

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 27, 2011

PRESENT:

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

William Moehle, Attorney for the Town

Susan Kramarsky, Town Clerk

EXECUTIVE SESSION:

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis to go into executive session at 6:30PM to discuss matters of real estate and the employment of a particular person

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

Proclamation Presentations:

French Road Elementary School Library, Winner of the 2011 Rochester Regional Library Council School Library of the Year - Andrea Koch, Librarian and Kevin McGowan, BCS Superintendent accepting

Supervisor Frankel & the Brighton Town Board from the Hattie Harris Good Spirits Club International Thank You Day for Elected Officials –Mrs. Yuliya Pavlyuk and son Dennis presenting.

Presentation of Town of Brighton 2010 Basic Financial Statement - Raymond F. Wager, CPA, P.C. Thomas Zuber, C.P.A. presenting.

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to receive and file the 2010 audit

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

OPEN FORUM:

Ramsey Boehner – Monroe Ave. Charette: Next Steps
Mordechai Rennert
Paul Holohan

APPROVAL OF AGENDA:

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to approve the agenda with the addition of an executive session to discuss matters of real estate certiorari and litigation

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

March 23, 2011 Town Board Meeting
 April 7, 2011 Special Town Board Meeting
 April 13, 2011 Town Board Meeting

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Betsy Schauf, dated April 14th, Emilie Langfitt, Richard Aerni, Neil Hair, Michael Ferraro, dated April 15th, Patricia Wollan, Carl Chiarenza, Christine Speer, John Callahan, and Eve Botelho, dated April 16th, Gloria Culver dated April 17th, Dina Wagner, Joanne Bernardi and Heidi Katz received April 18th, Robert Block dated April 19, 2011, Nathaniel Baldo, the Hilling Family, Jane Ruoff, Robert Schwartz, dated April 20, 2011, Ruth Kramer received April 21st and Julie Miller & Paul Schacht dated April 22, 2011 to Supervisor regarding their appreciation, support and enthusiasm towards the Brighton Farmers Market and the plan to create an indoor, year-round Market.

FROM Dorene Pizer, Brighton resident dated April 16, 2011 to Supervisor's office regarding her displeasure with Empire State College's recent purchase of land in the Town of Brighton vs. using existing tax exempt land (located in close proximity to new purchase) already owned by the State of NY.

FROM Christopher Marcella, State University Construction Fund to Mr. Joe Martens, Commissioner NYS Dept. of Environmental Conservation, with c.c. to Supervisor dated April 14, 2011 regarding the Town of Brighton's request for Lead Agency designation associated with the proposed Empire State College Rochester Regional Center

FROM Timothy Keef Town of Brighton Commissioner of Public Works to Joe Martens, Commissioner of NYS Dept. of Environmental Conservation with c.c. to Supervisor dated April 18, 2011. Response to letter sent to NYS DEC from Mr. Christopher Marcella contesting the Town of Brighton's request for Lead Agency Status associated with the proposed Empire State College Rochester Regional Center.

FROM Bob Zinck, Executive Director, Rochester-Monroe County Youth Bureau to all Municipal Directors and Town Supervisors dated April 21, 2011 Re: Update on funding for 2011.

FROM Maggie Brooks, Monroe County Executive dated April 25, 2011 to Supervisor informing her of \$41,750 Community Development Block Grant award for the Winton Road South Sidewalk project.

FROM Steve Olufsen, Jr. Planner, Monroe County Dept. of Planning & Development Re: Notice of site plan review/variance request for Fastrac Markets referred to Monroe County Development Review Committee for approval to obtain flood insurance for site.

FROM Robert Ewing Environmental Analyst, Div. of Environmental Permits, NY State Dept. of Environmental Conservation dated April 18, 2011 to Supervisor and Margaret C. McSorley, State University Construction Fund, Empire State College concerning Supervisor's April 7, 2011 request for Lead Agency Designation.

