

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
April 13, 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 Ray Tierney to go into executive session at 6:10PM to discuss matters of litigation and matters of real estate

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval of Settlement of litigation

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: Approval of payment of settlement

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

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to come out of executive session at 7:10PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

Proclamation Presentations:

National Volunteer Week April 10th – 16th, 2011
National Crime Victims' Rights Week April 10th – 16th, 2011

Swearing in Ceremony:

Brighton Police Officer Keith E. Woodard Jr.

OPEN FORUM:

Gallina Development –Kurt Sertl, Director of Leasing Re: Cambridge Project
Richard Aikens
Deborah Warren

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve the agenda with the addition of petition submitted by Richard Aikens and an executive session to discuss matters of real estate

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PETITIONS:

MATTER RE: West Brighton Drainage Sewers presented by Richard Aikens

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to receive and file aforementioned petition and to refer the matter to Department of Public Works and Public Works Committee

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize solicitation of bids to provide Pedestrian and Bicycle Master Plan Consulting Services to the Town of Brighton (see Resolution #1 and letter dated April 4, 2011 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation of bids to provide Environmental Consulting Services relating to Buckingham Properties, Winfield Park Incentive Zoning Request (see Resolution #19 and letter dated April 12, 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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM American Red Cross to Brighton Town Hall dated March 30, 2011 thanking all those who helped to support the February 28, 2011 Blood Drive held at the Town Hall.

FROM Kenneth J. Glazer, Owner Brighton Business Park dated March 30, 2011 to Supervisor thanking her for the opportunity to present at the March 9, 2011 Town Board Meeting.

FROM Neal T. Holtzman, Brighton citizen dated March 27, 2011 to Supervisor regarding his displeasure with the newly constructed metal shed in Buckland Park with response dated April 8, 2011 from Supervisor Frankel.

FROM Genesee Transportation Council to Supervisor dated April 1, 2011 Re: Finalized Unified Planning Work Program report for 2011 and 2012. Report available for viewing in the Department of Public Works

FROM Michael J. Townsend Attorney, Harris Beach, to Supervisor and other interested parties dated February 28, 2011 Re: Payment in Lieu of Tax Agreement, Application for Real Property Tax Exemption and COMIDA checklist for the Gallina Cambridge project (Documents available for viewing in the Town Clerk's office).

FROM Robert Benvenuti dated March 30th, Judith Cos dated March 29th and unsigned letter dated April 4th, 2011, Brighton citizens to Supervisor requesting her support in enacting a ban on puppy and kitten mills within Monroe County.

FROM Chris Mueller, Director Government Relations, Time Warner Cable to Supervisor dated April 1, 2011 Re: Listing of channels with soon to be expired contracts which may or may not be renewed and changes to some existing channel programming.

FROM James H. Redmond, Chairman, Rochester-Genesee Regional Transportation Authority dated April 1, 2011 Re: Receipt of the 2011-12 Comprehensive Plan (Plan available for viewing in the Town Department of Public Works).

FROM New York State Department of Environmental Conservation dated April 4, 2011 Notification of application made by the Brighton Central School District to the Clean Water Act, Water Quality Certification Agency in order to begin Stream Disturbance restoration project.

FROM Congressman Thomas Reed to Department of Treasury, Internal Revenue Service, Director Nanette Downing with copy to Supervisor, dated March 31, 2011 requesting an expeditious investigation concerning the Exempt Status of the Monroe County Sports Centre matter.

FROM Ann Vodacek, April 11th, Judy Schwartz, April 11th, Nicole Walker, , Alistair Kwan, Cathy & Jim Yorio, Nina Randazza and Stacia Rush dated April 12, 2011 all Brighton Citizens, to Supervisor expressing their appreciation, support, and enthusiasm towards the Brighton Farmers Market and the plan to create an indoor, year-round Market.

FROM Paul Tucci, V.P for Administration, Empire State College to Supervisor dated April 6, 2011 Re: Follow up to meeting of March 21st and subsequent phone conversations concerning designating Lead Agency status to the State University Construction Fund (SUCF).

FROM Tom Price, State of NY Dept. of Transportation dated April 1, 2011 to Supervisor Re: Route 31 from Route 65 to the Canal Bridge Maintenance Paving project scheduled to begin May, 2011 with completion by September, 2011.

FROM Kathleen M. Miller, Executive Director, Rochester Regional Library Council to Supervisor dated April 11, 2011 announcement and congratulations to the French Road Elementary School Library for being chosen as the 2011 RRLC School Library of the Year.

