

MINUTES OF TOWN BOARD MEETING
OF THE TOWN OF BRIGHTON, COUNTY OF
MONROE, NEW YORK, HELD AT THE
BRIGHTON TOWN HALL, 2300 ELMWOOD
AVENUE, ROCHESTER, NEW YORK
March 26, 2014

Present:

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

Daniel Aman, Town Clerk
Mark Henderson, Chief of Police
Tim Keef, Commissioner of Public Works
Rebecca Cotter, Recreation Director
Suzanne Zaso, Finance Director

MOTION TO GO INTO EXECUTIVE SESSION AT 6:45 PM:

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel to go into executive session at 6:45 PM to discuss matters of employment of particular people

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio to come out of executive session

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING CALLED TO ORDER AT 7:05 PM:

RECOGNITIONS/PRESENTATIONS:

Women's History Month Proclamation Presentations:
Barbara Blaisdell
Deborah Hughes, Executive Director Susan B. Anthony House

OPEN FORUM:

Jennifer Wolfley
Robert Levine
Ray Tierney

APPROVAL OF AGENDA:

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: University of Rochester Supplemental Draft Generic Environmental Impact Statement for the Institutional Planned Development project (Note: written comments may be submitted up to 5:00 p.m., April 11, 2014)

Matter held

COMMUNICATIONS:

FROM Dennis Adams, Chair Brighton Conservation Board dated March 12, 2014 - Conservation Board 2013 Annual Report.

FROM Town Justices Karen Morris and John Falk dated March 10, 2014 – Brighton Town Court 2013 Annual Report.

FROM The National Arbor Day Foundation dated February 24, 2014 – Re-designation for 2013 as a U.S. Tree City.

FROM Tony Fiorillo and Anthony Hill, Penflex Inc. to Suzanne Zaso, Director of Finance dated March 18, 2014 – Executive Summary as prepared by Penflex, Inc. for the West Brighton Fire Protection District Service Award program.

FROM Time Warner Cable dated March 19, 2014 to Supervisor regarding cable channel changes and soon to expire channels that may or may not be renewed.

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Parks and Recreation & Community Services - Next meeting 4/28/14 at 4:30 PM at Brookside
 Finance and Administrative Services – Next meeting 4/1/14 at 3:30 PM in Stage Conference Room
 Public Safety Services – Next meeting 4/8/14 at 8:00 AM at 8:00 AM in Downstairs Meeting Room
 Public Works Services – Next meeting 4/7/14 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 for payment the claims as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize bid award with approval to execute agreement with Pro Construction Co. to provide services for the town's sidewalk removal/ replacement program for 2014 (See Resolution #2 and letter dated March 17, 2014 from Chad Roscoe, Junior Engineer).

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: Approval to declare (1) police department vehicle as surplus and authorize disposal through the municipal equipment auction process (see Resolution #3 and letter dated March 12, 2014 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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept Grant award in the amount of \$4,513.44 from the Justice Court Assistance Program with authorization to appropriate funds into associated budget account to support same (see Resolution #4 and letter dated March 6, 2014 from Dianne Burdett, Administrative Court Clerk).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute agreement with Young Explosives to provide Fireworks display for the 2014 July 4th celebration (See Resolution #5 and letter dated March 11, 2014 from Matt Beeman, Superintendent of Parks).

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Appointment of a particular person as a Marriage Officer within the Town for the year 2014 (See Resolution #6).

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute amended retainer agreement with Davidson Fink, LLP for legal services (see Resolution #7).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to modify the existing Table of Organization under Information Systems to support:

- Elimination of Full-Time Network Technician position
- Elimination of Part-Time Micro Support Technician position
- Elimination of Part-Time Office Clerk III position
- Reduce work schedule of current Coordinator of Data Processing from 40 hours per week to 35 hours per week effective April 7, 2014

(See Resolution #8 and letter dated March 17, 2014 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED AT 9:31 PM:

