

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
February 9,2011

PRESENT:

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

William Moehle, Attorney for the Town

Susan Kramarsky, Town Clerk

MEETING CALLED TO ORDER

EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session at 6:05 PM to discuss matters of litigation, the employment of particular people and CSEA Contract Negotiations.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to come out of executive session at 7:05 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Amend Contract with Raymond Wager, CPA, PC, to perform a special audit in connection with a personnel matter to increase the cost of such audit by \$1500, from \$3000 to \$4500.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

Black History Month Proclamation
Dr. David Anderson, Chair Rochester-Monroe County Freedom Trail Commission

State of the Town Address-The Honorable Sandra L. Frankel

OPEN FORUM:

Jim Strong
Leo Dodd
Paul Holohan
Mordechai Rennert
Larry Shulman
Mordechai Rennert
Michael Pollock
Judy Schwartz

APPROVAL OF AGENDA:

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to approve the agenda with the addition of an executive session and communication from Paul Holohan.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

January 26,2011 Town Board Meeting

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve and file the minutes for the meeting of January 26,2011.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize rejection of bids received for HVAC I.T. Room Improvements due to respondents exceeding total allowable estimated project costs in their bid pricing and;

Authorize re-solicitation of bids for the HVAC I.T. Room improvements (see Resolution #1 and letter dated January 28,2011 from Michael Guyon, P.E. Town Engineer).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation of bids for the construction of proposed Westfall Sidewalk Project to be funded through the awarded and Town Board approved, \$45,000 Community Development Block Grant received in 2010 (see Resolution #2 and letter dated January 28,2011 from Michael Guyon, P.E. Town Engineer).

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 in Exhibit No. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Paul Holohan dated February 9,2011 regarding the efforts of the Town

FROM Gabrielle Monachinio dated January 22, 2011 to Supervisor requesting a proclamation to honor the late Alex Kanack, who served over 30 years as Director of the Brighton School Orchestra and owner of The String House on Monroe Avenue in Brighton.

FROM Steven Moore, Chair, Eagle Scout Mentor Dinner dated January 25, 2011 to Supervisor thanking her for attending and participating as an Eagle Scout Mentor at the 60th Annual Eagle Scout Mentor Dinner.

FROM Maggie Brooks, Monroe County Executive dated January 28, 2011 to Supervisor Re: Part 1 of the Full Environmental Assessment Form for the Monroe County Public Safety Communication Project (report available for viewing in Town Clerk's office).

FROM Juliet MacMillan, Brighton resident, dated January 27, 2011 to Supervisor commending Chad Roscoe (Town Drafting Technician) for the excellent customer service he provided to her.

FROM Michael Hart of Emco Commercial Flooring Inc., dated January 20, 2011 to Supervisor Frankel informing her that a donation was made to the Jewish Family Service Inc., in the name of the Town of Brighton

FROM Sara Rubin, member of the Brighton Conservation Board dated January 31, 2011 informing Supervisor and other interested parties, that a grant award of \$20,000 has been made to the Buckland Creek remediation project.

FROM Patricia Famiglietti, NY State Animal Health Inspector to Town Clerk dated January 25, 2011 Re: results pursuant to Municipal Dog Shelter inspections.

FROM Elizabeth Clifford dated February 2, 2011 to Supervisor informing her that she is unable to complete her term as a Member of the Town of Brighton Zoning Board of Appeals.

FROM Janet E. Hopkin, Secretary, Historic Brighton dated February 3, 2011 to Supervisor thanking her for her participation as well as her appreciation to Town Hall staff members for their efforts relating to the Historic Memories II program held on January 30, 2011.

FROM Chris Mueller, Director, Government Relations, Time Warner Cable to Supervisor dated February 1, 2011 Re: listing of Time Warner Cable channels with soon to be expired contracts, which may or may not be renewed.

FROM Vincent J. Mazza to Town Clerk's office dated January 31, 2011 complimenting Dan Aman, Second Deputy Receiver of Taxes for the excellent customer service he provided to Mr. Mazza.