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--Councilmember Louise Novros reported on meeting of April 14, 2011. Next meeting May 19, 2011

Finance and Administrative Services--April 20, 2011. Next meeting May 3, 2011.

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

Public Works Services—Next meeting May 2, 2011.

OLD BUSINESS:

MATTER RE: Receive and file recommendations provided by the Town Planning Board to the Town Board dated April 21, 2011 regarding Rezoning Conditions Relief request from Gallina Development concerning the Cambridge Project and authorize approval to set May 11, 2011 as Public Hearing date for this matter (see Resolution #12).

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board to receive and file the communication and to 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: Receive and file Environmental Assessment form as prepared by BME Associates, and authorize approval for the Town of Brighton to seek lead agency status for the Environmental Review for Winfield Park Incentive Zoning request from Buckingham Properties re: Winfield Park project (see Resolution #11, letter dated April 25, 2011 from Timothy Keef, P.E. Commissioner of Public Works and Full Environmental Assessment Form).

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

UPON ROLL CALL VOTE

THE FOLLOWING VOTE WAS RECORDED;

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

MOTION CARRIED

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Sheila Gaddis seconded by Councilmember Ray Tierney that the Supervisor read and approve payment of claims as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept donations in the amount of \$15,268 as additional monies received for the Town of Brighton Veterans Memorial Fund (see Resolution #1 and Memorandum dated April 14, 2011 from Suzanne Zaso, Acting Director of Finance).

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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Landscape Supply of Geneva for Landfill Contracting Services in 2011 (see Resolution #2 and letter dated April 15, 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. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize agreement and approval for Supervisor to execute associated documents, between the Town and Ted Collins Tree and Landscape Co. to provide Arborist Consulting Services for 2011 (see Resolution #3 and letter dated April 15, 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. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize waiver of Town's procurement policy in order to engage in agreement between the Town and VSP Designs so as to secure most economically valued pricing for police vehicle reflective striping services (see Resolution #4 and letter dated April 18, 2011 from Police Chief Mark T. 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 agreement and approval for Supervisor to execute associated documents, between the Town and Monroe Tractor and Implements Co, at an amount not to exceed \$13,683.00 for procurement and delivery of one (1) Loader Bucket (see Resolution #5 and letter dated April 16, 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. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize agreement and approval for Supervisor to execute associated documents, between the Town and Van Bortel Ford for procurement of one (1) new and unused pick-up truck and;

Approval for transfer of Sewer Department funds needed for purchase of same (see Resolution #6 and letter dated April 16, 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. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize agreement and approval for Supervisor to execute associated documents between the Town and Campobello Construction Co., Inc. in an amount not to exceed \$33,556.00 for completion of Phase 4 of the 2011 Westfall Road Sidewalks project (see Resolution #7, letter dated April 7, 2011 and bid summary information).

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 budget transfer in the amount of \$1,650.00 to cover costs for replacing two (2) luminaires and one (1) pole along Penfield Road (see Resolution #8 and letter dated April 16, 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. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Michael Guyon, P.E. Town Engineer, to represent the Town of Brighton as Grant Steward for the Water Quality Improvement Project Grant (\$44,958 received funding) for storm water improvements and;

Authorize approval for town expenditure in the amount of \$59,944 representing town portion towards total cost for same (see Resolution #10 and letter dated April 18, 2011 from Michael Guyon, P.E. Town Engineer, Department 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. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to set May 11, 2011 as Public Hearing date in the matter concerning HVAC equipment replacement for the IT/Maintenance Office in the Town Hall (see Resolution #9, letter dated April 26, 2011 from Michael Guyon, P.E. Town Engineer, Department of Public Works).

Motion by Councilmember Sheila Gaddis 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. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Concur with establishing an Administrative Guidance Task Force to be called: Monroe Ave. Community Vision Implementation Task Force which will assist in guiding the implementation of the proposed Monroe Avenue Corridor Community Vision Plan (see Resolution #13 and letter dated April 6, 2011 from Sheila Gaddis, Town Board Member and Chairperson of the Monroe Avenue Charette Steering Committee).

