

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
November 14, 2012

Present:

Supervisor William Moehle
Councilmember James Vogel
Councilmember Jason DiPonzio
Councilmember Christopher Werner
Councilmember Louise Novros
Mike Guyon, Town Engineer
Mark Henderson, Chief of Police

Kenneth Gordon, Attorney for the Town
Daniel Aman, Town Clerk
Suzanne Zaso, Director of Finance
Jerry LaVigne, Director of Recreation
Maryann Hussar, Assistant to the Supervisor

MEETING CALLED TO ORDER AT 7:11 PM:

RECOGNITIONS/PRESENTATIONS:

Military History Society of Rochester – Chuck Baylis

OPEN FORUM:

Mary Ellen Dangler
Cheryl Sussman

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

October 10, 2012 Town Board Meeting
October 17, 2012 Special Town Board Meeting
October 24, 2012 Town Board Meeting

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to approve and file the aforementioned Town Board Meeting minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Proposed Stop Sign installations along Sylvan Road (see Resolution #1)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Temporary amendment to the Town's Noise Control Law from Bergman Associates (see Resolution #2).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner 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: Proposed Extension to the Brighton Reserve Storm Drainage District (see Resolution #3).

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

BIDS:

MATTER RE: Authorization to solicit for proposals for mowing and landscaping services for the year 2013 (see Resolution #4 and letter dated November 1, 2012 from Jerry LaVigne, Director of Parks and Recreation).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio 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: Authorization to solicit for proposals to provide police vehicle set-up services for the year 2013 (see Resolution #5 and letter dated October 30, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Jason DiPonzio 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: Authorization to solicit for police vehicle-stripping services for the year 2013 (see Resolution #6 and letter dated October 30, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner 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

COMMUNICATIONS:

FROM Lori Maher, NY State Department of Transportation thanking Supervisor Moehle for participating in the Diverging Diamond ribbon cutting event.

FROM David Ewell, Brighton Animal Control Supervisor to Police Chief Mark Henderson dated October 15, 2012 expressing his thanks and appreciation for the help and support he received during this year's Free Rabies Immunization Clinic.

FROM US Senator Charles E. Schumer, dated October 23, 2012 thanking Supervisor Moehle for participating in the local government leadership discussion held on October 22, 2012.

FROM Chris Mueller, Director of Government Relations, Time Warner Cable dated November 2, 2012 to Supervisor regarding "Switched Digital Video" technology deployment.

FROM Ken Glazer on behalf of Buckingham Properties dated November 12, 2012 to Supervisor Moehle and Town Board allowing the 45-day approval requirement of the Draft Environmental Impact Statement per SEQR to be extended for the project known as Winfield Park.

FROM Louise Craig of Howland Ave. to Supervisor Moehle dated October 30, 2012 expressing how much she appreciates being a resident of the Town of Brighton with all it has to offer.

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the aforementioned communications be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services – Next meeting November 26, 2012 at 4:30 PM at Brookside
 Finance and Administrative Services – Next meeting November 20, 2012 at 3:30 PM in Stage Conference Room
 Public Safety Services – Next meeting December 11, 2012 at 8:00 AM in Downstairs Meeting Room
 Public Works Services – Next Meeting December 3 at 9:00 AM in Downstairs Meeting Room

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve the payment of claims as set forth in Exhibit No. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute proposed "Out of District" sanitary sewer agreement to support the 9,600 sq. ft. addition to the existing Banners Child Day Care facility at 3510 Winton Place (see Resolution #7 and letter dated November 7, 2012 from Michael Guyon, P.E. Town Engineer).

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. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appoint Morrey Goldman of Hemingway Drive to the Zoning Board of Appeals for a 5-year term effective immediately through December 31, 2016 (see Resolution #8).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio 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: Authorization to accept grant award for \$1,900.00 from the NY State Governors Traffic Safety Committee for the Brighton Police Department's Child Passenger Safety program (see Resolution #9 and letter dated November 6, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Jason DiPonzio 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. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute renewal agreement with Town and Country Cleaners to provide uniform dry cleaning services to the Brighton Police Department for 2013 (see Resolution #10 and letter dated October 25, 2012 from Police Chief Mark Henderson).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio 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: Authorization to accept grant award for \$5,952.00 from the NY State Governor's Traffic Safety Committee for the Brighton Police Department's Selective Traffic Enforcement program (see Resolution #11 and letter dated October 29, 2012 from Police Chief Mark Henderson).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute amended agreement with Birchcrest Landscape, Inc. to support additional costs to be incurred for expanded scope of work for the Veterans Memorial (see Resolution #12, letter dated November 2, 2012 from Michael Guyon, P.E. Town Engineer and copy of agreement).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute amended agreement for the Town to provide snow and ice control services for the State Department of Transportation on state roads within the town until June 30, 2015 (see Resolution #13, letter dated November 2, 2012 from Timothy Keef, P.E. Commissioner of Public Works and copy of agreement).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio 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 renewal agreement with the Monroe County Department of Transportation for the Town to provide various highway services on county roads within the town (see Resolution #14, letter dated November 2, 2012 from Timothy Keef, P.E. Commissioner of Public Works and copy of agreement).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner 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: Authorize Supervisor to execute agreement with Mohawk Valley Community College for OPP Training (One Person Plowing) (see Resolution #15, letter dated November 2, 2012 from Timothy Keef, P.E. Commissioner of Public Works and copy of agreement).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 16 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute renewal agreement with the Town of Pittsford for the Town to provide snow removal and ice control services on Allen's Creek Road during the 2012/2013 season (see Resolution #16 and letter dated November 2, 2012 from Timothy Keef, P.E. Commissioner of Public Works).

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. 17 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval of proposed 2013 Holiday Schedule (see Resolution #17 and copy of schedule).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 18 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize approval of proposed Town Board Meeting dates for the year 2013 (see Resolution #18 and copy of schedule).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 19 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute renewal agreement with Perma for Worker's Compensation Insurance services for the year 2013 (see Resolution #19 and letter dated November 2, 2012 from Gary Brandt, Director of Personnel).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 20 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute renewal agreement with the University of Rochester to provide Strong Employee Assistance Program services for the year 2013 (see Resolution #20, letter dated November 2, 2012 from Gary Brandt, Director of Personnel and copy of agreement).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 21 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTER RE: Authorize approval to renew membership in the Association of Towns of the State of New York for the year 2013 (see Resolution #21).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 22 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Expense and Revenue for the periods ending September 30, 2012 and October 31, 2012

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio to receive and file aforementioned reports

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE TOWN CLERK:

Election Wrap-up: 16,390 voted in Brighton; 158 inspectors; 104 voters per inspector

MOTION TO GO INTO EXECUTIVE SESSION:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to go into executive session at 8:56 PM to discuss matters of employment of a particular person and litigation

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to come out of executive session at 9:58 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to adjourn at 9:59 PM

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 day of November 2012 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

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

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

WHEREAS, the Town Board duly scheduled a public hearing to be held on the 14th day of November, 2012 at a meeting commencing at 7:30 p.m., prevailing time, to consider a proposed Local Law entitled 2012 Traffic Control Device Local Law, amending Section 185-43 of the Code of the Town of Brighton relating to the installation of stop signs at the following locations:

- Stop sign on Seminole Way, westbound at Sylvan Road
- Stop sign on Sonora Parkway, westbound at Sylvan Road
- Stop sign on Meredith Avenue, westbound at Sylvan Road
- Two(2) Stop signs on Fair Oaks Avenue, (north and south of Island at Sylvan Road

WHEREAS, the Town Board duly held said public hearing in the matter at the stated time, and all parties desiring to be heard in connection therewith having had an opportunity to be heard; and

WHEREAS, based on the testimony at such public hearing and the materials submitted thereat, the Town Board deems it necessary to adopt the proposed Local Law;

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____,

RESOLVED, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, the Town Board of the Town of Brighton hereby enacts, ordains and adopts the Local Law of 2012 entitled 2012 Traffic Control Device Local Law, in the form attached hereto for the Town of Brighton, Monroe County, New York.

Dated: November 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	_____

LOCAL LAW OF 2012
2012 TRAFFIC CONTROL DEVICE LOCAL LAW

Section 1. Title

This Local Law shall be known as the 2012 Traffic Control Device Local Law of the Town of Brighton.

Section 2. Purpose

The purpose of the proposed Local Law is to enhance the safety of the intersections affected, for vehicles and pedestrians using such intersections.

Section 3. Amendments to Section 185-43 of the Town Code

Section 185-43 of the Code of the Town of Brighton is hereby amended to add the following intersections as stop intersections at which stop signs shall be installed:

Stop sign on Seminole Way, westbound at Sylvan Road
Stop sign on Sonora Parkway, westbound at Sylvan Road
Stop sign on Meredith Avenue, westbound at Sylvan Road
Two(2)Stop signs on Fair Oaks Avenue (north and south of Island) at sylvan Road

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State and posting of stop signs at such intersections.

Section 5. Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

WHEREAS, a public hearing was duly noticed and held on November 14, 2012 pursuant to Town Law Section 130 regarding the temporary amendment of the Town's Noise Ordinance (Chapter 102 of the Town Code) to allow for night work in connection with the South Clinton Avenue, Water Supply Conduit Modernization Project being constructed by the City of Rochester Water Bureau as detailed in the August 23, 2012 letter from Bergmann Associates as Project Engineer which letter was received and filed by the Town Board on October 24, 2012; and

WHEREAS, based upon the testimony and evidence presented at such public hearing the Town Board has determined that the temporary amendment of the noise ordinance would be in the public interest; now therefore, it is hereby

RESOLVED, that the Town Board hereby amends Chapter 102 of the Town Code to make provision for the night work and other accommodations and restrictions set forth in the above referenced correspondence, and it is hereby further

RESOLVED, that the Town Board hereby directs the Town Clerk to publish a summary of the temporary amendment to the Town Code as set forth above pursuant to the provisions of Town Law Section 133 and said amendments shall be effective beginning March 1, 2013 and shall expire, unless sooner continued by separate action of the Town Board, on April 30 , 2014.