FROM Pastor Ron A. Domina, Director and Lori M. Sousa, Associate Director of the New York State Christians United for Israel Organization to supervisor, dated March 31, 2011 thanking her for her support and participation in the 2011 Greater Rochester Night to Honor Israel event.

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to receive and file aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services--Next meeting April 14, 2011.

Finance and Administrative Services--April 26, 2011. Next meeting May 4, 2011

Public Safety Services--April 12, 2011. Next meeting May 10, 2011

Public Works Services--April 4, 2011. Next meeting May 2, 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. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize certain Brighton Police Department inventory items having no remaining value and deemed no longer serviceable, to be declared as surplus and approve disposal of same (see Resolution #2 and letter dated March 18, 2011 from Chief of Police Mark Henderson listing items).

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. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute 2011 Stop DWI Enforcement Contract between the Town of Brighton and Monroe County with grant funding from Monroe County totaling no more than \$23,130.85 along with approval to amend the 2011 Police Dept. Budget to accommodate referenced grant funds (see Resolution #3 and letter dated March 21, 2011 from Chief of Police Mark Henderson).

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 approval to accept donation in the amount of \$250.00 made by Beverly B. Dollinger, to the Trust Fund for Community Recycling (see Resolution #4).

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept Donation made by Mr. Jeff Schultz of a memorial plaque valued at \$484.33 to be used at Corbett's Glen Nature Park (see

Resolution #5 , letter dated April 1, 2011 from Jerry LaVigne, Director of Parks & Recreation and plaque informational sheets).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize certain Brighton Highway Department inventory items to be declared as surplus and approve disposal of same through auction resources (see Resolution #6 and letter dated April 1, 2011 from Timothy J. Anderson, Deputy Highway Superintendent listing items).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept resignation of Caryl Brown, Clerk III, Brighton Police Department, effective April 28, 2011 (see Resolution #7, letter dated April 4, 2011 from Mark Henderson, Chief of Police and letter of resignation from Caryl Brown).

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: Authorize approval to hire Ms. Jacquelyn Pike to fill soon to be vacated Clerk III position, due to retirement of current Clerk III Caryl Brown, effective May 9, 2011(see Resolution #8 and letter dated April 4, 2011 from Mark Henderson, Chief of Police).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to appoint Michael Gulnac to the position of Temporary Laborer in the Town of Brighton Sewer Department, with salary rate as set by the CSEA contract for 2011 (see Resolution #9 and letter dated April 5, 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. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to the 2011 Capital Budget to re-appropriate unexpended balances of appropriations to provide for on-going capital projects (see Resolution #10 and letter dated April 5, 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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract renewal and approval for Supervisor to execute same with EBS-RMSCO Inc. for administration of the Town employee flexible spending program (see Resolution #18 and letter dated April 11, 2011 from Gary Brandt, Director of Human Resources).

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

MATTER RE: Authorize approval to include the West Brighton Fire District under the Town's current Worker's Compensation coverage agreement with PERMA for the remainder of 2011 (see Resolution #15 and letter dated April 8, 2011 from Gary Brandt, Director of Human Resources).

Motion by Councilmember Sheila Gaddis 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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to amend the 2011 budget to appropriate \$3,000 into the Brighton Meadows Drainage District to support landscaping expenditures needed for plantings along the Brighton Meadows pond to improve quality of water, help stabilize the pond banks and to treat rainfall runoff (see Resolution #11 and letter dated March 30, 2011 from Michael Guyon, P.E. Town Engineer).

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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract and approval for Supervisor to execute same in the amount of \$2,500 between the Town and Mary Taylor Sculptures Inc. for Phase 1 (preliminary design) of sculpture to be used at the Town of Brighton Veterans Memorial (see Resolution #12 and letter dated April 4, 2011 from Michael Guyon, P.E. Town Engineer).

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. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval of retirement of Town Assistant Engineer, Richard Cortina (Public Works) effective April 30, 2011 (see Resolution #13 and letter dated March 25, 2011 from Richard Cortina).

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. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to refer to the Town of Brighton Planning Board the request from Gallina Development Inc. regarding Rezoning Conditions Relief concerning the Cambridge Project (see Resolution #17, letter dated April 10, 2011 from Timothy Keef, P.E. Commissioner of Public Works and copy of Gallina Request documents).