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to receive and file aforementioned communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services--Next meeting February 17, 2011.
 Finance and Administrative Services--Next meeting February 16, 2011
 Public Safety Services--Next meeting March 8, 2011.
 Public Works Services--Next meeting March 7, 2011 .

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 claims as set forth in Exhibit No.4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: CSEA Tentative Contract Agreement (see Resolution #4).

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 in Exhibit No.5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute renewal contract with CivicPlus to provide standard software service and license agreement for the Town of Brighton's website for the year 2011 (see Resolution #3 , memorandum from Susan Wentworth, Coordinator of Data Processing for the Town of Brighton dated January 27, 2011 and copy of Service & Ucense Agreement).

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO.6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize participation in the Bobcat Equipment Buy Back Program at a cost of \$2,600 allowing the Town to trade in our current Bobcat Loader for a new and unused replacement (see Resolution #5 and letter dated January 31,2011 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize budget amendment to appropriate \$2,222.96 in surplus from the 2010 General Fund to the Clean Sweep Program account (see Resolution #8 and Memorandum dated February 2, 2011 from Suzanne Zaso, Acting Director of Finance).

Withdrawn

MATTER RE: Authorize Supervisor to execute contract renewal agreement with Waste Management of New York LLC for refuse and recycling pick up services for Town Hall Recycling districts for 2011 (see Resolution #9 and letter dated February 3, 2011 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember James Vogel seconded by Councilrner Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO.8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval of budget appropriation in the amount of \$42,985 of which is the remaining balance of previously approved NYSERDA Block Grant Award, to Green Brighton Task Force account for consulting services (see Resolution #10 and letter dated February 3,2011 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Authorize Supervisor to execute contract with Dave Miller/Assessment and Valuation Services (AVS) Inc. in the amount not to exceed \$3,300 for set up and update of valuation module of V4 Real Property Tax Services computer system (see Resolution #11 and letter dated February 3, 2011 from Elaine Ainsworth, Town Assessor).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Receive and File proposed study of Fire and Emergency Medical Services for the Town of Brighton (see Resolution #17).

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to receive and file proposed study of Fire and Emergency Medical Services for the Town of Brighton.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Authorize approval to extend temporary staffing changes in the Town of Brighton Finance Department from February 1, 2011 until a new Finance Director has been hired (see Resolution #12 and memorandum dated February 2, 2011 from Suzanne Zaso, Acting Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Authorize approval to accept donations in the amount of \$1,750 as additional monies received for the Town of Brighton Veterans Memorial Fund (see Resolution #18 and letter dated February 7, 2011 from Suzanne Zaso, Acting Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Authorize approval to amend previously approved Town Board contract, dated December 22, 2010 with Ramsco Inc., to increase amount by \$108.73 to compensate for additional pipe quantities shipped due to pipe length manufacturing standards (see Resolution #13 and letter dated February 7, 2011 from Timothy Keef, P.E. Commissioner of Public Works).

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 in Exhibit No. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Authorize adoption of Negative Declaration for proposed South Winton Road sidewalk construction and declare Town Board as lead agency for environmental

review of same (see Resolution #16, letter dated February 7, 2011 from Timothy E. Keef, P.E. Commissioner of Public Works and Negative Declaration).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to previously approved appointment of David W. Lippitt, Esq. to include his recent employment with Osborn Reed & Burke, LLP for Labor and Employment Legal Services to the Town of Brighton effective March 1, 2011 (see Resolution #15 and letter dated February 4, 2011 from David W. Lippitt, Esq.).

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MATTER RE: Confirm membership of Mr. Gene Yang, 62 Raleigh Street, Rochester, NY and Mr. John Matthews, 124 Colony Manor Drive, Rochester, NY in the West Brighton Fire Department (see Resolution #14)

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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION:

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to go into executive session at 9:35 PM to discuss the employment of particular persons.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to come out of executive session at 10:05 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Ray Tierney seconded by Councilmember Sheila Gaddis to adjourn at 10:10 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York meeting held on the 26 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, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of February, 2011.

