

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  
April 9, 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  
Kenneth Gordon, Attorney for the Town  
Rebecca Cotter, Recreation Director  
Suzanne Zaso, Finance Director  
Maryann Hussar, Assistant to the Supervisor

**MEETING CALLED TO ORDER AT 7:00 PM:****RECOGNITIONS/PRESENTATIONS:**

Animal Control Supervisor David Ewell Retirement

**APPROVAL OF AGENDA:**

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:**

February 12, 2014 Town Board Meeting  
February 26, 2014 Town Board Meeting

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

**MATTER RE:** Proposed Local Law entitled "Comfort Care Homes" (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

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services – Next meeting 4/28/14 at 4:30 PM at Brookside  
Finance and Administrative Services – Next meeting 4/15/2014 at 3:30 PM in Stage Conference Room;  
Special Meeting 4/16/2013 at 9:00 AM in Stage Conference Room  
Public Safety Services – Next meeting 5/13/14 at 8:00 AM in Downstairs Meeting Room  
Public Works Services – Next meeting 5/5/14 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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to adopt the Climate Smart Communities Pledge to initiate our Town's commitment to GHG emission reduction and climate adaptation and become a registered Climate Smart Community (see Resolution #2 and letter from Members of the Town's Sustainability Oversight Committee to the Supervisor dated April 3, 2014 encouraging Town Board members to adopt the Climate Smart Communities Pledge and become a member of the Climate Smart program.).

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 declare various Town Highway Department equipment as surplus and approval for its disposal through municipal auction (see Resolution #3 and letter dated March 27, 2014 from Timothy J. Anderson, Deputy Highway Superintendent).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize bid award to Bayer Landscape Architecture, PLLC with approval for Supervisor to execute agreement with same at a cost not to exceed \$117,550.00 to provide professional services in connection with the development of the former Farash property shared use trail project (see Resolution #4 and letter dated March 28, 2014 from Michael E. Guyon, P.E. , Town Engineer).

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to appropriate \$117,550 from the Parkland Trust fund and create a new capital project account in which to deposit same to support funding for developmental professional services for the former Farash property shared use trail project (see Resolution #5 and memorandum dated April 1, 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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to accept \$3,360 in donations made by various Brighton citizens and businesses to the Town of Brighton Veterans Memorial Fund (see Resolution #6 and letter dated April 2, 2014 from Suzanne Zaso, Director of Finance).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize approval for Supervisor to execute Memorandum of Agreement between the Town, CSEA and/or Teamsters to implement ten (10) hour working days during the 2014 Summer Season (see Resolution #7 and letter dated March 31, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to declare one 2003 Ford Ambulance vehicle as surplus and their disposal through municipal auction (see Resolution #8 and memorandum dated March 31, 2014 from Suzanne Zaso, Director of Finance).

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. 9 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute investment policy statement prepared by RBC Wealth Management granting approval to invest Service Award program funds for the West Brighton Fire Protection District (see Resolution #9 and memorandum dated March 31, 2014 from Suzanne Zaso).

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. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute change order # 4 with Birchcrest Tree and Landscape in the amount of \$2700 to support purchase and installation of second bench at the Veterans Memorial (see Resolution #10 and letter dated March 31, 2014 from Mike Guyon, P.E. Town Engineer).

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.11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to adopt Bond Resolution in the amount of \$535,000 for financing to support the reconstruction of the roof of the Town's existing salt shed barn and related site work improvements and costs, as well as a street sweeper and a dump truck with

plow. (see memorandum dated March 31, 2014 from Suzanne Zaso, Director of Finance).

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. 12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to adopt Bond Resolution in the amount of \$45,000 for financing to support the purchase of an ambulance. (see memorandum dated March 31, 2014 from Suzanne Zaso, Director of Finance)

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. 13 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MOTION TO GO INTO EXECUTIVE SESSION AT 8:59 PM**

Motion by Councilmember Louise Novros seconded by Councilmember Christopher Werner to go into executive session at 8:59 PM to discuss a matter of employment of particular people in the Police Department and the appointment of people to the Comprehensive Plan Committee

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to come out of executive session at 9:51 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED AT 9:52 PM:**

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to adjourn at 9:52 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 9<sup>th</sup> day of April 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 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, a public hearing, duly noticed, was held on April 9, 2014 at 7:30 pm at 2300 Elmwood Avenue in the Town of Brighton to hear testimony and public comment and to receive and review evidence and exhibits regarding the proposed adoption of a Local Law of 2014 entitled "Comfort Care Homes Local Law" in the form attached hereto; and

**WHEREAS**, at said public hearing all persons having an interest in the proposed Local Law had an opportunity to speak and give testimony relating thereto, and the Town Board having determined that based on such testimony, and the written materials received, it desires to adopt such Local Law; and

**WHEREAS**, the Town as lead agency pursuant to the New York State Environmental Quality Review Act (SEQRA) has determined that the adoption of said Local Law will have no adverse impact on the environment and has accordingly prepared a Negative Declaration pursuant to SEQRA, and

**WHEREAS**, the Town, pursuant to law, submitted the proposed Local Law to the Monroe County Department of Planning and Development which Department has reviewed the proposed Local Law and has elected to make no comment thereon, now it is hereby

**RESOLVED**, that the correspondence from the Monroe County Department of Planning and Development dated March 19, 2014 regarding said Local Law together with the Negative Declaration pursuant to SEQRA prepared by the Town and dated April 9, 2014 are hereby received and filed, and it is further

**RESOLVED**, that the Town Board hereby adopts the Negative Declaration under SEQRA with respect to the proposed Comfort Care Homes Local Law, based on a finding that the town Local Law will not result in a significant adverse environmental impact, and be it further

**RESOLVED**, that the proposed Comfort Care Homes Local Law of 2014 is hereby adopted and enacted by the Town Board of the Town of Brighton in the form attached hereto; and be it further

**RESOLVED**, that said Local Law shall be filed by the Town Clerk in the proper book at the Office of the Town Clerk and shall also be filed by the Town Clerk with the New York State Secretary of State all within twenty days or less from the date the above Local Law is enacted by the Town Board of the Town of Brighton.

Dated: April 9, 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	_____

State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** ER-2-14

**Date:** 4-9-14

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Code Amendment Comfort Care Homes

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Amendment to Chapters 201 and 203 of the Town Code to add a definition and regulations to address Comfort Care Homes.

**Location:** Entire Town

**Reasons Supporting This Determination:**

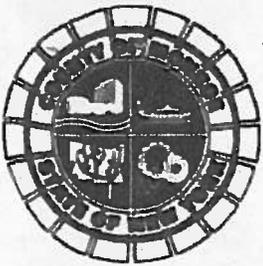
After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations ( 6 N.Y. C.R.R. Section 617.11 ), the Town Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with
2. There will be no adverse environmental impacts from the proposed amendment.
3. There will be no resources of value irreversibly lost.

For Further Information:

**Contact Person:** Ramsey A. Boehner, Environmental Review Liaison Officer

**Address:** Town of Brighton  
2300 Elmwood Avenue  
Rochester, N.Y. 14618  
**Telephone:** (585) 784-5250



**Department of Planning and Development**  
**Monroe County, New York**

**Maggie Brooks**  
*County Executive*

**Judy A. Seil**  
*Director*

**To:** Town of Brighton Town Board  
**From:** Renee Casler, Planner II  
**Date:** March 19, 2014  
**Subject:** Amendments 2013-1: Draft Amendments - Comfort Care Homes  
MCDP&D Response to Development Review Referral (BH14-9Z)

**Review Authority and Response:**

**General Municipal Law:**  Section 239-m (Zoning)  
 Approval  Modification  Disapproval  Comment  No Comment  
 Section 239-n (Subdivision)  
 Approval  Modification  Disapproval  Comment  No Comment  
**County Charter:**  Section C5-4.A (Airport)  
 Approval  Approval with Conditions  Disapproval  
 Section C5-4.C (Advisory Review)  
 Approval  Modification  Disapproval  Comment  No Comment

**Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):**

Yes  No

**MCDP&D Comments:**

The Monroe County Department of Planning and Development has reviewed this application and does not have any comment. Please refer to the attached Project Review Report for the complete list of Development Review Committee comments.

