

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
June 8, 2016

Present:

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

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

MEETING CALLED TO ORDER AT 7:04 PM:

PRESENTATIONS/RECOGNITIONS:

Ishir Seth Brighton High School Student – Award Winner Intel International Science and Engineering Fair 2016

OPEN FORUM:

Dennis Adams – 44 Glen Rd
Blair Hornbuckle – 66 Glen Rd
Debra Corea – 69 Glen Rd
Ralph DiTucci – 1201 Elmwood Ave

APPROVAL OF AGENDA:

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

May 11, 2016 Town Board Meeting
May 25, 2016 Town Board Meeting

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE:

Proposed removal of trees determined to be of poor health located at #36 Fireside Dr., #208 Dorking Road and #89 Walden Place (*see Resolution #1*).

(Complete transcript under separate cover)

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. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

COMMUNICATIONS:

- FROM:** NY State Dept. of Taxation & Finance to Supervisor dated May 23, 2016 regarding Tentative Equalization Rate of 94.00 for the 2016 Assessment Roll
- FROM:** Debra Corea to Supervisor, Commissioner of Public Works and members of the Town Board dated June 8, 2016 regarding parking restrictions on Glen Road.
- FROM:** Blair Hornbuckle to Supervisor and Town Clerk dated June 8, 2016 regarding parking restrictions on Glen Road.

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to 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 6/15/16 at 9:30 at Brookside School.

Finance and Administrative Services – Met on 6/1/16; next meeting 6/15/16 at 8:30 AM in the Stage Conference Room at Town Hall.

Public Safety Services – Has not met since last Town Board meeting; next meeting 6/14/16 at 8:00 AM in the Stage Conference Room at Town Hall.

Public Works Services – Met 6/7/16; next meeting 7/5/16 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 James Vogel that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to appoint a particular person effective immediately, with authorization to recruit for three (3) additional part-time Court Attendant positions, open due to recent resignations (*see Resolution #2 and letter from Colleen M. Rogers, Administrative Court Clerk*).

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute an intermunicipal agreement with Brighton Central School District to provide a 1 to 1 Aid for a participant in the 2016 Summer Playground Camp program (*see Resolution #3 and letter dated June 1, 2016 from Rebecca Cotter, Recreation Director*).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept cash and in-kind services from various sponsors for the 2016 Clean-Sweep program (see Resolution #4 and letter dated May 31, 2016 from Suzanne Zaso).

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize budget appropriation in the amount of \$45,000 to support purchase of a tractor for the Highway Department (see Resolution #5 and letter dated May 31, 2016).

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. 6 attached

UPON ROLL CALL VOTE the following vote was recorded. 4 Yes, 1 No. Supervisor Moehle Yes, Councilmember Vogel Yes, Councilmember Novros No, Councilmember Diponzio Yes and Councilmember Werner Yes. Motion Carried

Supervisor Moehle recused himself from the next matter as his wife works for one of the DiMarco Group entities. The Supervisor turned the Chair over to Councilmember James Vogel and left the room. Councilmember Vogel then proceeded with the meeting for this matter.

MATTER RE: Receive and file Incentive Zoning Application amendment dated May 23, 2016 from the DiMarco Group, for the proposed 1925 South Clinton Avenue project (see Resolution #6 and letter dated June 3, 2016 from Ramsey Boehner, Town Planner).

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

UPON ROLL CALL VOTE the following vote was recorded. 4 Yes, 1 member recused. Supervisor Moehle recused. Councilmember Vogel Yes, Councilmember Novros Yes, Councilmember Diponzio Yes and Councilmember Werner Yes. Motion Carried

Supervisor Moehle rejoined the meeting.

