

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

October 22, 2008

PRESENT:

Supervisor Sandra Frankel

Councilmember Sheila Gaddis
Councilmember Louise Novros
Councilmember Ray Tierney
Councilmember James Vogel

William Moehle
Attorney for the Town

Town Clerk
Susan Kramarsky

5:00 P.M. -- MEETING CALLED TO ORDER:

5:15 P.M. -- WORKSHOP:

Cluster Development and related regulations

7:00 P.M. -- RECOGNITIONS/PRESENTATIONS:

*Peter Macon, Artist
Town Hall Mural*

Meals on Wheels 50th Anniversary Proclamation

OPEN FORUM:

1. Jan Smith
2. Bruce Bellwood
3. Tim Balcone
4. Tim Trausch
5. Gary Vernon
6. Chuck Baylis
7. Al Antonez
8. Barbara Vollmar
9. Paul Bush

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board approve the agenda with the addition of newspaper article about NY State economy, communications from Bruce Bellwood, and summary of News article 9/19/08 from Gary Vernon.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

August 27, 2008
 September 10, 2008
 September 24, 2008

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board approve and file the minutes of the August 27, September 10 and September 24, 2008 Town Board Meetings.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Supervisor's 2009 Tentative Operating and Capital Budgets
 (see Resolution #11; communication from Supervisor Sandra L. Frankel and Paula A. Parker, Director of Finance, dated October 22, 2008).

(Complete transcript under separate cover)

1. Wes McAllister, 2120 Clover Street
2. Chuck Baylis, 222 Roosevelt Road
3. Pamela Smith, 37 Danbury Circle North
4. Marion Brown, 33 Irving Road
5. Ron Orbach, 156 Bastian Road
6. Chris Scott, 35 Kirk Drive
7. Councilmember James Vogel

Matter held until November 12, 2008

MATTER RE: 2009 Assessment Rolls for service charges, maintenance charges, capital charges and sewer rent charges for Special Improvement Districts and Special Improvements (see Resolution #12).

(Complete transcript under separate cover)

Matter held until November 12, 2008

MATTER RE: Proposed Agreement by and between the Town of Brighton and the West Brighton Fire Department, Inc. for fire protection services during 2009 (see Resolution #13).

(Complete transcript under separate cover)

Matter held until November 12, 2008

MATTER RE: Proposed "Sylvan Road Parking Restriction Local Law"

(Complete transcript under separate cover)

1. Tom Casteline, 190 Sylvan
2. Judith Hyzen, 212 Sylvan
3. Steve Dianetti 235 Sylvan
4. Bill Price, 305 Sylvan

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that there be no changes to parking as it exists on Sylvan Road.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize bid award of stipulated unit prices with a multiplier of 1.239, to Randsco Pipeline, Inc. for cured in place piping (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 3, 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. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize bid award to Anderson Equipment Company for rental of 24' trench shields (see Resolution #2; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated October 3, 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. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Edmund Russell, III, President, Brighton Memorial Library Board of Trustees, dated October 6, 2008, regarding proposed expansion of Library parking lot entrance/exit

FROM Michael J. Tuohey, dated September 19, 2008, advising that he will not request to renew his term on the Architectural Review Board

FROM Dorraine Carr Laudisi, City of Rochester Bureau of Buildings and Zoning, dated October 20, 2008, notifying of public hearing, 6:30 p.m. on November 6, 2008 at St. Anne Church, 1600 Mt. Hope Avenue regarding the Draft Generic Environmental Impact Statement for proposed Citygate

FROM David Ewell, Animal Control Supervisor, dated October 6, 2008, regarding the 2008 Brighton Rabies Clinic held on October 4th

FROM Monroe County Executive Maggie Brooks, dated October 15, 2008 advising of \$36,000 award to the Town of Brighton for the Buckland Park Sidewalk Project from Monroe County's Community Development Block Grant Program

FROM Donna Silverman, dated October 20, 2008, commenting on the Brighton Farmers' Market

FROM Loretta Kloda, President, Friends of Brighton Memorial Library, dated October 18, 2008, thanking Supervisor Frankel for the Town's proclamation in recognition of Friends of the Library Week

FROM Jennifer T. Ries-Taggart, Executive Director, Brighton Memorial Library, dated October 21, 2008, expressing thanks to Town of Brighton employees for their time and efforts at their recent staff training day

FROM Brighton Food Depot advising that it needs volunteers and food donations and contact may be made by calling Richard Wien at 381-3575 or emailing at richardwwien@yahoo.com

FROM Barbara Tiesler, Music Committee Member, First Baptist Church, dated October 14, 2008, announcing the first event in their concert series being the RIT Gospel Ensemble, held on Saturday, November 1, 2008 at 8:00 p.m.

FROM Michael J. Townsend, Esq., dated October 16, 2008, enclosing copy of Payment in Lieu of Tax Agreement, Application for Real Property Tax Exemption and COMIDA Checklist for Castle Office Group, LLC at 180 Sawgrass Drive

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 – Committee met on 10/15/08. Next meeting November 20, 2008.

