

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  
December 8, 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: 6:00 PM

EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to go into executive session at 6:05PM to discuss collective bargaining negotiations

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to come out of executive session at 7:05 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

RECOGNITIONS/PRESENTATIONS:

Mr. Kevin Crawford, Executive Director NY Municipal Insurance Reciprocal (NYMIR) presenting the Town of Brighton with a check in the amount of \$11,117.50 representing the Town's share of the NYMIR Annual Capital Return Program.

Proclamation presentation in honor of World AIDS Day; December 1, 2010

OPEN FORUM:

Mordechai Rennert  
Brijen Gupta  
Al Antonez

APPROVAL OF AGENDA:

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis to approve the agenda with the addition of an executive session at the end to discuss employment of partiCULAR persons

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES:

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to approve and file minutes for November 10, 2010 Town Board Meeting

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

**MAITER RE:** Adoption of proposed "-Dog Licensing Local Law of 2010" (see Resolution #13, memoranda dated October 21<sup>st</sup> and December 7, 2010 from Susan Kramarsky, Brighton Town Clerk and copy of proposed law)

Public Hearing will be held December 22,2010.

**MAITER RE:** Authorize solicitation of request for proposals for provision of cable TV Video Production services to the Town of Brighton for the year 2011 (see Resolution #1 and letter dated December 1, 2010 from Douglas Clapp, Director of Communications).

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. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Marcla Lyons, Brighton Citizen, dated November 16, 2010 to Supervisor expressing appreciation for the Veteran's Memorial project

**FROM** Christopher D. Thomas dated November 17, 2010 to Supervisor informing Supervisor Frankel that he will not be seeking re-appointment to the Brighton Memorial Library Board of Trustees.

**FROM** Mordechai Rennert to Town of Brighton Police Captain Robert Cline dated November 22, 2010 expressing his appreciation to the Town of Brighton Police Department and especially Investigator Mark Liberatore and Police Officer James Tumbiolo for providing courteous and professional service

**FROM** Patricia Famiglietti, Animal Health Inspector for the New York State Dept of Agriculture to Susan Kramarsky, Brighton Town Clerk dated November 17, 2010 Re: results of Dog Control Officer Inspection completed on November 10, 2010.

**FROM** Judy A. Seil, Director-Monroe County Dept of Planning & Development. dated November 16,2010 to Town of Henrietta Planning Board with c.c. to the Town of Brighton Development Review Committee Re: Site plan review for Asian Food Market Expansion located at 1885 Brighton-Henrietta Town Line Road.

**FROM** Renan Beckman Town of Brighton (9 year-old) resident to Supervisor, dated November 22,2010 requesting a change to speed limit on her street, Edgeview Lane from 30 mph to 15 mph (see letter & Supervisor Frankel's response letter dated November 23,2010).

**FROM** Pincus Cohen Town of Brighton resident dated November 29,2010 to Supervisor thanking her and the Highway Dept for the expeditious, skillful and neat work that was done fixing the pothole problems on Lac DeVille Blvd. near Senator Keating Drive

**FROM** David H. Klein, CEO for Excellus Health Care dated November 24,2010 to Supervisor thanking the Town of Brighton for selecting Excellus as the health care services provider for the Town.

FROM **Chris** Mueller, Director of Government Relations - Time Warner Cable, dated December 6, 2010 to Supervisor listing of channels **with** soon to be expired contracts with Time Warner Cable, **which** mayor may not be renewed.

Motion by Councilmember Sheila Gaddis seconded by Councilmember James Vogel to receive and file aforesaid communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services-Councilmember Louise Novros reported on meeting of November 18,2010. Next meeting December 16,2010  
Finance and Administrative Services-Councilmember Sheila Gaddis reported on meeting of December 1, 2010. Next meeting December 15, 2010  
Public Safety Services-Next meeting December 14,2010  
Public Works Services-Councilmember James Vogel reported on meeting of December 6,2010. **Next** meeting January 10, 2011

OLD BUSINESS:

MAnER RE: Approval of proposed 2011 Town Board Meeting Dates for 2011 (see Resolution #2R1 and Meeting schedule).

