

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

December 29, 2008

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

12:20 P.M. MEETING CALLED TO ORDER

OPEN FORUM:

Lauren Landsburg

APPROVAL OF AGENDA

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board approve the agenda with the addition of two matters of new business: Appointment to Zoning Board and Architectural Review Board.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed revision of sewer rent charges for 2009 (see Resolution #13).

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize bid award, total not exceeding \$24,000, to The Davey Tree Expert Company for rental of bucket truck with operator for tree trimming and removal (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 12, 2008).

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. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Dorothy Marchand, dated December 23, 2008, to the Highway Department expressing thanks for their prompt and hard work removing snow

FROM Darcy A. Sewar, Monroe County Department of Environmental Services Business Services, dated December 10, 2008, to Susan Kramarsky, Town Clerk, regarding 2009 rate schedule for Monroe County Division of Pure Waters

FROM Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated November 13, 2008, to New York State Department of Environmental Conservation, regarding New York State Freshwater Wetland Map 8 of 21 proposed amendment

FROM Gretchen Carlson, dated December 11, 2008, favorably commenting on the recommendations for a sustainable future

FROM W. George Zimmer, Acting Secretary, Brighton Fire District, dated December 10, 2008, to Susan Kramarsky, Town Clerk, regarding the Brighton Fire District 2008 annual election

FROM Kathy H. Boline, Business Manager, Brighton Fire District, dated December 12, 2008, to Susan Kramarsky, Town Clerk, regarding Brighton Fire District oaths of office

FROM Linda Isaacson Fedele and the Sierra Club Executive Committee, dated December 2008, thanking Supervisor Frankel for her leadership in energy conservation and combating climate change and for participating in a recent conference

FROM George C. Thomas, PE, Executive Director, Center for Environmental Information regarding the environmental revitalization of the Lake Ontario Basin

FROM Kevin B. O'Buckley, P.E., New York State Department of Transportation Regional Director, dated December 16, 2008, regarding an engineering study pertaining to I590 between Winton Road and Monroe Avenue

FROM Chris Mueller, Manager, Government Affairs, Time Warner Cable, dated December 16, 2008, enclosing copies of FCC forms 1240 and 1205 for 2009

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board receive and file the aforementioned communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services – The next meeting will be held on January 22, 2009.

Finance and Administrative Services – The next meeting will be held on January 7, 2009.

Public Safety Services – The next meeting will be held on January 13, 2009.

Public Works Services – The next meeting will be held on January 12, 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 the payment of claims as set forth in Exhibit No. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize acceptance and appropriation of Justice Court Assistance Program grant for purchase of Epson printer for Court offices (see Resolution #2; letters from Dianne W. Burdett, Administrative Court Clerk, dated December 16, 2008 and Hon. Thomas M. VanStrydonck, Seventh District Administrative Judge, dated December 1, 2008, 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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize that 10 Police Department blaze orange vests be declared surplus and donated to Brighton High School (see Resolution #3; letter from Thomas M. Voelkl, Chief of Police, dated December 3, 2008).

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. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute contract with Perinton Publishing for distribution of Town newsletter in 2009 at annual cost of \$1,462.50 (see Resolution #4; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated December 11, 2008, with attachment).

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute contract renewal with Castle Branch Inc. for 2009 for employment applicant background checks (see Resolution #5; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated December 11, 2008, 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. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize proposed amendment to Town Board's Mileage Reimbursement Policy, changing the allowable reimbursement rate to \$.55 per mile effective January 1, 2009 (see Resolution #6; memorandum from Paula A. Parker, Director of Finance, dated December 17, 2008, 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: Authorize transfer of funds for purchase of salt (see Resolution #7; letter from Jay Jeffries, Deputy Superintendent of Highways, dated December 22, 2008).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize professional services contract award to Fisher Associates for preliminary design and environmental screening of Highland Trail project (see Resolution #8; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 15, 2008, 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. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set January 28, 2009 public hearing for proposed code amendment for noise from delivery trucks (see Resolution #10; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated December 11, 2008, with attachment).

