

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 22, 2013

**PRESENT:**

Supervisor William Moehle	
Councilmember James Vogel	
Councilmember Louise Novros	Kenneth Gordon, Attorney for the Town
Councilmember Jason DiPonzio	Daniel Aman, Town Clerk
Councilmember Christopher Werner	Rebecca Cotter, Recreation Director
Mark Henderson, Police Chief	Suzanne Zaso, Director of Finance
Timothy Keef, Commissioner of Public Works	Maryann Hussar, Assistant to the Supervisor

**MEETING CALLED TO ORDER AT 7:07PM:**

**OPEN FORUM:**

Marjorie Alaimo  
Judy Schwartz  
Josh Barouth, Monroe County Legislator

**APPROVAL OF AGENDA:**

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:**

May 8, 2013 Town Board Meeting

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to approve the aforementioned Town Board Meeting minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PETITIONS:**

**MATTER RE:** Receive and file additional signatures on petition of newly formed group, Our Land Committee, whose purpose is to support the town's efforts to purchase the land on Winton and Westfall roads currently owned by Faith Temple

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to receive and file these additional signatures

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**BIDS:**

**MATTER RE:** Approval to solicit for proposals to provide contractor services to procure emergency enclosures when needed (see Resolution #1 and letter dated Timothy E. Keef, P.E. Commissioner of Public Works).

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. 1 attached

UPON ROLL CALL VOTE

UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services (PARCS) – Next meeting 6/24/2013 at 4:30PM at Brookside

Finance and Administrative Services (FASC) – Next Meeting 5/28/13 at 3:30 PM in Stage Conference Room

Public Safety Services – Next meeting 6/11/13 at 8:00 AM in Downstairs Meeting Room

Public Works Services – Next meeting 6/3/13 at 9:00 AM in 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 the payment of claims as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval for Supervisor to execute agreement with Brighton Central School District to allow access to the Town's fuel depot for fueling certain school district vehicles and equipment (see Resolution #2, letter dated May 10, 2013 from Timothy Keef, P.E. Commissioner of Public Works and letter dated May 7, 2013 from Douglas Ackert, Director of Bldgs. & Grounds, BCSD).

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to declare one 1997 Ford Thunderbird sedan as surplus and its disposal through municipal auction (see Resolution #3 and letter dated April 30, 2013 from Matt Beeman, Superintendent of Parks).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to modify the Town's Highway Dept. budget to reflect additional monies received from the NY State Consolidated Local Street and Highway Improvement Program (see Resolution #4, letter dated April 30, 2013 from Timothy Keef P.E. Commissioner of Public Works and program funding distribution data).

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board adopt the resolution 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 for Supervisor to execute a storm water maintenance, easement agreement with Rochester Gas & Electric relating to the RG&E Substation 251 switchgear facility project (see Resolution #5 and letter dated May 8, 2013 from Michael Guyon, P.E. Town Engineer).

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to apply for funding through the Transportation Enhancements Program (TEP) grant program to secure funding to support the Highland Park Canal Way Trail project (see Resolution #6 and letter dated May 13, 2013 from Michael Guyon, P.E. Town Engineer).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve provisional appointment of Kyle Sears effective June 3, 2013 to the Engineering Assistant position subject to a 52-week probationary period (see Resolution #7 and letter dated May 13, 2013 from Michael Guyon, P.E. Town Engineer).

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:** Approve provisional appointment of Christine Winter effective May 28, 2013 to the Recreation Supervisor position subject to a 52-week probationary period (see Resolution #8 and letter dated May 14, 2013 from Rebecca Cotter, Recreation Director).

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. 9 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval for Supervisor to execute New York State Department of Transportation, Supplemental Agreement No. 3 relating to the Highland Park Canal Way Trail project (see Resolution #9 and letter dated May 9, 2013 from Michael Guyon, P.E. Town Engineer).

Motion by Councilmember Louise Novros 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:** Receive and file Inspection Report dated April 9, 2013 for structure located at 2758 West Henrietta Road and set June 26, 2013 as public hearing date to consider demolition and removal of same (see Resolution #10, letter dated May 7, 2013 from Ramsey Boehner, Town Planner and inspection report).

