

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

January 9, 2008

PRESENT: Councilmember James Vogel
Councilmember Ray Tierney
Councilmember Louise Novros
Councilmember Sheila Gaddis
Supervisor Sandra Frankel

William Moehle
Attorney for the Town

Town Clerk
Susan Kramarsky

MEETING CALLED TO ORDER: 7:15 PM

OPEN FORUM:

Brighton Rotary acknowledge international visitors
Veterans' Memorial Committee Concept Proposal,
Green Brighton Task Force Progress Report
Judy Schwartz, Brighton Neighbors United Pot Luck Supper March 2, 2008
Chris Scott, Brighton Republican Committee

APPROVAL OF AGENDA:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros that the Town Board approve the agenda with the addition of Matters Re: Appointments to the Zoning Board of Appeals and to the Library Board of Trustees.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

June 12, 2007
November 28, 2007

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis that the Town Board approve the Town Board minutes of June 12, 2007 and November 28, 2007.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed amendment to the 2007 Temporary Amendment to the Noise Control Law to extend construction period for the NYS DOT I490 from S. Landing Road to 31F resurfacing project (see Resolution #9).

Supervisor Sandra Frankel arrived at 8:15 PM

(Complete Transcript Under Separate Cover)

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros to deny the Local Law as prepared by the Attorney for the Town as set forth on Exhibit 1 attached. (Note for minutes Local Law and Public hearing Documents are filed with Local Laws of 2008)

UPON ROLL CALL THE FOLLOWING VOTE WAS RECORDED:

Councilmember James Vogel	aye
Councilmember Ray Tierney	aye
Councilmember Louise Novros	aye
Councilmember Sheila Gaddis	no
Supervisor Sandra Frankel	aye

MOTION CARRIED

BIDS:

MATTER RE: Award bid, total not exceeding \$7,600, to M. L. Caccamise Electric, Inc. for street lighting maintenance in 2008 (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 20, 2007).

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 on Exhibit No. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Award bid, total not exceeding \$24,000, to Birchcrest Tree and Landscape, Inc. and Landscape, Inc. for rental of bucket truck, with operator for 2008 (see Resolution #2; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 20, 2007).

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 on Exhibit No. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation of competitive bids for the construction of East Avenue of East Avenue sidewalks from Oak Lane to Penfield Road, completely funded with a grant from the New York State Department of Transportation Multi-modal program (see Resolution #6; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 27, 2007).

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 on Exhibit No. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Monroe County Executive Maggie Brooks, dated December 26, 2007, notifying of \$43,500 Community Development Block Grant award to Brighton for the Western and Southern Drives reconstruction project

FROM Jaclyn A. Brillling, Secretary, State of New York Department of Public Service, dated December 19, 2007, advising that temporary operating authority under which Time Warner-Syracuse Division has been providing service in Brighton is granted, expiring June 28, 2008

FROM Chris Mueller, Manager, Government Affairs, Time Warner Cable, dated December 21, 2007, enclosing copies of FCC forms 1240 and 1205 for 2008 and revised 2007 1240 forms

FROM Monroe County Executive Maggie Brooks and David M. Barry, Jr., Clerk of Monroe County Legislature, dated December 21, 2007, enclosing copy of the summary statements and tax levy computation of the 2007 Monroe County Budget

FROM Anthony J. Costello, Chairman and CEO, Anthony J. Costello & Son Development, dated December 18, 2007 regarding the Senator Keating Boulevard site incentive zoning application

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board receive and file the foregoing communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

There has been no meeting of the Community Services Committee since the last Town Board meeting. The next meeting will be January 17, 2008.

There has been no meeting of the Finance and Administrative Services Committee since the last Town Board meeting. The next meeting will be January 16, 2008.

There has been no meeting of the Public Safety Committee since the last Town Board meeting. The next meeting will be February 12, 2008.

Councilmember James Vogel reported on the Public Works Committee meeting of January 7, 2008. The next meeting will be February 4, 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 on Exhibit No. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Accept retirement of Donald Story from position of Sewer Foreman, effective January 31, 2008, and amend the Sewer Department Table of Organization (see Resolution #3; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated December 28, 2007).

