

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

July 23, 2008

PRESENT:

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

William Moehle  
Attorney for the Town

Susan Kramarsky  
Town Clerk

**MEETING CALLED TO ORDER:**

**RECOGNITIONS/PRESENTATIONS:**

*National Night Out Proclamation*

**OPEN FORUM:**

1. Anthony J. Costello
2. Mathew Leno
3. Joel Shapiro
4. Annette Holohan
5. Al Antonez
6. Mathew Leno
7. Linda Gold Ruda
8. Joan Rubin
9. Jim Miller
10. Alan Schwartz
11. Julie Clayton
12. Stanley Schaffer
13. Terry Slaybaugh
14. Anthony Costello
15. Cindy Hirshberg
16. Anthony Costello
17. Al Schwartz
18. Lisa Sponsol
19. Kathy Krebs
20. Maab Fitzgerald
21. Judy Schwartz
22. Keri Merz
23. Joel Shapiro

**APPROVAL OF AGENDA:**

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board approve the agenda with the addition of communication from Anthony Costello, Al Antonez, Joan Rubin, Stanley Schaffer, Linda Gold Ruda, and petitions from Judy Schwartz.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:**

June 25, 2008  
July 9, 2008

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board approve and file the minutes of the June 25, 2008 and July 9, 2008 Town Board Meetings.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

**MATTER RE:** Proposed Klink-Burkedale Refuse District (see Resolution#7; communication from Jim Cory, dated July 23, 2008).

(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

**MATTER RE:** Proposed Amendment to Flood Damage Prevention Local Law (see Resolution #6).

(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. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PETITIONS:**

**MATTER RE:** Set August 27, 2008 public hearings for proposed Maywood, Modelane, Pickford, Shalimar and Willowbend Refuse Districts (see Resolutions #10, 11, 12, 13 and 14; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated July 18, 2008 with attached maps, plans, reports and petitions tallies).

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 Nos. 3, 4, 5, 6 and 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Request for amendment to Town Code Noise Ordinance to prohibit refrigerated truck deliveries at Twelve Corners Plaza after 10:00 p.m. (see petition dated July 10, 2008).



Community Services. Next meeting July 24, 2008.

Finance and Administrative Services Councilmember Sheila Gaddis July 16, 2008. Next meeting August 6, 2008.

Public Safety Services. Next meeting August 12, 2008.

Public Works Services. Next meeting August 12, 2008.

**OLD BUSINESS:**

**MATTER RE:** Proposed removal of 35" silver maple tree at 11 Seminole Way.

MATTER HELD

**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. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute one-year contract with GAR for commercial valuation services, not exceeding \$15,000 with additional \$2,500 fee for on-line access to verified commercial sales data base, effective August 1, 2008 through July 31, 2009 (see Resolution #2; memorandum from Elaine Ainsworth, Assessor, dated July 11, 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. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize conditional offer of employment to Justin R. Keller for the position of police officer, effective August 16, 2008, with seventy-eight weeks probationary period (see Resolution #9; letter from Thomas M. Voelkl, Chief of Police, dated July 21, 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. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Accept donations, totaling \$12,130, for the Town's Fourth of July celebration (see Resolution #3; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated July 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. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Amend requirements for insurance coverage for licensed plumbers seeking Town of Brighton permit by deleting the automobile liability requirement (see Resolution #4; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated July 18, 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

**MATTER RE:** Authorize drainage maintenance responsibility for construction at 1654/1664 Monroe Avenue (see Resolution #8; letter from Timothy E. Keef, P.E., Town Engineer, dated July 18, 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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize agreement with Summit Federal Credit Union for drainage mitigation at 1654/1664 Monroe Avenue (see Resolution #8a; letters from Timothy E. Keef, P.E., Town Engineer, dated July 18, 2008; Mark D. Brewer, Vice President, Summit Federal Credit Union, dated July 16, 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. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE SUPERVISOR:**

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

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

**MATTER RE:** Governor signed S.8137 allowing Brighton to establish a transportation development district to facilitate the construction and financing of the Senator Keating Boulevard completion.