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. 20 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Authorize approval for Supervisor to submit voting ballot by proxy, in the Public Employer Risk Management Association Inc. (PERMA) Board of Directors election for 2011-2012 (see Resolution #14, letter dated March 30, 2011 from John Nielson, President – PERMA and voting ballot).

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. 21 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval for Supervisor to submit voting ballot by proxy in the New York Municipal Insurance Reciprocal (NYMIR) Board of Governors election for 2011 (see Resolution #16 and copy of voting ballot).

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. 22 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval for Supervisor to execute letter of invitation to Mayor Hasan Akturk of Mudanya, Bursa, Turkey to engage in a "Friendship City" relationship with the Town of Brighton (see Resolution #20 and letter dated April 13, 2011 from Supervisor Frankel to Mayor Akturk).

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

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session to discuss matters of real estate at 9:00PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO COME OUT OF EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to come out of executive session at 10:15PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to adjourn at 10:20PM

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 13th of April 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 13th day of April, 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 approves the settlement of litigation known as Lundy v. Town of Brighton et al., for a settlement amount of \$50,000, \$15, 000 of which shall be paid by the Town and \$35,000 of which shall be paid by NYMIR; and be it further

RESOLVED, that the Supervisor and/or the Town's attorney in the matter, David Rothenberg, Esq., is hereby authorized to execute and deliver such releases, stipulations and other documents reasonably necessary in the opinion of the Attorney to the Town, to carry out the terms of the above settlement.

Dated: April 13, 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 23rd day of March, 2011.

PRESENT:

April 13, 2011

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

RESOLVED, that a memorandum dated March 8, 2011 from Susan Kramarsky, Town Clerk and Receiver of Taxes, concerning a refund, be received and filed; and be it further

RESOLVED, that based on the recommendation in the above-referenced memorandum, the Town Board hereby approves a refund of interest in the amount of \$32.44 to William Adams, 66 Wendover Road.

Dated: March 23, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 4, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a request for proposals for consulting services in connection with the Pedestrian and Bicycle Master Plan, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to solicit requests for qualifications and proposals to provide consulting services in connection with the Pedestrian and Bicycle Master Plan, funded from proceeds of the recently awarded Genesee Transportation Council grant.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 12, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning environmental consulting services in connection with the Winfield Park Incentive Zoning application, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Public Works Department to solicit request for quotations and proposals for environmental consulting services for the environmental review of the Buckingham Properties Winfield Park Incentive Zoning application.

Dated: April 13, 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

April 12, 2011

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

re: Winfield Park Incentive Zoning Request
Buckingham Properties
Brighton-Henrietta Townline Road/South Clinton Avenue

Dear Supervisor Frankel and Town Council Members:

At your regularly scheduled March 9, 2011 meeting, you received and filed the above amended incentive zoning application with referral to the Public Works and Public Safety Committees for an advisory report from each. These committees entertained this referral at their April 4th and April 12th meetings, respectively. Based upon the review and discussion of this application by each committee, as well as the extensive revisions to the project due to Planning Board input to date, I believe that the project may be in position to undertake the environmental review process. If your Honorable Board is so inclined to pursue this matter, I would request that you take formal action do so at your April 27th meeting and, during the interim, authorize this department to solicit RFQ's/RFP's for environmental consulting services at this time.

As always, your consideration of matters such as this is greatly appreciated.

Very truly yours,

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

TEK/wp

cc: R. Boehner
M. Guyon
M. Hussar
W. Moehle

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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 18, 2011 from Mark T. Henderson, Chief of Police, concerning the disposal of surplus items, be received and filed; and be it further

RESOLVED, that the Town Board hereby declares the items listed in the above-referenced correspondence to be surplus and directs that they be disposed of by the Police Department.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 21, 2011 from Mark T. Henderson, Chief of Police, concerning the 2011 Stop DWI Enforcement Contract, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver the 2011 Stop DWI Enforcement Contract by and between the Town and the County of Monroe; and be it further

RESOLVED, that the Town Board hereby approves the amendments to the 2011 Budget, in connection with Monroe County's funding of the Stop DWI Enforcement program, all as more fully set forth in the above-referenced correspondence.

Dated: April 13, 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 13th day of April, 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 gratefully accepts the donation in the amount of \$250 paid by Beverly B. Dollinger to the Town of Brighton for the Trust Fund for Community Recycling.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 1, 2011 from Jerry LaVigne, Director of Parks and Recreation, together with attachments thereto, concerning a donation of a memorial plaque, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts the donation of a memorial plaque to be installed at Corbett's Glen Nature Park.