If you have any questions regarding this review, please contact me at (585) 753-2026 or [rcasler@monroecounty.gov](mailto:rcasler@monroecounty.gov).

**Attachment**

xc: Development Review

**PROJECT REVIEW REPORT**  
**Monroe County Development Review Committee**

March 19, 2014

**Subject: Attachment to File BH14-9Z**

**The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.**

**(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)**

- 1. MCDOT does not have concerns with the proposed Amendment. (B)**
- 2. The following agencies reviewed this project and have no comments. (A)**
- 3. This project was not sent to the following agencies for review. (C, D)**

**(A) - Monroe County Department of Health, John Frazer, 753-5476**

**(B) - Monroe County Department of Transportation, Thomas Cesario, 753-7711**

**(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400**

**(D) - New York State Department of Transportation, David Goehring, 272-3300**

Town of Brighton  
**Interoffice Memo**

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To: Tim Keef  
From: Staff  
CC:  
Date: February 7, 2014  
Subject: Amendments 2013-1: Draft Amendments - Comfort Care Homes

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The following amendments to the Town Code are proposed:

- p. 1 **2012-2.1** Chapter 201, General Provisions. Amend 201-5, Definitions, to add definition for Comfort Care Home
- p. 2 **2012-2.2** Chapter 203, District Use Regulations, Amend residential district regulations to allow Comfort Care Homes, with required standards, in all residential zoning districts.

**2012-2.1** Chapter 201, General Provisions. Amend 201-5, Definitions, to add definition for Comfort Care Home.  
(Deletions are ~~crossed-out~~, additions are **bolded and underlined**)

201-5. Definitions.

**COMFORT CARE HOME — A single family detached dwelling which is primarily used for the purpose of providing palliative and supportive care to, at any given time, not more than two individuals in the stages of terminal illness. Said care typically is provided on a twenty-four-hour basis by volunteers under the supervision of the ill persons' family members and physicians and home care agencies and typically includes, but is not limited to, companionship and assistance with routine activities of daily life.**

2012-2.2 Chapter 203, District Use Regulations, Amend residential district regulations to allow Comfort Care Homes, with required standards, in all residential zoning districts. (Deletions are crossed out, additions are bolded and underlined)

Chapter 203, Article I, Residential Large Lot District (RLL)

§203-1.1. Permitted and conditional uses.

C. Conditional uses shall be permitted as follows, subject to approval by the Planning Board in accordance with Chapter 217, Article II, of these regulations, and subject to the requirements specified below and elsewhere in these regulations, including site plan approval in accordance with Chapter 217, Article III, of these regulations:

(4) Comfort Care Homes, subject to site plan approval and to the following special requirements in addition to all other applicable requirements set forth in these regulations:

(a) Minimum lot area shall be one-and-one-half acres.

(b) Minimum lot width shall be 200 feet.

(c) Pavement shall be set back a minimum of 30 feet from any lot line

(d) Parking shall not be permitted in a front yard. Parking areas shall be screened as required by the Planning Board.

(e) A minimum of 12 parking spaces shall be provided. Additional parking may be required at the discretion of the Planning Board.

(f) All proposed exterior lighting shall require approval by the Planning Board.

Chapter 203, Article II, Residential Low Density District (RLA)

§203-2.1. Permitted and conditional uses.

C. Conditional uses shall be permitted as follows, subject to site plan approval and to approval by the Planning Board in accordance with Chapter 217, Article II, of these regulations, and subject to the requirements specified below and elsewhere in these regulations, including site plan approval in accordance with Chapter 217, Article III, of these regulations:

(6) Comfort Care Homes, subject to the following special requirements in addition to all other applicable requirements set forth in these regulations:

- (a) Minimum lot area shall be one-and-one-half acres.**
- (b) Minimum lot width shall be 200 feet.**
- (c) Pavement shall be set back a minimum of 30 feet from any lot line**
- (d) Parking shall not be permitted in a front yard. Parking areas shall be screened as required by the Planning Board.**
- (e) A minimum of 12 parking spaces shall be provided. Additional parking may be required at the discretion of the Planning Board.**
- (f) All proposed exterior lighting shall require approval by the Planning Board.**

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

April 9, 2014

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>151,988.87</u>
D - HIGHWAY	<u>55,286.70</u>
H - CAPITAL	<u>290.90</u>
L - LIBRARY	<u>594.88</u>
SA - AMBULANCE DIST	<u>469.40</u>
SF - FIRE DIST	<u>884.00</u>
SR-REFUSE DISTRICT	<u>68,789.49</u>
SS - SEWER DIST	<u>18,042.80</u>
TA - AGENCY TRUST	<u>16,628.50</u>
TOTAL	\$ <u>312,975.54</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 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**WHEREAS**, the Town of Brighton (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels; and

**WHEREAS**, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

**WHEREAS**, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

**WHEREAS**, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

**WHEREAS**, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come.

**NOW THEREFORE BE IT RESOLVED**, that correspondence dated April 3, 2014, from the members of the Town of Brighton Sustainability Oversight Committee, Paul Tankel, Chairman and Ron Wexler, Vice Chair, recommending that the Town of Brighton become a Climate Smart Community, be received and filed; and be it further

**RESOLVED**, that the Town of Brighton, hereby adopts the Climate Smart Communities Pledge, and in order to reduce greenhouse gas emissions and adapt to a changing climate will

1. Pledge to Combat Climate Change by Becoming a Climate Smart Community
2. Set Goals, Inventory Emissions, Move to Action
3. Decrease Energy Demand for Local Government Operations
4. Encourage Renewable Energy for Local Government Operations
5. Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices
6. Promote Climate Protection through Community Land Use Planning
7. Plan for Adaptation to Unavoidable Climate Change
8. Support a Green Innovation Economy
9. Inform and Inspire the Public
10. Commit to an Evolving Process.

Dated: April 9, 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

## SUSTAINABILITY OVERSIGHT COMMITTEE, SOC

2300 ELMWOOD AVE. \* ROCHESTER, NEW YORK 14618 \* PHONE (585) 784-5250 \* FAX (585) 784-5368

April 3, 2014

Supervisor Moehle  
Town of Brighton Town Board  
2300 Elmwood Ave  
Rochester, New York 14618

Re: Climate Smart Community

Dear Supervisor Moehle:

The Sustainability Oversight Committee strongly encourages the Town of Brighton to pass a resolution adopting the Climate Smart Communities Pledge and become a member of the Climate Smart Community program. The Pledge includes ten elements of a successful local climate plan. The SOC welcomes the opportunity to work collectively with the Town Board to develop a plan to implement these ten elements.

Please direct any questions or comments to Michael Guyon.

Respectfully submitted,

Sustainability Oversight Committee  
Paul Tankel, Chairperson  
Ron Wexler, Vice-Chair  
Erinn Ryen  
Stephen Kittelberger  
Shubhangi Gandhi  
Rochelle Bell  
Eric Williams

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated March 27, 2014 from Deputy Highway Superintendent Timothy J. Anderson regarding a request to have the Town Board declare certain Highway Department equipment surplus and disposed of through public auction to be conducted on or about May 10, 2014 by auctioneer Roy Teitsworth, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby declares certain Highway Department equipment identified as:

- Stone compactor (Asset #03828)
- 2" Homelite trash pump (Asset #02087)
- Concrete Mixer (Asset #02439)
- Stone Mortar Mixer (Asset #02132)
- 2002 Exmark mower (Asset #04801)

surplus and directs that said equipment be disposed of through public auction to be conducted on or about May 10, 2014 by auctioneer Roy Teitsworth.

