

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

March 12, 2008

PRESENT:

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

William Moehle
Attorney for the Town

Town Clerk
Susan Kramarsky

MEETING CALLED TO ORDER:

RECOGNITIONS/PRESENTATIONS:

*Sunshine Week – Proclamation
Nancy Kleintop, Vice President, Rochester
Metropolitan Area League of Women Voters*

OPEN FORUM:

Presentation by Anthony J. Costello and Son Development of proposed
"CityGate"

Nancy Kleintop

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis
UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

PUBLIC HEARINGS:

MATTER RE: Proposed "Property Maintenance and Junk Vehicle
Penalties Local Law" (see Resolution #10)

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 on Exhibit
No. 1 attached. (Complete transcript under separate cover)

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed removal of 25 trees for proposed Rich's Dugway Pipe Bridge
Stabilization Project (see Resolution #9 with attachments) (Complete transcript under separate
cover)

MATTER HELD**PETITIONS:****BIDS:**

MATTER RE: Authorize solicitation of bids for installation of two crossings of East Henrietta Road near Metro Park and the Rustic Village Pump Stations (see Resolution #1; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated February 27, 2008, with attachment)

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 on Exhibit No. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Michael Colletta, dated February 25, 2008, requesting information for possible purchase of building lots owned by the Town of Brighton

FROM New York State Office of Real Property Services, dated February 19, 2008 regarding Residential Assessment Ratio

FROM United States Senator Hillary Rodham Clinton, dated February 6, 2008, regarding Brighton's Tree City USA recognition

FROM Canalway Trails Association of New York regarding the June 7, 2008 National Trails Day

FROM Steve Arvan, Vice President, Government and Public Affairs, Time Warner Cable, dated February 26, 2008, notifying of rate adjustments

FROM New York State Coalition of Concerned Citizens, dated February 22, 2008, urging contact with the New York State Legislature to demand they not support Article X legislation

FROM Timothy E. Keef, P.E., Brighton Town Engineer, dated February 26, 2008, enclosing application to New York State Environmental Facilities Corporation for the Elmwood Avenue Relief Sewer Phase 2 project

FROM New York State Department of Environmental Conservation notifying of hearings being held on proposed amendments to Part 673 and portions of Parts 608 and 621 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York

FROM Ramsey Boehner, Secretary, Historic Preservation Commission, dated March 4, 2008, notifying of landmark designation of 1832 Monroe Avenue

FROM Steve Olufsen, Junior Planner, Monroe County Department of Planning and Development, dated March 3, 2008, regarding site plan review for parking expansion at 430 Linden Avenue

FROM Edward A. Lincoln, President, Rush-Henrietta Central School District Board of Education, dated March 3, 2008, inviting Supervisor Frankel and Town Board members to join a discussion on March 25, 2008 at 5:30

FROM James R. Pond, P.E., Associate Traffic Engineer, Monroe County Department of Transportation, dated February 28, 2008, regarding traffic conditions near 1981 Clover Street

FROM Mary Kramarchyk, Community Partnership Coordinator, New York State Department of Environmental Conservation, dated March 4, 2008, congratulating Brighton for being recognized as a Tree City U.S.A. Community for 2007

FROM Joseph H. LaFay, regarding electronic bankruptcy noticing

FROM William R. Blanton, Jr., CFM, Chief, Engineering Management Branch Federal Emergency Management Agency, dated February 28, 2008, regarding Base Flood Elevations

FROM Carmella R. Mantello, Director, New York State Canal Corporation, dated March 4, 2008, regarding an abandonment request for a 2.10 acre parcel of canal land deemed surplus in Brighton

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis that the Town Board receive and file the foregoing communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services Next meeting April 17, 2008.

Finance and Administrative Services Councilmember Sheila Gaddis reported that the committee met on March 5, 2008. Next meeting March 19, 2008.

Public Safety Services Councilmember Ray Tierney reported that the committee met on March 11, 2008. Next meeting. April 8, 2008.

