

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  
 December 10, 2014

**PRESENT:**

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

Daniel Aman, Town Clerk  
 Kenneth Gordon, Attorney for the Town  
 Mark Henderson, Chief of Police  
 Tim Keef, Commissioner of Public Works  
 Suzanne Zaso, Director of Finance

**MEETING CALLED TO ORDER AT 7:05 PM:****OPEN FORUM:**

Joshua Barouth

**APPROVAL OF AGENDA:**

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

October 22, 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:** GENDER EXPRESSION NON-DISCRIMINATION LOCAL LAW (see Resolution #1 and proposed Local Law).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Kevin L. Hall Maintenance Mechanic/Facilities Administrator to Timothy Keef, P.E. Commissioner of Public Works dated November 24, 2014 announcing his intent to retire effective December 27, 2014.

**FROM** Terry Lattimore, Public Affairs, Rochester Gas & Electric dated December 2, 2014 to Supervisor regarding construction of the Kendrick Road substation.

**FROM** Glenn William, General Mgr. Midtown Athletic Club dated November 1, 2014 and Ward Ghory, Head of School, Harley School dated December 1, 2014 to Supervisor expressing support of the development of the Auburn Trail in Brighton.

**FROM** Dr. Anne Kress, President Monroe Community College dated December 2, 2014, thanking the Town for the recognition bestowed on the MCC Academy for Veterans Success at the Town's Veterans Day Ceremony held November 11<sup>th</sup>.

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner that the aforementioned communications be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services – Next meeting is January 26, 2015 at 4:30 PM at Brookside  
 Finance and Administrative Services – Next meeting is 12/16/2014 a 3:30 PM in Stage Conference Room  
 Public Safety Services – Next meeting is 1/13/2015 at 8:00 AM in Downstairs Meeting Room  
 Public Works Services – Next meeting is 1/6/2015 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 of Collective Bargaining Agreement between the Town and Teamsters Local #118 (see Resolution #2 and letter dated December 5, 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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to hire David Kaltenbach to fill the recently vacated position of part-time Assistant Fire Marshal effective December 15, 2014 (see Resolution #3 and letter dated December 9, 2014 from Christopher Roth, Chief Fire Marshal).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to accept \$385.00 in donations from various residents, businesses and organizations, for the Veterans Memorial (see Resolution #4 and memorandum dated December 1, 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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with Park Place Corporation to provide day to day transportation services for our Senior Citizen programs for 2015 (see Resolution #5 and letter dated December 1, 2014 from Rebecca Cotter, Recreation Director).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with RelComm to provide Telecommunication System Maintenance (see Resolution #6 and memorandum dated December 2, 2014 from Susan Wentworth, Coordinator of Data Processing).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to appropriate \$21,155.00 from the Seized Assets funding account to support purchase of particular computer tablets, associated software and peripherals for the Police Department (see Resolution #7 and letter dated November 26, 2014 from Police Chief Mark Henderson).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with Town and Country Cleaners Inc. to provide dry cleaning and laundering services for police department uniforms for 2015 (see Resolution #8 and letter dated November 21, 2014 from Police Chief Mark Henderson).

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 9 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with Geese Control of New York Inc. to provide geese control services for 2015 (see Resolution #9 and letter dated November 21, 2014 from Police Chief Mark Henderson).

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. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with the Animal Hospital of Pittsford to provide boarding and veterinary services for 2015 (see Resolution #10 and letter dated November 21, 2014 from Police Chief Mark Henderson).

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. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with PERMA/NEAMI Inc. to provide workers compensation coverage for 2015 (see Resolution #11 and letter dated November 24, 2014 from Gary Brandt, Director of Personnel & HR).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve bid award to the lowest, responsible bidder Ontario Exteriors Inc., with authorization for Supervisor to execute agreement and associated documentation to provide general construction services for replacement of Operations Center salt barn roof (see Resolution #12 and letter dated November 20, 2014 from Chad Roscoe, Junior Engineer).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to transfer funding from various Highway Road Repair accounts to particular Highway Machinery accounts (see Resolution #13 and letter dated November 25, 2014 from Timothy Anderson, Deputy Highway Superintendent).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to revise Town's Procurement Policy and Procedures to include Best Value Pricing and amend Price Quote Amount Thresholds policy changes (see Resolution #14 and letter dated December 2, 2014 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE SUPERVISOR:**

