

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING  
OF THE TOWN OF BRIGHTON, COUNTY OF  
MONROE, NEW YORK HELD AT THE  
BRIGHTON TOWN HALL, 2300 ELMWOOD  
AVENUE, ROCHESTER, NEW YORK  
January 4, 2011

PRESENT:

Supervisor Sandra Frankel

William Moehle, Attorney for the Town

Susan Kramarsky, Town Clerk

Councilmember Ray Tierney  
Councilmember James Vogel

**MEETING CALLED TO ORDER AT 1:03PM**

**APPROVAL OF AGENDA:**

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to approve the agenda.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**ORGANIZATIONAL MEETING BUSINESS:**

**MATTER RE:** Ratify the Regular Meeting Schedule of Brighton Town Board for 2011 (see Resolution #1 and schedule).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Ratify the 2011 Brighton Town Hall Holiday Schedule (see Resolution #4 and schedule).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Designate the Brighton-Pittsford Post as the official newspaper of the Town of Brighton (see Resolution #2).

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Adopt the Scott, Foreman, Robert's Rules of Order, Newly Revised, 10th Edition (2000) as the rules of its procedure (see Resolution #3)

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Appoint Marc L. Frankel as Constable of the Town of Brighton for a one-year term commencing January 1, 2011 and ending December 31, 2011(see Resolution #5 and letter from Marc L. Frankel dated December 13, 2010).

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Appoint Michael M. Phillips, CPA, as Constable of the Town of Brighton for a one-year term commencing January 1, 2011 and ending December 31, 2011 (see Resolution #6 and letter from Michael M. Phillips, CPA dated December 9, 2010).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute Letter of Engagement, retaining William W. Moehle, Esq., as Attorney for the Town of Brighton, and counsel to the Historic Preservation Commission for 2011 (see Resolution #7 and letter from William W. Moehle dated November 22, 2010).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute Letter of Engagement retaining David M. Dollinger, Esq., as Deputy Attorney for the Town of Brighton for 2011 (see Resolution #8 and letter from David M. Dollinger dated January 1, 2011).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Designate Authorized Depositories and adopt Deposit and Investment Policy for 2011(see Resolution #9 and letter dated January 4, 2011 from Suzanne Zaso, Acting Director of Finance and copy of policy).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Petty Cash and Change Funds (see Resolution #10 and memorandum from Suzanne Zaso, Acting Director of Finance, dated December 29, 2010).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Designate Building Inspectors and Code Enforcement Officers effective January 1, 2011 through December 31, 2011 (see Resolution #11 and letter from Timothy E. Keef, P.E., Commissioner of Public Works, dated December 27, 2010).

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:** Designate Secretaries to the Architectural Review and Conservation Board effective January 1, 2011 through December 31, 2011 (see Resolution #12 and letter from Timothy E. Keef, P.E. Commissioner of Public Works, dated December 27, 2010).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize agreement to spend highway repair funds in 2011 (see Resolution #13 and letter from Timothy E. Keef, P.E., Commissioner of Public Works, dated December 27, 2010).

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. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Appoint Timothy E. Keef, P.E. as Commissioner of Public Works, Highway Superintendent and Superintendent of Sewer Maintenance, effective January 1, 2011 through December 31, 2011; and

Timothy Anderson as Deputy Highway Superintendent, effective January 1, 2011 through December 31, 2011; (see Resolution #14; memorandum from Sandra L. Frankel, Supervisor dated December 13, 2010 and letter from Tim Keef P.E. Commissioner of Public Works dated December 27, 2010).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Appoint David Ewell, Bruce Blackman and Amy Bianchi as Animal Control Officers of the Town of Brighton for terms of one year, commencing January 1, 2011 and ending December 31, 2011 (see Resolution #15 and letter dated November 17, 2010 from Mark T. Henderson, Town of Brighton Police Chief)

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. 15

attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to appoint part-time, on-call, temporary and seasonal staff (see Resolution #16 and list).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE SUPERVISOR:**

**MATTER RE:** Appoint Mary Jo Lanphear as Town Historian for the Town of Brighton for a term of one-year commencing January 1, 2011 and ending December 31, 2011(see Resolution #20 and letter from Sandra L. Frankel, Supervisor, dated December 13, 2010).

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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE TOWN CLERK:**

**MATTER RE:** Present 2011 Salary Schedule and Authorization of Payroll Schedule by Town Board (see Resolution #22 and schedule).

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. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Adopt Records Retention Schedule (see Resolution #23 and memorandum from Susan Kramarsky, Town Clerk, dated December 1, 2010)

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Mitch Kaidy, Brighton citizen to Supervisor, dated December 31, 2010 welcoming comments by Brighton elected officials recently published in the Brighton-Pittsford Post.

**FROM** Florence Kaplow, Brighton citizen to Sandra Frankel, dated December 30, 2010 expressing enjoyment of recent letters to the Editor written by the Supervisor in the Brighton Pittsford Post concerning ongoing Town cost control and development.

**FROM** Timothy E. Keef, P.E., Commissioner of Public Works to Town of Brighton residents dated

December 30, 2010 re: Eastland Avenue Infrastructure Improvements project update.

**FROM** Brijen K. Gupta, Brighton citizen to Supervisor and Town Board Members, dated December 31, 2010 re: Town part-time employee benefits.

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**OLD BUSINESS:**

**MATTER RE:** Authorize amendment to resolution #17 dated December 22, 2010 for setting Public Hearing of January 26, 2011 for the proposed removal of a 37" Silver Maple tree located at #101 Edgeview Lane and a 33" Linden tree located at #314 Hollywood Avenue (see Resolution #17 and letter dated December 30, 2010 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 20 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**NEW BUSINESS:**

**MATTER RE:** Reading and Approval of Claims

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve exemption to the Non-Represented Compensatory Time Policy for particular Town of Brighton employee (see Resolution #10-16a, letter from Jerry LaVigne, Director of Recreation and Parks dated December 9, 2010 and letter dated December 7, 2010 from Rebecca Cotter, Assistant Director, Town of Brighton Recreation and Parks).

