

**TOWN OF BRIGHTON TOWN BOARD  
FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE  
MEETING AGENDA**

**Meeting Date: Wednesday, July 18, 2024 (8:30 a.m.)**

**Location: Auditorium, Brighton Town Hall**

1. Approval of Minutes – Receive and file minutes from June 5, 2024.
2. Authorize the Town to order an emergency board up of 185 Kimbark Road as requested by the Brighton Fire Department and initiate the Town of Brighton Code Chapter 51 process (DPW) – Request from Jim Sprague to the Town Board to authorize an emergency board up of the 185 Kimbark Road property as requested by the Brighton Fire Department based upon the inspection performed by Town Building Inspector Edward Sher, and initiate the Chapter 51 process under the Town of Brighton Code that will require the property owner to make the building safe or allow for demolition by the Town of Brighton (see letter from J Sprague).
3. Discussion with the FASC regarding the Town Hall Capital Project Borrowing Actions and Timeline (Finance) – Ensure the Draft Timeline for borrowing associated with the Town Hall Capital Project is known and scheduled so that the required bond resolution will be completed by the planned date (see draft Town Hall Capital Project Borrowing Actions and Timeline from E Johnson).
4. Discussion with the Budget Review Task Force for the purpose of reviewing the 2025 Capital Improvement Projects (CIP) as presented by town staff (Finance) – The Budget Review Task Force met with department heads on June 13<sup>th</sup>, 20<sup>th</sup> and 27<sup>th</sup> to discuss their CIP requests which we review (see draft CIP list from E Johnson).

**EXECUTIVE SESSION – Discuss employment of particular persons & a matter related to the lease of real property**

**The next regularly scheduled meeting of the FASC will be held on  
WEDNESDAY, July 17, 2024, at 8:30 a.m.  
in the AUDITORIUM of the Brighton Town Hall.  
All members of the public are invited to attend FASC meetings.**

**\*\*AS PER THE REGULAR SCHEDULE\*\***



Town of  
**Brighton**

## Public Works Department

**James P. Sprague, P.E.**  
Commissioner of Public Works

25 June 2024

The Honorable Finance and Administrative Services Committee  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

Re: 185 Kimbark Road  
Rochester, New York 14610  
Board Up and Demolition Request

Dear Chairperson Salzman and Committee Members:

The single family home at 185 Kimbark Road, Rochester, New York, is located in the Town of Brighton. This residential structure was assessed by Edward Shero, Building Inspector for the Town of Brighton, and found to be unsafe to the general public. Building Inspector Shero's report is attached. Further, the Brighton Fire Department has requested that the Town proactively board up the multiple unsecured openings on this structure.

Under Chapter 51 of the Town of Brighton Code, the Town Board can, upon receipt of information that a structure is unsafe, initiate action to order the structure be made safe or be demolished. It is my recommendation that consideration of this property be added to the next available Finance and Administrative Services Committee (FASC) meeting, and this Chapter 51 process be initiated for this property. Should the property owner fail to make the property safe in compliance with Chapter 51, I recommend that the Town of Brighton pursue demolishing it.

Further, I request authorization to order an emergency board up of the property, as requested by the Brighton Fire Department.

Please contact me at your convenience with any questions about this matter.

Regards,

James P. Sprague, P.E.  
Commissioner of Public Works

cc: Earl Johnson, Director of Finance, Staff to the FASC  
Edward Shero, Building Inspector  
Christopher Roth, Fire Marshall



# Building and Planning Department

Commissioner of Public Works – Michael Guyon, P.E.

**Edward Sher  
Building Inspector**

January 16, 2024

Mr. Evert Garcia, Public Works Commissioner  
Town of Brighton  
2300 Elmwood Ave.  
Rochester, New York 14618

Re: 185 Kimbark Rd. Rochester, NY 14610  
Condition Assessment

Dear Commissioner Garcia,

I conducted a site visit of the home at the above referenced address on December 28<sup>th</sup>, 2023 to assess the condition of the structure. The home has been vacant and neglected for many years. Because of this neglect the home has been damaged by the weather and external elements. This assessment was limited to the exterior of the building.

The following report summarizes my observations:

The site visit revealed that the home has been vacant and unoccupied for a number of years. It was not possible to access the home and assess any interior damage. The home in its current dilapidated condition is unsafe to the general public and is unfit for the purpose for which it may lawfully be used. The following pictures document the condition of the home with attached garage at 185 Kimbark Rd.