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

Following discussion, the motion and second were withdrawn by Council members Vogel and Gaddis without a vote.

MATTER RE: Proposed code amendments for Wetlands, Cluster development #2008-2.1 through and including 2008-2.4 (see Resolution #9; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 17, 2008, with attachment).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Continue public hearing on January 14, 2009 for proposed

incentive zoning/rezoning for "Brickstone", a St. John's community (see Resolution #11; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 16, 2008).

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. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of John Cholette to the Zoning Board of Appeals effective January 1, 2009 through December 31, 2013.

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to appoint John Cholette to the Zoning Board of Appeals term ending 2013.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of Elizabeth Clifford to the Zoning Board of Appeals effective January 1, 2009 through December 31, 2013.

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to appoint Elizabeth Clifford to the Zoning Board of Appeals term ending 2013.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of Kathryn J. Thomas to the Architectural Review Board effective immediately through December 31, 2011.

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to appoint Kathryn J. Thomas to the Architectural Review Board term ending 2011.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of Stewart McKenzie to the Architectural Review Board effective January 1, 2009 through December 31, 2011.

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to appoint Stewart McKenzie to the Architectural Review Board term ending 2011.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: New York Municipal Insurance Reciprocal (NYMIR) subscriber/member capital distribution (see letter from John LaPointe, President, NYMIR Board of Governors, dated December 16, 2008).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MATTER RE: Authorize fee increase of \$.50 per night for seized animal impound charges,

effective January 1, 2009 (see Resolution #12; memorandum from Susan Kramarsky, Town Clerk, dated December 10, 2008).

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. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros that the Town Board go into Executive Session at 1:20 P.M. to discuss the appointment of a particular person.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to come out of Executive Session AT 2:00 P.M.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute contract with Denine K. Carr, Esq. for the provision of legal services.

Motion by Councilmember James Vogel 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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros that the Town Board adjourn at 2:15 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 held on the 29th day of December 2008 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

Susan Kramarsky, 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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons.

WHEREAS, this Town Board duly scheduled a public hearing to be held on the 29th day of December, 2008 at a meeting commencing at 12:00 Noon, prevailing time, to consider an Ordinance setting sewer rent rates for 2009, pursuant to Chapter 147 of the Town Code; and

WHEREAS, notice of such public hearing was duly given and the Town Board duly held said public hearing to consider such matter at the stated time and all parties desiring to be heard in connection therewith having had an opportunity to be heard; and

WHEREAS, based on the testimony received at such hearing and the supporting materials submitted by Town staff, this Town Board deems it necessary to adopt the proposed Ordinance setting forth sewer rent rates for 2009;

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

ORDERED, that the Ordinance setting sewer rent rates for 2009 in the form attached hereto is hereby approved and adopted, and be it further;

ORDERED, that the Town Clerk is hereby directed to publish and post a notice of the adoption of this Ordinance, as required by law.