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 on Exhibit No. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Realtime Reporting for stenographic services during 2008 at cost of \$5 per page transcribed, plus \$145 appearance fee (see Resolution #4; memorandum from Susan Kramarsky, Town Clerk, dated January 3, 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 on Exhibit No. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize purchase offers for sewer construction easements to property owners at 3437, 3455 and 3489 Elmwood Avenue (see Resolution #5; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 27, 2007).

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 on Exhibit No. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set February 13, 2008 public hearing for proposed amendments to Town Code for property maintenance and junk vehicles penalties, conveyances permits, fire sprinkler systems and the Fire Alarm Ordinance (see Resolution #10; communications from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated January 2 and 7, 2008).

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth on Exhibit No. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Award professional services contract to Urban Forestry LLC, not exceeding \$2,500, for a hazard tree survey (see Resolution #7; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated December 19, 2007, 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 on Exhibit No. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of Gary Larusso to Zoning Board of Appeals

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 on Exhibit No. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of Ed Russell, III to the Brighton Memorial Library Board of Trustees

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth on Exhibit No. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MATTER RE: Designate Delegates for the Association of Towns of the State of New York 2008 Annual Meeting (see Certificate of Designation, with attachments).

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to designate Delegate Councilmember Ray Tierney and Alternate Councilmember James Vogel at the annual meeting.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

ADJOURNMENT:

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adjourn at 10:50 PM.

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, New York, 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 9th day of January, 2008 and I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

Susan Kramarsky, Town Clerk

LOCAL LAW OF 2008

A 2008 TEMPORARY AMENDMENT TO NOISE CONTROL LAW

TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK STATE

Section 1. Title

This Local Law shall be known as the A 2008 Temporary Amendment to Noise Control Law of the Town of Brighton, Monroe County, New York State.

Section 2. Purpose

The purpose of this Local Law is to grant a temporary exemption from the Town Noise Control Law to the New York State Department of Transportation and its subcontractors on Interstate 490 from South Landing Road eastbound to the Town line. The State desires the Town to permit night time construction which will significantly speed the completion of the project. To that end, the Town Board desires to temporarily amend the Town's Noise Control Law to permit such night time construction, so long as the New York State Department of Transportation and its subcontractors specifically agree to certain conditions which will minimize the impact of night time construction upon the residents of the Town of Brighton.

Section 3. Limited Exception to Noise Control Law

A. Section 102-2B, Exemptions, is hereby amended to add a new subsection (iv), to read in its entirety as follows:

(iv). Notwithstanding anything to the contrary in this chapter, construction and resurfacing in connection with the reconstruction of I-490 from South Landing Road east to N.Y. Rt. 31F, a portion of which is in the Town of Brighton (the AProject), shall not constitute a violation of the Town's Noise Ordinance, regardless of whether such construction, demolition or excavation occurs within the hours permitted by Section 102-3B(5) or (6) and such work and the noise created thereby shall not be considered to be unreasonable noise, so long as the New York State Department of Transportation and its contractor or contractors adhere to the following conditions and to cause each of their subcontractors and suppliers to adhere to the following conditions:

- (1) That prior public notice of the Project, including specifically information relating to night time work, be provided, specifically, including but not limited to:
 - (a) publication in the Brighton Pittsford Post and Democrat and Chronicle of the dates, times and nature of night work, including on site project manager's cellular telephone number; and
 - (b) a presentation at a meeting of the neighbors.
- (2) That all contract and subcontract documents and bid specifications describe Brighton's requirements, including but not limited to zoning and noise regulations, that limit and apply to any off site storage area in the Town.
- (3) That all contract and subcontract documents and bid specifications related to the Project contain provisions to encourage the speedy completion of night operations, including specifically waivers from New York State Department of Labor Limitations on Overtime.
- (4) That all contract and subcontract documents and bid specifications related to the Project specifically prohibit the use of jackhammers, hoe-rams and pavement breakers, other than during the Permitted Hours;
- (5) That all contract and subcontract documents and bid specifications related to the Project specifically prohibit the use of backup alarms, other than during the Permitted Hours and require the use of spotters instead.
- (6) The use of vibratory compaction in connection with the Project shall be prohibited at any time.
- (7) The provisions of this Section 102-2B(iv) may be revoked by the Town Board by local law, in the event of a violation of the conditions set forth in this Section 102-2B(iv).

