

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
May 26,2010

PRESENT:

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

William Moehle, Attorney for the Town

Susan Kramarsky, Town Clerk

MEETING CALLED TO ORDER: 7:15 PM

OPEN FORUM:

Patricia Chess
Brijen Gupta

APPROVAL OF AGENDA:

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation of bids for maintenance building construction at Buckland Park (see Resolution #1 ; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated May 7, 2010)

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.1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Scott M. Adair, Chief Financial Officer, Monroe County Department of Finance, dated May 14, 2010 regarding Monroe County Sales Tax distribution for first quarter of 2010

FROM Peter Lovenheim, dated May 14, 2010, expressing thanks for the recognition he received at the Town Board meeting for his new book, In The Neighborhood

FROM New York State Department of Environmental Conservation, dated May 2010, regarding the Brownfield Cleanup Program for the Town and Country Cleaners site

FROM employees of the Clover Park Professional Building, 2425 Clover Street, expressing concerns with the proposed car wash at Monroe and Clover

FROM Christopher P. Noun, Hattie Harris Good Spirits Club International, dated May 12, 2010, recognizing Supervisor Frankel for National Thank You Day for Elected Officials

FROM Cheryl M. Rozzi, Clerk of the Monroe County Legislature, dated May 12, 2010, enclosing the Monroe County 201 1-2016 Capital Improvement Program (filed in the Department of Public Works)

FROM Kathi Gingello, Community Development Manager, Monroe County Department of Planning and Development, dated May 12, 2010, enclosing the Monroe County Draft 2010-2015 Strategic Plan and 2010 Annual Action Plan (filed in the Department of Public Works)

FROM Brian Moon, Real Property Analyst. Sate of New York Office of Real Property Services, dated May 21, 2010 regarding 2010 State Equalization Rates-Rate Complaints

FROM Kathleen Szczepanek, dated May 23, 2010, thanking Supervisor Frankel and Doug Clapp for attending a Brighton Deaf Gathering

FROM Governor David Paterson, dated May 20, 2010, thanking Supervisor Frankel for providing to him her perspective concerning Senate Bill Number 4999-A and Assembly Bill Number 10664

FROM Patricia & Mitch Chess dated May 26, 2010 regarding debris on Heatherstone Lane

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 May 20, 2010. Next meeting June 17, 2010.

Finance and Administrative Services - May 19, 2010 Next meeting June 2, 2010

Public Safety Services - Next meeting June 8, 2010

Public Works Services - June 8, 2010

OLD BUSINESS:

MATTER RE: Receive and file Planning Board Advisory Report for proposed Winfield Park Project (see letter from Ramsey A. Bohner, dated May 25,2010)

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

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute appraisal services agreement with Pomeroy Appraisal Associates, Inc. for Country Club of Rochester tax certiorari litigation (see Resolution #14; memorandum from Elaine Ainsworth, Assessor, dated January 13, 2010)

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. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Pittsford Central School District for reimbursement of 50% of appraisal services costs for the Country Club of Rochester tax certiorari litigation (Resolution #15; memorandum from Elaine Ainsworth, Assessor, dated May 19, 2010)

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

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize acceptance of \$50,000 grant from New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) for the Veterans' Memorial project (see Resolution #2; memorandum from Paula A. Parker, Director of Finance, dated May 18, 2010 and letter from Melinda Scott, Chief of Grants, NYSOPRHP, dated March 25, 2010)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of Kevin Hall to the position of Shared Services Facilities Administrator, effective May 31, 2010 (see Resolution #3; memorandum from Laraine Albers and Paula A. Parker, Director of Finance, dated May 17, 2010)

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.6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to Town's organizational chart by abolishing one Full Time Custodial Assistant position and creating one Full Time Cleaner position (see Resolution #4; memorandum from Laraine Albers and Paula A. Parker, Director of Finance, dated May 17, 2010)

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.7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize contract with Laraine Albers for transitional training with new Secretary to the Supervisor and for on-call executive consultant services (see Resolution #5; memorandum from Supervisor Sandra L. Frankel and Paula A. Parker, Director of Finance, dated May 17,2010)

