dated March 23, 2009 from Paul Tankel, Principal, Clark Patterson Lee, together with an attachment thereto, concerning a Professional Services Contract for the final design and construction phase services of the repair of the Town Hall, Public Safety Wing and the Town Highway Department Operations Center roofs, 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 Clark Patterson Lee Architects for the final design and construction phase services on the Town Hall Public Safety Wing and Town Highway Department Operations Center roofs at a total cost not to exceed \$56,300, all as more fully set forth in the above-referenced correspondence, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 7, 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

March 25, 2009

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

Re: Professional Services Contract
Final design and construction phase services
Town Hall, Public Safety Wing and Operations Center roofs
Clark, Patterson, Lee Architects

Honorable Members:

I recommend that the contract for professional services, referenced above, be awarded to Clark, Patterson, Lee as follows:

- a) stormwater retention, Operations center:
in the hourly rates proposed and for a total not to exceed \$8,000.00;
- b) final design, all roofs listed, in the lump sum of \$37,700.00;
- c) basic services during construction, in the lump sum of \$5,600.00; and,
- d) reimbursables, at 110%, NTE \$5000.00

This total of \$56,300.00 represents 7% of the \$812,000 construction costs as currently estimated.

Funds are available in the 2009 Budget in sewer, highway garage and shared services, where a total of \$90,000.00 was allocated.

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: Paula Parker
Laraine Albers
lparker@consulr.csw.org

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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

RESOLVED, that correspondence dated March 31, 2009 from Thomas A. Low, Commissioner of Public Works, concerning an agreement with Zoladz Construction Co., Inc., for processing and removal of wood wastes, be received and filed, together with correspondence dated March 13, 2009 from James G. Hayden, Counsel, Zoladz Construction Co., Inc., and an attachment thereto; and be it further

RESOLVED, that Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Zoladz Construction Co., Inc., under which Zoladz would process and remove wood waste and leaves at the Town landfill, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 26, 2009 from Thomas A. Low, Commissioner of Public Works, and a memorandum dated January 8, 2009 from Rick Cortina, both concerning a pilot project for more efficient street lighting fixtures, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the proposed pilot efficient street lighting pilot project in Account A.DPW.5182.449 (Public Works-Street Lighting).

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
 Supervisor
 JAMES R. VOGEL
 RAYMOND J. TIERNEY III
 LOUISE NOVROS
 SHEILA A. GADDIS
 Councilpersons

RESOLVED, that correspondence dated March 13, 2009 from Laraine Albers, concerning an agreement for water treatment services for the Public Safety Wing cooling tower system, be received and filed, together with correspondence dated March 1, 2009 from Joe Gilfooy, Account Manager, The Metro Group, Inc., and an attachment thereto; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver an agreement by and between the Town and The Metro Group, Inc. for water treatment services for the Public Safety Wing cooling tower system in 2009 at a cost not to exceed \$2,000, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 27, 2009 from Douglas S. Clapp, Director of Communications, concerning a contract extension for the Town's cable television programming contract, 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 Video Propulsion, Inc. to extend the existing contract for cable television programming services through December 31, 2009, upon the terms and conditions previously in effect.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 30, 2009 from Thomas A. Low, Commissioner of Public Works, correspondence dated March 12, 2009 from New York State Senator James Alesi, together with an attachment thereto, concerning a Home Rule Request for area speed limits of twenty-five miles per hour, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the submission of a Home Rule Request for S 2899/A4571, Home Rule Legislation to permit area speed limits of twenty-five miles per hour in the Town of Brighton and in certain other Towns in Monroe County.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

RESOLVED, that correspondence dated April 2, 2009 from Thomas A. Low, Commissioner of Public Works, concerning an application for a Community Development Block Grant for road repaving under the American Recovery and Reinvestment Act, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to apply for a Community Development Block Grant for road repaving to Monroe County, under the American Recovery and Reinvestment Act, for grant funding of \$92,000 for materials and paver rental, to be supported by Town expenditures of approximately \$39,000 for labor and equipment.

Dated: April 7, 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 7th day of April 2009.

