

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 11, 2016

Present:

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

Daniel Aman, Town Clerk
Kenneth Gordon, Attorney for the Town
Mark Henderson, Chief of Police
Tim Keef, Commissioner of Public Works
Suzanne Zaso, Director of Finance

MEETING CALLED TO ORDER AT 7:05 PM:

PRESENTATIONS/RECOGNITIONS:

May 15-21, 2016 EMS Week Proclamation

OPEN FORUM:

1. Greg Lewis - Sonora Pkwy
2. Dr Daniel Croft - URMC
3. Annalisa Rogers - American Lung Association
4. Christine Blackwell- Antlers Dr
5. Dr. Ifran Rahman - URMC
6. Bob Berkman - Sylvan Rd
7. Matt Davidson - Sylvan Rd
8. Dr Ronald Webb - Wilshire Dr
9. Tom Geen - Monterey Rd
10. Brett Dawson - atty for Thirsty Coil
11. Katie Kuczek - Sonora Pkwy
12. Lisa Sponsil- Winton Rd
13. Jeff Cox - Birmingham Dr
14. Jose Fernandes - Heatherstone Ln
15. Annalisa Rogers - American Lung Association
16. Katie Kuczek - Sonora Pkwy
17. Bob Berkman - Sylvan Rd
18. Matt Davidson - Sylvan Rd
19. Denise Santiago
20. Jose Fernandes Jr - Heatherstone Ln
21. Dr. Ifran Rahman - URMC

APPROVAL OF AGENDA:

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

April 13, 2016 Town Board Meeting

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed Local Law regarding parking restrictions along Glen Road (see *Resolution #1*).

(Complete transcript under separate cover)

Matter Held

BIDS:**COMMUNICATIONS:**

FROM: Ralph Uttaro, Sr. V.P. Real Estate/Development, Wegmans Food Markets Inc. dated May 2, 2016 to Ramsey Boehner, Town Planner, with cc: to Supervisor Moehle regarding proposed project known as Whole Foods Plaza.

FROM: Katy Kuczek email dated May 11, 2016 to William Moehle Town Supervisor and Mark Henderson, Chief of Police, and members of the Town Board with cc: to Justin Wilcox Monroe County Legislator regarding proposed Vape retail location.

FROM: Lisa Sponsel email dated May 11, 2016 to William Moehle Town Supervisor with cc: to Daniel Aman Town Clerk regarding Proposed Vape retail location

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services Committee - Has not met since last Town Board meeting; Next meeting 5/18/16 at 9:30 at Brookside School.

Finance and Administrative Services – Met on 5/4/16; next meeting 5/18/16 at 8:30 PM in the Stage Conference Room at Town Hall.

Public Safety Services – Met 5/10/16; next meeting 6/14/16 at 8:00 AM in the Downstairs Meeting Room at Town Hall.

Public Works Services – Met 5/3/16; next meeting 6/7/16 at 9:00 AM in the Downstairs Meeting Room at Town Hall.

OLD BUSINESS:**NEW BUSINESS:**

MATTER RE: Reading and approval of claims

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file letter dated May 6, 2016 from Costich Engineering along with supplemental pages that are requested be included in the Draft Environmental Impact Statement dated April 20, 2016 for the proposed project known as Whole Foods Plaza (*see Resolution #7 and letter dated May 6, 2016 from Environmental Review Liaison Officer, Ramsey Boehner*)

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to amend Non-Represented Employee Salary & Wage Schedule to include the title of Deputy Court Administrator in Group 3 effective May 30, 2016 (*see Resolution #2 and letter dated May 2, 2016 from Tricia Van Putte, Director of Personnel*).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to hire a particular person to fill the position of part time Permanent Office Clerk III for the Recreation Department subject to 52-week probationary period (*see Resolution #3 and letter dated May 4, 2016 from Rebecca Cotter Recreation Director*).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize appointment of Erinn Ryen as a member of the Comprehensive Plan Update Steering Committee effective immediately (*see Resolution #4*)