PRESENT:

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

RESOLVED, that the Town Board hereby amends its earlier resolution, in which it authorized the Supervisor to execute and deliver an agreement with Raymond J. Wager, CPA, PC, to perform a special audit in connection with a personnel matter, to increase the cost of such audit by \$1500.00, from \$3000.00 to \$4500.00.

Dated: February 9, 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 9th day of February, 2011.

PRESENT:

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

WHEREAS, the Town Board previously authorized the Town Engineer to solicit bids for heating, ventilation and air conditioning equipment to serve a portion of Town Hall, and in response, such bids were solicited; and

WHEREAS, bids were received for a portion of such project, but the Town Engineer has recommended that the bids be rejected and that he be authorized to rebid the work; it is therefore

RESOLVED, that correspondence dated January 28, 2011 from Michael E. Guyon, P.E., Town Engineer, concerning bids for HVAC equipment for the information technology and other areas of Town Hall, be received and filed; and be it further

RESOLVED, that the Town Board hereby concurs in the recommendation of the Town Engineer and rejects all bids received to furnish and install a chilled water/steam unit ventilation and ductless split system with rooftop condensing unit; and be it further

RESOLVED, that the Town Engineer is hereby authorized to rebid such work, following an evaluation of alternatives.

Dated: February 9, 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



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

January 28, 2011

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: HVAC LT. Room Improvements
Bid Results

Dear Councilperson Gaddis and Committee Members:

The Department of Public works recently solicited bids to furnish and install a new chilled water/steam unit ventilation and ductless split system with rooftop condensing unit that would serve the Information Technology Room, Break Room, Human Resources Office, Human Resources storage area and conference room. The bid documents included an electrical and HVAC contract. The Advertisement for Bids was published in the Brighton-Pittsford Post on January 6, 2011. Plans and specifications were available at CDC News, Dodge Reports and Builders Exchange for review by prospective bidders. Additionally, the Department of Public Works notified sixteen local contractors, six electrical and ten HVAC contractors of the proposed project.

Bids for the electrical and HVAC contract were received on January 25, 2010. There were no bids received for the electrical contract and two bids were received for the HVAC contract. The HVAC bids included a bid price of \$61,000.00 from Pipitone Enterprises, LLC and \$64,700.00 from Lawman Heating & Cooling. Both bids exceeded the maximum estimated project cost of \$55,000.00. Since no bids were received for the electrical contract and the HVAC bids exceeded the maximum estimated project cost, I am requesting that the FASC consider rejecting the bids for the proposed HVAC I.T. Room Improvements.

The Department of Public Works will continue to evaluate alternatives to accommodate the heating and cooling requirements of this part of Town Hall and anticipates re-bidding this project in February 2011. I am requesting that the FASC authorize re-bidding the HVAC I.T. Improvements.

As always, thank you for your consideration. Either Tim Keef and/or I will be in attendance at your February 7, 2011 meeting in the event that you have any questions regarding this matter.

Respectfully submitted,

Michael E. Guyon, P.E.

cc: Suzanne Zaso
Tim Keef, Commissioner of Public Works

EXHIBIT NO.3

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 February, 2011.

PRESENT:

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

WHEREAS, the Town was awarded a \$45,000 Community Development Block Grant during 2010, to install 4000 feet of concrete sidewalk along the south side of Westfall Road, across the frontage of 1435 Westfall Road, and the Town Engineer now seeks authorization to solicit bids for such work; **it is therefore**

RESOLVED, that correspondence dated January 28, 2011 from Michael E. Guyon, P.E., Town Engineer, concerning bids for sidewalk construction on Westfall Road, be received and filed; and be **it** further

RESOLVED, that the Town Board hereby authorizes the Town Engineer to solicit bids for the construction of sidewalks on Westfall Road, across the frontage of 1435 Westfall Road, as contemplated by the \$45,000 Community Development Block Grant received by the Town for such work.