Finance and Administrative Services – Committee met on 10/15/08. Next meeting November 5, 2008.

Public Safety Services – no report given. Next meeting November 18, 2008.

Public Works Services – no report given. Next meeting November 3, 2008.

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. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize that 18 Police Department “bean bag” shotguns be declared surplus and used as trade-in allowance toward purchase of new guns (see Resolution #3; letter from Thomas M. Voelkl, Chief of Police, dated October 10, 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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize budget transfers to cover part-time instructor fees (see Resolution #4; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated October 9, 2008).

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. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of Patrick Kozak to permanent, full-time position of Automotive Mechanic in the Highway Department, effective November 3, 2008 with 26-week probationary period (see Resolution #5; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 13, 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. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute extension of snow and ice control services agreement with Town of Pittsford for Allens Creek Road at Monroe County reimbursement rate, currently estimated at \$4,000 per lane mile (estimated lump sum of \$6,600) (see Resolution #6; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 8, 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. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute extension of indexed lump sum snow and ice agreement with New York State Department of Transportation for Town's provision of snow and ice control through 6/30/11 at \$4,372.1838 per lane mile (estimated lump sum of \$168,416.52 (see Resolution #7; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 7, 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. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed code amendment to add prohibiting noise from delivery trucks within 500 feet of a residential property between midnight and 6:00 a.m. (see Resolution #8; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated October 6, 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 Supervisor to propose three alternative projects to Brighton Chamber of Commerce for Monroe Avenue improvements (see Resolution #9; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 6, 2008; Planning Board Advisory Report, dated September 18, 2008; Architectural Review Board Advisory Report, dated September 29, 2008).

Matter held

MATTER RE: Set November 25, 2008 public hearing for proposed Town Code technical amendments 2008-1.1 to 1.11 (see Resolution #14; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 20, 2008, with attachments; Planning Board Advisory Report, dated October 20, 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. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Delay application to Genesee Transportation Council for Unified Planning Work Program funding for traffic and safety study of East River Road (see letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated October 17, 2008).

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to receive and file aforementioned communication.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Expense and Revenue Reports for period ended September 30, 2008.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board adjourn at 10:55 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York held on October 22, 2008 .
and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

Susan 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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 3, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the award of a bid for cured in place piping, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby awards the bid for cured in place piping to Randsco Pipeline, Inc., the sole responsible and responsive bidder, in the stipulated unit prices with a multiplier of 1.239 as bid, for a term ending December 31, 2009, renewable for an additional one year.

Dated: October 22, 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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 3, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the rental of 24 foot trench shields, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby awards the bid for the rental of 24 foot trench shields, to Anderson Equipment Company, for the items and in the amounts shown in the above-referenced correspondence, for a term ending December 31, 2009.

Dated: October 22, 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	_____

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

October 22, 2008

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE TOWN BOARD AUDIT COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>226,780.26</u>
D - HIGHWAY		<u>122,225.18</u>
H - CAPITAL		<u>12,770.08</u>
L - LIBRARY		<u>42,863.13</u>
SB - BUSINESS IMPROVM		<u>60.00</u>
SD - DRAINAGE DIST		<u>60.00</u>
SF - FIRE DIST		<u>180.00</u>
SK - SIDEWALK DIST		<u>8,837.71</u>
SL - LIGHTING DIST		<u>20,113.25</u>
SN-NEIGHBORHOOD DIST.		<u>0.00</u>
SR - REFUSE DIST		<u>59,821.78</u>
SS - SEWER DIST		<u>28,750.07</u>
TA - AGENCY TRUST		<u>18,315.41</u>
TOTAL	\$	<u>540,776.87</u>

UPON ROLL CALL MOTION CARRIED _____

APPROVED BY: _____
SUPERVISOR

COUNCIL MEMBER

COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE TOWN BOARD ON THE ABOVE DATE AND ALLOWED IN THE AMOUNTS SHOWN. YOU ARE HEREBY AUTHORIZED AND DIRECTED TO PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

DATE

TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 10, 2008 from Thomas M. Voelkl, Chief of Police, concerning the disposal of "bean bag" shotguns, be received and filed; and be it further

RESOLVED, that the Town Board hereby declares the 18 Police Department "bean bag" shotguns listed in the above-referenced correspondence be to be surplus and directs that they be traded in and applied towards the purchase of new "bean bag" shotguns.

Dated: October 22, 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	_____

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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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated October 9, 2008 from Jerry LaVigne, Director of Parks and Recreation, concerning budget transfers, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the budget transfers requested by the Director of Parks and Recreation and set forth in the above-correspondence, which will be used to fund additional part-time instructor fees.

Dated: October 22, 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

RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT

220 Idlewood Road
Rochester, NY 14618
<http://www.townofbrighton.org>

(585) 784-5260
Fax: (585) 784-5365
TTY: (585) 784-5381

October 9, 2008

Finance Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Dear Finance Committee Members:

I respectfully request your permission to make the following budget transfers to cover part-time instructor fees.