*Photo 1* Front of 185 Kimbark Rd.



Photo's 1 and 2 illustrate a deteriorated and dilapidated roof without any permanent covering. The temporary covering has come lose in several spots and water is leaking through penetrations not properly sealed.

*Photo 2 rear of 185 Kimbark Rd.*



*Photo 3 inside of 185 Kimbark d.*



Photo 3 is taken through the open patio door door. You can see the ceiling wall board an insulation falling down.

*Photo 4 Rear of 185 Kimbark Rd.*



Photo 4 shows open window in the rear of 185 Kimbark Rd.

Photo's 5 & 6 show large amounts debris in rear yard. There is an abandoned hot tub in the yard. A open and unsecured shed is shown.

*Photo 5 is the rear of property at 185 Kimbark Rd*



Photo 6 shows the open and unsecured shed at 185 Kimbark Rd



Chapter 51 of the Code of the Town of Brighton states, "Unsafe buildings or structures pose a threat to life and property. Buildings and structures may become unsafe by reason of damage by fire, the elements, age or general deterioration. Vacant buildings or structures not properly secured also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients." The documentation presented previously demonstrates that the house and garage at 185 Kimbark Rd are unsafe structures in accordance with Chapter 51 of the Code of the Town of Brighton.

After conducting this site investigation it is my opinion that the house and garage at 185 Kimbark Rd are unsafe to the general public, are open and unsecured to human and animal life and are unfit for the purposes for which they may be lawfully used. The property is vacant and abandoned which presents the possibility of congregation by vagrants and transients. It is my recommendation as the Building Inspector that the house and garage at 185 Kimbark Rd. are unsafe buildings and should be demolished to insure the health, safety and welfare of the general public.

Sincerely,

Edward Shero, Building Inspector

**TOWN OF BRIGHTON  
MONROE COUNTY, NEW YORK**  
[www.townofbrighton.org](http://www.townofbrighton.org)

**TOWN HALL CAPITAL PROJECT BORROWING  
ACTIONS AND TIMELINE**

**Draft Timeline for Borrowing  
(Draft as of May 2024)**

**Part 1 - Distribution List**

SPV	William W. Moehle, Esq. Supervisor Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	585-784-5252 W 585-784-5353 F <a href="mailto:william.moehle@townofbrighton.org">william.moehle@townofbrighton.org</a> E
DF	Earl Johnson Director of Finance Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	585-784-5211 W <a href="mailto:earl.johnson@townofbrighton.org">earl.johnson@townofbrighton.org</a> E
ADF	Marcia Adams Assistant Director of Finance Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	585-784-5210 W 585-784-5396 F <a href="mailto:marcia.adams@townofbrighton.org">marcia.adams@townofbrighton.org</a> E
CLK	Daniel Aman Clerk Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	585-784-5240 W 585-784-5374 F <a href="mailto:daniel.aman@townofbrighton.org">daniel.aman@townofbrighton.org</a> E
ATT	John A. Mancuso, Esq. Town Attorney Weaver Mancuso Brightman PLLC 150 Allens Creek Road #240 Rochester, NY 14618	585-301-4777 W 585-301-4990 F <a href="mailto:jmancuso@wmbpllc.com">jmancuso@wmbpllc.com</a> E
BC	Jeff Storch Harris Beach PLLC 99 Garnsey Road Pittsford, NY 14534	585-419-8665 W 585-419-8816 F E
ENG	Ken Hurley, PE Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	585-784-5225 W 585-473-0672 F

**Part 1 - Distribution List (cont.)**

COM.	Jim Sprague, PE Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	585-784-5222 W 585-473-0672 F
MA	Jeffrey Smith Municipal Solutions, Inc. 62 Main Street LeRoy, New York 14482	585-768-2136 W 716-560-0688 C 585-394-4092 F

***Project Draft Timeline***  
***(as of May 28, 2024)***

**Assumptions:**

- General scope, details and price tag of proposed project accepted by the Town Board by July 31st, 2024 (Note: Supply Copy of Engineering Report and maximum cost estimate after approval by Town Board)
- Anticipated First BAN Borrowing to Take Place April 15th, 2025