Dated: April 13, 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 A

CORBETT'S GLEN NATURE PARK NORTH - THE FIELDS

While Corbett's Glen and the Allens Creek Valley have a rich history, the area now known as Corbett's Glen Nature Park North was an unofficial recreational area for an entire generation.

In the 1970s, local teens referred to the Northern end of Corbett's Glen Nature Park as "The Fields". The area's name was in reference to the natural landscape which consisted primarily of open fields with pockets of wooded areas. At a time before video games, the internet, cable TV, and cell phones, The Fields was a common social gathering place for neighborhood teens.

One of the social gathering spots was the heavy industrial lifting equipment that could be found on the way to the Southern end of the Nature Park. Another common area for teens to congregate was known as "The Tubes", which was easily recognized by three abandoned concrete drainage pipes that were a nice shelter on rainy days. In the area you are now standing was a very common gathering spot known as "The Fort". Constructed by two friends in the 1970s, The Fort was a safe haven during inclement weather and was often frequented by teens well beyond the local neighborhood.

One can search government records, local history books, and internet websites; however, it is very unlikely one will find references to The Fields, The Tubes, or The Fort. However, for an entire generation, they were a real and important part of the Corbett's Glen and the Allens Creek Valley history as well as their childhood memories.

IN MEMORY OF R. TODD GREGOIRE, 1961 - 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 1, 2011 from Timothy J. Anderson, Deputy Highway Superintendent, concerning surplus items, be received and filed; and be it further

RESOLVED, that the Town Board hereby declares the items set forth in the above-referenced correspondence to be surplus and directs that they be disposed of at auction.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 4, 2011 from Mark T. Henderson, Chief of Police, together with correspondence dated February 17, 2011 from Caryl Brown, Brighton Police Records Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts with regret the retirement of Caryl Brown from the Brighton Police Department, effective April 28, 2011.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 4, 2011 from Mark T. Henderson, Chief of Police, concerning the hiring of a Clerk III in the Police Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the hiring of Jacquelyn Pike to the position of Clerk III in the Brighton Police Department, effective May 9, 2011, pending approval of the Monroe County Civil Service Commission, on a probationary basis with a probationary period of 52 weeks, at a starting salary, at Step 1, of \$29,393.00.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 5, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the temporary appointment of a Laborer in the Sewer Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the appointment of Michael Gulnac on a temporary and provisional basis to the position of Laborer in the Sewer Department on a probationary basis with a 52 week probationary period, effective April 18, 2011, at a starting rate of \$16.42 per hour, pursuant to the CSEA contract, for a 40 hour work week.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated April 5, 2011 from Suzanne Zaso, Acting Direct of Finance, concerning authorization for appropriation/re-appropriation of ongoing prior year and 2011 Capital Project Budgets, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Acting Director of Finance to re-appropriate the balances of estimates of all unrealized revenues and all unexpended, unencumbered appropriations relating to ongoing capital projects initiated in years prior to 2011; to authorize the appropriation of, and the transfer of cash provided for cash capital contributions provided for in the 2011 budget; to appropriate into each capital budget any interest earned on project monies through December 31, 2010, thereby providing additional spending authorization and excluding interest earned on borrowed funds, that have been properly transferred to the Debt Services Fund; and to make any and all necessary accounting entries to implement the Town Board's intended actions with respect to this matter.

Dated: April 13, 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: April 5, 2011
Subject: **Authorization for Appropriation/Re-Appropriation of ongoing
Prior Year and New Year (2011) Capital Projects Budgets**

With regard to ongoing capital projects initiated in the 2010 or prior year, and with regard to new 2010 capital projects provided for by the Town Board as part of the 2011 Capital Budget, I recommend that Your Honorable Body authorize me to take the following action, as detailed in the attached "Capital Budget Appropriation and Re-Appropriation Journal Entry for 2011":

- To re-appropriate the balances of estimates for all unrealized revenues and all unexpended, unencumbered appropriations relating to ongoing capital projects initiated in years prior to 2011, and
- To authorize the appropriation of, and the transfer of cash provided for, cash capital contributions provide for in the 2011 budget, and
- To appropriate into each capital project budget any interest earned on project monies through 12/31/2010, thereby providing additional spending authorization and excluding interest earned on borrowed funds (that have been properly transferred to the Debt Service Fund), and
- To direct and empower the Director of Finance to make any and all necessary accounting entries to implement the Town Board's intended actions with regard to this matter.