B. The provisions of this Section 102-2B(iv) shall automatically terminate on August 31, 2008, if not earlier revoked upon substantial completion of the Project.

C. As used in this Section 102-2B(iv), the following terms shall have the meanings indicated:

PERMITTED HOURS - Between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. Saturday and Sunday.

PROJECT - The resurfacing of I-490 from South Landing Road to N.Y. Rt. 31F, specifically that portion of which is located in Brighton.

SUBSTANTIAL COMPLETION - the date on which the Project is accepted as substantially complete by the State of New York Department of Transportation, but in no event later than August 31, 2008.

Section 4. Effective Date

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

Section 5. Severability

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

LOCAL LAW OF 2008

A 2008 TEMPORARY AMENDMENT TO NOISE CONTROL LAW

TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK STATE

Section 1. Title

This Local Law shall be known as the A 2008 Temporary Amendment to Noise Control Law of the Town of Brighton, Monroe County, New York State.

Section 2. Purpose

The purpose of this Local Law is to grant a temporary exemption from the Town Noise Control Law to the New York State Department of Transportation and its subcontractors on Interstate 490 from South Landing Road eastbound to the Town line. The State desires the Town to permit night time construction which will significantly speed the completion of the project. To that end, the Town Board desires to temporarily amend the Town's Noise Control Law to permit such night time construction, so long as the New York State Department of Transportation and its subcontractors specifically agree to certain conditions which will minimize the impact of night time construction upon the residents of the Town of Brighton.

Section 3. Limited Exception to Noise Control Law

A. Section 102-2B, Exemptions, is hereby amended to add a new subsection (iv), to read in its entirety as follows:
(iv). Notwithstanding anything to the contrary in this chapter, construction and resurfacing in connection with the reconstruction of I-490 from South Landing Road east to N.Y. Rt. 31F, a portion of which is in the Town of Brighton (the AProject), shall not constitute a violation of the Town's Noise Ordinance, regardless of whether such construction, demolition or excavation occurs within the hours permitted by Section 102-3B(5) or (6) and such work and the noise created thereby shall not be considered to be unreasonable noise, so long as the New York State Department of Transportation and its contractor or contractors adhere to the following conditions and to cause each of their subcontractors and suppliers to adhere to the following conditions:

- (1) That prior public notice of the Project, including specifically information relating to night time work, be provided, specifically, including but not limited to:
 - (a) publication in the Brighton Pittsford Post and Democrat and Chronicle of the dates, times and nature of night work, including on site project manager's cellular telephone number; and
 - (b) a presentation at a meeting of the neighbors.
- (2) That all contract and subcontract documents and bid specifications describe Brighton's requirements, including but not limited to zoning and noise regulations, that limit and apply to any off site storage area in the Town.
- (3) That all contract and subcontract documents and bid specifications related to the Project contain provisions to encourage the speedy completion of night operations, including specifically waivers from New York State Department of Labor Limitations on Overtime.
- (4) That all contract and subcontract documents and bid specifications related to the Project specifically prohibit the use of jackhammers, hoe-rams and pavement breakers, other than during the Permitted Hours;
- (5) That all contract and subcontract documents and bid specifications related to the Project specifically prohibit the use of backup alarms, other than during the Permitted Hours and require the use of spotters instead.
- (6) The use of vibratory compaction in connection with the Project shall be prohibited at any time.
- (7) The provisions of this Section 102-2B(iv) may be revoked by the Town Board by local law, in the event of a violation of the conditions set forth in this Section 102-2B(iv).

B. The provisions of this Section 102-2B(iv) shall automatically terminate on August 31, 2008, if not earlier revoked upon substantial completion of the Project.

C. As used in this Section 102-2B(iv), the following terms shall have the meanings indicated:

PERMITTED HOURS - Between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. Saturday and Sunday.

PROJECT - The resurfacing of I-490 from South Landing Road to N.Y. Rt. 31F, specifically that portion of which is located in Brighton.