Dated: April 9, 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

*Operations Center*

1941 Elmwood Ave. / Rochester, New York 14620 / Phone (585) 784 - 5280 Fax (585) 784 - 5385

March 27, 2014

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

Re: Authorize Disposal of Equipment and Material

Honorable Members:

I recommend that the following equipment be declared surplus to our needs:

Stone compactor	Asset #03828
2" Homelite trash pump	Asset #02087
Concrete mixer	Asset #02439
Stone mortar mixer	Asset #02132
2002 Exmark mower	Asset #04801

I further recommend that I be authorized to dispose of this equipment through Roy Teitsworth, Inc. through a municipal auction scheduled for May 10, 2014.

Sincerely,

Timothy J. Anderson  
Deputy Highway Superintendent

Cc: M. Hussar  
S. Zaso  
T. Keef

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated March 28, 2014 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the Supervisor to execute a professional service contract with Bayer Landscape Architecture PLLC, for a cost not to exceed \$117,550.00 in connection with the development of the former Farash property shared use trail project, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a professional service contract with Bayer Landscape Architecture PLLC, for a cost not to exceed \$117,550.00 in connection with the development of the former Farash property shared use trail project.

Dated: April 9, 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

March 28, 2014

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

Re: Request for Proposals, (RFP)  
Farash Property Shared Use Trail  
Professional Services

Dear Councilperson Werner and Committee Members:

The Town Board authorized the preparation and solicitation of a request for proposal for professional consulting services on January 8, 2014 for the Farash Property Shared Use Trail Project. The project includes the construction of a shared use trail on the parcel known as the Farash property. The proposed trail will extend from Westfall Road to Elmwood Avenue in a north to south direction and provide a critical link between the Town of Brighton Town Hall and Buckland Park. The Town of Brighton solicited a Request Proposals for professional services for this project in February 2014. The Request for Proposal was advertised in the NYS Contract Reporter on February 4, 2014 and responses were requested and received on February 27, 2014. Approximately forty (40) firms obtained copies of the RFQ and fourteen firms submitted a response to the Request for Proposal.

Town staff evaluated the proposals and after much deliberation the consultant Bayer Landscape Architecture, PLLC was selected. While not the lowest fee, Bayer Landscape Architecture, PLLC provided a very competitive price and their proposal demonstrated a clear understanding of the project scope, exceptional local knowledge of the project site, and notable experience with similar projects. The bidders along with their proposed not-to-exceed fee are listed in Appendix A.

The Bayer Landscape Architecture, PLLC price proposal indicates that a maximum not-to-exceed price to provide those services outlined in the RFP including Construction Administration and Inspection is \$117,550.00. We are proposing to award the entire contract for a fee not to exceed \$117,550.00.



I am requesting that the FASC authorize the Supervisor to enter into an agreement with The Bayer Landscape Architecture, PLLC for a cost not-to exceed \$117,550.00 to provide those professional services in accordance to the scope outlined in the February 4, 2014 Request for Proposal for the Farash Property Shared Use Trail project. Funds are available in account the Parkland Trust Fund to perform the professional design services for the proposed Farash property trail.

I will be in attendance at your regularly scheduled April 1, 2014 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", is written over the word "Sincerely,".

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

Cc: Suzanne Zaso  
Tim Keef

Appendix A



**Farash Property Shared Use Trail  
Request for Proposal**

**Bidders List**

<b>Price Proposal</b>	<b>Total Not-to-Exceed Fee</b>
Parrone	\$106,185.00
Larsen Engineering	\$108,750.00
McCord Snider	\$114,296.00
Bayer	\$117,550.00
C & S Companies	\$134,366.00
Lu Engineers	\$135,480.00
Costich Engineering	\$136,914.50
Barton and Loguidice	\$144,750.00
LaBella	\$148,705.00
TY Line	\$162,340.00
Fisher Associates	\$167,545.00
Passaro	\$172,820.00
Erdman Anthony	\$218,585.00
Stantec	\$249,550.00

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated April 1, 2014 from Finance Director Suzanne Zaso regarding a request to authorize the creation of a capital project for the design and construction of a shared use trail through the former Farash property; to authorize the appropriation of \$117,550.00 from the Parkland Trust Fund to the engineering services line of the capital budget for said trail; and to authorize the Director of Finance to make all necessary accounting entries relating to this appropriation, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the creation of a capital project for the design and construction of a shared use trail through the former Farash property; and hereby appropriates \$117,550.00 from the Parkland Trust Fund to the engineering services line of the capital budget for said trail; and authorizes the Director of Finance to make all necessary accounting entries relating to this appropriation.

Dated: April 9, 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) 784-5210 Fax (585) 784-5396

### MEMORANDUM

To: The Honorable Town Board  
Attn.: Finance and Administrative Services Committee  
From: Suzanne Zaso, Director of Finance *SZ*  
Date: April 1, 2014  
Subject: Set-Up Capital Project and Appropriate Trust Funds  
For Trail through former Farash Property

I am recommending that your Honorable Body authorize the creation of a capital project for the design and construction of a shared use trail through the former Farash property that will extend from Westfall Road to Elmwood Avenue connecting Town Hall with Buckland Park. The majority of the funding for this trail will be provided through existing funds in the Town's Parkland Trust and Parks Reserve accounts.

The initial contract for professional consulting services in the design of the park trail is expected to be for a cost not-to-exceed \$117,550. I am requesting authorization to appropriate the \$117,550 for engineering services in the newly created capital project with offsetting revenue of a transfer in from the Parkland Trust Fund.

To summarize, my formal requests to the Town Board are:

- To authorize the creation of a capital project for the design and construction of a trail through the former Farash property
- To authorize the appropriation of \$117,550 from the Parkland Trust Fund to the engineering services line of the capital budget for the trail
- To authorize the Director of Finance to make all necessary accounting entries relating to this appropriation.

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

Cc: M. Guyon, Town Engineer

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**RESOLVED**, that a memorandum dated April 2, 2014 from Finance Director Suzanne Zaso regarding a request to approve the acceptance of \$3,360.00 in donations made by various town citizens and businesses to the Town of Brighton Veterans Memorial Fund, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby gratefully authorizes the acceptance of \$3,360.00 in donations made by various town citizens and businesses to the Town of Brighton Veterans Memorial Fund TE 92.VETS.

Dated: April 9, 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, NY 14618

MEMORANDUM

**TO:** The Honorable Town Board  
**FROM:** Suzanne Zaso, Director of Finance *sz*  
**Date:** April 2, 2014  
**Subject:** Town of Brighton Veterans Memorial Fund Donations

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

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

The total additional amount of monies received is \$3,360.00 and have been deposited into Account Number TE 92.Vets. (Veterans Memorial Fund).

Thank you.

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated March 31, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute a Memorandum of Understanding with CSEA and/or the Teamsters to implement ten hour working days during the 2014 summer season (May 19, 2014 through August 29, 2014), be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a Memorandum of Understanding with CSEA and/or the Teamsters to implement ten hour working days during the 2014 summer season (May 19, 2014 through August 29, 2014).

Dated: April 9, 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

March 31, 2014

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

re: Proposed Ten Hour Days Memorandum of Agreement (MOA)  
CSEA and Teamsters Union  
2014 Season

Dear Chairperson Werner and Committee Members:

As we have done so in past years, it is recommended that the ten hour day be considered again for the upcoming 2014 seasonal summer period. Last year's ten hour day efforts assisted greatly with both the Highway and Sewer Department's programs and projects. Therefore, I request your endorsement for the upcoming year and, if you look upon this favorably, to recommend that the MOA between the Town, CSEA and/or the Teamsters be executed by the Supervisor.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled April 1, 2014 meeting in the event that you have any questions regarding this matter.

Sincerely,

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

TEK/wpd

cc: T. Anderson  
S. Zimmer  
S. Zaso  
M. Hussar  
G. Brandt  
K. Gordon

FASC.TEN.HOUR.DAY.MOA.MARCH.2014.01

**2014**

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**  
**TOWN OF BRIGHTON**  
**AND**  
**CSEA, LOCAL 1000 AFSCME**  
**MONROE COUNTY LOCAL 828**

**DRAFT**

It is hereby agreed between the parties hereto to adopt and institute the following provisions relative to the accounting of time during a trial of a 10 hour work day during the period 5/19/14 to 8/29/14 (the "Trial Period"). The start and end time for work each day during the stated trial period shall be 6:30 AM and 4:30 PM, respectively. The holiday weeks of 5/26/14 to 5/30/14 and 6/30/14 to 7/4/14 will be worked as noted further herein.