I will 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

TOWN OF BRIGHTON			
2011 CAPITAL BUDGET			
Appropriation/Re-Appropriation of Prior-Year "Open" and "New" Capital Projects			
<u>Capital Project Description</u>	<u>Budget Code</u>	<u>Debit</u>	<u>Credit</u>
<u>Highland Park / Canalway Trail Project (PARKS/TPTRL)</u>			
Highland Park / Canalway Trail - Intergovernmental Fees (City of Rochester)	H.PARKS.TPTRL 2389	\$18,068.38	
Highland Park / Canalway Trail - Federal Aid	H.PARKS.TPTRL 4585	\$156,738.07	
Highland Park / Canalway Trail - Engineering Fees	H.PARKS.TPTRL.4.52		\$27,323.00
<u>Town Hall/Library Connection:</u>			
Town Hall/Library Connection-Architectural Fees	H.BLDGS.CONCT.455		\$2,000.00
<u>Park Planning and Investigation Project:</u>			
Park Planning/Investigation - Planning/Consulting Services	H.PARKS.PLAN.449		\$82,598.45
Park Planning/Investigation - Printing/Copy Charges	H.PARKS.PLAN.483		\$250.00
Park Planning/Investigation - Legal Notice Charges	H.PARKS.PLAN.486		\$250.00
<u>Open Space Acquisition/Development Project:</u>			
Open Space Plan - Land Acquisition Costs	H.PARKS.PRK03.261		\$22.96
Open Space Plan - Site Development Costs	H.PARKS.PRK03.266		\$330,565.05
Open Space Plan - Engineering Charges	H.PARKS.PRK03.452		\$53,204.20
BAN-Related Legal Notice Costs	H.PARKS.PRK03.486		\$401.85
<u>Construction of Senator Keating Blvd.:</u>			
Senator Keating Blvd. - Engineering Fees	H.CAPRJ.SNKTG.452		\$8,717.25
<u>Construction of Highland Avenue:</u>			
Highland Avenue Project - Federal Aid for Road Construction	H.ROADS.HGLND 4580	\$28,187.08	
Highland Avenue Project - Federal Aid for Road Construction	H.ROADS.HGLND 4580	\$1,009,650.60	
Highland Avenue Project - Federal Aid for Road Construction	H.ROADS.HGLND 4580	\$135,714.81	
Highland Avenue Project - NYS Aid for Road Construction	H.ROADS.HGLND 3580	\$189,309.49	
Highland Avenue Project - NYS Aid for Road Construction	H.ROADS.HGLND 3580	\$25,446.53	
Highland Avenue Project - Road Construction	H.ROADS.HGLND 2.67		\$1,262,063.25
Highland Avenue Project - Engineering Fees	H.ROADS.HGLND 4.52		\$169,643.51
Highland Avenue Project - Engineering Fees	H.ROADS.HGLND 4.52		\$63,550.00
<u>Stormwater Drainage Improvements</u>			
Stormwater Drainage Improvements - Drainage Materials/Supply	H.SEWER.STORM 4.05		\$47,618.43
Stormwater Drainage Improvements - Transfer to Debt Service	H.SEWER.STORM 9.20		
<u>Purchase of Amulance for 2009</u>			
2009 Ambulance Purchase - Transfer to Debt Service	H.AMBUL.AMB09 9.20		\$3,986.66
<u>2007 Assessment Update</u>			
Assessment Valuation Update for 2007 - Transfer to GF reserve	H.REVAL.UPD07 9.25		\$12,462.47

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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated April 11, 2011 from Gary Brandt, Director of Personnel, concerning authorization to extend the Flexible Spending Account Service Agreement with EBS RMSCO, Inc., an Excellus Company, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver an extension of the Flexible Spending Account Service Agreement by and between the Town and EBS RMSCO, Inc., an Excellus Company, upon the same terms and conditions as were in effect for 2010, which extension shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated April 8, 2011 from Gary Brandt, Director of Personnel, concerning authorization to add the West Brighton Fire Department to the Town's Worker's Compensation coverage with PERMA, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes Public Employees Risk Management Association to add the members of the West Brighton Fire Department to the existing Worker's Compensation coverage for the Town of Brighton for coverage under the Volunteer Firefighter's Benefit Program.

