

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
October 8, 2014

PRESENT:

Supervisor William Moehle
Councilmember James Vogel
Councilmember Louise Novros
Councilmember Jason DiPonzio
Councilmember Christopher Werner

Daniel Aman, Town Clerk
Kenneth Gordon, Attorney for the Town
Mark Henderson, Chief of Police
Tim Keef, Commissioner of Public Works
Suzanne Zaso, Director of Finance
Andrew Robinson, Budget Officer
Maryann Hussar, Assistant to the Supervisor

MEETING CALLED TO ORDER AT 7:00 PM:

RECOGNITIONS/PRESENTATIONS:

2014 National Fire Prevention Week October 5th -11th Proclamation

- Brighton Fire Chief Stephen MacAdam
- Rochester Deputy Chief Thomas Szatko & Captain Joseph Luna
- Town of Brighton Fire Marshal Chris Roth

2014 National Friends of Libraries Week October 19th – 25th Proclamation

- Nancy O'Mara, President
- Harriet Seigel, Vice President
- Maxine Bittker, Corresponding Secretary
- Cindy Stuart, Membership Chairperson
- Jennifer Ries-Taggart – Brighton Memorial Library Executive Director

October is Domestic Violence Awareness Month Proclamation

- Jamie Saunders, CEO Alternatives for Battered Woman

OPEN FORUM:

Jim Weller

APPROVAL OF AGENDA:

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

September 10, 2014 Town Board Meeting
September 23, 2014 Town Board Meeting

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the aforementioned minutes be approved and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: First of two Public Hearings to consider the proposed 2015 Preliminary Operating and Capital Improvement Budgets.

MATTER HELD

MATTER RE: First of two Public Hearings to consider the proposed 2015 Assessment Rolls for service charges, maintenance charges, capital improvements and sewer rent charges for special improvement districts.

MATTER HELD

MATTER RE: Proposed Local Law #7 of 2014 "Fire Protection Systems Licensure" (see Resolution #1).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner 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

COMMUNICATIONS:

FROM Wes Alden NY State Department of Transportation to Supervisor re: Status of NYSDOT Safety Project: Ramp from I-490 Eastbound to Rt. 590 Northbound.

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the aforementioned communications be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Parks and Recreation & Community Services – Next meeting 10/27/14 at 4:30 PM at Brookside
 Finance and Administrative Services – Next meeting 10/14/2014 at 3:30 PM in the Stage Conference Room
 Public Safety Services – Next meeting 10/14/2014 at 8:00 AM in the Downstairs Meeting Room
 Public Works Services – Next meeting 11/3/2014 at 9:00 AM in the Downstairs Meeting Room

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donations made by various corporate sponsors totaling \$4,750 to support the 2014 July 4th celebration (see Resolution #2 and letter dated August 29, 2014 from Matt Beeman, Superintendent of Parks).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donation in the amount of \$400 made through the Rochester Area Community Foundation to support ambulance and fire services (\$200/each) in the Town (see Resolution #3 and letter dated September 26, 2014 from Suzanne Zaso, Director of Finance).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio 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: Approval for Town Court to submit application for a 2014-2015 Justice Court Assistance Program grant in the amount \$15,356.52 (see Resolution #4 and letter dated September 24, 2014)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval of 2014 budget transfer of \$3,985 from Dept. of Public Works engineering fees account to the part time wages and the FICA budget accounts to support additional work required for review of existing and future building permit submissions (see Resolution #5 and letter dated September 29, 2014 from Ramsey Boehner, Town Planner).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio 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: Approval of 2014 budget transfers from various Highway Dept. accounts totaling \$10,500 to the Vehicle Parts and the Maintenance/Repair accounts to support unexpected repairs needed for Town Loaders (see Resolution #6 and letter dated September 29, 2014 from Timothy Anderson, Deputy Highway Superintendent).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute Stormwater Maintenance Agreement for the property located at 2787 Monroe Ave. (see Resolution #7 and letter dated September 18, 2014 from Evert Garcia Department of Public Works).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio 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 agreement with the NY State Energy Research and Development Authority (NYSERDA) to provide 25% of cost sharing requirement (in-cash and/or in-kind contribution) on grant award of \$150,000 from the NY State Energy Research and Development Authority, Cleaner, Greener Communities program to support the Town's Comprehensive Plan Update project (see Resolution #8 and letter dated September 29, 2014 from Ramsey Boehner, Town Planner).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner 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 solicit for proposals to provide professional consulting services for the Comprehensive Plan Update and necessary environmental review. (NYSERDA) (see Resolution #9 and letter dated September 29, 2014 from Ramsey Boehner, Town Planner).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner 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: Approval to adopt new wage rates for all Seasonal Town employees, effective December 31, 2014 (see Resolution #10 and letter dated September 30, 2014 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute an administrative services agreement with Lifetime Benefit Solutions, Inc. for services to administer the Employee Flexible Spending accounts for 2015 (see Resolution #11 and letter dated September 30, 2014 from Suzanne Zaso, Director of Finance).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio 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: Receive and file proposed code amendment regarding animals and refer to Planning Board for review and preparation of advisory report (see Resolution #12 and letter dated October 1, 2014 from Ramsey Boehner, Environmental Review Liaison Officer).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio 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: Receive and file SEQRA Finding Statement dated October 8, 2014 regarding the University of Rochester's Institutional Planned Development South Campus Incentive Zoning/Rezoning matter (see Resolution #13 and letter dated October 1, 2014 from Ramsey Boehner, Associate Planner).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner 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: Set public hearing date of November 12, 2014 for proposed removal of one 52" Silver Maple tree located at 868 Clover Street (see Resolution #14 and letter dated October 6, 2014 from Timothy Keef, PE Commissioner of Public Works).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner 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:

Expense and Revenue for period ending September 30, 2014

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to receive and file the aforementioned report

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED AT 9:57 PM:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to adjourn at 9:57 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 8th day of October, 2014 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 8th day of October 2014 at 7:30 p.m., to consider the adoption of a proposed Local Law known as "Local Law # 7 of 2014 - Fire Protection Systems Licensure"; and

WHEREAS, such public hearing was duly called and held on October 8, 2014 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard;

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

BE IT RESOLVED, that all written comments provided to the Town at the Public Hearing held on October 8, 2014 regarding the proposed Local Law be received and filed; and it is further

RESOLVED that the Town Board as lead agency pursuant to the State Environmental Quality Review Act declares that the adoption of the proposed Local Law will not have a significant impact on the environment and accordingly receives, files and adopts the Negative Declaration prepared by the Town's Environmental Review Liaison Officer, Ramsey A. Boehner dated October 8, 2014, and therefore

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, the Town Board hereby adopts the proposed "Local Law # 7 of 2014 -

Fire Protection Systems Licensure" by amending Chapter 73 of the Town Code as set forth in said Local Law which is annexed hereto; and it is further

RESOLVED, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Local Law file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York, and it is further

RESOLVED, that pursuant to the adopted Local Law, the Town Board establishes a fee of \$100.00 for each permit issued under "Local Law # 7 of 2014 - Fire Protection Systems Licensure".

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

Local Law # 7 of 2014

"Fire Protection Systems Licensure" Local Law

Section 1. Title

This Local Law shall be known as the "Fire Protection Systems Licensure" Local Law of the Town of Brighton.

Section 2. Purpose.

It is the purpose and intent of this Local Law to amend the Town Code to provide a mechanism to make sure that entities installing, servicing, maintaining and testing fire protection systems are properly qualified to perform such work.

Section 3. Amendments to the Town Code.

Chapter 73, is amended by changing the title of Article IV thereof to read "**Fire Extinguishers and Fire Protection Systems**" and is further amended as follows:

(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

Section 73-38. Definitions.

As used in this Article IV of Chapter 73, the following terms shall have the meanings indicated:

MARSHAL – The Fire Marshal of the Town of Brighton.

TRADE – The trade of installing, charging, filling, maintaining, recharging, refilling, repairing and/or testing rechargeable fire extinguishers , fire extinguishing systems or fire protection systems.

FIRE PROTECTION SYSTEMS – shall be defined as **Manual and Automatic Fire Alarms, Portable Fire Extinguishers, Type I Commercial Cooking Hoods and Fixed Pipe Fire Suppression Systems including hoods, canopies, automatic fire sprinklers, alternative automatic fire-extinguishing systems and stand pipe systems.**

Section 73-39. License required.