(From) Debit	A.REC.6772 1.20	PT Wages	\$1,000.00
(To) Credit	A.REC.6772 4..51	Instructors Fees	\$1,000.00
(To) *Credit	A.REC.6772 4.51	Instructors Fees	\$6,000.00
(To) *Debit	A.REC.6772 1972	Sr. Cit. Prog. Fees	\$6,000.00

*** Senior Citizen program revenue is currently over budget by \$6,000. Requesting an increase in instructor fees by same amount to cover staffing costs.**

(From) Debit	A.REC.7140 1.20	PT Wages	\$7,800.00
(To) Credit	A.REC.7310 4.51	Instructors Fees	\$7,800.00

I will be happy to answer any questions you may have regarding these transfers.

Sincerely,

Jerry LaVigne
Director of Parks and Recreation

Cc: M. Legasse

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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 13, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the appointment of an Automotive Mechanic, be received and filed; and be it further

RESOLVED, that the Town Board hereby concurs in the appointment of Patrick Kozak, to the full-time, 40 hour per week position of Automotive Mechanic in the Highway Department at the base hourly rate of \$25.54, effective November 3, 2008, on a probationary basis with a probationary period of 26 weeks.

Dated: October 22, 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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 8, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the snow and ice control services agreement for Allens Creek Road, with the Town of Pittsford, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the extension of the existing agreement by and between the Town of Brighton and the Town of Pittsford for snow and ice control services on Allens Creek Road in the Town of Pittsford, under which the Town of Pittsford will pay the Town of Brighton for plowing the portion of Allens Creek Road within the Town of Pittsford, at the Monroe County reimbursement rate for snow and ice removal services.

Dated: October 22, 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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 7, 2008 from Thomas A. Low, Commissioner of Public Works, concerning snow and ice control on State highways in the Town of Brighton, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized and directed to execute and deliver an agreement by and between the Town and the New York State Department of Transportation to extend the agreement under which the Town provides snow and ice control on State Highways located in the Town through June 30, 2011; and be it further

RESOLVED, that the Town Board hereby approves a new map of State Highways to be maintained under such snow and ice control agreement in the Town commencing with the 2008-2009 snow removal season; and be it further

RESOLVED, that the estimated indexed amount pay payable to the Town under such agreement during the 2008-09 snow removal season shall be \$168,416.52.

Dated: October 22, 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 22nd day of October, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 6, 2008 from Thomas A. Low, Commissioner of Public Works, concerning a proposed amendment to the Town Code relating to noise from delivery trucks, be received and filed and referred to the Planning Board for an Advisory Report.

Dated: October 22, 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

October 6, 2008

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

Re: Proposed Code Amendment
Noise from delivery trucks

Honorable Supervisor and Members of the Board :

The Public Works Committee reviewed a possible amendment to volume I of the Code at their meeting of October 6th. The amendment would add, in Chapter 102, section 3.B) to the list of prohibited noises the following:

(17) Truck deliveries within 500 ft. of a residential property: No use may accept such deliveries, nor may a truck be operated to make such deliveries, earlier than 6 a.m. nor later than 12:00 midnight.

I recommend that you receive and file this letter and then refer it to the Planning Board for an advisory report. Such a referral is not required for such an amendment, but is desirable in this case because of the Planning Board's experiences in dealing with noise from commercial operations.

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: W. Moehle
R. Bohner

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 22nd day of October 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

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

RESOLVED, that correspondence dated October 20, 2008 from Thomas A. Low, Commissioner of Public Works, and correspondence dated October 20, 2008 from Ramsey A. Boehner, Executive Secretary of the Planning Board, both concerning proposed technical amendments to the Town Code, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that pursuant to Article 3 of the Municipal Home Rule Law of the State of New York, a public hearing on a proposed Local Law of 2008 entitled "Second 2008 Technical Code Amendments Local Law", in the form presented to this meeting, and the environmental impacts thereof, be held by the Town Board of the Town of Brighton on the 25th day of November, 2008, at 7:30 o'clock PM, prevailing time, at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town to consider the proposed Local Law and to hear all persons interested therein and to take such action as may be proper, and it is further

RESOLVED, that the Town Clerk is hereby directed to publish and post a notice of such public hearing as required by law.

Dated: October 22, 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

October 20, 2008

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

Re: Amend Town Code
Technical Amendments 2008-1.1 to 1.11

Honorable Supervisor and Members:

I recommend that your Honorable Body receive and file this communication and the Planning Board's advisory report of this date.

These proposed amendments were received and filed by your Honorable Body at your meeting of June 11th. Based upon comments received then, and upon research subsequent, we have altered the proposal for clothing drop boxes (1.7) and have stripped out the proposal for "cluster development" for separate consideration.

I further recommend that you set a public hearing for these proposed amendments for your second November meeting (Tuesday the 25th).

Sincerely,

Thomas A. Low
Commissioner of Public Works

cc: R. Boehner