**MATTERS OF THE TOWN CLERK:**

**MATTER RE:** Authorize agreement with Applied Business Systems to print, insert reply envelope and mail tax bills (see Resolution #5; memorandum from Susan Kramarsky, Town Clerk, dated July 1, 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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED:**

Motion by Councilmember James Vogel seconded Sheila Gaddis by that the Town Board adjourn at 10:10 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 July 23, 2008 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

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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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

In the Matter of the  
Establishment of  
The Klink-Burkedale Refuse District  
Town of Brighton, Monroe County,  
New York

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**WHEREAS**, as record owners of more than fifty percent (50%) of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit AA and also including the signatures of resident owners owning more than fifty (50%) of the assessed value of taxable real property owned by resident owners within such area, in the Town of Brighton, County of Monroe, have presented to the Town Board at a meeting of said Board held on the 25th day of June 2008, a Petition requesting that The Klink-Burkedale Refuse District be established in such area, in said Town bounded and described in the attached Exhibit AA; and

**WHEREAS**, said Petition provides for the provisions of refuse services to said property wholly at the expense of the petitioners; and

**WHEREAS**, said Town Board duly adopted on the 25th day of June, 2008, an Order providing that the Town Board shall meet at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town on the 23rd day of July, 2008, at 7:30 P. M., prevailing time, to consider said petition and to hear all persons interested in the subject thereof, and certified copies of said Order having been duly published and posted as prescribed by law and said Town Board having met at the time and place specified in said Order and having considered said petition and having heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and the said Town Board having given due deliberation to the matter; and

**WHEREAS**, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made;

**NOW, THEREFORE, BE IT ORDERED** by the Town Board of the Town of Brighton that it be and hereby is determined as follows: (1) that said petition is signed and acknowledged or approved as required by law and is otherwise sufficient; and that the petition complies with section 191 of the Town Law and such other sections of Chapter 62 of the Consolidated Laws of the State of New York as are properly applicable thereto, and that there is annexed to said petition, a map and plans showing the boundaries of the proposed District; (2) that the petitioners own more than 50% of all the taxable real property of the proposed District and are more than 50% of all resident owners of taxable real property in said proposed District according to the latest completed assessment roll in the Town of Brighton; and that all property and property owners benefited are included therein and that no property or property owners or interested persons benefited thereby have been excluded therefrom; and that all the property and property owners within the proposed District are benefited thereby; and that it is in the public interest to grant the whole relief sought in the said petitions; and be it further;

**ORDERED**, that the said petition praying that The Klink-Burkedale Refuse District of the Town of Brighton be established to include certain real property hereinbefore described be, and the same hereby is, granted, with the costs thereof to be charged on a benefits derived basis; and be it further

**ORDERED**, that the Town Clerk be, and hereby is directed to record a certified copy of this Order in the office of the Clerk of the County of Monroe and to file a certified copy of this Order within ten days after the adoption of this Order.

Dated: July 23, 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	_____

STATE OF NEW YORK)  
COUNTY OF MONROE ) ss:

I, SUSAN KRAMARSKY, Town Clerk of the Town of Brighton, Monroe County, New York, do hereby CERTIFY that I have compared the foregoing copy of the Order and Resolution with the original thereof adopted by the Town Board of Brighton, on the 23rd day of July 2008, and filed in my office on the same day, and that the said foregoing copy is a true and correct copy of said original Order and Resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the seal of said Town this 23rd day of July, 2008.

SUSAN KRAMARSKY, Town Clerk  
Town of Brighton, Monroe County

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 23rd day of July, 2008, at 7:30 P.M., prevailing time, to consider the adoption of a proposed Local Law of 2008 entitled "Amendment to Flood Damage Prevention Local Law" for the Town of Brighton, Monroe County, New York; and

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

**WHEREAS**, based on the materials submitted and testimony heard at the public hearing, the Town Board has determined that the adoption of the proposed Local Law will not have a significant adverse impact on the environment; and

**WHEREAS**, based on the materials submitted and testimony heard at the public hearing, the Town Board deems it necessary and advisable to adopt the proposed Local Law.

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that the Town Board of the Town of Brighton, hereby adopts a Negative Declaration under the State Environmental Quality Review Act with respect to the proposed Local Law; and be it further

**RESOLVED**, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, the Town Board of the Town of Brighton hereby enacts the Local Law of 2008 entitled

"Amendment to Flood Damage Prevention Local Law", in the form attached hereto as Exhibit "A", for the Town of Brighton, Monroe County, New York.