Public Works Services Councilmember James Vogel reported that the committee met on March 3, 2008. Next meeting on April 7, 2008

OLD BUSINESS:

MATTER RE: Amendment to Police Department Personnel Policy for Police Captains' compensation (see Resolution #11; memorandum from Thomas M. Voelkl, Chief of Police, dated February 19, 2008, with attachment)

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 on Exhibit No. 3 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 the payment of the claims as set forth on Exhibit No 4 attached hereto.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Young Explosives for July 4th, 2008 fireworks celebration, not exceeding \$10,400. (see Resolution #2; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated February 28, 2008)

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 on Exhibit No. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with The Dinner Dogs for services at the 2008 National Night Out festivities on August 5, 2008, not exceeding \$500. (see Resolution #3; letter from Thomas M. Voelkl, Chief of Police, dated February 25, 2008)

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 on Exhibit No. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize budget amendment for on-going capital projects (see Resolution #4; memorandum from Paula A. Parker, Director of Finance, dated March 5, 2008)

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 on Exhibit No. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract renewal with Urban Forestry LLC, total not exceeding \$7,500., for evaluation of tree conditions, failure risks and construction impacts (see Resolution #5; letter from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated March 4, 2008)

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 on Exhibit No. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize submission of Multi-Modal Program grant application to New York State Assemblyman Joseph Morelle, for the Westland Avenue Storm sewer replacement project at estimated cost of \$155,000. (see Resolution #6; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated February 28, 2008)

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 on Exhibit No. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set April 9, 2008 Public Hearing for proposed removal of an 18" silver maple tree at 118 Tarrytown (see Resolution #7; letters from Thomas A. Low, Commissioner of Public Works/Superintendent of Highways, dated March 3, 2008; Leila Kirdani, dated February 21, 2008; Rick DiStefano, Secretary, Brighton Tree Council, dated June 13, 2007)

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 on Exhibit No. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: State Environmental Quality Review by the Town of Penfield Linden Hills Office Complex Proposed Scope of Supplemental Environmental Impact Statement (see Resolution #8; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated March 4, 2008; draft letter from Supervisor Sandra L. Frankel; memorandum from Penfield Planning Department, dated February 26, 2008)

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 on Exhibit No. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Consent to removal of northbound stop sign and installation of a traffic signal at Sawgrass Drive and Westfall Road (see Resolution #13; letters from Terrence J. Rice, P.E., Director of Monroe County Department of Transportation, dated February 22, 2008)

Motion by Councilmember Ray Tierney seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth on Exhibit No. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Proposed Supervisor's comments on Monroe County's 2009-2014 Capital Improvement Program (see Resolution #14; letter from Thomas A. Low, Commissioner of Public Works/ Superintendent of Highways, dated March 5, 2008, with attached draft comments)

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 on Exhibit No. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTERS OF THE ATTORNEY TO THE TOWN:

MATTERS OF THE DEPUTY ATTORNEY TO THE TOWN:

MATTERS OF THE TOWN CLERK:

MATTERS OF THE BOARD:

MOTION TO GO INTO EXECUTIVE SESSION: 9:25 PM

To discuss matters of employment of a particular person

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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 on Exhibit No. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to come out of executive session at 9:40 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to go into executive session at 9:45 PM to discuss matters of real estate.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to come out of executive session

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

ADJOURNMENT

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to adjourn at 9:55 pm.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, New York, 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, held on the 13th day of February, 2008 and I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

Susan Kramarsky

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 12th day of March, 2008, at 7:30 P.M., prevailing time, to consider the adoption of a proposed Local Law of 2008 entitled "Property Maintenance and Junk Vehicle Penalties Local Law" for the Town of Brighton, Monroe County, New York; and

WHEREAS, such public hearing was duly called and held and all persons having an interest in the matter having had an opportunity to be heard; and

WHEREAS, based on the materials submitted and testimony heard at the public hearing, the Town Board deems it necessary and advisable to adopt the proposed Local Law.

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

BE IT RESOLVED, that the Town Board of the Town of Brighton, pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York and Section 21-1 of Local Law No. 1 of 1969 of the Town of Brighton, hereby enacts, ordains and adopts the Local Law of 2008 entitled "Property Maintenance and Junk Vehicle Penalties Local Law", as attached hereto as Exhibit "A", for the Town of

Brighton, Monroe County, New York.

Dated: March 12, 2008

Sandra L. Frankel, Supervisor

James R. Vogel, Councilman

Raymond J. Tierney III, Councilman

Louise Novros, Councilperson

Sheila A. Gaddis, Councilperson

Members of the Town Board of
Brighton, New York, Monroe County

LOCAL LAW OF 2008

PROPERTY MAINTENANCE AND JUNK VEHICLES PENALTIES LOCAL LAW

TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK STATE

Section 1. Title

This Local Law shall be known as the Property Maintenance and Junk Vehicles Penalties Local Law, Town of Brighton, Monroe County, New York State.