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio to adjourn at 9:31 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 26th day of March 2014 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 26th day of March, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, the Town previously solicited bids for the 2014 sidewalk repair program for the Brighton Consolidated Sidewalk District, and the Commissioner of Public Works has determined that Pro Construction is the lowest responsive and responsible bidder for such work, and be it further

RESOLVED, that correspondence dated March 17, 2014 from Junior Engineer, Chad Roscoe regarding a request to authorize the Supervisor to execute an agreement with Pro Construction of Bergen, New York as the lowest responsive and responsible bidder to provide sidewalk replacement and repair services for 20,500 square feet of sidewalks for 2014 for a cost not to exceed \$141,927 and to further authorize the Supervisor to execute change orders not exceeding 10% in total of the base contract amount, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Pro Construction of Bergen, New York as the lowest responsive and responsible bidder to provide sidewalk replacement and repair services for 20,500 square feet of sidewalks for 2014 for a cost not to exceed \$141,927 and further authorizes the Supervisor to execute change orders not exceeding 10% in total of the base contract amount without further action by the Town Board, subject to the review and approval of the form of the agreement by the Attorney to the Town.

Dated: March 26, 2014

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

3/17/2014

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

Re: Award of Project
2014 BCSD Repair Program

Dear Councilperson Werner and Committee Members:

Pursuant to prior authorization, the above bid was publicly advertised and opened on March 10, 2014. Town staff also notified twenty one contractors regarding this project. Attached is a copy of the public notice along with the Bid Result. Below is Table-1 which lists the bids that were received from contractors.

Table – 1 Contractor List

Contractor

Pro Construction
Campobello Construction Co.
Master's Edge Inc.
Sunshine Concrete, Inc.
Structured Remediation Services, Inc.

Address

6062 Sautell Road, Bergen, New York
23 Stratford Road, Buffalo, NY 14216
3409 Broadway St, Cheektowaga, NY 14227
3461 Stevenson Court, N. Tonawanda, NY 14120
1115 East Main Street, Box 79, Ste 209, Rochester NY 14609

I have reviewed the bids for completeness and accuracy and concluded that the lowest price quote provided by **Pro Construction, 6062 Sautell Road, Bergen, New York** is representative of the costs necessary to complete the project and the contractor is qualified to perform the proposed work. Therefore, I am requesting that FASC recommend that the Town Board award the project to the low, responsible and responsive contractor, **Pro Construction**, for a lump sum price not to exceed \$141,927. I further recommend that the Supervisor be authorized to execute any necessary change orders that do not collectively exceed ten percent of the awarded contract price.

As always, thank you for your consideration. In the event that you have any questions regarding this matter please contact me.

Respectfully,

Chad Roscoe
Junior Engineer

cc: S. Zaso
T. Keef
M. Hussar
M. Guyon
R. Boehner
K. Gordon

2014

BID TABULATION SHEET

OPENING DATE: 3/10/2014

TIME: 10:00 AM

PERSON: Chad Roscoe

PROJECT NAME: 2014 Sidewalk Replacement Contract

TOB PROJECT NO.: 2014-0037

CONTRACT FOR: Town of Brighton, Highway

BID PACKAGE #

CONTRACTOR (COMPANIES NAME)

5% Bid Security (Sec. 300-1.3)

Addenda Received (Sec. 300-1.4)

Base Bid (Sec. 300-2.2.1)

300-2.2 Signatures

410 Bid Security

450 Bidder Responsibility

470 Corporate Resolution

480 Non-Collusive

485 MacBride

490 Site Investigation

APPARENT LOW BIDDER

1 Campobello Construction

\$168,450.00

2 Pro Construction

\$141,927.00

3 Master's Edge, Inc.

\$221,817.50

4 Sunshine Concrete, Inc.

\$146,965.00

5 SRS, Inc.

\$347,000.00

6

7

✓

STATE OF NEW YORK
Ontario County

STATE OF NEW YORK
Monroe County

LEGAL NOTICE
SECTION 00030
ADVERTISEMENT FOR BIDS

The Town of Brighton, Monroe County, New York, will receive sealed bids for the improvements to the:

2014 SIDEWALK REPLACEMENT CONTRACT

Sealed Bids will be received, publicly opened and read at the following place and time:

Place: Town of Brighton
Department of Public Works
2300 Elmwood Avenue
Rochester, New York 14618

Date: Monday, March 10, 2014
Time: 10:00 A.M. Local Time

The work consists principally of removal and replacement of existing sidewalks as well as new installation of sidewalks in various locations in the Town of Brighton.