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. 22 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to accept donations in the amount of \$6,592 as additional monies received for the Town of Brighton Veterans Memorial Fund (see Resolution #30 and letter dated December 29, 2010 from Suzanne Zaso, Acting Director of Finance).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 23 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval of proposed Public Safety Committee meeting schedule for 2011 (see Resolution #27, letter dated December 30, 2010 from Timothy Keef, P.E. Commissioner of Public Works and proposed schedule).

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. 24 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval of proposed Public Works Committee meeting schedule for 2011 (see Resolution #28, letter dated December 30, 2010 from Timothy Keef, P.E. Commissioner of Public Works and proposed schedule).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 25 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MOTION TO GO INTO EXECUTIVE SESSION:**

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to go into Executive session to discuss the appointment of particular persons

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to come out of Executive session at 1:50 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize the Supervisor to engage David W. Lippitt, Esq. for legal services on labor and employment in a form as approved by the Attorney for the Town (See letter from David W. Lippitt dated 12/31/2010)

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board authorize the Supervisor to engage the legal services on labor and employment of David W. Lippitt, Esq. in a form approved by the Attorney for the Town.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Appointment to the Brighton Memorial Library Board of Trustees effective January 1, 2011 through December 31, 2015  
Matter held

**MATTER RE:** Appointments to the Town of Brighton Architectural Review Board effective January 1, 2011 through December 31, 2013 of David Burroughs and Brian Dewalters

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board appoint David Burroughs and Brian Dewalters to the Architectural Review Board.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Re-appoint David Lawrence to the Town of Brighton Zoning Board of Appeals Committee, effective January 1, 2011 through December 31, 2015 (see Resolution #25).

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 26 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**ADJOURN:**

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to adjourn at 2:00 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**CERTIFICATION:**

I, Susan Kramarsky, 79 Monteroy Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York meeting held on the 4th of January 2011 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York

At a Town Board Meeting of the Town of Brighton,  
Monroe County, New York, held at the Brighton Town  
Hall, in said Town of Brighton on the 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that the Town Board hereby ratifies and approves that the Regular Meetings of the Town Board of the Town of Brighton, Monroe County, New York, be held as set forth on the attached schedule during the year 2011. (See attached Schedule A)

All said meetings of the Town Board shall be scheduled to begin at 7:00 p.m. with an Open Forum, and the business portion of the meeting shall commence at 7:30 p.m., except as noted on Schedule A

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL

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JAMES R. VOGEL

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RAYMOND J. TIERNEY III

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LOUISE NOVROS

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SHEILA GADDIS

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**Town of Brighton  
TOWN BOARD MEETINGS  
2011  
2<sup>nd</sup> & 4<sup>th</sup> Wednesday of each month  
at  
7:00 p.m.  
Unless Otherwise Indicated**

January 12<sup>th</sup>

January 26<sup>th</sup>

February 9th

February 23rd

March 9th

March 23rd

April 13th

April 27<sup>th</sup>

May 11<sup>th</sup>

May 25th

June 8th

June 22nd

July 13th

July 27<sup>th</sup>

August 10th

August 24th

Sept. 14th

Sept. 27<sup>th</sup> (Tuesday)

October 12th

October 26th

November 9th

November 22<sup>nd</sup> (Tuesday)

December 14th

December 28<sup>th</sup> Noon

January 2012

Organizational Meeting Date TBD)

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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that the Town Board hereby ratifies and approves the Holiday  
Schedule for the Town of Brighton, Monroe County, New York, as set forth on the  
attached schedule during the year 2011. (See attached Schedule A)

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_

JAMES R. VOGEL \_\_\_\_\_

RAYMOND J. TIERNEY III \_\_\_\_\_

LOUISE NOVROS \_\_\_\_\_

SHEILA GADDIS \_\_\_\_\_



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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that the *Brighton-Pittsford Post*, be and hereby is appointed as the official newspaper of the Town of Brighton, County of Monroe, State of New York for the year of 2011 for publication of notices, resolutions and ordinances, pursuant to the authority contained in the Town Law of the State of New York, Section 64, Subdivision 11.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_

JAMES R. VOGEL \_\_\_\_\_

RAYMOND J. TIERNEY III \_\_\_\_\_

LOUISE NOVROS \_\_\_\_\_

SHEILA GADDIS \_\_\_\_\_

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 4th day of  
January 2011

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that the Town Board pursuant to Town Law Section 610 hereby  
adopts The Scott, Foreman Robert's Rules of Order, Newly Revised, 10th Edition  
(2000) as the rules of its procedure.

Dated: January 4, 2010

UPON ROLL CALL VOTE

SANDRA L. FRANKEL

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JAMES R. VOGEL

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RAYMOND J. TIERNEY III

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LOUISE NOVROS

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SHEILA GADDIS

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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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence from Marc L. Frankel, dated December 13, 2010, be received and filed, and be it further;

**RESOLVED**, that Marc L. Frankel, be and hereby is appointed as Constable of the Town of Brighton for a term of one (1) year commencing January 1, 2011 and ending December 31, 2011.

**RESOLVED**, that this appointment shall be without salary, but that he shall possess all the powers and duties of a constable in civil actions and proceedings only, and shall be entitled to collect the statutory fees allowed by law in such civil actions and proceedings subject to the filing of a surety bond in the amount of \$12,000.00 and taking the required Oath of Office

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_

JAMES R. VOGEL \_\_\_\_\_

RAYMOND J. TIERNEY III \_\_\_\_\_

LOUISE NOVROS \_\_\_\_\_

SHEILA GADDIS \_\_\_\_\_

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 4<sup>th</sup> day of January 2011.

PRESENT:

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

**RESOLVED**, that correspondence from Michael M. Phillips, CPA, dated December 9, 2010 be received and filed, and be it further;

**RESOLVED**, that Michael M. Phillips, CPA, be and hereby is appointed as Constable of the Town of Brighton for a term of one (1) year commencing January 1, 2011 and ending December 31, 2011.