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: Approval to reinstate position of Budget Officer into the Town of Brighton's Table of Organization for Finance Department and;

Concur appointment of Mr. Andrew C. Robinson as Town of Brighton Budget Officer effective May 23, 2011 with a 52 week probationary period (see Resolution # and Memorandum dated April 27, 2011 from Sandra L. Frankel, Supervisor)

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 SUPERVISOR:

MATTER RE: Appointment of Suzanne Zaso to Finance Director

Motion by Councilmember Sheila Gaddis seconded by Louise Novros to receive and file the memorandum from Sandra Frankel and the resolution as prepared by the Attorney for The Town and to concur with the appointment of Suzanne Zaso as set forth in Exhibit No.16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Town of Brighton Police Department - One of eight winning agencies in the 2011 New York Law Enforcement Challenge Competition (see Congratulations Memorandum from Supervisor dated April 18, 2011 and Letter of Congratulations from the State of New York Governor's Traffic Safety Committee, Charles R. DeWeese, Assistant Commissioner, dated April 11, 2011).

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to receive and file aforementioned memorandum and letter as set forth in Exhibit No. 17 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Concur appointment of Ms. Angela Lee Foreman, Ph.D as member of the Town of Brighton Arts Council effective May 1, 2011 (see Resolution #15).

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. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session at 8:40PM to discuss real estate, certiorari and litigation

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Unpaid Payment in Lieu of Taxes (PILOT) from CGS Growth and Clover Blossom Villas

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: Certiorari litigation Clover Blossom Villas v. Town of Brighton.

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 the following vote was recorded

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

MOTION CARRIED

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise Novros to adjourn at 10:30PM

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 27th 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 27th day of April, 2011.

PRESENT:

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

WHEREAS, on May 9, 1997, the Town Board approved an incentive zoning application for the development of Cambridge Place Office Park, subject to several conditions, one of which regulated the location of parking for future construction on such site; and

WHEREAS, Gallina Development has requested an amendment to that incentive zoning resolution to permit it to located a portion of the parking to be added to serve two new buildings to be constructed on such site between the buildings, rather than as required in the incentive zoning resolution; and

WHEREAS, the Public Works Committee of the Town Board and the Planning Board have reviewed such proposal, and the Planning Board has issued its advisory report with respect thereto; it is therefore

RESOLVED, that a Planning Board Advisory Report dated April 21, 2011 from Ramsey A. Boehner, Executive Secretary to the Planning Board, concerning the application from Gallina Development for relief from the May 9, 1997 Town Board incentive zoning resolution for the Cambridge Place development, to allow parking areas at 1890 Winton Road South (Cambridge Place lot 5) to be located between the two proposed buildings, be received and filed; and be it further

RESOLVED, that based on the foregoing Advisory Report and the review of the Public Works Committee of the Town Board, the Town Board hereby sets a public hearing to consider an amendment to the May 9, 1997 incentive zoning resolution for the Cambridge Place Office Park, to permit parking areas at 1890 Winton Road South to be located between the two new buildings proposed to be constructed on such site,

on May 11, 2011 at 7:30 p.m., prevailing time at 2300 Elmwood Avenue in the Town of Brighton, at which time all persons having an interest in such matter shall have an opportunity to be heard therein; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish and post a legal notice of such public hearing.

Dated: April 27, 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

April 21, 2011

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

RE: Planning Board advisory report regarding the application from Gallina Development Corp., for relief from the May 9, 1997 Town Board Resolution to allow parking areas at 1890 Winton Road South (Cambridge Place lot 5) to be located between the two proposed buildings.