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to amend procurement policy to allow for participation in any governmental agency group contract for town purchases of any tangible items (*see Resolution #5 and letter dated May 5, 2016 from Suzanne Zaso, Director of Finance*).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set June 8, 2016 as Public Hearing date to consider removal of trees determined to be of poor health located at #36 Fireside Dr., #208 Dorking Road and #89

Walden Place (see Resolution #6 and letter dated May 5, 2016 from Timothy Keef, P.E. Commissioner of Public Works).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

Expenses and Revenue for Month ending April 30, 2016

Motion by Councilmember Louise Novros seconded by Councilmember Christopher Werner that the Town Board accept the aforementioned report.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE ATTORNEY TO THE TOWN:

MATTERS OF THE TOWN CLERK:

MATTERS OF THE BOARD:

MOTION TO GO INTO EXECUTIVE SESSION AT 10:15 PM:

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to go into executive session to discuss matters of litigation.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO EXIT EXECUTIVE SESSION AT 10:29 PM:

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner to come out of executive session at 10:29 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

ADJOURNED AT 10:29 PM:

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to adjourn at 10:29 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 11th day of May 2016 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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 27th day of April 2016 at 7:00 p.m., and continued on May 11, 2016 at 7:00 p.m. to consider the adoption of a proposed Local Law to be known as "Parking Restrictions for Glen Road Local Law" to modify the existing parking and parking restrictions currently in place on Glen Road by amending Town Code Sections 185-46 and 185-49, all as set forth in detail in the proposed Local Law; and

WHEREAS, such public hearing was duly called and held on April 27, 2016 at 7:00 pm and continued on May 11, 2016 at 7:00 p.m. and all persons having an interest in the matter having had an opportunity to be heard;

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

BE IT RESOLVED, that all written comments provided to the Town at the Public Hearing held beginning on April 27, 2016 regarding the proposed Local Law be received and filed; and

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 23rd day of March, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

BE IT RESOLVED, that correspondence dated March 14, 2016 from Commissioner of Public Works Timothy E. Keef, P.E. together with the attached signage plan and aerial photo regarding a request to set a public hearing to consider proposed modified parking restrictions along Glen Road, be received and filed; and be it further

RESOLVED, that the Town Board hereby sets April 27, 2016 at 7:00 p.m. or as soon thereafter as the matter can be heard for a public hearing to be held at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe to consider a local law to modify parking restrictions on Glen Road as set forth in the correspondence referenced above, and hereby directs the Town Clerk to publish and post notice of said public hearing as is required by law.

Dated: March 23, 2016

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 11, 2016

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>185,493.93</u>
D - HIGHWAY		<u>30,272.91</u>
H - CAPITAL		<u>47,002.60</u>
L - LIBRARY		<u>166.95</u>
SA - AMBULANCE DIST		<u>4,010.00</u>
SB - BUSINESS IMPROVM		<u>80.00</u>
SD - DRAINAGE DIST		<u>140.00</u>
SF - FIRE DIST		<u>3,710.00</u>
SK - SIDEWALK DIST		<u>7,385.00</u>
SL - LIGHTING DIST		<u>30,244.44</u>
SM - SNOW REMOVAL DST		<u>1,470.00</u>
SN-NEIGHBORHOOD DIST.		<u>100.00</u>
SP-PARKS DISTRICT		<u>105.00</u>
SR-REFUSE DISTRICT		<u>79,112.64</u>
SS - SEWER DIST		<u>59,816.92</u>
SW - WATER DIST		<u>2,270.00</u>
TA - AGENCY TRUST		<u>3,344.92</u>
TE - EXPENDABLE TRUST		<u>277.00</u>
	TOTAL \$	<u>455,002.31</u>

UPON ROLL CALL MOTION CARRIED _____

APPROVED BY: _____
SUPERVISOR

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE AND APPROVED 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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated May 6, 2016 from Environmental Review Liaison Officer Ramsey A. Boehner, correspondence from Michael P. Montalto also dated May 6, 2016 and the supplemental pages to the Draft Environmental Impact Statement dated April 22, 2016 for the Whole Foods Plaza Project, be received and filed; and be it further

RESOLVED, that the Town Board hereby directs the Environmental Reivew Liaison Officer to forward the above referenced documents to the Town's consultant Stantec for its assistance in reviewing the documents for completeness and adequacy for public review.