Dated: November 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

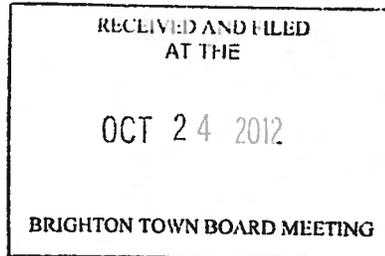
MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

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

October 3, 2012

Supervisor William Moehle
the Honorable Town Board
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618



Re: City of Rochester Water Bureau
South Clinton Avenue Conduit Modernization Project Phase 2
Proposed Night Time Work

Dear Supervisor Moehle and Town Council Members:

I recommend that your Honorable Body receive and file the attached communication from Bergmann Associates, the City of Rochester Water Bureau's engineering consultant, regarding the above project and activities as outlined therein. The Public Works Committee has reviewed this matter, particularly the request to perform work during the night time hours when the contract is underway. Pursuant to Chapter 102 of the Town Code, Noise, I request that a public hearing be set at one of your regularly scheduled meetings to consider a temporary amendment to our local law for this purpose.

As always, your consideration of matters such as this is greatly appreciated.

Very truly yours,

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

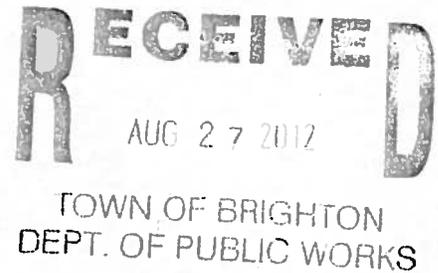
TEK/wp

attachment

cc: M. Hussar
D. Aman
K. Gordon

August 23, 2012

Mr. Timothy E. Keef, PE
Commissioner of Public Works / Highway Superintendent
Department of Public Works
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618



**RE: SOUTH CLINTON AVENUE, WATER SUPPLY CONDUIT MODERNIZATION,
CONDUITS 2 & 3, PHASE 2:
TOWN OF BRIGHTON NOISE CONTROL LAW TEMPORARY AMENDMENT REQUEST**

Dear Tim:

On behalf of the City of Rochester Water Bureau (RWB), we are requesting a temporary amendment to the Town of Brighton Noise Control Law, Chapter 102, for the South Clinton Avenue, Water Supply Conduit Modernization, Conduit 2 and 3, Phase 2 project. The City is requesting this amendment to allow nighttime construction on weekdays and weekends in certain areas of the project, in order to:

- Reduce the duration of the project;
- Minimize its impact on traffic; and
- Minimize the duration of water system capacity restrictions to the City as well as Monroe County Water Authority customers in Brighton and ensure water system capacities are restored in a timely fashion.

The project consists of installing a single 42-inch water transmission conduit and rehabilitating portions of the existing conduits along and under South Clinton Avenue, from just south of Brighton-Henrietta Town Line Road to approximately Senator Keating Boulevard. This project will tie into the work completed in 2010 in the previous phase of the project. See Figure 1 for a map of the project area.

The new conduit will replace the existing 38 and 37-inch steel conduits within the project limits, Conduits 2 and 3 respectively. These conduits have been in service for over 90 years and in recent years have experienced significant breaks. Figure 2 is a picture of the dramatic break that occurred in 2002, south of the Erie Canal. The existing cast iron and ductile iron conduits under the Erie Canal and I-590 will be rehabilitated.

These conduits currently supply the City of Rochester and the Monroe County Water Authority with water from Hemlock Lake. They provide several million gallons of water per day to the Town of Brighton alone through MCWA distribution mains.

The project entails the following work:

- Installation of a new water conduit under the roadway from Brighton-Henrietta Town Line Road to Woodsmeadow Lane, and to the east of South Clinton Avenue from Woodsmeadow Lane to the Erie Canal and from the Erie Canal to The Reserve.
- Rehabilitation of the two existing 36-inch cast iron conduits under the Erie Canal (east of South Clinton Avenue).



- Rehabilitation of the existing 36 and 42-inch ductile iron conduits under I-590 from The Reserve (east of South Clinton Avenue) to Senator Keating Boulevard (west of South Clinton Avenue).
- Connections to existing Conduits 2 and 3 at Brighton-Henrietta Town Line Road (south end), Erie Canal (north and south sides), The Reserve, and Senator Keating Boulevard (north end).
- Reconnection of three (3) existing MCWA service connections within the project limits.
- Abandonment of Conduit 3 and a portion of Conduit 2 with flowable fill material.
- Pavement restoration including milling, resurfacing, and restriping South Clinton Avenue from Brighton-Henrietta Town Line Road to just north of Woodsmeadow Lane.

Traffic will be maintained in both directions on South Clinton Avenue during most of construction, except during installation of the new conduit between Brighton-Henrietta Town Line Road and Woodsmeadow Lane, when traffic will be reduced to a single lane northbound with southbound traffic detoured. From Woodsmeadow Lane to Senator Keating Boulevard, shoulder or lane closures will be in place to allow for construction access. Flagging of traffic for certain work operations will occur on a limited basis. Driveway access will be coordinated with landowners. As requested from the Monroe County Department of Transportation (MCDOT), the work through the intersection of Brighton-Henrietta Town Line Road and South Clinton Avenue will occur during nights or weekend, while maintaining at minimum two-way traffic on Brighton-Henrietta Town Line Road. All utilities will be maintained and temporary shutoffs will be coordinated with residents.

The City recognizes that the Project is adjacent to some residential properties. For this reason, the City's contractor will be prohibited from working weekday nights and weekend nights between Brighton-Henrietta Town Line Road and 350 feet south of the Erie Canal.

Additional proposed contract requirements that will be incorporated into the project are discussed below. The contract document will define "weekday night work" as Monday through Thursday, 8 p.m. to 6 a.m. and "weekend with night work" hours as Friday, 8 p.m. to Monday at 6 a.m. These time restrictions are in line with the Town's noise control law. It is anticipated that night work will only be occurring sporadically, through the duration of the project for approximately 15 evenings.

The City is requesting an amendment to the Noise Control Law for the following work tasks required to complete this project:

1. Construction of the proposed water main at the intersection of South Clinton Avenue and Brighton-Henrietta Town Line Road:

Night work during weekdays and weekends will be required in order to complete the water main installation and all pavement surface restoration through this intersection. This is required by MCDOT to maintain acceptable traffic operations at this intersection during the weekdays. During the times of work, the intersection will be flagger controlled. During weekday night work operations at this intersection, the contractor will not be allowed to use hoe-rams, jackhammers, and pavement breakers. However, due to the possibility for difficult excavation (miscellaneous rocks, concrete), we are requesting that the contractor be allowed to use hoe-rams, jackhammers, and other necessary construction equipment during weekend night work hours in these intersections.



2. Construction of proposed water main and rehabilitation of existing water main - 350 feet south of the Erie Canal to Senator Keating Boulevard:

Night / weekend work may be required to complete pipe rehabilitation, install valves, and complete water main tie-ins through this section of the project. This is required for the installation of the proposed conduit rehabilitation, to minimize construction crew and water main down time, and other unforeseen delays. The night work locations are anticipated to be infrequent. Actual locations can only be determined during construction. Due to the unknown nature and possible difficulty of work, we are requesting that the contractor be allowed to use hoe-rams, jackhammers, and other necessary construction equipment during weekday night and weekend night work hours in this location.

3. Onsite construction staging of material and equipment within New York State (Department of Transportation and Canal) property:

Lands adjacent to the project may be used by the contractor during construction for material and equipment staging. The contractor will be required to obtain all permits from the owner for any staging areas. Night / weekend work may be required in these staging areas to facilitate construction operations. The areas requested for night / weekend work are lands owned by the New York State (Department of Transportation and the Canal Corporation), as indicated in Figure 1. However, actual locations will be determined by the contractor after award of the contract. Any areas outside those indicated in Figure 1 will require the contractor to obtain all variances and permits for their use. During weekday and weekend night work operations in these staging areas, the contractor will not be allowed to use hoe-rams, jackhammers, or pavement breakers.

The following requirements will be incorporated into the project:

- The contractor shall provide prior public notice of the project, including information relating to night time work. Specifically, this information will include, but not limited to, individual private notices to residents and businesses that may be affected by the noise of night work, as identified by the Commissioner of Public Works. Notice shall include the dates, time and nature of night work, including the on-site project manager's telephone number.
- All contract documents and bid specifications describe Brighton's requirements, including but not limited to zoning and noise regulations, and will apply to any off-site storage area in the Town.
- All contract documents and bid specifications related to the project contain provisions to encourage the speedy completion of night operations, including specifically waivers from New York State Department of Labor limitations on overtime. The City of Rochester will support such a request.
- The contractor will only be allowed to work in the area immediately north of Brighton-Henrietta Town Line Road to 350 feet south of the Erie Canal within normal working hours (between 7 AM and 7 PM, Monday through Friday, and between 9 AM and 6 PM, Saturday and Sunday). The contractor must comply with all time restrictions imposed by all permitting agencies when working within this area.
- The contractor must conform to all Town requirements when working at any off-site staging area. The contractor will be responsible for obtaining any variances from the Town that may be required for off-site staging areas.
- All contract documents and bid specifications related to the project shall prohibit the use of backup alarms other than during normal daytime and weekend daytime working hours and shall require the use of spotters instead.
- All contract documents related to the project shall require that lighting be oriented so as not to spill light beyond the work area.



- Prior to the start of construction, a public information meeting will be held. Invitations will be extended by the City to residents and businesses that may be affected by the noise of night work, as identified by the Commissioner of Public Works.

At the start of construction, a public preconstruction meeting will be held to introduce the project and its impacts to the landowners and commuters along the corridor. At this time, the contractor and full time inspection team will be introduced to the public. Bergmann Associates will be providing onsite inspection services for the City throughout the duration of the project and will have a field office in the corridor. Both the inspection team and the contractor will talk to and provide contact information to residents and business owners along the corridor throughout construction. The inspection team will be available to talk with the public and address their concerns whenever the contractor is working, day or night. The City of Rochester Water Bureau's dispatch number, 428-7500, can be used for project related issues when no work is being performed. The dispatcher will contact the appropriate project representative to handle the situation. Town of Brighton representatives will be invited to preconstruction and progress meetings and will be provided minutes from these meetings. Additionally, there will be resources available online, through the project website, where residents can find out project information.

The proposed conduit alignment provides a cost effective solution by limiting utility impacts, limiting curb and drainage impacts, limiting impacts to private property, and limiting construction work within the roadway. The project is expected to begin in March 2013 and continue through April 2014.

Though this project may be a temporary inconvenience to residents and the traveling public, it is necessary to provide a dependable water supply to both City and County residents and to avoid future water main breaks that could otherwise cause significant damage and create more frequent unplanned disruptions. Mitigation measures have been incorporated into the project to balance the needs of the residents and the traveling public. The life expectancy of the new conduit is anticipated to be 100 years.

