

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
July 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

MEETING CALLED TO ORDER: 6:10 PM

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session to discuss a Certiorari Matter and appointment of a particular person

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to come out of executive session at 7:05PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

OPEN FORUM:

Roger Ciccarelli
Judy Schwartz
Al Antonez

APPROVAL OF AGENDA:

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

July 13, 2011 Town Board Meeting

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed revocation of all Solicitors' Permits issued to Platinum Protection, LLC including all individual permittees pursuant to Chapter 121 of the Town Code.

(Complete Transcript Under Separate Cover)

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. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PETITIONS:

MATTER RE: Receive and file petitions along with negative Declaration under SEQRA, to support the proposed creation of Snow Removal Districts for Ambassador Drive (small portion of Esplanade Dr.) & Sandringham Road and set Public Hearing date of August 24, 2011 for same (see Resolution #12 and 13, letter dated July 12, 2011 from Chad Roscoe, Jr. Engineer and supporting documentation).

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

MOTION UNANIMOUSLY CARRIED

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorize solicitation of bids for procurement of Computer Consulting Services for data base systems supporting Department of Public Works and the Operations Center. (see Resolution #1 and letter dated July 19, 2011 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 4 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 | no |

MOTION CARRIED

COMMUNICATIONS:

FROM Joseph J. Martens, Commissioner NYS Department of Environmental Conservation to Supervisor dated July 14, 2011 re: designation of the State University Construction Fund as Environmental Review lead agency for the Empire State College, Rochester Regional Center.

FROM Greater Rochester Health Foundation and Rochester Business Alliance to Supervisor dated July 18, 2011 regarding process improvements made in local health care organizations.

FROM Elliot Pagliaccio, NY State Deputy Clerk to Supervisor dated July 8, 2011 confirming receipt of her letter to Comptroller Thomas DiNapoli concerning our request as a lead agency for the Empire State College Regional Center project.

FROM Beth Sciumeca, Executive Director, Erie Canalway Commission to Supervisor regarding the winners of the 2011 Erie Canalway Heritage Award of Excellence.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services - Councilmember Louise Novros reported on meeting of July 21, 2011. Next meeting August 18, 2011

Finance and Administrative Services – Councilmember Gaddis reported on meeting of July 20, 2011. Next meeting August 3, 2011

Public Safety Services - Next meeting August 9, 2011

Public Works Services - Next meeting August 1, 2011

OLD BUSINESS:

MATTER RE: Receive and file revised letter from Anne M. Kress, President Monroe Community College to Supervisor dated July 14, 2011 confirming Monroe Community College's designation as location 13B for Point of Distribution in the event of a declared emergency; and authorize Supervisor to execute proposed Point of Distribution Plan for the town (see Resolution #11).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file prepared Advisory Report from the Town Planning Board concerning application of proposed amendment to Incentive Zoning, submitted by Jewish Senior Life, Inc. for Wolk Manor and proceed with setting of Public Hearing for same (see Resolution #2, letter dated July 27, 2011 from Timothy Keef, P.E. Commissioner of Public Works and Advisory Report).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file Incentive Zoning application by Wegman Companies, Inc. for the construction of a Assisted Living/Alzheimer's Care facility on 9.5 acres of recently acquired 82.5 acre parcel, accept application for consideration, and refer to the Planning Board for an Advisory Report (see Resolution #3 and letter dated July 26, 2011 from Timothy Keef, Commissioner of Public Works and copy of application).

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 Supervisor to execute a Service and License Agreement with Icon Enterprises, Inc. d/b/a/ Civic Plus with an amendment to existing Agreement with same, which will expand scope of services (see Resolution #4 and letter dated July 20, 2011 from Douglas Clapp, Director of Communications).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept \$7,760.00 in donations received from various Brighton businesses for the Town July 4, 2011 celebration (see Resolution #5 and letter dated July 11, 2011 from Jerry LaVigne, Director of Parks and Recreation).

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. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve budget transfer in the amount of \$500 to cover additional funding needed to replace two light poles on the softball field at the Town Park (see Resolution #6 and letter dated June 15, 2011 from Jerry LaVigne, Director of Parks and Recreation).

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. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file request from Lieutenant William P. Flood from the Brighton Police Department effective August 25, 2011 after serving with distinction for 38 years (see Resolution #7, letter dated June 28, 2011 from Police Chief Mark Henderson and memorandum dated June 24, 2011 from Lt. Flood).

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 bid award to Milton Caterpillar, per NY State bid contract for the purchase of one Backhoe for the Town Sewer Department (see Resolution #8, legal notice for appropriation, letter dated July 18, 2011 from Timothy Keef, P.E. Commissioner of Public Works and submitted price quote from Milton Caterpillar).

