

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 14, 2017

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 7:02 PM:

PRESENTATIONS/RECOGNITIONS:

OPEN FORUM:

- Marjorie Alaimo – 90 Towpath Ln

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:

May 10, 2017 Town Board Meeting
May 24, 2017 Town Board Meeting

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

BIDS:

COMMUNICATIONS:

- FROM:** Monroe County Department of Planning & Development to Supervisor dated May 12, 2017 regarding continued membership in the Consolidated Plan Consortium for participation in CDBG, HOME and ESG programs.
- FROM:** Town of Chili Town Clerk Virginia Ignatowski to Brighton Town Clerk Daniel Aman dated May 18, 2017 regarding their Lead Agency status under SEQRA for proposed Local Law entitled "Right to Farm Law of the Town of Chili, NY".
- FROM:** Virginia Hall to Supervisor dated May 30, 2017 regarding proposed Whole Foods Plaza project.
- FROM:** County Executive Cheryl Dinolfo to Town Supervisor, May 2017 Proposed 2018-2023 Capital Improvement Plan.

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel 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 6/21/17 at 10:00 AM in the Auditorium at Town Hall.

Finance and Administrative Services – Met on 6/6/17; next meeting 6/21/17 at 8:30 AM in the Stage Conference Room at Town Hall.

Public Safety Services – Met 6/13/17; next meeting 7/11/17 at 8:00 AM in the Downstairs Meeting Room at Town Hall.

Public Works Services – Met 6/6/17; next meeting 7/11/17 at 9:30 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. 1 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 Aide for a participant in the 2017 Summer Playground Camp program (*see Resolution #1 and letter dated May 31, 2017 from Rebecca Cotter, Recreation Director*).

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to transfer \$5,000 from the Corbett's Glen Park Maintenance Supplies Account into the Buckland Park Maintenance Account to support additional funds needed for related equipment repairs (*see Resolution #2 and letter dated June 1, 2017 from Matt Beeman, Superintendent of Parks*).

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. 3 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

MATTER RE: Authorize agreement extension with the NY State Department of Transportation for the Town to provide snow and ice control services on State roads for period through June 30, 2019 (*see Resolution #3 and letter dated May 30, 2017 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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donation from Mr. Andy Green and Ms. Christine Corrado of an exterior clock for use at the Brighton Town Hall outdoor pool site (*see Resolution #4 and letter dated May 31, 2017*).

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 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

MATTER RE: Authorize acceptance of grant funding in the amount of \$15,146.00 from the NY State Department of Criminal Justice Services through the Police Protective Equipment Program (PPEP) program with:

1. Approval to amend the 2017 Town of Brighton Budget to increase appropriations in account A.POLCE.3120.2.17 (Law Enforcement Equipment) to support same; and
2. Authorization for Supervisor to execute any associated documents and/or agreements relating to same
(*see Resolution #5 and letter dated June 5, 2017 from Police Chief Mark Henderson*).

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept grant award of \$125,000 to support the construction and completion of the Brickyard Trail with:

1. Authorization for Supervisor to execute Grant Disbursement Agreement and all related documents with the Dormitory Authority of the State of NY (DASNY) through the State and Municipal (SAM) funding program; and
2. Authorization for Finance Director to make all related accounting transactions
(*see Resolution #7 and letter dated June 5, 2017 from Michael Guyon, P.E. Town Engineer*).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Set July 12, 2017 as Public Hearing date to consider proposed Edgewood Avenue Refuse District (*see Resolution #8 and letter from Chad Roscoe, Junior Engineer dated June 7, 2017 along with all associated documents and petitions*).

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

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to extend completion date to July 31, 2017 of the Final Environmental Impact Statement (FEIS) for the proposed Whole Foods Plaza project (see *Resolution #9 and letter dated June 8, 2017 from Ramsey Boehner, Environmental Review Liaison Officer*).

