

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
March 9, 2011

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 at 6:00 PM:

EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session at 6:05 PM to discuss employment of particular persons and labor negotiations- Councilmember Sheila Gaddis excused for certiorari matter.

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

RECOGNITIONS/PRESENTATIONS:

March - Women's History Month Proclamation - Jennifer Martlew from the Susan B. Anthony House International Women's Day March 8th - 100th Anniversary - Marilyn Tedeschi from AAUW
Aliens Creek Valley Land Use Plan - Jean Baric, President, ACCGPG
- Tom Robinson, Environmental Data Resources, Inc. (EDR)
2010 Brighton Police Annual Report - Chief Mark Henderson

OPEN FORUM:

Ken Glazer - Buckingham Properties Re: Winfield Park
Brijen Gupta
Mordechai Rennert
Richard Aikens
Brijen Gupta
Andrew Kappy
Paul Holohan

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to approve the agenda with the addition of executive session to discuss the employment of particular persons and two items of New Business

APPROVE AND FILE TOWN BOARD MEETING MINUTES:

Motion by Councilmember Louise Novros seconded by Councilmember Sheila Gaddis to approve and file minutes for Town Board Meeting February 8, 2011 and Town Board Meeting February 23, 2011

MATTER RE: Authorize solicitation of request for proposals for professional arboricultural services for 2011 (see Resolution #5 and letter dated February 28, 2011 from Timothy 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. 1 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize solicitation for requests for qualifications and services proposals to provide independent assessment of farm structures situated on and within Town land contiguous to Buckland Park (see Resolution #7 and letter dated March 2, 2011 from Timothy Kesf, P.E. Commissioner of Public Works).

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.2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM Justice Court, Town of Brighton dated February 17, 2011 to Supervisor Re: 2010 Annual Report of **Activity** for the Brighton Town **Court** (Report **available** for viewing in the Town Clerk's Office).

FROM Town of Brighton Sustainability Oversight Committee dated February 14, 2011 to Supervisor Re: recommendation to pursue and implement various initiatives in 2011.

FROM Nicholas A. Noce, Executive Director **Monroe** County Water Authority dated February 18, 2011 to Supervisor informing her that the 2011 Cleaning & Cement Mortar Lining project **will** begin in April **with** a projected **completion** date of November 2011. (Residents near the project will be notified by letter by the MCWA).

FROM Brighton Police Department received 2/28/2011 to Supervisor Re: 2010 Annual Report of **Activity** (Report available for viewing in the Town Clerk's Office).

FROM Brighton Fire **District** dated 2/28/2011 to Susan Kramarsky, Town Clerk Re: 2010 Annual Report (Report available for viewing in the Town Clerk's Office).

FROM Chris Mueller, Director, Government Relations, Time Warner Cable, dated March 1, 2011 to Supervisor Re: listing of Time Warner Cable Channels **with** soon to be expired contracts, which may or may not be renewed.

FROM Anne M. Kress, President Monroe Community College dated February 28, 2011 Re: MCC's **continued** support of the Monroe County Department of Health Point of Dispensing Plan and MCC's designation as Dispensing Location #13B for Town of Brighton Residents.

FROM Nancy Uffindell, Social Coordinator, Legacy at Clover Blossom to Supervisor, dated March 1, 2011 complimenting the Brighton Symphony Orchestra's performance at the Legacy.

FROM Congressman Tom Reed dated March 3, 2011 to Supervisor **Re:** HR4 Legislation (the Small **Business** Paperwork Mandate Elimination Act of 2011).

FROM Congressman Thomas Reed to Supervisor Re: Monroe Community Sports Centre and IRS matter.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services - Next meeting March 17,2011

Finance and Administrative Services - Next meeting **March** 16, 2011

Public Safety Services **Next** meeting - April 12, 2011

Public **Works** Services Councilmember James Vogel reported on **meeting** of March 7, 2011. Next meeting April4, 2011

OLD BUSINESS:

MANER RE: Approve transfer in the amount of \$2,222.96 from **unreserved** general fund to Trust Fund for Community **Recycling** (see resolution **#8** and memorandum dated March 2, 2011 from Suzanne Zaso, Acting Director of Finance).

Motion by Councilmember Louise Novros 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

NEW BUSINESS:

MATTER 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.4 attached.