Thank you for your consideration of this request.

Sincerely,
BERGMANN ASSOCIATES



Julie M. Barnes, PE
Project Manager

Attachment

cc: Michael Guyon, PE
Pat O'Connor, PE
Enrique Maisch, PE
Tom Detrie



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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

WHEREAS, a public hearing was duly noticed and held on November 14, 2012 pursuant to Town Law Article 12-A regarding the extension of the existing Brighton Reserve Storm Drainage District boundaries to include the drainage improvements within the I-590 Right of Way as set forth in the application of Anthony J. Costello dated October 17, 2012 and on the map submitted therewith in connection with the Project known as "The Reserve" all of which were previously received and filed by the Town,; and

WHEREAS, based upon the testimony and evidence presented at such public hearing the Town Board has determined that the extension applied for would not have any significant adverse environmental impact and that all property and property owners within the proposed extension are benefited thereby, all the property and property owners benefitted by the extension are included within the limits of the extension and the extension of said district is in the public interest; now therefore, it is hereby

RESOLVED, that the Town Board hereby authorizes the extension of the Brighton Reserve Storm Drainage District subject to permissive referendum as set forth in Town Law Article 12-A, and it is hereby further

RESOLVED, that the Town Board hereby directs the Town Clerk to publish a summary of the extension and provide such notice of the right to permissive referendum as is required by law.

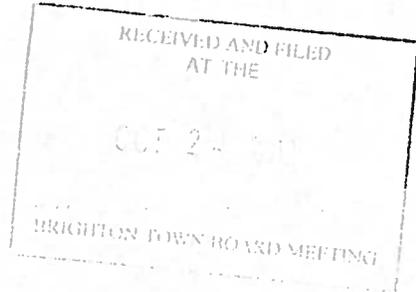
Dated: November 14, 2012

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

Anthony J. Costello & Son (Joseph) Development, LLC
1 Airport Way
Rochester, New York 14624

October 17, 2012

Town Board of the Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618



Re: Brighton Reserve Storm Drainage District

Dear Board Members:

In order to accommodate the requirements of the New York State Department of Transportation and the Town of Brighton, we are hereby requesting that the boundaries of the Brighton Reserve Storm Drainage District, established by the Town Board on February 8, 2012, be extended to incorporate the area of outflow from The Reserve stormwater management facilities to its connection with the New York State Department of Transportation drainage system. A legal description of the lands to be added to the district is attached to this letter.

If you have any questions with regard to this request, please do not hesitate to contact us.

Very truly yours,
ANTHONY J. COSTELLO & SON (JOSEPH)
DEVELOPMENT, LLC

By:

Handwritten signature of Anthony J. Costello in cursive script.

Anthony J. Costello, Member

Reserve Brighton Storm Drainage District
Anthony J. Costello & Son (Joseph) Development, LLC
Town of Brighton, County of Monroe

October 16, 2012

Intended to describe all that tract or parcel of land, being part of Town Lot 40, Township 13, Range 7, Phelps and Gorham Purchase, situate in the Town of Brighton, County of Monroe, State of New York, and more particularly described as follows:

Commencing at a common point being on the east R.O.W. of South Clinton Ave and the west R.O.W. of I-590, at the northwesterly corner of lands conveyed to Anthony J. Costello & Son, by deed recorded in the Monroe County Clerk's Office at Liber 9572 of Deeds, Page 462; said point being the point or place of beginning;

1. Thence, running a line having a bearing of N86°54'46"E a distance of 115.90 feet to a point;
2. Thence, turning and running a line having a bearing of N55°52'31"E a distance of 83.86 feet to a point;
3. Thence, turning and running a line having a bearing of N81°32'03"E a distance of 188.01 feet to a point;
4. Thence, turning and running a line having a bearing of N89°08'14"E a distance of 237.21 feet to a point;
5. Thence, turning and running a line having a bearing of N86°43'19"E a distance of 23.35 feet to a point;
6. Thence, turning and running a line having a bearing of N01°11'28"E a distance of 63.38 feet to a point;
7. Thence, turning and running a line having a bearing of N89°19'42"E a distance of 415.41 feet to a point;
8. Thence, turning and running a line having a bearing of S06°27'52"W a distance of 56.63 feet to a point;
9. Thence, turning and running a line having a bearing of S83°32'08"E a distance of 698.82 feet to a point;
10. Thence, turning and running a line having a bearing of S79°31'35"E a distance of 514.41 feet to a point;
11. Thence, turning and running a line having a bearing of S21°22'26"W a distance of 1108.48 feet to a point;

Reserve Brighton Storm Drainage District
Anthony J. Costello & Son (Joseph) Development, LLC
Town of Brighton, County of Monroe

12. Thence, turning and running a line having a bearing of $S67^{\circ}54'57''E$ a distance of 645.12 feet to a point;
13. Thence, turning and running a line having a bearing of $S03^{\circ}31'50''E$ a distance of 861.82 feet to a point;
14. Thence, turning and running a line having a bearing of $N67^{\circ}54'57''W$ a distance of 805.95 feet to a point;
15. Thence, turning and running a line having a bearing of $S84^{\circ}14'14''W$ a distance of 36.58 feet to a point;
16. Thence, turning and running a line having a bearing of $N67^{\circ}54'57''W$ a distance of 1421.43 feet to a point;
17. Thence, turning and running a line having a bearing of $N21^{\circ}34'23''E$ a distance of 1537.86 feet to a point;
18. Thence, turning and running a line having a bearing of $S86^{\circ}42'08''W$ a distance of 642.22 feet to a point;
19. Thence, turning and running a line having a bearing of $S63^{\circ}14'18''W$ a distance of 369.99 feet to a point;
20. Thence, turning and running a line having a bearing of $N06^{\circ}39'49''E$ a distance of 150.00 feet to a point, said point being the point or place of beginning.

Intending to describe the Reserve Brighton Storm Drainage District containing 2,934,768.45 square feet or 67.373 acres.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Anthony J Costello & Son	2. PROJECT NAME The Reserve
3. PROJECT LOCATION: Municipality <u>Town of Brighton</u> County <u>Monroe</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Southeast intersection of I-590 overpass and Clinton Avenue</u>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Modification of previously approved Reserve Drainage District</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>66</u> acres Ultimately <u>66</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>NYS DOT, MCDOT, MCWA, MCHD</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>Planning Board final Sect. 1 approval and associated agency approvals</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Marathon Engineering</u> Date: <u>10/18/12</u> Signature: <u>Matt T. L.</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? Yes No If No, a negative declaration may be superseded by another involved agency.

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly:

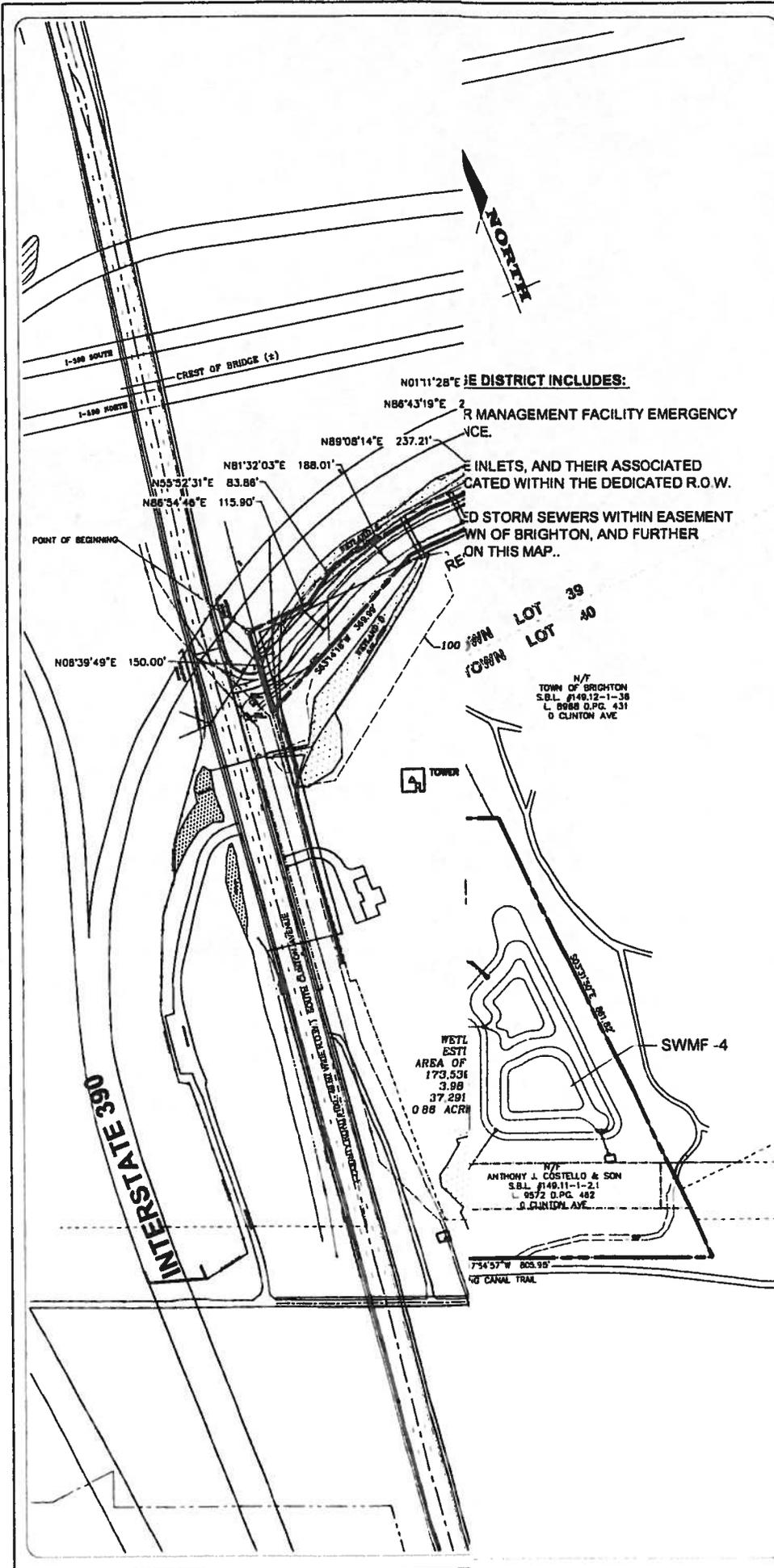
PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)





ANTHONY J.
COSTELLO & SON
 DEVELOPMENT

MARATHON
 ENGINEERING
 www.marathoneng.com

BAYER ASSOCIATES
 LANDSCAPE ARCHITECTURE & PLANNING

RESERVE
 — ON THE ERIE CANAL —
 TOWN OF BRIGHTON MONROE COUNTY NEW YORK

JOB NO: 0158-09
 SCALE:
 DRAWN: MPT
 DESIGNED: RPB
 DATED: 04/14/11
 REVISIONS

DATE	BY	REVISION
10/16/12	MPT	REV 882 TO INCORPORATE DRAINAGE MAP ON DOT LANDS

COPYRIGHT © 2011 MARATHON ENG

DRAWING TITLE
**BRIGHTON RESERVE
 STORM DRAINAGE
 DISTRICT**

SHEET No
 0158-09
 JOB No DRAWING No

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 1, 2012 from Director of Parks and Recreation Jerry LaVigne regarding permission to seek bids for mowing and landscape services for 2013, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes Director of Parks and Recreation Jerry LaVigne to seek bids for mowing and landscape services for 2013 and for optional renewals for calendar years 2014 and 2015.