Dated: April 13, 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	_____



TO: Sandra Frankel, Supervisor,
Members of the Brighton Town Board

FROM: Gary Brandt, Director of Personnel

DATE: April 8, 2011

RE: Authorization to Add WBFD to Town NYS Workers' Compensation Coverage with PERMA

Recently the NYS Workers' Compensation Board notified PERMA that the West Brighton Fire Dept. could not have NYS Workers' Compensation coverage with PERMA as an independent governmental unit. It was determined that since the WBFD does not have independent taxing authority like the Brighton Fire Dept, that the WBFD must come under the coverage of the Town of Brighton.

Therefore I am requesting that the Town Board authorize PERMA to add the WBFD to the existing coverage for the Town of Brighton. Cost associated with this addition of the WBFD will be determined and can be listed as a debit in the annual WBFD contract for services with the Town.

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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 30, 2011 from Michael E. Guyon, Town Engineer, concerning proposed landscaping improvements to the Brighton Meadows Pond, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the purchase of various plantings from Schichtel's Nursery and various landscape materials including stone, topsoil and seed under the City of Rochester contract, at an aggregate cost not to exceed \$3,000.00; and be it further

RESOLVED, that the Town Board further authorizes the budget transfer in connection with these purchases as set forth in the above-referenced correspondence.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 4, 2011 from Michael E. Guyon, Town Engineer, concerning the American Bald Eagle sculpture to be incorporated into the Brighton Veteran's Memorial, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes an agreement by and between the Town and Mary Taylor Sculpture for Phase I Preliminary Design work on the American Bald Eagle sculpture to be incorporated to the Brighton Veteran's Memorial, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 13, 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

April 4, 2011

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

Re: Veteran's Memorial
American Bald Eagle Sculpture

Dear Councilperson Gaddis and Committee Members:

The Veteran's Memorial Committee invited three artists to provide proposals and conceptual fee estimates of their vision for the Veteran's Memorial. The artists included Wayne Williams, Peter Macon and Mary Taylor. The Committee interviewed each artist during November and December of 2008 and selected Mary Taylor Sculptures to sculpt a stainless steel American Bald Eagle for the Memorial. The Committee chose Mary Taylor because her proposal captured the very essence of the Committee's vision of the memorial and provided greater detail when compared to the other proposals. Mary Taylor Sculpture's fee to complete the Eagle was \$50,000.00 while Wayne Williams' and Peter Macon's fees were ±\$43,000.00 and ±\$60,000 respectively.

The Veteran's Committee is anxious to advance the design drawings for the Memorial and the services of Mary Taylor are necessary to assist Bergmann Associates with the selection and placement of the boulders. Since the Veteran's Memorial Fund is insufficient at this time to fund the American Eagle Sculpture, the Committee requested that Mary Taylor Sculpture provide a phased approach to complete the project. Mary Taylor Sculpture agreed to the phased approach and provided the following costs per phase:

Phase	Phase Description	Cost
I	Preliminary Design	\$2,500.00
II	American Bald Eagle Sculpture	\$47,500.00
TOTAL =		\$50,000.00

Phase I, the Preliminary Design Phase includes the following services:

- Mary Taylor Sculpture will assist Bergmann Associate identify the boulders to be used for the Veteran's Memorial. The boulders will be donated by Dolomite and are located at the Penfield Quarry.
- Mary Taylor Sculpture will assist Bergmann Associates regarding the appropriate placement of the boulders at the Veteran's Memorial Site.
- Mary Taylor Sculpture will attend Veteran's Memorial Committee meetings as necessary to coordinate the boulder selection and placement.

Phase II, the American Bald Eagle Sculpture includes the following services:

- Mary Taylor Sculpture will obtain the materials necessary to complete the American Bald Eagle Sculpture.
- Mary Taylor Sculpture will assist and coordinate the preparation of a mold of the rock on which the eagle will be mounted.
- Mary Taylor Sculpture will coordinate the delivery of the mold to the artist's studio.



Veteran's Memorial Request for Proposals, (RFP)

April 4, 2011

Page 2

- MaryTaylor Sculpture will complete the sculpture of the American Bald Eagle at her studio in Honeoye Falls.
- MaryTaylor Sculpture will assist and coordinate the delivery of the finished sculpture to the Veteran's Memorial Site.
- MaryTaylor Sculpture will assist and coordinate the placement of the American Bald Eagle on the boulder.
- MaryTaylor Sculpture will attend Veteran's Memorial Committee meetings as necessary and provide visual documentation of the Sculpture progress.

The committee would like to initiate Phase I, Preliminary Design of MaryTaylor Sculpture using donated funds which will ultimately be replenished using the \$50,000 grant obtained by Senator Joseph Robach.