MATTER RE: Authorize amendment to personnel policy uCompensation for Police Captains- to **designate** status of the position as Managerial/Confidential (see Resolution #14 and Summary of standards **for** Managerial/Confidential Designation under the Taylor Law).

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: Approval to accept grant donation and conditions of same from the David J. Kauffman Post #41 Jewish War Veterans of the USA Memorial Foundation, a supporting foundation of the Jewish Federation of Greater Rochester, for the Town of Brighton Veterans Memorial in the amount of \$25,000 (~~see~~ Resolution #2 letter Memorandum dated March 3, 2011 from Suzanne Zaso, Acting Director of Finance, copy of check and grant donation letter from the Foundation dated February 7,2011).

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.6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approve West Brighton Fire Protection District Service Award Program service points (~~see~~ Resolution #11. memorandum dated March 2. 2011 from Suzanne Iase. Acting Director of Finance and attachment).

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. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file amended Winfield Park Incentive Zoning Application and authorize referral of same to the Public Works and Public Safety Committees for their submission of advisory report to the Town Board (see Resolution #12 and amended application).

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, 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize bid award to Emerald Services of WNY, Inc. in an amount not to exceed \$224,800, with authorization for Supervisor to execute all contract related documents for the 2011 Sidewalk Replacement program (see Resolution #3, letter dated February 28, 2011 from Timothy Keef, P.E. Commissioner of Public Works, bid summary sheet and Brighton-Pittsford Post bid notification).

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.9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize bid award to Tree Doctor of Clarence, New York Inc. in an amount not to exceed \$27,008.00, with authorization for Supervisor to execute all contract related documents for Emerald Ash Borer mitigation and treatment services for 2011 (see Resolution #4 and letter dated February 28, 2011 from Timothy 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. 10 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize award of contract to Bergmann Associates in an amount not to exceed \$10,000 to provide Phase 1 - Preliminary Design and Field Work for the Veterans Memorial project (see Resolution #9 and letter dated February 28, 2011 from Michael Guyon, P.E. Department 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. 11 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file letter dated February 10,2011 from ~~the~~ Empire State Construction Fund Re: Proposed project - Empire State College Regional Center, **with** authorization to approve designation of SUCF as lead agency for same (see Resolution #10, SUCF letter and letter dated March 2, 2011 from Timothy Keef, P.E. Commissioner of Public Works).

Motion by Councilmember James Vogel seconded by Councilmember Sheila Gaddis that ~~the~~ Town Board **receive** and file the aforementioned letters as set forth in Exhibit 12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: **Authorize** Supervisor to execute 2011 mowing and landscape **service** contracts with Woodgate Landscaping Co. and **Rochester** Plow Inc. as alternate (see Resolution #1, letter dated March 3,2011 from Jerry LaVigne, Director of **Parks** and Recreation and bid summary sheet).

Motion by Councilmember Louise Novros 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 **Supervisor** to execute renewal agreement with Deckman 011 Co. to provide lubricants for Town vehicles and equipment effective Immediately through **March** 1, 2012 (see Resolution #8 and letter dated February 28,2011 from Timothy 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. 14 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize acceptance of a \$45,000 Community Development Block Grant to install 4,000 square **feet** of concrete sidewalk along south side of Westfall Road and east of the Buckland Farmhouse at Buckland Park (see Resolution #13 and letter dated **March** 1,2011 from Michael Guyon, Town Engineer).

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

MATTER RE: **Tax** certiorari settlement

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. 16 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Wage Increase.

Motion by Councilmember Louise Novros 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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Expense and Revenue Reports for February 2011

MATTER RE: Memorandum dated March 9, 2011 from Sandra Frankel to Brighton Town Board Members re: Town Board Committee Assignments for 2011

Motion by Councilmember Sheila Gaddis seconded by James Vogel to receive and file aforementioned reports as it appears in Exhibit 18.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to go into executive session to discuss the employment of particular persons 10:15 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Ray Tierney seconded by Councilmember James Vogel to come out of executive session at 11:00 PM

MEETING ADJOURNED at 11:05 PM

Motion by Councilmember James Vogel seconded by Councilmember Ray Tierney to adjourn at 11:05 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Susan Kramarsky, 79 Monterey 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 9th of March 2011 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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 28, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a request for proposals for consulting services from an independent arborist during 2011, be received and filed; and be **it** further