Dated: November 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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 30, 2012 from Chief of Police Mark T. Henderson regarding permission to seek bids for police vehicle set up services for 2013 be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes Chief of Police Mark T. Henderson to seek bids for police vehicle set up services for 2013 and for optional renewals for calendar years 2014 and 2015.

Dated: November 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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 30, 2012 from Chief of Police Mark T. Henderson regarding permission to seek bids for police vehicle striping services for 2013 be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes Chief of Police Mark T. Henderson to seek bids for police vehicle striping services for 2013, and for optional renewals for calendar years 2014 and 2015.

Dated: November 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	_____

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

November 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>123,042.06</u>
D - HIGHWAY		<u>39,518.87</u>
H - CAPITAL		<u>23,562.74</u>
L - LIBRARY		<u>126.46</u>
SF - FIRE DIST		<u>60.44</u>
SK - SIDEWALK DIST		<u>7,917.06</u>
SL - LIGHTING DIST		<u>21,869.55</u>
SR-REFUSE DISTRICT		<u>65,429.02</u>
SS - SEWER DIST		<u>62,458.62</u>
TA - AGENCY TRUST		<u>3,893.37</u>
TE - EXPENDABLE TRUST		<u>645.00</u>
TOTAL	\$	<u>348,523.19</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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 7, 2012 from Town Engineer Michael E. Guyon, P.E. authorization for the Supervisor to execute an "Out of District" Sanitary Sewer Agreement with the Town of Henrietta to support the 9,600 square foot addition to the existing Banners Child Day Care facility at 3510 Winton Place, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an "Out of District" Sanitary Sewer Agreement with the Town of Henrietta to support the 9,600 square foot addition to the existing Banners Child Day Care facility at 3510 Winton Place subject to the payment in full of the entrance fees by the project applicant, Pierpont Properties, LLC or its agent and further subject to review and approval of said agreement by the Attorney to the Town.

Dated: November 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

November 7, 2012

The Town of Brighton Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Banners Child Day Care Addition
3520 Winton Place
Proposed "Out of District Sanitary Sewer Agreement"

Dear Supervisor Moehle and Town Board Members:

The above referenced project consists of the construction of a 9,600 square foot addition to the existing Banners Child Day Care facility which is located at 3510 Winton Place. The addition includes an enclosed walkway from the existing facility to the proposed building. The existing day care facility is located entirely within the Town of Brighton whereas; the addition is located on a separate parcel entirely within the Town of Henrietta excepting a small portion of the walkway.

The above project seeks to utilize the Town of Brighton's sanitary sewer system that is located within the immediate area as no Town of Henrietta facilities are available. This necessitates the need to execute an "Out of District" Sanitary Sewer Use Agreement with the Town of Henrietta. This agreement will allow the project to access the Brighton Consolidated Sewer District's facilities while providing for reimbursement to the District for such consideration or monetary compensation that would be provided in the form of an entrance fee of \$300.00 per acre and annual sewer use charges. The project applicant, Pierpont Properties, LLC, will be responsible to pay the entrance fees directly to the Town of Brighton, while the annual sewer use charges will be assessed and collected by the Town of Henrietta through the normal taxation process and paid to Brighton as stipulated by the attached agreement.

Please review the agreement, which is attached for your consideration. If this agreement is acceptable I am requesting that the Town Board authorize the supervisor to sign the "Out of District" Sanitary Sewer Use Agreement with the Town of Henrietta. The Town of Henrietta Town Board is also considering a resolution to execute said agreement. It is recommended that any resolution passed by the Brighton Town Board be subjected to:



- 1) Payment in full of the entrance fees by Pierpont Properties, LLC or their agent, and
- 2) The final language of the agreement being subjected to the approval of the Attorney for the Town of Brighton (the format of this agreement is the same as that previously used for similar projects in this area of each Town)

As always, thank you for your consideration. Commissioner Keef will be in attendance at your regularly scheduled November 14, 2012 meeting in the event that you have any questions regarding this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Guyon".

Michael E. Guyon, P.E.
Town Engineer

Cc: Tim Keef, Commissioner of Public Works
Mary Ann Hussar

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that the Town Board hereby appoints Morrey Goldman of Hemingway Drive in the Town of Brighton to the Zoning Board of Appeals for a term commencing immediately and terminating on December 31, 2016.

Dated: November 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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 6, 2012 from Chief of Police Mark T. Henderson and correspondence from Barbara J. Fiala, New York Commissioner of Motor Vehicles, dated October 30, 2012 both regarding authorizing the Supervisor to accept a grant and award of \$1,900.00 from the Governor's Traffic Safety Committee for the "Child Passenger Safety Program", be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept a grant and award of \$1,900.00 from the Governor's Traffic Safety Committee for the "Child Passenger Safety Program".

Dated: November 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

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



Mark T. Henderson
Chief of Police

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

November 6, 2012

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

RE: Child Passenger Safety Program

Dear Board Members,

I hereby request that the Honorable Town Board authorize the Town Supervisor to accept the grant and award of \$1,900.00 from the New York State Governor's Traffic Safety Committee, "Child Passenger Safety Program," to the Brighton Police Department.

The goal of this program is to increase the proper use and installation of child safety seats in New York State.

Respectfully,

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

Mark T. Henderson
Chief of Police

MTH:jpo



ANDREW M. CUOMO
Governor

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES



BARBARA J. FIALA
Chair

October 30, 2012

Sergeant David Swancott
Brighton Town Police Department
2300 Elmwood Ave
Rochester, New York 14618

Re: CPS-2013-Brighton Town PD-00112-(028)
Child Passenger Safety Program
EFFECTIVE DATE: October 1, 2012

Dear Sergeant Swancott:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that the Brighton Town has been awarded \$1,900 to participate in the statewide "Child Passenger Safety" program. Our goal is to increase the proper use and installation of child safety seats in New York State. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in this very important statewide program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

Barbara J. Fiala
Chair and
Commissioner of Motor Vehicles

BJF:et
Enclosure
cc: William Moehle ✓

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 25, 2012 from Chief of Police Mark T. Henderson regarding authorizing the Supervisor to extend the contract with Town and Country Cleaners for dry cleaning and laundering services for police uniforms for 2013, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to extend the contract with Town and Country Cleaners for dry cleaning and laundering services for police uniforms for one year commencing January 1, 2013 through December 31, 2013.

Dated: November 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

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



Mark T. Henderson
Chief of Police

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

October 25, 2012

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

Re: 2013 Police Dry cleaning contract

Dear Board Members:

On October 20, 2010, the Police Department opened and publicly read the only bid received for dry cleaning and laundering of uniforms for the year 2011. As you know, the bid received was from Town and Country Cleaners and it included an option to extend the contract up to four additional years at the mutual consent of both parties.

I have been very satisfied with their past service and I would recommend that the Town Board renew this contract with Town and Country Cleaners for 2013.

Respectfully,

A handwritten signature in black ink that reads "Mark T. Henderson". The signature is written in a cursive style and is followed by a long horizontal line.

Mark T. Henderson
Chief of Police

EXHIBIT NO. 12

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated October 29, 2012 from Chief of Police Mark T. Henderson regarding authorizing the Supervisor to accept a grant and award of \$5,952.00 from the Governor's Traffic Safety Committee for the "Selective Traffic Enforcement Program", be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept a grant and award of \$5,952.00 from the Governor's Traffic Safety Committee for the "Selective Traffic Enforcement Program".

Dated: November 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

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



Mark T. Henderson
Chief of Police

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

October 29, 2012

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

RE: Selective Traffic Enforcement Program

Dear Board Members,

I hereby request that the Honorable Town Board authorize the Town Supervisor to accept the grant and award of \$5,952.00 from the New York State Governor's Traffic Safety Committee, "Selective Traffic Enforcement Program," to the Brighton Police Department.

The Brighton Police Department has participated in this program for over 10 years. The goal of this statewide initiative is to reduce aggressive driving and speeding.

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 2, 2012 from Town Engineer Michael E. Guyon, P.E. regarding authorizing the Supervisor to execute an amended agreement with Birchcrest Tree and Landscape, Inc. to support the additional costs to be incurred for the expanded scope of work for the Veterans Memorial, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute Change Order #1 in the amount of \$16,404.95 with Birchcrest Tree and Landscape, Inc. to support the additional costs to be incurred for the expanded scope of work for the Veterans Memorial which consists of supplying lighting and the installation of a plaque, a bench and fourteen trees as set forth in greater detail in the Change Order.

Dated: November 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

November 2, 2012

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

Re: Veterans Memorial
Birchcrest Tree and Landscape, Inc
Additional Services

Dear Councilperson Werner and Committee Members:

At the August 8, 2012 meeting the Town of Brighton Town Board awarded the contract for the Veterans Memorial Site Improvements to Birchcrest Tree and Landscape, Inc. including Alternate 3 and Alternate 8 for a total cost not to exceed \$64,968.52. This project is funded by donations that are maintained in the Veterans Memorial account, TE92.VETS. Since the award of this project additional donations have been received and are available to expand the scope of the project.

The Veteran's Memorial Committee is requesting that FASC authorize the Town Board to increase the Birchcrest Tree and Landscape, Inc contract and authorize the Supervisor to execute Change Order Number 1 in the amount of \$16,404.95. A copy of the change order is attached for your reference. This additional funding will be used to complete the work listed in Table-1.