The Veteran's Memorial Committee is requesting that the FASC authorize the Supervisor to enter into an agreement with MaryTaylor Sculpture to provide the Phase I preliminary design services for the Veteran's Memorial for a cost not to exceed \$2,500. The Veteran's Memorial Account contains sufficient donations to temporarily fund the costs associated with Phase I. The donations used to finance the costs from Phase I will ultimately be replenished by the \$50,000 grant. The Veteran's Memorial Committee will return to the FASC for authorization to proceed before Phase II, Sculpture of the American Bald Eagle is initiated.

I will be in attendance at your regularly scheduled April 7, 2011 meeting in the event that you have any questions regarding this correspondence. As always, your consideration of matters such as this is greatly appreciated.

Sincerely,

Michael E. Guyon, P.E.
Department of Public Works

Cc: Suzanne Zaso
Tim Keef

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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 25, 2011 from Richard S. Cortina, Assistant Engineer, concerning his retirement, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts the retirement of Richard S. Cortina, Assistant Engineer, effective April 30, 2001, with regret.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated April 10, 2011 from Timothy E. Keef, P.E. Commissioner of Public Works, concerning that a request for relief from rezoning conditions for the Cambridge Place Office Park, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby refers the request for relief from re-zoning conditions at the Cambridge Place Office Park to the Planning Board for its advisory report.

Dated: April 13, 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

April 10, 2011

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

re: Cambridge Place
Rezoning Conditions Relief Request

Dear Supervisor Frankel and Town Council Members:

The attached request from the MRB Group, on behalf of Gallina Development, seeks relief as outlined therein from the conditions placed upon the rezoning of the Cambridge Place Office Development situated along South Winton Road. The applicant and their engineer presented this to the Public Works Committee at its April 4th meeting and the Committee recommended forwarding to the Town Board for further consideration of the matter. Therefore, if the Board is so inclined to entertain this request, an advisory report from the Planning Board should be sought for their input and insight on the matter.

As always, your consideration of matters such as this is greatly appreciated.

Very truly yours,

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

TEK/wp

attachment

cc: R. Boehner
M. Guyon
M. Hussar
W. Moehle

March 28, 2011

Tim Keef, Director of Public Works
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

**RE: REQUEST FOR RELIEF FROM TOWN BOARD RESOLUTION
CAMBRIDGE PLACE LOT 5 SITE DEVELOPMENT
WINTON ROAD SOUTH
MRB GROUP PROJECT NO. 3356.11001**

Dear Tim:

Gallina Development Corporation is proposing to construct two (2) office buildings on Lot 5 of the Cambridge Place Corporate Center. This property (tax account number 150.05-1-43.998) is subject to a resolution from the Town Board dated May 9, 1997. Section A.2.c of this resolution requires that *"for Lot 5, the parking areas shall be located west of the buildings as shown on the 1997 Concept Plan"*. The Town Planning Department has compared our plan for the development, as submitted on March 21, 2011 for the April 13th Planning Board meeting, to the Concept Plan and determined that it does not meet this requirement. We contend that the Concept Plan, which was considered acceptable in 1997, is out-dated and is not feasible for today's construction due to changes in the stormwater requirements, market demand, and economy. Therefore, some measure of relief from the resolution is necessary in order for the property to be developed. We respectfully ask the Town Board consider our project and request for relief from the 1997 resolution.

The Concept Plan was developed by Clark Patterson Associates in 1997 to demonstrate the potential development of Lot 5. The demonstration was necessary to supplement a request to modify the existing zoning set by a 1986 resolution. The Concept Plan depicts two (2) general office buildings totaling 77,600 square feet, a parking area of 310 parking spaces, and a retention pond on Lot 5. This plan could not be constructed today given the following:

- 1. The Concept Plan does not adequately address the stormwater needs of the development.** The existing stormwater management area, which serves Lots 3, 4 and 5, is already twice the size of what is depicted in the Concept Plan, and will expand further with the development of Lot 5. Furthermore, additional land area is needed in order to provide the green infrastructure practices required by the latest New York State Stormwater Management Design Manual.
- 2. The Concept Plan does not provide adequate parking to meet the needs of the market.** The Concept Plan presumably provides general office space, as it only depicts the minimum parking spaces required in order to meet Town Zoning Code requirements for general office space (1