The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under each contract. A hard copy of the Plans and Specifications are available for inspection at the above location along with a CD containing a digital copy for free. If you would like a CD mailed to you there is a fee (\$25.00) dollar charge. A free digital copy may be obtained by contacting Chad Roscoe at 784-8224 or chad.roscoe@townofbrighton.com.

The checks for the Plans and Specifications shall be made payable to the Town of Brighton. Bids must be made in writing on the forms furnished and shall be accompanied by a bid guarantee for an amount not less than five percent (5%) of the amount bid in accordance with the INSTRUCTIONS TO BIDDERS.

The Town of Brighton is exempt under New York State Tax law and therefore no sales tax on the cost of materials incorporated into the project shall be included in the bid.

All prices bid shall be good for a period of sixty (60) days after opening. The Town of Brighton reserves the right to consider bids for sixty (60) days after their receipt before awarding any contract. The Town of Brighton further reserves the right to reject any and all bids, and to accept any Proposal or individual item or items, which it may deem to be the most favorable to its best interests.

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

The attention of the Bidder is called to the requirements as to the conditions of employment and the minimum wage rates to be paid under this contract.

Any unauthorized modifications or alterations to this document could result in a rejected bid.

A master copy of this document is located at:
2300 Elmwood Avenue, Rochester, NY 14618, Department of Public Works
Dated: February 13, 2014
Town of Brighton
Timothy E. Keel
Commissioner of Public Works
585784-8223
F613
02/13/2014

I, Chad Roscoe, being duly sworn, depose and saith that she is the bookkeeper for **MONROE-PITTSFORD POST Newspaper**, a newspaper published in the Town of Brighton, County of Monroe and State of New York and that a notice of which the above copy, was published in the said newspaper once in each week commencing on the **15th DAY OF FEBRUARY 2014** and ending on the **15th DAY OF FEBRUARY 2014**.

Chad Roscoe
man of the Publisher

sworn on before me, this 14TH day
FEBRUARY 2014

Barbara S. Connelly
Notary Public, State of NY

Legal # 02542031

BARBARA S. CONNELLY
Notary Public In The State Of New York
Monroe County
Commission Expires Jan 21, 2018

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 26th day of March, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 12, 2014 from Chief of Police Mark T. Henderson regarding a request to have the Town Board declare one police vehicle identified as a 2010 Ford Crown Victoria (VIN 2FABP7BV9AX135024) surplus and to authorize the disposition of said vehicles by public auction, be received and filed; and be it further

RESOLVED, that the Town Board hereby declares one police vehicle identified as a 2010 Ford Crown Victoria (VIN 2FABP7BV9AX135024) surplus and authorizes the disposition of said vehicle by public auction.

Dated: March 26, 2014

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

March 12, 2014

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

RE: Vehicle Surplus Auction

Dear Board Members:

In recent years, the Police Department has utilized the Annual Municipal Equipment Auction to dispose of our used vehicles. The advertising campaign and size of this auction has allowed us to sell our vehicles for considerably more than had we disposed of them ourselves.

The auction will be held in the spring and I request that the vehicle listed below be declared surplus.

Control 101 2010 Ford Crown Victoria 2FABP7BV9AX135024

With your declaration, the Police Department will make the arrangements necessary to prepare and transport the vehicles to the auction site. Thank you for your consideration and I would be happy to answer any questions you may have regarding this request.

Respectfully,

A handwritten signature in black ink that reads "Mark T. Henderson" followed by a horizontal line.