**RESOLVED**, that this appointment shall be without salary, but that he shall possess all the powers and duties of a constable in civil actions and proceedings only, and shall be entitled to collect the statutory fees allowed by law in such civil actions and proceedings subject to the filing of a surety bond in the amount of \$12,000.00 and taking the required Oath of Office

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_  
JAMES R. VOGEL \_\_\_\_\_  
RAYMOND J. TIERNEY III \_\_\_\_\_  
LOUISE NOVROS \_\_\_\_\_  
SHEILA GADDIS \_\_\_\_\_

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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that William W. Moehle, Esq., be and hereby is retained as Attorney for the Town of Brighton for the calendar year 2011, pursuant to Town Law Section 20(2)(b), and the terms of the Engagement Letter dated November 22, 2010 attached hereto; and he is retained as counsel for the Historic Preservation Commission for the calendar year 2011, pursuant to the terms of said Engagement Letter. The Supervisor is hereby authorized to execute said Engagement Letter in the name of the Town of Brighton

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL

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JAMES R. VOGEL

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RAYMOND J. TIERNEY III

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LOUISE NOVROS

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SHEILA GADDIS

\_\_\_\_\_

William W. Moehle

Attorney at Law

November 22, 2010

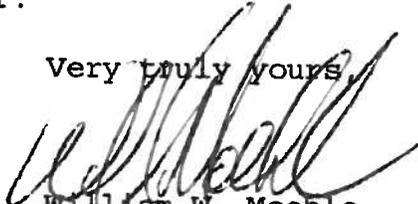
Sandra L. Frankel, Supervisor  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

Dear Sandy:

This is to confirm my proposal to continue to serve in the position of Attorney for the Town for the calendar year 2011. The terms and conditions of such service shall be the same as they had been in calendar year 2010, with the exception that the contract sum for the position shall be \$58,197.00. In addition, I also agree to serve as counsel to the Historic Preservation Commission at a contract sum of \$8,805.00 for the year, for a total of \$67,002.00. In each case, the contract will be payable on a monthly basis and unless separate arrangements are made, will not include representation of the Town in litigation.

It is a pleasure working with you and the Town Board and I look forward to continuing to serve the Town of Brighton and its residents in the coming year.

Very truly yours,



William W. Moehle

WWM/pb

Agreed and approved this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Sandra Frankel, Supervisor

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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that David M. Dollinger, Esq., be and hereby is retained as Deputy Attorney for the Town of Brighton for the calendar year 2011, pursuant to Town Law Section 20(2)(b) and the terms set forth in the Engagement Letter dated January 1, 2011, attached hereto. The Supervisor is hereby authorized to execute said Engagement Letter in the name of the Town of Brighton

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_

JAMES R. VOGEL \_\_\_\_\_

RAYMOND J. TIERNEY III \_\_\_\_\_

LOUISE NOVROS \_\_\_\_\_

SHEILA GADDIS \_\_\_\_\_

**Dollinger Associates, P.C.**

2170 Monroe Avenue  
Rochester NY 14618

Telexphone: 585 424-3270

Telephone: 585 414-3345

January 1, 2011

Supervisor Sandra L. Frankel  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, NY 14618

RE: Deputy Attorney for the Town of Brighton

Dear Supervisor Frankel:

This letter, when countersigned by you shall confirm the engagement of Dollinger Associates, P.C., as Deputy Attorney for the Town of Brighton for the period January 1, 2011 through December 31, 2011.

Legal services provided by Dollinger Associates, P.C. shall include all of those services customarily provided by the Deputy Town Attorney. The firm will be paid the sum of \$30,700.00 annually for such legal services. Disbursements, if any, will be billed monthly to the Town.

I look forward to working with the Town Board and Staff during this coming year.

Sincerely,



DOLLINGER ASSOCIATES, P.C.  
David M. Dollinger, Esq.

Accepted: The Town of Brighton

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By Sandra L. Frankel, Supervisor

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 4th day of  
January 2011.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

**RESOLVED**, that the following Deposit and Investment Policy be adopted and those banks and trust companies listed within said policy, authorized to do business in and with offices/branches located in the State of New York, be and are hereby designated as depositories in all or any of which the Supervisor, the Town Clerk, Town Justices, and the Receiver of Taxes and Assessments of the Town of Brighton may deposit moneys of the said Town coming into their hands by virtue of their offices:

- |  |   |
|--|---|
| JP Morgan/Chase Bank                           | HSBC Bank USA                           |
| Key Bank                                       | Manufacturers and Traders Trust Company |
| Citizens Bank                                  |   |
| Bank of America                                |   |
| Canandaigua National Bank<br>and Trust Company |   |

**Be it further RESOLVED**, that dollar limits as to the amount of deposits and/or investments that may be placed with any one bank or trust company shall be as provided in the Town's Deposit and Investment Policy, and be it further

**RESOLVED** that the Supervisor, as Chief Fiscal Officer of the Town, is authorized to execute any and all agreements necessary to affect this Resolution

Dated: January 4, 2011

**UPON ROLL CALL VOTE**

SANDRA L. FRANKEL	_____
JAMES R. VOGEL	_____
RAYMOND J. TIERNEY III	_____
LOUISE NOVROS	_____
SHEILA GADDIS	_____

## **TOWN OF BRIGHTON DEPOSIT AND INVESTMENT POLICY**

### Policy Scope:

The following Deposit and Investment Policy shall apply to all financial resources available to the Town of Brighton for deposit and/or investment for the benefit of the Town or other individuals or entities.

### Policy Objectives:

The Policy objectives of the Town of Brighton's deposit and investment activities are (in the order of their importance):

- to conform to all applicable Federal, State, and local government requirements;
- to adequately protect the principal amount of all deposits and investments;
- to plan for and provide sufficient liquidity for such deposits and investments sufficient to provide for payment of all operating and capital budget requirements in a timely manner;
- to obtain a reasonable rate of return, dependent on market conditions, on such deposits and investments.

