

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 14, 2012

PRESENT:

Supervisor William Moehle
Councilmember James Vogel
Councilmember Louise Novros
Councilmember Christopher Werner

Ken Gordon, Attorney for the Town
Daniel Aman, Town Clerk

MEETING CALLED TO ORDER 7:05 PM:

RECOGNITIONS/PRESENTATIONS:

March is Women's History Month – Proclamation Presentation to MaryJo Lanphear, Brighton Historian

OPEN FORUM:

John R. Piper, Assistant Executive Director; Anne Peterson, Executive Director, The Housing Council Re: The impact of foreclosures on Neighborhoods in Brighton and Monroe County
Paul Sawyko – Storm Water Coalition of Monroe County Re: Buckland Creek Restoration
Tim Keef, P.E. Commissioner of Public Works – Seasonal public works update
Don Ruda – Town of Brighton website redesign
Bob Heyer – condition of Winton Rd between 12 Corners and Highland Ave
Joshua Bauroth, Monroe County Legislator – report on County Legislature

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

January 25, 2012 Town Board Meeting
February 8, 2012 Town Board Meeting

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Empire State College Petition for Extension #94 to the Brighton Consolidated Sewer District.

(Complete transcript upon request)

COMMUNICATIONS:

FROM Rebecca Lebowitz, Brighton Food Cupboard Coordinator dated February 13, 2012 expressing appreciation to the Brighton Town Hall for support provided during 2011.

FROM Sisters of St. Joseph dated February 1, 2012 congratulating the Members of the Brighton Town Board for being the first Town in Monroe County to enact a moratorium on Hydraulic Fracturing.

FROM Thomas and Kara Masaschi dated March 4, 2012 to Supervisor expressing appreciation and gratitude towards the Brighton Police Department for their professionalism and expertise.

FROM Janice Barra-Meerbote dated February 22, 2012 to Supervisor regarding lawn repairs needed due to sidewalk and road snow plowing

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to receive and file aforementioned communications

UPON ROLL CALL

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services - Next mtg will be on March 26 at 4:30 PM at Brookside

Finance and Administrative Services - Next mtg on March 20 at 3:30pm in the Stage Conf Room

Public Safety Services - Next mtg on April 10 in the Downstairs Meeting Room

Public Works Services - Next mtg on April 2 in the Downstairs Meeting Room

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by James Vogel that the Supervisor read and approve the payment of claims as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize budget appropriation to the 2012 Police Department operating budget to fund purchase of departmental electronic control devices and associated equipment (see Resolution #1 and letter dated February 21, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 2 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept donation of \$50.00 from Mr. Roy T. Bruno to the Brighton Police Department (see Resolution #2 and letters dated February 13, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Christopher Werner 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. 3 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute an agreement with Public Employer Risk Management Association (PERMA) for Administration and Management of the Workers Compensation tail claims for the Town of Brighton at no cost for the year 2012 (see Resolution #3 , memorandum from Suzanne Zaso, Director of Finance dated March 5, 2012 and copy of Agreement).

Motion by Councilmember Christopher Werner 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. 4 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize reappointment of Steve Kittelberger to a 2-year term as a member of the Sustainability Oversight Citizen's Committee effective immediately through February 28, 2014 (see Resolution #4).

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. 5 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval to accept donations totaling \$950 as additional monies received for the Town of Brighton Veterans Memorial Fund (see Resolution #5 and Memorandum dated March 5, 2012 from Suzanne Zaso, Director of Finance).

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. 6 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize bid award to lowest responsive bidder to furnish and deliver one (1) Four-wheel-drive Backhoe Loader with approval to declare existing Backhoe Loader as surplus equipment so that it can be used as trade towards purchase (see Resolution #6 , letter dated March 5, 2012 from Timothy Keef, P.E. Commissioner of Public Works and bid result log).

Motion by Councilmember Christopher Werner 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. 7 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize agreement amendment with Rochester Plow, Inc. to accommodate additional mowing and landscape services on an as needed basis (See Resolution #7, letter dated March 2, 2012 from Timothy Keef, P.E. Commissioner of Public Works and contractor proposal).

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize bid award to lowest responsive bidder to furnish and deliver one (1) 2012 pick-up truck for the Town Sewer Department (see Resolution #8, letter dated March 2, 2012 from Timothy Keef, P.E. Commissioner of Public Works and bid result log).

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. 9 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file 2011 Annual Report of Activity for the Brighton Town Court dated February 29, 2012 received from Justice Court, Town of Brighton (See Resolution #9 and Report.).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board receive and file aforementioned report and 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 approval of a fund equity transfer to Sewer Equipment Capital Reserve from unreserved funds within the Capital Improvement Plan (see Resolution #10 and Memorandum dated February 17, 2012 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize amendment to the 2012 Capital Budget to include any appropriated/re-appropriated unexpended balances and interest earned in years prior to 2012 to provide for on-going capital projects (see Resolution #11 and letter dated March 5, 2012 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file petition and set April 11, 2012 as Public Hearing date for proposed Extension #95 to the Brighton Sewer District for 479 French Road (see Resolution #12, letter dated February 1, 2012 from Chad Roscoe, Jr. Engineer, Department of Public Works and supporting material).

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel that the Town Board receive and file aforementioned report, and 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 Third Party Custodial Agreements with Canandaigua National and M&T Banks to secure uninsured deposits over FDIC amounts (see Resolution #13 and Memorandum dated March 5, 2012 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute Letter of Engagement with Harris Beach PLLC for bond counsel services (see Resolution #14, Memorandum dated March 6, 2012 from Suzanne Zaso, Director of Finance and copy of Agreement).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file 2011 Annual Report of Activity from the Brighton Town Historian Mary Jo Lanphear on March 13, 2012, (See Resolution #16 and Report.).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board receive and file aforementioned report, and 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

MATTERS OF THE SUPERVISOR:

MATTER RE: Expense and Revenues Report for period ending January 31, 2012
Expense and Revenues Report for period ending February 29, 2012

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to receive and file the aforementioned reports

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

MATTER RE: Confirm membership of Jessica L. Connor and Robert C. Peper with the West Brighton Fire Department (see Resolution #15).

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. 17 attached.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into Executive Session at 9:40 PM to discuss real estate matters

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Louise Novros seconded by Councilmember Christopher Werner to come out of Executive Session and to adjourn at 10:00 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore 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 14th of March 2012 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

March 14, 2012

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>111,531.00</u>
D - HIGHWAY	<u>71,780.70</u>
L - LIBRARY	<u>57.75</u>
SA - AMBULANCE DIST	<u>1,832.50</u>
SB - BUSINESS IMPROVM	<u>397.50</u>
SD - DRAINAGE DIST	<u>1,330.00</u>
SF - FIRE DIST	<u>1,665.00</u>
SK - SIDEWALK DIST	<u>2,367.45</u>
SL - LIGHTING DIST	<u>5,047.50</u>
SM - SNOW REMOVAL DST	<u>2,615.00</u>
SN-NEIGHBORHOOD DIST.	<u>437.50</u>
SP-PARKS DISTRICT	<u>165.00</u>
SR-REFUSE DISTRICT	<u>141,296.79</u>
SS - SEWER DIST	<u>33,626.07</u>
SW - WATER DIST	<u>1,360.00</u>
TA - AGENCY TRUST	<u>13,159.56</u>
TOTAL	\$ <u>388,669.32</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 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated February 21, 2012 from Chief of Police Mark T. Henderson regarding a request to authorize a budget amendment to the approved 2012 Police Department operating budget to fund the purchase of Taser electronic control devices and associated equipment be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the transfer of funds in the amount of \$16,597.44 from A.899.JSTCE (Forfeited Property) to A.POLICE.3125.2.17 to provide sufficient funding to purchase fifteen (15) Taser electronic control units, fifteen (15) holsters and thirty (30) twenty-five foot cartridges.

Dated: March 14, 2012

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



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

February 21, 2012

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Board Members:

I hereby request that an amendment be approved to the 2012 Police Department operating budget to provide for sufficient appropriations for the purchase Taser electronic control devices and associated equipment.

The proposed purchase includes the purchase of fifteen (15) Taser electronic control devices with extended warranties, fifteen (15) holsters and thirty (30) twenty-five foot cartridges.

I propose that the "Proceeds of Forfeited Property" be used to fund this request. I request that appropriations in account A.POLCE.3125.4.14 be increased by \$16,597.44. The total expenditure of \$16,597.44 will be fully supported with the use of Forfeited Property account A.899.JSTCE. I have consulted with the United States Attorney's Office and they concur that the use of seized forfeiture asset funds for this purpose is appropriate.

Respectfully,

A handwritten signature in black ink that reads "Mark T. Henderson".

Mark T. Henderson
Chief of Police

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated February 13, 2012 from Chief of Police Mark T. Henderson regarding a donation of fifty dollars (\$50.00) be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the acceptance of the generous gift by Roy T. Bruno of fifty dollars (\$50.00) to the Brighton Police Department and thanks Mr. Bruno for his contribution.