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.2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel that the Town Board Meeting Date Schedule be amended to replace November 22 with November 30

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval of proposed 2011 Town of Brighton Holiday Schedule (see Resolution #3R1 and Holiday schedule).

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.3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval of amendments made to the 2011 Town of Brighton Final Budget for the year 2011 (see Resolution #20 and letter dated December 8,2010 from Supervisor and Suzanne Zaso, Acting Director of Finance, Town of Brighton).

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.4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

NEW BUSINESS:

**MATTER RE:** Reading and approval of claims

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 forth in Exhibit NO. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorization to amend Resolution #8 from the November 10, 2010 Town Board Meeting to correctly identify budget transfer account number (see Resolution #14).

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

**MATTER RE:** Approve bid award to Park Place Corporation to provide Senior Citizen Transportation services to the Town of Brighton for 2011 (see Resolution #2 and letter dated November 19, 2010 from Jerry LaVigne, Town of Brighton Director of Parks and Recreation).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize approval to make application to the third and final phase of the Electronic Document Management System Grant through the New York State Records and Archives Bureau, Local Government Records Management Improvement Grant Funding Program (see Resolution #3 and letter dated November 16, 2010 from Timothy Keef, P.E. Town of Brighton Commissioner of Public Works).

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

**MATTER RE:** Approval for Budget Transfer for Certiorari Appraisals in the amount of \$8,600 from the Town of Brighton's contingency (see Resolution #4 and letter dated November 12, 2010 from Elaine Ainsworth, Town of Brighton Assessor).

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:** Approval of a 2010 bUdget transfer of \$650 to accommodate *the* cost associated with the purchase of an electronic scanner with cables *for* Town of Brighton

Justice Court (see Resolution #6 and letter dated November 29,2010 from Dianne Burdette, Administrative Court Clerk).

Motion by Councilmember SheUa 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** bid award and approval to execute Agreement with Lewis General Tire to furnish and deliver new Loader tires at a total cost of \$7,144.16 to the Town of Brighton (see Resolution #7 • letter dated November 29,2010 from nmothy E. Keet, P.E., Commissioner of Public **Works** and bid comparison cost review sheet).

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. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize approval to renew Agreement with the Monroe County Department of Transportation Re: Town of Brighton to provide snow and Ice Control Services to the MCDOT for the 2010/2011 season (see Resolution #8, letter dated November 22,2010 and copy of Agreement).

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. 12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize approval for **Supervisor** to execute Agreement with T.Y. Lin International (formerly FRA Engineering) to provide Construction Management services to the Town of Brighton for the Highland Avenue Reconstruction Project (see Resolution #9, letter dated November 29,2010 from Timothy E. Keef, P.E. Commissioner of Public Works and estimated cost accounting summary).

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** approval to renew Agreement with the Monroe County Department of Transportation Re: Town of Brighton to provide all season highway services to the MCDOT for the 2011 season (see Resolution #10, letter dated November 29, 2010 from Timothy E. Keet, P.E. Commissioner of Public Works, letter from Terrance J. Rice, P.E. Monroe County Dept. of Public Works dated November 24,2010 and copy of Agreement).

Motion by Councilmember James Vogel seconded by Councilmember SheUa Gaddis 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

**MATTER RE:** Approval to increase 2011 staff coverage within the West Brighton Fire Protection District to increase part-time firefighters on duty (24) twenty-four hours a day during week days as accounted for in the approved 2011 Budget and;

Approval to increase **existing** (12) twelve part-time firefighter positions to (16) sixteen part-time firefighters in order to accommodate Increased scheduling needs (see Resolution #11 and letter dated November 30,2010 from Christopher A. Roth, Town of Brighton Chief Fire Marshal).

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. 15 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval of a 2010 budget transfer in the amount of \$400 to cover costs for an additional Backpack Blower for the Highway Dept. (see Resolution #12 and letter dated November 12, 2010 from Amy Banker, Acting Assistant Director of Finance, Town of Brighton).

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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize reappointment of Coleridge M. Gill to the Town of Brighton Recreation, Parks & Community Service Citizens Advisory Board effective January 1, 2011 to December 31,2013 (see Resolution #18).