Dear Board Members:

The Town Board requested an advisory report regarding the application from Gallina Development Corp. for relief from the May 9, 1997 Town Board Resolution. The May 9, 1997 Town Board Resolution requires parking areas at 1890 Winton Road South (Cambridge Place lot 5) to be located west of the proposed buildings. The applicant proposes to construct part of the parking areas between the two proposed buildings. The Planning Board believes that any potential impacts to the residential properties located to the east of the project could be mitigated during the site plan review process and by the existing 100 foot wide Conservation Easement and landscape buffer located between the proposed project and the residential properties.

As part of the applicant's Site Plan application to the Planning Board, a landscape plan should be submitted that is prepared by a licensed landscape architect. This plan should identify any additional landscape plantings that are needed to further buffer the residential properties. The Planning Board also requests that a lighting plan that addresses any potential lighting impacts be submitted as part Site Plan application. The parking lot lighting should also be placed on a timer and should be turned off at the close of business.

Respectfully,

Ramsey A. Boehner
Executive Secretary
Planning Board



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 27th 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 24, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the environmental review for the Winfield Park Incentive Zoning request by Buckingham Properties, together with an environmental assessment form dated April 11, 2011, prepared by BME Associates for Buckingham Properties, be received and filed; and be it further

RESOLVED, that the Town Board hereby seeks lead agency status for the review of the Winfield Park Incentive Zoning proposal under the State Environmental Quality Review Act, and initiates a coordinated review of this project with other interested and involved agencies; and be it further

RESOLVED, that the Town's Environmental Liaison is hereby directed to notify the other interested and involved agencies of the aforementioned actions as required under SEQRA.

Dated: April 27, 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	_____

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE - Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Winfield Park
Name of Action

Town of Brighton Town Board
Name of Lead Agency

Sandra Frankel

Print or Type Name of Responsible Officer in
Lead Agency

Supervisor

Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

**SIGN
HERE**

PART 1 – PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answer to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent upon information currently available and will not involve new studies, research, or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Winfield Park		
LOCATION OF ACTION (Include Street Address, Municipality and County) Brighton-Henrietta Town Line Road		
NAME OF APPLICANT/SPONSOR Brighton Business Park LLC (Ken Glazer & Jim Barbato)		BUSINESS TELEPHONE (585)424-4444
ADDRESS 1 South Washington Street		
CITY/PO Rochester		STATE NY
		ZIP CODE 14614
NAME OF OWNER (if different) Brighton Business Park LLC		BUSINESS TELEPHONE
ADDRESS 1 South Washington Street		
CITY/PO Rochester		STATE NY
		ZIP CODE 14614
DESCRIPTION OF ACTION Incentive Zoning request for mixed use development including residential, senior housing, office space and a community clubhouse		

Please complete Each Question – Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas:

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 132.3 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>85.17</u> acres	<u>10+/-</u> Acres
Forested (Portions are within wetland areas)	<u>40.95</u> acres	<u>25.3+/-</u> Acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> Acres
Wetland (Freshwater or Tidal as per Articles 24, 25 of ECL)	<u>15.07</u> acres	<u>15+/-</u> Acres
Water Surface Area	<u>.5</u> acres	<u>4.0+/-</u> Acres
Unvegetated (rock, earth or fill)	<u>0</u> acres	<u>0</u> Acres
Roads, Buildings, and Other Paved Surfaces	<u>.4</u> acres	<u>49.5 +/-</u> Acres
Other (indicate type) Lawn and Landscaped areas	<u>1.5</u> acres	<u>43.5+/-</u> Acres