MATTER RE: Proposed Local Law regarding parking restrictions along Glen Road (see Resolution #7 and letter dated June 6, 2016 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached

UPON ROLL CALL VOTE the following vote was recorded. 4 Yes, 1 No. Supervisor Moehle Yes, Councilmember Vogel Yes, Councilmember Novros No, Councilmember Diponzio Yes and Councilmember Werner Yes. Motion Carried

MATTERS OF THE SUPERVISOR:

MATTER RE: Expenses and Revenue for month ending May 31, 2016

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board file 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 8:58 PM:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to go into executive session to discuss employment of a particular person and matters of litigation.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO EXIT EXECUTIVE SESSION AT 9:49 PM:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to come out of executive session.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

ADJOURNED AT 9:50 PM:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to adjourn at 9:50 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 8th day of June 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 8th day of June, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

WHEREAS, pursuant to the provisions of the Chapter 175 of the Town Code, the Town Board previously received and filed communication and reports regarding the removal of a town trees consisting of a 36 inch Silver Maple located in front of 36 Fireside Drive, a 46 inch Silver Maple in front of 208 Dorking Road and a 37 inch Silver Maple in front of 89 Walden Place, and

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 8th day of June 2016 at 7:00 p.m., to consider the proposed removal of said trees; and

WHEREAS, pursuant to the provisions of Section 175-8 of the Town Code, notice of such public hearing was sent by first class mail at least 20 days prior to the scheduled hearing addressed to the owners of each of the properties adjoining the above referenced trees and the owners directly across the Town highway from and the properties contiguous to the adjoining properties, and

WHEREAS, such public hearing was duly called and held on June 8, 2016 at 7:00 pm and all persons having an interest in the matter having had an opportunity to be heard;

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

BE IT RESOLVED, that all written comments provided to the Town at or before the Public Hearing held on June 8, 2016 regarding the proposed tree

removal be received and filed as part of the record of the hearing; and further

BE IT RESOLVED, that pursuant to the provisions of Chapter 175 of the Town Code, and based on the record of the Public Hearing, the Town Board hereby authorizes the Commissioner of Public Works, and or his designee, to remove the above referenced trees in accordance with the provisions of Chapter 175 including but not limited to the arboricultural specifications and standards of practice in the Town Forestry Plan, and direct that replacement trees be planted in the vicinity of such locations.

Dated: June 8, 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

June 8, 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>167,589.89</u>
D - HIGHWAY		<u>188,444.36</u>
H - CAPITAL		<u>924,373.47</u>
L - LIBRARY		<u>158.00</u>
SA - AMBULANCE DIST		<u>12,490.39</u>
SB - BUSINESS IMPROVM		<u>50.00</u>
SD - DRAINAGE DIST		<u>5.00</u>
SL - LIGHTING DIST		<u>13,847.93</u>
SP-PARKS DISTRICT		<u>820.00</u>
SR-REFUSE DISTRICT		<u>67,567.64</u>
SS - SEWER DIST		<u>28,370.24</u>
TA - AGENCY TRUST		<u>4,841.27</u>
TE - EXPENDABLE TRUST		<u>220.70</u>
TOTAL	\$	<u>1,408,778.89</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 8th day of June, 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 27, 2016 from Administrative Court Clerk Colleen Rogers regarding a request to authorize appointment of Peter L. Prince as a part-time Court Attendant at an hourly rate of \$14.90 and to further authorize the recruitment of three additional part-time Court Attendants, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby authorizes the appointment of Peter L. Prince as a part-time Court Attendant at an hourly rate of \$14.90 effective immediately, and the Town Board further authorizes the Administrative Court Clerk to recruit three additional part-time Court Attendants.

Dated: June 8, 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 8th day of June, 2016.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated June 1, 2016 from Recreation Director Rebecca J. Cotter regarding a request to authorize the Supervisor to execute an agreement with the Brighton Central School District to provide a 1 to 1 Aid for a registered participant in the Town's 2016 Summer Playground Camp program, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with the Brighton Central School District to provide a 1 to 1 Aid at a cost of \$15.25 per hour for a registered participant in the Town's 2016 Summer Playground Camp program, said agreement to be in the form previously approved by the Attorney to the Town.

Dated: June 8, 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 8th day of June, 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 31, 2016 from Director of Finance Suzanne Zaso regarding a request to authorize the acceptance of \$2,900 in cash donations and in-kind donations valued at \$1,102.39 all in support of the Clean Sweep event, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby accepts with gratitude the \$2,900 in cash donations and in-kind donations valued at \$1,102.39 all in support of the Clean Sweep event.