Table - 1

Description of Work	Amount
1. Purchase and deliver lighting for the Eagle sculpture and flagpole	\$3,679.95
2. Purchase and Install 6 foot Black Maglin Bench - MLB300-MH	\$2,700.00
3. Lower existing sculpture foundation underdrain and electrical conduit to accommodate curbing	\$615.00
4. Furnish and Install 7 Red Oak and 7 Sugar Maple Tress	\$8,610.00
5. Repair lawn damage that resulted from the installation of the electrical conduit	\$350.00
6. Install Bronze Plaque furnished by the Town of Brighton	\$450.00
	<hr/>
	\$16,404.95



There are sufficient finances in account TE92.VETS to fund this additional work.

I will be in attendance at your regularly scheduled November 6, 2012 meeting in the event that you have any questions regarding this correspondence. As always, your consideration of matters such as this is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Guyon".

Michael E. Guyon, P.E.
Department of Public Works

Cc: Suzanne Zaso
Tim Keef
Mary Ann Hussar



Town of Brighton

MONROE COUNTY, NEW YORK

DEPARTMENT OF PUBLIC WORKS

2300 ELMWOOD AVENUE * ROCHESTER, NEW YORK 14618 * PHONE (585)784-5250 * FAX (585)784-5388

VETERANS MEMORIAL SITE WORK CONTRACT CHANGE ORDER NUMBER 1

CONTRACTOR: Bircherest Tree and Landscape Inc.

DATE: October 30, 2012

CHANGE IN CONTRACT TIME: Zero CALENDER DAYS

DESCRIPTION OF CHANGE ORDER:

This change order includes the following additional work performed by the contractor:

Description of Work	Amount
1. Purchase and deliver lighting for the Eagle sculpture and flagpole	\$3,679.95
2. Purchase and install 6 foot Black Maglin Bench - MLB300-MH	\$2,700.00
3. Lower existing sculpture foundation underdrain and electrical conduit to accommodate curbing	\$615.00
4. Furnish and install 7 Red Oak and 7 Sugar Maple Tress	\$8,610.00
5. Repair lawn damage that resulted from the installation of the electrical conduit	\$350.00
6. Install Bronze Plaque furnished by the Town of Brighton	\$450.00
which is cause for the following adjustment to the contract:	\$16,404.95

Positive net change to contract resulting in an increase of: \$16,404.95

Total cost increase this change order: \$16,404.95

Original Contract Price: \$64,968.52

Adjusted Contract Price through previous change orders: \$64,968.52

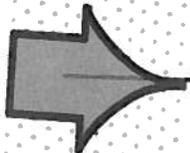
Adjusted Contract Price through this change order: \$81,373.47

The work covered by this change order shall be performed under the same terms and conditions as that included in the original contract. All other terms and conditions of said contract as modified shall remain the same.

APPROVALS

By Daniel B. D'Arcy Jr. Per.
CONTRACTOR

DEPARTMENT OF PUBLIC WORKS



SUPERVISOR

2300 Elmwood Avenue. Rochester, New York 14618 · 585-784-5250 · Fax: 585-784-5373
<http://www.townofbrighton.org>

**SIGN
HERE**

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 2, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. and correspondence dated September 28, 2013 from Bryan V. Severino, Highway Maintenance Supervisor, New York State Department of Transportation, both regarding authorizing the Supervisor to execute an amended agreement with the State of New York for the Town to provide snow and ice control services for the State Department of Transportation on state roads in the town through June 30, 2015, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an amended agreement with the State of New York for the Town to provide snow and ice control services for the State Department of Transportation on state roads in the town through June 30, 2015.

Dated: November 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

November 2, 2012

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

re: Snow and Ice Control Agreement Amendment
with the New York State Department of Transportation (NYSDOT)
2014/2015 Season

Dear Chairman Werner and Committee Members:

The Town of Brighton provides snow and ice control for New York State roads via an agreement with the New York State Department of Transportation. At this time I am requesting that said agreement with the NYSDOT be amended per the attached communication from the State. Therefore, I recommend that the Finance and Administrative Services Committee approve the Supervisor to execute these documents.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled November 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. Zaso
A. Banker
M. Hussar
K. Gordon



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
938 W. LINDEN AVENUE
EAST ROCHESTER, NY 14445
PH: (585) 586-4514 FAX (585) 586-4675

September 28, 2012

Town of Brighton
Mr. Timothy Keefe
Commissioner of Public Highways
1941 Elmwood Avenue
Rochester, NY 14620

RECEIVED
OCT 05 2012

TOWN OF BRIGHTON
DEPT. OF PUBLIC WORKS

Re: S&I Agreement Extension (14/15 Season)

Dear Mr. Keefe:

Please review the enclosed contract extensions for errors before submitting them to the Town Board for approval. The extensions will need page 1 (both sides) filled out and notarized, all maps signed, & three completed original resolutions from the Town Board certified (with raised seal) and signed. Once this is complete, return the entire package to the Monroe East Residency for processing. Please let me know if you have any questions.

Thank you,

Bryan V. Severino
Highway Maintenance Supervisor

attachment

Contract #	Municipality	Ext. season	Region #
D012050	Town of Brighton/ Monroe County	2014/15	4

AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT

This Agreement made this _____ day of _____, _____ by and between THE PEOPLE OF THE STATE OF NEW YORK (hereinafter referred to as "STATE"), acting by and through the Commissioner of Transportation of the State of New York (hereinafter referred to as "COMMISSIONER"), and the _____ of the **Town of Brighton** of **Monroe County** (hereinafter referred to as "MUNICIPALITY") as follows:

WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No. **D012050** entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of **Town of Brighton**" dated **October 8, 1998**; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, **1998** and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, **2014**; and

WHEREAS, Section 7 of the said Agreement provides that the COMMISSIONER shall furnish the MUNICIPALITY with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement.

WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the COMMISSIONER subject to the provisions of Section 9 at the time for extension of the Agreement;

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

NOW, THEREFORE, in consideration of the mutual covenants and benefits between the parties,

WITNESSETH:

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement Between New York State Department of Transportation and the MUNICIPALITY" is hereby extended for a period of one year; now to expire on June 30, **2015**, unless further extended.

2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, **2014**, unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.

3. All the terms and conditions of the original contract remain in effect except as follows. The indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be **\$4,791.3827** per lane mile for **41.0** lane miles for a total of **\$196,446.69** for the **2012/13** season and for the remainder of the term of the Agreement commencing July 1, **2012**, unless changed by future update.

IN WITNESS WHEREOF, This Agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER, and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

over :

Agency Certification Contract No. **D012050**

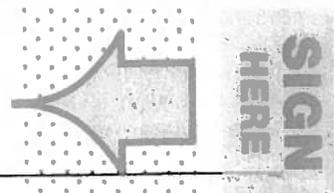
"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

THE PEOPLE OF THE STATE OF NEW YORK

BY _____
for Commissioner of Transportation

MUNICIPALITY

BY _____



ATTORNEY GENERAL'S SIGNATURE

COMPTROLLER'S SIGNATURE

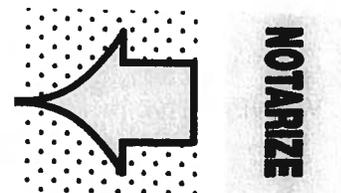
Dated _____

Dated _____

STATE OF NEW YORK)

) SS:

COUNTY OF)

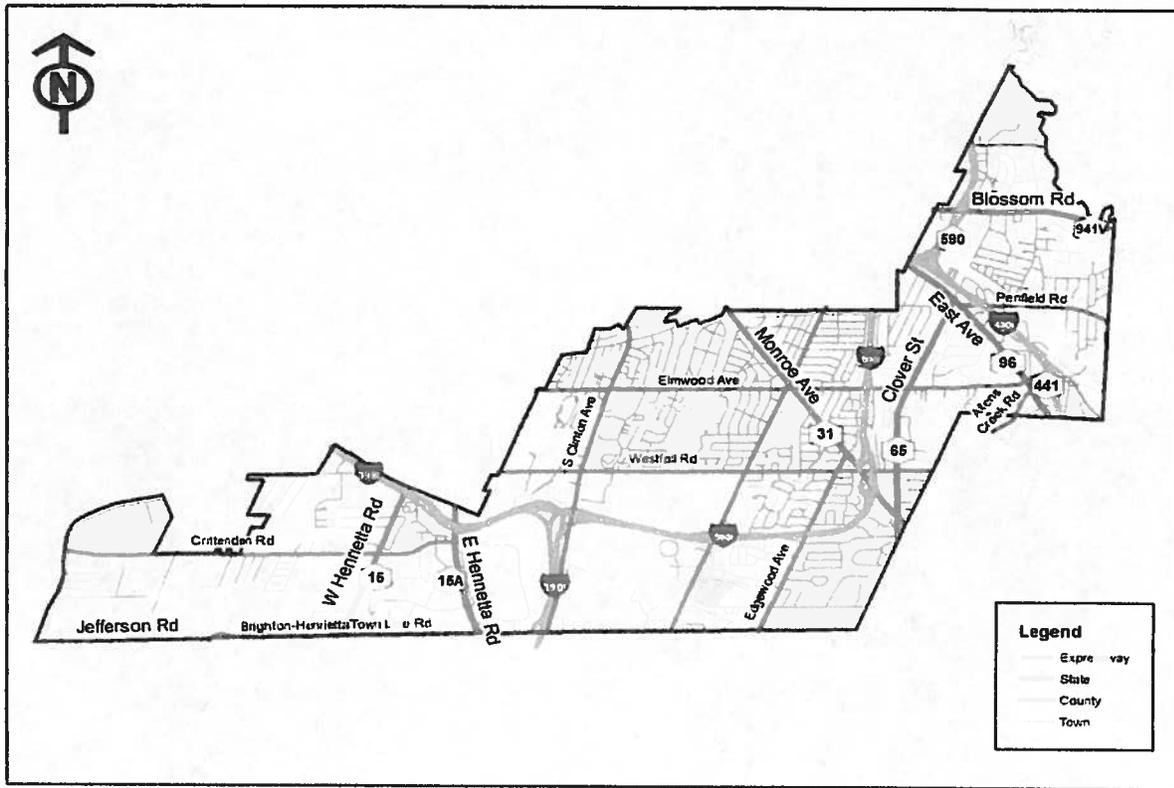


On the _____ day of _____ in the year _____ before me personally came _____ to me known who, being by me duly sworn, did depose and say that he resides in _____, New York; that he is the _____ of _____ the municipality described in and which executed the above instrument; that he executed said instrument by order of the Governing Body of said municipality pursuant to a resolution which was duly adopted on _____; a certified copy of such resolution attached hereto and made a part hereof.