Dated: July 23, 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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

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In the Matter of the  
Establishment of  
The Maywood Drive Refuse District  
Town of Brighton, Monroe County,  
New York

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**WHEREAS**, petitions have been presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%) of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit "A" and also including the signatures of resident owners owning more than fifty percent (50%) of the assessed value of taxable real property owned by resident owners within such area, praying that the Maywood Drive Refuse District be established in such area, which is wholly within the Town of Brighton, County of Monroe, New York; and

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

**WHEREAS**, it appears by said petitions that refuse services are to be provided within such proposed district, and the cost of providing such service is to be paid by the owners of benefited properties on a

benefits derived basis and no Town obligations will be required to be issued to defray any part of said cost; and

**WHEREAS**, a map and plan and report for the proposed District has been prepared by the Town's Public Works Department and is annexed to said petitions; and

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that correspondence dated July 18, 2008 from Thomas A. Low, Commissioner of Public Works, be received and filed; and be it further.

**ORDERED**, that the above-referenced petitions, and the map, plan and report of the proposed district, together with attachments thereto, be received and filed; and be it further

**ORDERED**, that a public hearing be held at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 27<sup>th</sup> day of August, 2008, at the Town Hall, 2300 Elmwood Avenue to consider the said petition and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

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

Dated: July 23, 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	_____

STATE OF NEW YORK)  
COUNTY OF MONROE ) ss.

I, SUSAN KRAMARSKY, the Town Clerk of the Town of Brighton, Monroe County, New York, do hereby CERTIFY that I have compared the foregoing copy of an Order adopted by the Town Board of the Town of Brighton at a meeting of the said Board duly held on July 23, 2008, with the original of said Order which is on file in the Brighton Town Clerk's office and entered in the Minutes of the said meeting and that the foregoing copy is a true and exact copy of the said original Order and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Brighton this 23rd day of July, 2008.

\_\_\_\_\_  
Susan Kramarsky, Town Clerk  
Town of Brighton, Monroe County,  
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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

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In the Matter of the  
Establishment of  
The Modelane Refuse District  
Town of Brighton, Monroe County,  
New York

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**WHEREAS**, petitions have been presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%) of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit "A" and also including the signatures of resident owners owning more than fifty percent (50%) of the assessed value of taxable real property owned by resident owners within such area, praying that the Modelane Refuse District be established in such area, which is wholly within the Town of Brighton, County of Monroe, New York; and

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

**WHEREAS**, it appears by said petitions that refuse services are to be provided within such proposed district, and the cost of providing such service is to be paid by the owners of benefited properties on a

benefits derived basis and no Town obligations will be required to be issued to defray any part of said cost; and

**WHEREAS**, a map and plan and report for the proposed District has been prepared by the Town's Public Works Department and is annexed to said petitions.

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that correspondence dated July 18, 2008 from Thomas A. Low, Commissioner of Public Works, be received and filed; and be it further

**ORDERED**, that the above-referenced petitions, and the map, plan and report of the proposed district, together with attachments thereto, be received and filed; and be it further

**ORDERED**, that a public hearing be held at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 27<sup>th</sup> day of August, 2008, at the Town Hall, 2300 Elmwood Avenue to consider the said petition and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

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

Dated: July 23, 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	_____

STATE OF NEW YORK)  
COUNTY OF MONROE ) ss.

I, SUSAN KRAMARSKY, the Town Clerk of the Town of Brighton, Monroe County, New York, do hereby CERTIFY that I have compared the foregoing copy of an Order adopted by the Town Board of the Town of Brighton at a meeting of the said Board duly held on July 23, 2008, with the original of said Order which is on file in the Brighton Town Clerk's office and entered in the Minutes of the said meeting and that the foregoing copy is a true and exact copy of the said original Order and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Brighton this 23rd day of July, 2008.

\_\_\_\_\_  
Susan Kramarsky, Town Clerk  
Town of Brighton, Monroe County,  
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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

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In the Matter of the  
Establishment of  
The Pickford Road Refuse District  
Town of Brighton, Monroe County,  
New York

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**WHEREAS**, petitions have been presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%) of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit "A" and also including the signatures of resident owners owning more than fifty percent (50%) of the assessed value of taxable real property owned by resident owners within such area, praying that the Pickford Road Refuse District be established in such area, which is wholly within the Town of Brighton, County of Monroe, New York; and

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

**WHEREAS**, it appears by said petitions that refuse services are to be provided within such proposed district, and the cost of providing such service is to be paid by the owners of benefited properties on a

benefits derived basis and no Town obligations will be required to be issued to defray any part of said cost; and

**WHEREAS**, a map and plan and report for the proposed District has been prepared by the Town's Public Works Department and is annexed to said petitions.