### Delegation of Authority:

Responsibility for oversight of the Town's deposits and investments is vested in the Supervisor, as Chief Fiscal Officer of the Town (Town Law Sec 29). The Supervisor delegates daily responsibility for the administration of all deposits and investments to the Director of Finance, who shall establish procedures for daily program operation that are consistent with this Policy. All subsequent references regarding powers given to the Director of Finance shall be assumed to also extend to the Supervisor since she is the Chief Fiscal Officer.

### Prudence and Care:

The Supervisor, Director of Finance, their designees, and all other Town employees involved in the deposit and/or investment process shall at all times act responsibly and with a great degree of care in that such financial resources are held in the public trust. They shall avoid any financial transaction that could, or might be construed to be, in violation of the public trust.

**TOWN OF BRIGHTON  
DEPOSIT AND INVESTMENT POLICY (Cont'd.)**

Diversification:

It shall be the policy of the Town of Brighton to diversify its deposits and investments. Diversification will further protect the principal amount of deposits and investments but may not serve to maximize interest earnings. No more than 80% of total available cash may be placed in any one particular bank at any given time. It shall be the policy of the Town of Brighton to reasonably balance the needs for yield and protection of principal.

Internal Controls:

The Director of Finance shall establish and maintain an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are properly safeguarded and that such transactions are executed and recorded properly and made and managed in compliance with applicable laws and regulations and this Policy.

Deposits

As detailed in General Municipal Law Section 10 and this Policy, the Director of Finance may deposit funds in accordance with applicable statute and this Policy. In accordance with an annual resolution of the Town Board, the following commercial banks and/or trust companies have been designated as authorized depositories for funds of the Town and/or funds within the Town's control. This Policy further regulates such deposits by limiting deposits to the following maximum amounts:

<u>Bank Name</u>	<u>Maximum Amount</u>
Bank of America	\$25,000,000
Canandaigua National Bank and Trust	\$15,000,000
Citizens Bank	\$25,000,000
J.P. Morgan Chase Bank	\$25,000,000
Key Bank	\$10,000,000
M & T Bank	\$10,000,000
HSBC Bank USA	\$10,000,000

The above-listed maximum deposit amounts for JP Morgan Chase Bank and Bank of America may be increased by an additional \$15,000,000, to a maximum of \$40,000,000 when the Receiver of Taxes is collecting and disbursing school tax payments.

**TOWN OF BRIGHTON  
DEPOSIT AND INVESTMENT POLICY (Cont'd.)**

Collateralizing of Deposits:

In accordance with the provisions of General Municipal Law Section 10, all deposits of the Town of Brighton, including Certificates of Deposit, in excess of amounts insured under the provisions of the Federal Deposit Insurance Act shall, at all times, be secured:

-by a pledge of "eligible securities" with an aggregate market value equal to or greater than the aggregate amount of deposits, together with agreed upon interest, to be secured in this manner. Such "eligible securities" permitted to secure Town deposits are indicated in Appendix A to this Policy. Specific types of securities qualifying as "eligible securities" are further identified in the State Comptroller's Financial Management Guide for Local Governments, in the Cash Management and Investments Policies and Procedures Section, Sub-Section 2.1130. The Director of Finance shall have discretionary authority to reject the pledge of specific eligible securities if he/she believes the securities to be inappropriate for use as collateral.

-and/or by an eligible surety bond payable to the Town of Brighton for an amount equal to or greater than the aggregate amount of deposits, together with agreed upon interest, to be secured in this manner. Such surety bond must be issued by an insurance company authorized to do business in New York, and whose claims paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

Safekeeping of Collateral Pursuant to Written Agreement:

Eligible securities used for collateralizing deposits shall be held by the depository bank or a third party custodial agent, at the discretion of the Town of Brighton, and subject to written security and custodial agreements.

The legally required written security agreement shall provide that eligible securities are being pledged to secure deposits of the Town, together with agreed upon interest (if any), and any costs or expenses arising out of the collection of such deposits upon default. The agreement shall also provide any conditions under which securities may be sold, presented for payment, substituted, or released, as well as the events which would enable the Town to exercise its rights against the pledged securities should such action become necessary.

**TOWN OF BRIGHTON  
DEPOSIT AND INVESTMENT POLICY (cont'd.)**

The legally required written custodial agreement shall provide that securities held by the depository bank or a third party custodial agent will be kept separate from the general assets of the depository bank or custodial agent. The agreement shall also provide that the depository bank or custodial agent shall confirm, in writing, any receipt, substitution, or release of securities. The agreement must also provide for the frequency of valuation of the pledged securities, which shall be no less frequently than monthly, and any provisions needed to ensure the Town's perfected interest in the securities.

Investments

As detailed in General Municipal Law Section 11 and this Policy, the Director of Finance, or their designee, may invest monies not immediately needed for expenditure in the following types of legally permitted investments:

- Interest bearing Checking and/or Savings Accounts
- Certificates of Deposit
- Obligations of the United States of America
- Obligations guaranteed by Agencies of the United States, for which the United States of America guarantees the payment of principal and interest on the obligations
- Obligations of the State of New York
- Obligations issued pursuant to Local Finance Law Section 24 or 25 (with the approval of the State Comptroller) by any municipality, school district, or district corporation other than the Town of Brighton
- Obligations of Public Authorities, Public Housing Authorities, and Urban Renewal Agencies where the State statutes governing such entities or whose specific enabling legislation authorizes such investments
- Obligations issued by the Town of Brighton where such investment shall be made from monies on deposit in a Town Board authorized reserve fund, where such investment has been authorized by resolution of the Town Board

**TOWN OF BRIGHTON  
DEPOSIT AND INVESTMENT POLICY (cont'd.)**

All investment obligations shall be redeemable, at the option of the Town of Brighton, as the proceeds of the investment(s) will be needed to meet expenditures for purposes for which the monies were provided. In addition, obligations purchased with the proceeds of bonds or notes shall be redeemable within two years of the date of purchase. For Repurchase Agreements, the repurchase date and not the maturity date of the underlying security(s) shall govern.