Dated: February 9, 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

EXHIBIT NO. 5

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 February, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated February 9, 2011 from Gary Brandt, Personnel Director, concerning the terms of a proposed collective bargaining agreement by and between the Town and the Civil Service Employees Association, be received and filed; and be it further

RESOLVED, that the Town Board hereby ratifies and approves and authorizes the Supervisor to execute and deliver a collective bargaining agreement, by and between the Town and the Civil Service Employees Association, upon substantially the terms set forth in the above memorandum.

Dated: February 9, 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

CSEA Tentative Agreement:

↓ 2/9 new bus -

Wages:

January 1, 2010: 2.0% (retroactive);
January 1, 2011: **2.0%**;
January 1, 2012: 2.0%;
January 1, 2013: 2.0%;
July 1, 2013: 1.5%*

Health Insurance:

Base Plan: Excellus PPO with \$300 Lifestyle Benefit Mid Plan
Town contribution based on Base Plan for employees hired prior to ratification:
2010: \$150 for single; \$250 for two person/family-no spouse; \$300 family
95% effective upon ratification, but no later than February 9, 2011;
92.5% effective January 1, 2012;
91.5% effective January 1, 2013; and
90.0% effective July 1, 2013* (capped same as PBA)
Town contribution based on Base Plan for employees hired after ratification: 85%
Eliminate Town cost-sharing for employees and retirees who select more expensive plan

In lieu of health insurance:

Employees who are covered by other non-Town health insurance (must provide proof of such) and elect to opt out of Town health insurance plan will be paid \$3,000 annually (prorated for partial years), provided at least five bargaining unit members opt out.

Death in Family (Article XI):

Add - Any member of employee's household.
: - Modify by permitting bereavement leave to be used on three consecutive working **days**, not to be taken earlier than three working days before the funeral or later than three working days after the funeral.

Uniform Allowance:

Prorated recapture of uniform allowance upon separation from employment through final paycheck.

Overtime:

Labor/management committee to discuss matters important to the parties including overtime usage and distribution.

*Actually effective the 14th payroll period.

EXHIBIT 6

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 February, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated January 27, 2011 from Susan Wentworth, Coordinator of Data Processing, concerning the Town's agreement with CivicPlus, provider of the Town's website hosting, maintenance and support, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver a Service and License Agreement by and between the Town and CivicPlus, for support, maintenance and hosting of the Town's website during 2011, at a base cost of \$6,555.00, which Agreement shall be in form and substance as may be approved by the Attorney to the Town.

Dated: February 9, 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

EXHIBIT?

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 February, 2011.

PRESENT:

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

RESOLVED, that correspondence dated January 31, 2011, from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the trade-in of a used Bobcat loader and purchase of a new loader, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the purchase of a new Bobcat loader and in connection therewith, the trade-in of a used Bobcat loader now owned by the Town, at a purchase price of \$2,600.00, net of the value of the trade-in of the used loader, under the New York State purchase contract.

Dated: February 9, 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 9th day of February, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 3, 2011, from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the renewal of the agreement with Waste Management of New York for refuse and recycling services to the Town's Refuse Districts, be received and filed; and be it further

RESOLVED, that the Supervisor *is* hereby authorized to execute and deliver an agreement by and between the Town and Waste Management of New York extending the term of the agreement under which Waste Management provides refuse and recycling services to the Town's Refuse District, at a unit price of \$198.70, for a term ending December 31, 2011, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: February 9, 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 9th day of February, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 3, 2011, from Timothy E. Keef, P.E., Commissioner of Public Works, concerning New York State Energy Research and Development Authority Energy Efficiency and Conservation Block Grant Agreement #19401, be received and filed; and be **it** further

RESOLVED, that the Town Board hereby appropriates the remaining \$42,985 of the \$45,000 Energy Efficiency and Conservation Block Grant previously received by the Town, to account A.DPW.8982.400.

Dated: February 9, 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 9th day of February, 2011.