Dated: May 11, 2016

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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated May 2, 2016 from Director of Personnel Tricia VanPutte regarding a request to amend the Non-Represented Employee Salary and Wage Schedule to include the title of Deputy Court Administrator in Group 3 effective May 30, 2016, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby authorizes the amendment of the Non-Represented Employee Salary and Wage Schedule to include the title of Deputy Court Administrator in Group 3 effective May 30, 2016.

Dated: May 11, 2016

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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL

LOUISE NOVROS

CHRISTOPHER K. WERNER

JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that correspondence dated May 4, 2016 from Director of Recreation Rebecca J. Cotter regarding a request to extend an offer of employment nunc pro tunc to Kim Rittenhouse as a Part-Time (15 hour per week) Office Clerk III in the Recreation Department at Step 1 of Group V effective May 9, 2016 subject to a 52 week probationary period, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby authorizes the employment nunc pro tunc to Kim Rittenhouse as a Part-Time (15 hour per week) Office Clerk III in the Recreation Department at Step 1 of Group V effective May 9, 2016 subject to a 52 week probationary period.

Dated: May 11, 2016

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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that the Town Board hereby appoints Erinn Ryen of 87 Edgemoor Road, Rochester, NY 14618 to the Comprehensive Plan Update Steering Committee effective immediately.

Dated: May 11, 2016

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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated May 5, 2016 from Director of Finance Suzanne Zaso regarding a request to amend the Town procurement policy to allow Town Departments to purchase equipment and supplies using contracts let by the United States of America or any agency or department thereof and any state government or department thereof and any political subdivision or district thereof, to the extent permitted under Section 103 of the General Municipal Law, all as set forth in said correspondence, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby authorizes the amendment of the Town procurement policy to allow Town Departments to purchase equipment and supplies and other tangible items using contracts let by the United States of America or any agency or department thereof and any state government or department thereof and any political subdivision or district thereof , to the extent permitted under Section 103 of the General Municipal Law, all as set forth in the above referenced correspondence, conditioned upon any purchases from a state government other than New York or any department, political subdivision or district thereof, from which the Town has not previously purchased items shall first be reviewed the Finance Department and Town Board Finance and Administrative Services Committee during the period of one year commencing on the date hereof.

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 11th day of May, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated May 5, 2016 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request that the Town Board set a public hearing pursuant to Chapter 175 of the Town Code to consider the removal of a 36 inch Silver Maple located in front of 36 Fireside Drive, a 46 inch Silver Maple located in front of 208 Dorking Road, and a 37 inch Silver Maple located in front of 89 Walden Place together with correspondence dated April 14, 2016 from Secretary of the Brighton Tree Council Rick DiStefano and Tree Hazard Evaluation Forms regarding said trees, be received and filed; and be it further

RESOLVED, that the Town Board hereby sets a public hearing for June 8, 2016 to be held at the Brighton Town Hall, 2300 Elmwood Avenue, Town of Brighton, County of Monroe, State of New York for 7:00 p.m. or as soon thereafter as the matter may be heard pursuant to Chapter 175 of the Brighton Town Code to consider the removal of the above referenced trees, and be it further

RESOLVED, that the Commissioner of Public Works shall provide notice of said hearing and proposed removal in accordance with the provisions of Section 175-8 of the Town Code.

Dated: May 11, 2016

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