Authorized Financial Institutions and Security Dealers:

The Town of Brighton authorizes the following list of financial institutions and security dealers for investment purposes, and establishes the maximum dollar limits of investments that may be made with each. These maximum dollar limits are inclusive of the maximum deposit amounts indicated in the Deposits section of this policy, but do not include the additional \$15,000,000 in deposits authorized during the period September 1<sup>st</sup> through November 1<sup>st</sup> in that the Town is not authorized to invest school taxes collected on behalf of the five school districts levying taxes in the Town. All financial institutions with which the Town conducts business must be credit worthy. The Director of Finance, with the assistance of higher levels of government, is responsible for evaluating the financial condition of authorized financial institutions and security dealers. Security dealers not affiliated with an authorized depository bank must be classified as a reporting dealer and affiliated with the New York Federal Reserve Bank as a primary dealer.

<u>Bank/Security Dealer Name</u>	<u>Maximum Amount</u>
Bank of America	\$25,000,000
Canandaigua National Bank and Trust	\$15,000,000
Citizens Bank	\$25,000,000
J.P. Morgan Chase	\$25,000,000
Key Bank	\$10,000,000
M & T Bank	\$10,000,000
HSBC Bank USA	\$10,000,000
Municipal Investors Service Corp	\$10,000,000

**TOWN OF BRIGHTON  
DEPOSIT AND INVESTMENT POLICY (cont'd.)**

Purchase of Investments:

The Director of Finance may contract or place orders for the purchase of investments:

- Directly, through an authorized financial institution or securities dealer
- By participation in a cooperative investment program with another authorized governmental entity(s) pursuant to Article 5G of the General Municipal Law
- Through a repurchase agreement (REPO), subject to terms of a required Master Repurchase Agreement. For REPO's, trading partners are limited to those authorized banks and security dealers as identified above. Obligations purchased shall be limited to obligations of the United States of America and/or by obligations guaranteed by agencies of the United States.

All purchased obligations, unless registered in the name of the Town of Brighton, shall be purchased through, delivered to, and held in the custody of a custodial bank. All purchased obligations shall be held separately from the general assets of the custodial bank or securities dealer. Such obligations shall be purchased, sold, or redeemed in accordance with prior authorization of the Director of Finance. All transactions shall be confirmed in writing by the custodial agreement as described in General Municipal Law Section 10. Such agreement shall include all provisions necessary to provide the Town a perfected interest in the obligations(s) purchased.

Review and Amendment of Policy:

This Policy shall be reviewed on no less than an annual basis, and modified by formal action of the Town Board as necessary.

This Policy was reviewed and first approved by the Town Board on 4/28/93. The Policy was subsequently updated and reaffirmed by Town Board on 5/24/95, 2/14/96, 6/12/96, 2/24/99, 3/8/00, 4/11/01, 1/14/04, 1/3/05, and 1/3/06, 1/10/07, 1/3/08, 1/2/09, 1/4/10, 1/5/11.

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 4th day of January 2011.

PRESENT:

SANDRA L. FRANKEL,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated December 29, 2010 from Suzanne Zaso Acting Director of Finance, concerning authorization for Petty Cash and Change Funds for the fiscal year 2011, be received and filed; and be it further

**RESOLVED**, that the following listed Change Funds and Petty Cash Funds are authorized for the fiscal year 2011 in the amounts shown for each listed department; and be it further

**RESOLVED**, that those employees listed are responsible for the safe keeping of these duly authorized funds, serving in their capacity as Custodian.

<u>Name of Fund</u>	<u>Custodian</u>	<u>Authorized Amt.</u>
Town Clerk Change Fund	Susan Kramarsky	\$ 250.
Library Change Fund	Jennifer Ries-Taggart	205.
Town Court Change Fund	Dianne Burdett	250.
Recreation-Town Hall Change Fund	Katie Kogler	50.
Recreation-B.H.S. Pool Change Fund	Katie Kogler	20.
Recreation Office Change Fund	Mary Legasse	100.
Rec. Sunset Serenades Change Fund	Rebecca Cotter	25.
Police Department Fees Change Fund	Al Sienkiewicz	25.
General Petty Cash Fund-Cash	Susan Kramarsky	400.
General Petty Cash Fund-Checking	Suzanne Zaso	250.
Library Petty Cash Fund-Cash	Jennifer Ries-Taggart	200.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA GADDIS

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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 4th day of January 2011.

PRESENT:

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

**RESOLVED**, that the Town Board receive and file a letter dated December 27, 2010 from Timothy Keef, P.E., Commissioner of Public Works regarding Designation of Building Inspector; and be it further

**RESOLVED**, that Paul Moore is hereby designated as the Town Building Inspector; and be it further

**RESOLVED**, that the Commissioner of Public Works, the Associate Planner, the Planner and the Fire Marshal of the Town are hereby designated as other officials to carry out the functions of the office of Building Inspector, as laid out in the Comprehensive Development Regulations and those sections of the Town Code relating to Junk Cars, Occupations Requiring Licenses, Unsafe Building and Collapsed Structures and Property Maintenance as well as any other Local Laws, Ordinances or Town Codes designating enforcement to be carried out by the Building Inspector.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_  
JAMES R. VOGEL \_\_\_\_\_  
RAYMOND J. TIERNEY III \_\_\_\_\_  
LOUISE NOVROS \_\_\_\_\_  
SHEILA GADDIS \_\_\_\_\_



# Town of Brighton

MONROE COUNTY, NEW YORK

## DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618

PHONE: (585)784-5250 FAX: (585) 784-5368

December 27, 2010

Supervisor Sandra Frankel and  
the Honorable Town Board  
Brighton Town Hall  
2300 Elmwood Avenue  
Rochester, New York 14618

re: Designation of Staff for 2011

Dear Supervisor Frankel and Town Council Members:

Subject to your consideration and concurrence, the following staff assignments are proposed:

- 1) It is recommended that Ramsey Boehner, Associate Planner, be designated as:
  - (a) enforcement officer for chapters 51, 66, 85, 91, 129, 175 and 211 of the Town Code;
  - (b) code enforcement officer/building inspector for the Comprehensive Development Regulations;
  - (c) an 'other official' to carry out the functions of the building inspector, including the receipt of applications for, and the issuance of, certificates of compliance; and,
  - (d) secretary to the Conservation Board.
- 2) It is recommended that Richard DiStefano, Planner, be designated as:
  - (a) an 'other official' to carry out the functions of the building inspector, including the receipt of applications for, and the issuance of, certificates of compliance; and,
  - (b) secretary to the Conservation Board.
- 3) It is recommended that Paul White, Planning Technician, be designated as:
  - (a) secretary to the Architectural Review Board; and,
  - (b) secretary to the Conservation Board.
- 4) It is recommended that Christopher Roth, Fire Marshal, be designated as:
  - (a) enforcement officer for chapters 51, 66, 85, 91, 129, 175 and 211 of the Town Code;\
  - (b) code enforcement officer/building inspector for the Comprehensive Development Regulations;
- 5) It is recommended that Paul Moore, Building Inspector, be designated as code enforcement officer/building inspector for the Comprehensive Development Regulations.

Supervisor Sandra Frankel and  
the Honorable Town Board  
Designation of Staff for 2011  
December 27, 2010  
Page 2

- 6) It is recommended that Michael Guyon, Town Engineer, be designated as:
- (a) enforcement officer for chapters 51, 66, 85, 91, 129, 175 and 211 of the Town Code; and,
  - (b) code enforcement officer/building inspector for the Comprehensive Development Regulations.

As always, thank you for your consideration in matter such as this.

Very truly yours,



Timothy E. Keef, P.E.  
Commissioner of Public Works

TEK/wp

cc: R. Bohner  
C. Roth  
W. Moehle

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 4th day of January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence from Timothy Keef, P.E., Commissioner of Public Works, and Timothy E. Keef, P.E., Town Engineer, concerning designations of Secretaries to various Town advisory Boards, dated December 27, 2010, be received and filed; and be it further

**RESOLVED**, that Ramsey Boehner and Paul White are hereby appointed as Secretaries of the Architectural Review Board, and Richard DiStefano and Paul White are hereby appointed as Secretaries of the Town Conservation Board, in each case upon the recommendation of the Commissioner of Public Works and for a term of one (1) year commencing January 1, 2011 and ending December 31, 2011.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_

JAMES R. VOGEL \_\_\_\_\_

RAYMOND J. TIERNEY III \_\_\_\_\_

LOUISE NOVROS \_\_\_\_\_

SHEILA GADDIS \_\_\_\_\_

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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 27, 2010, from Timothy Keef, P.E. Superintendent of Highways and Commissioner of Public Works, concerning the authorization of an agreement to spend highway funds, be received and filed; and be it further,

**RESOLVED**, that the Town Board hereby agrees to execute and deliver an agreement with the Commissioner of Public Works/Superintendent of Highways to expend highway funds for road repairs during 2011, pursuant to Highway Law, Section 284, as more fully described in the adopted Budget for the year 2011, which agreement shall be in form and substance as approved by the attorney for the Town, and the expenditures authorized by which agreement shall not exceed the funds budgeted in account D.HWY.5110 in the 2011 Town Budget.

January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL	_____
JAMES R. VOGEL	_____
RAYMOND J. TIERNEY III	_____
LOUISE NOVROS	_____
SHEILA GADDIS	_____

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 4th day of January 2011.

PRESENT:

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

**RESOLVED**, that correspondence dated December 13, 2010 from Sandra L. Frankel, Brighton Town Supervisor, and from Timothy Keef, P.E., Commissioner of Public Works, dated December 27, 2010, be received and filed; and be it further

**RESOLVED**, that Timothy Keef, P.E. , is hereby re-appointed as Commissioner of Public Works, Superintendent of Highways and Superintendent of Sewer Maintenance, effective January 1, 2011 through December 31, 2011; and be it further

**RESOLVED**, that Timothy Anderson is hereby re-appointed as Deputy Highway Superintendent for the Town of Brighton effective January 1, 2011 and ending December 31, 2011.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL \_\_\_\_\_  
JAMES R. VOGEL \_\_\_\_\_  
RAYMOND J. TIERNEY III \_\_\_\_\_  
LOUISE NOVROS \_\_\_\_\_  
SHEILA GADDIS \_\_\_\_\_



# TOWN OF BRIGHTON

**Sandra L. Frankel**  
SUPERVISOR

## MEMORANDUM

**TO:** Honorable Town Board  
**FROM:** Sandra L. Frankel, Supervisor  
**DATE:** December 13, 2010  
**RE:** Appointment of Commissioner of Public Works, Highway Superintendent and Superintendent of Sewer Maintenance

I hereby recommend that Timothy E. Keef be re-appointed Commissioner of Public Works, Highway Superintendent and Superintendent of Sewer Maintenance effective January 1, 2011 through December 31, 2011.

I further recommend that Timothy Anderson be re-appointed as Deputy Highway Superintendent effective January 1, 2011 through December 31, 2011.