Article VIII, section 1 of the collective bargaining agreement ("CBA") shall remain in full force and effect. This M.O.A. is intended to supplement the collective bargaining agreement and to clarify the treatment of certain paid leave during the Trial Period and during that trial period only.

Article VIII, section 5 of the CBA is modified to describe the "weekends", for which sewer department standby is to be paid, to include the following Fridays within the above referenced period of 2014: May 23, 30; June 6, 13, 20, 27; July 4, 11, 18, 25; August 1, 8, 15, 22, 29. Employees assigned to standby on those weekends will: receive two hours pay at time and one-half for those Fridays, rather than the one and one half hours pay at time and one half provided by contract; and, one and one half hours pay at time and one half for the standby on those Thursdays immediately preceding those Fridays.

The holidays and associated respective holiday weeks that fall within the trial period (i.e. Memorial Day and Independence Day) shall be worked and paid as follows:

Five eight hour days totaling forty hours for the week, with the designated holiday being observed as denoted on the Town's holiday schedule for 2014. During these weeks, the terms and conditions of the CBA shall be in effect. The start and end time for work each day during the holiday weeks shall be 6:30 AM and 3:00 PM, respectively.

Article IX, section 4 of the CBA is modified to clarify that the floating holidays shall total forty (40) hours. Article IX, section 5 of the CBA is modified to describe pay, for floating holidays taken in the Trial Period, as being ten (10) hours. One-half day floating holidays taken in the Trial Period would be paid at 5 hours. If, at the end of the Trial Period, an employee has

any fractional floating holidays remaining (i.e., less than 4 hours), this fraction shall be taken in one incident, at the beginning or end of the work day, on or before 11/30/14, and at a time of mutual convenience. The Town shall post, during the week of 9/15/14, a listing of employees with any fractional holidays remaining.

Article X of the CBA is modified to restate the sick leave entitlements as the product of the number of days described times eight hours. Article X, section 5 of the CBA is modified to describe pay, for each day of sick leave taken in the Trial Period, as being ten (10) hours. Days, for the purposes of section 6 of Article X of the CBA, shall be counted as 10 hours during the Trial period.

Article XIV, section 1 of the CBA is modified to clarify that the personal days shall total sixteen (16) hours. Pay, for each day of personal leave taken in the Trial Period, shall be ten (10) hours. Pay, for each half-day of personal leave taken in the Trial Period, shall be five (5) hours. If, at the end of the Trial Period, an employee has any fractional personal leave remaining (i.e., less than 4 hours), this fraction shall be taken in one incident, at the beginning or end of the work day, on or before 11/30/14, and at a time of mutual convenience. The Town shall post, during the week of 9/15/14, a listing of employees with any fractional personal leave remaining.

Article XV, section 1, of the CBA is modified to restate the vacation eligibility as the product of the number of days described times eight hours. Pay, for each day of vacation taken in the Trial Period, shall be ten (10) hours. Pay, for each half-day of vacation taken in the Trial Period, shall be five (5) hours. If, at the end of the Trial Period, an employee has any fractional vacation time remaining (i.e., less than 4 hours), this fraction shall be taken in one incident, at the beginning or end of the work day, on or before 11/30/14, and at a time of mutual convenience. The Town shall post, during the week of 9/15/14, a listing of employees with any fractional vacation remaining.

Furthermore, in order to efficiently execute the scope and services provided by the Operations Center, fractional time shall not be utilized in conjunction with one half days of vacation time, one half days of personal time or any other one half day(s) increments.

This Memorandum of Agreement shall expire December 31, 2014.

\_\_\_\_\_  
Civil Service Employees Association

\_\_\_\_\_  
Date

**DRAFT**

\_\_\_\_\_  
Town of Brighton

\_\_\_\_\_  
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 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated March 31, 2014 from Director of Finance Suzanne Zaso regarding a request to declare one 2003 Ford ambulance (VIN #1FDXE45F63HB64682) as surplus and to dispose of said vehicle by public auction, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby declares one 2003 Ford ambulance (VIN #1FDXE45F63HB64682) as surplus and directs the disposal of said vehicle by public auction.

Dated: April 9, 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) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board  
Attn.: Finance and Administrative Services Committee  
From: Suzanne Zaso, Director of Finance *SZ*  
Date: March 31, 2014  
Subject: Declare 2003 Ford Ambulance Surplus for Auction

I am recommending that Your Honorable Body declare one (1) 2003 Ford ambulance (VIN # 1FDXE45F63HB64682) as surplus and authorize the disposal of the same via auction. This ambulance was recently replaced by a new 2013 Mercedes Benz Sprinter ambulance.

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated March 31, 2014 from Director of Finance Suzanne Zaso regarding a request to authorize the Supervisor to execute an investment policy statement prepared by RBC Wealth Management for the investment of Service Award Program funds for the West Brighton Fire Protection District, together with such investment policy statement dated April 9, 2014 be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an investment policy statement prepared by RBC Wealth Management dated April 9, 2014 for the investment of Service Award Program funds for the West Brighton Fire Protection District.

Dated: April 9, 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) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board  
Attn.: Finance and Administrative Services Committee  
From: Suzanne Zaso, Director of Finance *z*  
Date: March 31, 2014  
Subject: West Brighton Fire Protection District Service Award Program –  
Investment Policy Statement

I am recommending that your Honorable Body authorize the Supervisor to sign the attached Investment Policy Statement as prepared by RBC Wealth Management to allow RBC Wealth Management to invest funds on deposit for the Service Award Program in the West Brighton Fire Protection District. This policy states the expectations, objectives and guidelines for investment of the Plan assets.

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

Attachment

# **Investment Policy Statement**

**Town of Brighton  
West Brighton Fire Protection District**

**Defined Benefit Length of Service Award  
Program**

**Retirement Plan – Directed by**

**Board of Trustees**

**Approved April 9, 2014**

**RBC Wealth Management, a division of RBC Capital Markets Corporation,  
Member NYSE/FINRA/SIPC**

# Executive Summary

<b>Type of Client:</b>	<b>Non ERISA LOSAP Plan – Board Directed</b>
<b>Plan Name:</b>	<b>West Brighton Fire Protection District</b> LOSAP Defined Benefit Plan
<b>Client Sub-type:</b>	ERISA Exempt
<b>Fiduciary Standard of Care:</b>	Other - Prudent Man Rule
<b>Tax Id:</b>	<b>16-6002187</b>
<b>Current Assets:</b>	\$925,000
<b>Time Horizon:</b>	Long - More than 5 years
<b>Modeled Return:</b>	6.2%
<b>1-Yr Loss Limit:</b>	-9.5%
<b>"Safe Harbor" Compliance Options:</b>	None selected

## Allocation Range Legend

LL: Lower Limit  
SA: Strategic Allocation  
UL: Upper Limit

<b>Broad Asset Class</b>	<b>Peer Group</b>	<b>LL</b>	<b>SA</b>	<b>UL</b>
Fixed Income - Broad Fixed Income	Multi-sector Bond	5.0	10.0	20.0
Fixed Income - Global Fixed Income	World Bond	5.0	10.0	30.0
	Emerging Mkts Bond	0.0	0.0	10.0
Fixed Income – Int. Fixed Income	Inflation-Protected Bond	0.0	0.0	30.0
	Intermediate-Term Bond	10.0	20.0	50.0
Fixed Income – Short Fixed Income	Short-Term Bond	10.0	20.0	100.0
	Bank Loan			
Convertible Bond	Convertible	0.0	0.0	10.0
International Equity - Diversified	World Stock	3.0	10.0	20.0
	Diversified Emerging Mkts	0.0	0.0	10.0
Large Cap Equity	Large Blend	5.0	10.0	30.0
Mid Cap Equity	Mid-Cap Blend	0.0	0.0	10.0
Money Market	Money Market Taxable	0.0	5.0	100.0