Expenses and Revenue for the period ending November 30, 2014

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to receive and file the aforementioned report

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED AT 9:00 PM:**

Motion by Councilmember Louise Novros seconded by Councilmember Christopher Werner to adjourn at 9:00 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**CERTIFICATION:**

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 10<sup>th</sup> day of December 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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**WHEREAS**, the Town Board of the Town of Brighton reaffirms that the Town has the responsibility to act to assure that every individual within the Town is afforded an equal opportunity to enjoy a full and productive life, and that the failure to provide such equal opportunity, whether because of discrimination, prejudice, intolerance or inadequate education, training, housing or health care, not only threatens the rights and proper privileges of its inhabitants, but undermines the institutions, foundations and general welfare of the community; and

**WHEREAS**, transgender individuals do not presently have protection from discrimination under state law, and the Town Board of the Town of Brighton wishes to provide a method of redress for discrimination based on gender identity and expression, with remedies and damages to be awarded commensurate with relief awarded to other protected groups; and

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 10<sup>th</sup> day of December 2014 at 7:30 p.m., to consider the adoption of a proposed Local Law to be known as "Gender Expression Non-Discrimination Local Law"; and

**WHEREAS**, such public hearing was duly called and held on December 10, 2014 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_,

seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that all written comments provided to the Town at the Public Hearing held on December 10, 2014 regarding the proposed Local Law be received and filed; and

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON** that, pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, a new Chapter 77 be added to the Town Code and that said chapter be entitled "Gender Expression Non-Discrimination" the text of which is attached hereto and made part of this resolution adopting such Local Law which was the subject of the above public hearing; and it is further

**RESOLVED**, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Local Law file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York

Dated: December 10, 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**  
**William W. Moehle**  
**Supervisor**

**November 11, 2014**

**To: Members of the Town Board**

**FROM: William Moehle, Brighton Town Supervisor**

**RE: GENDA Local Law**

**In the past several legislative sessions, the New York State Assembly has passed the Gender Expression Non-Discrimination Act, commonly referred to as GENDA. GENDA would provide civil rights protection for transgender individuals under New York State law.**

**Transgender individuals continue to be targeted for discrimination in housing, employment and basic public accommodations, such as restaurants and hotels. Previous New York legislation, such as the Sexual Orientation Non-Discrimination Act and the Marriage Equality legislation have made great progress towards equal rights for all New Yorkers, but neither one addresses general discrimination against transgender individuals.**

**Therefore, I request Town Board approval to set December 10, 2014 as Public Hearing Date to consider proposed Local Law 2014 Gender Expression Non-Discrimination Act (GENDA) for the Town of Brighton.**

2300 Elmwood Avenue, Rochester, NY 14618  
585-784-5251 Fax: 585-784-5373  
william.moehle@townofbrighton.org

## Chapter 77. GENDER EXPRESSION NON-DISCRIMINATION

### § 77-1. Purpose.

- A. The Town Board of the Town of Brighton ("Town") reaffirms that the Town has the responsibility to act to ensure that every individual within the Town is afforded an equal opportunity to enjoy a full and productive life, and that the failure to provide such equal opportunity, whether because of discrimination, prejudice, intolerance or inadequate education, training, housing or health care, not only threatens the rights and proper privileges of its inhabitants, but menaces the institutions and foundations of a free democratic state and threatens the peace, order, health, safety and general welfare of the state and its inhabitants. Transgender individuals do not presently have protection from discrimination under state law. The Town Board of the Town of Brighton wishes to provide a method of redress for discrimination based on gender identity and expression with remedies and damages to be awarded commensurate with relief awarded to other protected groups.
- B. The Town Board of the Town of Brighton's purpose is to ensure that individuals who live in our free society have the capacity to make their own choices, follow their own beliefs and conduct their lives as they see fit, consistent with existing law.