Section 2. Purpose and Intent

It is the purpose and intent of this Local Law to amend the Town Code to increase the penalties for violations of Town Code provisions regulating property maintenance and junk vehicles, in order to enhance the public safety and welfare and neighborhood appearances and conditions in the Town. All references herein to Sections shall be deemed to refer to Sections of the Brighton Town Code.

Section 3. Amendments

I. Section 85-4.C is hereby amended to read in its entirety as follows:

(C) Notwithstanding the foregoing, any person violating any provision of this chapter or any Article, section or subdivision thereof shall be subject to a civil penalty in the sum of Three hundred fifty dollars (\$350) for the first such violation, seven hundred dollars (\$700) for the second such violation and one thousand dollars (\$1,000) for any subsequent violations, said penalties to be recoverable in a civil action in the name of the Town of Brighton.

II. The final sentence of Section 129-153.B is hereby amended to read in its entirety as follows:

Notwithstanding the foregoing, any person violating any provision of this chapter or any Article, section or subdivision thereof shall be subject to a civil penalty in the sum of three hundred fifty dollars (\$350) for the first such violation, seven hundred dollars (\$700) for the second such violation and one thousand dollars (\$1,000) for any subsequent violation, said penalties to be recoverable in a civil action in the name of the

Town of Brighton.

Section 4. Effective Date

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

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.

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 12th day of March, 2008.

PRESENT:

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

WHEREAS, the Town Board previously received and filed correspondence from Thomas A. Low, Commissioner of Public Works, requesting that a public hearing be called to consider the removal of twenty five (25) trees in connection with the proposed Rich's Dugway Pipe Bridge Stabilization Project; and

WHEREAS, based upon such correspondence, the Town Board duly called and held a public hearing, pursuant to Section 175.8 of the Town Code, to consider the removal of the trees referenced in such correspondence; and

WHEREAS, all persons and entities having an interest in such matter having had an opportunity to be heard at such hearing, and the Commissioner of Public Works having demonstrated that the project is important to public safety and welfare; it is therefore

RESOLVED, that the Town Board hereby determines that the Commissioner of Public Works has shown good cause for the removal of the trees, namely, that their removal is necessary to enable the Town to proceed with the Rich's Dugway Pipe Bridge Stabilization Project, and therefore determines that the recommendation of the Commissioner of Public Works to remove such trees be and it hereby is affirmed, subject to replanting as set forth in the materials submitted by the Commissioner pursuant to Section 175-9 of the Code.

Dated: March 12, 2008

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 12th day of March,
2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated February 27, 2008
from Thomas A. Low Commissioner of Pubic Works, concerning the
installation of two sewer crossings of East Henrietta Road near
the Metro Park and Rustic Village Pump Stations, together with an
attachment thereto, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is
hereby authorized to solicit bids for the installation of two
sewer crossings of East Henrietta Road near the Metro Park and
Rustic Village Pump Stations.

Dated: March 12, 2008

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 12th day of March,
2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated February 19, 2008 from
Thomas M. Voelkl, Chief of Police, concerning an amendment to the
Police Department Personnel Policy as it relates to compensation
for Police Captains, be received and filed, together with an
attachment setting forth the proposed amended policies; and be it
further

RESOLVED, that the Personnel Policy for the Police
Department be amended as more fully set forth in the attachment
to the above-referenced memorandum.

Dated: March 12, 2008

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 12th day of March,
2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated February 28, 2008 from Jerry LaVigne, Director of Parks and Recreation, concerning a contract for fireworks at the 4th of July Town celebration, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Young Explosives for a fireworks display at the July 4th, 2008 celebration, at a cost not to exceed \$10,400, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated February 25, 2008 from Thomas M. Voelkl, Chief of Police, concerning an agreement with The Dinner Dogs, for music at the 2008 National Night Out festivities in Brighton, 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 The Dinner Dogs, to provide music at the 2008 National Night Out festivities on August 5, 2008, at a cost not to exceed \$500, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated March 5, 2008 from Paula A. Parker, Director of Finance, concerning authorization for the appropriation and re-appropriation of ongoing prior year and New Year Capital Projects and Budgets, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby authorizes the Director of Finance to re-appropriate the balances of estimates for all unrealized revenues and all unexpended, unencumbered appropriations relating to ongoing capital projects initiated in years prior to 2008; and be it further