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that correspondence dated July 18, 2008 from Thomas A. Low, Commissioner of Public Works, be received and filed; and be it further

**ORDERED**, that the above-referenced petitions, and the map, plan and report of the proposed district, together with attachments thereto, be received and filed; and be it further

**ORDERED**, that a public hearing be held at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 27<sup>th</sup> day of August, 2008, at the Town Hall, 2300 Elmwood Avenue to consider the said petition and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

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

Dated: July 23, 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	_____

STATE OF NEW YORK)  
COUNTY OF MONROE ) ss.

I, SUSAN KRAMARSKY, the Town Clerk of the Town of Brighton, Monroe County, New York, do hereby CERTIFY that I have compared the foregoing copy of an Order adopted by the Town Board of the Town of Brighton at a meeting of the said Board duly held on July 23, 2008, with the original of said Order which is on file in the Brighton Town Clerk's office and entered in the Minutes of the said meeting and that the foregoing copy is a true and exact copy of the said original Order and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Brighton this 23rd day of July, 2008.

\_\_\_\_\_  
Susan Kramarsky, Town Clerk  
Town of Brighton, Monroe County,  
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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons

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In the Matter of the  
Establishment of  
The Shalimar Drive Refuse District  
Town of Brighton, Monroe County,  
New York

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**WHEREAS**, petitions have been presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%) of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit "A" and also including the signatures of resident owners owning more than fifty percent (50%) of the assessed value of taxable real property owned by resident owners within such area, praying that the Shalimar Drive Refuse District be established in such area, which is wholly within the Town of Brighton, County of Monroe, New York; and

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

**WHEREAS**, it appears by said petitions that refuse services are to be provided within such proposed district, and the cost of providing such service is to be paid by the owners of benefited properties on a

benefits derived basis and no Town obligations will be required to be issued to defray any part of said cost; and

**WHEREAS**, a map and plan and report for the proposed District has been prepared by the Town's Public Works Department and is annexed to said petitions.

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that correspondence dated July 18, 2008 from Thomas A. Low, Commissioner of Public Works, be received and filed; and be it further

**ORDERED**, that the above-referenced petitions, and the map, plan and report of the proposed district, together with attachments thereto, be received and filed; and be it further

**ORDERED**, that a public hearing be held at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 27<sup>th</sup> day of August, 2008, at the Town Hall, 2300 Elmwood Avenue to consider the said petition and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

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

Dated: July 23, 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	_____

STATE OF NEW YORK)  
COUNTY OF MONROE ) ss.

I, SUSAN KRAMARSKY, the Town Clerk of the Town of Brighton, Monroe County, New York, do hereby CERTIFY that I have compared the foregoing copy of an Order adopted by the Town Board of the Town of Brighton at a meeting of the said Board duly held on July 23, 2008, with the original of said Order which is on file in the Brighton Town Clerk's office and entered in the Minutes of the said meeting and that the foregoing copy is a true and exact copy of the said original Order and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Brighton this 23rd day of July, 2008.

\_\_\_\_\_  
Susan Kramarsky, Town Clerk  
Town of Brighton, Monroe County,  
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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

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In the Matter of the  
Establishment of  
The Willowbend Refuse District  
Town of Brighton, Monroe County,  
New York

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**WHEREAS**, petitions have been presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%) of the taxable assessed value of taxable real property within the area bounded and described in the attached Exhibit "A" and also including the signatures of resident owners owning more than fifty percent (50%) of the assessed value of taxable real property owned by resident owners within such area, praying that the Willowbend Refuse District be established in such area, which is wholly within the Town of Brighton, County of Monroe, New York; and

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

**WHEREAS**, it appears by said petitions that refuse services are to be provided within such proposed district, and the cost of providing such service is to be paid by the owners of benefited properties on a

benefits derived basis and no Town obligations will be required to be issued to defray any part of said cost; and

**WHEREAS**, a map and plan and report for the proposed District has been prepared by the Town's Public Works Department and is annexed to said petitions.