Mark T. Henderson
Chief of Police

MTH:jpo

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 26th day of March, 2014.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 6, 2014 from Administrative Court Clerk Dianne Burdett regarding a request to authorize the acceptance of a grant in the amount of \$4,513.44 from the Justice Court Assistance Program to be used to acquire new walk-through metal detector, be received and filed, and be it further

RESOLVED, that the Town Board hereby authorizes the acceptance of a grant in the amount of \$4,513.44 from the Justice Court Assistance Program to acquire new walk-through metal detector and hereby amends the 2014 Police Department budget by increasing the NYS Aid account (A.JSTCE. 1110.3390 and the Safety Equipment account (A.JSTCE 1110.2.18 by \$4,513.44.

Dated: March 26, 2014

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

JUSTICE COURT

TOWN OF BRIGHTON

MONROE COUNTY

2300 ELMWOOD AVENUE, ROCHESTER, NY 14618

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

<http://www.townofbrighton.org>

JUSTICES
KAREN MORRIS
JOHN A. FALK

COURT ADMINISTRATOR
DIANNE BURDETT
ASSISTANT COURT CLERK
MARY JO SCHILLER

March 6, 2014

Town of Brighton
Finance and Administrative Services Committee
2300 Elmwood Ave.
Rochester, N.Y. 14618

RE: Grant Award from Justice Court Assistance Program

Dear Finance Committee Members,

The court is requesting approval for acceptance of a grant award from the Justice Court Assistance Program in the amount of \$4,513.44. The grant is for a new walk-through metal detector to replace our current out-dated unit. We also request approval to amend the budget as follows: increase the revenue account A.JSTCE. 1110.3390 (NYS Aid) by \$4,513.44 and increase the expense account A. JSTCE. 1110. 2.18 (Safety Equipment) by \$4,513.44. This is a budget neutral appropriation.

Please let me know if you need any additional information.

Sincerely,



Dianne Burdett
Administrative Court Clerk

Attachment

Cc: file

STATE OF NEW YORK
UNIFIED COURT SYSTEM

Hall of Justice, Room 545
99 Exchange Boulevard
Rochester, NY 14614
(585) 428-2885

A. Gail Prudenti
Chief Administrative Judge

Craig J. Doran
Seventh District Administrative Judge

Michael V. Cocco
Deputy Chief Administrative Judge
Courts Outside New York City

February 14, 2014

Ms. Dianne Burdett
Court Clerk
Brighton Town Court
2300 Elmwood Ave
Rochester, NY 14618

Dear Ms. Burdett:

Please be advised the Brighton Town Court has been awarded a grant under the 2013-14 cycle of the Justice Court Assistance Program (JCAP).

JCAP was established by the New York State Legislature in 1999, at the request of the Unified Court System, to help provide our State's town and village courts with the resources and equipment necessary to fulfill their critical role in our justice system. Under the Court System's Action Plan for the Justice Courts, JCAP has been expanded, both in the level of funding and the scope of the projects funded.

The Brighton Town Court is one of 474 courts receiving JCAP funding this year. The details of your award are set forth on the enclosed form. Funds will be sent via direct deposit or check to your municipality within the next few weeks. Please note, if you requested computer equipment, our Division of Technology will be in contact with you regarding these requests.

Thank you for your participation in the Justice Court Assistance Program.

Very truly yours,

Craig J. Doran
Seventh District Administrative Judge

Alex Renzi
Supervising Judge

cc: Hon. Henry J. Scudder, Presiding Justice Appellate Division
Hon. Michael V. Cocco, Deputy Chief Administrative Judge
Courts Outside New York City

2013-2014 JCAP SECURITY AWARDS VENDOR CONTACT SHEET

Your municipality has been awarded a grant under the 2013-2014 Justice Court Assistance Program to purchase a walkthrough metal detector for the Justice Court.

Please contact the vendor below to complete the purchase of the security item. Please note: you should delineate "JCAP Award" within the purchase order document.

Walk-Through Metal Detectors

Promark International Inc.