No person shall engage in or conduct the trade within the Town of Brighton without first having obtained a license therefor issued by the Marshal or his designee, and without having first obtained and filed with the Marshal or his designee an insurance certificate, showing coverages as may be determined by the Marshal, consistent with the provisions of § 73-41. The Marshal or his designee may issue a license under this Chapter 73 to any applicant **meeting the current licensing requirements of the National Institute for Certification in Engineering Technologies ("NICET")** or holding a license to engage in the trade issued by the City of Rochester or holding any other license to engage in the trade issued by another jurisdiction which the Marshal determines has requirements for its issuance that are substantially similar to the licensing requirements of the City of Rochester or of NICET. **The license issued by the Marshal shall expire on December 31 each calendar year, shall not be transferable and shall be limited in scope to allow only those disciplines included in the Trade that the licensee has demonstrated by the above referenced documentation it is qualified to perform.**

Section 4. Fees

A schedule of fees is on file and available in the office of the Building Inspector and/or the office of the Fire Marshal. Fees for permits issued under this chapter shall be set by resolution of the Town Board. Fees shall be collected prior to the issuance of a permit.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

October 8, 2014

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>172,023.65</u>
D - HIGHWAY		<u>72,011.82</u>
L - LIBRARY		<u>10,400.07</u>
SA - AMBULANCE DIST		<u>23,422.00</u>
SB - BUSINESS IMPROVM		<u>287.50</u>
SD - DRAINAGE DIST		<u>1,810.00</u>
SF - FIRE DIST		<u>3,835.00</u>
SK - SIDEWALK DIST		<u>5,965.00</u>
SL - LIGHTING DIST		<u>11,145.00</u>
SM - SNOW REMOVAL DST		<u>5,160.00</u>
SN-NEIGHBORHOOD DIST.		<u>50.00</u>
SP-PARKS DISTRICT		<u>310.00</u>
SR-REFUSE DISTRICT		<u>12,090.00</u>
SS - SEWER DIST		<u>57,034.63</u>
SW - WATER DIST		<u>2,855.00</u>
TA - AGENCY TRUST		<u>5,515.44</u>
TE - EXPENDABLE TRUST		<u>14,908.00</u>
TOTAL	\$	<u>398,823.11</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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated August 29, 2014 from Superintendent of Parks Matt Beeman regarding a request to authorize the acceptance of donations totaling \$4,750.00 from various corporate sponsors to support the Town's 2014 July 4th Celebration, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts with gratitude donations totaling \$4,750.00 from various corporate sponsors to support the Town's 2014 July 4th Celebration.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 24, 2014 from Finance Director Suzanne Zaso regarding a request to authorize the acceptance of donations totaling \$400.00 from Mr. and Mrs. William R. Harper through the Rochester Area Community Foundation in support of ambulance and fire services in the Town, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts with gratitude donations totaling \$400.00 from Mr. and Mrs. William R. Harper through the Rochester Area Community Foundation in support of ambulance and fire services in the Town and directs that the \$200.00 donation earmarked for support of fire services be transferred to the Brighton Fire District.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 24, 2014 from Administrative Court Clerk Dianne Burdett regarding a request to authorize the Supervisor to execute an application for the benefit of the Court to apply for a 2014-2015 Justice Court Assistance Program grant in the total amount of \$15,356.52 for replacement doors and office equipment, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an application for the benefit of the Court to apply for a 2014-2015 Justice Court Assistance Program grant in the total amount of \$15,356.52 for replacement doors and office equipment.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 29, 2014 from Town Planner Ramsey A. Boehner regarding a request to authorize the transfer of \$3,700.00 into A. DPW 8020.1.20 (part-time wages) and \$285.00 into A.DPW 8020.8.20(FICA) from \$3,985.00 to be transferred out of A.DPW.8020 4.52 (Engineering Fees) to pay for part-time staff wages needed for compliance review for existing and future building permit submissions, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the transfer of \$3,700.00 into A. DPW 8020.1.20 (part-time wages) and \$285.00 into A.DPW 8020.8.20(FICA) from \$3,985.00 to be transferred out of A.DPW.8020 4.52 (Engineering Fees) to pay for part-time staff wages needed for compliance review for existing and future building permit submissions.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 29, 2014 from Deputy Highway Superintendent Timothy J. Anderson regarding a request to authorize the transfer of funds totaling \$10,500.00 from various Highway accounts and into Highway Vehicle maintenance, repair and parts accounts all as further detailed in his correspondence to pay for unexpected extensive and needed repairs to the Highway Department loaders, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the transfer of funds totaling \$10,500.00 from various Highway accounts and into Highway Vehicle maintenance, repair and parts accounts, all as further detailed in the above referenced correspondence, to pay for unexpected extensive and needed repairs to the Highway Department loaders.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 18, 2014 from Evert Garcia of the Department of Public Works regarding a request to authorize the Supervisor to execute a Stormwater Maintenance Agreement with the owner of the Dunkin Donuts facility to be located at 2787 Monroe Avenue, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Stormwater Maintenance Agreement with the owner of the Dunkin Donuts facility to be located at 2787 Monroe Avenue which agreement has been reviewed and approved by the Attorney to the Town.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 29, 2014 from Town Planner Ramsey A. Boehner regarding a request to authorize the Supervisor to execute a grant agreement with the New York State Energy Research and Development Authority which will provide \$150,000.00 in grant funding to be used by the Town for professional consulting services and environmental review in connection with the Town's Comprehensive Plan Update, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the above referenced grant agreement with the New York State Energy Research and Development Authority in connection with the Town's Comprehensive Plan Update which agreement has been reviewed and approved by the Attorney to the Town.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 29, 2014 from Town Planner Ramsey A. Boehner regarding a request to authorize the solicitation of proposals for professional consulting services and environmental review in connection with the Town's Comprehensive Plan Update, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the solicitation of proposals for professional consulting services and environmental review in connection with the Town's Comprehensive Plan Update.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated September 30, 2014 from Director of Finance Suzanne Zaso regarding a request to authorize the adoption of new wage rates effective December 31, 2014 for seasonal employees which rates will reflect the increase in the state minimum wage to \$8.75 per hour, be received and filed; and be it further