Date	Task	Party or Parties
By Monday, July 1st, 2024	Professional Team Determined Bond Counsel Secured Engineering Report (forwarded to all project team members)	Engineer Town Attorney Financial Advisor Town Officials
By Wednesday, July 10th, 2024	<b>Town Board accepts the estimated project price tag of proposed project and various ancillary issues</b>	Engineer Town Official
Wednesday, July 24th, 2024	Regular Town Board Meeting  Coordination with governmental agencies regarding SEQRA-related matters completed and <b>Board adopts SEQR Negative Declaration (must be adopted prior to adoption of a bond resolution)</b>  <b>Bond Resolution Prepared by Bond Counsel and Adopted by Town Board</b> – must be adopted by two-thirds vote of the entire Town Board (not just that fraction of those in attendance - a super majority of the entire Board is needed for the resolution to be valid)	Bond Counsel Town Attorney Bond Counsel Engineer
No Later Than Friday, August 2nd, 2024	<b>Legal Notice of Adoption of Bond Resolution Subject to Permissive Referendum must be posted <u>within 10 days</u> in at least six conspicuous public places within the Town and at each polling place until a 30-day permissive referendum period has expired for the resolution and said Notice must be published, one time, in the official Town newspaper(s).</b> Unless Town is subject to a consent order – no 30-day posting necessary.	Town Clerk

<b>Date</b>	<b>Task</b>	<b>Party or Parties</b>
By Friday, August 16th, 2024	Municipal Solutions, Inc. sends master data request letter to the Town Finance Director with a list of information needed to begin drafting the BAN official statement.	Municipal Solutions, Inc. Town Finance Director
As Soon as Possible After 30 day Posting Period	As soon as they are available, Town Clerk forwards Bond Counsel, two certified copies of the bond resolution, two affidavits of posting and two original affidavits of publication (with original newspaper clipping attached) for the notice of adoption subject to permissive referendum). Town Attorney and Municipal Solutions provided copies. (Not needed if subject to a consent order)	Town Clerk
By Wednesday, September 4th, 2024	If no Valid Petitions have been filed by the public during the 30-day permissive referendum period, the Town Clerk executes a certificate of no referendum for the bond resolution (two copies to Bond Counsel) and Estoppel Notice with summary of the bond resolution is forwarded to the Towns Official Newspaper(s). (Estoppel Notice published after bond resolution is adopted if subject to a consent order)	Town Clerk
By Tuesday, September 24th, 2024	Estoppel Period Ends and Town Clerk forwards two original affidavits of publication (with original newspaper clipping attached) for the Estoppel Notice when they become available to Bond Counsel. Town Attorney and Municipal Solutions, Inc. provided copies.	Town Clerk
By Friday, January 31st, 2024	Town supplies Municipal Solutions, Inc. items needed to prepare official statement and notice of sale for the BAN offering.	Town Finance Director Town Assessor
By Friday, March 21st, 2025	Municipal Solutions, Inc., mails draft copies of the BAN official statement and notice of sale to the Town, Town Attorney and Bond Counsel	Town Finance Director Town Attorney Bond Council Municipal Solutions, Inc.

<b>Date</b>	<b>Task</b>	<b>Party or Parties</b>
By March 28th, 2025	All comments on the BAN official statement received from the Town, Town Attorney and Bond Counsel, debt limit verified and Municipal Solutions, Inc. sends the preliminary official statement and notice of sale to banks and underwriters and posted to Municipal Solutions, Inc. website.	Town Finance Director Town Attorney Bond Council Municipal Solutions, Inc.
Friday, April 4th, 2025 @ 11:00am	BAN bids are received by Municipal Solutions, Inc. and results telephoned to Town Finance Director for review and award. Results posted to Municipal Solutions, Inc. website.	Town Finance Director Municipal Solutions, Inc.
By Monday, April 7th, 2025	<p>Results of BAN sale forwarded to Town Attorney and Bond Counsel and Bond Counsel begins preparing BAN closing documents for Town Treasures execution.</p> <p>As soon as received Town Finance Director&amp; Clerk execute bond closing documents and returns them via overnight mail to Bond Counsel.</p>	Town Finance Director Town Attorney Bond Council Municipal Solutions, Inc.
Tuesday, April 15th, 2025 @ 11:00 am	Bond Counsel oversees closing of BAN Issue and money is wired into the Towns Capital Project Bank Account by 11:00am that day.	Town Clerk Town Finance Director Bond Counsel Municipal Solutions, Inc.
By Tuesday, April 15th, 2025	Money is available and Construction costs beyond available ARPA Fund contributions can begin to be paid.	Town Finance Director