	As needed for cash payouts			
Other	Conservative Allocation	0.0	5.0	30.0
	Moderate Allocation	0.0	0.0	30.0
	Other	0.0	0.0	5.0
	Specialty-Natural Res	0.0	5.0	20.0
	Commodities-Broad Basket	0.0	0.0	10.0
	Specialty-Real Estate	0.0	0.0	10.0
	World Allocation	0.0	5.0	30.0
Small Cap	Small Blend	0.0	0.0	5.0

## Purpose

The purpose of this Investment Policy Statement (IPS) is to assist the Board of Trustees (Board) in effectively supervising, monitoring and evaluating the investment of the Town's Length of Service Award Plan (Plan) assets. The Plan's investment program is defined in the various sections of this IPS by:

1. Stating in a written document the Board's attitudes, expectations, objectives and guidelines for the investment of all of the Plan's assets.
2. Encouraging effective communications between the Board and all parties involved with the investment management decisions.
3. Establishing formal criteria to select, monitor, evaluate and compare the performance results achieved by each investment option on a regular basis.
4. Setting forth an investment structure for managing the Plan's assets. This structure includes various asset classes, investment management styles, asset allocation and acceptable ranges that, in total, are expected to produce an appropriate level of overall diversification and total investment return over the investment time horizon.
5. Providing guidelines for each investment portfolio that control the level of overall risk and liquidity assumed in that portfolio, so all Plan assets are managed in accordance with stated objectives.

# Statement of Objectives

## Background

The Plan is a defined benefit plan and currently covers 52 participants. Plan size is currently \$925,000 and annual contributions should total \$0. The purpose of the plan is to retain and recruit active volunteer firefighters and/or EMT's.

This IPS has been arrived at upon consideration by the Board by a wide range of policies, and describes the prudent investment process the Board deems appropriate. This process includes offering various asset classes and investment management styles that, in total, are expected to offer the opportunity to diversify the portfolio in a manner consistent with the specified risk and return requirements of the portfolio.

The objectives of the Plan are:

1. Have the ability to pay all benefit and expense obligations when due.
2. Control costs of administering the plan and managing the investments.
3. Maximize return within reasonable and prudent levels of risk in order to minimize contributions.

## Time Horizon

The investment guidelines are based upon an investment horizon of greater than five years. The Plan's strategic asset allocation is also based on this long-term perspective. Short-term liquidity requirements are anticipated to be covered by the plans assets.

## Risk Tolerances

The Board recognizes that some risk must be assumed in order to achieve the investment objectives of the plan. In establishing the risk tolerances of the IPS, the ability to withstand short and intermediate term variability were considered.

A 1-yr loss limit of -9.5% has been calculated for the portfolio. Statistically speaking, there is a 5% chance (once in every twenty years) that the 1-year return will actually be lower than -9.5%.

In summary, The Plan's long time horizon, current financial condition and several other factors suggest collectively some interim fluctuations in market value and rates of return may be tolerated in order to achieve the longer-term objectives.

## Performance Expectations

The desired investment objective is a long-term rate of return on assets that is at least 6.00%. The target rate of return for the Plan has been based upon the assumption that future real returns will approximate the long-term rates of return experienced for each asset class in the IPS.

The Board realizes market performance varies and a 6.00% rate of return may not be meaningful during some periods. Accordingly, relative performance benchmarks for the investment options are set forth in the "Monitoring" section.

# Duties and Responsibilities

## Board of Trustees

As fiduciaries under the Plan, the primary responsibilities of the Board are:

1. Prepare and maintain this investment policy statement.
2. Prudently diversify the Plan's assets to meet an agreed upon risk/return profile.
3. Prudently select investment options.
4. Control and account for all investment, record keeping and administrative expenses associated with the Plan.
5. Monitor and supervise all service vendors and investment options.
6. Avoid prohibited transactions and conflicts of interest.

## Custodian

Custodians are responsible for the safekeeping of the Plan's assets. The specific duties and responsibilities of the custodian are:

1. Value the holdings.
2. Collect all income and dividends owed to the Plan.
3. Settle all transactions (buy-sell orders).
4. Provide monthly reports that detail transactions, cash flows, securities held and their current value, and change in value of each security and the overall Plan since the previous report.
5. Maintain separate accounts by legal registration.

## Investment Advisor

The Investment Advisor serves as an objective, third-party professional retained to assist the Board in managing the overall investment process. The Advisor is responsible for managing the assets and guiding the Board through a disciplined and rigorous investment process to enable the Board to meet the fiduciary responsibilities outlined above.

# Asset Class Guidelines

The Board believes long-term investment performance, in large part, is primarily a function of asset class mix. The Board has reviewed the long-term performance characteristics of the broad asset classes, focusing on balancing the risks and rewards.

Historically while interest-generating investments, such as bonds, have the advantage of relative stability of principal value, they provide little opportunity for real long-term capital growth due to their susceptibility to inflation. On the other hand, equity investments, such as common stocks, clearly have a significantly higher expected return but have the disadvantage of much greater year-by-year variability of return. From an investment decision-making point of view, this year-by-year variability may be worth accepting given the Plan's long time horizon.

The following asset classes were selected and ranked in ascending order of "risk" (least to most) according to the most recent quarter's median 3-year Standard Deviation values.

- Money Market Taxable
- Short-Term Bond
- Intermediate-Term Bond
- Conservative Allocation
- Multi-sector Bond
- Inflation-Protected Bond

Moderate Allocation  
World Bond  
World Allocation  
Large Blend  
Foreign Large Blend  
Mid-Cap Blend  
Small Blend  
Specialty-Real Estate  
Specialty-Natural Res  
Other

*The performance expectations (both risk and return) of each broad asset class are contained in Appendix A.*

### **Rebalancing of Strategic Allocation**

The percentage allocation to each asset class may vary depending upon market conditions. Please reference the allocation table in the Executive Summary for the lower and upper limits for each asset class. When necessary and/or available, cash inflows/outflows will be deployed in a manner consistent with the strategic asset allocation and allocation ranges of the Plan. If there are no cash flows, the allocation of the Plan will be reviewed quarterly.

If the Board judges cash flows to be insufficient to bring the Plan within the target allocation ranges, the Board shall decide whether to effect transactions to bring the allocation of Plan assets within the threshold ranges.

## **Implementation**

The Board will apply the following due diligence criteria in selecting each money manager or mutual fund.

1. Regulatory oversight: Each investment option should be managed by: (i) a bank; (ii) an insurance company; (iii) a registered investment company (mutual fund); or, (iiii) a registered investment adviser.
2. Correlation to style or peer group: The investment option should be highly correlated to the asset class being implemented. This is one of the most critical parts of the analysis since most of the remaining due diligence involves comparisons of the investment option to the appropriate peer group.
3. Performance relative to a peer group: The investment option's performance should be evaluated against the peer group's median manager return, for 1-, 3- and 5-year cumulative periods.
4. Performance relative to assumed risk: The investment option's risk-adjusted performance (Alpha and/or Sharpe Ratio) should be evaluated against the peer group's median manager's risk-adjusted performance.
5. Minimum track record: The investment option should have sufficient history so that performance statistics can be properly calculated.
6. Assets in the product: The investment option should have sufficient assets so that the portfolio manager can properly trade the account.

7. **Holdings consistent with style:** The underlying securities of the investment option should be consistent with the associated broad asset class.
8. **Expense ratios/fees:** The investment option's fees should be fair and reasonable. Core/Satellite approach can be implemented to control expenses. This is the recognition that passive management and index funds should be used for the more efficient asset classes combined with active management for less efficient asset classes.
9. **Stability of the organization:** There should be no perceived organizational problems.

## Monitoring

### Performance Objectives

The Board acknowledges fluctuating rates of return characterize the securities markets, particularly during short-term time periods. Recognizing that short-term fluctuations may cause variations in performance, the Board intends to evaluate investment performance from a long-term perspective.