SUBSTANTIAL COMPLETION - the date on which the Project is accepted as substantially complete by the State of New York Department of Transportation, but in no event later than August 31, 2008.

Section 4. Effective Date

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

Section 5. Severability

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of January, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated December 20, 2007 from Thomas A. Low, Commissioner of Public Works, concerning a contract for street lighting maintenance, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby awards the bid for street lighting maintenance during 2008 to M. L. Caccamise Electric, Inc., the lowest responsive and responsible bidder, in the unit prices bid and for a total cost not to exceed \$7,600.00.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> Louis 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 9th day of January, 2008.

PRESENT:

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

RESOLVED, that correspondence dated December 20, 2007 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 an attachment thereto; and be it further

RESOLVED, that the Town Board hereby awards the bid for the rental of a bucket truck with operator to the sole bidder, Birchcrest Tree and Landscape, Inc., in the unit prices bid and for a total cost not to exceed \$24,000.00.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> Louis 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 9th day of January, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated December 27, 2007 from Thomas A. Low, Commissioner of Pubic Works, concerning bids for the construction of sidewalks along East Avenue from Oak Lane to Penfield Road, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to solicit competitive bids for construction of sidewalks along the east side of East Avenue from Oak Lane to Penfield Road.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> Louis 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 9th day of January, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

WHEREAS, the Commissioner of Public Works has received the resignation of a Sewer Foreman and following such retirement, intends to combine the duties of that position with that of Sewer Construction Inspector, in order to save money and more effectively organize the Sewer Department; it is therefore

RESOLVED, that correspondence dated December 28, 2007 from Thomas A. Low, Commissioner of Public Works, concerning the acceptance of a retirement and the related amendment to the table of organization in the Town's Sewer Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts, with regret, the retirement of Donald Story from the position of Sewer Foreman, effective January 31, 2008; and be it further

RESOLVED, that in connection therewith, the Town Board hereby amends the Table of Organization for the Sewer Department, to abolish one Sewer Foreman (\$29.40 per hour) position, to upgrade the position of Sewer Construction Inspector from Group 6 Step 5 (\$27.93 per hour), to Group 7, Step 6 (\$31.01 per hour), and to create one Laborer position (\$15.32 per hour).

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> Louis 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 9th day of January, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that a memorandum dated January 3, 2008, from Susan Kramarsky, Town Clerk, concerning a contract for stenographic services, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver an agreement by and between the Town and Realtime Reporting for stenographic services during 2008, at a cost of \$5.00 per page transcribed, plus an appearance fee of \$145.00, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> 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 9th day of January, 2008.

PRESENT:

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

RESOLVED, that correspondence dated December 27, 2007 from Thomas A. Low, Commissioner of Pubic Works, concerning offers for temporary and permanent easements for sewer construction and maintenance be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby authorizes offers to be made for the acquisition of temporary and permanent easements for sewer construction and maintenance to the owners of properties located at 3437 Elmwood Avenue, 3455 Elmwood Avenue and 3489 Elmwood Avenue, at the prices set forth in the attachment to the above-referenced correspondence, in connection with the construction of the Elmwood Avenue Relief Sewer - Phase II project.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> Louis 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 9th day of January, 2008.

PRESENT:

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

WHEREAS, the Town Board desires to set a public hearing to consider a proposed local law to make certain technical amendments to the Town Code in relation to fire alarms, fire sprinkler systems, conveyances (e.g. elevators), and penalties for property maintenance and junk vehicles; it is therefore

RESOLVED, that four communications dated January 2 and 7, 2008 from Thomas A. Low, Commissioner of Public Works, concerning proposed technical Amendments to the Town Code, be received and filed, be received and filed; and be it further

RESOLVED, that pursuant to Article III of the Municipal Home Rule Law of the State of New York, a public hearing on a proposed Local Law of 2007 entitled "2008 Technical Code Amendments Local Law" and the environmental impacts thereof, in the form presented to this meeting, be held by the Town Board of the Town of Brighton on the 13th day of February, 2008 at 7:30 p.m. o'clock prevailing time at Brighton Town Hall, 2300 Elmwood Avenue, in said Town, to consider the proposed Local Law and to hear all persons having an interest therein, and to take such action with respect thereto as may be proper; and be it further **RESOLVED**, that notice of the time and place of such public hearing, describing the purpose of said Local Law, be published and posted by the Town Clerk, as required by law.