Notary Public

Snow Ice Responsibility Map
2012 - 2013 Season

Town of Brighton

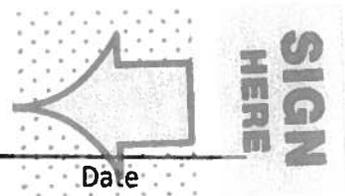


Contract Miles

C. L.	Lane
9.3	41

Regional Director of Operations

Date



Municipality Representative

Date

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 2, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. and correspondence dated October 19, 2012 from Terrence J. Rice, P.E., Monroe County Director of Transportation, both concerning an amendment to the agreement with the County of Monroe for the Town to provide certain highway services for the Monroe County Department of Transportation on county roads in the town, be received and filed, together with a copy of the proposed amendment attached thereto, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an amendment to the agreement with the County of Monroe for the Town to provide certain highway services for the Monroe County Department of Transportation on county roads in the town for an additional one-year term extending through December 31, 2013.

Dated: November 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

November 2, 2012

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

re: All Seasons Work Agreement 2013
with the Monroe County Department of Transportation (MCDOT)

Dear Chairperson Werner and Committee Members:

The Town of Brighton provides some services (i.e. mowing, dead animal collection, etc.) along Monroe County roads via an agreement with the Monroe County Department of Transportation. At this time I am requesting your support to renew said agreement with the MCDOT for the upcoming 2013 season in accordance with the following rates. If the Finance and Administrative Services Committee concurs, please approve the Supervisor to execute this document.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled November 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

attachment

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



Department of Transportation

Monroe County, New York

Maggie Brooks
County Executive

Terrence J. Rice, P.E.
Director

October 19, 2012

Tim Keef
Commissioner of Public Works
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

RE: 2013 AMENDATORY AGREEMENT – ALL SEASONS COUNTY/TOWN WORK AGREEMENT

Dear Mr. Keef: *TJR*

Enclosed, please find three copies of the Amendatory Agreement for the *All Seasons County/Town Work Agreement* for 2013. The original Agreement was executed by your Town/Village Board and me in 2007 and the Agreement allows for the renewal "upon mutual written consent of the parties for additional one-year terms, for a maximum agreement term of ten years."

Also, enclosed are new Appendices A & B for 2013. Appendix A reflects the new fringe rates for 2013. As recommended and agreed to, following the work of the Fringe Rate Task Group in 2002, the fringe rates have been annually increased by 3% with a maximum fringe rate value being either the actual town rate or Monroe County's fringe rate. This year the County's actual fringe rate is 61.35%. However, as done in the past, we will increase the rate gradually over several years. Therefore, as discussed and agreed to at the September 2012 County/Town Work Committee meeting, we are increasing the fringe rate 3% from last year's fringe rate cap of 55.19%. The fringe rate paid to your town/village will be the maximum agreed rate of 58.19%.

Please have your Town Supervisor/Village Mayor authorize and sign all three copies of the Amendatory Agreements. **Kindly return all three copies to Joyce Cordello, Sr. Permit Assistant, Monroe County Department of Transportation, 50 West Main Street, Suite 6100, Rochester, New York 14614.** Please include a Town/Village Board Resolution as applicable.

Once all the documents are received and we have verified that you have provided all applicable insurance certifications (please see the attached Monroe County Summary of Vendor Insurance Requirements Checklist), I will execute the Agreements and return a signed copy to you.

If you have any questions regarding this Agreement, please feel free to contact Tim Frelier at 753-7731 or me.

Sincerely,

Terrence J. Rice, P.E.
Director of Transportation

TJR:TF:bm

Attached

cc: T. Frelier
J. Cordello

**AMENDMENT for
"All Seasons County/ Town Work Agreement"**

THIS AMENDMENT ("Amendment") shall be deemed to be dated as of the last date executed by a party hereto, by and between the COUNTY OF MONROE (the "County"), a municipal corporation acting by and through its Department of Transportation, said offices being located at 50 West Main Street, Suite 6100, Rochester, New York 14614, and **Town of Brighton**, located at 2300 Elmwood Avenue, Rochester, New York 14618, hereinafter referred to as the "Town."

WITNESSETH:

WHEREAS, the parties hereto previously entered into an Agreement dated as of _____ (the "Agreement"), whereby the Town agreed to contract with the County for planned and unplanned work under the 'All Seasons County/Town Agreement' for services throughout Monroe County as set forth in the Agreement, and in accordance with the Monroe County Charter Section C6-19 B. (7); and

WHEREAS, the parties are desirous of amending the Agreement; to extend the term of the agreement for an additional one-year term for the year 2013 ; and update of the rates in Appendix 'A' and 'B'.

WHEREAS, the Town Board has authorized an amendment to the Agreement by Resolution No. _____, adopted _____, _____; and

WHEREAS, the parties wish to amend the Agreement as set forth below.

NOW, THEREFORE, in consideration of mutual covenants, it is agreed by the parties as follows:

1. In accordance with Paragraph 1 of the General Conditions of Agreement, the term of the Agreement shall be extended for one year; from January 1, 2013 to December 31, 2013;
2. Appendix 'A' and 'B' of the Agreement are deleted in its entirety and replaced by the new Appendix 'A' and 'B' for 2013 ;
3. All other terms and conditions of the Agreement shall remain in full force and effect.

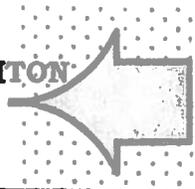
IN WITNESS WHEREOF, the parties hereto have executed this Amendment of the last day and year written below.

COUNTY OF MONROE

By: _____
Terrence J. Rice. P.E.
Director of Transportation

TOWN OF BRIGHTON

By: _____
Supervisor
Federal Tax ID: 16-6002187



**SIGN
HERE**

APPENDIX A

**FRINGE RATES TO BE PAID PER LABOR HOUR FOR 2013
(Brighton)**

ALL HOURLY WORK	
Full Time/Regular Hours	58.19%
Full Time/Overtime Hours	28.82%
Part Time/Regular Hours	13.23%
Part Time/Overtime Hours	13.23%

APPENDIX B

MAR SERVICES

Roadside Mowing	\$85.25 / mile mowed each pass
Dead Animal Pickup	\$28.75 / center line mile
Roadside Pickup	N/A

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 2, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. regarding authorizing the Supervisor to execute a contract with Mohawk Valley Community College for One Person Plowing Training for the period October 1, 2012 through March 31, 2013 at a cost not to exceed \$5,000.00, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract with Mohawk Valley Community College for One Person Plowing Training for the period October 1, 2012 through March 31, 2013 at a cost not to exceed \$5,000.00.

Dated: November 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

November 2, 2012

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

re: Mohawk Valley Community College (MVCC) Agreement
One Person Plowing (OPP) Training for Snow and Ice Control

Dear Councilperson Werner and Committee Members:

As the Town continues to implement the OPP program, training is needed in order for personnel to become certified operators. As our most recent contract with Mohawk Valley Community College for these services has expired, I am recommending that a new contract, as attached and not to exceed \$5,000.00, be established to provide for our upcoming needs. Presently, there is a balance of \$1,730.29 remaining in the 2012 budget (D.HWY.5142 4.74) from our previous contract with MVCC, which I also recommend be allocated for this year's portion of the contract with the remaining balance of \$3,269.71 be provided from the 2013 budget. Please note that MVCC remains our sole source for these services. Therefore, I request that the FASC entertain this request and authorize the Supervisor to sign said agreement with MVCC.

I will be in attendance at your regularly scheduled November 6, 2012 meeting in the event that you have any questions regarding this correspondence. As always, your consideration of matters such as this is greatly appreciated.

Very truly yours,

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

TEK/wp

attachment

cc: T. Anderson
S. Zaso
A. Banker



1101 Sherman Drive
 Utica, New York 13501-5394
 www.mvcc.edu

Center for Corporate and
 Community Education
 315-792-5300
 Fax 315-792-5682

TRAINING AGREEMENT

Name of Contracting
 Organization/Institution: Town of Brighton DPW
 Address: 2300 Elmwood Avenue, Rochester, NY 14618

Organization Contact Person: Timothy E. Keef Phone: (585) 784-5225
 Title: Commissioner of Public Works

MVCC Contact Person: W. Richard Suhr Phone: (315) 731-5732
 Title: Coordinator, Corporate Education

Course Title: OPP Snowplow Training

Course Description:

<u>Training</u>	<u>Students</u>	<u>Rate</u>	<u>Total</u>
Classroom	8	4 hrs @ \$100	\$400.00
Pre-Op/Shop	8	2 hrs @ \$100	\$200.00
Dry Run	8	8 hrs @ \$110	\$880.00
Assessment	8	32 hrs @ \$110	\$3,520.00

Instructor Travel Rate \$50/hr (from and to home) Approx. \$700.00
 Travel Mileage \$.555 per mile (700 miles x \$0.555) Approx. \$388.50

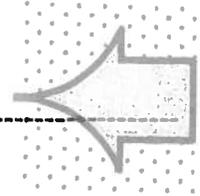
All billing will be invoiced on actual time and expenses.

Date(s): Oct. 1, 2012 – March 31, 2013

Number of Hours: 32 hrs

Location: Town of Brighton Equipment Required: Provided by Town of Brighton

TOTAL COST: \$5,000.00



**SIGN
HERE**

Signature Organization Contact: _____ Date: _____

MVCC Contact: Mr. Richard Suhr Date: 10/16/12

Please make check payable to MVCC Center for Corporate and Community Education and mail it to:

Center for Corporate and Community Education
 Mohawk Valley Community College
 1101 Sherman Drive
 Utica, NY 13501

Under the supervision of the State University of New York and sponsored by Oneida County

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 2, 2012 from Commissioner of Public Works Timothy E. Keef, P.E. regarding authorizing the Supervisor to renew an intermunicipal agreement with the Town of Pittsford for the Town of Brighton to provide snow and ice control services on that portion of Allens Creek Road within the Town of Pittsford for the 2012-2013 snow and ice season, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to renew an intermunicipal agreement with the Town of Pittsford for the Town of Brighton to provide snow and ice control services on that portion of Allens Creek Road within the Town of Pittsford for the 2012-2013 snow and ice season.