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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that David Ewell, Bruce Blackman, and Amy Bianchi be and hereby are appointed as Animal Control Officers of the Town of Brighton, whose responsibilities include, but are not limited to, those of Dog Control Officers under Section 114 of the Agriculture and Markets Law of the State of New York, for terms of one year, commencing January 1, 2011 and expiring December 31, 2011.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL

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JAMES R. VOGEL

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RAYMOND J. TIERNEY III

\_\_\_\_\_

LOUISE NOVROS

\_\_\_\_\_

SHEILA GADDIS

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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 4th day of  
January 2011.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

**WHEREAS**, the Town Board previously authorized Supervisor Sandra L. Frankel to appoint part-time, seasonal, on-call, and temporary employees for the Town during 2010, subject to ratification by the Town Board; and

**WHEREAS**, the Town desires to grant the same power to the Supervisor during 2011; it is therefore

**RESOLVED**, that the Town Board hereby ratifies and approves each and every part-time seasonal, on-call and temporary appointment made by the Supervisor during 2011, and be it further

**RESOLVED**, that the Supervisor is hereby authorized to appoint part-time seasonal, on-call and temporary employees of the Town based upon the recommendation of appropriate staff and subject to ratification by the Town Board at year end, in 2011

Dated: January 4, 2011

**UPON ROLL CALL VOTE**

SANDRA L. FRANKEL \_\_\_\_\_

JAMES R. VOGEL \_\_\_\_\_

RAYMOND J. TIERNEY III \_\_\_\_\_

LOUISE NOVROS \_\_\_\_\_

SHEILA GADDIS \_\_\_\_\_

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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 13, 2010 from Sandra L. Frankel, Brighton Town Supervisor, be received and filed; and be it further

**RESOLVED**, that the Brighton Town Board concurs with the appointment of Mary Jo Lanphear, of 322 Village Lane, Rochester, NY 14610, as Town Historian of the Town of Brighton for a term of one (1) year commencing January 1, 2011 and ending December 31, 2011 is hereby ratified; and be it further

**RESOLVED**, that the Brighton Town Board approves the recommended compensation as set forth in attached communication.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL

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JAMES R. VOGEL

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RAYMOND J. TIERNEY III

\_\_\_\_\_

LOUISE NOVROS

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SHEILA GADDIS

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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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that the attached Salary Schedule of Town Officers and  
Employees, and their pay periods, are hereby fixed and determined for January 1, 2011  
through December 31, 2011, subject to such further action which the Town Board may  
take from time to time pursuant to Section 27 of the Town Law.

Dated: January 4, 2011

UPON ROLL CALL VOTE

SANDRA L. FRANKEL

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JAMES R. VOGEL

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RAYMOND J. TIERNEY III

\_\_\_\_\_

LOUISE NOVROS

\_\_\_\_\_

SHEILA GADDIS

\_\_\_\_\_

TOWN OF BRIGHTON  
2011 PAYROLL



<u>PAYROLL #</u>	<u>CHECK DATE</u>
1	1/14/2011
2	1/28/2011
3	2/11/2011
4	2/25/2011
5	3/11/2011
6	3/25/2011
7	4/8/2011
8	4/22/2011
9	5/6/2011
10	5/20/2011
11	6/3/2011
12	6/17/2011
13	7/1/2011
14	7/15/2011
15	7/29/2011
16	8/12/2011
17	8/26/2011
18	9/9/2011
19	9/23/2011
20	10/7/2011
21	10/21/2011
22	11/4/2011
23	11/18/2011
24	12/2/2011
25	12/16/2011
26	12/30/2011

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 4th day of  
January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated December 1, 2010, from Susan Kramarsky, Town Clerk, concerning the Town's records retention policy, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby approves the records retention schedule in the form filed in the Town Clerk's Office, as the Town's minimum records retention list.

Dated: January 4, 2011

UPON ROLL CALL VOTE:

SANDRA L. FRANKEL	_____
JAMES R. VOGEL	_____
RAYMOND J. TIERNEY III	_____
LOUISE NOVROS	_____
SHEILA GADDIS	_____

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 4th<sup>th</sup> day of January, 2011.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

Councilpersons

**WHEREAS**, the Commissioner of Public Works previously recommended that the following significant Town trees located in the Town highway right-of-way, which are damaged and/or diseased and poses a threat to persons and property, be removed, which recommendation was subject to public hearing, scheduled to be held on January 26, 2011, by resolution of the Town Board dated December 22, 2010:

37" Silver Maple at 101 Edgeview Lane  
43" Silver Maple at 132 Holloway Drive  
33" Linden at 314 Hollywood Ave.;

and

**WHEREAS**, based on the condition of the tree adjacent to 132 Holloway Drive, the Commissioner of Public Works determined that its removal was an emergency, and at his direction, the tree has already been removed, and as a result, the Town Board desires to amend its resolution setting the public hearing, to provide that the hearing will be held on January 26, 2011 to consider the removal of the remaining two trees; it is therefore

**RESOLVED**, that correspondence dated December 30, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the proposed removal of trees, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby amends its resolution, dated December 22, 2010, setting a public hearing to consider the removal of three

significant Town trees located in the highway right of way, to provide that the hearing will consider the removal of two significant town trees, because they pose a hazard to persons and property, namely a 37" Silver Maple tree located in the highway right-of-way adjacent to 101 Edgeview Lane and a 33" Linden tree located in the highway right-of-way adjacent to 314 Hollywood Ave., which public hearing will be held on January 26, 2011 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue in the Town, at which time all persons having an interest in such matter will have an opportunity to be heard; and be it further

**RESOLVED**, that the action of the Town Clerk, who previously caused notice of such hearing to be given as required under Chapter 175 of the Town Code with respect to the two trees only, is hereby ratified and approved.

Dated: January 4, 2011

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

January 4, 2011

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>167,415.76</u>
D - HIGHWAY	<u>100,073.96</u>
H - CAPITAL	<u>488.63</u>
L - LIBRARY	<u>28,963.16</u>
SL - LIGHTING DIST	<u>19,487.92</u>
SS - SEWER DIST	<u>16,350.84</u>
SW - WATER DIST	<u>8,759.00</u>
TA - AGENCY TRUST	<u>18,053.74</u>
TOTAL	\$ <u>359,593.01</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 4th day of January, 2011.