PRESENT:

SANDRA L. FRANKEL,
 Supervisor
 JAMES R. VOGEL
 RAYMOND J. TIERNEY III
 LOUISE NOVROS
 SHEILA A. GADDIS
 Councilpersons

RESOLVED, that correspondence dated April 3, 2009 from Thomas A. Low, Commissioner of Public Works, concerning a donation of right-of-way for the Highland Avenue reconstruction project from the Baptist Temple and Country Club Condominiums, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts the donation of right-of-way adjacent to the intersection of Clover Street and Highland Avenue from the Baptist Temple and Country Club Condominiums, in connection with the Highland Avenue reconstruction project; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute any documents required in connection with such donation and the Commissioner of Public Works or his designee is authorized to file deeds and related documents in connection therewith at the Town's expense.

Dated: April 7, 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 7th day of April, 2009.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that the report of the Brighton Town Board Public Safety Committee, dated March 31, 2009, concerning Monroe County's proposal to reopen an abandoned road in Ellison Park be received and filed.

RESOLVED, that the Supervisor is hereby authorized to submit correspondence to Monroe County forwarding the report of the Brighton Town Board Public Safety Committee on potential public safety and other impacts relative to the county's proposal to reopen an abandoned park road in Ellison Park, and stating the opposition of the Town Board to the reopening of the road.

Dated: April 7, 2009

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



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

Town of Brighton Public Safety Meeting – March 31, 2009

Topic: Potential public safety and other impacts to the proposal to re-open an abandoned road in Ellison Park.

Findings:

History- The proposal, by the Ellison Park Master Plan Committee, to re-open the park road from Landing Road North into the northwestern portion of Ellison Park was done with little or no insight into the past history of the road. The road was closed in the late 1950's due to safety concerns. Neighbors of the park attended this public safety meeting and shared their experiences. One particular attendee stated she was attacked in the park in the 1950's and recounted her experience. She explained that the road was closed shortly after the attack. Other contributing factors to the closure included: vandalism, flooding and environmental damage caused by motorcycles.

Safety providers – Brighton Police, Brighton Volunteer Ambulance, Brighton Fire and the Monroe County Sheriff's Department were present at the meeting. None of the above was consulted about the proposal. All agencies concurred that any patrol or emergency event in the park is successfully addressed by unlocking, by-passing or cutting the gate lock at the Landing Road entrance to the park. Professionally, they offered no opinion on the proposal and stated that they would continue to provide services as needed – road or no road.

Condition of the road- The road currently has two main sections. The upper section begins at North Landing Road and continues past Fort Schuyler, down the hill and concludes at the bridge. The upper section is approximately 15 feet wide and has no shoulders. It is open to the fort via a limited access gate. The lower section begins at the bridge and travels around the sand hill connecting to Pavilion Lodge. Note: Pavilion Lodge is accessible via Blossom Road. The lower section is not road worthy and is badly degraded by creek overflows. The road would need improvements and major re-construction if it is opened to traffic. The cost of such a project would be borne by County taxpayers as Brighton has no jurisdiction.

Bridge - The bridge crossing Irondequoit Creek is in good shape but might need improvement in order to cross a fire vehicle. The Brighton Fire Department would have to inspect the bridge as it falls within their jurisdiction.

ADA requirements - Ellison Park, including the western portion, is currently ADA compliant. All park venues are accessible via the Blossom Road entrances. Fort Schuyler is fully compliant and is the only structure in the western [Brighton] section of the park.

Conclusion –The abandoned park road from North Landing Road to Pavilion Lodge should not be reopened to vehicular traffic due to the following negative impacts.

1. The public safety of the surrounding neighborhood could be negatively impacted if conditions returned to those that were present when the road was closed 50 years ago.
2. Road and bridge improvements would be very costly.
3. Vehicular impacts would move further into the park. Currently, those negative impacts [traffic, car break-ins] are limited in scope due to the highly visible parking area off North Landing Road.
4. Over three acres of currently used foot trails would be lost to road and parking improvements.
5. Opening the road would create an unsafe competition between people and cars entering the park.
6. ADA compliance is a non-issue as the park is currently ADA accessible through its Blossom Road entrances. The only park venue in the North Landing area of the park is currently ADA accessible.

Ray Tierney III Chair, Public Safety Committee

Louise Novros Member, Public Safety Committee