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 renewal of agreement and approval for Supervisor to execute same, to extend provided services from Waste Management of New York for one year ending December 31, 2012 (see Resolution #9 and letter dated July 18, 2011 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreements with two veterinarians and two veterinary technicians, for veterinary and related services performed at annual town Rabies Clinic, Saturday, October 1, 2011 (see Resolution #10 and letter dated July 7, 2011 from Police Chief 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. 15 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file Environmental Assessment Form with approval to seek lead agency for the Highland Park Canalway Connector Trail project (see Resolution #14, letter dated July 20, 2011 from Michael Guyon, Town Engineer and copy of 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. 16 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file communication dated July 22, 2011 from Timothy Keef, P.E. Commissioner of Public Works proposing speed limit reductions in various Town areas as recommended by the Public Safety Committee, and set Public Hearing for August 24, 2011 for same (see Resolution #15 and copy of proposed Local Law A2011 Speed Limit Reduction).

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 17 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

Matter Re: Expense and revenue reports for month ending June 2011.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to adjourn at 9:10 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York meeting held on the 27th of July 2011 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York

EXHIBIT 1

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 July, 2011.

PRESENT:

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

WHEREAS, the Town of Brighton previously issued permits to Platinum Protection, LLC and a number of representatives of Platinum Protection, under the Town's Peddling and Soliciting Law, Chapter 121 of the Town Code; and

WHEREAS, following the issuance of such permits, the Town has received several complaints concerning the activities of Platinum Protection and its representatives, and based on those complaints, the Town Board scheduled a public hearing to consider whether the permits issued to Platinum Protection should be revoked or suspended; and

WHEREAS, the public hearing was duly called and held and based on the materials received by the Town and the testimony at such public hearing, the Town Board hereby finds that Platinum Protection and one or more of its representatives engaged in violations of the Town's Peddling and Soliciting Law, specifically, violations of Section 121-10A(2) that misrepresentations and/or false statements were made in the course of carrying on the business, specifically including a finding that the price of services was misrepresented by Platinum Protection and/or one or more of its permitted representatives; violations of Section 121-10A(6) conducting the licensed business in such a manner as to constitute a menace to the health, safety or general welfare of the public, and Sections 121-9K and 121-10A(3) in that Platinum Protection and/or its permitted representatives otherwise violated the terms of Chapter 121 of the Town Code; it is therefore

RESOLVED, that based on the above findings, and the number of complaints made against Platinum Protection, the Town Board hereby revokes the permits issued to Platinum Protection and each of its permitted employees, contractors

and/or other agents under the Town's Peddling and Soliciting Law, Chapter 121 of the Town Code, as of the date hereof.

Dated: July 27, 2011

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| 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 July, 2011.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

In the Matter of the
Ambassador Drive Sidewalk
Snow Removal District
Town of Brighton, Monroe County,
New York

WHEREAS, informal petitions have been filed with the Town Clerk and presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%), praying that a sidewalk snow removal district be formed to include the real property hereafter described, said property being wholly within the said Town of Brighton, New York, and being bounded and described in the attached Exhibit "A"; and

WHEREAS, by said petition it appears that none of said property is located within a city or incorporated village; and

WHEREAS, it appears by said petition that services are to be provided in said proposed District, namely, sidewalk snow removal services; and

WHEREAS, a map, plan and report have been prepared for the proposed District by the Town's Public Works Department; and

WHEREAS, the cost of providing the ongoing sidewalk snow removal services would be assessed and collected from real property within the proposed District on a benefits derived basis;

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____, it is

ORDERED, that correspondence dated July 12, 2011 from Chad J. Roscoe, Junior Engineer, of the Department of Public Works, together with a map, plan and report, concerning the proposed Ambassador Drive Sidewalk Snow Removal District, be received and filed, together with correspondence dated June 20, 2011 from Rachel Glazer, together with petitions attached thereto and a certification dated July 13, 2011 from Elaine K. Ainsworth, Town Assessor, certifying as to the assessed valuation in the proposed district and the percentage of assessed valuation of such properties whose owners have signed petitions in support of the formation of such District; and be it further

ORDERED, that based upon the certification of the Town Assessor that sufficient petitions have been received in such matter, a public hearing be held pursuant to Article 12 of the Town Law of the State of New York at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 24th day of August, 2011, at the Town Hall, 2300 Elmwood Avenue to consider the formation of the Ambassador Drive Sidewalk Snow Removal District and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

ORDERED, that the Town Clerk of the Town give notice of such hearing by duly publishing this Order and by posting a certified copy thereof on the Town Clerk's bulletin board not less than ten (10) nor more than twenty (20) days prior to said hearing.