PRESENT :

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

RESOLVED, that a memorandum dated February 3, 2011, from Elaine Ainsworth, Town Assessor, concerning the approval of an agreement with Assessment and Valuation Services for software updating and consulting services for the Town Assessor, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement, by and between the Town and Assessment and Valuation Services, for software updating and services for the Town Assessor, at a cost not to exceed \$3,300, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: February 9, 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 9th day of February, 2011.

PRESENT:

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

WHEREAS, on July 28, 2010, the Town Board approved a temporary reorganization of the Finance Department for 90 days, following the resignation of the previous Director of Finance, which temporary reorganization was later extended for an additional 90 days through February I, 2011; and

WHEREAS, pending the hiring of a new Director of Finance, a further extension of such temporary staff changes is now required; it is therefore

RESOLVED, that a memorandum dated February 2, 2011 from Suzanne Zaso, Acting Director of Finance concerning an extension of temporary staff changes in the Finance Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby grants a further extension of the temporary staff changes in the Finance Department until a new Director of Finance starts work with the Town.

Dated: February 9, 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



SUZANNE ZASO, ACTING DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) **784-5396**

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Acting Director of Finance
Date: February 2, 2011
Subject: Finance Department Temporary Staffing Changes Extension

On July 28, 2010, the Town Board approved a temporary reorganization of the Town of Brighton Finance Department as a result of the resignation of the then Director of Finance. This reorganization allowed for the 90 day assignment beginning August 1, 2010, of the Senior Account Clerk in the Finance Dept. to the position of Acting Accountant in the Highway Department at 40 hours/week, the Accountant in the Highway Department to Acting Assistant Director of Finance in the Finance Department at 40 hours/week, and the approval of the part-time Payroll Clerk to work up to an additional 5 hours per week. These assignments were extended by the Town Board on 10/27/10 for an additional 90 day period, which expired on 2/1/11. I am requesting approval of the Town Board to extend these acting positions per the terms and conditions stated in the original memo from Personnel Director Gary Brandt on 7/28/10 until a new Director of Finance starts with the Town, thereby putting the Finance Department back to a full staffing level. It is anticipated that a new Director will begin in the next several weeks. This has been discussed with Gary Brandt and he concurs with this request. Funding is available in the Finance Department's salaries and wages budget for this request.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: S. Frankel, W. Moehle, G. Brandt

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 February, 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 February 7, 2011 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 amount of \$1,750.

Dated: February 9, 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 9th day of February, 2011.

PRESENT:

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

WHEREAS, The Town Board previously approved a contract for the furnishing and delivery of PVC sewer pipe with Ramsco, at a cost of \$18,222.62; and

WHEREAS, due to the need for slightly higher quantities of pipe, the Commissioner of Public Works has requested an increase in the amount of the contract of \$108.73, which increase has been reviewed by the Town Board's Finance and Administrative Services Committee; it is therefore

RESOLVED, that correspondence dated February 7, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the contract for the furnishing and delivery of PVC sewer pipe, be received and filed; and be it further

RESOLVED, that the Town Board hereby amends its resolution of December 22, 2010, to increase the cost for the furnishing and delivery of PVC sewer pipe, under a contract by and between the Town and Ramsco, by \$108.73, making the total contract amount \$18,331.35.

Dated: February 9, 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 Hal 1, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of February, 2011.

PRESENT:

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

WHEREAS, the Town Board of the Town of Brighton previously authorized submitting an application for a Community Development Block Grant for a project to be determined; and

WHEREAS, the Town Board now desires to apply for a CDBG grant to construct sidewalks on South Winton Road, a distance of 800 feet north from Senator Keating Blvd. and in connection therewith, plans to declare itself to be lead agency in the environmental review of such project under the State Environmental Quality Review Act; it is therefore

RESOLVED, that correspondence dated February 7, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning SEQRA review of the proposed South Winton Road sidewalk construction, be received and filed, together with a proposed Environmental Assessment Form and negative declaration in connection therewith; and be it further

RESOLVED, that the Brighton Town Board hereby declares itself to be lead agency in the environmental review of the proposed South Winton Road sidewalk construction project, consisting of eight hundred linear feet of sidewalks to be constructed along South Winton Road north from Senator Keating Blvd. and in connection therewith, issues a negative declaration under SEQRA.