Dated: March 14, 2012

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



Mark T. Henderson
Chief of Police

Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

February 13, 2012

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

Dear Board Members:

Recently, the Police Department received a donation of \$50.00 from Mr. Roy T. Bruno.

I request that the Town Board authorize the acceptance of this gift, and that the donation be recorded as revenue to the 2012 Police Department Operating Budget under A.POLCE.3120.2705 Gifts and Donations. I have attached a copy of my letter to Mr. Bruno expressing the department's gratitude for this generous donation.

Sincerely,

A handwritten signature in black ink that reads "Mark T. Henderson". The signature is written in a cursive style.

Mark T. Henderson
Chief of Police

attachment



Town of Brighton

POLICE DEPARTMENT
2300 Elmwood Avenue
Rochester, New York 14618-2196



Emergency 911
Administrative (585) 784-5150
Fax: (585) 784-5151

Mark T. Henderson
Chief of Police

February 13, 2012

Mr. Roy T. Bruno
701 Bayshore Drive #101
Ft. Lauderdale, FL 33304

Dear Mr. Bruno:

I am writing to express my sincere appreciation for your thoughtful and generous donation to the Brighton Police Department.

While it is not necessary to make direct donations to the department for services provided, your thoughtfulness and consideration help instill a strong community-oriented attitude in our officers. In keeping with the spirit of your donation, I have directed that the \$50.00 donation be placed in the budget line which supports community service functions.

On behalf of the entire Brighton Police Department, I wish to thank you for your thoughtfulness and generosity.

Sincerely,

Mark T. Henderson

Mark T. Henderson
Chief of Police

*Thank you for your
continued support of
the Brighton Police Dept!*

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated March 5, 2012 from Director of Finance Suzanne Zaso, and the materials attached thereto, regarding an Agreement with Public Employer Risk Management Association (AKA PERMA) for administration and management of worker's compensation Tail claim services be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute on behalf of the Town the proposed Agreement with PERMA for administration and management of worker's compensation Tail claim services at no cost to the Town, subject to the review and approval of said Agreement by the Attorney to the Town.

Dated: March 14, 2012

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *MZ*
Date: March 5, 2012
Subject: No cost Agreement with Public Employer Risk Management Association (PERMA) for Administration and Management of the Worker's Compensation Tail Claim Services

I request that Your Honorable Body authorize the Supervisor to execute a no cost agreement with Public Employer Risk Management Association (PERMA) for third party administration and management of the worker's compensation tail claims for the Town of Brighton.

This contract is at no cost to the Town and covers the worker's compensation claims for the periods when the Town was self-insured and then a member of the Upstate New York Municipal Worker's Compensation Consortium. PERMA will have the authority under this contract to settle claims up to a limit of \$5,000 as specified in the contract.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, G. Brandt, K. Gordon



P E R M A

Public Employer Risk Management Association, Inc.

9 Cornell Road, Latham, NY 12110 • P.O. Box 12250, Albany, NY 12212-2250
Tel. (518)220-1111 • Fax (877)737-6232 • Toll Free in US (888)737-6269 • www.perma.org

February 22, 2012

Town of Brighton
Sandra Frankel, Town Supervisor
2300 Elmwood Avenue
Rochester, NY 14618

Re: TPA Program Agreement

Dear Ms. Frankel,

PERMA is in the process of reviewing our records. During this process we realized that some documentation was not in the Town of Brighton's file. Enclosed you will find two (2) updated copies of the Public Employer Risk Management Association Program Agreement for Third Party Administration Services.

Please sign and return both copies to PERMA in the enclosed envelope. When all signatures are completed we will then send an original back to you for your records.

Thank you,

Erin Harrington
Member Services Associate

Enclosures

**PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION
PROGRAM AGREEMENT FOR
THIRD PARTY ADMINISTRATION SERVICES**

THIS AGREEMENT is entered into by and between the Public Employer Risk Management Association, Inc., hereinafter referred to as "PERMA" and the Town of Brighton, hereinafter referred to as the "Town" or the "member", in relation to administrative and risk management services to be provided by PERMA in connection with the member's obligation to secure and provide workers' compensation for and to its employees.

WITNESSETH:

WHEREAS, the Town desires to become a member of PERMA;

WHEREAS, PERMA provides claims administration and risk management services for local governments and other public employers and instrumentalities of the State of New York in connection with their obligations under the Workers' Compensation Law to secure workers' compensation for their employees;

WHEREAS, the **Town** wishes to obtain such services from PERMA and PERMA wishes to provide them to the **Town**; and

WHEREAS, the **Town** will retain and PERMA will not assume any liability for such compensation.

The conditions of membership agreed upon by and between the parties are as follows:

(1) **Term.** This agreement shall be effective on **January 1, 2012** and shall continue in force from said date until **January 1, 2013** at 12:01 a.m.

(2) **Services.** During the term of this Agreement, PERMA shall provide the member with third-party administration services at the expense of member at the prices set forth in the proposal annexed hereto as Appendix A with respect to all open workers' compensation claims pending against the member as of the effective date of this agreement, to the extent such claims are not already covered by PERMA pursuant to a separate Workers' Compensation Program Agreement entered into between PERMA and member effective 1/1/2010. PERMA may at its discretion and expense elect to subcontract any or all of these services to a subcontractor, including but not limited to Northeast Association Management, Inc. ("NEAMI").

Upon receipt by PERMA of notice of claimed injury occurring prior to 1/1/2010, PERMA, through its designee, shall cause all required forms to be prepared and filed; provide a defense, if required; contact the injured employee or employees, as appropriate; and attend compensation hearings. PERMA or its designee will retain and supervise legal counsel on behalf of and at the expense of the member necessary for the prosecution or defense of any litigation. PERMA's choice of counsel for this purpose is subject to the prior approval of Member, which approval shall not unreasonably be withheld. PERMA has authority to settle any subject claim for not more than ^{FIVE} Ten Thousand Dollars ~~(\$10,000.00)~~ ^{\$3,000.00} without prior approval by member and at member's expense. Except as so stated, PERMA or its designee may settle and/or pay any subject claim at member's expense only upon the prior approval of member, which approval shall not unreasonably be withheld. The member shall cooperate fully by supplying any information needed or helpful to defend such action and any other information PERMA may request in order for PERMA to perform this agreement.

SIGN
& DATE

(3) In entering this agreement, the member does not assign or delegate its liability, if any, under the Workers' Compensation Law to provide compensation to its employees or any of them, but retains all such liability, and PERMA neither accepts nor assumes any such liability, in whole or in part. All losses, loss charges and administrative expenses shall be the sole responsibility of the member.

(4) **Statement of Policy.** As a condition of membership, the member subscribes to the following statement of policy:

(a) Purpose

The policy of the member with respect to its exposure to workers' compensation loss shall be to minimize the financial impact upon it resulting from employee accidents covered by the New York Workers' Compensation Law. This will be accomplished by means of:

1. Loss prevention and safety programs to minimize or eliminate risk of employee injury.
2. **Reserved for future use.**

(b) Loss Prevention

The policy of the member shall be to emphasize the reduction, modification, or elimination of conditions and practices which may cause loss. Safety to personnel and the public shall have the highest priority. The member shall be responsible to see that its operations conform to applicable safety standards.

"Safety activities shall be the responsibility of each supervisor and all loss prevention activities, including safety, shall be coordinated by a safety officer

who shall be designated by and responsible to the Chief Executive Officer of the member.”

(c) Reporting of Injuries

All injuries will be reported through appropriate channels to PERMA by a representative of the member so designated to PERMA.

(5) Reserved for Future Use.

(6) Reserved for Future Use.

(7) **Fees.**

(a) Retainer. Within three months after the effective day PERMA shall calculate and invoice a retainer amount equivalent to 30 days of estimated average loss charges. Within 30 days after the issue date of said invoice, member shall submit the retainer amount to PERMA. PERMA may draw upon the retainer amount to cover loss charges as they are incurred. PERMA shall submit to member a monthly invoice that (i) lists the actual charges for loss payments, and (ii) deducts said charges from the retainer amount; and (iii) states the amount required to replenish the retainer amount.

Notwithstanding any other provision of this agreement, and in addition to any other legal remedies, PERMA may increase the replenishment amount of the retainer to not more than 90 days of the estimated loss charges at its sole discretion in the event of late payment by member. Upon termination of this agreement, the unused portion of this retainer will be refunded to the member.

(b) Payment. The member shall pay each and every invoice no later than thirty (30) days after the issue date of the invoice.

(8) **Reserved for Future Use.**

(9) **Reserved for Future Use.**

(10) **Bylaws, Rules and Regulations of PERMA.** The member agrees to continue to abide by and is bound by the rules, regulations and bylaws previously supplied to the **Town** which are adopted by the Board of Directors or members of PERMA. Notice of changes to Bylaws, Rules and Regulations of PERMA shall be mailed by PERMA to the Town of Brighton, 2300 Elmwood Avenue, Rochester, NY 14618.