Dated: January 9, 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 9th day of January, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated December 19, 2007 from Thomas A. Low, Commissioner of Pubic Works, concerning the award of a professional service contract for surveys of potentially hazardous trees to Urban Forestry, LLC, be received and filed, together with a proposal from Urban Forestry, LLC for such work; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Urban Forestry, LLC for surveys of potentially hazardous trees, at a lump sum cost to the Town of \$2,200 for a street tree risk survey along 20 miles of Town highways with a summary report and specific tree removal, together with resistograph drilling as needed at a unit price of \$150 per tree, with a total contract amount not to exceed \$2,500.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Raymond J. Tierney III, Councilman	Voting	_____
<i>Louise</i> Louis 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, in said Town of Brighton on the 9th day of January 2008

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that Gerard LaRusso, of 19 Westland Avenue, Rochester, New York 14618, be and hereby is re-appointed to the Brighton Zoning Board of Appeals, effective immediately through December 31, 2012.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Council member	Voting	_____
Raymond J. Tierney III, Council member	Voting	_____
Louise Novros, Council member	Voting	_____
Sheila Gaddis, Council member	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, in said Town of Brighton on the 9th day of January 2008

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that Edmund J. Russell III, of 67 Fairmeadow Drive, Rochester, New York 14618, be and hereby is re-appointed to the Brighton Memorial Library Board of Trustees, effective immediately through December 31, 2012.

Dated: January 9, 2008

Sandra L. Frankel, Supervisor	Voting	_____
James R. Vogel, Council member	Voting	_____
Raymond J. Tierney III, Council member	Voting	_____
Louise Novros, Council member	Voting	_____
Sheila Gaddis, Council member	Voting	_____



Association of Towns
of the State of New York

G. JEFFREY HABER
EXECUTIVE DIRECTOR

WWW.NYTOWNS.ORG

LORI MITHEN DEMASI
ACTING COUNSEL

December 2007

Dear Town Clerk:

PLEASE READ AT FIRST 2008 TOWN BOARD MEETING

Contains Dated Material to be Returned

The 2008 Training School and Annual Meeting of this Association will be held at the Hilton New York & Towers, New York City, February 17-20, 2008. This is a training session for town officials. The following is a brief outline of events:

INFORMATIONAL HEARING from 3:00-5:00 p.m., Sunday Afternoon,
February 17 - Beekman Parlor. See over page.

GENERAL OPENING SESSION for all town officers, 8:45 a.m., Monday
Morning, February 18 - Grand Ballroom.

GROUP SESSIONS for various categories of town officers and special programs
follow the Opening Session as will be set forth in the printed program:

Town Board Members	Fiscal Officers
Building Officials	Assessors
Planning & Zoning Officials	Public Works & Highway
Town Justices Generally	Town Clerks
Town Justices (Advanced, Accredited)*	Town Court Clerks
Tax Collecting Officers	Town Attorneys

BREAKFAST WITH THE ASSOCIATION 8:00 a.m., Tuesday Morning,
February 19 - Grand Ballroom

ANNUAL BUSINESS SESSION (Official Delegates) at 9:00 a.m., Wednesday
Morning, February 20 - Beekman & Sutton (N) Parlors

NOTE: *All Justice and Court Clerk Classes will be held at the Sheraton New York!*

The Constitution of the Association provides:

“On all questions arising at meetings of the Association, each member town in good standing shall be entitled to one vote. Such vote shall be cast by a person designated by the town board of such member town, registered and present at the meeting at which the vote is offered. The town board may designate an alternate to cast the vote of such town in the absence of the person so designated. No person shall be designated as a representative of a town or alternate unless he shall be an elector of the town so designated.”

Any town that has paid its dues for the year 2008 BEFORE the Annual Meeting is a member in good standing. A CERTIFICATE OF DESIGNATION OF THE VOTING DELEGATE for your Town is enclosed. THE CERTIFICATE MUST BE EXECUTED AND RETURNED TO THE ASSOCIATION, 150 State Street, Albany, NY 12207-1617, NO LATER THAN FEBRUARY 8, 2008, for the Credentials Committee to review and establish eligibility.