- f. That *"the site density for Lot 5 shall be 8,600 gross square feet per acre with 48% open space"* (A.2.h). The proposed site density is 7,680 square feet per acre, an 11% reduction from the requirement. Proposed open space is 48.1%.
 - g. That *"prior to the issuance of any building permit for Lot 3 or Lot 5, a conservation easement... shall be duly filed for a 100 foot wide landscape buffer along the easterly property lines of Lot 3 and Lot 5"* (A.2.i). Said conservation easement has been filed with the Monroe County Clerk's Office.
2. **The proposed parking meets the intent of the resolution.** The resolution does not specify, qualify, quantify, or require distances west of the buildings, or specify from what point of the buildings such a dimension would originate. The resolution states simply that *"the parking areas shall be located west of the buildings as shown on the 1997 Concept Plan"* (A.2.c) leaving much to interpretation. The Concept Plan does depict parking located east of the front line of the buildings, and parking which is not screened from the residential properties by either building. Since our plan also shows parking located east of the front line of the building, and parking which is not screened from the east by either building, we believe the intent of the resolution is met.
 3. **The proposed parking is no more a detriment to the residential properties than what was allowed on Lot 3.** Parking on Lot 3 was permitted to extend to the conservation easement line, and is not screened by a building. The plans approved by the Town in 2007 for the development of Lot 3 show five (5) parking spaces immediately adjacent to the conservation easement, with another five (5) located within 20-feet of the boundary. The only screening of these spaces and the adjoining drive aisle is the conservation easement. Our understanding from the Town is that no complaints from the neighbors have been filed regarding the parking on Lot 3.

The proposed parking for Lot 5 has only two (2) spaces located within 20-feet of the boundary. Whatever detriment the residential properties experience due to the Lot 3 parking, said detriment due to the Lot 5 parking should be less because of the increased distance from the conservation easement. Furthermore, new landscaping proposed between the parking on Lot 5 and the conservation easement will provide additional buffering for the residential properties.

4. **The proposed plan takes into consideration the changes in stormwater regulations, market demand and economy.** Without requiring additional land area, the proposed plan moves the buildings off of the conservation easement boundary, meets New York State's stormwater management and green infrastructure requirements, provides medical office space to meet the local demand, and proposes buildings which are efficient and economically feasible.
5. **A variance from the Town Zoning Code parking regulations is not an acceptable solution.** An area variance permitting relief from Town Zoning Code parking regulations would allow the parking area in question to be removed. This would reduce the number of parking spaces on Lot 5 which are required, but the loss of those parking spaces would create a deficiency on the lot, and affect marketability. Relief from the Zoning Code is not an acceptable solution.

MRB | group

Mr. Tim Keef
RE: CAMBRIDGE PLACE LOT 5
March 28, 2011
Page 4 of 4

To reiterate, we believe that our proposed plan meets the intent of the 1997 resolution and will not be a detriment to the neighboring residences. The Concept Plan that the resolution was based upon is not acceptable for today's construction. We also believe our proposed plan addresses the new requirements noted above that are not met by the existing Concept Plan.

We look forward to meeting with you at the April 4th Public Works Committee meeting to discuss our request. A copy of the 1997 Concept Plan prepared by Clark Patterson Associates, and a copy of our site plan have been attached for your use. If you have any questions prior to the meeting, please do not hesitate to contact me.

Sincerely,



Kurt M. Rappazzo, P.E.
MRB Group, P.C.

N:\3356.11001.000\CORRES\kmr-keef.doc
Enclosures as noted.

cc: Andy Gallina – Gallina Development Corp.

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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 30, 2011 from John Nielsen, President, Public Employer's Risk Management Association, Inc., concerning the election of its Board of Directors for 2011-2012, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to submit a voting ballot to the Public Employer Risk Management Association, Inc. to fill three vacancies on its 2011-2012 Board of Directors.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

RESOLVED, that the Supervisor is hereby authorized to execute and deliver a proxy ballot to the New York Municipal Insurance Reciprocal Board of Governors election for 2011.

Dated: April 13, 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 13th day of April, 2011.

PRESENT:

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

WHEREAS, numerous organizations and individuals in and about the Town of Brighton have developed relationships with Turkey and the Turkish people; and

WHEREAS, to further enhance those relationships, the Town of Brighton desires to invite the City of Mutanya, Bursa, Turkey to form a "Friendship City" relationship with the Town of Brighton; it is therefore

RESOLVED, that the Supervisor is hereby authorized to send a letter to Mayor Hassan Akturk, Mayor of Mutanya, Bursa, Turkey, extending an invitation to form a "Friendship City" relationship between the Town of Brighton and Mutanya, Bursa, Turkey.

Dated: April 13, 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	_____