(11) **Notice to the Parties.** Notice by either party, as the case may be, shall be effected by certified mail to PERMA at its address, 9 Cornell Road, Latham, New York 12210, and to the member at its address, **2300 Elmwood Avenue, Rochester, NY 14618.**

(12) Notwithstanding any other provision of this Agreement, the Member does not by this Agreement transfer to PERMA and PERMA does not assume any reporting or records retention obligations imposed upon the Member by the New York State Workers' Compensation Law.

(13) **Indemnification.** Member shall defend, indemnify and hold harmless PERMA and its subcontractors, and each of their officers, directors, employees, agents, successors and assigns (collectively, the "PERMA indemnitees") from and against any and all claims, liabilities, damages and expenses of any kind, including reasonable attorneys' fees and disbursements, arising out of or relating to acts or omissions actually or allegedly committed or omitted on or before the effective date of this agreement by member or any of any of its officers, directors, employees, agents or third party administrators with respect to the administration of workers' compensation claims. Member's obligations under this section shall survive termination of this agreement.

(14) **File Transfer.** As needed, the member will assist PERMA to facilitate the transfer of complete electronic records. Any and all expenses incurred will be the responsibility of the member and will be invoiced by PERMA within three months of the inception date of this agreement. The data shall be transferred in a format previously approved by PERMA, and shall include for each claim: claimant identifying information (name, social security number, address, occupation, department), claim type (medial or indemnity), a description of the claim and the injuries sustained, complete payment records for each payment made, reserves set and complete file notes. A separate file or report listing total record counts for claims, payment and notes shall also be provided. Comprehensive documentation shall be provided, describing each data field, format, contents, and use within the current recording system. As needed, the member will assist PERMA to facilitate the transfer of the complete paper records of all open claims to arrive at the PERMA office within one week of the Effective Date of this agreement. Any and all expenses incurred will be the responsibility of the member and will be invoiced by PERMA within three months of the inception date of this agreement. Each box of records shall be clearly marked and shall enclose a complete inventory of its contents.

(15) **Amendment of Agreement.** This agreement may not be modified or amended except in writing signed by both parties.

(16) **Severability.** If any provision of this agreement is held to be invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect the remainder of the agreement, which shall be in full force and effect and enforceable in accordance with its terms.

(17) **Entire Agreement; Waiver.** This agreement constitutes the entire agreement existing between the parties with respect to its subject matter, and supersedes all prior understandings regarding its subject matter. No waiver or discharge of any breach of this agreement shall be effective unless it is in writing signed by the party granting such waiver or discharge. Any waiver of any breach of any provision of this agreement shall not be deemed a waiver of any subsequent breach of any provision of this agreement.

(18) **Execution in Counterparts.** This agreement may be executed in duplicate counterparts, one for each party, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

By: _____

Title: _____

ATTEST:

By: _____

PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION

By: _____

Stephen Altieri, Chairman, PERMA Board of Directors

By: _____
John Nielsen, President

APPENDIX A

Third Party Administration Services

Pricing Indication

Date: 1/1/2012

Quote Number: 0001304 TPA

Quotation For:

Broker of Record:

Town of Brighton 2300 Elmwood Avenue Rochester, NY 14618	Paris Kirwan Associates, Inc. PO Box 40420 Rochester, NY 14604
---	---

We are pleased to offer the following quotation to continue administration of the open tail claims for the Town of Brighton:

Tail Claims Fees

Indemnity	\$0 per claim for life of contract
Medical	\$0 per claim for life of contract

Terms and Conditions

- **Tail claims are defined as existing open claim files of the Town of Brighton occurring prior to membership with PERMA, which began on 1/1/2010.**
- **The Town may elect to hire another third party administrator to handle these claims at any time with 60 days written notice to PERMA. Any fees charged will be prorated accordingly.**
- **PERMA is not assuming any of the outstanding liabilities for these claims under this contract.**
- **Claims Deposit: The Town continues to be responsible to PERMA to reimburse us for all medical, indemnity, and other related expenses for all of the listed tail claims administered by PERMA. A deposit is required and drawn down for claims payments. The Town will need to replenish their deposit monthly. The amount required for this fund will be equal to approximately one month's average claims payments and will be reviewed and adjusted annually.**
- **Workers' Compensation Board Assessments relating to any of the Town's open tail claims remain the responsibility of the Town. PERMA will provide the required data for the Town to report to the Workers' Compensation Board for calculation of their Assessments, if any.**

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that J. Stephen Kittelberger of 160 Penarrow Road, in the Town of Brighton be reappointed to a two year term as a member of the Town's Sustainability Oversight Committee effective immediately and through February 28, 2014.

Dated: March 14, 2012

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated March 5, 2012 from Director of Finance Suzanne Zaso regarding donations from area organizations and citizens of the Town of Brighton for the Veterans Memorial Fund be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the acceptance of the generous gifts by area organizations and citizens of the Town of Brighton totaling Nine Hundred and fifty dollars (\$950.00) to the Town's Veterans Memorial Fund and expresses its deep appreciation to all those who contributed.

Dated: March 14, 2012

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 Elmwood Avenue
Rochester, NY 14618

MEMORANDUM

TO: The Honorable Town Board
FROM: Suzanne Zaso, Director of Finance *SZ*
Date: March 5, 2012
Subject: Town of Brighton Veterans Memorial Fund Donations

It is with great pleasure that we request that Your Honorable Body authorize the acceptance of additional monetary donations received from generous area organizations and citizens, to the Town of Brighton for the Veterans Memorial Fund.

We have greatly appreciated the outpouring of community support and endorsement received for this project so far, and we sincerely hope that donations will continue.

The total additional amount of monies received is \$950.00 and have been deposited into Account Number TE 92.Vets. (Veterans Memorial Fund).

Thank you.

c.c. James R. Vogel – Town of Brighton Councilmember
Chairperson of Town of Brighton Veterans Committee

EXHIBIT 7

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 5, 2012 from Commissioner of Public Works Timothy E. Keef, P.E., and the materials attached thereto, regarding a bid award for a four wheel drive backhoe loader be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the award of the bid to Milton Cat which was the lowest responsive and responsible bidder for the purchase by the Town of one (1) four wheel drive backhoe loader at a net price of \$6,725.00, after a trade in credit for an existing backhoe loader; and be it further

RESOLVED, that the Town Board hereby authorizes the Commissioner of Public Works to declare the referenced existing Backhoe Loader as surplus so that it can be utilized as a trade-in credit for the purchase of the above referenced four wheel drive backhoe loader; and be it further

RESOLVED, that the Town Board authorizes the purchase of the above referenced four wheel drive backhoe loader out of funds available in D.HWY.5130.2.23 for said purpose.

Dated: March 14, 2012

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



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS
2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618
PHONE: (585)784-5250 FAX: (585) 784-5368

March 5, 2012

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

re: Award of Contract
Furnish and Deliver One Four-wheel-drive Backhoe Loader

Dear Chairman Werner and Committee Members:

I recommend that a bid be awarded for the above equipment to the low, responsive bidder, Milton Cat, in the base bid amount of \$84,214.00 and in the alternate A amount of \$77,489.00 (deduct for the trade in of an existing backhoe loader), for a total net amount of \$6,725.00. Furthermore, I also request that the backhoe loader for trade in be declared surplus at this time.

The bids were publicly advertized and publicly opened, all as required by law. A copy of the advertisement and of the bid tabulation are all attached. Funds and are available in the D.HWY.5130 2.23 account for this purpose.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled March 6, 2012 meeting in the event that you have any questions regarding this matter.

Very truly yours,

Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wp

cc: T. Anderson
S. Zaso
A. Banker
M. Hussar

STATE OF NEW YORK
Monroe County

STATE OF NEW YORK
Monroe County

LEGAL NOTICE
ADVERTISEMENT FOR BIDS
The Town of Brighton, Monroe County, New York will receive sealed bids for:

Furnish and Deliver
One (1) Four-wheel-drive Backhoe Loader, new and unused, completely as specified
Sealed Bids will be received and bids publicly opened and read at the following place and time:

Place: Town of Brighton
Dept. of Public Works
2800 Elmwood Avenue
Rochester, New York 14618

Date: Friday March 2, 2012
Time: 8:15 A.M. Local Time

The work consists principally of the shipping and delivery of one (1) new unused, four-wheel-drive backhoe loader. The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under the contract. Specifications are available for inspection at the above location and may be obtained there.