RESOLVED, that the Town Board hereby authorizes the appropriation of, and the transfer of cash for, cash capital contributions provided for the 2008 Budget; and be it further

RESOLVED, that any interest earned on capital project monies through December 31, 2007 be appropriated into the respective capital project budgets, thereby providing additional spending authorization and excluding interest earned on borrowed funds that have been properly transferred to the Debt Service Fund; and be it further

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 4, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the renewal of a contract with Urban Forestry, LLC, for the evaluation of tree conditions, failure risks and construction impacts, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver a renewal of the contract for the evaluation of tree conditions, failure risks and construction impacts with Urban Forestry, LLC, at a rate of \$85.00 per hour for consulting \$42.50 per hour for travel, plus reimbursable expenses, in a total amount not to exceed \$7,500 for 2008.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated February 28, 2008 from Thomas A. Low, Commissioner of Public Works, concerning an application under the Multi-modal Program for grant funds for the Westland Avenue Storm Sewer replacement project, be received and filed; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to submit an application to Assemblyman Joseph Morelle under the Multi-modal Program, for grant funds in the amount of \$155,000 for the replacement of the existing 24" storm sewer on Westland Avenue from Elmwood Avenue north approximately 1200 liner feet.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 3, 2008 from Thomas A. Low, Commissioner of Public Works, email correspondence dated February 21, 2008 from Leila Kirdani, and correspondence dated June 13, 2007 from Rick DiStefano, Secretary of the Brighton Tree Council, all concerning the proposed removal of an 18 inch silver maple tree located in the town highway right-of-way, adjacent to 118 Tarrytown Lane, be received and filed; and be it further

RESOLVED, that the Town Board hereby calls a public hearing to be held on April 9, 2008 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue, to consider the removal of a healthy 18 inch silver maple tree, located in the highway right-of-way adjacent to 118 Tarrytown Lane, under Chapter 175 of the Town Code, and to hear all people having an interest therein; and be it further

RESOLVED, that notice of such public hearing be posted and mailed as required by Chapter 175 of the Town Code.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that correspondence dated March 4, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the review under the State Environmental Quality Review Act by the Town of Penfield of the Linden Hills Office Complex, relating to the proposed scope of the Supplemental Environmental Impact Statement for such project, together with the proposed draft of correspondence from the Supervisor commenting on such proposed scope, and correspondence dated February 26, 2008 from the Town of Penfield, and a proposed Table of Contents for the Supplemental Environmental Impact Statement with respect to project attached thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby concurs in the comments of the proposed draft correspondence from the Supervisor attached hereto.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that two items of correspondence dated February 22, 2008 from Terrence J. Rice, P.E., Monroe County Director of Transportation, concerning the removal of a stop sign on Sawgrass Drive at the corner of Westfall Road, and its replacement with a traffic control signal at the same intersection, be received and filed, and be it further

RESOLVED, that pursuant to the Vehicle and Traffic Law of the State of New York, the Town Board of the Town of Brighton hereby consents to the removal of a stop sign and the installation of a traffic control signal by the Monroe County Department of Transportation on Sawgrass Drive at the corner of Westfall Road, as more fully described in the above correspondence.

Dated: March 12, 2008

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 5, 2008 from Thomas A. Low, Commissioner of Public Works, concerning the proposed Monroe County 2009-2014 Capital Improvement Program, together with draft correspondence to be sent by Supervisor Frankel to the Monroe County Planning Board, attached thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby concurs that correspondence expressing the Town's comments to the 2009-2014 Monroe County Capital Improvement Program be sent by Supervisor Frankel to the Monroe County Planning Board.

Dated: March 12, 2008

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 14

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 12th day of March, 2008.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

Councilpersons

WHEREAS, Officer Patrick Clune received benefits under General Municipal Law Section 207(c) during 2005 and 2006, as well as receiving wages for work performed; and

WHEREAS, certain errors were made in reporting Clune's income for income tax purposes during those years, due to software errors that were not the fault of the Town; and

WHEREAS, the Town desires to enter into an agreement with Clune under which the Town will reimburse Clune for the cost of amending his income tax returns for those years; it is therefore

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Patrick Clune, under which the Town will reimburse Clune for the cost of preparing and filing amended income tax returns for 2005 and 2006, at a cost not to exceed \$75 per year, due to errors in reporting his income for those years, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: March 12, 2008

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 _____