Motion by **Councilmember** Louise Novros seconded by Councilmember James **Vogel** that the Town Board adopt the resolution as prepared by the Attorney for the **Town** as set forth in Exhibit No. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize approval of Dental Plan (see Resolution #15 and memorandum dated December 2,2010 from Gary Brandt, Town of Brighton Director of Human Resources).

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. 18 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Set December 22,2010 public hearing for proposed removal of **37"** Silver Maple Tree at #101 Edgeview Lane, 43" Silver Maple Tree at #132 Holloway Road and 33" Linden Tree at #314 Hollywood Avenue (see Resolution #17 and letter dated December 2,2010 from nmothy Keef, P.E. Commissioner of Public Works).

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. 19 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to renew Agreement Re: Town of Brighton to provide Snow and Ice Control to the New York State DOT for the 2011 Season (see Resolution #16, letter dated November 15, 2010 and copy of Agreement).

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. 20 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAITER RE: Receive and File Pfanning for Sustainability in the Aliens Creek-Corbett's Glen area Report, dated December 2010 prepared for. Aliens Creek - Corbetts Glen Preservation Group, prepared by: Environmental Design and Research Co. (see copy of **Executive** Summary, original report available for viewing in the Town of Brighton Department of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MAITER RE: Authorize renewal of **Workers** Compensation Insurance agreement with Paris-Kirwan Associates, Inc. **through** PERMA for 2011 (see Resolution #21 and letter from Jerome Doberstein Jr. Executive V.P. Paris Kirwan Associates, Inc.).

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. 21 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**EXECUTIVE SESSION: 9:30 PM**

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to go into executive session to discuss the employment of a particular person at 9:30PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to come out of executive session at 10:15PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Compensatory time for Acting Finance Director.

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. 22 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED:**

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis to adjourn at 10:25PM

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 8<sup>th</sup> of December 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 E Wood Avenue, in said Town of Brighton on the 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated December 1, 2010 from Douglas Clapp, Director of Communications, concerning the solicitation of requests for proposals for cable television video production services during the year 2011, be received and filed; and be it further

**RESOLVED**, that the Director of Communications is hereby authorized to solicit proposals for procurement of cable television video production services for the year 2011.

Dated: December 8, 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 8th day of December, 2010.

**PRESENT :**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that a proposed schedule of 2011 Town Board meeting dates is hereby received and filed and be it further

**RESOLVED**, that the Town Board hereby adopts the schedule of 2011 Town Board meeting dates as received and filed.

Dated: December 8, 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 8th day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that a proposed 2011 Town Board Holiday Schedule is hereby received and *filedi* and be *it* further

**RESOLVED**, that the Town Board hereby adopts the 2011 Town Board Holiday Schedule as received and filed.

Dated: December 2, 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 8th<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

**WHEREAS**, the Town Board previously held public hearings to consider the Supervisor's Preliminary Operating and Capital Improvement Budget for 2011, which public hearings were held on October 13 and October 27, 2010; and

**WHEREAS**, the following said public hearings, the Town Board approved the final Budget for 2011 on November 10, 2010; and

**WHEREAS**, based upon the cost containment of health insurance premiums achieved through the Town's new contract for experience-rated health insurance for Town employees through Excellus, the Town Board desires to make further amendments to the final 2011 Operating and Capital Improvements Budget; it is tperefore

**RESOLVED**, that correspondence dated December 8, 2010 from Supervisor Sandra L. Frankel, and Acting Director of Finance, Suzanne Zaso, concerning further amendments to the Town's 2011 final Operating and Capital Improvements Budget, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby approves the amendments to the 2011 final Town Operating and Capital Improvements Budget as more fully described in the above-referenced correspondence.