Motion by Councilmember Jason DiPonzio 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:** Approval to transfer of Evert Garcia who currently holds the position of DPW Operations Center Engineering Assistant to the position of Department of Public Works Engineering Assistant (see Resolution #11 and letter dated May 14, 2013 from Timothy Keef, P.E. Commissioner of Public Works)

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.12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED:**

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to adjourn at 8:36 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 proceedings of the Town of Brighton, County of Monroe, State of New York meeting held on the 22<sup>nd</sup> day of May, 2013 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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 13, 2013 from Commissioner of Public Works, Timothy E. Keef, P.E. regarding a request to authorize the solicitation of proposals for services to secure buildings or structures that are vacant or for which an emergency situation exists necessitating that the building or structure be secured, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Commissioner of Public Works to solicit proposals for providing services to secure buildings or structures that are vacant or for which an emergency situation exists necessitating that the building or structure be secured.

Dated: May 22, 2013

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

## CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

May 22, 2013

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>264,447.00</u>
D - HIGHWAY		<u>65,819.13</u>
L - LIBRARY		<u>11,331.91</u>
SF - FIRE DIST		<u>718.50</u>
SL - LIGHTING DIST		<u>4,954.18</u>
SS - SEWER DIST		<u>126,437.65</u>
TA - AGENCY TRUST		<u>28,696.09</u>
TE - EXPENDABLE TRUST		<u>3,385.92</u>
	TOTAL \$	<u><b>505,790.38</b></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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 10, 2013 from Commissioner of Public Works, Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute an agreement with the Brighton Central School District to permit the District to have access to and refuel certain District vehicles at the Town's fuel depot, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an agreement with the Brighton Central School District to permit the District to have access to and refuel certain District vehicles at the Town's fuel depot at a price and administrative fees to be set in said agreement which shall be subject to the review and approval of the Attorney to the Town.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**RESOLVED**, that correspondence dated April 30, 2013 from Superintendent of Parks, Matt Beeman, regarding a request to declare one 1997 Ford Thunderbird sedan (Capital Asset #153143/VIN 1FALP62W1VH153143) as surplus and to dispose of the same through public auction, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby declares one 1997 Ford Thunderbird sedan (Capital Asset #153143/VIN 1FALP62W1VH153143) as surplus and authorizes the Superintendent of Parks to dispose of the same through public auction.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated April 30, 2013 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to modify the Town's Highway Department budget for 2013 to reflect additional funds received from the New York State Consolidated Local Street and Highway Improvement Program in the amount of \$45,180.94 by increasing in said amount the appropriations in the road materials budget (D.HWY. 5110 4.16) to be fully supported by an identical increase in the NYS CHIPS funding (D.HWY. 5140 3501), be received and filed, and be it further

**RESOLVED**, that the Town Board hereby modifies the Town's Highway Department budget for 2013 to reflect additional funds received from the New York State Consolidated Local Street and Highway Improvement Program in the amount of \$45,180.94 by increasing in said amount the appropriations in the road materials budget (D.HWY. 5110 4.16) to be fully supported by an identical increase in the NYS CHIPS funding (D.HWY. 5140 3501).

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 8, 2013 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the Supervisor to execute a storm water maintenance easement agreement with Rochester Gas and Electric Corporation relating to the RG&E Substation 251 switchgear facility project on lands adjacent to NYS Route 390 and Kendrick Road, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a storm water maintenance easement agreement with Rochester Gas and Electric Corporation relating to the RG&E Substation 251 switchgear facility project on lands adjacent to NYS Route 390 and Kendrick Road subject to the review and approval as to form of the easement agreement by the Attorney to the Town.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 13, 2013 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the preparation of a Transportation Enhancement Program grant application to fund the construction and construction inspection phases of the Highland Park Canal Way Trail project, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Town Engineer to prepare a Transportation Enhancement Program grant application to fund the construction and construction inspection phases of the Highland Park Canal Way Trail project.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 13, 2013 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the provisional (to become permanent upon his successful completion of the Civil Service testing requirements) appointment of Kyle Sears, 156 Roxwood Drive, Rochester, NY effective June 3, 2013 to the position of Engineering Assistant, Group 4, Step 1, forty hours per week at the Operations Center with a starting salary of \$47,008.00 for a probationary period of 52 weeks, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the provisional appointment (to become permanent upon his successful completion of the Civil Service testing requirements) of Kyle Sears, 156 Roxwood Drive, Rochester, NY effective June 3, 2013 to the position of Engineering Assistant, Group 4, Step 1, forty hours per week at the Operations Center with a starting salary of \$47,008.00 for a probationary period of 52 weeks.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 14, 2013 from Director of Recreation Rebecca J. Cotter regarding a request to authorize the provisional appointment (to become permanent upon her successful completion of the Civil Service testing requirements) of Christine Winter, 208 East Squire Drive, Rochester, NY effective May 28, 2013 to the position of Recreation Supervisor, Group 4, Step 1, thirty-five hours per week with the Recreation Department with a starting salary of \$41,132.00 for a probationary period of 52 weeks, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the provisional appointment (to become permanent upon her successful completion of the Civil Service testing requirements) of Christine Winter, 208 East Squire Drive, Rochester, NY effective May 28, 2013 to the position of Recreation Supervisor, Group 4, Step 1, thirty-five hours per week with the Recreation Department with a starting salary of \$41,132.00 for a probationary period of 52 weeks.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 9, 2013 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the Supervisor to execute Supplemental Agreement No. 3 with the New York State Department of Transportation relating to the Federal-Aid Local Project Agreement for reimbursement of design service costs and Right-of-Way acquisition costs in connection with the Highland Park Canalway Trail project (aka the Highland Crossing Trail), be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute Supplemental Agreement No. 3 with the New York State Department of Transportation relating to the Federal-Aid Local Project Agreement for reimbursement of design service costs and Right-of-Way acquisition costs in connection with the Highland Park Canalway Trail project (aka the Highland Crossing Trail), and it is further hereby