The Board is aware the ongoing review and analysis of the investment options is just as important as the due diligence process. The performance of the investment options will be monitored on an ongoing basis and it is at the Board's discretion to take corrective action by replacing a manager if they deem it appropriate at any time.

On a timely basis, but not less than annually, the Board will meet to review whether each investment option continues to conform to the search criteria outlined in the implementation section; specifically:

1. The investment option's adherence to the watch list criteria;
2. Material changes in the investment option's organization, investment philosophy and/or personnel; and,
3. Any legal, SEC and/or other regulatory agency proceedings affecting the investment options organization.

### Benchmarks

The Board has determined it is in the best interest of the Plan's participants that performance objectives be established for each investment option. Manager performance will be evaluated in terms of an appropriate market index (e.g. the S&P 500 stock index for large-cap domestic equity manager) and the relevant peer group (e.g. the large-cap growth mutual fund universe for a large-cap growth mutual fund).

#### Peer Group

Conservative Allocation

#### Index

Dow Jones U.S. Moderately Conservative

Foreign Large Blend	MSCI World ex US NDTR_D
Inflation-Protected Bond	Lehman Brothers U.S. Treasury TIPS
Intermediate-Term Bond	Lehman Brothers 5-10 Yr Govt/Credit Bond
Large Blend	Russell 1000
Mid-Cap Blend	Standard & Poors Midcap 400 PR
Moderate Allocation	Dow Jones U.S. Moderate Portfolio
Money Market Taxable	3 Month T-Bill
Multisector Bond	Lehman Brothers U.S. Universal Bond
Other	
	3 Month T-Bill
Short-Term Bond	Lehman Brothers 1-5 Yr Govt/Credit Bond
Small Blend	Russell 2000
Specialty-Natural Res	Goldman Sachs Natural Resources
Specialty-Real Estate	DJ Wilshire REIT
World Allocation	MSCI World NDTR_D
World Bond	Citigroup Non-USD WGBI USD

#### **Watch List Criteria**

An investment option may be placed on a Watch List and a thorough review and analysis of the investment option may be conducted, when:

1. An investment option performs below median for their peer group over a 1-, 3- and/or 5-year cumulative period.
2. An investment option's 3-year risk adjusted return (Alpha and/or Sharpe) falls below the peer group's median risk adjusted return.
3. There is a change in the professionals managing the investment option.
4. There is a significant decrease or increase in the investment option's assets.
5. There is an indication the investment option is deviating from the stated style and/or strategy.
6. There is an increase in the investment option's fees and expenses.
7. Any extraordinary event occurs that may interfere with the investment option's ability to

prudently manage investment assets.

The decision to retain or terminate an investment option cannot be made by a formula. It is the Board's confidence in the investment option's ability to perform in the future that ultimately determines the retention of an investment option.

### Measuring Costs

The Board will review at least annually all costs associated with the management of the Plan, including:

1. Expense ratios of each mutual fund against the appropriate peer group.
2. Administrative Fees; costs to administer the Plan, including record keeping, custody and trust services.
3. The proper identification and accounting of all parties receiving soft dollars and/or 12b-1 fees generated by the Portfolio.

## Investment Policy Review

The Board will review this IPS at least annually to determine whether stated investment objectives are still relevant and the continued feasibility of achieving the same. It is not expected that the IPS will change frequently. In particular, short-term changes in the financial markets should not require adjustments to the IPS.

**Prepared by:**

David M Rogers  
RBC Wealth Management

**Approved by:**

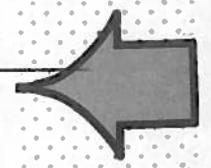
Town of Brighton  
Board of Trustees

**Signature**

**Date**

\_\_\_\_\_

\_\_\_\_\_



**HERE**

**Supervisor**

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## Appendix A

Fiduciary Analytics capital market assumptions (modeled return, modeled standard deviation, and correlation coefficients) for the broad asset classes. Assumptions are as of April 2010.

**Table of Expected Returns and Standard Deviations**

Asset Class	Expected Return	Standard Deviation	Corresponding Morningstar Category
Large-Cap Equity	9.52	17.19	Large Blend
Mid-Cap Equity	10.02	18.74	Mid-Cap Blend
Small-Cap Equity	10.17	20.00	Small Blend
International Equity	9.85	20.82	Foreign Large Blend
REITS	7.67	15.53	Specialty – Real Estate
Global Fixed Income	5.83	11.36	World Bond
Broad Fixed Income	5.54	7.25	Multisector Bond
Intermediate Fixed Income	5.06	5.49	Intermediate-term Bond
Short-Term Fixed Income	4.10	3.37	Short-term Bond
Money Market	3.20	1.34	Money Market - Taxable

**Table of Correlation Coefficients**

Asset Class	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Large-Cap Equity (1)	1.00	0.85	0.70	0.60	0.56	0.10	0.26	0.22	0.16	-0.06
Mid-Cap Equity (2)	0.85	1.00	0.85	0.55	0.53	0.08	0.22	0.20	0.14	-0.05
Small-Cap Equity (3)	0.70	0.85	1.00	0.50	0.75	0.05	0.20	0.18	0.12	-0.05
International Equity (4)	0.60	0.55	0.50	1.00	0.28	0.20	0.18	0.16	0.10	-0.08
REITS (5)	0.56	0.53	0.75	0.28	1.00	-0.02	0.16	0.14	0.08	-0.07
Global Fixed Income (6)	0.10	0.08	0.05	0.20	-0.02	1.00	0.50	0.45	0.40	0.05
Broad Fixed Income (7)	0.26	0.22	0.20	0.18	0.16	0.50	1.00	0.85	0.80	0.02
Intermediate Fixed Income (8)	0.22	0.20	0.18	0.16	0.14	0.45	0.85	1.00	0.75	0.04
Short-Term Fixed Income (9)	0.16	0.14	0.12	0.10	0.08	0.40	0.80	0.75	1.00	0.18
Money Market (10)	-0.06	-0.05	-0.05	-0.08	-0.07	0.05	0.02	0.04	0.18	1.00

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 9th day of April, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated March 31, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute change order #4 with Birchcrest Tree and Landscape in the amount of \$2,700.00 to support the purchase and installation of a second bench at the Veterans' Memorial, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute change order #4 with Birchcrest Tree and Landscape in the amount of \$2,700.00 to support the purchase and installation of a second bench at the Veterans' Memorial.

Dated: April 9, 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

March 31, 2014

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

Re: The Veterans Memorial  
Birchcrest Tree and Landscape  
Additional Services  
Supply and Install Bench

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. for a total cost not to exceed \$64,968.52. The Town Board has since authorized three change orders totaling \$52,360.95. The total project cost including the change orders is \$117,329.47. A copy of the previous change orders are attached for the Committee's reference. The project has been completely funded by donations and grant moneys.

The memorial currently includes a single bench which provides minimal seating capacity. A second bench would improve the seating capacity at the memorial. Therefore, I am 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 4 to purchase and install a new bench in the amount of \$2,700.00. Purchasing the bench using the existing Birchcrest contract ensures that the new bench will be similar to the existing bench. A copy of the change order is attached for your reference.