RESOLVED, that the Commissioner of Public Works is hereby authorized to solicit requests for proposals to retain an independent arborist to perform independent tree evaluations and reports on Town trees.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 2, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a request for proposals for evaluation of farm structures on Town-owned land adjacent to Buckland Park, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Commissioner of Public Works to solicit requests for qualifications and to perform an independent evaluation of farm structures situated on Town-owned land adjacent to Buckland Park.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated March 2, 2011 from Suzanne Zaso, Acting Director of Finance, and Louise Novros, Town Board member, concerning a budget transfer to a trust fund for community recycling and beautification, be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the transfer of the prior years' Clean Sweep program surplus, in the amount of \$2,222.96, from unreserved fund balance to a newly established trust fund for the support of community recycling and beautification projects to be established and identified by the Acting Director of Finance.

Dated: March 9, 2011

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

March 9, 2011

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>144,575.71</u>
CS- RISK RETENTION	<u>0.00</u>
CT - TL200 ROAD IMPROV	<u>0.00</u>
D - HIGHWAY	<u>42,164.34</u>
H - CAPITAL	<u>158.97</u>
L - LIBRARY	<u>42,068.33</u>
SA - AMBULANCE OIS1	<u>0.00</u>
58- BUSINESS IMPROVM	<u>0.00</u>
SO - DRAINAGE DIST	<u>0.00</u>
SF- AREOIST	<u>0.00</u>
SK- SIDEWALK OIST	<u>0.00</u>
SL - LIGHTING 015T	<u>0.00</u>
SM- SNOW REMOVAL CST	<u>0.00</u>
SN-NEIGHBORHOOD OIST.	<u>0.00</u>
SP-pARKS DISTRICT	<u>0.00</u>
SR-REFUSE DISTRICT	<u>63,244.21</u>
55 - SEWER OIST	<u>40,391.22</u>
SW- WATER 015T	<u>0.00</u>
TA - AGENCY TRUST	<u>8,404.84</u>
TE - EXPENDABLE TRUST	<u>0.00</u>
V- DEBT SERVICE	<u>0.00</u>
TOTAL	\$ <u>342,008.82</u>

UPON ROII 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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that a proposed Amendment to the Town's Personnel Policy entitled "Compensation for Police Captains", be received and filed; and be it further

RESOLVED, that the Town Board hereby approves the Amendment to the Town's Personnel Policy entitled "Compensation for Police Captains," *in* the form presented to this meeting.

Dated: March 9, 2011

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

EXHIBIT6

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that a memorandum dated March 3, 2011 from Suzanne Zaso, Acting Director of Finance, concerning the acceptance of a grant from David J. Kaufman Post #41 of the Jewish War Veterans for the Brighton Veterans Memorial Project, be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the donation of \$25,000 from the David J. Kaufman Post #41 of the Jewish War Veterans of the USA Memorial Foundation for the Brighton Veterans Memorial Project; and be it further

RESOLVED, that the Town Board hereby accepts the recommendation of the Acting Director of Finance, and directs that a balance of at least \$25,000 remain at all times in the trust fund designated by the Town for donations towards such project, until the Commissioner of Public Works and/or Director of Finance of the Town determines in writing that the cost of completion of the Project is \$25,000 or less.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT :

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

RESOLVED, that a memorandum dated March 2, 2011 from Suzanne Zaso, Acting Director of Finance, concerning the approval of service award points for 2010 for the West Brighton Fire Protection District Service Award Program, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby approves of the listing of Service Award Program Points during calendar year 2010 by participating firefighters of the West Brighton Fire Department, Inc. as attached to the above-referenced memorandum.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 23, 2011 from Robert J. Cantwell at EME Associates concerning an Amended Incentive Zoning Application for Winfield Park, be received and filed, together with the Amended Incentive Zoning Application attached thereto; and be it further