Dated: July 27, 2011

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|------------------------------------|--------|-------|
| 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

July 12, 2011

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Re: Proposed Sidewalk Snow Removal Districts:

1. Sandringham Road
2. Ambassador Road (small portion of Esplanade Dr.)

Honorable Supervisor and Members of the Board:

I recommend that you receive and file the informal petitions, the maps, the plans and the reports for the proposed districts.

I further recommend that the proposed Negative Declaration under SEQRA be received and filed.

The formation of these Districts would, if approved by you on the July 27th 2011 Town Board meeting be subject to a permissive referendum. I also recommend that a public hearing on these proposed Districts be set for August 24th 2011.

I further recommend that the Town Board direct the Town Clerk to publish the notice of this hearing as required by Town Law.

Sincerely,

Chad J. Roscoe
Junior Engineer

cc: Mary Ann Hussar
Susan Kramarsky
William Moehle

STATE OF NEW YORK)
COUNTY OF MONROE) ss.

I, SUSAN KRAMARSKY, the Town Clerk of the Town of Brighton, Monroe County, New York, do hereby CERTIFY that I have compared the foregoing copy of an Order adopted by the Town Board of the Town of Brighton at a meeting of the said Board duly held on July 27, 2011, with the original of said Order which is on file in the Brighton Town Clerk's office and entered in the Minutes of the said meeting and that the foregoing copy is a true and exact copy of the said Order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Brighton this 27th day of July, 2011.

Susan Kramarsky, Town Clerk
Town of Brighton, Monroe County,
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 July, 2011.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

In the Matter of the
Sandringham Road Sidewalk
Snow Removal District
Town of Brighton, Monroe County,
New York

WHEREAS, petitions have been filed with the Town Clerk and presented to and filed with the Town Board of the Town of Brighton by the record owners of more than fifty percent (50%), praying that a sidewalk snow removal district be formed to include the real property more fully described in such petitions, said property being wholly within the said Town of Brighton, New York, and being bounded and described in the attached Exhibit "A"; and

WHEREAS, by said petition it appears that none of said property is located within a city or incorporated village; and

WHEREAS, it appears by said petition that services are to be provided in said district, namely, sidewalk snow removal services; and

WHEREAS, a map, plan and report have been prepared for the proposed District extension by the Town's Public Works Department; and

WHEREAS, the cost of providing the ongoing sidewalk snow removal services would be assessed and collected from real property within the proposed District on an ad valorem basis;

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____, it is

ORDERED, that correspondence dated July 12, 2011 from Chad J. Roscoe, Junior Engineer, of the Department of Public Works, together with map, plan and report, concerning the proposed Sandringham Road Sidewalk Snow Removal District, be received and filed, together with correspondence dated June 23, 2011 from Aaron I. Mills, together with petitions attached thereto, and a certification dated July 13, 2011 from Elaine K. Ainsworth, Town Assessor, certifying as to the assessed valuation in the proposed district and the percentage of assessed valuation of such properties whose owners have signed petitions in support of the formation of such District; and be it further

ORDERED, that based upon the certification of the Town Assessor that sufficient petitions have been received in such matter, a public hearing be held pursuant to Article 12 of the Town Law of the State of New York at the meeting of the Town Board of said Town of Brighton to commence at 7:30 P.M., prevailing time, on the 24th day of August, 2011, at the Town Hall, 2300 Elmwood Avenue to consider the formation of the Sandringham Road Sidewalk Snow Removal District and to hear all persons interested therein and to take such action thereon as may be proper; and be it further

ORDERED, that the Town Clerk of the Town give notice of such hearing by duly publishing this Order and by posting a certified copy thereof on the Town Clerk's bulletin board not less than ten (10) nor more than twenty (20) days prior to said hearing.

Dated: July 27, 2011

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|------------------------------------|--------|-------|
| 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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence July 19, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the solicitation of proposals for computer consulting services for the database systems serving the Department of Public Works and Highway Operations Center, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to solicit requests for proposals for computer consulting services for the database systems serving the Department of Public Works and Highway Department Operations Center.

Dated: July 13, 2011

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|------------------------------------|--------|-------|
| 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

July 19, 2011

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

re: Computer Consulting Services
Recommendation of Contract

Dear Councilperson Gaddis and Committee Members:

Pursuant to our previous discussions, I am requesting the approval be given to solicit RFP's/RFQ's for computer consulting services for the data base systems that serve the DPW and the Operations Center. Funding for this service would be available through the transfer of funds in the from the A.DPW 1490 1.10 account (wages) to the A.DPW 1490 4.49 account (other contracted services).

