

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
February 10, 2010

PRESENT:

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

William Moehle, Attorney for the Town
Susan Kramarsky, Town Clerk

MEETING CALLED TO ORDER: 6:35 PM

6:30P.M... MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to discuss labor relations and matters of real estate

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

Black History Month Proclamation

OPEN FORUM:

State of the Town-Supervisor Sandra L. Frankel

S. Clinton Avenue Water Supply Conduit Project Update-Bergmann Associates

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to approve the agenda with the addition of two items of New Business.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve and file the Town Board meeting minutes for January 27, 2010.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed amended Incentive Zoning Application from Tops Market LLC for Tops Brighton Plaza (Communications from Ian Alam, dated January 28,2010; Brandon Comella, DD.S., Frank LaMar, O.O.O., F.A.CD., Frank R. LaMar, Jr., DD.S., James R. Lamar, D.MD., and Brijen K. Gupta, PhD., dated January 27, 2010; Alan Lamb and Margarita Kryazheva, dated January 28, 2010; Ronald

Pietrzak, dated January 28,2010; William J. Harvey, M.D., dated January 28, 2010; Patricia Goodwin, dated January 29, 2010; Karen Winterman Moscoe, dated January 26, 2010; Glen Moscoe, President, Glen Moscoe Jewelers, dated January 27,2010; Linda Gold Ruda, dated January 27, 2010; Tim Greiner, Jr., Attorney, Nixon Peabody, dated February 8,2010.)

(Complete transcript under separate cover)
Hearing held open until 2/24/2010

MATTER RE: Authorize bid award for the purchase of one (1) 4-wheel drive loader for the Highway Department in a total amount with trade not to exceed \$157,456; declare loader number 46 as surplus for trade-in allowance (see Resolution #8; letter from Tim Keef, Commissioner of Public Works, dated January 29,2010)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No.1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Kenneth L. Warner, Executive Director, UNICON, dated January 20,2010, regarding Career Day and the Education Resource Directory

FROM Chris Mueller, Manager, Government Affairs, Time Warner Cable, dated January 29, 2010, regarding the potential expiration of certain agreements with programmers followed by the potential cancellation of services/stations

FROM Lorraine A. Cortes-Vazquez, Secretary of State, dated January 25, 2010, regarding funding for the Town of Brighton Fire and Emergency Services Study in the amount of \$22,500

FROM Linda Boddie-Rice, Manager, Public Affairs, RG&E, dated February 4, 2010 regarding electric refrigerator and lighting replacement and rebate program for multi-family residences and condominium complexes

FROM Ruth L. Pierpont, Director, Division for Historic Preservation, New York State Office of Parks, Recreation and Historic Preservation, dated February 5, 2010, regarding review of the Alcoa Care-Free Home for nomination to the National and State Registers of Historic Places

FROM Linda Boddie-Rice, Manager, Public Affairs, RG&E, dated February 5, 2010, regarding suspension of the Residential Natural Gas Equipment Rebate Program on February 28, 2010

FROM Julie M. Barnes, **PE**, Project Manager, Bergmann Associates, dated January 29, 2010, regarding the South Clinton Avenue Water Supply Conduit Project Update

Motion by Councilmember Sheila Gaddis seconded by Councilmember Louise NovrosJo receive and file the aforementioned communications.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services

Finance and Administrative Services-Next meeting February 18, 2010

Public Safety Services-Next meeting March 8, 2010

Public Works Services-Councilmember James Vogel reported on meetings of February 1 & 8, 2010. Next meeting March 1, 2010

OLD BUSINESS:

MANER RE: Proposed car wash at 2875 Monroe Avenue at the corner of Monroe Avenue and Clover St. (see letter from Ramsey Boehner, Executive Secretary, Planning Board, dated January 20, 2010; Anthony Daniele, dated February 20, 2010.)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANER RE: Amendment to the Rezoning Incentive Zoning Resolution dated March 25, 2009, Anthony J. Costello & Son Development, LLC "The Reserve" 63 Acre Parcel bounded by South Clinton Avenue, Route 590, Meridian Center Park and the Erie Canal (see Resolution #12; letter from Anthony Costello, Chairman and CEO, Anthony J. Costello & Son Development, dated February 4, 2010)

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 2 attached.