3. What is predominant soil type(s) on project site? **Schoharie-Odessa-Cayuga Association**
- a. Soil Drainage: Well drained _____ % Moderately well drained 60 % of site
 Poorly drained 40 %
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres. (See 1 NYCRR 370)
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? 10+' (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% 95 % 10-15% 5 %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? Varies throughout site (in feet) (seasonal high)
9. Is site located over primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing, or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to (**Letter has been sent to DEC Natural Heritage Program**)
 Identify each species
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: **Small unnamed tributaries**
 a. Name of stream and name of river to which it is tributary **Southwest branch of Allen's Creek**
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name **Federal wetlands – Jurisdictional Determination letter 4/13/09** b. Size (in acres) **15+/-**
17. Is the site served by existing public utilities? Yes No
 a) If yes, does sufficient capacity exist to allow connection? Yes No
 b) If yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- Total contiguous acreage owned or controlled by project sponsor 132.3 acres.
 - Project acreage to be developed: 25+/- acres initially; 127+/- acres ultimately.
 - Project acreage to remain undeveloped 25+/- acres.
 - Length of project, in miles: NA (if appropriate).
 - If the project is an expansion, indicate percent of expansion proposed NA %.
 - Number of off-street parking spaces existing 4; proposed 3356. (**2256 Com/Office -521 Res. Surface & 579 Garage**)
 - Maximum vehicular trips generated per hour Traffic Impact Analysis to be done completed on or about 4/15/11
 - If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family (units)	Assisted Living Facility (units)
Initially	<u>58</u>	_____	<u>40</u>	<u>0</u>
Ultimately	<u>129</u>	_____	<u>360</u>	<u>40</u>

- Dimensions (in feet) of largest proposed structure 48' height; 100' width; 500' Length
- Linear feet of frontage along a public thoroughfare project will occupy is? 1600+/- Ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? TBD tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No
 - a. If yes, for what intended purpose is the site being reclaimed? **Lawn, stormwater, open space**
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 107+/- acres.
5. Will any mature forest (over 100 years old) or other locally important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction NA months, (including demolition).
7. If multi-phases:
 - a. Total number of phases anticipated (numbers). 16
 - b. Anticipated date of commencement phase 1 _____ month 2012 year, (including demolition).
 - c. Approximate completion date of final phase _____ month 2022 year.
 - d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 1000; after project is completed 2300
10. Number of jobs eliminated by this project 0
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 - b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 - a. If yes, what is the amount per month? 60+/- tons
 - b. If yes, will an existing solid waste facility be used? Yes No
 - c. If yes, give name TBD; location _____
 - d. Will any wastes not go into a sewage disposal system or into a landfill? Yes No
 - e. If yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
 - a. If yes, what is the anticipated rate of disposal? _____
 - b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
Only those typical for routine landscape maintenance
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
Some temporary noise during construction
21. Will project result in an increase in energy use? Yes No
22. If water supply is from wells, indicate pumping capacity N/A gallons/minutes.
23. Total anticipated water usage per day 108,000+/- gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
 If yes, explain _____

25. Approvals Required:

Town, Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Town, Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
County Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Other Regional Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Federal Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Type	Submittal Date
Re-Zoning	2010
Subdiv & Site Plan	_____
Watermain	_____
County DOT & DOH - MCWA	_____
NYS DEC - Canal Corp\	_____
Army Corps of Eng.	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
2. What is the zoning classification(s) of the site? **Residential Low Density B (RLB) and Technology Office Park (TOP)**
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
238 Residential units - Approximately .8 acres of Technology & Office Park Land
4. What is the proposed zoning of the site? **Incentive Zoning including Technology & Office Park and Planned Unit Development**
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
Density to be determined by Town Board during re-zoning process
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
The proposal for Incentive Zoning meets many land use and community objectives identified by the Town
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
Office/Commercial and residential - Zoning is RLB and TOP and BE1
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ miles? Yes No
9. If the proposed action is the subdivision of land, how many lots are proposed? **Approximately 66**
 a. What is the minimum lot size proposed? **6800+/- square feet**
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No
A traffic signal is planned for the primary site access point onto Brighton Henrietta TLR - A traffic impact analysis to be completed on or about 4/15/11

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Michael A. Simon Date 4/11/11

Signature Michael A. Simon Title Project Engineer

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

April 27, 2011

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE TOWN BOARD AUDIT COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>246,107.88</u>
D - HIGHWAY		<u>92,318.76</u>
L - LIBRARY		<u>42,354.04</u>
SK - SIDEWALK DIST		<u>213.20</u>
SS - SEWER DIST		<u>28,266.17</u>
TA - AGENCY TRUST		<u>27,859.27</u>
TOTAL	\$	<u>437,119.32</u>