Dated: November 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

November 2, 2012

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

re: Snow and Ice Control of Allens Creek Road Agreement
with the Town of Pittsford (2012/2013)

Dear Chairperson Werner and Committee Members:

The Towns of Brighton and Pittsford have previously entered into an IMA for the Town of Brighton to perform snow and ice control upon that portion of Allens Creek Road within the Town of Pittsford. At this time I am requesting your support to renew the IMA for the upcoming season. The Town of Pittsford reimburses us at the same rate that the County reimburses us for the same service upon County Roads. Therefore, I recommend that the Finance and Administrative Services Committee approve the Supervisor to execute this document.

As always, thank you for your consideration. I will be in attendance at your specially scheduled November 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

attachment

cc: T. Anderson
S. Zaso
A. Banker

FASC.PITTSFORD.ALLENSCREEK.SNOW.ICE.AGREEMENT NOV.2012.01

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that the 2013 Draft Holiday Schedule for non-represented full-time and qualifying part-time permanent town employees, be received and filed, and be it further

RESOLVED, that the Town Board hereby adopts the 2013 Draft Holiday Schedule as the final Holiday and Vacation Schedule for non-represented full-time and qualifying part-time permanent town employees for calendar year 2013 with the understanding that the Chief of Police and the Commissioner of Public Works have the discretion to alter the holiday schedule to better meet the work schedule demands of their respective departments.

Dated: November 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	_____

2013 HOLIDAY SCHEDULE

Listed below are the proposed 2013 holidays to be observed as paid holidays for non-represented full-time and qualifying part-time permanent Town personnel:

- | | | |
|-----|-----------------------------|--------------------------------------|
| 1. | New Year's Day | Tuesday , January 1 st |
| 2. | Martin Luther King, Jr. Day | Monday, January 21 st |
| 3. | Presidents' Day | Monday, February 18 th |
| 4. | Spring Holiday | Friday, March 29 th |
| 5. | Memorial Day | Monday, May 27 th |
| 6. | Independence Day | Thursday, July 4 th |
| 7. | Floating Holiday | Friday, July 5 th |
| 8. | Labor Day | Monday, September 2 nd |
| 9. | Veterans' Day | Monday, November 11 th |
| 10. | Thanksgiving Day | Thursday, November 28 th |
| 11. | Day-After Thanksgiving | Friday, November 29 th |
| 12. | Winter Holiday | Wednesday, December 25 th |

The Chief of Police and the Commissioner of Public Works (with regard to Highway/Sewer Department personnel) have the discretion to alter the holiday schedule to better meet the work schedule demands of their departments.

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that the Draft 2013 Town Board Meeting Schedule, be received and filed, and be it further

RESOLVED, that the Town Board hereby adopts the 2013 Town Board Meeting Schedule as the final Town Board Meeting Schedule for calendar year 2013.

Dated: November 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
TOWN BOARD MEETINGS
2013
2nd & 4th Wednesday of each month
at
7:00 p.m.
Unless Otherwise Indicated**

Organizational Meeting January 2, 2013 (noon)
January 9 th
January 23 th
February 13 th
February 27 nd
March 13 th
March 27 th
April 10 th
April 24 th
May 8 th
May 22 nd
June 12 th
June 26 th
July 10 th
July 24 th
August 14 th
August 28 th
Sept. 11 th
Sept. 25 th
October 9 th
October 23 rd
November 13 th
November 26 th Tuesday
December 11 th
2 nd December Meeting - TBD
January 2014
Organizational Meeting Date TBD

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated November 2, 2012 from Gary Brandt, Director of Personnel & Human Resources regarding authorization for the Supervisor to execute an agreement with PERMA for Workers Compensation Insurance for calendar year 2013 together with an email dated November 2, 2013 from James Hood of Holfoth Risk Management Services together with attachments thereto, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with PERMA for Workers Compensation Insurance for calendar year 2013 for a total premium of \$261,735.00 for the "Guaranteed Cost Including Police option as recommended by James Hood of Holfoth Risk Management Services in his email correspondence attached to the above referenced memoranda.

Dated: November 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

TO: Suzanne Zaso, Director of Finance
FROM: Gary Brandt, Director of Personnel & HR 
DATE: November 2, 2012
RE: Request Board Approval for the Supervisor to Execute a 2013
Contract with PERMA for NYS Workers' Compensation
Insurance and TPA Services

Attached is the letter from James Hood, Holfoth Risk Management Services, in which he outlines the current 2012 PERMA agreement and the three (3) options available for 2013. These options include PERMA payments for indemnity losses, medical costs, TPA services and WCB Assessments.

Mr. Hood has also prepared his recommendation for the selection of an option for 2013. I concur with his recommendation. Please see the attached letter for this recommendation for 2013.

c: James Hood, Holfoth Risk Management



Subject: Workers Compensation Options for 2013
From: "James Hood" <hood@aldrichandcox.com>
To: "Suzanne Zaso" <suzanne.zaso ...snip... gary.brandt@townofbrighton.org>

Suzanne and Gary,

This message is to confirm our agreement on the Workers' Compensation renewal option for 2013. We feel it is a much more prudent safer option to accept the PERMA renewal option of \$261,735 that includes Police Indemnity claims than to self insure the Police Indemnity claims up to \$1,500,000 or to accept \$100,000 per loss retention for all claims. The small savings just do not justify the potential risks of the other options.

We know that PERMA had a lost money in 2010 when the benefit level doubled without offsetting premium increases but the carrier is recovering nicely and getting steadily stronger. We feel that PERMA is sound now and a good market for municipal Workers Compensation coverage. They write only municipal business and understand how to help municipalities.

Jim
James B. Hood, Jr., CPCU
Director
Holfoth Risk Management
Tel: 716-675-0505
Fax: 716-675-2098
Mobile: 716-435-9665
Email: hood@aldrichandcox.com
Web: www.aldrichandcox.com

We do NOT sell insurance!



[Brighton WC comparison of PERMA quotes for 20133.xls](#)

**Town of Brighton
Workers' Comp Options for 2013**

Provider Type of Program	PERMA		PERMA Guaranteed Cost including Police	PERMA Guaranteed Costs excluding Police Indemnity	PERMA \$100,000 per occur Large Ded Plan including Police Indemn
	Guaranteed Cost expiring	included			
TPA Premium	\$ 219,787	\$ included	\$ 232,335	\$ 192,682	\$ 147,424
Loss Control Services		included		included	incl
Est Town Pd Assessment Chg	\$ 22,000	\$ included	\$ 29,400	\$ 29,400	\$ 29,400
Total premium	\$ 241,787	\$	\$ 261,735	\$ 222,082	\$ 176,824
Losses					plus losses
10,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	186,824
20,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	196,824
30,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	206,824
40,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	216,824
50,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	226,824
60,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	236,824
70,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	246,824
80,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	256,824
90,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	266,824
100,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	276,824
150,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	326,824
200,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	376,824
250,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	426,824
300,000	\$ 241,787	\$	\$ 261,735	\$ 222,082	476,824

Excluding the Police Indemnity means the Town Self Insures the first \$1,500,000 of a Police Indemnity claim
 Police Indemnity claims have been rare with no large such claims since 2003
 Ryan Lehigh collected \$2,319 in indemnity in 2011 is the only claim since 2010

Est Assessment charge to NYS
 Assessments are usually about 42% of indemnity payments

\$29,400

Loss History (pd and res)
2012 \$31,394
2011 \$56,120
2010 \$134,823
2009 \$66,896
2008 \$19,269
2007 \$24,582
2006 \$28,247

Indemnity Paid and Res by year
2012- too new to measure
2011 - \$31,567 incl reserves
2010 - \$83,716 incl reserves
2009 - \$47,041 incl reserves
2008 - \$ 8,200 paid
2007 - \$ 15,800

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that a memorandum dated November 2, 2012 from Gary Brandt, Director of Personnel & HR regarding authorization for the Supervisor to execute an agreement with the Department of Psychiatry of the University of Rochester for services for Town Employees and their families through the University's Strong Employee Assistance Program for calendar year 2013 at a cost of \$4221.80, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with the Department of Psychiatry of the University of Rochester for services for Town Employees and their families through the University's Strong Employee Assistance Program for calendar year 2013 at a cost of \$4221.80.

Dated: November 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

TO: Suzanne Zaso, Director of Finance
FROM: Gary Brandt, Director of Personnel & HR 
DATE: November 2, 2012
RE: Request Board Approval for the Supervisor to Execute an Agreement with Strong Memorial Hospital for EAP Services

Attached is the contract for services with the Strong Memorial Employee Assistance Program (EAP) for 2013 in the amount of \$4221.80

This will be our fifth annual contract for services with Strong EAP. The agreement for 2013 is at the same cost as the current 2012 agreement, i.e. no increase is requested. The services will remain the same as in all previous EAP agreements with Strong.

Over the years, the Strong EAP has proved to be a valuable partner for the Town of Brighton, helping numerous employees resolve both work and non-work related issues. Police Chief Henderson and DPW Commissioner Keef continue to appreciate and support the use of this valuable program.

c: Chief Henderson
Commissioner Keef

AGREEMENT OF PROFESSIONAL SERVICES

THIS AGREEMENT is made this ___ day of _____, 2012 by and between, the **Town of Brighton** and the Department of Psychiatry of the University of Rochester, providing services through its Strong Employee Assistance Program, located at 550 White Spruce Blvd, Rochester, New York 14623, hereinafter known as "Strong EAP".

WITNESSETH:

WHEREAS, Town of Brighton, desires to secure the professional services of Strong EAP to provide Employee Assistance Program (EAP) services for employees of **Town of Brighton** and

WHEREAS, Strong EAP has the necessary equipment, personnel, and expertise to perform EAP services.

NOW THEREFORE, in consideration of the terms and conditions contained herein, the parties do covenant and agree as follows:

The Department of Psychiatry will establish an employee assistance program (EAP) as a separate and distinct program. This program will be comprised of a specialized clinical and administrative team who will provide a confidential setting to address the needs of all employees and immediate family members (those living in the household) of the covered employees of **Town of Brighton** and its affiliates.

Section 1. DESCRIPTION OF SERVICES

Strong EAP, upon the commencement date specified in Section 2 hereof, shall perform in a professional manner to the reasonable satisfaction of the **Town of Brighton**, all of the services required below or reasonably required in order to carry out the services set forth herein:

A. The services provided may be conducted at Strong EAP facilities, or other locations as determined by Strong EAP.

B. Strong EAP will assist and advise the **Town of Brighton** in updating its written policy for referrals to the EAP, which will include procedures to be utilized by supervisory personnel to identify, contact, evaluate and refer employees to the EAP.