I will be in attendance at your regularly scheduled April 1, 2014 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,

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

Cc: Suzanne Zaso  
Tim Keef  
Mary Ann Hussar  
James Vogel





# 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

### VETERANS MEMORIAL SITE WORK

### CONTRACT CHANGE ORDER NUMBER 1

CONTRACTOR: **Birchcrest 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
	<hr/>
	\$16,404.95

which is cause for the following adjustment to the contract:

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

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DEPARTMENT OF PUBLIC WORKS

\_\_\_\_\_  
SUPERVISOR



*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 2**

**CONTRACTOR:** Birchcrest Tree and Landscape Inc.

**DATE:** September 11, 2013

**CHANGE IN CONTRACT TIME:** Contract must be completed by June 30, 2014

DESCRIPTION OF CHANGE ORDER:

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

Description of Work	Amount
1. Stone Curb Edging typical curb height straight	\$10,560.00
2. Stone curb edging typical height curved	\$22,400.00
<hr/>	
which is cause for the following adjustment to the contract:	\$32,960.00

Positive net change to contract resulting in an increase of: \$32,960.00

Total cost increase this change order: \$32,960.00

Original Contract Price: \$64,968.52

Previous Change Orders:  
Change Order #1 \$16,404.95

Adjusted Contract Price through previous change orders \$81,373.47

Adjusted Contract Price through Change Order #2: \$114,333.47

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**

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DEPARTMENT OF PUBLIC WORKS

\_\_\_\_\_  
SUPERVISOR

2300 Elmwood Avenue, Rochester, New York 14618 585-784-5250 Fax: 585-784-5373

<http://www.townofbrighton.org>



# 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

## VETERANS MEMORIAL SITE WORK CONTRACT CHANGE ORDER NUMBER 3

**CONTRACTOR:** Birchcrest Tree and Landscape Inc.

**DATE:** October 31, 2013

**CHANGE IN CONTRACT TIME:** Contract must be completed by June 30, 2014

**DESCRIPTION OF CHANGE ORDER:**

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

Description of Work	Amount
1. Install french drains along northern boundary of the Veterans Memorial Site	\$2,996.00
<hr/>	
	\$2,996.00

which is cause for the following adjustment to the contract:

Positive net change to contract resulting in an increase of: \$2,996.00

Total cost increase this change order: \$2,996.00

Original Contract Price: \$64,968.52

Previous Change Orders: \$16,404.95

Change Order #1 \$32,960.00

Change Order #2

Adjusted Contract Price through previous change orders \$114,333.47

Adjusted Contract Price through Change Order #3: \$117,329.47

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

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DEPARTMENT OF PUBLIC WORKS

\_\_\_\_\_  
SUPERVISOR



# 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

## VETERANS MEMORIAL SITE WORK CONTRACT CHANGE ORDER NUMBER 4

**CONTRACTOR:** Bircherest Tree and Landscape Inc.

**DATE:** April 1, 2014

**CHANGE IN CONTRACT TIME:** Contract must be completed by May 19, 2014

DESCRIPTION OF CHANGE ORDER:

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

Description of Work	Amount
1. Purchase and Install 6 foot Black Maglin Bench - MLB300-MH	\$2,700.00
<hr/>	
which is cause for the following adjustment to the contract:	\$2,700.00

Positive net change to contract resulting in an increase of: \$2,700.00

Total cost increase this change order: \$2,700.00

Original Contract Price: \$64,968.52

Previous Change Orders:

Change Order #1 \$16,404.95

Change Order #2 \$32,960.00

Change Order #3 \$2,996.00

Adjusted Contract Price through previous change orders \$117,329.47

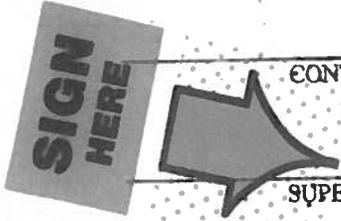
Adjusted Contract Price through Change Order #3: \$120,029.47

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

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DEPARTMENT OF PUBLIC WORKS

\_\_\_\_\_  
SUPERVISOR

At a regular meeting of the Town Board of the Town of Brighton, Monroe County, New York, duly held at the Town Hall located at 2300 Elmwood Avenue, Brighton, New York 14618 on April 9, 2014 at 7:00 p.m.

PRESENT:

WILLIAM W. MOEHLE,  
Supervisor

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

The following resolution was offered by Councilmember Werner, who moved its adoption, seconded by Councilmember DiPonzio, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$535,000 IN SERIAL BONDS OF THE TOWN TO FINANCE VARIOUS PUBLIC IMPROVEMENTS; AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the "Board") of the Town of Brighton, Monroe County (the "Town") is considering to undertake the reconstruction of the roof of the Town's existing salt shed barn, including all appurtenant and related site work improvements, incidental improvements, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, the acquisition of a street sweeper, and the acquisition of a dump truck with plow (collectively, the "Project"); and

WHEREAS, the Project described herein constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance said appropriations.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to issue up to \$535,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the reconstruction of the roof of the Town's existing salt shed barn, including all appurtenant and related site work improvements, incidental improvements, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, the acquisition of a street sweeper, and the acquisition of a dump truck with plow.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$535,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$535,000 in serial bonds of the Town authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivisions 12(a)(3), 28. and 90. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Sections 1, 2 and 3 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Sections 1, 2 and 3 of this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 11. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to post and publish a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 12. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition

subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 14. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Duly put to vote as follows:

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

Dated: April 9, 2014

At a regular meeting of the Town Board of the Town of Brighton, Monroe County, New York, duly held at the Town Hall located at 2300 Elmwood Avenue, Brighton, New York 14618 on April 9, 2014 at 7:00 p.m.

PRESENT:

WILLIAM W. MOEHLE,  
Supervisor

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

The following resolution was offered by Councilmember Werner, who moved its adoption, seconded by Councilmember DiPonzio, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$45,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF AN AMBULANCE; AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the "Board") of the Town of Brighton, Monroe County (the "Town") is considering to undertake the acquisition of ambulance, including other costs incidental to the financing thereof (the "Project"); and

WHEREAS, the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for such purpose and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance said appropriation.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to issue up to \$45,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$91,990, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$46,990 in current funds of the Brighton Ambulance Services District, (ii) the issuance of \$45,000 in serial bonds of the Town authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation, and (iii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 27-a. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without

limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 7. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 11. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00

of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Duly put to vote as follows:

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

Dated: April 9, 2014



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

MEMORANDUM

To: The Honorable Town Board  
Attn.: Finance and Administrative Services Committee  
From: Suzanne Zaso, Director of Finance *sz*  
Date: March 31, 2014  
Subject: \$580,000 Bond Resolution for Equipment and Roof Replacement

I am recommending that Your Honorable Body adopt a Bond Resolution that provides financing for up to \$580,000 for the following projects:

- Replacement of Roof on the salt shed barn – financing up to \$120,000
- Purchase of one 2013 Ambulance – financing up to \$45,000
- Purchase of one Street Sweeper – financing up to \$195,000
- Purchase of one 6-Wheel Heavy Duty Dump Truck – financing up to \$220,000

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

At a regular meeting of the Town Board of the Town of Brighton, Monroe County, New York, duly held at the Town Hall located at 2300 Elmwood Avenue, Brighton, New York 14618 on April 9, 2014 at 7:00 p.m.

PRESENT:

WILLIAM W. MOEHLE,  
Supervisor

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

The following resolution was offered by Councilmember Werner, who moved its adoption, seconded by Councilmember DiPonzio, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$535,000 IN SERIAL BONDS OF THE TOWN TO FINANCE VARIOUS PUBLIC IMPROVEMENTS; AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the "Board") of the Town of Brighton, Monroe County (the "Town") is considering to undertake the reconstruction of the roof of the Town's existing salt shed barn, including all appurtenant and related site work improvements, incidental improvements, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, the acquisition of a street sweeper, and the acquisition of a dump truck with plow (collectively, the "Project"); and

WHEREAS, the Project described herein constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance said appropriations.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

**SECTION 1.** The Town is hereby authorized to issue up to \$535,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the reconstruction of the roof of the Town's existing salt shed barn, including all appurtenant and related site work improvements, incidental improvements, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, the acquisition of a street sweeper, and the acquisition of a dump truck with plow.

**SECTION 2.** It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$535,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$535,000 in serial bonds of the Town authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

**SECTION 3.** It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivisions 12(a)(3), 28. and 90. of paragraph a. of Section 11.00 of the Law.

**SECTION 4.** The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Sections 1, 2 and 3 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 5.** The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Sections 1, 2 and 3 of this resolution.

**SECTION 6.** Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 11. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to post and publish a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 12. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition

subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 14. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Duly put to vote as follows:

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

Dated: April 9, 2014

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

I, as the undersigned Clerk of the Town of Brighton, Monroe County, New York, (the "Town") DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Clerk of the Town and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board of the Town (the "Board"), and am duly authorized to execute this certificate.