Dated: December 8, 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

December 8, 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>1,166,106.22</u>
D-HIGHWAY	<u>217,394.69</u>
H - CAPITAL	<u>250.00</u>
L -LIBRARY	<u>96,628.95</u>
SF - FIRE DIST	<u>61,247.00</u>
SL -LIGHTING DIST	<u>6,951.06</u>
5P-PARKS DISTRICT	100.00
<b>SR-REFUSE DISTRICT</b>	<u>62,032.92</u>
55 - SEWER DIST	<u>54,198.86</u>
TA - AGENCY TRUST	<u>16,372.44</u>
TOTAL	\$ <u>1,681,353.54</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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROSUS  
SHELIA A. GADDIS  
Councilpersons

**WHEREAS**, the Town Board previously adopted a resolution authorizing a 2010 budget transfer in the Highway Department in the amount of \$32,517.74, but the resolution approving such budget transfer contained an incorrect account number as the source of funds; and

**WHEREAS**, the Town Board now desires to amend the resolution to correctly identify the source of the funds; it is therefore

**RESOLVED**, that resolution a adopted at the Town Board November 10, 2010, approving a \$32,517.74 budget transfer is hereby amended to correctly identify the source of such transfer as account D.HWY.5110.280, and in all other respects, the original resolution of the Town Board remains in full force and effect.

Dated: December a, 2010

Sandra L. Frankel, <u>Supervisor</u>	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 8<sup>th</sup> day of December, 2010.

**PRESENT :**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated November 19, 2010 from Jerry LaVigne, Director of Parks and Recreation, concerning senior citizen transportation services, be received and filed; and be it further

RESOLVED, that the Town Board hereby awards the bid for senior citizen transportation services during 2011 to Park Place Corporation, upon the terms set forth in the above-referenced correspondence; and be it further

**RESOLVED**, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and Park Place Corporation for senior citizen transportation services during 2011, in such form as may be approved by the Attorney to the Town.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT :**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated November 16, 2010 from Timothy E. Reef, P.E., Commissioner of Public Works, concerning authorization to apply for an Electronic Document Management System Phase 3 Grant from the New York State Records and Archives Local Government Records Management Improvement Fund, be received and filed; and be it further

**RESOLVED**, that the Commissioner of Public Works is hereby authorized to apply for an Electronic Document Management System Phase 3 Grant from the New York State Records and Archives Local Government Records Management Improvement Fund.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that a memorandum dated November 12, 2010 from Elaine Ainsworth, Assessor, requesting a budget transfer to fund two real property appraisals required in connection with tax certiorari litigation, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby approves request for a budget transfer in the amount of \$8,600 from the Contingency Fund account to account A.ASSOR.1355.454 to obtain restricted use appraisals for Eastbrooke Condominiums and Brookdale Living Communities in connection with real property tax certiorari litigation, at a cost not to exceed \$5,000 and \$3,600 respectively.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated November 29, 2010 from Dianne Burdett, Town of Brighton Justice Court, Administrative Court Clerk, concerning a budget transfer, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby approves a budget transfer in the amount of \$650 from account A.JSTCE.I110.474 to account A.JSTCE.I110.211 in connection with the purchase of an electronic scanner and cables for the Town of Brighton Justice Court.

Dated: December 8, 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 E wood Avenue, in said Town of Brighton on the 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated November 29, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the award of a contract to furnish and deliver loader tires, together with an attachment thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby awards the bid to furnish and deliver new and unused loader tires to Lewis General Tire, the lowest responsive and responsible bidder, in the base bid amount of \$893.02 per tire for a total price of \$7,144.16 for eight (8) tires.

Dated: December 8, 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 B<sup>th</sup> day of December, 2010.

**PRESENT :**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated November 17, 2010 from Terrence J. Rice, P.E., Monroe County, Director of Transportation, and correspondence dated November 15, 2010, from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the 2010-2011 Snow and Ice Control Services Agreement, together with a proposed 2010-2011 Snow and Ice Agreement attached thereto, 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 Monroe County for snow and ice removal on County roads in the Town of Brighton during the 2010-2011 snow removal season, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,

Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated November 29, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the award of a Construction Management Contract for the Highland Avenue Reconstruction Project, 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 T.Y. Lin International for Construction Management Services in connection with the Highland Avenue Reconstruction Project, at a total contract cost of \$169,643.51, with an 80% Federal share of \$135,714.81, a 15% New York State share of \$25,446.53 and a 5% Town share of \$8,482.17i and be it further

**RESOLVED**, that the Supervisor is further authorized to execute and deliver change order to the above-referenced contract without further action by the Town Board to the extent such change orders do not exceed 10% at the aggregate contract base value; and be it further

---

**RESOLVED**, that the agreement by and between the Town and the New York State Department of Transportation for the Highland Avenue Reconstruction Project, be amended to reflect the award of the above-referenced contract, and the Supervisor authorized to execute and deliver such amendment.