Dated: December 29, 2008

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

2009 Sewer District Budgets

Calculation of Sewer District Rates - Calculated as of 10/3/2008

	Consolidated Sewer District			Dist 87A	Ext 67	Ext 67	Ext 67	Ext 67
	Capital Charge	O & M Charge	Total Charge	O & M Chg	AV Cap Chg	Unit Cap Chg	O&M Chg	Total Chg
Appropriations 2009 Budget:								
SS8120.610 Bond Principal	\$35,000		\$35,000		\$7,500	\$7,500		\$15,000
SS8120.620 Note Principal	\$142,000		\$142,000					
SS8120.710 Bond Interest	\$7,840		\$7,840		\$2,653	\$2,653		\$5,305
SS8120.720 Note Interest	\$22,220		\$22,220					
SS8120.910 Trans to Capital Fund	\$40,000		\$40,000					
SS8120.25.30 All Other Approp		\$1,408,440	\$1,408,440	\$5,775	\$600	\$600	\$2,190	\$3,390
SS8121 Pump Stations	\$25,000	\$53,980	\$78,980					
Total Appropriations	\$272,060	\$1,462,420	\$1,734,480	\$5,775	\$10,753	\$10,753	\$2,190	\$23,695
As a Percent of Total	15.69%	84.31%	100.00%					
Less: Revenues 2009 Budget								
SS2120 Sewer Rents		\$10,650	\$10,650					
SS2122 Sewer Service Chgs		\$8,000	\$8,000					
SS2124 Sewer Entrance Fees		\$53,600	\$53,600					
SS2665 Sale of Equipment		\$0	\$0					
SS2815 Interfund Revenues		\$33,170	\$33,170					
SS5055 Contrib from DSF	\$7,720		\$7,720		\$40	\$20		\$60
SS5060 Contrib from Reserve Fund		\$0	\$0					
SS2401 Int Earnings	\$20,000.00	\$10,000.00	\$30,000.00	\$225	\$100	\$100	\$0	\$200
Total Revenues	\$27,720.00	\$115,420.00	\$143,140.00	\$225	\$140	\$120	\$0	\$260
Levy Before Approp Fund Bal	\$244,340.00	\$1,347,000.00	\$1,591,340	\$5,550	\$10,613	\$10,633	\$2,190	\$23,435
Less: Approp Fund Balance	\$55,000	\$45,000	\$100,000	\$0	\$75	\$75	\$750	\$900
District Chgs to be Levied	\$189,340.00	\$1,302,000.00	\$1,491,340	\$5,550	\$10,538	\$10,558	\$1,440	\$22,535
Number of Units								
Residential (BR742s, BR742p)	10,666.46	10,221.70	20,888.16	160.20	\$5,395,000	82.00	9.40	N/A
Commercial (BR743s, BR743p)	5,672.06	5,468.81	11,140.87					
Apartments (BR744s, BR744p)	7,175.10	7,125.00	14,300.10					
Total Units	23,513.62	22,815.51	46,329.13	160.20	\$5,395,000	82.00	9.40	N/A
Total of Amounts to be Raised								
Residential (BR742s, BR742p)	\$85,890.12	\$583,316.06	\$669,206.18	\$5,550.00	\$10,537.50	\$10,557.50	\$1,440.00	\$22,535.00
Commercial (BR743s, BR743p)	\$45,673.44	\$312,085.54	\$357,758.98					
Apartments (BR744s, BR744p)	\$57,776.45	\$406,598.41	\$464,374.85					
Total Charges	\$189,340.00	\$1,302,000.00	\$1,491,340.00	\$5,550.00	\$10,537.50	\$10,557.50	\$1,440.00	\$22,535.00
Erroneous Assessments	\$0.00	\$0.00	\$0.00					
	\$189,340.00	\$1,302,000.00	\$1,491,340.00	\$5,550.00	\$10,537.50	\$10,557.50	\$1,440.00	\$22,535.00
Rate Computation								
Residential 2009 Rate	\$8.052355	\$57.066443	\$65.118798	\$34.644195	\$1.953197	\$128.750000	\$153.191489	\$283.894687
Commercial 2009 Rate	\$8.052355	\$57.066443	\$65.118798	\$34.644195				
Apartments 2009 Rate	\$8.052355	\$57.066443	\$65.118798	\$34.644195				
(Old Rates for Comparison only)								
Residential 2008 Rate	\$6.884231	\$55.937373	\$62.821603	\$34.565463	\$2.270569	\$138.958333	\$137.765957	\$278.994859
Commercial 2008 Rate	\$6.884231	\$55.937373	\$62.821604	\$34.565463				
Apartments 2008 Rate	\$6.884231	\$55.937373	\$62.821603	\$34.565463				