UPON ROLL CALL

MOTION CARRIED _____

APPROVED BY:

SUPERVISOR

COUNCIL MEMBER

COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE TOWN BOARD ON THE ABOVE DATE AND ALLOWED IN THE AMOUNTS SHOWN. YOU ARE HEREBY AUTHORIZED AND DIRECTED TO PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

DATE

TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th 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 14, 2011 from Suzanne Zaso, Acting Director of Finance, concerning donations to the Town of Brighton Veterans Memorial Fund, be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts donations from many generous area organizations and citizens in the aggregate amount of \$15,268

Dated: April 27, 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 27th 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 15, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning landfill contracting services, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Sensenigs Landscape Supply for landfill contracting services, upon the terms and conditions as set forth in the proposal submitted by Sensenigs, which agreement shall be in form and substance as may be approved by the Attorney to the Town.

Dated: April 27, 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 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 27th 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 15, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning arborist services during 2011, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Ted Collins Tree and Landscape for arborist services to the Town during 2011, at an hourly rate of \$84.00 per hour, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 27, 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 7

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 27th 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 18, 2011 from Mark T. Henderson, Chief of Police, concerning the award of a bid for striping of police vehicles, be received and filed; and be it further

RESOLVED, that based upon the recommendation of the Police Chief and Attorney for the Town, the Town Board hereby waives the Town's Procurement Policy in connection with this matter, based on the recommendation of the Police Chief, in order to contract with the provider with the intellectual property rights to the striping design selected by the Police Department; and be it further

RESOLVED, that the Supervisor execute and deliver an agreement by and between the Town and VSP Designs for design and striping services for police vehicles, for three vehicles during 2011, at a price of \$571.50 per vehicle based on a volume discount, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: April 27, 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 8

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 27th 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 16, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the award of a contract to furnish and deliver one Loader Bucket for the Highway Department, be received and filed together with an attachment thereto; and be it further

RESOLVED, that the bid for furnishing and delivery of one Loader Bucket for the Highway Department, is hereby awarded to Monroe Tractor and Implements Company, in the bid amount of \$13,683.

Dated: April 27, 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 27th 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 16, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the award of a contract to furnish and deliver one pick-up truck for the Sewer Department, be received and filed; and be it further

RESOLVED, that the bid for furnishing and delivery of one pick-up truck to Van Bortel Ford, at a price of \$65,695.97, under the New York State bid contract; and be it further

RESOLVED, that in connection therewith, the Town Board hereby approves the budget transfer of \$65,700.00 from account SS.SEWER.8121.452 to account SS.SEWER.8121.222.

Dated: April 27, 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 27th 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 7, 2011 from Chad Roscoe, Drafting Technician, Town of Brighton, Department of Public Works, concerning the award of a bid for Phase 4 of the 2011 Westfall Road Sidewalk Project, be received and filed, together with attachments thereto; and be it further

RESOLVED, that the bid for the 2011 Westfall Road Sidewalk Project, Phase 4, be awarded to Campobello Construction Co., Inc, in the unit prices calculated from its bid, and for a total cost not exceed \$33,556.

Dated: April 27, 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 27th 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 16, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning Rochester Gas & Electric system maintenance for the Penfield Road 2nd Lighting District, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board, as Commissioners of the Penfield Road 2nd Lighting District, hereby approves a contract with Rochester Gas and Electric for the replacement of two luminaries and one pole on Penfield Road, at a cost of \$1,635.56; and be it further

RESOLVED, that the Town Board hereby approves the transfer of \$1,650 from fund balance to account SL.LGHTD.5224.441, in connection therewith.

Dated: April 27, 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 27th day of April, 2011.

PRESENT:

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

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

WHEREAS, The Town of Brighton herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY The Town Board of the Town of Brighton:

That correspondence from Michael E. Guyon, P.E., Town Engineer, dated April 18, 2011, concerning a Water Quality Improvement Project Grant, be received and filed.