Dated: December 8, 2010

Sandra L. Frankel, Supervisor	Voting
James R. Vogel, <b>Councilman</b>	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  
8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that correspondence dated November 29, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the All Seasons Work Agreement with the Monroe County Department of Transportation, be received and filed, together with correspondence dated November 24, 2010 from Terrence J. Rice, P.E., Director of Transportation, Monroe County, and a proposed agreement attached thereto; and be it further

**RESOLVED**, that the Supervisor is hereby authorized to execute and deliver the All Seasons Work Agreement, by and between the Town and Monroe County Department of Transportation for 2011, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

RESOLVED, that correspondence dated December 8, 2010 from Christopher A. Roth, Fire Marshal, concerning paid firefighter staff for the West Brighton Fire Protection District, be received and filed and be it further

**RESOLVED**, that the Town Board hereby approves a change in part-time staff coverage for the West Brighton Fire Protection District to include two (2) part-time firefighters on duty twenty four (24) hours per day during weekdays in 2011; and be it further

**RESOLVED**, that the Town Board hereby authorizes an increase in the number of part-time firefighter positions with the West Brighton Fire Protection District from twelve (12) to sixteen (16).

Dated: December 8, 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 E. Wood Avenue, in said Town of Brighton on the 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROS  
SHEILA A. GADDIS  
Councilpersons

**RESOLVED**, that a memorandum dated November 12, 2010 from Amy Banker, Acting Assistant Director of Finance, concerning a budget transfer in the Highway Department, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby approves a 2010 budget transfer in the amount of \$400 from account A.HWY.8160.481 to account A.HWY.8160.230, to purchase an additional Backpack Blower for use at the Town Landfill.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

PRESENT:

SANDRA L. FRANKEL,  
 Supervisor  
 JAMES R. VOGEL  
**RAYMOND J. TIERNEY III**  
 LOUISE NOVROSUS  
 SHELIA A. GADDIS  
 Councilpersons

---

RESOLVED, that Coleridge M. Gill is hereby reappointed to the Recreation, Parks and Community Service Citizen's Advisory Board, effective for a term commencing January I, 2011 through December 31, 2013.

Dated: December 8, 2010

Sandra L. Frankel, <u>Supervisor</u>	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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
 Supervisor  
 JAMES R. VOGEL  
 RAYMOND J. TIERNEY III  
 LOUISE NOVROSUS  
 SHELIA A. GADDIS  
 Councilpersons

---

**RESOLVED,** that a memorandum dated December I, 2010 from Gary Brandt, Director of Personnel, concerning the approval of 2011 rates for the Self-Insured Employee Dental Plan and approval of EBS/RIMSCO as Third Party Administrator for the Employee Dental Plan, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby authorizes the continuation of the Town's Self-Insured Employee Dental Plan for 2011, with a 10.4% rate increase for 2011; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver an agreement by and between the Town and EBS/RIMSCO for administration of the Self-Insured Employee Dental Plan during 2011, at a rate of \$3.05 per employee per month, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 8, 2010

Sandra L. Frankel, <u>Supervisor</u>	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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

Councilpersons

**WHEREAS**, the Commissioner of Public Works has recommended that the following significant **Town** trees located in the Town highway right-of-way, which are damaged and/or diseased and poses a threat to persons and property, be removed, which recommendation is subject to public hearing:

37" Silver Maple at 101 Edgeview Lane

43" Silver Maple at 132 Holloway Drive

33" Linden at 314 Hollywood Ave.;

it is therefore

RESOLVED, that correspondence dated December 2, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning the proposed removal of trees, be received and filed; and be *it* further