### § 77-2. Authority.

The authority of this chapter shall be in the exercise of the municipal home rule powers under Section 10 of the Municipal Home Rule Law of the State of New York and for the protection of the public health, welfare, and well-being of the people of this Town and at property located therein.

### § 77-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### **COMMERCIAL SPACE**

Any space in a building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging or distribution of personal property; and any space which is used or occupied, or is intended, arranged or designed to be used or occupied as a separate business or professional unit or office in any building, structure or portion thereof.

## **DISCRIMINATION**

Any direct or indirect act, policy or practice of exclusion, distinction, restriction, segregation, separation, limitation, refusal, denial or any other act or practice of differentiation or preference; or the aiding, abetting, inciting, coercing or compelling thereof.

## **EMPLOYEE**

Does not include any individual employed by her or his parents, spouse or child.

## **EMPLOYER**

Does not include any employer with fewer than four persons in her or his employ.

## **EMPLOYMENT AGENCY**

Includes any person undertaking to procure employees or opportunities to work.

## **GENDER IDENTITY AND EXPRESSION**

A person's actual or perceived gender identity, gender-related self-image, gender-related appearance, gender-related behavioral or physical characteristics, or gender-related expression, whether or not that gender identity, gender-related self-image, gender-related appearance, gender-related behavioral or physical characteristics, or gender-related expression is different from that traditionally associated with the person's sex assigned at birth. This shall include but not be limited to:

- A. Transsexuals in all stages of transition, including preoperative, postoperative and persons living in a gender other than their birth sex;
- B. Persons (including cross-dressers) whose gender expression occasionally differs from their sex assigned at birth; and
- C. Intersexed persons born with anatomy or physiology that includes medical characteristics of both male and female whose sex was assigned at birth and who sometimes manifest physical characteristics, expressions or identity that differs from the sex assigned at birth.

## **HOUSING ACCOMMODATION**

Includes any building, structure, or portion thereof located in the Town which is used or occupied or is intended, arranged or designed to be used or occupied as the home, residence or sleeping place of one or more human beings.

## **LABOR ORGANIZATION**

Includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

## **PERSON**

Includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

#### **PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT**

Shall have the same meaning as that defined in New York State Civil Rights Law Section 40.

#### **REAL ESTATE BROKER**

Any person, firm or corporation who, for another and for a fee, commission or other valuable consideration, lists for sale, sells, at auction or otherwise, exchanges, buys or rents, or offers or attempts to negotiate a sale, at auction or otherwise, exchange, purchase or rental of an estate or interest in real estate, or collects or offers or attempts to collect rent for the use of real estate, or negotiates, or offers or attempts to negotiate, a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate. In the sale of lots pursuant to the provisions of Article 9-A of the Real Property Law, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange of any such lot or parcel of real estate.

#### **REAL ESTATE SALESPERSON**

A person employed by a licensed real estate broker to list for sale, sell or offer for sale, at auction or otherwise, to buy or offer to buy or negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent or place for rent any real estate, or who collects or offers or attempts to collect rent for the use of real estate for or in behalf of such real estate broker.

#### **TOWN**

The Town of Brighton in the County of Monroe and State of New York.

#### **UNLAWFUL DISCRIMINATORY PRACTICE**

Includes those practices specified in this chapter.

#### **§ 77-4. Exemptions.**

- A. Nothing in this chapter shall apply to any institution, club, or place of accommodation which is in its nature distinctly private as defined by New York State Civil Rights Law § 40.
- B. Nothing in this chapter shall prevent religious faiths from establishing and maintaining educational institutions exclusively or primarily for students of their own religious faith.

§ 77-5. Declaration of rights.

A. The opportunity to obtain employment without discrimination because of gender identity and expression is hereby recognized as and declared to be a civil right. The opportunity to obtain education, the use of places of public accommodation and the ownership, use and occupancy of housing accommodations and commercial space without discrimination because of gender identity and expression is hereby recognized and declared to be a civil right.

(1) Employment. It shall be unlawful:

(a) For an employer or licensing agency in the Town, because of the gender identity and expression of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

(b) For an employment agency in the Town or placing individuals in the Town to discriminate against any individual because of gender identity and expression in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant or applicants to an employer or employers.