**RESOLVED**, that the Supervisor is authorized to execute Agreement, certifications and reimbursement requests on behalf of the Town; that the Town understands and accepts the stipulations on the agreement including its associated schedule, appendices, exhibits and attachments; and that the Town confirms that it has appropriated the funding necessary to deliver the project as described in Schedule A of the Agreement.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 7, 2013 from Town Planner Ramsey Boehner along with an April 9, 2013 report of the inspection of a certain unsafe structure located at 2758 West Henrietta Road, in the Town of Brighton, County of Monroe, State of New York (Tax Parcel ID #148.20-2-58), be received and filed, and be it further

**RESOLVED**, that upon review of said letter and report the Town Board hereby makes the following findings relative to the above described property:

1. The subject structure sustained heavy fire damage on June 24, 2012; the roof has been destroyed leaving the interior of the remaining structure fully exposed to the elements for the last ten months causing additional deterioration leading to the present danger of collapse of the walls of the structure which is unfit for the purpose for which it may be lawfully used;
2. The subject structure has become dangerous and unsafe to the general public and has become an object of attraction to juveniles and criminals;
3. The subject structure may also become an attraction to vagrants or other trespassers;
4. The subject structure may serve as a place of rodent infestation thereby creating a potential health menace to the community;

and therefore it is hereby

**ORDERED**, that the subject structure shall be demolished and removed from the above described property pursuant to the provisions of Chapter 51 of the Code of

the Town of Brighton; and it further hereby

**ORDERED**, that a public hearing on the above cited report and the demolition and removal of the structure from the above described property shall be held at the Brighton Tow Hall, 2300 Elmwood Avenue, Town of Brighton, New York on the 26<sup>th</sup> of June, 2013 at 7:30 pm or as soon thereafter as the public may be heard on this matter; and it is further hereby

**ORDERED**, that the demolition and removal of the subject structure shall commence within ten days after said public hearing and shall be completed no later than thirty days thereafter; and it is further hereby

**ORDERED**, that pursuant to Chapter 51 of the Code of the Town of Brighton, notice of said public hearing shall be sent by certified mail, return receipt required, to the owner of the above described property addressed to said owner at the last known address as indicated in the records of the Town Receiver of Taxes and that said notice shall be posted on the subject structure; and it is further hereby

**ORDERED**, that the Town Clerk shall pursuant to Chapter 51 of the Code of the Town of Brighton file notice of said public hearing with the Monroe County Clerk in the same manner as a Notice of Pendency under Article 65 of the New York Civil Practice Law and Rules.

Dated: May 22, 2013

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 22nd day of May, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 14, 2013 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to transfer Evert Garcia from the Operations Center to the Department of Public Works effective June 3, 2013 but remaining in his current position and salary grade and also working a portion of his time at the Operations Center, until August 2, 2013, when the position will convert to Group 4, Step 6, thirty-five hours per week, at a current annual salary of \$52,416.00, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby approves the transfer of Evert Garcia from the Operations Center to the Department of Public Works effective June 3, 2013 but remaining in his current position and salary grade and also working a portion of his time at the Operations Center, until August 2, 2013, when the position will convert to Group 4, Step 6, thirty-five hours per week, at a current annual salary of \$52,416.00.

Dated: May 22, 2013

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