UPON ROLL CALL VOTE the following vote was recorded

Councilmember Sheila Gaddis abstain

Councilmember Louise Novros no

Councilmember Ray Tierney aye

Councilmember James Vogel aye

Supervisor Sandra Frankel aye

MOTION CARRIED

NEW BUSINESS:

MANER RE: Reading and approval of claims

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Supervisor read and approve payment of claims as set forth in Exhibit NO. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANER RE: Authorize Supervisor to execute agreement with The Metro Group, Inc. for waterside protection of the Public Safety Wing cooling tower system in 2010. Total contract amount not to exceed \$2,000 and will be effective for the one year period from May 30, 2010 through May 29, 2011 (see Resolution #1 ; letter from Laraine Albers, dated January 28, 2010)

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANER RE: Authorize a Conditional Offer of Employment to Jeffrey R. Hoffman for a Police Officer position effective March 13, 2010 with a probationary period of twenty-six (26) weeks (see Resolution #2; letter from Thomas M. Voelkl Chief of Police, dated January 28, 2010)

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANER RE: Authorize Supervisor to execute agreement with Charles Thomas to provide the Town with Cable TV engineering support in a total amount not to exceed \$2,000 (see Resolution #3; letter from Doug Clapp, Director of Communications, dated January 25, 2010)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANERRE: Authorize participation in the Bobcat Equipment Buy Back program at a cost of \$2,600 allowing the Town to trade in our current Bobcat loader for a new, unused replacement (see Resolution #4; letter from Tim Keef, Commissioner of Public Works, dated January 29, 2010)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANER RE: Authorize the Supervisor to execute a one year contract renewal with Action Telephone for telephone answering services provided to the Sewer Department after working hours and on weekends in an amount not to exceed \$1,500 (see Resolution #5; letter from Tim Keef, Commissioner of Public Works, dated January 29, 2010)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MANER RE: Authorize \$100,000 contribution (2009) to the (OPEB) Other Post Employment Benefit "set-aside" reserve as per the 2009 budget (see Resolution #6; letter from Paula Parker, Director of Finance. dated February 3, 2010)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit NO. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize 2009 contributions to the assessment update reserve in the amount of \$10,000 and to the sewer equipment in the amount of \$40,000 as per the 2009 budget (see Resolution #7; letter from Paula Parker, Director of Finance, dated February 3, 2010)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize the Supervisor to execute an agreement with Public Employer Risk Management Association (PERMA) for Administration and Management of the Worker's Compensation tail claims for the Town of Brighton at no cost (see Resolution #13; memorandum from Paula Parker, Director of Finance, dated February 3, 2010)

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize the Supervisor to execute and deliver a Memorandum of Understanding by and between the Town of Brighton and the Brighton Fire District, regarding a proposed study of fire and emergency services in the Town of Brighton (see Resolution #11)

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 12 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize an application for Community Development Block Grant (CDBG) funds to be submitted to Monroe County in the amount of \$45,000 for the construction of sidewalks on the south side of Westfall Road, east of the Buckland Farmhouse and that the Town Board declares itself the lead agency in environmental review of this project (see Resolution #9; letter from Tim Keef, Commissioner of Public Works, dated February 8, 2010)

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 13 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize the Commissioner of Public Works to execute the "Permit for Use of State Owned Property (U&O Permit)" application for beautification of four areas in the Kirk-Astor Neighborhood and declare the Town Board the lead agency in the environmental review of this project (see Resolution #10; letter from Tim Keef, Commissioner of Public Works, dated February 28, 2010)

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Reappointment of John Steinbrenner and Mark Kokanovich to the Parks Recreation and Community Services Advisory Board.