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. 9 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:

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board receive and file the Expenses & Revenue reports for month ending May 31, 2017

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 8:05 PM:

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to go into executive session to discuss employment of a particular person and a matter of litigation.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO EXIT EXECUTIVE SESSION AT 9:44 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 9:45 PM:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to adjourn at 9:45 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 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 14th day of June 2017 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

June 14, 2017

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>219,799.34</u>
D - HIGHWAY		<u>183,841.77</u>
H - CAPITAL		<u>6,282.00</u>
L - LIBRARY		<u>10,313.69</u>
SA - AMBULANCE DIST		<u>15,542.50</u>
SB - BUSINESS IMPROVM		<u>193.00</u>
SD - DRAINAGE DIST		<u>207.50</u>
SF - FIRE DIST		<u>9,126.18</u>
SK - SIDEWALK DIST		<u>7,745.00</u>
SL - LIGHTING DIST		<u>32,299.20</u>
SM - SNOW REMOVAL DST		<u>1,625.00</u>
SN-NEIGHBORHOOD DIST.		<u>100.00</u>
SP-PARKS DISTRICT		<u>1,035.00</u>
SR-REFUSE DISTRICT		<u>80,525.79</u>
SS - SEWER DIST		<u>79,030.61</u>
SW - WATER DIST		<u>2,415.00</u>
TA - AGENCY TRUST		<u>7,196.39</u>
TE - EXPENDABLE TRUST		<u>441.30</u>
TOTAL	\$	<u>657,719.27</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 14th day of June, 2017.

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, 2017 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 Aide for a registered participant in the Town's 2017 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 Aide at a cost of \$15.25 per hour for a registered participant in the Town's 2017 Summer Playground Camp program, said agreement to be in the form previously approved by the Attorney to the Town.

Dated: June 14, 2017

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 14th day of June, 2017.

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, 2017 from Superintendent of Parks Matt Beeman regarding a request to authorize the transfer of \$5,000.00 from the Corbett's Glen Park Maintenance Supplies Account (A.PARKS 7122 4.11) to the Buckland Parks Vehicle Equipment Account (A.PARKS 7115 4.65) to support additional funds needed for various unexpected associated vehicle and equipment repairs, be received and filed; and further

BE IT RESOLVED, that the Town Board hereby authorizes the transfer of \$5,000.00 from the Corbett's Glen Park Maintenance Supplies Account (A.PARKS 7122 4.11) to the Buckland Parks Vehicle Equipment Account (A.PARKS 7115 4.65) to support additional funds needed for various unexpected, associated vehicle and equipment repairs

Dated: June 14, 2017

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 14th day of June, 2017.

PRESENT:

- WILLIAM W. MOEHLE,
Supervisor
- JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

BE IT RESOLVED, that correspondence dated May 30, 2017 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute an agreement with the State of New York to amend and extend the Town's contract with the State to provide snow and ice control services on State roads in the Town for a period ending June 30, 2019, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with the State of New York to amend and extend the Town's contract with the State to provide snow and ice control services on State roads in the Town for a period ending June 30, 2019.

Dated: June 14, 2017

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 14th day of June, 2017.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated May 31, 2017 from Recreation Director, Rebecca Cotter regarding a request to authorize the acceptance of donation of an exterior clock to be used at the Town Hall outdoor pool site by Mr. Andy Green and Ms. Christine Corrado, be received and filed; and it is further hereby

RESOLVED, that the Town Board hereby gratefully accepts with appreciation the donation of an outdoor clock by Mr. Andy Green and Ms. Christine Corrado.

Dated: June 14, 2017

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 14th day of June, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated June 5, 2017 from Chief of Police Mark T. Henderson regarding a request to authorize acceptance of awarded funding in the amount of \$15,146.00 and the terms associated therewith from the New York State Department of Criminal Justice Services through the Police Protective Equipment Program to be used for the purchase of twenty-six (26) ballistic helmets and five (5) Department of Criminal Justice Services approved patrol rifles by the Brighton Police Department, be received and filed; and it is further

RESOLVED, that the Town Board hereby accepts the above referenced Department of Criminal Justice Services funding and authorizes an amendment to the approved 2017 Town budget to increase appropriations in law enforcement equipment account (A.POLCE.3120 2.17) to be fully supported by an increase in New York State DCJS grant revenues account (A.POLCE.3120.3388); and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute any documents and/or agreements associated with the \$15,146.00 grant award from the New York State Department of Criminal Justice Services to the Brighton Police Department to be used for the purchases described herein.