Dated: June 8, 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 8th day of June, 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 31, 2016 from Director of Finance Suzanne Zaso regarding a request to authorize the appropriation of \$71,000.00 from highway fund balance to the highway machinery tractor line (D.HWY 5130 2.23) to fund the purchase of a mini-articulated loader with attachments, be received and filed; and further

BE IT RESOLVED, that the Town Board having reviewed this proposal, has determined to instead appropriate \$45,000.00 from highway fund balance to the highway machinery tractor line (D.HWY 5130 2.23) to fund the purchase of a L3560 Kubota diesel tractor, with attachments.

Dated: June 8, 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 8th day of June, 2016.

PRESENT:

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

Councilpersons

BE IT RESOLVED, that correspondence dated June 3, 2016 from Town Planner Ramsey A. Boehner, and correspondence dated May 23, 2016 from Ashley Champion including all attachments and exhibits thereto regarding amendments to the Incentive Zoning Application by the DiMarco Group for property located at 1925 South Clinton Avenue, be received and filed.

Dated: June 8, 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 8th day of June, 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 11th and May 25, 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 11th and May 25, 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 as well as letter of June 6, 2016 from Timothy E. Keef, P.E. Commission of Public Works requesting that the members of the Town Board take action to adopt proposed Local Law be received and filed; and

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York and Vehicle and Traffic Law Section 1660, hereby adopts the proposed amendments to Town Code Sections 185-46 and 185-49, known as "Parking Restrictions for Glen Road Local Law" by deleting the existing parking restrictions on Glen Road set forth therein and by adding the parking restrictions as set forth in detail in the attached Local Law; and it is further

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

Dated: June 8, 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	_____



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618

PHONE: (585)784-5250 FAX: (585) 784-5368

June 6, 2016

Supervisor William W. Moehle and
the Honorable Town Board
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

Re: Proposed Modified Parking Restrictions
Glen Road (west)

Dear Supervisor Moehle and Town Council Members:

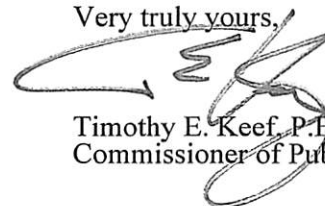
Based upon the testimony given at the three public hearings regarding the above matter, as well as other information provided by residents of the immediate area, I recommend that the Honorable Town Board take action to modify the parking restrictions as outlined in my March 14, 2016 communication, which is as follows:

- 1) along the west side of Glen Road authorize no parking at all times from the intersection of the east/west split of Glen Road and 160 feet west;
- 2) along the east side of Glen Road authorize no parking at all times from the intersection of the east/west split of Glen Road and 150 feet west;
- 3) along the west side of Glen Road authorize no parking at all times from the end of the dedicated roadway and 300 feet south;
- 4) along the east side of Glen Road authorize no parking at all times from the end of the dedicated roadway and 250 feet south;
- 5) the areas in between would remain available for parking.
- 6) repeal the present parking restrictions currently in effect;

Again, the above recommendation has been presented to the Public Works and Public Safety Committees, receiving their concurrence.

As always, your consideration of matters such as this is greatly appreciated.

Very truly yours,



Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wp

cc: T. Anderson
M. Henderson
R. Cline
D. Aman
K. Gordon

LOCAL LAW OF 2016

PARKING RESTRICTIONS FOR GLEN ROAD LOCAL LAW

Section 1. Title

This Local Law shall be known as the Parking Restrictions for Glen Road Local Law of the Town of Brighton.

Section 2. Purpose and Intent

It is the purpose and intent of this Local Law to modify the existing parking and parking restrictions currently in place along Glen Road to promote vehicle and pedestrian safety.

Section 3. Amendments to the Town Code

- A. Section 185-46 and Section 185-49 are hereby amended to delete the existing parking restrictions on Glen Road.
- B. Section 185-46 is hereby amended to add the following parking restrictions on Glen Road:

NAME OF STREET	SIDE	LOCATION
Glen Road	West	From the intersection of the east/west split of Glen Road, 160 feet generally west.
Glen Road	East	From the intersection of the east/west split of Glen Road, 150 feet generally west.
Glen Road	West	From the end of the dedicated roadway near the entrance to Corbett's Glen Park, 300 feet generally south.
Glen Road	East	From the end of the dedicated roadway, near the entrance to Corbett's Glen Park, 250 feet generally south.

Section 4. 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.

Section 5. Effective Date

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