That Sandra L. Frankel, Supervisor, or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance.

That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the

Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation.

That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York state Department of Environmental Conservation.

That this Resolution take effect immediately.

Dated: April 27, 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	_____

CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Town Board of the Town of Brighton duly held on the 27th day of May, 2011; and further that such Resolution has been fully recorded in the minutes of such meeting in my office.

In witness thereof, I have hereunto set my hand this _____ day of _____, 2011.

Signature of Recording Officer

If the Applicant has an Official Seal,
Impress here.

Town Clerk, Town of Brighton

Municipal Resolution
Water Quality Improvement Projects and
Nonagricultural Nonpoint Source Projects
Municipal Resolution

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

WHEREAS, _____
(Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY _____
(Governing Body of Municipality)

1. That _____,
(Name and Title of Designated Authorized Representative)

or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation
4. That this Resolution take effect immediately.

EXHIBIT NO. 13

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 27th day of April, 2011.

PRESENT:

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

WHEREAS, after studying several alternative uses for the room in the southeast corner of the lower level of Town Hall, the Town plans to relocate the maintenance office to that area, which will require replacement of the existing unit ventilator to provide adequate HVAC service to the area; and

WHEREAS, funds are available in the Building Repair Reserve for such purpose, and the Town Board desires to set a public hearing to consider the use of such funds, as required by the General Municipal Law; it is therefore

RESOLVED, that correspondence dated April 18, 2011 from Michael Guyon, Town Engineer, concerning the relocation of the maintenance room, and related HVAC improvements, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby calls a public hearing, under Section 6-d of the General Municipal Law of the State of New York, to be held on May 11, 2011, at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, at 7:30 p.m., to consider the expenditure of \$13,200 from the Town's Building Repair Reserve Fund, for the replacement of the unit ventilator serving the planned maintenance office on the lower level of Town Hall, at which time all persons having an interest in such matter shall have an opportunity to be heard therein; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish and post a notice of such hearing as required by the General Municipal Law.

Dated: April 27, 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 27th 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 6, 2011 from Hon. Sheila Gaddis, Town Board member, concerning the Monroe Avenue Corridor Community Vision Plan, be received and filed, together with a copy of the Community Vision Plan; and be it further

RESOLVED, that the Town Board hereby concurs with the establishment of the Monroe Ave. Community Vision Implementation Task Force which will assist in guiding the implementation of the proposed Monroe Avenue Corridor Community Vision Plan.

Dated: April 27, 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 27th 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 amends the Table of Organization for the Finance Department to reinstate the position of Budget Officer; and be it further

RESOLVED, that the Town Board hereby affirms the appointment by Supervisor Frankel of Andrew Robinson as Budget Officer, effective May 23, 2011, and sets his salary at Group 7, Step 3 of the non-represented salary schedule, for an annual salary of \$51,961.

Dated: April 27, 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	_____



SANDRA L. FRANKEL, SUPERVISOR
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5250 Fax (585) 784-5353

MEMORANDUM

To: The Honorable Town Board
From: Sandra L. Frankel, Supervisor
Date: April 27, 2011
Subject: Appointment of Suzanne Zaso as Director of Finance

I am recommending that Your Honorable Body concur with the appointment of Ms. Suzanne Zaso to the position of Director of Finance effective April 27, 2011 at an annual salary of \$81,456.55 (Group C, Step 1 of the Department Head Salary Schedule). Ms. Zaso has successfully been the Acting Director of Finance for the Town since August 1, 2010, when the prior Director resigned.

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

Copy to: G. Brandt and W. Moehle

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 27th day of April, 2011.