Dated: June 14, 2017

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 14th day of June, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

BE IT RESOLVED, that correspondence dated June 5, 2017 from Michael E. Guyon, P.E., Town Engineer, concerning a State and Municipal Facilities Program ("SAM") Grant to help support the construction of a bicycle and pedestrian trail, now completed and officially named the Brickyard Trail ("The Project") located at the Sandra L. Frankel Nature Park, together with the Grant Disbursement Agreement (GDA) from the Dormitory Authority of the State of New York ("DASNY") dated May 19, 2017 for the disbursement of said grant funds totaling \$125,000, be received and filed; and it is further

RESOLVED, that the Town has fulfilled all requirements and/or criteria associated with the "SAM" grant relating to "The Project", and is in compliance with all provisions contained in the above referenced Grant Disbursement Agreement; and it is further

RESOLVED, that the Town Board hereby approves the grant award in the amount of \$125,000, authorizes that the funds be transferred to the Parks Capital Reserve (A.878.PARKS) and provides authorization for the Finance Director to make all related accounting entries; and be it further

RESOLVED, that the Town Board authorizes the Supervisor to execute the Grant Disbursement Agreement with the Dormitory Authority of the State of New York relating to said award, in addition to all other related documents contained as part of agreement, subject to the review and approval of said agreement and associated documents by the Attorney to the Town.

Dated: June 14, 2017

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 14th day of June 2017.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, a Map, Plan and Report regarding the formation of the Edgewood Avenue Refuse District was prepared by Town Junior Engineer Chad Roscoe on June 2, 2017 and a petition requesting the formation of said District was signed by residents representing in excess of eighty three percent (83%) of the assessed value of all residential taxable parcels in the proposed District, all pursuant to the provisions of Article 12 of the New York State Town Law; and

WHEREAS, the proposed District will provide a mechanism to pay for refuse services and garbage pickup for 11 homes on Edgewood Avenue and 1 home at 2260 Westfall Road to have each home pay an equal share of the cost of said services. No improvements are to be made by the proposed District; now therefore it is hereby

ORDERED, that Map, Plan, and Environmental Assessment Report together with the correspondence from Junior Engineer Chad Roscoe regarding formation of the proposed District and correspondence from the Town Assessor dated June 2, 2017 and the proposed Negative Declaration under SEQR along with the above referenced petitions be received and filed; and be it further

ORDERED, that the Town Board hereby sets a public hearing to consider the formation of said proposed District for July 12, 2017 at 7:00 p.m. or as soon thereafter as the matter can be heard at Brighton

Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and State of New York to hear all persons who have an interest in said proposed District formation; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to publish a certified copy of this Order in the official newspaper of the Town and to post a certified copy of this Order on the signboard of the Town no sooner than twenty days and no later than ten days prior to said public hearing.

Dated: June 14, 2017

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 14th day of June, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

WHEREAS, the Daniele Family Companies submitted an application for Incentive Zoning for a proposal now known as the Whole Foods Plaza that was received by the Town Board on February 25, 2015; and,

WHEREAS, following receipt of the proposal and pursuant to the NYS Environmental Quality Review Act (SEQRA), the Town Board declared itself to be lead agency for the environmental review of the project, directed a coordinated review of the proposal and on September 9, 2015 conducted a scoping hearing to hear comments concerning the proposed scope of the environmental review with written comments on the proposed scope accepted through September 11, 2015; and

WHEREAS, the Town Board adopted the final scope for development of the Draft Environmental Impact Statement (DEIS), on September 24, 2015; and,

WHEREAS, the developer submitted a DEIS for the project, dated January 20, 2016; and,

WHEREAS, following review, the Town Board determined that the initial submission of the DEIS was not complete and adequate for public review on February 24, 2016; and

WHEREAS, the developer submitted a second DEIS, dated April 22, 2016, which was supplemented by the developer by correspondence dated May 6, 2016; and,

WHEREAS, following review, the Town Board determined that the second submission of the DEIS was complete and adequate for public review on May 25, 2016, and conducted public hearings on the DEIS on June 22, 2016 and July 13, 2016, and received written comments concerning the DEIS through August 1, 2016; and,

WHEREAS, after the Town Board accepted the DEIS as complete and adequate for public review, it was discovered that current traffic signal timings in operation at the Monroe Avenue/Clover Street intersection were inconsistent with the New York State Department of Transportation's (NYSDOT) directives for signal timing following completion of the 2015 Safety Project for Monroe Avenue; and