As always, thank you for your consideration. I will be in attendance at your regularly scheduled July 20, 2011 meeting in the event that you have any questions regarding this matter.

Sincerely,

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

TEK/wpd

cc: M. Hussar
S. Zaso
A. Banker
S. Wentworth

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 July, 2011.

PRESENT:

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

WHEREAS, the Town of Brighton has developed a Point of Dispensing Plan, for the distribution of medications and/or medical related equipment, at Brighton High School and Monroe Community College, in the event of the need for such services in the event of an area disaster, as part of the Monroe County Department of Health Countywide initiative, mandated by the State; and

WHEREAS, the Commissioner of Public Works has recommended that the Fire Marshal complete the final Plan for submission to Monroe County, based on the exhaustive review by the Town Board Public Safety Committee, working in conjunction with the Brighton Central School District and Monroe Community College, which will take primary responsibility for the operation of the site located at Monroe Community College; it is therefore

RESOLVED, that correspondence dated May 6, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, and correspondence dated February 28, 2011 and July 14, 2011 from Anne M. Kress, Monroe Community College, concerning the Proposed Point of Dispensing Plan for the Town of Brighton, be received and filed, together with the draft Plan; and be it further

RESOLVED, that the Town Board hereby grants its approval to the Supervisor to endorse the proposed Point of Dispensing Plan for

Brighton, and authorizes the Fire Marshal to complete preparation of the final Plan and to submit the final Plan to Monroe County.

Dated: July 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

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

July 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>328,602.29</u> |
| D - HIGHWAY | | <u>161,698.47</u> |
| H - CAPITAL | | <u>287,213.16</u> |
| L - LIBRARY | | <u>43,597.72</u> |
| SB - BUSINESS IMPROVM | | <u>160.00</u> |
| SP-PARKS DISTRICT | | 100.00 |
| SR-REFUSE DISTRICT | | <u>63,236.74</u> |
| SS - SEWER DIST | | <u>22,278.59</u> |
| SW - WATER DIST | | <u>2,105.00</u> |
| TA - AGENCY TRUST | | <u>34,480.39</u> |
| TOTAL | \$ | <u>943,472.36</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

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 July, 2011.

PRESENT:

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

WHEREAS, the Town Board previously referred an application for an amendment to the incentive zoning for an addition to Wolk Manor, submitted by Kristopher J. Vurraro, Esq., on behalf of Jewish Senior Life, Inc., to the Planning Board for an advisory report on the application; and

WHEREAS, the Planning Board has issued its advisory report on such application and based upon such report, the Town Board desires to proceed with the review of such Amendment and the proposed addition; it is therefore

RESOLVED, that the Town Board hereby receives and files the advisory report from Ramsey A. Boehner, Executive Secretary to the Planning Board, dated July 20, 2011, together with correspondence dated July 27, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, both concerning the proposed amendment to the incentive zoning approval to permit the addition of a 16 unit memory unit at Wolk Manor, 2000 Summit Circle Drive; and be it further

RESOLVED, that the Town Board hereby sets a public hearing, to be held August 24, 2011 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue, in such Town, concerning such proposed Amendment and the environmental review thereof under the State Environmental Quality Review Act, at which time all persons having an interest in the proposed application and the environmental impact thereof 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 public hearing pursuant to law.

Dated: July 27, 2011

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|------------------------------------|--------|-------|
| 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

July 20, 2011

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

RE: Planning Board advisory report regarding the application of Jewish Senior Life, owner, for an Advisory Report to amend the incentive zoning resolution for the Summit at Brighton to allow for the construction of an 18,300 +/- sf, 16 unit, memory support facility on property located at 2000 Summit Circle Drive.

Dear Board Members:

The Town Board requested an advisory report on the application of Jewish Senior Life, owner, for an Advisory Report to amend the incentive zoning resolution for the Summit at Brighton to allow for the construction of an 18,300 +/- sf, 16 unit, memory support facility on property located at 2000 Summit Circle Drive. At the July 20, 2011 Planning Board Meeting, the Planning Board reviewed the application and offers the following comments:

1. The Planning Board finds that the revised site layout is consistent with the overall intent of the approved site plan.
2. The proposed modifications to the Incentive Zoning Conditions are so minimal and that there will be no adverse impacts on the surrounding community.
3. The proposed project is consistent with the recommendations of Comprehensive Plan 2000, in that it supports housing options for senior citizens.
4. The memory loss and dementia suffers that will reside in Wolk manner will not have vehicles of their own. Therefore, the enclosed parking spaces that would be required by the current Incentive Zoning Conditions would be unnecessary.