720 Montauk Highway

Copiahque, NY 11726

Phone (631) 226-1541

Fax (631) 226-1259

Kenneth Battcher

NYS Contract Number: PC62316

1 - Garrett PD6500i Walk Through Metal Detector -	\$3,846.50
1 - Garrett Operational Test Piece	\$41.97
1 - Install, Calibrate and Train	\$450
1 - Garrett Permanent Magna Dolly	<u>\$174.97</u>
Total	\$4,513.44

2014 FEB 18 PM 1:01

REC'D
JAN 20 2014

2013-2014 Justice Court Assistance Program

Please fax this form to 518-438-3518 or mail to:
Office of Justice Court Support, 187 Wolf Road, Suite 103, Albany, N.Y.12205

Application ID # 2579

In the space provided below, indicate when the money was spent on the item described below and the exact amount spent.

Funds to be spent within 180 days of receipt

Information about when
you spent the grant:

Brighton Town Court, Monroe County

District 7

Type Of Application: Individual

If Joint, name of Joint Applicant:

Comments:

Item Category

Grant Amount Approved

Print Name: _____

Security

\$4,513.44

Signature: _____

I affirm this was received

Date: _____

Amount actually spent: _____

Total Amount of Grant

Brighton Town Court

\$4,513.44

SPECIAL NOTE REGARDING AWARD DISBURSEMENTS:

Your Town Supervisor or Village Mayor should receive a check for the amount of the grant or the grant amount will be sent via direct deposit to your municipality. All grant recipients are reminded that, as required by law, funds received hereunder may not be used for purposes other than the purchase of the item(s) set forth on the enclosed award form. Also, as stipulated in the municipal certification accompanying the application for your grant, "any goods and/or services purchased with any Justice Court Assistance Program funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures."

Please remember to save your receipts for at least three (3) years for audit and review purposes. If the amount you spend purchasing an item is less than the amount awarded in the grant, and that difference is less than 10% of the award for that item, then you may use that savings toward another grant item or towards consumable office supplies. If the savings exceeds 10% of the amount awarded for that item, please contact the Office of Justice Court Support at (800)-232-0630 for approval.

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 26th day of March, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated March 11, 2014 from Superintendent of Parks, Matt Beeman, regarding authorization for the Supervisor to execute a contract with Young Explosives Corporation for a July 4, 2014 fireworks display at a cost not to exceed \$11,400.00, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract with Young Explosives Corporation for a July 4, 2014 fireworks display at a cost not to exceed \$11,400.00 on the contract form attached to the above correspondence which contract form has been reviewed and approved by the Attorney to the Town.

Dated: March 26, 2014

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

RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT

220 Idlewood Road
Rochester, NY 14618
<http://www.townofbrighton.org>

(585) 784-5260
Fax: (585) 784-5365
TTY: (585) 784-5381

March 11, 2014

Honorable Finance Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Finance Committee Members:

I respectfully request that you authorize the Supervisor to execute a contract with Young Explosives for the 2014 July 4th fireworks display. The cost will be \$11,400 and funding is available in our 2014 celebration budget. As part of their agreement, the contractor is required to submit a certificate of insurance naming the Town of Brighton as additionally insured.

I will be happy to answer any questions you may have regarding this matter.

Sincerely,

Matt Beeman
Superintendent of Parks

YOUNG EXPLOSIVES CORPORATION
Fireworks Exhibition Agreement

This agreement made this 10th day of February, 20 14 by and between Young Explosives Corporation of Rochester, NY, hereafter designated **Young**, and

Town of Brighton
220 Idlewood Road
Rochester, N.Y. 14618

hereafter designated the **customer**, providing for the sale of and an exhibition of fireworks to be located at

Meridian Center Park

on the date of Friday, July 4, 20 14 in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. Guaranteed Exhibition of Fireworks

Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.

2. Spectator Control

The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.

3. Permits

The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. *In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.*

4. Insurance

a) Young agrees to procure liability insurance for \$ 2,000,000.00 coverage and zero deductibility on behalf of the customer. The insurance cost is included in the payable sum shown on this agreement.
b) Young will provide Workers' Compensation and Disability for the fireworks technicians.