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. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Accept retirement of Barbara Patrick from position of Records Clerk in the Police Department, effective May 29, 2010 (see Resolution #6; letters from Thomas M. Voelkl, Chief of Police, dated April 5, 2010 and Barbara G. Patrick, dated March 31,2010)

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. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute four-year contracts with Xerox, effective July 2010, for replacement of copiers in Shared Services Reception Area, Recreation Department, Department of Public Works, Highway Department Operations Center and Police Department (see Resolution #7; memorandum from Susan Wentworth, Coordinator of Data Processing, dated May 14, 2010)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Rochester Monroe County Youth Bureau for 2010 funding for development of the Town's Youth Asset Building Initiative (see Resolution #8; letter from Jerry LaVigne, Director of Recreation, Parks and Community Service Department, dated May 17, 2010)

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: Authorize professional services agreement with Thomas Low for certain upcoming projects (see Resolution #10; letter from Timothy E. Keef, Commissioner of Public Works/ Highway Superintendent, dated May 14, 2010)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO.12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute confidentiality agreement with RG&E for street lighting proposal (see Resolution #11; letter from Timothy E. Keef, Commissioner of Public Works/Highway Superintendent dated May 17,2010)

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 acceptance of \$8,000 from Daniele family for reimbursement of supplemental traffic evaluation costs by Stantec (see Resolution #12; letter from Timothy E. Keef, Commissioner of Public Works/Highway Superintendent dated May 17, 2010)

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.14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Adopt the Town's Revised Vehicle Use Policy (see Resolution #13; memorandum from Gary Brandt, Director of Personnel, dated May 4, 2010 with attached Policy)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO.15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set June 9, 2010 Public Hearing for request of Hybridge Dental Lab, LLC, 1960 Elmwood Avenue, to relocate in City of Rochester Empire Zone (see Resolution #16; letters from Timothy E. Keef, Commissioner of Public Works/Highway Superintendent dated May 24, 2010, and Brijen K. Gupta, dated May 20, 2010)

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: Set June 23, 2010 Public Hearing for Incentive Zoning for proposed "The Reserve" Project (see Resolution #17)

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

UPON ROLL CALL VOTE the following vote was recorded

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

MOTION CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Sister City relationship with Istanbul (see Resolution # 18; letter from Supervisor Sandra L. Frankel, dated May 26, 2010)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No.18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION:

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to go into executive session at 8:45 PM to discuss the appointment and employment of particular people, real estate & contract negotiations

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to come out of executive session at 9:50 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to adjourn at 9:55 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 26 May 2010 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 26th day of May 2010.

PRESENT:

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

RESOLVED, that correspondence dated May 7, 2010 from Jerry LaVigne, Director of Parks and Recreation, concerning solicitation of bids for construction of a park maintenance building at Buckland Park, be received and filed; and be it further

RESOLVED, that the Director of Parks and Recreation is hereby authorized to seek bids for the construction of a park maintenance building at Buckland Park to replace the pole barn previously destroyed by a wind storm.

Dated: May 26, 2010

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

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

May 26, 2010

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>232,444.00</u>
D - HIGHWAY		<u>89,348.14</u>
H - CAPITAL		<u>3,874.81</u>
L - LIBRARY		<u>41,603.94</u>
SB - BUSINESS IMPROVM		<u>90.00</u>
SS - SEWER DIST		<u>34,785.24</u>
TA - AGENCY TRUST		<u>23,500.85</u>
TE - EXPENDABLE TRUST		<u>2,225.50</u>
	TOTAL \$	<u>427,872.48</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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

WHEREAS, the Country Club of Rochester has brought tax certiorari litigation that will require the Town to obtain appraisal services; and

WHEREAS, the Town Assessor developed a request for proposals for such services, has reviewed the responses and recommends that the Town retain Pomeroy Appraisal Associates, Inc. for such appraisal; it is therefore

RESOLVED, that a memorandum dated May 19, 2010 from Elaine Ainsworth, Town Assessor, concerning the tax certiorari proceeding brought by the Country Club of Rochester, 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 Pomeroy Appraisal Associates, Inc. for appraisal services in connection with the tax certiorari proceeding brought by the Country Club of Rochester, at a cost not to exceed \$25/000.00/ which agreement shall be in form and substance as may be approved by the Attorney to the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT :

SANDRA L. FRANKEL,
Supervisor

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

WHEREAS, the Town Board has authorized an agreement for appraisal services in connection with tax certiorari litigation brought by the Country Club of Rochester; and

WHEREAS, because such litigation could adversely affect the Pittsford Central School District, the District has agreed to reimburse the Town for 50% of the cost of such appraisal services; it is therefore

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and the Pittsford Central School District, under which the Pittsford Central School District will reimburse the Town for 50% of the cost of the appraisal services to be provided by Pomeroy Appraisal Associates, Inc. in connection with the tax certiorari litigation brought by the Country Club of Rochester, which agreement shall be in form and substance as may be approved by the Attorney to the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated May 18, 2010 from Paula A. Parker, Director of Finance, together with correspondence dated March 25, 2010 from Melinda Scott, Chief of Grants, New York State Office of Parks Recreation and Historic Preservation, both concerning a grant from the New York State Office Parks, Recreation and Historic Preservation, for the construction of a Veterans' Memorial in Buckland Park, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute a contract with the New York State Office Parks, Recreation and Historic Preservation, together with such other documents and agreements as may be required in connection with such grant, all of which shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated May 17, 2010 from Laraine Albers, Shared Services Facilities Administrator and Paula A. Parker, Director of Finance, concerning the appointment of Kevin Hall as Shared Services Facilities Administrator, be received and filed; and be it further

RESOLVED, that the Town Board hereby appoints Kevin Hall for the position of Shared Services Facilities Administrator, effective May 31, 2010, on a probationary basis with a probationary period of twenty six weeks, for an annual flat salary stipend of \$5,280, to be paid to Mr. Hall in addition to his salary as maintenance mechanic.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that a memorandum dated May 17, 2010 from Laraine Albers, Shared Services Facilities Administrator and Paula A. Parker, Director of Finance, concerning the abolition of a full time position of Custodial Assistant and the creation of a full time position of Cleaner in order to provide cleaning services in the Town's Public Safety Wing, be received and filed; and be it further

RESOLVED, that the Town's Table of Organization and Salary Schedule be amended to abolish one position of Custodial Assistant full-time and create one position of Cleaner, full-time, in the Shared Services Department.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,
Supervisor

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

RESOLVED, that a memorandum dated May 17, 2010 from Sandra L. Frankel, Town Supervisor and Paula A. Parker, Director of Finance, concerning a contract with Laraine Albers to provide transitional services as needed, 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 Laraine Albers for contract services at an hourly rate of \$30 per hour, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

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

RESOLVED, that correspondence dated April 5, 2010 from Thomas M. Voelkl, Chief of Police, together with correspondence dated March 31, 2010 from Barbara G. Patrick, both concerning the retirement of Barbara G. Patrick from the Brighton Police Department, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby accepts the retirement of Barbara G. Patrick from the Brighton Police Department, effective May 29, 2010, with regret.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated May 14, 2010 from Susan Wentworth, Coordinator of Data Processing, concerning copier replacements, be received and filed, together with attachments thereto; and be it further

RESOLVED, that the Town Board hereby declares that those certain copiers listed in the proposed Lease Agreements attached to the above memorandum be declared surplus and traded in to Xerox Corporation in connection with the acquisition of replacement copiers, for the trade-in prices listed in those Lease Agreements; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver Lease Agreements with Xerox Corporation under which the Town will finance lease copiers for a term of four (4) years, in the Shared Services reception area, Recreation Department, Department of Public Works, Highway Department and Police Department, following which four year term the copiers will be owned by the Town, and which Lease Agreements shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 17, 2010 from Jerry LaVigne, Director of Parks and Recreation, concerning the Rochester Monroe County Youth Bureau Contract, 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 County of Monroe for funding under the Monroe County Youth Bureau program, under which the Town will receive an amount not to exceed \$10,958.00, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

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

RESOLVED, that correspondence dated May 14, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a professional services agreement with Thomas A. Low, 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 Thomas A. Low for professional consulting services at a cost not to exceed \$2,060.00 during 2010, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 17, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a proposed Confidentiality Agreement with Rochester Gas and Electric in connection with the proposed acquisition of street lights within certain neighborhoods by the Town, 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 Rochester Gas and Electric under which Rochester Gas and Electric will provide certain proprietary information to the Town in connection with the proposed acquisition of street lights by the Town, and the Town will hold such information in confidence to the extent permitted by law, which agreement shall be in form and substance as may be approved by the Town.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