Respectfully,

Ramsey A. Bochner
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 July, 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 receives and files an incentive zoning application submitted by Wegman Companies, Inc. for the construction of an Assisted Living and Memory Care Facility on approximately 9.5 acres of land located on Westfall Road, together with correspondence dated July 26, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works; and be it further

RESOLVED, that the Town Board hereby refers such incentive zoning application to the Public Works and Public Safety Committees of the Town Board for their review, and to the Planning Board for its advisory report.

Dated: July 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

July 26, 2011

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

re: Wegman Companies Proposed Assisted Living Facility
Incentive Zoning Request

Dear Supervisor Frankel and Town Council Members:

The attached communication from BME Associates, on behalf of the Wegman Companies, requests consideration for an Incentive Zoning proposal as outlined therein. The applicant and their engineer presented a preliminary overview of this proposal to the Town Board at your July 13th meeting, as well as conducting a public information meeting last night to interested residents. If the Board is so inclined at this time, the document should be received and filed, and referred to the Planning Board for an advisory report, as well as to the Public Works and Public Safety Committees.

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
C. Roth
M. Hussar
W. Moehle

BME | ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

July 26, 2011

Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Attn: Honorable Sandra L. Frankel, Town Supervisor

**Re: Elmwood Avenue & Westfall Road Property (“The Farash Property”) 2318
Incentive Zoning Request**

Dear Board Members:

On behalf of Wegman Companies, Inc., we are pleased to provide you with eleven (11) copies of an Incentive Zoning application for the above-referenced proposal, and have provided the following information as required by Section 209-5 of the Town of Brighton Code for your review:

- (11x17) Assisted Living Facility Conceptual Development Plan
- (11x17) Subdivision Plan (prepared by McMahon LaRue)
- (11x17) Conventional Zoning Development Plan
- Town EPOD Exhibits
- Town Zoning Map Exhibit
- Overall Aerial Exhibit
- Architectural Renderings

The Incentive Zoning proposal includes two (2) components:

- 1) The acquisition by the developer of the entire ± 82.5 acre Farash property and the conveyance of ± 73 of those acres (except for 9.5 acres fronting on Westfall Road, which will be retained by the developer for the project defined in Subparagraph b below) to the Town, in combination of a donation / sale.
- 2) Development of a 96 unit assisted living and dementia care residence on a ± 9.5 acre parcel along Westfall Road. This facility will be owned and maintained by the applicant and will be constructed utilizing a local general contractor.

In addition to the above, the assisted living development parcel improvements include: a vehicular entrance to Westfall Road; parking for approximately 70 vehicles for residents, employees and visitors; a wander garden for dementia care residents; landscaping, lighting and signage; utility connections; and construction of a 5 foot wide stonedust trail and easement along the eastern side of the parcel, which would allow for the future connection and extension of the trail through the open space lands by the Town of Brighton.

1. **Description of the proposed amenities:**

- A) Making available to the Town the long sought parkland/trail connection from the Town Hall to Buckland Park through the Farash property by:
1. Acquisition by the applicant of the Farash property (total acreage approximately 82.5 acres); approximately 73 acres of which will be conveyed to the Town per subparagraphs b and c below (approximately 9.5 acres to be retained by the developer for its assisted living project).
 2. Sale of a portion of the Farash property, approximately 32.5 acres, to the Town for the consideration of \$650,000 in accordance with funds set aside by the Town for that purpose.
 3. Donation of the remainder, approximately 40.5 acres, of the total remaining 73 acres to the Town by the developer.
- B) Trail easement and installation of a stonedust trail along the eastern portion of the site.
 C) Creation of active and passive open space within the community.

In addition to the above-referenced amenities / benefits to the Town of Brighton, there are other project benefits including:

- An intent by the project sponsor to create a sustainable project including potential LEED certification.
- The preservation of existing federal and state regulated wetland areas.
- The enhancement of wetland and wildlife habitat diversity through the design approach to stormwater management.

2. **The cash value of the proposed amenities and benefits to the community:**

| Amenity Description | Approx. Value |
|---|-------------------|
| <p>1. Conveyance of approximately 73 acres to the Town of Brighton for acquisition of Town park land - This project amenity will include the conveyance of land by donation/sale from Wegman Co. to the Town. Approximately 32.5 acres will be sold to the Town and 40.5 acres of land donated to the Town by Wegman Co.</p> <p>Benefit to the Community: This amenity would help the Town meet its stated goal to acquire parklands and preserve environmentally sensitive areas within the community.</p> | \$800,000 |
| <p>2. Trail Network through the 9.5 acre Assisted Living facility site – This project amenity would include the construction of a 5’ wide stone dust trail with an approximate length of 590 linear feet and reservation of a ten foot wide easement along the eastern property boundary of the assisted living facility site.</p> <p>Benefit to the Community: Includes meeting a stated goal of the Town of Brighton to promote walking, biking and fitness to residents, and the general public, including the potential to provide a trail connection between the Brighton Town Hall and Buckland Park.</p> <p>These improvements would be funded by the project developer.</p> | \$25,000 |
| TOTAL VALUE OF AMENITIES | \$ 825,000 |

3. **Project narrative:**

A) Description of benefits to the community:

(Refer to #2 above.)