5. Postponement or Cancellation

a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with *no extra charge*.
b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.
c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be *no charge*. However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.

6. Terms of Payment ¹¹⁴⁰⁰

a) Check box that applies: Young requires no down payment. Young requires a down payment of \$ _____, due by _____ 20 ____ If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.
b) The customer agrees to pay Young, or his agent, the total sum of Eleven thousand, four hundred & 00 Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.
c) In the event of customer's failure to pay when due all sums due Young under this contract, Young shall be entitled to collect from customer its reasonable cost of collection, including interest and reasonable attorney's fees.

7. Counterpart Execution; Electronic Signatures

This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum 11,400.00 Dollars

Young Explosives Corp.
Display Fireworks

(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618

YoungExplosives.com

E-Mail: fireworks@youngexplosives.com

The parties sign below:



Young Explosives Corp.

James R. Young

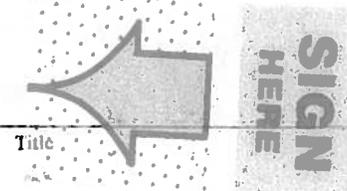
(Print Name)

Customer Signature

(Print Customer Name)

President

Title



Title

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 26th day of March, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that the Town Board hereby appoints Sandra L. Frankel as a Marriage Officer of Town of Brighton to serve without wage or salary pursuant to Section 11-C of the Domestic Relations Law of the State of New York, subject to the provisions thereof, for a term commencing immediately and expiring December 31, 2014.

Dated: March 26, 2014, 2012

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

EXHIBIT NO. 7

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 26th day of March, 2014.

PRESENT:

William W. Moehle,
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
JASON S. DIPONZIO
CHRISTOPHER K. WERNER
Councilpersons

WHEREAS, the Town of Brighton has previously entered into an agreement with Davidson Fink LLP, for legal services in connection with tax certiorari litigation; and

WHEREAS, the Town Board desires to amend such agreement, to increase the hourly rate to be paid by \$10.00 for services rendered thereunder; it is therefore

RESOLVED, that the Town Board hereby approves an amendment to the engagement letter for legal services by and between the Town and Davidson Fink, LLP, to increase the rate payable for services to Davidson Fink, LLP to \$230 per hour.

Dated: March 26, 2014

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilman	Voting	_____
Louise Novros, Councilperson	Voting	_____
Jason S. DiPonzio, Councilman	Voting	_____
Christopher K. Werner, Councilman	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 26th day of March, 2014.

PRESENT:

William W. Moehle,
Supervisor

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

Councilpersons

RESOLVED, that correspondence from Suzanne Zaso, Director of Finance dated March 17, 2014 regarding authorization to amend Table of Organization under Information Systems to eliminate Full-Time Network Technician position, eliminate Part-Time Micro-Computer Support Technician position, eliminate Part-Time Office Clerk III position and to reduce work schedule of current Full-Time Coordinator of Data Processing from 40 hours per week to 35 hours per week effective April 7, 2014 be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the elimination of Full-Time Network Technician, Part-Time Micro-Computer Support Technician and Part-Time Office Clerk III positions from the Table of organization under Information Systems and further authorizes the reduction of work hours from 40 hours per week to 35 hours per week for existing Coordinator of Data Processing position effective April 7, 2014.

Dated: March 26, 2014

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



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5211 Fax (585) 784-5396

March 17, 2014

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

Dear Honorable Town Board:

As a result of the anticipated hiring of a Sr. Network Technician under Information Systems, I am recommending the following changes to the Table of Organization under Information Systems effective April 21, 2014:

- Eliminate Full-Time Network Technician position
- Eliminate Part-Time Micro-Computer Support Technician position
- Eliminate Part-Time Office Clerk III position

I am also recommending that the work schedule for the current full-time Coordinator of Data Processing position be reduced from 40 hours per week to 35 hours per week effective April 7, 2014.

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

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Zaso".

Suzanne Zaso
Director of Finance

Cc: Gary Brandt, Director of Personnel
Susan Wentworth, Coordinator of Data Processing