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

WHEREAS, the Town previously retained Stantec Consulting Services to perform an independent traffic evaluation of the proposed car wash at 2875 Monroe Avenue, at a cost not to exceed \$8,000.00; and

WHEREAS, the developer of the proposed project has paid the Town \$8,000.00 to reimburse it for the cost of Stantec's services, which funds must be accepted and accounted for in the Town Budget; it is therefore

RESOLVED, that correspondence dated May 17, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the supplemental traffic evaluation for the Incentive Zoning Proposal at 2875 Monroe Avenue, be received and filed; and be it further

RESOLVED, that the Town Board hereby accepts reimbursement of the \$8,000.00 cost to conduct a traffic study related to the incentive zoning application for 2875 Monroe Avenue, and amends the Town's 2010 Budget to increase revenue in account A.DPW.8020.2560 by \$8,000.00 to be offset by a disbursement from account A.DPW. 8020.449, in the same amount, to reflect the costs of the traffic study and reimbursement for such study.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

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

RESOLVED, that a memorandum dated May 4, 2010 from Gary Brandt, Director of Personnel, concerning proposed revisions to the Town's Vehicle Use Policy, be received and filed, together with a copy of such proposed Policy; and be it further

RESOLVED, that the Town Board hereby approves and adopts the revisions to the Vehicle Use Policy, in the form presented to this meeting.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

WHEREAS, Hybridge Dental Lab, LLC is currently located at 1960 Clinton Avenue South in the Town of Brighton, and was started in December 2008 as an affiliate of the Elmwood Dental Group, which also located at such address, to manufacture dental prosthetics; and

WHEREAS, the business of Hybridge Dental Lab, LLC has grown and it now needs additional space at which to expand its operations, among other things by setting up a training and education center; and

WHEREAS, despite vigilant efforts to find suitable space in the Town of Brighton, Hybridge Dental Lab, LLC could not find rental space in Brighton that is comparable in price to space available in the City of Rochester; and

WHEREAS, the Town Board desires to set a public hearing to hear public comments as to whether extraordinary circumstances exist to warrant the relocation of Hybridge Dental Lab, LLC from the Town of Brighton to the City of Rochester Empire Zone; it is therefore

RESOLVED, that correspondence dated May 24, 2010 from Timothy E. Keef, Commissioner of Public Works, concerning the proposed relocation to the City of Rochester Empire Zone by Hybridge Dental Lab, LLC, be received and filed, together with correspondence dated May 20, 2010 from Brijen K. Gupta, with attachments thereto; and be it further

RESOLVED, that the Town Board hereby sets a public hearing to consider whether to approve the relocation of Hybridge Dental Lab, LLC from the Town of Brighton to the City of Rochester Empire Zone to be held on June 9, 2010 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue, at which time all persons having an interest in such matter shall have the opportunity to be heard therein; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish and post a legal notice of such public hearing in accordance with law; and be it further

RESOLVED, that this matter is referred to the Town of Brighton Public Works Committee for its review at its June 6, 2010 meeting.

Dated: May 26, 2010

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 26th day of May 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

WHEREAS, the Town Board previously adopted an Incentive Zoning resolution approving a project known as The Reserve to be developed by Anthony J. Costello and Son Development; and

WHEREAS, the developer of The Reserve has now submitted a request to amend the Town Board's Incentive Zoning resolution for the proposed project, requesting to make certain changes to the site plan of the project and to change the amount and timing of the provision to the Town of certain amenities in connection with such project; and

WHEREAS, the Public Works and Public Safety Committees of the Town Board have reviewed the proposal and the Town Board desires to hold a public hearing to consider the request in order to hear comments concerning the proposed amendment; **it is therefore**

RESOLVED, that a public hearing be held to consider the request by the developer of The Reserve project to amend the Incentive Zoning resolution previously adopted by the Town Board, which public hearing shall be held on June 23, 2010 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue, at which time **all** persons having an interest in the matter shall have an opportunity to be heard; and **it further**

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

Dated: May 26, 2010

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