PRESENT:

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

WHEREAS, Supervisor Sandra L. Frankel has appointed Suzanne Zaso as Director of Finance of the Town of Brighton, and drafted a memorandum memorializing that appointment; it is therefore

RESOLVED, that the Town Board hereby concurs in the appointment by the Supervisor of Suzanne Zaso as Director of Finance of the Town of Brighton, effective April 27, 2011, at an annual salary of \$81,456.55, Group C, Step 1 of the Department Head Salary Schedule, with her salary to be considered for step adjustment based on the anniversary of her start date as Acting Director of Finance, August 1, 2010.

Dated: April 27, 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

Sandra L. Frankel
SUPERVISOR

MEMORANDUM

To: Town of Brighton Police Chief Mark Henderson
Town of Brighton Police Department

From: Sandra L. Frankel

Date: April 18, 2011

RE: Winning Agency (1 of 8) in the 2011 New York Law Enforcement Challenge Program

On behalf of the Town Board, I extend my heartfelt Congratulations to Police Chief Mark Henderson and the entire Town of Brighton Police Department for achieving Winning Agency status with the State of New York Governor's Traffic Safety Committee.

We are very proud that the Town of Brighton Police Department has been named one of the eight Police Agency Winners in the 2011 New York Law Enforcement Challenge Program. This achievement exemplifies our Police Department's on-going commitment to highway safety and enables us to be eligible for entry in the National Law Enforcement Challenge competition being held later this year.

Again, our congratulations on your State win and best wishes in representing New York at the national level.





ANDREW M. CUOMO
Governor

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES



April 11, 2011

Chief Mark T. Henderson
Brighton Police Department
2300 Elmwood Avenue
Rochester, NY 14618

Dear Chief Henderson:

It is with great pleasure that I offer my congratulations to you and the Brighton Police Department as one of the eight winning agencies in this year's New York Law Enforcement Challenge Program. The comprehensive application submitted by your department highlights the tremendous contributions law enforcement and other traffic safety partners have made in promoting highway safety.

The Challenge Awards Recognition Ceremony will take place at the Empire State Law Enforcement Traffic Safety (ESLETS) Conference on April 26, 2011 at 5:00 p.m. at the Double Tree Hotel in Syracuse, NY. We hope that you or a representative of your agency can join the Governor's Traffic Safety Committee (GTSC) and the hundreds of conference attendees for the ceremony. ESLETS offers an outstanding opportunity for departments and colleagues from across the state to witness your efforts. For more information on the conference, please visit the GTSC website at www.safeny.com.

In addition to competing at the state level, your application will now be forwarded to the International Association of Chiefs of Police for judging in the National Law Enforcement Challenge competition. We wish each of you the best in representing New York at the national level.

For further details on the Challenge Awards Ceremony, please contact the GTSC Program Coordinator Liaison Dominick Macherone at (518) 474-4935.

Thank you once again for your participation in our state's premier traffic law enforcement recognition program. It is without question that a great deal of time and work was dedicated to your highway safety programs. More importantly, however, your efforts have undoubtedly resulted in saving lives and preventing injuries caused by traffic crashes, a goal that we clearly share.

Sincerely,

Charles R. DeWeese
Assistant Commissioner

CRD/DM/mr

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 27th 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 concurs in the appointment by the Supervisor of Angela Lee Forman to the Town of Brighton Arts Council, effective May 1, 2011.

Dated: April 27, 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 27th 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 authorizes the Attorney to the Town to send correspondence, in the form presented to the Town Board, to CGS Growth, LLC and Clover Blossom Villas, LLC, the owners of the parcels of real property with improvements comprising the Legacy at Clover Blossom, demanding payment of unpaid PILOT payments.

Dated: April 27, 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 27th 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 real property tax certiorari litigation known as Clover Blossom Villas, LLC v. Town of Brighton, under which the Plaintiff agrees to dismiss its claim for tax year 2007 and the Town agrees to reduce the assessed value of the property at issue for tax year 2008 from \$2,900,000 to \$2,600,000; and be it further

RESOLVED, that the Supervisor and/or the Town's attorney in the matter, Thomas Fink, 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 27, 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	_____