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that correspondence dated July 18, 2008 from Thomas A. Low, Commissioner of Public Works, be received and filed; and be it further

**ORDERED**, that the above-referenced petitions, and the map, plan and report of the proposed district, together with attachments thereto, be received and filed; and be it further

**ORDERED**, that a public hearing be held at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 27<sup>th</sup> day of August, 2008, at the Town Hall, 2300 Elmwood Avenue to consider the said petition and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

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

Dated: July 23, 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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 14, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the grinding of stock piled leaves for July, 2008, be received and filed; and be it further

**RESOLVED**, that the bids for the grinding of brush and wood waste received by the Town of Brighton on July 2, 2008 be rejected;

Dated: July 23, 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

July 23, 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>243,639.80</u>
CS - RISK RETENTION	<u>0.00</u>
CT - TL200 ROAD IMPROV	<u>0.00</u>
D - HIGHWAY	<u>204,238.27</u>
H - CAPITAL	<u>110,113.00</u>
L - LIBRARY	<u>44,380.76</u>
SA - AMBULANCE DIST	<u>0.00</u>
SB - BUSINESS IMPROVM	<u>120.00</u>
SD - DRAINAGE DIST	<u>120.00</u>
SF - FIRE DIST	<u>0.00</u>
SK - SIDEWALK DIST	<u>115,213.46</u>
SL - LIGHTING DIST	<u>0.00</u>
SM - SNOW REMOVAL DST	<u>0.00</u>
SN-NEIGHBORHOOD DIST.	<u>0.00</u>
SR - REFUSE DIST	<u>59,821.78</u>
SS - SEWER DIST	<u>45,288.74</u>
SW - WATER DIST	<u>0.00</u>
TA - AGENCY TRUST	<u>21,902.44</u>
TE - EXPENDABLE TRUST	<u>0.00</u>
V - DEBT SERVICE	<u>0.00</u>
TOTAL	\$ <u><b>844,838.25</b></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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated July 11, 2008 from Elaine Ainsworth, Town Assessor, together with correspondence dated May 1, 2008 and revised July 1, 2008 from Cindy Baire, Vice President, Gar Associates, Inc., concerning commercial assessment consulting services, be received and filed; and be it further

**RESOLVED**, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town of Brighton and GAR Associates, Inc. for commercial real estate valuation services, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: July 23, 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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated July 21, 2008, from Thomas M. Voelkl, Chief of Police, concerning the appointment of a Police Officer, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes a conditional offer of employment as a Brighton Police Officer to Justin R. Keller, effective August 16, 2008 at a starting salary of \$52,051 in accordance with Article 8 of the Collective Bargaining Agreement between the Town of Brighton and the Brighton Police Patrolman's Association, on a probationary basis, pending successful completion of all testing, evaluation and approval, with a probationary period of 78 weeks.

Dated: July 23, 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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated July 10, 2008 from Jerry LaVigne, Director of Parks and Recreation, concerning donations for the Town's July 4<sup>th</sup> Celebration, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby gratefully accepts the donations to the Town's 4<sup>th</sup> of July Celebration, listed in the above referenced correspondence.

Dated: July 23, 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

July 10, 2008

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

Dear Finance Committee Members:

I respectfully request your permission to accept the following donations that were made by various corporate sponsors for our July 4<sup>th</sup> celebration. The donations are as follows:

Landsman Development	\$1,000.00
Hurlbut Nursing Home	\$2,500.00
Wegmans	\$2,000.00
Paris Kirwan Associates	\$250.00
Don's Original	\$300.00
Tuthill Lighting	\$250.00
JP Morgan Chase	\$300.00
Canandaigua National Bank	\$500.00
Waste Management	\$1,000.00
Rochester Plow	\$500.00
Stantec	\$500.00
Frontier Corp	\$2,500.00
Twelve Corners Mobile	\$200.00
Victor Furniture	\$150.00
Starbucks coffee valued at	\$180.00

I will be happy to answer any questions you may have regarding this matter.

Sincerely,

Jerry LaVigne  
Director of Parks and Recreation

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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that a correspondence dated June 30, 2008 from Thomas A. Low, Commissioner of Public Works, concerning amendments to the insurance requirements for plumbers seeking permits, together with attachments thereto, be received and filed; and be it further

**RESOLVED**, that pursuant to Section 125-5 of the Town Code, the Town Board hereby amends the requirements for insurance coverage for licensed plumbers seeking plumbing permits from the Town, by deleting the requirement that such plumbers maintain automobile liability insurance coverage, but retaining all other insurance requirements in full force and effect.