RESOLVED, that the Town Board is hereby authorized to refer the Amended Application to the Public Works and Public Safety Committees for the preparation of an advisory report to the Town Board.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 28, 2011 from Timothy E. Reef, P.E., **Commissioner** of Public Works, concerning the award of the bid for the 2011 sidewalk replacement program in the Sidewalk District, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby awards the bid for the 2011 sidewalk replacement program in the Brighton Sidewalk District to **Emerald Services of WNY, Inc.** for the unit prices bid and for a total cost not to exceed \$224,800 during 2011; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver change orders to the above-referenced contract, not increasing the contract sum by more than \$22,480 in the aggregate, without further Town Board action.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 28, 2011 from Timothy E. Keef, P.E., Commissioner of Public Works, concerning a contract for Emerald Ash Borer mitigation, 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 the Tree Doctor, Clarence, New York, for Emerald Ash Borer mitigation for ash trees in Town Highway rights of way, at a unit price of \$4.75 per diameter inch per tree, not to exceed \$27,008.00 in the aggregate during 2011, which agreement shall be in form and substance as may be approved by the Attorney to the Town; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute and deliver change orders to such contract, which do not increase the contract price by more than \$2,700.80 in the aggregate, without further Town Board approval.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT :

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

WHEREAS, the Town previously solicited a Request for Qualifications for professional design and construction administrative services for the proposed Brighton Veterans' Memorial project, and based on the responses, the Veteran's Memorial committee recommended that Bergmann Associates be retained to provide such services, given their extensive portfolio and project knowledge; **it is therefore**

RESOLVED, that correspondence dated February 14, 2011 from Michael E. Guyon, P.E., Town Engineer, concerning a request for qualifications for professional design and construction administration services for the Brighton Veteran's Memorial project, be received and filed; and be **it further**

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Bergman Associates to provide design and construction services for the Brighton Veteran's Memorial, consisting of Phase 1 of the overall project as more fully described in the aforementioned correspondence, at a cost not to exceed \$10,000, which agreement shall be in **form** and substance as may be approved by the Attorney to the Town.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 3, 2011 from Jerry LaVigne, Director of Parks and Recreation, concerning mowing and landscape agreements for 2011, be received and filed; and be it further

RESOLVED, that the Town Board hereby awards bids for mowing and landscaping services, and the Supervisor is hereby authorized to execute and deliver agreements by and between the Town and Woodgate Landscaping and by and between the Town and Rochester Plow, respectively, for mowing and landscaping services, which agreements shall be consistent with the **terms** set forth in the above correspondence and in form and substance as may be approved by the Attorney for the Town.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated February 28, 2011 from Timothy E. Keef, P.E., **Commissioner of Public Works**, concerning the renewal of a contract for the provision of lubricants for Town vehicles and equipment with Deckman Oil, be received and filed, together with an attachment thereto; and be it further

RESOLVED, that the Town Board hereby approves the renewal of the existing agreement by and between the Town and Deckman Oil for the provision of lubricants for Town vehicles and equipment for a period of one year through March 1, 2012, at the rates set forth in the attachment to the above-referenced correspondence.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that correspondence dated March 1, 2011 from Michael E. Guyon, P.E., Town Engineer, concerning a the **Westfall** Road sidewalk project Community Development Block Grant, be received and filed; and be **it** further

RESOLVED, that the Town Board hereby accepts a \$45,000.00 Community Development Block Grant for the installation of 4000 square feet of sidewalks along the south side of **Westfall** Road across the frontage of 1435 Westfall Road; 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 in connection with such grant funding, which agreement shall be in form and substance as **may** be approved by the Attorney to the Town.

Dated: March 9, 2011

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 9th day of March, 2011.

PRESENT:

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

RESOLVED, that Thomas A. Fink, Esq., acting as the Town's attorney in real property tax certiorari litigation entitled eGS Growth, LtC v. Elaine Ainsworth, Assessor for the Town of Brighton and Town of Brighton, involving the property known as the Legacy at Clover Blossom, is hereby authorized to execute and deliver a Settlement Agreement, settling such litigation under which the assessed valuation for tax map 122.16-1-2.11 will be reduced for the taxable status date for the tax year 2007, and refunds of Town, County and school taxes shall be made for such year, which Settlement Agreement shall be in form and substance as approved by the Town's attorney in such matter, Thomas A. Fink, Esq.

Dated: March 9, 2011

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
9th day of March, 2011.

PRESENT:

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

RESOLVED, that the Town Board hereby authorizes a wage increase of two percent (2%) for all full-time and part-time permanent unrepresented employees, effective retroactively as of January I, 2011.

Dated: March 9, 2011

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