RESOLVED, that the Town Board hereby adopts the new wage rates attached to the above referenced correspondence effective December 31, 2014 for seasonal employees.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

RESOLVED, that correspondence dated September 30, 2014 from Director of Finance Suzanne Zaso regarding a request to authorize the Supervisor to execute an administrative services agreement with Lifetime Benefit Solutions, Inc. for the administration of the employee flexible spending accounts for 2015, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an administrative services agreement with Lifetime Benefit Solutions, Inc. for the administration of the employee flexible spending accounts for 2015 which agreement has been reviewed and approved by the Attorney to the Town.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

RESOLVED, that correspondence dated October 1, 2014 from Environmental Review Liaison Ramsey A. Boehner regarding a proposed Code amendment to Chapter 207 regarding Animals together with the text of the proposed amendment, be received and filed; and be it further

RESOLVED, that the Town Board hereby refers the proposed code amendments to the Planning Board for its review and comment and the issuance of an advisory report to the Town Board and further directs the Town Planner, Ramsey A. Boehner to submit the required Development Referral Form and documents to Monroe County Department of Planning and Development for its review of the proposed code amendment.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

October 1, 2014

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

Re: Proposed Code Amendment Regarding Animals - Chapter 207, Supplementary Regulations

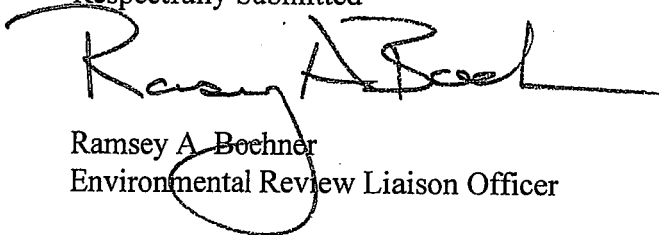
Honorable Supervisor and Members:

I recommend that you receive and file this communication and the proposed code amendment regarding Animals - Chapter 207, Supplementary Regulations of the Code of the Town of Brighton as described in the attached memoranda to Public Works Committee, dated August 1, 2014.

I further recommend that your Honorable Body:

1. Request the Planning Board to review and prepare an advisory report regarding the proposed amendments; and
2. Direct the Town Planner, Ramsey Bochner to submit the required Development Referral Form and documents to Monroe County Department of Planning and Development for review.

Respectfully Submitted



Ramsey A. Bochner
Environmental Review Liaison Officer

cc: T. Keef
attachment



Town of Brighton
Interoffice Memo

To: Public Works Committee
From: Building & Planning Staff
CC:
Date: August 1, 2014
Subject: Code Amendment Regarding Animals - Chapter 207, Supplementary Regulations

The following pages contain draft language for amending two sections of the Comprehensive Development Regulations: §207-4 and §207-12, both dealing with the regulation of animals.