A copy of the preliminary 2008 Legislative Program developed at a joint meeting of the Executive Committee and the Resolutions Committee is attached. The Resolutions Committee will present the Legislative Program to the Delegates at the 2008 Business Session. RESOLUTIONS SUBMITTED AT LEAST 15 DAYS PRIOR TO THE 2008 ANNUAL MEETING will also be received and considered for recommendation at the Business Session.

So that delegates will have an understanding of the proposed resolutions prior to the Business Session on Wednesday, an Informational Hearing on the resolutions will be held by the Executive and Resolutions Committees, Sunday Afternoon, February 17, in the Beekman Parlor from 3:00-5:00 p.m.

The registration fee includes “Breakfast with the Association” on Tuesday Morning. This fee together with other actual and necessary expenses of town officers and employees authorized by the town boards to attend, are a legal town charge under 77-b of the General Municipal Law.

Registration receipts will be issued. They should be retained by each town officer or employee attending and should be attached to claim vouchers presented to town boards for reimbursement of attendance expenses. The Official Annual Meeting Badge must be displayed for admission to all sessions and the Exhibit Area.

Check our website for further details on events and sessions at the Annual Meeting:

www.nytowns.org

RULES OF ORDER

2008 ANNUAL MEETING

Pursuant to section 5 of Article III of the Constitution and By-laws of the Association of Towns, the Executive Committee is charged with determining "the rules applicable to meetings of the Association". The Executive Committee has adopted the following Rules of Order for the Association's Business Session.

1. In accordance with the Association's Constitution and By-laws, Article VII, Section 2(b) only the resolutions favorably reported by the Resolutions Committee shall be presented for a vote at the Annual Meeting;
2. Any resolution favorably reported by the Resolutions Committee shall be presented to the Delegates who shall either adopt or defeat the same;
3. The Chairman of the Resolutions Committee shall present the resolutions to the Town Delegates and shall summarize each resolution. Thereafter, the Presiding Officer shall request that such resolution be moved;
4. Each motion shall require a second before consideration and discussion thereon;
5. Only Official Town Delegates may speak to and vote on any matter brought up before the 2008 Business Session, upon display of Voting Card issued upon registration and validated at entrance to Business Session;
6. All votes shall be given by display of Official Voting Card or as otherwise determined by the Presiding Officer;
7. The text of a resolution cannot be changed, except for minor corrections designed to clarify its intent;
8. The Presiding Officer's ruling as to whether a motion is passed or defeated shall be final;
9. The Presiding Officer may ascertain the credentials of any person claiming to be an official delegate by a review of the Credentials Committee report as to the timely and proper filing of his town's Certificate of Designation and payment by his town of 2008 membership dues in the Association.

CERTIFICATE OF DESIGNATION

*THIS FORM MUST BE FILED WITH :
ASSOCIATION OF TOWNS
150 STATE STREET
ALBANY, NEW YORK 12207*

NO LATER THEN FEBRUARY 8, 2008

In order to Establish Eligibility & Credentials to Vote at the 2008 Business Session

**TO: THE OFFICERS AND MEMBERS OF
THE ASSOCIATION OF TOWNS OF
THE STATE OF NEW YORK**

TO INSURE CORRECT SPELLING ON DELEGATE BADGES, PLEASE PRINT OR TYPE

I, _____ Town Clerk of the Town of _____,
in the County of _____ and State of New York DO HEREBY CERTIFY
that the Town Board of the aforesaid Town has duly designated the following named person to
attend the Annual Business Session of the Association of Towns of the State of New York, to be held
in New York City, on February 20, 2008, and to cast the vote of the aforesaid Town, pursuant to
§6 of Article III of the Constitution and By-Laws of said Association:

NAME OF VOTING DELEGATE _____ OFFICE _____
ADDRESS _____
ZIP _____

*In the absence of the person so designated, the following named person has been designated to cast the
vote of said Town:*

NAME OF ALTERNATE _____ OFFICE _____
ADDRESS _____
ZIP _____

In WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town

this ____ day of _____, 200__.

Town Clerk