**RESOLVED**, that the **Town** Board hereby sets a public hearing to hear all persons for or against the removal of significant Town trees because they pose a **hazard** to persons and property, namely a 37" Silver Maple tree located in the highway right-of-way adjacent to 101 Edgeview Lane, a 43" Silver Maple located in the highway right-of-way adjacent to 132 Holloway Drive and a 33" Linden tree located in the highway right-of-way adjacent to 314 Hollywood Ave., to be held on December 22, 2010 at 7:30 p.m. at Brighton Town Hall, 2300 Elmwood Avenue in the Town; and be **it** further

**RESOLVED**, that the Town Clerk is hereby directed to cause notice of such hearing to be given as required under Chapter 175 of the Town Code.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL.  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROSOS  
SHELIA A. GADDIS  
Councilpersons

---

**RESOLVED**, that correspondence dated November 15, 2010 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a snow and ice control agreement with the New York State Department of Transportation, for the 2010-2011 season, 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 New York State Department of Transportation, under which the Town of Brighton will provide snow and ice control services for New York State roads within the Town during the 2010-11 season, in consideration of payment to the Town of \$186,912.62, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

Dated: December 8, 2010

Sandra L. Frankel, <u>supervisor</u>	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 8th day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor

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

**RESOLVED**, that undated correspondence from Jerome A. Doberstein, Jr., Executive Vice President, Paris Kirwan Associates, Inc., concerning the renewal of workers compensation insurance coverage for 2011, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the renewal of the Town's workers compensation insurance coverage through **PERMA** during 2011, at a 2011 premium cost of \$183,040.00, and the Supervisor is hereby authorized to execute and deliver any necessary documents or agreements in connection with such renewal, subject to the approval thereof as to form and substance by the Attorney to the Town.

Dated: December 8, 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 8<sup>th</sup> day of December, 2010.

**PRESENT:**

SANDRA L. FRANKEL,  
Supervisor  
JAMES R. VOGEL  
RAYMOND J. TIERNEY III  
LOUISE NOVROSUS  
SHELIA A. GADDIS  
Councilpersons

---

**WHEREAS,** Suzanne Zaso has served as Acting Director of Finance during the 2010 budget preparation season, and during such time, accrued significant compensatory time, due to related staffing issues in the Finance Department, and as a result, has not and does not anticipate being able to use any of the accrued time during the foreseeable future, and therefore requests an exception to the Town's policy to allow her to cash such excess compensatory time out; and

**WHEREAS,** during the same period, she has accrued significant vacation time, in excess of the 280 hours she would be entitled to carry over as Acting Director of Finance and the 245 hours she would be entitled to carry over as Assistant Director of Finance, and due to the staffing issues in the Department and the need to finalize the Town's 2011 Budget, she has not and will not be able to use sufficient vacation time to comply with Town policies concerning the carry-over of vacation time and has therefore requested an exception to those policies; and

**WHEREAS,** in light of the staffing issue in the Finance Department and the extraordinary service provided by Suzanne Zaso in assuming the role of Acting Director of Finance immediately prior to budget preparation season, and without creating any precedent for future requests for exceptions to Town policy; it is therefore

**RESOLVED,** that a memorandum dated December 7, 2010 from Suzanne Zaso, Acting Director of Finance, concerning an exemption to the Non-Represented



Compensatory Time Policy and Vacation Policy, be received and filed; and be it further

**RESOLVED**, that based upon the factors recited in the above-referenced memorandum, the Town Board hereby authorizes an exception to the existing Town Policy regarding compensatory time and vacation to permit Suzanne Zaso, Acting Director of Finance, to be paid in cash for accumulated compensatory time of 22.5 hours, earned while Assistant Director of Finance at her then hourly rate of \$32.42 per hour or if so required by the Fair Labor Standards Act, at her current hourly rate as Acting Finance Director, on or before December 31, 2010; and be it further

**RESOLVED**, that the Town Board hereby authorizes Suzanne Zaso to be paid in cash for 80 hours of excess accrued vacation time, on or before December 31, 2010, payable at her 2010 hourly wage rate as Acting Director of Finance of \$38.39 per hour.

Dated: December 8, 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	_____