Dated: July 23, 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

July 18, 2008

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

Re: Amend Resolution  
Insurance for Plumbers seeking Permits

Honorable Members:

Section 125-5 of the Code allows the Town Board, by resolution, to amend the requirements for insurance coverage laid upon licensed plumbers seeking a permit from the Town. I recommend that your Honorable Body amend those requirements (attached) to delete the automobile liability. General liability and worker's compensation coverages would still be required.

This matter has been reviewed with Paris-Kirwin, and they concur.

Sincerely,

Thomas A. Low  
Commissioner of Public Works

cc: S. Kramarsky



## Town Of Brighton

MONROE COUNTY, NEW YORK

2300 ELMWOOD AVENUE / ROCHESTER, NEW YORK 14618 /

TO WHOM IT MAY CONCERN:

RE: Insurance Certificate Requirements

Chapter 125, Section 5 of the Town Code requires applicants for plumbing permits to have insurance certificates on file with the Town. Chapter 166, Section 22[A] requires applicants for permits to work within the R-O-W also to have insurance certificates on file with the Town.

The following is the minimum types and amounts of coverage required pursuant to the referenced sections of the Code:

- 1] General liability
  - \$2,000,000 general aggregate
  - \$2,000,000 products
  - \$1,000,000 personal injury
  - \$1,000,000 each occurrence
- 2] Automobile liability
  - \$1,000,000 combined single limit
  - covering any auto, hired autos & nonowned autos
- 3] Worker's compensation
  - Statutory limits
- 4] The Town to be named as an additional insured
- 5] The Town to be the certificate holder, and
- 6] 30-day notice of cancellation to be provided by the issuer[s].

Please check your insurance certificates to make sure future certificates will have the correct coverage. If coverage needs to be adjusted, contact your insurance agent to insure that new certificates mailed to us meet all required amounts.

Respectfully yours,

Thomas A. Low  
Commissioner of Public Works



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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

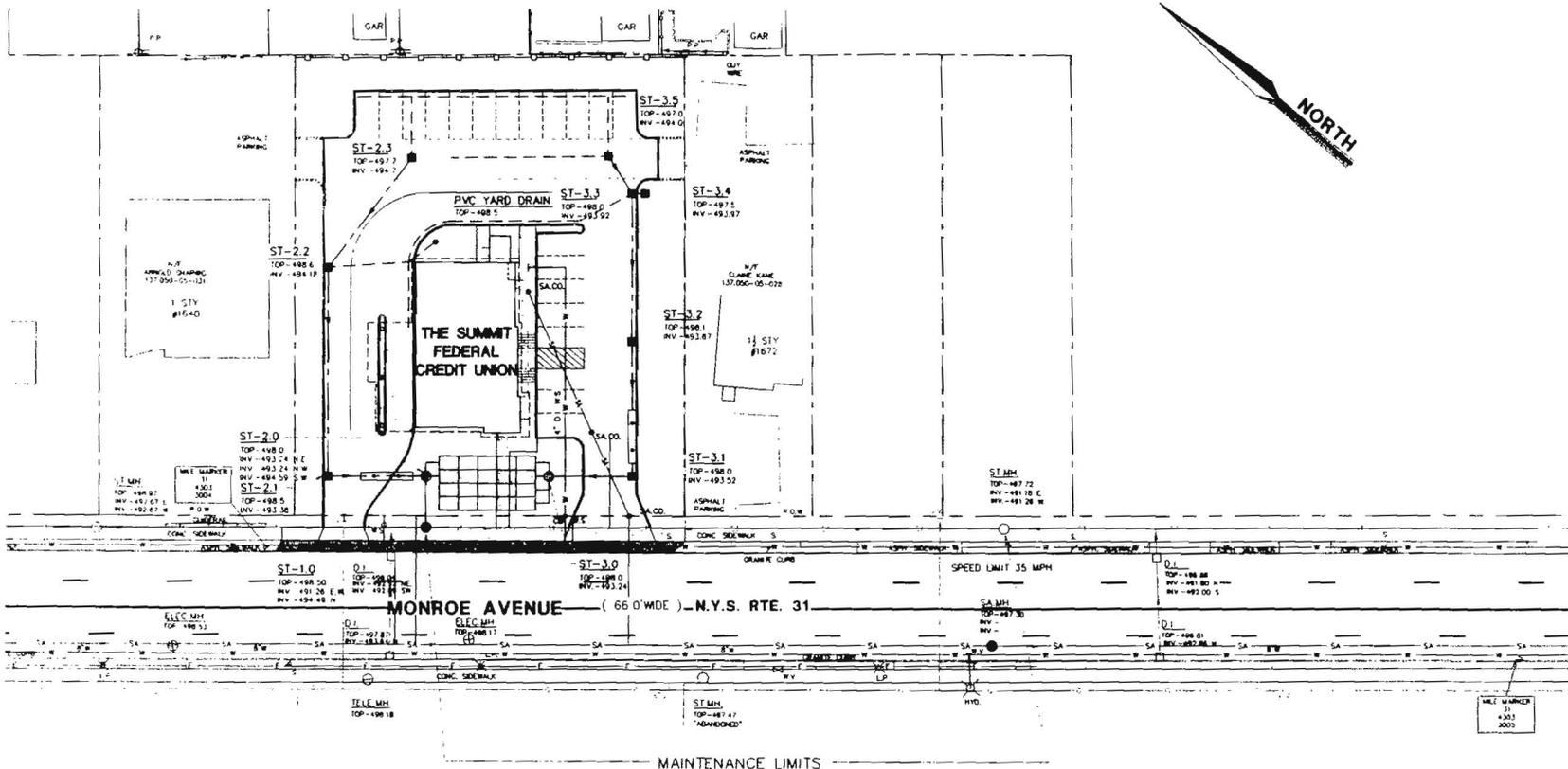
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated July 18, 2008, from Timothy E. Keef, P.E., Town Engineer, concerning drainage maintenance at the proposed Summit Federal Credit Union branch office at 1654/1664 Monroe Avenue, be received and filed; and be it further