TOWN OF BRIGHTON

2009 Sewer District Budgets

Calculation of Sewer District Rates - Calculated as of 10/3/2008

	Western Dr AV Cap Chg	Western Dr Unit Cap Chg	Western Dr O&M Chg	Western Dr Total Chg	Grand Totals
<u>Appropriations 2009 Budget:</u>					
SS8120.610 Bond Principal	\$5,110	\$5,110		\$10,220	\$60,220
SS8120.620 Note Principal					\$142,000
SS8120.710 Bond Interest	\$0	\$0		\$0	\$13,145
SS8120.720 Note Interest					\$22,220
SS8120.910 Trans to Capital Fund					\$40,000
SS8120.25,30 All Other Approp	\$1,000	\$1,000	\$1,380	\$3,380	\$1,420,985
SS8121 Pump Stations					\$78,980
Total Appropriations	\$6,110	\$6,110	\$1,380	\$13,600	\$1,777,550
As a Percent of Total					
Less: Revenues 2005 Budget					
SS2120 Sewer Rents					\$10,650
SS2122 Sewer Service Chgs					\$8,000
SS2124 Sewer Entrance Fees					\$53,600
SS2665 Sale of Equipment					\$0
SS2815 Interfund Revenues					\$33,170
SS5055 Contrib from DSF	\$25	\$25		\$50	\$7,830
SS5060 Contrib from Reserve Fund					\$0
SS2401 Int Earnings(allocated)	\$0	\$0	\$300	\$300	\$30,725
Total Revenues	\$25	\$25	\$300	\$350	\$143,975
Levy Before Approp Fund Bal	\$6,085	\$6,085	\$1,080	\$13,250	\$1,633,575
Less:Approp Fund Balance	\$0	\$0	\$0	\$0	\$100,900
District Chgs to be Levied	\$6,085	\$6,085	\$1,080	\$13,250	\$1,532,675
Number of Units					
Residential (BR742s, BR742p)	\$2,433,600	53	10	N/A	
Commercial (BR743s, BR743p)					
Apartments (BR744s, BR744p)					
Total Units	\$2,433,600	53.00	10.00	N/A	
Total of Amounts to be Raised					
Residential (BR742s, BR742p)	\$6,085.00	\$6,085.00	\$1,080.00	\$13,250.00	\$710,541.18
Commercial (BR743s, BR743p)					\$357,758.98
Apartments (BR744s, BR744p)					\$464,374.85
Total Charges	\$6,085.00	\$6,085.00	\$1,080.00	\$13,250.00	\$1,532,675.00
Erroneous Assessments					\$0.00
	\$6,085.00	\$6,085.00	\$1,080.00	\$13,250.00	\$1,532,675.00
Rate Computation					
Residential 2009 Rate	\$2.500411	\$114.811321	\$108.000000	\$225.311732	
Commercial 2009 Rate					
Apartments 2009 Rate					
Residential 2008 Rate					
Residential 2008 Rate	\$2.861847	\$131.444444	\$90.000000	\$224.306291	
Commercial 2008 Rate					
Apartments 2008 Rate					

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated December 12, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the award of a bid for the rental of a bucket truck with operator, be received and filed, together with attachments thereto, and be it further

RESOLVED, that the Town award the bid for the rental of a bucket truck with operator for tree trimming and removal during 2009 to the lowest responsive and responsible bidder, Davey Tree Expert Co., at the hourly rate of \$87.00 per hour, for a total cost not to exceed \$24,000.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

RESOLVED, that correspondence dated December 16, 2008 from Dianne Burdett, Administrative Court Clerk, Town of Brighton Justice Court, concerning the acceptance and appropriation of a Justice Court Assistance Program Grant, be received and filed, and be it further

RESOLVED, that the Town hereby accepts a grant in the amount of \$2,332 from the New York State Unified Court System, under the Justice Court Assistance Program, to be used for the purchase of a new printer; and be it further

RESOLVED, that the Town Justice Court Budget be amended to increase appropriations in account A.JUSTCE.1110.213 by \$2,332, to be fully supported by an increase of \$2,332 in revenue account A.JSTCE.1110.3390.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated December 3, 2008 from Thomas M. Voelkl, Chief of Police, concerning a donation of obsolete vests, be received and filed, and be it further