B) Preliminary indication that there are adequate services to support the proposal:

- Sanitary sewer service to support the project will include a connection to existing sewers in the proximity of the project site either along Westfall Road or by connection to the existing sanitary sewer that exists along the western portion of the Farash parcel adjacent to the Meadowview Subdivision. Further investigations will be performed to determine the most effective means of connection for this project. Water service is available in the proximity of the project site and a connection will be made to an existing MCWA main along Westfall Road. A water district extension will be required for this project. Stormwater management will include water quality and detention volume improvements which will comply with the current NYSDEC stormwater guidelines.
- RG&E will provide for the power and natural gas needs of the facility.
- Fire protection will be provided by existing Town of Brighton Fire District equipment and facilities.
- An engineering report will be prepared for Town review to further explain and detail the proposed utility connections, stormwater management design and provide a traffic narrative for the project. This report and other supporting documentation will be completed and submitted with subsequent preliminary and final site plan design plans.

4. **The requested incentives include the following:**

- A) Changes in the allowable uses from what is currently permitted under the existing RLL Zoning District to allow for a 96 unit Assisted Living / Skilled nursing facility with dementia care.
- B) Reduction of the RLL district regulation requiring 1,100 SF livable floor area per dwelling unit.
- C) Reduction in the amount of the RLL district parking required from two spaces per single family residence to an aggregate total of 70 parking spaces for the facility.
- D) Increase of residential unit density as allowed within the RLL district from approximately 35 lots to 96 units within the proposed assisted living residence.
- E) Allow for a signage package to be designed and implemented that would include a monument identification sign along Westfall Road and directory signs within the development. Signage plans to be submitted and reviewed by the Planning Board and Architectural Review Board at the time of Preliminary and Final site plan approval.
- F) Allow for an overall building height of 36' where 30' is the maximum allowed per the RLL district regulations.

The following provides a summary of the required and proposed bulk standards for RLL zoning district:

| RESIDENTIAL- LARGE LOT (RLL) DISTRICT | | |
|--|--|---|
| CODE ITEM | REQUIRED BY CODE | PROPOSED |
| Allowable uses: | Single family residential, municipal buildings, family child-care homes, conditional uses: places of worship, fire stations, ambulance services and public utility right-of-ways | 96 unit Assisted Living facility with dementia care * |
| Lot Area: | 43,560 SF | +/- 9.5 acres |
| Lot Width: | 150 ft Min. | 630 ft. |
| Setbacks: | Front: 75 ft Min. | 110'** |
| | Side: 40 ft Min. | 70'** |
| | Rear: 60 ft Min. | 135'*** |
| Building Height: | Maximum of 30 ft | 36'* |
| Max. bldg. coverage | 15% | 8% |
| Min. liveable area | 1,100 SF | 299 SF min unit size* |
| Max. Density | 35 single family lots (per conventional zoning plan) | 96 units * |
| Parking | 2 spaces / single family residence (70 spaces) | 70 spaces * (+/- 0.75 spaces per residence) |

* Incentives are being requested for these code items.

** Setbacks are approximate and will be clarified at the time of final architectural detailing and site plan design.

We are requesting to be placed on the July 27th Town Board meeting agenda for presentation, to request lead agency designation to initiate the SEQR process, and for referral of the application to the Planning Board for review pursuant to the Town Incentive Zoning Code.

Thank you for your consideration.

Sincerely,
BME ASSOCIATES



Andrew R. Spencer, RLA

Encl.

cc: Joe McEntee: Wegman Companies, Inc.
Jerry Goldman, Esq.; Fix Spindelmann Brovitz & Goldman

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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated July 20, 2011 from Douglas Clapp, Director of Communications, concerning an Amendment to the Agreement with Icon Enterprises, Inc. d/b/a Civic Plus for website services, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver a Service and License Agreement by and between the Town and Icon Enterprises, Inc. d/b/a Civic Plus, which amends the existing agreement with Icon Enterprises, for enhanced website services during 2011, and an extension of the support and management of the site through December 31, 2012, at an incremental cost for website enhancements of \$2500.00 during 2011 and an aggregate cost during 2012 not to exceed \$8005.00, which Agreement shall be in form and substance as may be approved by the Attorney to the Town.