C. Strong EAP agrees to assume responsibility for the promotion of the program, including various brochures and posters. Any promotional activities or publications must first be approved by the **Town of Brighton**. Included in the promotional activities are posters, program brochures, and informational sessions for both supervisory personnel and the general employee population. Strong EAP will also provide information about EAP services at staff meetings and other sessions as requested by the **Town of Brighton**. The **Town of Brighton** agrees that all documents and promotional materials of Strong EAP are the exclusive property of Strong EAP and the **Town of Brighton** shall not reproduce or summarize the contents by any method whatsoever without first obtaining specific approval from Strong EAP.

D. Strong EAP agrees to provide training for supervisors and managerial personnel to assist them in making appropriate referrals to the EAP. The training materials and format of the training sessions will be approved by the **Town of Brighton**. Training will include, but not be limited to, an instructional session on the program's objectives utilizing appropriate audiovisual materials, review and discussion of the **Town of Brighton** policy and referral procedure, and any specific follow-up as may be requested by an individual supervisor. This supervisory/managerial training will take place during the first six (6) months of the contract and will be scheduled at times and locations that are approved in advance by the **Town of Brighton**. Strong EAP agrees to provide subsequent supervisory training sessions annually for new supervisory personnel and as a refresher for existing staff.

E. Strong EAP agrees to provide orientation sessions on the EAP for all covered employees. The materials and format of these orientation sessions will be approved by the **Town of Brighton**. These employee orientation sessions will take place during the first six (6) months of the contract and will be scheduled at times and locations that are approved in advance by the **Town of Brighton**. Strong EAP agrees to provide subsequent employee orientation sessions for new employees annually and to develop, as requested by the **Town of Brighton**, follow-up sessions to update all employees on the program.

F. Strong EAP agrees to provide one wellness topic of live sessions per contract period on topics selected by the **Town of Brighton** as important to employee health and well-being. These include topics such as conflict resolution skills training, communication skills training, stress management, nutrition awareness, and drug and alcohol abuse awareness. Any session must first be approved by the **Town of Brighton**. These sessions will be scheduled at times and locations that are approved in advance by the **Town of Brighton**. Strong EAP will respond to all additional wellness session requests at the rate of \$125.00 per hour.

G. Strong EAP agrees to provide two Critical Incident Stress Management (CISM) responses (up to two sessions for each single event) per year. A CISM response is a structured intervention to an event, which caused, or has the potential to cause, unusually strong emotional reactions that ultimately may interfere with an individual or group of individual's ability to function in his/her/their work role. Strong EAP will respond to all additional CISM requests at a rate of \$200.00 per hour.

H. Strong EAP agrees to provide **Town of Brighton** employees and their immediate family members with assessment and referral and short-term supportive interventions. These interventions will be without charge to the employee or his/her family. If long-term counseling (greater than five sessions) is required, the employee may be required to pay for services provided by the agency to which the employee is referred. Strong EAP agrees to refer employees to agencies that are qualified to handle the employee's problems, and wherever feasible, to refer an employee to an agency whose fees will be covered by the employee's health insurance. Assessment, referral, and short-term interventions are intended to address the following issues: alcohol and substance abuse, mental and emotional difficulties, and personal problems such as marital and family difficulties, employment concerns, and legal, financial, and credit problems.

I. Strong EAP agrees to provide emergency coverage (24hours/7 days a week) by a mental health professional via pager service to manage crisis related problems. This emergency pager service will be listed in all promotional materials and discussed during all informational sessions conducted by Strong EAP.

J. Strong EAP agrees that its staff and the staff of any sub-contractor or any other entity referenced under this agreement shall possess the necessary qualifications, licenses, and training to perform the services to be provided under this contract.

K. Strong EAP agrees to maintain the privacy, security and confidentiality of all information, including all patient medical records, charts, and related information, transmitted, received through or maintained in connection with the services provided pursuant to this Agreement, in accordance with (i) all applicable statutes and regulations, including without limitation, the applicable requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, Title II, Subtitle F, and regulations from time to time promulgated thereunder ("HIPAA") and (ii) the protocols, rules, policies and other requirements of Strong EAP and any accrediting agencies, licensors and authorities that are applicable to Strong EAP. All patient records, charts and related information developed in connection with this Agreement shall remain the property of Strong EAP.

L. Strong EAP agrees to provide regular service reports on client utilization. Follow-up information compiled from participant evaluations of the program and its services will accompany the service reports. In no case will this information infringe on the confidentiality of the participant's records.

M. Strong EAP agrees to administer a consumer satisfaction survey at a mutually agreed upon time following the commencement date of the contract. The survey results will be shared with the **Town of Brighton**, and focus groups will be developed to address any areas of concern.

N. This agreement cannot be assigned or transferred without prior written approval and may only be modified or amended upon the written consent of both parties.

O. Strong EAP agrees that it will maintain adequate books, accounts and records relating to its performance under this contract for inspection by the **Town of Brighton** during reasonable

business hours. The confidentiality of the identity of those persons referred will at all times be maintained by Strong EAP. Books, accounts and records will be made available in a form that best protects that confidentiality.

Section 2. **TERM**

This agreement shall remain in effect for a one (1) year term and commence on **January 1, 2013 and terminate on December 31, 2013.** If termination of this Agreement is being considered prior to the expiration of this agreement, written notice must be given by the terminating party 60 days prior to the proposed termination date. The termination notice shall include the specific concerns and reasons underlying the other party's default in its performance of the obligations under this Agreement. Failure to cure such default within the 60-day notice period shall result in an automatic termination of this Agreement. A cure of such default within the 60 day notice period shall cancel the termination notice and this Agreement shall continue in effect until its expiration date.

Section 3. **FEE**

The **Town of Brighton** agrees to pay Strong EAP a sum of **\$4221.80** annually [based on 202 employees x \$20.90]. Such contract sum shall not change during the contract year. The total contract sum shall be paid by the **Town of Brighton** to Strong EAP in **twelve (12) installments of \$351.82 each**, with the first installment due on the first day of the contract and semi-annually thereafter.

Additional wellness sessions and additional CISM responses provided by Strong EAP will be billed at the above rates (Section 1, Paragraph F & G) and shall be due within 30 days of the billing date. If the **Town of Brighton** is required to provide any EAP benefits to former employees and their families under COBRA, such services shall be billed at a rate mutually agreed upon by the parties.

Failure to pay within the 30-day grace period will result in a 3% late payment charge on the remaining balance, which shall be assessed every 30 days.

Payment should be made to **URMC Department of Psychiatry** and mailed to **Debra Kuhn, 300 Crittenden Blvd, Rochester, NY 14642**

Section 4. **INDEMNIFICATION AND OBLIGATION TO COMPLY WITH LEGAL REQUIREMENTS**

Both parties agree to indemnify and hold each other harmless from any claims, losses, damages, judgements, penalties, fees, or settlements, (including reasonable legal fees) arising from or relating to any acts and/or omissions constituting negligence on their part, or on the part of their officers, agents, or employees.

The Department of Psychiatry, a Division of the University of Rochester, remains responsible for ensuring that any service provided pursuant to this contract complies with all pertinent provisions of Federal, State and local statutes, rules and regulations.

Section 5. **EQUAL OPPORTUNITY**

Strong EAP is committed to equal opportunity for all persons regardless of race, religion, color, age, sex, handicap, national origin, marital status, disabled veteran, or Vietnam veteran status.

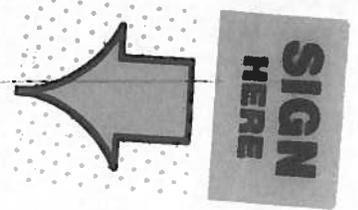
This constitutes the entire agreement.

IN WITNESS THEREOF, the parties have duly executed this Agreement on the date first written above.

TOWN OF BRIGHTON

BY: _____

Town Supervisor



**DEPARTMENT OF PSYCHIATRY
UNIVERSITY OF ROCHESTER**

BY: _____

Joanne A. Dermady, Director
Employee Assistance Programs

BY: _____

Eric Caine, MD.
Chair Dept. of Psychiatry

UNIVERSITY OF ROCHESTER

BY: _____

William Passalacqua, Senior Director
School of Medicine & Dentistry
Taxpayer Id. No.: 16-0743209

EXHIBIT NO 22

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 November, 2012.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated November 2012 from Gerald K. Geist, Executive Director of the Association of Towns regarding renewing the Town's membership for 2013, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to renew the Town's membership in the Association of Towns for the State of New York for calendar year 2013.

Dated: November 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	_____

THE
ASSOCIATION OF TOWNS
OF THE
STATE OF NEW YORK

GERALD K. GEIST
Executive Director / Treasurer

150 State Street
Albany, NY 12207

Telephone
Area Code 518 - 465-7933
Fax # 518 - 465-0724

LORI A. MITHEN-DeMASI
Counsel

MICHAEL E. KENNEALLY, JR.
Associate Counsel

MURRAY M. JAROS
Special Counsel

JAMES D. COLE
Special Counsel

November 2012

Dear Supervisor:

Enclosed is a voucher covering your Town's dues in this Association for 2013. We wrote you last August as to the amount of these dues for your use in budget formulation. There was also an explanation of how these dues were computed.

There is no doubt that town government continues to be the most responsive, efficient, and "closest to the people" provider of services to residents in New York State today. It is, however, continually challenged by critical issues that arise. Such issues are both programmatic and fiscal and they impact on a town's ability to provide services to their residents at a reasonable cost. To deal with such challenges, the Association has added staff and expanded services for its members. Your support of these efforts through membership in the Association is a direct benefit to the residents of your town and is invaluable to them.

One of the ways in which the Association provides assistance is by training town officials, and the most comprehensive effort in this area is our Training School and Annual Meeting. The **2013 Training School & Annual Meeting** will be held at the New York Hilton Hotel, New York City, **February 17-20, 2013**. Under General Municipal Law, §77-b, the actual and necessary expenses of officers and employees of your Town attending the Annual Meeting are proper town charges. A Registration/Housing Form is enclosed and can also be found in your November/December "Topics" within "Talk of the Towns."

We encourage you to register for the meeting and make room reservations online through our Web site: www.nytowns.org and follow the links.

On behalf of the entire staff, I promise that we will continue in our efforts to provide updated educational training for you and your staff, and to represent strongly the views of town government both in Albany and Washington.

Your cooperation in processing your dues voucher will be very much appreciated. Many thanks in advance.

Kindest regards,

Gerald K. Geist
Executive Director

GKG:lp