RESOLVED, that the Town hereby declares ten(10) blaze orange vests previously used by crossing guards and police officers to be surplus, because of a change in federal regulations governing the color of such vests, and authorizes them to be donated to the Brighton Central School District.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

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

RESOLVED, that correspondence dated December 11, 2008 from Jerry LaVigne, Director of Parks and Recreation, concerning Town newsletter distribution during 2009, be received and filed, together with attachments thereto, and be it further

RESOLVED, that the Supervisor is hereby authorized to execute an agreement by and between the Town and Perinton Publishing for the distribution of the Town newsletter, upon the terms set forth in such correspondence, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

RESOLVED, that correspondence dated December 11, 2008 from Jerry LaVigne, Director of Parks and Recreation, concerning an agreement to obtain employee background checks, be received and filed, together with an attachment thereto, and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Castle Branch Inc. for background checks during 2009, at a price of \$28.00 per search, upon the terms set forth in the above correspondence and attachment, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that a memorandum dated December 17, 2008, from Paula A. Parker, Director of Finance, concerning a proposed change in the Town's mileage reimbursement rate, be received and filed, together with attachments thereto, and be it further

RESOLVED, that the Town Board hereby amends the Town's mileage reimbursement policy, changing the allowable business mileage reimbursement rate to \$.55 per mile, where such mileage expenses are incurred in accordance with all other provisions of the Policy, effective January 1, 2009.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

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

RESOLVED, that correspondence dated December 22, 2008, from Jay Jeffries, Deputy Highway Superintendent, concerning a budget transfer for the purchase of salt, be received and filed, and be it further

RESOLVED, that the Town Board hereby approves a transfer of \$24,600 from account D.HWY.5110.407 (Highways - Road Repairs) to account D.HWY.5142.409 (Highways - Snow and Ice - Salt), for the purchase of an additional 550 tons of salt.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated December 15, 2008, from Thomas A. Low, Commissioner of Public Works, and a memorandum dated September 12, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the award of a contract for professional services for preliminary design and environmental screening, in connection with the Highland Park/Canalway Trail, the cost of which will be covered by state and federal grant funds, and a local share to be paid by the City of Rochester and the Town of Brighton, be received and filed, and be it further

RESOLVED, that the Town Board hereby awards the contract for the Professional Services to Fisher Associates, upon the terms set forth in their proposal and the above-referenced memorandum, and for a total cost, including state and federal grant assistance not to exceed \$120,000, for the development of alternatives, the review of alternatives with the Town Board and the public, and the preparation of environmental screenings pursuant to FHWA requirements for the proposed Highland Park/Canalway Trail, with the Town's share of the overall cost of the contract, not to exceed \$16,080.

Dated: December 29, 2008

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

December 15, 2008

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

Re: Professional Services Contract Award
Preliminary Design and Environmental Screening Services
Highland Park / Canalway Trail
Fisher Associates

Honorable Members:

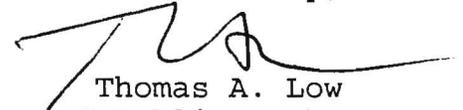
The referenced project would construct a multi-use trail (on street and off) from the Riverway Trail at McLean St., east and south through Highland Park, through the St. John's "Brickstone" project, through the Monroe Developmental Center campus, by the VA center and to the Town Park trail to the Canal. The project is 80% federally aided. Construction funds are scheduled for 2010. This is a joint project with the City, with the City bearing 33% of the local share.

I recommend that the above contract be awarded to Fisher Associates in the hourly rates proposed, the overhead rate proposed (156%) and the profit proposed (12.1%), and for a total amount not to exceed \$120,000.00. Their work would include the development of alternatives, the review of alternatives with the Board and the public, and the preparation of complete environmental screenings per FHWA requirements. Detailed design (plans, specifications and estimates), permit preparation, assistance during the bid phase and full-time construction inspection are not within the current scope, but may be added later. The scope was reviewed with the Public Works Committee at its December 8th meeting.