Bids must be made in writing on the forms furnished and shall be accompanied by a bid guarantee (bond or certified check) for an amount not less than five percent (5%) of the amount bid in accordance with the

INSTRUCTIONS TO BIDDERS.
The Town of Brighton is exempt under New York State Tax laws and therefore, no sales tax on the cost of materials incorporated into the project shall be included in the bid.
All prices bid shall be good for a period of sixty (60) days after opening.
The Town of Brighton reserves the right to consider bids for sixty (60) days after their receipt before awarding any contract. The Town of Brighton further reserves the right to reject any and all bids, and to accept any Proposal or individual item or items, which it may deem to be the most favorable to its best interests.

A non-collusive bidding certificate shall be included with each bid.

Dated: February 16, 2012

Town of Brighton

Timothy E. Keet, PE
Commissioner of Public Works
(585) 784-5223

Fe-16
02530698

Leslie Smith being duly sworn, deposes and saith that she
Is the bookkeeper for
BRIGHTON-PITTSFORD POST
A weekly newspaper
Published in the Town of Pittsford, County and State
A foresaid and that a notice of which the
Annexed is a printed copy, was published in the said
Paper at once in each week
commencing on the

16TH OF DAY OF FEBRUARY 2012
ENDING ON
16TH OF DAY OF FEBRUARY 2012

Leslie Smith

man of the Publisher subscribed and Sworn to before me on this
17TH DAY OF FEBRUARY 2012

Barbara S. Connelly

Notary Public, State of NY

BARBARA S. CONNELLY
Notary Public In The State Of New York
Monroe County
Commission Expires Jan 21, 2014

Legal 02530698

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 2, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. and the attachments thereto regarding a change order under the agreement with Rochester Plow, Inc. for additional Mowing and Landscaping services be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a change order under the existing contract with Rochester Plow, Inc. for the additional Landscaping and Mowing services outlined in the attachments to the above referenced letter with the understanding that all costs for said work under the change order would be reimbursed by 2875 Monroe Avenue, LLC to the Town.

Dated: March 14, 2012

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



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618
PHONE: (585)784-5250 FAX: (585) 784-5368

March 2, 2012

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

re: Proposed Change Order to the
Mowing and Landscape Services Contract with Rochester Plow, Inc.

Dear Chairman Werner and Committee Members:

The above contract was renewed at the November 30, 2011 Town Board meeting. And, as you may be aware, the agreement between the Town and 2875 Monroe Avenue, LLC (the Daniele Family car wash) calls for certain maintenance measures along Monroe Avenue, I request that a change order to the above contract be approved per the attached prices from Rochester Plow, Inc.. This is being proposed per said agreement in the event that the Daniele's wish to use the Town's prices for this work versus their own contractors. Since the Daniele's are responsible for these costs, they would provide the necessary reimbursement of funds to the Town for this work in accordance with the agreement.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled March 6, 2012 meeting in the event that you have any questions regarding this matter.

Very truly yours,

Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wp

cc: J. LaVigne
T. Anderson
A. Banker
S. Zaso
M. Hussar

ROCHESTER PLOW INC.

P.O. Box 232

HONEOYE FALLS, NEW YORK 14472 (585) 624-1119

PROPOSAL OF LANDSCAPE SERVICES FOR TOWN OF BRIGHTON MONROE AVE CORRIDOR

PREPARED BY:

RYAN STONER

ROCHESTER PLOW INC.

P. O. Box 232
HONEOYE FALLS, NEW YORK 14472 (585) 624-1119

Town Of Brighton
Jerry LaVigne
220 Idlewood Road
Rochester, New York 14618

Dear Jerry,

Below please find pricing for the areas we discussed along the Monroe Avenue Corridor from Westfall to Clover.

Item 1

Clear brick areas, areas under expressway overpass on either side of Monroe Avenue. Clear island in center of Monroe Avenue from Westfall to Friendly's. All work shall occur on a monthly basis. This work includes a 1 time clean up of these areas. No herbicides shall be used.

\$108.00 per visit

One time clean up if monthly plan is not implemented. \$425.00

Item 2

Mowing and trim from edge of road back as indicated below from northbound expressway entrance/ exit to fence by Arby's Restaurant on either side of Monroe Avenue.

20 feet from edge of road	\$80.00 per visit
30 feet from edge of road	\$95.00 per visit
40 feet from edge of road	\$105.00 per visit

Please review the above material and contact me with any questions at any time and thank you again for considering Rochester Plow.

Sincerely,

Ryan Stoner
President

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 2, 2012 from Commissioner of Public Works Timothy E. Keef, P.E., and the materials attached thereto, regarding a bid award for a 2012 pick up truck be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the award of the bid to Toyota of Batavia which was the lowest responsive and responsible bidder for the purchase by the Town of one new and unused 2012 Toyota Tacoma pick up truck for the price of \$28,477.00; and be it further

RESOLVED, that the Town Board authorizes the purchase of the above referenced truck out of funds available in SS.SEWER 8120 2.22 for said purpose.

Dated: March 14, 2012

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



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ROCHESTER, NEW YORK 14618

PHONE: (585)784-5250 FAX: (585) 784-5368

March 2, 2012

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

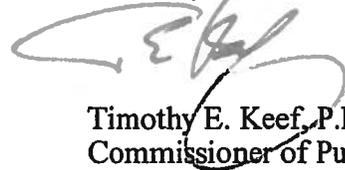
re: Award of Contract
Furnish and Deliver One Pick Up Truck (Sewer Department)

Dear Chairman Werner and Committee Members:

I recommend that the above equipment, a new and unused 2012 pick up truck be purchased from Toyota of Batavia in the base bid amount of \$28,477.00. The bids were publicly advertized and publicly opened, all as required by law. A copy of the advertisement and of the bid tabulation are all attached. Funds are available in the SS.Sewer 8120 2.22 account for this purpose.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled March 6, 2012 meeting in the event that you have any questions regarding this matter.

Sincerely,



Timothy E. Keef, P.E.
Commissioner of Public Works

TEK/wpd

attachments

cc: T. Anderson
S. Zimmer
S. Zaso
A. Banker
M. Hussar

FASC.SEWR.PICKUP.TRUCK.MAR.2012.01

F&D (1) One Compact 4 X 4 Pick Up Truck, 2012 model, new and unused, Wednesday, 2/22/12 @ 11AM

NAME	MAKE & MODEL	BID			
LeBrun Toyota	TACOMA	30,500.			
Toyota of Batavia	TACOMA	28,477.			

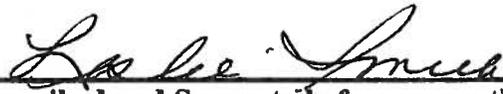
STATE OF NEW YORK
Monroe County

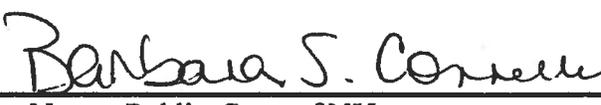
STATE OF NEW YORK
Monroe County

LEGAL NOTICE
ADVERTISEMENT FOR BIDS
The Town of Brighton, Monroe County, New York will receive sealed bids for:
Furnish and Deliver (1) Compact 4x4 Pick Up Truck, 2012 model, new and unused, completely as specified
Sealed Bids will be received and bids publicly opened and read at the following place and time:
Place: Town of Brighton
Dept. of Public Works
2800 Elmwood Avenue
Rochester, New York 14618
Date: Tuesday February 21, 2012
Time: 10:00 A.M. Local Time
The work consists principally of the furnishing and delivery of one (1) new and unused, compact pick up truck, 4 wheel drive, 2012 model. The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under the contract. Specifications are available for inspection at the above location and may be obtained there.
Bids must be made in writing on the forms furnished and shall be accompanied by a bid guarantee (bond or certified check) for an amount not less than five percent (5%) of the amount bid in accordance with the INSTRUCTIONS TO BIDDERS.
The Town of Brighton is exempt under New York State Tax law, and therefore, no sales tax on the cost of materials incorporated into the project shall be included in the bid.
All prices bid shall be good for a period of sixty (60) days after opening. The Town of Brighton reserves the right to consider bids for sixty (60) days after their receipt before awarding any contract. The Town of Brighton further reserves the right to reject any and all bids, and to accept any Proposal or individual item or items, which it may deem to be the most favorable to its best interests.
A noncollusive bidding certificate shall be included with each bid.
Dated: February 2, 2012
Town of Brighton
Timothy E. Keel, P.E.
Commissioner of Public Works
(585)784-5223
Fe 02
02530451

I, _____, do hereby swear, depose and saith that she is the bookkeeper for the **ON-PITTSFORD POST** weekly newspaper published in the Town of Pittsford, County and State of New York, and that a notice of which the foregoing is a true and correct copy, was published in the said newspaper at once in each week commencing on the

15th DAY OF FEBRUARY 2012
ENDING ON
15th DAY OF FEBRUARY 2012


_____ subscribed and Sworn to before me on this
15th DAY OF FEBRUARY 2012



Notary Public, State of NY

BARBARA S. CONNELLY
Notary Public In The State Of New York
Monroe County
Commission Expires Jan 21, 2014

Legal 02530451

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that correspondence dated February 29, 2012 from Brighton Town Justices Karen Morris and John Falk together with the Town Justice Court's 2011 Annual Report of Activity be received and filed.