2. A regular meeting of the Board was held on April 9, 2014, and attached hereto is a true and correct copy of a resolution duly adopted at such meeting and entitled:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON,  
MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE  
OF UP TO \$535,000 IN SERIAL BONDS OF THE TOWN TO FINANCE VARIOUS  
PUBLIC IMPROVEMENTS; AND APPROPRIATING SAID AMOUNT THEREFOR

3. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3's of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Brighton this 9<sup>th</sup> day of April, 2014.

---

Daniel Aman, Town Clerk

[SEAL]

**PUBLIC NOTICE  
TOWN OF BRIGHTON**

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Brighton, Monroe County, New York (the "Town"), at a meeting held on April 9, 2014 duly adopted, subject to a permissive referendum, a resolution, an abstract of which is set forth below.

In accordance with the New York State Town Law, such resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Town Clerk a petition, subscribed and acknowledged by that number of electors of the Town qualified to vote upon a proposition to raise or expend money equal to at least five percent (5%) of the total vote cast for governor in the Town in the last general election for state officers, protesting against such resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Town. If such a qualifying petition is filed, a proposition for approval of the resolution shall be submitted at a general or regular Town election in accordance with Article 7 of Town Law.

Such resolution was entitled:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN  
OF BRIGHTON, MONROE COUNTY, NEW YORK (THE  
"TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$535,000  
IN SERIAL BONDS OF THE TOWN TO FINANCE VARIOUS  
PUBLIC IMPROVEMENTS; AND APPROPRIATING SAID  
AMOUNT THEREFOR**

Said bond resolution authorized the issuance of \$535,000 in serial bonds of the Town to finance the reconstruction to the roof of the Town's existing salt shed barn.

An abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

**FIRST:** Said Town is authorized to finance the estimated cost of the reconstruction of the roof of the Town's existing salt shed barn, including all appurtenant and related site work improvements, incidental improvements, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, the acquisition of a street sweeper, and the acquisition of a dump truck with plow, at a total estimated cost of \$535,000, and said amount is appropriated therefor. Serial bonds of the Town (including statutory installment bonds) in the principal amount of \$535,000 are authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance said appropriation. The plan of financing includes the issuance of \$535,000 in serial bonds of the Town, or bond anticipation notes in anticipation of such serial bonds, to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

SECOND: The period of probable usefulness for the aforementioned specific object or purpose is determined to be ten (10) years, pursuant to subdivisions 12(a)(3), 28. and 90. of paragraph a. of Section 11.00 of the Law.

THIRD: Said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and the Town has pledged their faith and credit to the payment of the principal of and interest of said bonds.

FOURTH: The Town Board delegated to the Supervisor of the Town the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

FIFTH: The bond resolution was determined to be subject to permissive referendum.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK.

Dated: April 9, 2014

Town of Brighton  
Daniel Aman, Town Clerk

**AFFIDAVIT REGARDING POSTING OF NOTICE**

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

I, Daniel Aman, being duly sworn, deposes and says:

I am over the age of 18 years; and, on April \_\_\_\_, 2014, I posted a true and correct copy of the attached Public Notice of the Town of Brighton, Monroe County (the "Town") on the Town's official bulletin board located within the Town Hall and on the Town's website.

\_\_\_\_\_  
Daniel Aman, Town Clerk

Sworn to before me this \_\_\_\_  
day of April, 2014

\_\_\_\_\_  
Notary Public, State of New York

STATE OF NEW YORK        )  
COUNTY OF MONROE       ) SS:

**CERTIFICATE OF NO PROTEST**

I, Daniel Aman, in my capacity as Town Clerk of the Town of Brighton, Monroe County, New York (the "Town"), DO CERTIFY, as follows:

1. The Town Board of the Town at a meeting thereof duly called and held on April 9, 2014, adopted a bond resolution, a true, correct and certified copy which is attached hereto.
2. No petition or petitions protesting said bond resolution have been submitted or filed with the Clerk of the Town and the 30-day period has elapsed for submission and filing of a valid petition.

IN WITNESS WHEREOF, I have signed and affixed the corporate seal of the Town this \_\_\_\_ day of May, 2014.

[SEAL]

\_\_\_\_\_  
Daniel Aman, Town Clerk

## **ESTOPPEL NOTICE**

The resolution, a summary of which is published herewith, has been adopted on April 9, 2014 by the Town Board of the Town of Brighton, Monroe County, New York, and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Brighton is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Daniel Aman, Town Clerk  
Town of Brighton

### **SUMMARY OF BOND RESOLUTION**

Set forth below is a summary of said resolution adopted by the Town Board of the Town of Brighton (the "Town") on April 9, 2014.

1. The resolution is entitled "BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$535,000 IN SERIAL BONDS OF THE TOWN TO FINANCE VARIOUS PUBLIC IMPROVEMENTS; AND APPROPRIATING SAID AMOUNT THEREFOR".
2. The object or purpose for which the bonds are authorized is to finance the estimated cost of the reconstruction of the roof of the Town's existing salt shed barn, including all appurtenant and related site work improvements, incidental improvements, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, the acquisition of a street sweeper, and the acquisition of a dump truck with plow. It was determined that the maximum estimated cost of the aforementioned specific object or purpose is \$535,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$535,000 in serial bonds of the Town authorized to be issued pursuant to the resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.
3. The period of probable usefulness is ten (10) years.
4. The amount of obligations authorized to be issued is \$535,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 2300 Elmwood Avenue, Brighton, NY 14618.

At a regular meeting of the Town Board of the Town of Brighton, Monroe County, New York, duly held at the Town Hall located at 2300 Elmwood Avenue, Brighton, New York 14618 on April 9, 2014 at 7:00 p.m.

PRESENT:

WILLIAM W. MOEHLE,  
Supervisor

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

The following resolution was offered by Councilmember Werner, who moved its adoption, seconded by Councilmember DiPonzio, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$45,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF AN AMBULANCE; AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the "Board") of the Town of Brighton, Monroe County (the "Town") is considering to undertake the acquisition of ambulance, including other costs incidental to the financing thereof (the "Project"); and

WHEREAS, the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for such purpose and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance said appropriation.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to issue up to \$45,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$91,990, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$46,990 in current funds of the Brighton Ambulance Services District, (ii) the issuance of \$45,000 in serial bonds of the Town authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation, and (iii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 27-a. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without

limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 7. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 11. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00

of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Duly put to vote as follows:

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

Dated: April 9, 2014

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

I, as the undersigned Clerk of the Town of Brighton, Monroe County, New York, (the "Town") DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Clerk of the Town and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board of the Town (the "Board"), and am duly authorized to execute this certificate.

2. A regular meeting of the Board was held on April 9, 2014, and attached hereto is a true and correct copy of a resolution duly adopted at such meeting and entitled:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$45,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF AN AMBULANCE; AND APPROPRIATING SAID AMOUNT THEREFOR

3. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3's of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Brighton this 9<sup>th</sup> day of April, 2014.

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Daniel Aman, Town Clerk

[SEAL]

## **ESTOPPEL NOTICE**

The resolution, a summary of which is published herewith, has been adopted on April 9, 2014 by the Town Board of the Town of Brighton, Monroe County, New York. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Brighton is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Daniel Aman, Town Clerk  
Town of Brighton

### **SUMMARY OF BOND RESOLUTION**

Set forth below is a summary of said resolution adopted by the Town Board of the Town of Brighton (the "Town") on April 9, 2014.

1. The resolution is entitled "BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$45,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF AN AMBULANCE; AND APPROPRIATING SAID AMOUNT THEREFOR".

2. The object or purpose for which the bonds are authorized is the acquisition of ambulance, including other costs incidental to the financing thereof.

3. The period of probable usefulness is ten (10) years.

4. The amount of obligations authorized to be issued is \$45,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 2300 Elmwood Avenue, Brighton, NY 14618.