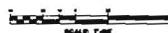
**RESOLVED**, that the Town of Brighton agrees to assume maintenance responsibility for the drainage mitigation system at the proposed Summit Federal Credit Union branch on Monroe Avenue, to the New York State Department of Transportation Storm Sewer System along Monroe Avenue, effective upon completion of the drainage system per the attached drawing.

Dated: July 23, 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	_____



**STORM WATER MAINTENANCE LIMITS**  
**THE SUMMIT FEDERAL CREDIT UNION**  
 1654-1664 MONROE AVENUE  
 JULY 16, 2008



**PARRONE**  
 engineering

THE PIANO WORKS  
 349 WEST COMMERCIAL STREET  
 SUITE 3200  
 EAST ROCHESTER, NEW YORK 14445  
 T 585.586.0200 F 585.586.6752

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 PARRONE engineering

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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

**RESOLVED**, that correspondence dated July 18, 2008, from Timothy E. Keef, P.E., Town Engineer, concerning an agreement between the Town and Summit Federal Credit Union for a drainage maintenance agreement covering the Credit Union's proposed branch office at 1654/1664 Monroe Avenue, together with correspondence dated July 16, 2008 from Mark D. Brewer, Vice President, the Summit Federal Credit Union, 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 the Summit Federal Credit Union for maintenance of the storm water mitigation system improvements at the proposed new branch of the Summit Federal Credit Union at 1654/1664 Monroe Avenue by the Summit Federal Credit Union, which agreement shall be in form and substance as may be approved by the Attorney for the Town and the Town Engineer.

Dated: July 23, 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 23rd day of July, 2008.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated July 1, 2008 from Susan Kramarsky, Town Clerk and Receiver of Taxes, concerning a contract with Applied Business System for processing tax bills, 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 Applied Business Systems for the printing, assembling and mailing of tax bills, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: July 23, 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, Town Clerk and Receiver of Taxes**  
**RE: Applied Business Systems**  
**DATE: July 1, 2008**

As a continuation of the program which we have implemented over the last few years I am presenting this request to again enter into an agreement with Applied Business Systems (the County vendor for printing of tax bills) to print and insert the a reply envelope- and mail the tax bills from their warehouse in Batavia New York.

By allowing ABS to mail the bills we will be able to use their sorting software to save approximately 4 cents per piece in mailing cost, as well as the staff time for metering and delivery to the post office.

I respectfully request your approval of an agreement in such form as approved by the Attorney for the Town.