Dated: March 14, 2012

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

JUSTICE COURT

TOWN OF BRIGHTON

MONROE COUNTY

2300 ELMWOOD AVENUE, ROCHESTER, NY 14618

PHONE: (585) 784-5152 FAX: (585) 784-5380

<http://www.townofbrighton.org>

JUSTICES
KAREN MORRIS
JOHN A. FALK

COURT ADMINISTRATOR
DIANNE BURDETT
ASSISTANT COURT CLERK
MARY JO SCHILLER

February 29, 2012

Supervisor William Moehle
Brighton Town Board Members
Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

Dear Supervisor Moehle and Town Board Members,

We are pleased to provide you with the 2011 Annual Report of Activity for the Brighton Town Court. For a second year the court has exceeded 10,000 completed cases which comprise criminal, civil, landlord tenant, traffic and town ordinance matters. The Town's portion of the funds collected has increased by just over \$3,500 from the prior year.

In highlighting the past year we would first like to express our appreciation for the facility improvements last January. The new carpeting for both the main office and courtrooms has greatly improved the overall appearance of our court for which we are very grateful.

Beginning in 2010 and continuing through this past year the court has undertaken a project to update all our DWI records. Mary Jo Schiller has coordinated this program with the assistance of June Schirmer. This update is designed to complete information in our software program to include adjudication dates and sentence components dating back to 2001 and continuing through 2007. Earlier program software did not include this needed data and its addition will enable us to provide a more complete and accurate court record going forward.

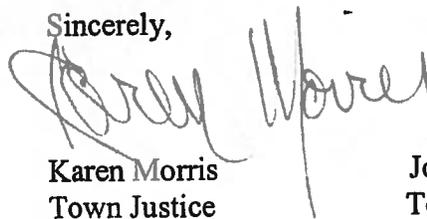
We are also in the early stages of developing a scanning program to transfer court records to electronic files. The program will be designed in meeting with the State's records management guidelines and will be coordinated by our court clerk, Mary Kellenberger-Warax, who has a significant IT background. Space for record storage is becoming critical and we will be addressing this by purging unnecessary files and transferring others to electronic records.

We are also looking into n Court as a future vendor for on-line payment services. This would allow defendants to pay their fines/fees conveniently on-line day or night. It is a service often requested by defendants wishing both the convenience and immediacy of clearing a pending suspension. The fees for the defendant are significant and we are currently reviewing the program.

As you can see from the attached arrest and disposition spreadsheets, a significant number of cases and funds are handled each year by our dedicated court staff. Aside from those already mentioned, our part-time clerk, Marisa Koehler and Court Administrator, Dianne Burdett continue to provide the professionalism and service our court is known for. Despite the volume of cases, there is no significant backlog and we remain current with hearing and trial calendars.

We are grateful to the Town for its continued support and we will be happy to respond to any questions you may have with this report.

Sincerely,



Karen Morris
Town Justice



John A. Falk
Town Justice

KM/JAF/db

**BRIGHTON TOWN COURT
SUMMARY OF COMPLETED CASES
FOR YEARS 2007-2011**

Statute	2007	2008	2009	2010	2011
Vehicle Traffic	8847	8864	8274	9314	8996
Penal Law	444	476	494	584	592
Civil	125	156	103	123	141
Town Ordinance	277	292	211	189	167
Small Claims	49	37	49	43	35
DWI	386	438	391	426	390
Agg Unlic Oper	263	267	253	215	230
Speeding	1952	1977	1824	2040	1712
Defendants	7342	7327	6884	7730	7411

Fines	\$329,390	\$330,630	\$274,340	\$294,875	\$277,535
Surcharges	\$362,700	\$372,545	\$461,082	\$540,750	\$476,940
Civil Fees	\$1,915*	\$2,655*	\$2,410*	\$1,950*	\$2,395*

TOTAL CASES	9,792	9,873	9212	10360	10093
TOTAL RECEIPTS	\$694,005	\$705,380	\$737,832	\$837,575	\$756,870
TOTAL TOWN REIMBURSEMENT	\$244,749	\$246,859	\$235,451	\$253,804	\$257,330

** Bail poundage and bail forfeitures are no longer included under civil fees in the new SEi software program.*

**ARREST REPORT BY AGENCY
2007-2011**

AGENCY ARRESTS

TOWN POLICE	2007	2008	2009	2010	2011
VTL	5669	5076	4546	5200	5508
PL	410	451	481	447	484
DWI	234	214	202	183	193
TOTAL CASES	6414	5848	5276	5830	6208

MONROE COUNTY SHERIFF

VTL	2233	2588	1608	1357	1705
PL	33	32	43	52	46
DWI	194	237	165	110	167
TOTAL CASES	2315	2719	1685	1519	1913

STATE POLICE

VTL	1276	1704	2044	3016	2321
PL	13	17	9	24	43
DWI	28	17	28	22	33
TOTAL CASES	1303	1727	2072	3062	2377

NOTE: The total cases figure represents other arrest categories that are not line itemed; i.e. civil, local law, transportation law, etc.

Town Reimbursement

	2012	2011	2010	2009
January		\$ 19,606.00	\$ 17,236.00	\$ 20,639.30
February		\$ 17,438.30	\$ 15,966.40	\$ 18,715.00
March		\$ 19,601.75	\$ 23,565.20	\$ 25,899.00
April		\$ 15,911.00	\$ 21,515.50	\$ 20,189.80
May		\$ 20,819.75	\$ 21,190.50	\$ 18,291.20
June		\$ 18,911.25	\$ 26,236.05	\$ 21,462.50
July		\$ 16,445.55	\$ 19,937.75	\$ 19,356.75
August		\$ 26,510.25	\$ 27,420.00	\$ 20,359.55
September		\$ 29,128.08	\$ 18,391.35	\$ 19,386.60
October		\$ 31,910.75	\$ 20,944.90	\$ 17,792.50
November		\$ 23,397.25	\$ 25,205.70	\$ 19,111.00
December		\$ 17,649.70	\$ 16,194.50	\$ 14,248.00
Yearly Total		\$ 257,329.63	\$ 253,803.85	\$ 235,451.20

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated February 17, 2012 from Finance Director Suzanne Zaso regarding a fund equity transfer to the Sewer Equipment Capital Reserve be received and filed; and it is further

RESOLVED, that the Town Board hereby authorizes the transfer of \$60,000.00 from unreserved fund balance to the Sewer Equipment Capital Reserve (SS 878.EQSWR) consistent with the Town's adopted 2011 budget and Capital Improvement Plan.

Dated: March 14, 2012

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance
Date: February 17, 2012
Subject: Contribution to the Sewer Equipment Reserve Fund

I recommend that Your Honorable Body authorize a fund equity transfer to contribute \$60,000 to the Sewer Equipment Capital Reserve (SS 878.EQSWR) established by the Town Board for the purpose of funding sewer equipment purchases. The town's adopted capital improvement plan (CIP) earmarked these funds to be placed in the reserve for the replacement purchase of a ten-wheel dump truck. The CIP systematically plans for the addition to the reserve for the replacement of needed vehicles and equipment.

This contribution was budgeted in the 2011 budget, however the funds fell to unreserved fund balance at year-end close. This contribution of \$60,000 will bring the Sewer Equipment Capital Reserve account balance to \$217,416.

I would be happy to answer any questions that the committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, T. Keef, and K. Gordon

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT :

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated March 5, 2012 from Finance Director Suzanne Zaso regarding an amendment to the 2012 Capital Reserve Budget relative to the appropriation and/or re-appropriation of unexpended balances and interest for capital projects initiated in 2011 or prior years be received and filed; and it is further

RESOLVED, that the Town Board hereby authorizes the appropriations and/or re-appropriations set forth in the above referenced memorandum and hereby empowers and directs the Director of Finance to make any and all necessary accounting entries to implement the actions authorized herein.

Dated: March 14, 2012

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *sz*
Date: March 5, 2012
Subject: Appropriation/Re-Appropriation of Capital Projects Budgets

With regard to ongoing capital projects initiated in the 2011 or prior year, I recommend that Your Honorable Body authorize the Finance Department to take the following action, as detailed in the attached "Capital Budget Appropriation and Re-Appropriation Journal Entry for 2012":

- To re-appropriate the balances of estimates for all unrealized revenues and all unexpended, unencumbered appropriations relating to ongoing capital projects initiated in years prior to 2012, and
- To authorize the appropriation of, and the transfer of cash provided for, cash capital contributions provide for in the 2012 budget, and
- To appropriate into each capital project budget any interest earned on project monies through 12/31/2011, thereby providing additional spending authorization and excluding interest earned on borrowed funds (that have been properly transferred to the Debt Service Fund), and
- To direct and empower the Director of Finance to make any and all necessary accounting entries to implement the Town Board's intended actions with regard to this matter.