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to reappoint John Steinbrenner and Mark Kokonovich nunc pro tunc from January 1, 2010 through 2012.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAAnER RE: Authorize an application to Genesee Transportation Council for the development of Lynch Woods Park, as part of the American Recovery and Reinvestment Act.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to go into Executive Session at 11 :30 PM to discuss matters of the proposed acquisition of real estate.

MEETING ADJOURNED:

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to adjourn at 11 :55 PM.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monteroy Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceedings of the Town of Brighton County of Monroe, State of New York meeting held on the 10th of February 2010 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

CouncilpersQns.

RESOLVED, that correspondence dated January 29, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the award of a contract to furnish and deliver one 2.5 cubic yard four-wheel-drive loader, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby awards the bid for the furnishing and delivering of one 2.5 cubic yard four-wheel-drive loader to the lowest responsive and responsible bidder Five Star Equipment, in the base bid amount of \$189,456 and alternate A deduction of \$32,000 for the trade-in of an existing loader, for a total bid amount of \$157,456; and be it further

RESOLVED, that the Town Board hereby declares the Town's existing 2.5 cubic yard four-wheel-drive loader to be surplus and authorizes it to be traded in on the new loader.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated February 4, 2010 from Anthony J. Costello, Chairman and CEO, Anthony J. Costello & Son Development, concerning a proposed amendment to the Incentive Zoning and Rezoning resolution of the Town Board dated March 25, 2009 for the Reserve, 63 acre parcel bounded by South Clinton Avenue, Route 590 Meridian Centre Park in the Erie Canal, be received and filed; and be it further

RESOLVED, that the Town Board hereby refers such proposed amendment to the Incentive Zoning and Rezoning resolution dated March 25, 2009 for the Reserve, together with an anticipated supplement thereto to be submitted by the applicant, to the Planning Board for an Advisory Report and to the Public Works Committee and Public Safety Committee of the Town Board.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

January 27, 2010

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE TOWN BOARD AUDIT COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A-GENERAL	\$	<u>237,364.42</u>
D - HIGHWAY		<u>298,428.23</u>
L - LIBRARY		<u>568.85</u>
SA - AMBULANCE DIST		<u>66,496.60</u>
SF - FIRE DIST		<u>194.93</u>
SL - LIGHTING DIST		<u>21,202.78</u>
SS - SEWER DIST		<u>193,821.12</u>
TA - AGENCY TRUST		<u>8,158.33</u>
	TOTAL \$	<u>826,235.26</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 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that correspondence dated January 28, 2010 from Laraine Albers, concerning a contract for water quality treatment of the Town Hall Public Safety Wing cooling tower system during 2010, be received and filed, together with correspondence dated January 21, 2010 from Tracey E. Brink, Account Manager, The Metro Group, Inc., together with an attachment thereto; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Metro Group, Inc. for water quality treatment at the Town Hall Public Safety Wing cooling tower system during 2010-11 season at a cost not to exceed \$2,000, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated January 28, 2010 from Thomas M. Voelkl, Chief of Police, concerning a Conditional Offer of Employment to a Police Officer, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes a Conditional Offer of Employment to be made to Jeffrey R. Hoffman, as a Police Officer effective March 13, 2010, at a starting salary of \$55,355.00 on a probationary basis with a probationary period of twenty six (26) weeks, conditioned on successful completion of all testing, evaluation and approval as required by the Town and the Monroe County Civil Service Commission.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that correspondence dated January 25, 2010 from Douglas Clapp, Director of Communications, concerning a contract for cable television engineering support, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Charles Thomas for engineering support to the Town's cable television control room and systems, at a cost not to exceed \$2,000, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated January 29, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the Bobcat equipment buy back program, be received and filed; and be **it further**

RESOLVED, that based upon the recommendation of the Commissioner of Public Works, the Town Board hereby declares the Town's Bobcat loader to be surplus and authorizes the trade-in of that loader for a new Bobcat Loader at a cost of \$2,600; as per the buy back program, before this year's construction season begins; and be **it further**