**PRESENT:**

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

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**WHEREAS**, due to unforeseen staffing issues in the Parks & Recreation Department, Rebecca Cotter has accrued significant compensatory time which she has been unable to use and does not anticipate being able to use during the foreseeable future, and therefore requests an exception to the Town's policy to allow her to cash such excess compensatory time out, which request is supported by the Director of Parks and Recreation; and

**WHEREAS**, in light of the staffing issue in the Parks and Recreation Department and the extraordinary service provided by Rebecca Cotter during such time period, which has prevented her from using accrued compensatory time in compliance with the Town's policy for the use of such compensatory time, and without creating any precedent for future requests for exceptions to Town policy; it is therefore

**RESOLVED**, that a memorandum dated December 9, 2010 from Jerry LaVigne, Director of Parks and Recreation, concerning an exemption to the Non-Represented Compensatory Time Policy for Rebecca Cotter, be received and filed; and be it further

**RESOLVED**, that based upon the factors recited in the above-referenced memorandum, the Town Board hereby authorizes an exception to the existing Town Policy regarding compensatory time to permit Rebecca Cotter to be paid

in cash for accumulated compensatory time of 51 hours, in the amount of \$1,653.42, on or about December 31, 2010.

Dated: January 4, 2011

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 4th day of January, 2011.

**PRESENT:**

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

**WHEREAS**, many individuals and businesses desire to support the fundraising efforts for the proposed Veteran's Memorial in the Town of Brighton and have made donations that must be accepted by the Town; it is therefore

**RESOLVED**, that correspondence dated December 29, 2010 from Suzanne Zaso, Acting Director of Finance, concerning donations for the proposed Veteran's Memorial in Brighton, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby gratefully accepts the donations to the proposed Veteran's Memorial project in the aggregate amount of \$6,592, as listed in the above referenced correspondence.

Dated: January 4, 2011

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 4th day of January, 2011.

**PRESENT:**

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

**RESOLVED**, that a proposed schedule of 2011 Public Safety Committee meeting dates is hereby received and filed; and be it further

**RESOLVED**, that the Town Board hereby adopts the schedule of 2011 Public Safety Committee meeting dates as received and filed.

Dated: January 4, 2011

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	_____

**PUBLIC SAFETY MEETING SCHEDULE**  
**FOR 2011**

**All meetings scheduled in the Downstairs Meeting Room**  
**2<sup>nd</sup> Tuesday at 8:00 - 10:00 AM**

Tuesday, January 11  
Tuesday, February 8  
Tuesday, March 8  
Tuesday, April 12  
Tuesday, May 10  
Tuesday, June 14  
Tuesday, July 12  
Tuesday, August 9  
Tuesday, September 13  
Tuesday, October 11  
Tuesday, November 8  
Tuesday, December 13

**Prepared by M. Petri for Fire Marshal 11/19/2010**

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 4th day of January, 2011.

**PRESENT:**

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

**RESOLVED**, that a proposed schedule of 2011 Public Works Committee meeting dates is hereby received and filed; and be it further

**RESOLVED**, that the Town Board hereby adopts the schedule of 2011 Public Works Committee meeting dates as received and filed.

Dated: January 4, 2011

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	_____

**PUBLIC WORKS COMMITTEE MEETINGS**  
**FOR 2011**

**All meetings scheduled in the Downstairs Meeting Room**  
**1<sup>st</sup> Monday\* at 9:00 AM**

\*Monday, January 10  
Monday, February 7  
Monday, March 7  
Monday, April 4  
Monday, May 2  
Monday, June 6  
\*Monday, June 27  
Monday, August 1  
\*Monday, September 12  
Monday, October 3  
Monday, November 7  
Monday, December 5

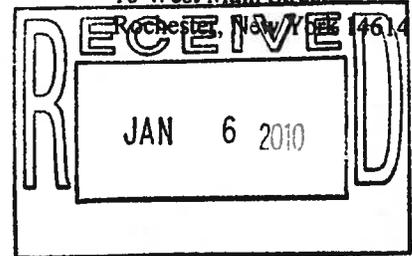
\*except as noted

**DAVID W. LIPPITT**  
ATTORNEY AT LAW

January 5, 2011

Ms. Sandra L. Frankel, Supervisor  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

Powers Building – Suite 732  
16 West Main Street



Re: Legal Representation

Dear Sandy:

I am sending this letter to confirm the Town of Brighton has again retained me to provide legal services to the Town with respect to labor and employment matters. I thank you, and the Town Board, for your continuing confidence in my services.

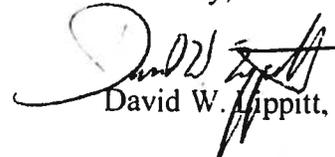
As we discussed, I will provide my legal services to the Town at the rate of \$165 per hour. In addition, I will charge the following as reimbursable expenses when they are incurred in my representation of the Town: mileage for travel to and from locations outside of Monroe County, parking and lodging expenses, special mailing expenses (examples: certified mail or FedEx), special printing/copying expenses (examples: more than 50 pages of copying or binding), filing fees, subpoena fees and transcript costs. I do not charge for long-distance or cellular phone calls, standard postage or regular copying.

At the end of each month in which I perform legal services for the Town I will send the Town Attorney an invoice for my services, with a copy to the Director of Finance. This invoice will itemize the work I performed for the Town during the month, the time spent on each item, and the total fees and reimbursable expenses for the month. Invoices are payable within 60 days of receipt.

Should you have any questions relating to my representation of the Town or this letter, please do not hesitate to contact me. If the terms set forth in this letter are acceptable, please sign both originals on behalf of the Town, retain one for the Town and return the other fully executed letter to me.

Thank you again for choosing my services.

Sincerely,

  
David W. Lippitt, Esq.

AGREED:

  
Ms. Sandra L. Frankel, Supervisor

Dated: 1/6/11

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 4th day of January 2011.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that David Lawrence, 156 Wintergreen Way, Rochester, New York, 14618, be and hereby is re-appointed to the Brighton Zoning Board of Appeals, for a term commencing immediately and expiring on December 31, 2015.

January 4, 2011

UPON ROLL CALL VOTE

Sandra L. Frankel \_\_\_\_\_

James R. Vogel \_\_\_\_\_

Raymond J. Tierney III \_\_\_\_\_

Louise Novros \_\_\_\_\_

Sheila Gaddis \_\_\_\_\_