The amendments are intended to:

1. Better specify what animals are allowed to be kept on the majority of lots in the town.
2. Allow for the keeping of other animals on either individual lots or contiguous lots under one ownership, provided that the lot or group of lots are five acres in size or larger and. Note also that the reference to "farm" has been omitted
3. Amend the titles of each of the two sections to better describe their contents. i.e., §207-4 addresses all animals, so the word "farm" in the title is misleading; §207-12 addresses only dogs, so "Animals" as a title is misleading.

The proposed amended language reads as follows:

*Note that added language is **bolded and underlined**, language to be deleted is ~~lined out~~.*

§ 207-4. Harboring or possessing ~~farm~~ animals.

- A. ~~Purpose and intent. This section is intended to regulate the maintenance, keeping, harboring or possession of farm animals within the Town of Brighton. Any horses, ponies, mules, donkeys or cattle shall be permitted in the Town of Brighton only on farms, as are defined herein.~~

The following animals shall be allowed only on a parcel or contiguous parcels of land in common ownership, which in the aggregate contain(s) five or more acres, is residentially zoned, and is occupied by one and only one single family detached dwelling.

- (1) All members of the ovine (sheep), bovine (cows & cattle), camelidae (llamas, camels) caprine (goats), equine (horses and ponies), and swine (pigs and hogs) families, and any animals with hooves, either single or split;**
- (2) Emus, rheas, and ostriches; and**

(3) Roosters and all other poultry.

B. A maximum of six chicken hens are allowed on any size lot occupied by a single family detached dwelling and not meeting the requirements above, provided that any building/coop for sheltering the hens shall be located in the rear yard, shall be located a minimum of ten feet from any lot line, shall not exceed 35 square feet in total floor area, and shall not exceed seven feet in height from grade at its highest point. Any such building/coop shall also comply with the building coverage requirements of Section 207-6, Accessory Buildings. Roosters are not permitted by this Subsection B.

B. C. General rules and regulations.

- (1) All animals of every description and all animal quarters shall be kept in a clean and sanitary condition and shall be adequately ventilated.
- (2) No person or persons shall maintain, harbor, keep or possess any animal of any description in such a manner as to create offensive odors or unsanitary conditions, which odors or conditions are a menace to the health, comfort or safety of the general public or of the surrounding neighborhood.
- (3) No person shall keep, harbor, maintain or possess any animal of any description in such a manner as to cause a disturbance of the peace or to in any way interfere with the quiet use and possession by any person or persons of his or her property.

(4) Animals shall be kept as pets and for personal use only.

€ D. Compliance required. All persons owning, keeping, harboring or maintaining any animal in a manner not permitted by the terms of this section shall have 30 days from the effective date of this section to effect full compliance herewith.

§ 207-12. ~~Animals~~ **Dogs.**

Not more than three dogs shall be permitted per dwelling unit. However, the offspring of any resident female dog shall not be counted, provided that said offspring are less than four months of age.

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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

RESOLVED, that correspondence dated October 1, 2014 from Associate Planner Ramsey A. Boehner and the annexed proposed Findings Statement dated October 8, 2014 prepared pursuant to the State Environmental Quality Review Act regarding the University of Rochester Institutional Planned Development South Campus Incentive Zoning/Rezoning project, be received and filed.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, 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 8th day of October, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

RESOLVED, that correspondence dated October 6, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request pursuant to Town Code Chapter 175 to set a public hearing to consider the removal of a significant town tree, one (1) 52" Silver Maple, located at 868 Clover Street, be received and filed; and be it further

RESOLVED, that the Town Board hereby sets a public hearing for November 12, 2014 at 7:30 pm at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton pursuant to Chapter 175 of the Town Code to determine whether the Commissioner of Public Works has shown good cause to remove a significant town tree, one (1) 52" Silver Maple, located at 868 Clover Street, and it is further

RESOLVED, that the Commissioner of Public Works shall cause to be sent by first class mail addressed to the owners of the adjoining property and the owners directly across the Town highway from and the properties contiguous to the adjoining property that front on the same Town highway at least twenty (20) days notice of said hearing.

Dated: October 8, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____