Dated: February 9, 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

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: ER-1-11

Date: February 9, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Winton Rd. South Sidewalk

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: The project involves the installation of 800 linear feet of five-foot-wide concrete sidewalk on the west side of Winton Road South, connecting with and extending north from the sidewalk proposed to be built as part of the proposed 1-590 Winton Road South Interchange ("Diverging Diamond") project, which will terminate at the proposed Senator Keating Boulevard. It is anticipated that the sidewalk will be built within the existing ROW of Winton Road South (Monroe County 98), although acquisition of easement(s) on adjacent private property may be found to be necessary. The Town of Brighton is applying through the County of Monroe for Community Development Block Grant funds for the project. A permit from the Monroe County Highway Department will be required. A permit from NYSDOT may be required.

Grading and sidewalk construction will, based on the most recent FEMA flood maps, be partially within the floodplain of the West Branch of Allen's Creek. The project will also involve the removal of a number of trees in the ROW of Winton Road South.

Location: West side of Winton Road South between 1-590 and Westfall Road.

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Part II) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton Town Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with.
2. The action is limited in scope (+/- 800 linear feet of sidewalk at 5' width), and project disturbance will be short term (+/- 2 months). There will be no significant impacts from noise or on air quality.
3. The project area is primarily grass adjacent to the Winton Road South pavement. A number of trees along the Winton Road South ROW line will need to be removed, but these trees appear to be of low quality.
4. Much of the sidewalk area will be graded and/or filled by NYS as part of the interchange project. However, the final layout of the sidewalk may require additional grading/filling to provide a proper surface for installation of the sidewalk. Some of the grading/filling will be in areas mapped, according to the latest FEMA flood mapping, as 100 year floodplain. However, the amount of grading/filling involved *will* not significantly or noticeably impact flood levels or significantly alter flood characteristics upstream or downstream from the project area.
5. The NYSDEC Environmental Resource Mapper does not show the presence of any rare plants or animals or any significant natural communities in the area of the project.
6. The project will comply with the New York State Standards and Specifications for Erosion and Sediment Control.
7. All requirements of permitting agencies will be met.
8. Traffic will not be significantly impacted.
9. There will be no resources of value irreversibly lost.

For further information:

Contact Person: Ramsey A. Boehner, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

Telephone: 585-784-5229

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 February, 2011.

PRESENT:

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

WHEREAS, the Town Board of the Town of Brighton previously appointed David W. Lippitt, Esq., a sole practitioner, as legal counsel for labor and employment matters at the rate of \$165 per hour; and

WHEREAS, Mr. Lippitt will be joining the law firm of Osborn, Reed & burke, LLP on March I, 2011 in an "of Counsel" relationship; be **it**

RESOLVED, that correspondence from David W. Lippitt, Esq., concerning his change in contract information, be received and filed, and be **it** further;

RESOLVED, that the Town Board of the Town of Brighton hereby appoints the law firm of Osborn, Reed & Burke, LLP, David W. Lippitt, Esq., of Counsel, as legal counsel for labor and employment matters at the rate of \$165 per hour, effective March I, 2011, and authorizes the Supervisor to execute and deliver an engagement agreement in connection therewith, which agreement shall be in form and substance as may be approved by the Attorney to the Town.

Dated: February 9, 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 9th day of February, 2011.

PRESENT:

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

RESOLVED, that email correspondence dated February 7, 2011 from Pat A. Inzer, concerning West Brighton Fire Department appointments, be received and filed; and be it further

RESOLVED, that the appointments of Mr. Gene Yang, 62 Raleigh Street, Rochester, New York 14620 and Mr. John Matthews, 124 Colony Manor Drive, Rochester, New York 14623, to active membership in the West Brighton Fire Department, are hereby approved.

Dated: February 9, 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