I will be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, K. Gordon

TOWN OF BRIGHTON			
2012 CAPITAL BUDGET			
Appropriation/Re-Appropriation of Prior-Year "Open" and "New" Capital Projects			
<u>Capital Project Description</u>	<u>Budget Code</u>	<u>Debit</u>	<u>Credit</u>
<u>Highland Park / Canalway Trail Project (PARKS/TPTRL)</u>			
Highland Park / Canalway Trail - Intergovernmental Fees (City of Rochester)	H.PARKS.TPTRL 2389	\$16,648.32	
Highland Park / Canalway Trail - Federal Aid	H.PARKS.TPTRL 4585	\$127,638.02	
Highland Park / Canalway Trail - Engineering Fees	H.PARKS.TPTRL.4.52		\$27,323.00
Highland Park / Canalway Trail - Engineering Fees (approp. Interest)	H.PARKS.TPTRL.4.52		\$35.69
<u>Town Hall/Library Connection:</u>			
Town Hall/Library Connection-Architectural Fees	H.BLDGS.CONCT.455		\$2,000.00
<u>Corwin Road Bridge Maintenance</u>			
Corwin Road Bridge - Federal Aid	H.BRIDG.CORWN 4580	\$243,177.00	
Corwin Road Bridge - Transfer from Highway Fund	H.BRIDG.CORWN 5015	\$49,659.00	
Corwin Road Bridge - Construction Costs	H.BRIDG.CORWN 2.67		\$218,290.00
Corwin Road Bridge - Engineering Fees	H.BRIDG.CORWN 4.52		\$30,064.00
<u>Park Planning and Investigation Project:</u>			
Park Planning/Investigation - Planning/Consulting Services	H.PARKS.PLAN.449		\$81,068.45
Park Planning/Investigation - Planning/Consulting Services (approp. Int.)	H.PARKS.PLAN.449		\$431.39
Park Planning/Investigation - Printing/Copy Charges	H.PARKS.PLAN.483		\$250.00
Park Planning/Investigation - Legal Notice Charges	H.PARKS.PLAN.486		\$250.00
<u>Open Space Acquisition/Development Project:</u>			
Open Space Plan - Land Acquisition Costs	H.PARKS.PRK03.261		\$22.96
Open Space Plan - Site Development Costs	H.PARKS.PRK03.266		\$330,565.05
Open Space Plan - Engineering Charges	H.PARKS.PRK03.452		\$40,699.20
BAN-Related Legal Notice Costs	H.PARKS.PRK03.486		\$401.85
<u>Construction of Senator Keating Blvd.:</u>			
Senator Keating Blvd. - Engineering Fees	H.CAPRJ.SNKTG.452		\$8,717.25
Senator Keating Blvd. - Engineering Fees (approp. Interest)	H.CAPRJ.SNKTG.452		\$23.12
<u>Construction of Highland Avenue:</u>			
Highland Avenue Project - Federal Aid for Road Construction	H.ROADS.HGLND 4580	\$40,964.42	
Highland Avenue Project - NYS Aid for Road Construction	H.ROADS.HGLND 3580	\$9,578.02	
Highland Avenue Project - Road Construction	H.ROADS.HGLND 2.67		\$13.21
Highland Avenue Project - Road Construction (approp. Interest)	H.ROADS.HGLND 2.67		\$162.97
Highland Avenue Project - Engineering Fees	H.ROADS.HGLND 4.52		\$11,825.00
<u>Stormwater Drainage Improvements</u>			
Stormwater Drainage Improvements - Drainage Materials/Supply	H.SEWER.STORM 4.05		\$47,618.40
Stormwater Drainage Improvements - Transfer to Debt Service	H.SEWER.STORM 9.20		

TOWN OF BRIGHTON			
2012 CAPITAL BUDGET			
Appropriation/Re-Appropriation of Prior-Year "Open" and "New" Capital Projects			
Capital Project Description	Budget Code	Debit	Credit
Technology Improvements 2011			
Technology Improvements - Serial Bonds	H.TECH.2011 5710	\$151,600.00	
Technology Improvements - BANs Redeemed from Approp.	H.TECH.2011 5731	\$37,900.00	
Technology Improvements - Audio Visual Equipment	H.TECH.2011 2.14		\$5,212.9
Technology Improvements - Computer Software/Supplies	H.TECH.2011 4.15		\$7,518.1
Purchase of Amulance for 2011			
2011 Ambulance Purchase - Serial Bonds	H.AMBUL.AMB11 5710	\$75,000.00	
2011 Ambulance Purchase - BANs Redeemed from Appropriations	H.AMBUL.AMB11 5731	\$25,000.00	

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated February 1, 2012 from Junior Engineer Chad Roscoe and the petition and materials attached thereto regarding proposed extension #95 to the Brighton Consolidated Sewer District for property located at 479 French Road be received and filed; and it is further

RESOLVED, that the Town Board hereby sets a public hearing on said proposed sewer extension for 7:30 pm on April 11, 2012.

Dated: March 14, 2012

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



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ★ ROCHESTER, NEW YORK 14618 ★ PHONE (585)784-5250 ★ FAX (585)784-5368

2/1/2012

Mr. Tim Keef, P.E.
Commissioner of Public Works
Town of Brighton
Dept. Of Public Works
2300 Elmwood Avenue
Rochester, NY 14618

Re: Extension #95 To the Brighton Consolidated Sewer District

Dear Commissioner Keef:

I have reviewed the enclosed petition, map and description for the above Extension #95 To the Brighton Consolidated Sewer District formation and find them to be in order. The Assessor's Certificate and the Negative Declaration pursuant to the State Environmental Quality Review are also enclosed. Copies are enclosed for you file – all the original documents are forwarded to Mary Ann Hussar for processing.

The entrance fee for this district is calculated as follows:

1.134 acres @ \$300/acre	=	\$340.2
Legal & Advertising Fee	=	<u>\$150</u>
Total	=	\$490.2

Said fee was processed at the Town Hall on 2-21-12, 2012. A photocopy of the check is enclosed as part of the petition packet. Please proceed to set the public hearing date for this district at the next available Town Board meeting. Do not hesitate to contact me if you have questions regarding this matter.

Sincerely,

Chad Roscoe
Junior Engineer
Department of Public Works

CC: T. Keef
M. Hussar
S. Zaso
S. Zimmer
E. Ainsworth



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE ★ ROCHESTER, NEW YORK 14618 ★ PHONE (585)784-5250 ★ FAX (585)784-5368

2/1/2012

Elaine Ainsworth
Town of Brighton Assessor

Re: Formation of Brighton Consolidated Sewer District Extension 95

Elaine;

The property owner (Annemarie Piacentini) at 477 French Road would like to create a district on Tax I.D. No.: 150.14-1-54. Based upon the received petition, the proposed district meets the ad valorem requirements.

Attached is the map and description of the proposed district along with the petition, a list of the properties and their assessed values.

The official name of the proposed district will be:
Brighton Consolidation Sewer District Extension 95

If you have any questions feel free to contact me.

Sincerely,

Chad Roscoe
Junior Engineer
Town of Brighton, DPW

TOWN OF BRIGHTON
ASSESSOR'S OFFICE
2300 ELMWOOD AVENUE
ROCHESTER, NY 14618
(585) 784-5215

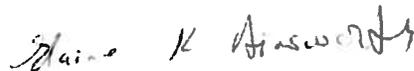
DATE: February 17, 2012
TAX ID#: 150.14-1-54
ADDRESS: 1.10 acre (+ or -) residential
vacant lot to be numbered
479 French Road in the Town
of Brighton
EXTENSION NO.: 95 Brighton
Consolidated
Sewer District

I, Elaine K. Ainsworth, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petition for the Extension Number 95 to the Brighton Sewer District, Town of Brighton, to be filed in the Town Clerk's Office in the Town of Brighton, County of Monroe, State of New York, and that:

- 1) The total assessed valuation of the real property within the parcel of the said district extension is \$41,000.
- 2) The aggregate assessed valuation of the real property therein owned by the signers of said petition is \$41,000.
- 3) Said petition purports to be signed by the owners of more than one-half (1/2) the value of the real property within the area of the proposed extension of the district.

All as appears from the 2011 Assessment Roll, which is the latest completed assessment roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 17th day of February, 2012.