Dated: July 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 27th day of July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated July 11, 2011 from Jerry LaVigne, Director of Parks and Recreation, concerning donations made to support the Town's July 4th celebration, be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the donations listed in the above referenced correspondence in support of the Town's July 4th 2011 celebration, totaling \$7,760.00.

Dated: July 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 27th day of July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated June 15, 2011 from Jerry LaVigne, Director of Parks and Recreation, concerning a budget transfer for the replacement of two light poles on the softball field at the Town Park, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves a budget transfer in the amount of \$500.00 from account A.REC.7120.411 (Recreation - Maintenance Supplies) to account A.REC.7120.260 (Recreation - Facility Improvement), to fund the replacement of two light poles on the softball field at the Town Park.

Dated: July 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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated June 28, 2011 from Mark T. Henderson, Chief of Police, and a memorandum dated June 24, 2011 from Lieutenant William P. Flood, both concerning the retirement of Lieutenant Flood from the Brighton Police Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts the retirement of Lieutenant William P. Flood from the Brighton Police Department, effective August 25, 2011, with regret.

Dated: July 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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated July 18, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the purchase of a backhoe, with attachments, for the Sewer Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the purchase of a new 2011 backhoe, with attachments, from Milton Caterpillar, under the New York State Contract, at a cost of \$122,936.00; and be it further

RESOLVED, that the Town Board hereby approves a budget transfer in the amount of \$122,936.00 from the Sewer District reserve fund to account SS.SEWER.8120.223 (Sewer Department - Vehicles and Equipment), to fund the purchase of the backhoe; and be it further

RESOLVED, that this resolution is adopted subject to permissive referendum, and the Town Clerk is hereby directed to publish and post a notice of the adoption of this resolution, pursuant to Town Law.

Dated: July 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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated July 18, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning an amendment to the Agreement with Waste Management of New York for refuse and recycling services in the Town's Refuse Districts, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves an amendment renewing the contract for refuse and recycling services to the Town's Refuse Districts, by and between the Town and Waste Management of New York, at an annual unit price of \$205.59, for a term commencing January 1, 2012 through December 31, 2012, and authorizes the Supervisor to execute and deliver such an amendment, which shall be in form and substance as may be approved by the Attorney to the Town.

Dated: July 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

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618
PHONE: (585)784-5250 FAX: (585) 784-5368

July 18, 2011

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

re: Authorize Amendatory Agreement
Waste Management of New York
Refuse and Recycling Services to the Districts

Dear Councilperson Gaddis and Committee Members:

It is recommend that our 2010 contract with Waste Management of New York be renewed pursuant to the terms of said agreement, under which they will continue to provide refuse and recycling services to our refuse districts for an increased unit price of 3.47% (\$198.70 to \$205.59). The extension to renew, which is permitted within the contract, would be for one year ending December 31, 2012. The adjusted cost is based upon factors such as tipping fees, the cost of fuel, CPI and other economic indicators. This expense will be accounted for in the 2012 budget.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled July 20, 2011 meeting in the event that you have any questions regarding this matter.

Very truly yours,

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

TEK/wp

cc: C. Roscoe
M. Hussar
S. Zaso
A. Banker

FASC.CONTRACT.RENEWAL.REFUSE.DISTRICTS.JULY.2011.01

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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated July 7, 2011 from Mark T. Henderson, Chief of Police, concerning an Agreement for Professional Services in connection with the Town's Rabies Clinic, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an Agreement by and between the Town and two veterinarians and two veterinary technicians for veterinary and related services at the Town's Rabies Clinic on October 1, 2011, at a cost not to exceed \$520.00 and upon the terms and conditions set forth in the above-referenced correspondence, which are unchanged from the terms of the agreement for the Town's 2010 Rabies Clinic.

Dated: July 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

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Mark T. Henderson
Chief of Police

Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

July 7, 2011

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Board Members:

I recommend that the Supervisor be authorized to execute an agreement for professional services between the Town of Brighton and two veterinarians, as well as two veterinary technicians, for veterinary and related services performed at our annual Rabies Clinic on Saturday, October 1, 2011. The terms and rates for the services provided pursuant to this agreement are unchanged from last year, with a total amount for services not to exceed \$520.00. There is sufficient funding in the 2011 Animal Control budget to support this request.

Thank you for your consideration. I would be happy to answer any questions you may have regarding this request.

Sincerely,

A handwritten signature in black ink that reads "Mark T. Henderson".