WHEREAS, on August 24, 2016 the Town Board directed the developer to (1) prepare a Supplemental Draft Environmental Impact Statement (SDEIS) that re-analyzes the potential significant adverse traffic impacts of this proposed project and that such SDEIS be based on the transportation sections, together with any other transportation related topics contained in the scope adopted by the Town Board on September 24, 2015; (2) following the completion of any modifications by the NYSDOT affecting existing conditions in the area, prepare a new traffic impact study incorporating any such modifications; and (3) provide written responses to all substantive transportation comments received during the Public Hearing and written comment period; and

WHEREAS, on December 14, 2016 the Town Board did receive and file a cover letter dated November 30, 2016 and the following enclosures: a revised Traffic Impact Study and written responses to comments received at the close of the July 13, 2016 public hearing and up to the close of the comment period of August 1, 2016 on the DEIS which enclosures were described by the developer to be the requested Supplemental Draft Environmental Impact Statement prepared for the developer by Passero Associates and the Town Board further ordered that same be forwarded to Town Consultant, Stantec for recommendation regarding SDEIS completeness and adequacy for public review; and

WHEREAS, on December 28, 2016, based on correspondence dated December 22, 2016 from Michael J. Flanigan of Stantec Consulting Services, Inc. ("Stantec"), the Town's independent consultant for the Environmental Review of the proposal and correspondence dated December 27, 2016 from Commissioner of Public Works Timothy E. Keef, P.E., the Town Board determined that the aforementioned Traffic Impact Study and response to comments from the Public

Hearing of the DEIS for the proposed project known as Whole Foods Plaza, do not constitute the requisite Supplemental Draft Impact Statement (SDEIS) and therefore it was determined that the Project Sponsor had not submitted an SDEIS that is complete and adequate for public review; and

WHEREAS, correspondence also dated December 22, 2016 was received and filed on December 28, 2017 from Anthony Danielle on behalf of the developer, indicating that the developer's future intention would be to submit an updated SDEIS and that the developer agreed that the Town is to have 45 days to review and respond to the updated SDEIS once the Town Board receives and files the updated SDEIS;

WHEREAS, correspondence dated February 14, 2017 from Jess Sudol, PE, CPESC, CPSWQ, Associate and Department Manager at Passero Associates together with the SDEIS submitted on behalf of the developer was received and filed by the Town on February 22, 2017; and

WHEREAS, correspondence dated March 14, 2017 from Jess Sudol, PE, CPESC, CPSWQ, Associate and Department Manager at Passero Associates together with further updates to the SDEIS, the traffic impact study and the appendices all submitted on behalf of the developer were received and filed by the Town Board at its March 22, 2017 meeting and were referred to the Town's consultant Stantec for review; and

WHEREAS, the Town Board received and filed correspondence from Associate Planner Ramsey A. Boehner dated April 7, 2017 and correspondence from consultant Michael J. Flanagan of Stantec dated April 6, 2017 both recommending that the Town Board find the SDEIS, as revised to include the supplemental material dated March 14, 2017, to be complete and adequate for public review and comment; and

WHEREAS, that based on the recommendations of Stantec and the Associate Town Planner of the Town, the Town Board determined on April 12, 2017 that the SDEIS, as revised to include supplemental material dated March 14, 2017, was complete and adequate for public review under SEQRA; and

WHEREAS, the Town Board held a public hearing on the SDEIS as supplemented on May 10, 2017 at 7:00 pm and held open the public written

comment period for the SDEIS through May 22, 2017 at 5:00 p.m; and

WHEREAS, the Environmental Regulations of the State of New York pursuant to SEQR call for the preparation of a Final Environmental Impact Statement ("FEIS") by the Town within 45 days from the conclusion of the public hearing on the SDEIS; it is hereby

RESOLVED, that correspondence dated June 8, 2017 from Environmental Review Liaison Officer Ramsey A. Boehner requesting that the Town Board extend the time for the completion of the FEIS to July 31, 2017 be received and filed, and it is further hereby

RESOLVED, that the Town Board pursuant to 6 NYCRR 617.9(a)(5)(2) extends until July 31, 2017 the date by which the FEIS on the above project is to be completed to allow time to adequately prepare and review the document.

Dated: June 14, 2017

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