Elaine K. Ainsworth, IAO
Assessor
Town of Brighton

FRENCH ROAD

(49.5' WIDE) CENTERLINE

586.70' TO THE CENTERLINE
EDGWOOD AVENUE

27.16'

110.00'

110.00'

66°42'30"

27.16' CENTERLINE

WIRES

STREET LINE

LOT 4
 REPORTED OWNER
JOSEPH A. FAZI

520.00' CENTERLINE
 492.85'

LOT 9
 SBL #160.14-1-64
 49,418.2 SQ. FT.
 1.134 ACRES

492.85'
 620.00' CENTERLINE

LOT 2
 REPORTED OWNER
ANNEMARIE PIAZZINI

66°42'30"

110.00'

114°17'30"

REPORTED OWNER
**JEWISH COMMUNITY CENTER
 OF GREATER ROCHESTER, INC**



O'NEILL-RODAK
 LAND SURVEYING ASSOCIATES, P.C.
 LAND SURVEYORS - PLANNERS
 BOUNDARY CONSULTANTS
 FLOOD ZONE DETERMINATIONS
 ALTA/ACSM SURVEYS

5 SOUTH FITZHUGH STREET
 ROCHESTER, NY
 14814

PHONE (585) 325-7520 FAX (585) 325-1708
 e-mail onellrodak@frontiernet.net

MAP A PARCEL SHOWING

BRIGHTON CONSOLIDATED SEWER DISTRICT
 EXTENSION 95

TOWN OF BRIGHTON

MONROE COUNTY, NEW YORK

CLIENT
 FRANK D'ANGELO

SCALE
 1" = 80'

DATE
 1/31/2012

PROJECT NO.
 2011-0475-3



Brighton Consolidated Sewer District
Extension 95
SBL #150.14-1-54

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Brighton, County of Monroe and State of New York, more particularly known and described as follows:

COMMENCING at a point in the centerline of French Road located 566.70 feet east of the centerline of Edgewood Avenue;

thence (A) southerly through the highway boundary of French Road forming an angle of $65^{\circ}-42'-30''$ in the southwest quadrant a distance of 27.15 feet to the point of beginning;

thence (1) easterly along the southerly highway boundary line of French Road (49.5 feet wide) a distance of 110.00 feet to a point;

thence (2) southerly along the west line of reputedly AnneMarie Piacentini forming an interior angle of $65^{\circ}-42'-30''$ with course (1) a distance of 492.85 feet to a point;

thence (3) westerly along the north line of reputedly Jewish Community Center of Greater Rochester, Inc. forming an interior angle of $114^{\circ}-17'-30''$ with course (2) a distance of 110.00 feet to a point;

thence (4) northerly along the east line of reputedly Joseph A. Fazi forming an interior angle of $65^{\circ}-42'-30''$ with course (3) a distance of 492.85 feet to the point of beginning.

Course (4) forms an interior angle of $114^{\circ}-17'-30''$ with course (1).

Parcel contains 49,413.2 square feet which equals 1.134 acres. \pm

PETITION

In the Matter of the Establishment

Of

The Brighton Consolidated Sewer District Extension 95

in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the **Brighton Consolidated Sewer District Extension 95** in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges.

Dated: 1/31, 2012

Address: 479 French Rd. Rochester, NY 14618
A.P. # TA # 150.14-1-54

Annamarie Piacentini
Signature

Signature

ANNAMARIE PIACENTINI
Print Name

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

On this 31st day of January, 2012, before me the undersigned, personally appeared Annamarie Piacentini, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Amanda Marie Turpyn
Notary Public

AMANDA MARIE TURPYN
Notary Public, State of New York
Qualified in Monroe County
Reg. No. 01TU6243644
Commission Expires 6/20/2015

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

On this _____ day of _____, 20____, before me the undersigned, personally appeared _____, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated March 5, 2012 from Finance Director Suzanne Zaso regarding a Municipal Choice Agreement with Canandaigua National Bank and Third Party Custodial Agreements with Canandaigua National Bank and M & T Bank be received and filed; and it is further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Municipal Choice Agreement by and between the Town and Canandaigua National Bank & Trust Co., a Third Party Custody Agreement by and among the Town, Canandaigua National Bank & Trust Co., and Manufacturers and Traders Trust Company, and a Third Party Custodian Agreement, by and among the Town, Manufacturers and Traders Trust Company and The Bank of New York Mellon, in each case subject to review and approval of each said agreement by the Attorney to the Town.

Dated: March 14, 2012

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *MS*
Date: March 5, 2012
Subject: Bank Custodial Agreements and Account Contract

I request that Your Honorable Body authorize the Supervisor to execute Third Party Custodial Agreements with Canandaigua National Bank (CNB) and M&T Bank to secure uninsured deposits over the FDIC amounts. The custodian for CNB is M&T Bank and the custodian M&T is The Bank of New York Mellon. I also request that Your Honorable body authorize the Supervisor to sign a Municipal Choice Agreement with CNB regarding the rules and regulations governing deposit accounts.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, K. Gordon

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated March 6, 2012 from Finance Director Suzanne Zaso and a proposed engagement letter attached thereto regarding engaging the services of Harris Beach PLLC as bond counsel for the Town be received and filed; and it is further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the proposed Letter of Engagement with Harris Beach PLLC for bond counsel services to the Town subject to review and approval of said Letter of Engagement by the Attorney to the Town.

Dated: March 14, 2012

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *MS*
Date: March 6, 2012
Subject: Engagement Letter for Bond Counsel Services

I request that Your Honorable Body authorize the Supervisor to execute an engagement letter with Harris Beach PLLC for bond counsel services to the Town per the attached letter from Harris Beach. This independent counsel will assist the Town in all obligations issued by preparing bond resolutions, legal notices and certificates, notice of sale, and all closing related documents, in addition to other services relating to the issuance. Fees for this service are based on the type and size of the issuance.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Copy to: W. Moehle, K. Gordon

February 20, 2012

Town Board of Town of Brighton, New York
c/o Hon. William W. Moehle, Supervisor
Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

Re: Engagement Letter for the Provision of Bond Counsel Services to Town of Brighton, New York

To the Members of the Town Board:

Harris Beach is pleased to submit this letter for the purposes of securing our engagement by the Town of Brighton, New York (the "Town") to serve as Bond Counsel in connection with its issuance of general obligation indebtedness.

This letter will set forth a summary of the services we provided as Bond Counsel and our schedule of fees to be charged the Town for such services.

Experience

Harris Beach PLLC is a nationally recognized bond "Red Book" listed bond counsel firm. We serve as bond counsel to municipalities, fire districts, school districts, and state and local agencies throughout New York State. Our Public Finance Department has experience with all types of general obligation bond financings and has worked with most of the underwriters and fiscal advisors who do business with New York State municipalities and school districts. Charlie Schachter and I will serve as your lead attorneys on the financing and the key contact for this proposal.

Services

As bond counsel to the Town, we would act as a recognized independent counsel with respect to the authorization of the obligations being issued, and undertake all legal services associated with that responsibility. In particular, we would draft the bond resolution to be adopted by the Town Board to authorize the borrowings along with all associated legal notices and certificates. We would also review, as part of our due diligence, copies of all the proceedings undertaken by the Town Board to date with respect to improvements to be undertaken by the Town.

For each bond anticipation note issue, we would prepare or review, as appropriate, the Notice of Sale, if any, for the financing and if an Official Statement is published for such transaction, we would assist in the preparation of such document by reviewing those sections describing the notes, the project being financed, and the legality and tax exempt status of the notes. For the closing on the notes, we would prepare all of the necessary documentation, including the certificate of determination or authorizing resolution, as appropriate, the note, the arbitrage and tax certificates, the material events disclosure agreement, if required, and all other certificates and documents customarily provided in this type of transaction. We would also file the necessary information return with the Internal Revenue Service. Finally, we would render our approving opinion regarding the validity, enforceability and tax exempt status of the notes.

For each serial bond or statutory installment bond transaction, we expect to be primarily responsible for the preparation of the notice of sale for the bond issue. We would also assist the Town in the preparation of any official statement by reviewing those sections of the document pertaining to the bond issue, the projects being financed, and the legality and tax exempt status of the bonds. For the closing on the bond issue, we would prepare all the documentation customarily entered into for this type of transaction, including the certificate of determination, the form of bond, the tax and arbitrage certificates, the continuing disclosure agreement and all other certificates and documents to be entered into in connection with the financing. We would also arrange for the delivery of the bonds to the purchaser (or if the bonds are in book entry form, to the depository for the bonds) and file the necessary information return with the Internal Revenue Service. Finally, we would render our approving bond counsel opinion regarding the validity, enforceability and tax exempt status of the bonds.

If the Town is to obtain financing through the New York State Environmental Facilities Corporation ("EFC") on a short-term loan basis, we would review all loan documents prepared by EFC, participate in telephone conferences with EFC personnel, prepare any other necessary closing documents, and render our approving bond counsel opinion with respect to validity and enforceability of the bond anticipation notes issued to EFC. Further, in connection with any permanent financing obtained through EFC in the form of serial bonds or statutory installment bonds of the Town, we would review and comment on the EFC loan documents, prepare any additional closing documents necessary, participate in telephone conferences with EFC personnel, coordinate the delivery of all executed documents to EFC and render our approving bond counsel opinion.