The firm is not recommended by following our usual methods. Fisher was selected per the NYSDOT-mandated process by which consultants are selected solely based on qualifications, and only then are fees negotiated. Under this process, a written RFP was sent to fifteen regional engineering firms on the "Local Design Services Agreement" list. Fisher was ultimately found to be most qualified of the eleven submitting, as described in the attached (9/12/08).

The State grant agreement (which conveys the Federal funds) for these services anticipated a total cost of \$120,000 and a local share of \$24,000.00. The Town's share of this local share would, thus, be some \$16,080.00.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. A. Low', with a long horizontal flourish extending to the right.

Thomas A. Low
Commissioner of Public Works

cc: P. Parker

letters\consult.Fisher

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 29th day of December, 2008.

PRESENT:

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

RESOLVED, that correspondence dated December 17, 2008, from Thomas A. Low, Commissioner of Public Works, and a memorandum dated December 5, 2008 from Public Works staff, together with an attachment thereto, all concerning proposed amendments to the Town Code concerning Cluster development, be received and filed and forwarded to the Planning Board and Conservation Board for their review and advisory reports.

Dated: December 29, 2008

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUIS NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated December 16, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the public review of the proposed incentive zoning and rezoning of the proposed Brickstone, St. John's Community Project, be received and filed; and be it further

RESOLVED, that the Town Board continue the public hearing on the proposed incentive zoning and rezoning application for Brickstone, held open from the initial August 13, 2008 public hearing, to January 14, 2009 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Ave. in the Town; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to publish and post a legal notice of such public hearing.

Dated: December 29, 2008

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

December 16, 2008

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

Re: Continue Public Review
Proposed Incentive Zoning / Rezoning
Brick stone, a St. John's Community

Honorable Supervisor and Members of the Board:

I recommend that your Honorable Body receive and file this communication.

I further recommend that the Town Board continue its public hearing on the application (held open from your August 13th meeting) for Wednesday, January 14th at 7:30 P.M. .

I further recommend that the Town Board direct the Town Clerk to publish the notice(s) as required by Town Law.

The above actions will allow the public and the Board to continue with the full investigation of this proposal.

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: W. Moehle
R. Boehner
S. Kramarsky

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUIS NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that a memorandum dated December 10, 2008 from Susan Kramarsky, Town Clerk, concerning boarding fees for seized dogs, be received and filed; and be it further

RESOLVED, that the fees for the boarding of seized dogs held at Pittsford Animal Hospital be increased to \$10.50 per night, commencing January 1, 2009.

Dated: December 29, 2008

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

Susan Kramarsky
Town Clerk/Receiver of Taxes

(585) 784-5240
Email: brclerk@rochester.rr.com

TO: Honorable Town Board
FROM: Susan Kramarsky *SK*
RE: Boarding Fees for seized dogs
DATE: December 10, 2008

Based on the authorized contract for the boarding of "seized" animals with Pittsford Animal Hospital, we recommend a slight increase in the fee that the Town shall charge residents when they come to the Town to "release" their impounded dog. The fee has been set at \$10.00 per night for at least the last eight years.

We have reviewed the boarding revenue collected from residents as well as the aggregate of what has been paid out to the Pittsford Animal Hospital. While there is a significant difference in the (itemized) invoices paid - from the revenue for impounded dogs the Town has not subsidized the boarding animal part of the operation.

In order to make the program simple to administer we respectfully request an increase of .50 for each night of boarding beginning on January 1, 2009. (\$10.50) (Pittsford Animal Hospital charges us \$11.50 for the first night and \$8.75 for subsequent nights). The majority of our impounds are for more than one night.

I am happy to answer any questions you may have regarding this recommendation.

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 29th day of December, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Denine K. Carr, Esq., for the provision of legal services in connection with the employment of a particular person by the Town, at an hourly rate not to exceed \$150, and not to exceed \$2000 in the aggregate, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 29, 2008

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 ____