Mark T. Henderson
Chief of Police

MTH:dm

c: Captain William Principe
David Ewell, Animal Control Supervisor

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 July, 2011.

PRESENT:

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

RESOLVED, that correspondence dated July 20, 2011 from Michael E. Guyon, Town Engineer, concerning the Highland Park Canalway Connector Trail, together with an Environmental Assessment Form under the State Environmental Quality Review Act, for the proposed Trail, be received and filed; and be it further

RESOLVED, that the Town Board hereby commences a coordinated review of the Highland Park Canalway Connector Trail Project, under the State Environmental Quality Review Act, with the other potentially involved and interested agencies; and be it further

RESOLVED, that the Town Board hereby indicates its intent to seek lead agency status for the environmental review of this Project under SEQRA and directs that the potentially involved and interested agencies be notified as to the lead agency request by the Town's environmental liaison and/or the Town's consultant in the Project.

Dated: July 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

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ★ ROCHESTER, NEW YORK 14618 ★ PHONE (585)784-5250 ★ FAX (585)784-5368

July 20, 2011

Honorable Town Board
2300 Elmwood Ave.
Brighton, NY 14618

Re: Highland Park Canalway Connector Trail
Town of Brighton and City of Rochester, New York

Honorable Supervisor and Members:

I recommend that you receive and file both this letter and an Environmental Assessment Form which includes a schematic layout of the proposed trail, as prepared by our consultant Fisher Associates, for the above referenced project.

I further recommend that your Honorable Body start a coordinated review of this project with the other potentially involved and interested agencies.

Finally, I recommend that your Honorable Body seek the status of lead agency for this environmental review and instruct the Town's Consultant with the assistance of Town staff to notify the potentially involved and interested agencies in this regard.

Respectfully submitted,

Michael E. Guyon
Town Engineer

Cc Ramsey Boehner
Timothy Keef

Attachment

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 July, 2011.

PRESENT:

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

WHEREAS, the Commissioner of Public Works and the Public Safety Committee have recommended that the Town Board consider an amendment to the Town Code to reduce the speed limit on such streets to 25 mph, and that the Town Board set a Public Hearing to consider a Local Law to implement such a change; it is therefore

RESOLVED, that correspondence dated July 22, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a proposed Local Law enacting speed limit reductions on various Town highways, be received and filed; and be it further

RESOLVED, that correspondence, dated July 22, 2011, from Timothy E. Keef, P.E., Commissioner of Public Works, concerning speed limit reductions on the following streets: Weymouth Drive, Towpath Lane, Branch Avenue, Devonshire Drive, Inwood Drive, Milford Road, Stoneham Road, Towpath Circle, be received and filed; and be it further

RESOLVED, that pursuant to Article III of the Municipal Home Rule Law of the State of New York, a Public Hearing be held on a proposed Local Law of 2011 entitled A2011 Speed Limit Reduction Local Law, in the form presented to this meeting, be held by the Town Board of the Town of Brighton on the 24th day of August, 2011 at 7:30 p.m. o'clock prevailing time at Brighton Town Hall, 2300 Elmwood Avenue, in said Town, to consider the proposed Local Law and to hear all persons having an interest therein, and to take such action with respect thereto as may be proper; and be it further

RESOLVED, that notice of the time and place of such Public Hearing, describing the purpose of said Local Law, be published and posted by the Town

Clerk, pursuant to Law.

Dated: July 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 | _____ |

**LOCAL LAW OF 2011
A2011 SPEED LIMIT REDUCTION LOCAL LAW@**

Section 1. Title

This Local Law shall be known as the A2011 Speed Limit Reduction Local Law@ of the Town of Brighton.

Section 2. Purpose

The purpose of the proposed Local Law is to reduce the speed limit on the various affected Town highways to 25 miles per hour, to enhance the safety for vehicles, cyclists and pedestrians using such street.

Section 3. Amendments to Section 185-36 of the Town Code

Section 185-36 of the Code of the Town of Brighton is hereby amended to add the following streets as having a 25 miles per hour speed limit:

| <u>Name of Street</u> | <u>Speed limit (mph)</u> | <u>Location</u> |
|-----------------------|--------------------------|-----------------|
| Branch Avenue | 25 | Entire length |
| Devonshire Drive | 25 | Entire length |
| Inwood Drive | 25 | Entire length |
| Milford Road | 25 | Entire length |
| Stoneham Road | 25 | Entire length |
| Towpath Lane | 25 | Entire length |
| Towpath Circle | 25 | Entire length |
| Weymouth Drive | 25 | Entire length |

Section 4. Effective Date

This Local Law shall take effect for each street immediately upon filing of this Local Law with the Secretary of State and posting of signs on each such street.

Section 5. Severability

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