Please note that in connection with each bond and note transaction, we do not anticipate that we will be primarily responsible for the preparation of either the Official Statement (or other disclosure document) or any debt statement prepared and filed in accordance with New York Law. It is our assumption that these documents will be prepared either by the Town or by its fiscal advisor, if any, as is customarily the case. We will, however, review these documents and

comment, as necessary, to ensure that the Town has complied with all applicable disclosure and filing requirements in connection with the bond issue.

Fees and Charges

Set forth below is the proposed schedule for fees we would charge the Town for bond counsel services.

Bond Anticipation Notes: For each original issue bond anticipation note issue, we would charge a fee not to exceed \$750 plus \$.40 per thousand dollars of notes issued. For each renewal bond anticipation note issue, we would charge a fee not to exceed \$500 plus \$0.40 per thousand dollars of note issued, plus out-of-pocket disbursements. Thus, under this formula, if the Town were to issue a bond anticipation note for new money in the amount of \$1,000,000, our fee would not exceed \$1,150 plus disbursements. For a renewal note in the same amount, our fee would not exceed \$900, plus disbursements.

Statutory Installment Bond: For a statutory installment bond of \$1,000,000 or less, we would charge a fee not to exceed \$1,000 plus \$0.80 per thousand dollars of bonds issued. Thus, under this formula, if the Town were to issue a statutory installment bond in the amount of \$1,000,000, our fee would not exceed \$1,800, plus disbursements.

Serial Bonds (competitive bid): For a serial bond issue, we would charge a fee not to exceed \$2,000 plus \$0.80 per thousand dollars of bonds issued, plus out-of-pocket disbursements. Thus, under this formula, if the Town were to issue serial bonds of \$1,000,000, our fee would not exceed \$2,800, plus disbursements.

EFC Short-Term Loan: For short-term loan in the form of a bond anticipation note issued to EFC, we would charge a fee not to exceed \$2,500 plus \$0.40 per thousand dollars of BAN issued. Thus, under this formula, for a \$1,000,000 BAN issued to EFC, our fee would not exceed \$2,900, plus disbursements.

EFC Long-Term Loan: For the long-term bond issue through EFC (including any hardship assistance grants), we would charge a fee not to exceed \$4,000 plus \$0.80 per thousand dollars of bonds issued, plus disbursements. Thus, under this formula, for a \$1,000,000 financing through EFC, our fee would be \$4,800, plus disbursements.

Refunding Bonds: For each refunding bond issue our fee will be as specifically agreed upon with the Town at the time of the refunding.

Services not Related to Transactions: For services not related to a specific transaction, we would bill the Town on an hourly basis for the amount of time devoted to a particular matter at discounted rates of 25 percent below our standard hourly rates. The Firm's current standard hourly billing rates for legal staff are as follows: Members: \$295- \$475; Of Counsel: \$225 - \$275; Associates: \$150 - \$250; and Paralegals: \$90 - \$ 150.

Please note that if we are called upon to provide services in connection with the drafting and submission of special legislation by the New York State Legislature with respect to the Town's outstanding borrowings, this work would be billed on an hourly basis. We would be happy to provide an estimate of the total fee for such work, once we have received more information on the Town's needs.

Disbursements. Disbursements for direct out-of-pocket costs, such as long distance telephone calls, photocopying and facsimile charges, postage and courier charges, and travel costs, if any, will be billed to the Town in addition to the fees for services rendered.

Billing and Collection Information

Our fees are normally billed after the closing of each transaction. We customarily do not submit a statement for services until that time, unless there is a substantial delay in completing the financing or the financing is not completed.

Conclusion

Thank you again for considering Harris Beach to serve as bond counsel to the Town. We look forward to the opportunity to work with you. If the Town finds this proposal to be acceptable, please have the enclosed duplicate copy of this letter signed on behalf of the Town on the signature line provided. If you have any questions regarding our firm, the services we would provide, or the proposed fee arrangements outlined above, please do not hesitate to call me.

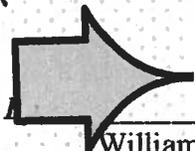
Very truly yours,

Patrick M. Malgieri

Agreed to and accepted this
_____ *day of March, 2012*

TOWN OF BRIGHTON, NEW YORK

**SIGN
& DATE**



William W. Moehle
Supervisor

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that the Town Historian Annual Report of Activity for the year 2011 received from Brighton Town Historian Mary Jo Lanphear on March 13, 2012, be received and filed.

Dated: March 14, 2012

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

Activity Report, 2012

Talks and public programs

Monroe Avenue program for Brighton Neighbors United dinner
Civil war on the Home Front, Brighton Rec. program
Virginia Colony neighborhood history for that group
Stone and Tolan family history for the Stone-Tolan house docents
Tours of the Canal for Canal Fest, Brighton Recreation program
Migration and immigration to Genesee Country for Rochester City School
District Social Studies teachers
Tour of Brighton Cemetery, Brighton Recreation program

Articles for publication

1795 Monroe Avenue (old Town Hall) for Our Towns
Stone-Tolan house for Our Towns
Warrant house for Our Towns
Buckland house for Our Towns
Brighton Explosions for Historic Brighton newsletter
Lovina Wells Riley, 3rd wife of Orringh Stone, for Historic Brighton newsletter
Caple's Tavern, 1832 Monroe Avenue, for Historic Brighton Newsletter
Grinnell's restaurant for Historic Brighton newsletter

House Histories for:

160 Penfield Road
781 Penfield Road
81 Penfield Road
196 Wilshire Road
135 Klink Road
194 Edgewood Avenue
224 Vernon Place
211 Windemere Road
3030 Brighton-Henrietta Town Line Road
Life Magazine houses of 1940s

Meetings and Workshops

Historic Preservation Conference, Dansville
Monroe County Municipal historians' meetings in April and October
Workshops on publishing local history at Rochester Public Library in
March and May
Tompkins County historian, Carol Kammen - workshop on doing local history
Government Appointed Historians of Western NY meeting at Chautauqua
Archives Month workshop at Rochester Public Library
Landmark Society Annual Meeting

Veterans' Memorial project

Met with Larry Schulman and Chuck Baylis to compile names
Obtained microfilm of Town Clerks' Records of Civil War Servicemen from the
New York State Library. Photocopied the pages and transcribed the data
to an Excel file.

Memberships

Historic Brighton Board, ex officio
Officially Appointed Historians of Monroe County
Association of Public Historians of New York State
Government Appointed Historians of Western New York
Landmark Society of Western New York
Friends of Mount Hope Cemetery Board of Trustees
Preservation League of New York State
Rochester Historical Society
New York State Archives

Other

Exhibit on Brighton Explosions for Brighton Memorial Library in September
Consultation with residents of Babcock Drive to compile history of Cloverwood
Neighborhood
Worked with Mike Guyon and Highland Trail logo committee to select trail name
Shared historian's office with Jerry LaVigne while Brookside was being renovated
during the summer.

Requests for Information

Among the more than 150 queries were the following subjects of interest:

The 1982 ax murder
Judson Brothers Fishing Rod Manufacturers
Iola Sanitarium
Lime quarry on East Avenue
Camp Hideaway at Corbett's Glen
Lock #66 neighborhood in city, formerly Brighton
Brighton Symphony Orchestra
Abram Westfall
History of Brighton High School
"Discarded" headstones in Ellison Park
The aroma of coffee roasting in W. Brighton

Acquisitions

Brighton School #3 (on Westfall Road) schoolbooks
Brighton Historical Society artifacts from the Brighton Presbyterian
Church
Color photograph of Monroe Avenue
Abstract for Valley Road house

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 14th day of March, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that the printed copy of the electronic mail communication dated March 6, 2012 from Pat A. Inzer, Secretary of the West Brighton Fire Department, Inc. to Town Clerk Dan Aman regarding the election of new members, be received and filed; and be it further

RESOLVED, that the Town Board hereby confirms, as requested in said communication, the membership of Jessica L. Conner of 156 Community Manor Drive and Robert C. Peper of 89 Southland Drive with the West Brighton Fire Department, Inc.

Dated: March 14, 2012

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

From: Pat Inzer <pai@rochester.rr.com>
Sent: Tuesday, March 06, 2012 11:38 AM
To: daniel.aman@townofbrighton.org; MaryAnn Hussar; Christopher Smith; Bob Tedrow
Subject: New WBFD Members

March 6, 2012

Mr. Daniel Aman, Town Clerk
Town of Brighton 2300 Elmwood Avenue
Rochester, New York 14618

RE: New West Brighton Fire Department, Inc. Members.

Dear Mr. Aman:

The West Brighton Fire Department, Inc. is pleased to inform you and the Brighton Town Board that the following individual were elected to Active Membership on March 5, 2012 and request that they be confirmed by the Board at their next meeting.

Mr. Jessica L. Conner
156 Community Manor Drive No. 3
Rochester, New York 14623

Mr. Robert C. Peper
89 Southland Drive
Rochester, New York 14623

Thanking you in advance for your consideration on this matter.

Sincerely,

Pat A. Inzer, Secretary
Board of Directors
West Brighton Fire Department, Inc.