RESOLVED, that the Town Board hereby approves the budget transfer recommended by the Commissioner of Public Works in the above-referenced correspondence.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated January 29, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the renewal of a contract for telephone answering services for the Sewer Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the renewal of a contract by and between the Town and Action Telephone for telephone answering services for the Sewer Department during 2010, at a cost not to exceed \$1500.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that a memorandum dated February 3, 2010 from Paula A. Parker, Director of Finance, concerning a 2009 contribution to the Other Post Employment Benefit Set-Aside Reserve, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes a fund equity transfer of \$100,000 to the Other Post Employment Benefit Set-Aside Reserve, account A.909.0PEB, all as more fully set forth in the above-referenced memorandum.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that a memorandum dated February 3, 2010, from Paula A. Parker, Director of Finance, concerning contributions to the 2009 Assessment Update and Sewer Equipment Capital Reserves, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes a \$10,000 contribution to the Assessment Update Capital Reserve and a \$40,000 contribution to the Sewer Equipment Capital Reserve, all as more fully set forth in the above-referenced memorandum; and be it further

RESOLVED, that the Town Board hereby authorizes the Director of Finance to make all necessary accounting and cash related entries to accomplish the aforementioned Reserve Fund contributions.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that a memorandum dated February 3, 2010 from Paula A. Parker, Director of Finance and Gary Brandt, Personnel Director, concerning a no cost agreement with Public Employer Risk Management Association, Inc. for administration and management of the Town's Worker's Compensation tail claims, be received and filed; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Public Employer Risk Management Association, Inc. for the administration and management of the Town's Worker's Compensation tail claims for the Town, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that the Supervisor is hereby authorized to execute and deliver a Memorandum of Understanding by and between the Town of Brighton and the Brighton Fire District, in connection with a proposed study of fire and emergency services in the Town of Brighton, which Memorandum of Understanding shall be in form and substance as may be approved by the Attorney for the Town.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

JAMES R. VOGEL

RAYMOND J. TIERNEY III

LOUISE NOVROS

SHEILA A. GADDIS

Councilpersons.

RESOLVED, that correspondence dated February 8, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a Community Development Block Grant application, be received and filed, together with an attachment thereto; and be **it** further

RESOLVED, that the Town Board hereby authorizes an application for Community Development Block Grant funds to be submitted to Monroe County in the amount of \$45,000 for the construction of sidewalks on the south side of Westfall Road, east of the Buckland Farmhouse; and be **it** further

RESOLVED, that the Town Board hereby declares **itself** to be the lead agency in the environmental review of such project under the State Environmental Quality Review Act.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that correspondence dated February 8, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, together with correspondence dated December 9, 2009 from Collins Brennan, Real Estate Specialist Trainee II, New York State Department of Transportation, both concerning the Kirk-Astor Neighborhood Park District NYSDOT Use Permit, be received and filed; and be it further

RESOLVED, that the Town Board hereby declares itself to be the lead agency in the environmental review of the beautification of four areas in the Kirk-Astor Neighborhood Park District, under the State Environmental Quality Review Act, with the intention of coordinating its review with that of the NYSDOT; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to execute the necessary permit application for use of State owned property in connection with this matter; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to prepare and/or compile the matters referred to in Mr. Brennan's correspondence dated December 9, 2009, and submit the same to the NYSDOT.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of February, 2010.

PRESENT:

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons.

RESOLVED, that correspondence dated February 10, 2010 from Jerry LaVigne, Director of Parks and Recreation, concerning a proposed grant application, be received and filed; and be **it** further

RESOLVED, that the Town Board hereby authorizes the supervisor to submit a grant application to the Genesee Transportation Council, for the funding of the development of Lynch Woods Park, in an amount estimated to be approximately \$605,160, under the American Recovery and Reinvestment Act.

Dated: February 10, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, Councilman	Voting
Raymond J. Tierney III, Councilman	Voting
Louise Novros, Councilperson	Voting
Sheila A. Gaddis, Councilperson	Voting