(c) For a labor organization in the Town to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, because of gender identity and expression of such individual .

(d) For any employer or employment agency in the Town or placing individuals in the Town to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to gender identity and expression, or any intent to make any such limitation, specification or discrimination, unless based on a bona fide occupational qualification.

(e) (i) To deny to or withhold from any person because of gender identity and expression the right to be admitted to or participate in a guidance program, an apprenticeship training program or other occupational training or training program in the Town; or (ii) to discriminate against any person in his or her pursuit of such programs in the Town or to discriminate against such a person in the terms, conditions or privileges of such programs in the Town because of gender identity and expression; or (iii) to print or circulate in the Town or cause to be printed or circulated in the Town any statement, advertisement or publication, or to use any form of application for such programs or to make inquiry in connection with such program which expresses, directly or indirectly, any limitation, specification or discrimination as to gender identity and expression, or any intention to make any such limitation, specification or discrimination, unless based on a bona fide occupational qualification.

(2) Public accommodation. It shall be unlawful discriminatory practice for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement in the Town, because of the gender identity and expression of any person, directly or indirectly, to refuse, withhold from or

deny to such person any of the accommodations, advantages, facilities or privileges thereof, including the extension of credit, or, directly or indirectly, to publish, circulate, issue, display, post or mail in the Town or into the Town any written or printed communication, notice or advertisement, to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of gender identity and expression, or that the patronage or custom thereof of any person of or purporting to be any particular gender identity and expression is unwelcome, objectionable or not acceptable, desired or solicited.

**(3) Housing accommodations.**

**(a) It shall be unlawful:**

[1] To refuse to rent or lease or otherwise to deny to or withhold from any person or group of persons such housing accommodations because of the gender identity and expression of such person or persons.

[2] To cause to be made any written or oral inquiry or record concerning the gender identity and expression of a person seeking to rent or lease any housing accommodation.

**(b) It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent, or lease a housing accommodation, commercial space, constructed or to be constructed, or land, or any agent or employee thereof:**

[1] To refuse to sell, rent, lease or otherwise to deny to or withhold from any person or group of persons because of the gender identity and expression of such person or persons.

[2] To discriminate against any person because of his or her gender identity and expression in the terms, conditions or privileges of the sale, rental or lease or in the furnishing of facilities or services in connection therewith.

[3] To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease or to make any record or inquiry in connection with the prospective purchase, rental or lease which expresses, directly or indirectly, any limitation, specification or discrimination as to gender identity and expression, or any intent to make any such limitation, specification or discrimination.

**(c) It shall be an unlawful discriminatory practice for any real estate broker, real estate salesman or employee or agent thereof:**

[1] To refuse to sell, rent or lease any housing accommodation, land or commercial space to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space to any person because of the gender identity and expression of such person or persons, or to represent that any housing accommodation, land or commercial space is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or any facilities of any housing accommodation, land or commercial space from any person or group of persons because of the gender identity and expression of such person or persons.

[2] To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or to make any record of inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space which expresses, directly or indirectly, any limitation, specification, or discrimination as to gender identity and expression or any intent to make any such limitation, specification or discrimination.

[3] To represent that a change has occurred or will or may occur in the composition with respect to gender identity and expression of the owners or occupants in the block, neighborhood or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other facilities.

(d) Credit. It shall be an unlawful discriminatory practice for any creditor or any officer, agent or employee thereof:

[1] In the case of applications for credit with respect to the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, land or commercial space, to discriminate against any such applicant because of the gender identity and expression of such applicant or applicants or any member, stockholder, director, officer or employee of such applicant or applicants, or of the prospective occupants or tenants of such housing accommodation, land or commercial space, in the granting, withholding, extending or renewing, or in the fixing of the rates, terms or conditions, of any such credit.

[2] To discriminate in the granting, withholding, extending or renewing, or in the fixing of the rates, terms or conditions of, any form of credit, on the basis of gender identity and expression.

[3] To use any form of application for credit or use or make any record or inquiry which expresses, directly or indirectly, any limitation, specification, or discrimination as to gender identity and expression.

[4] To refuse to consider sources of an applicant's income or to subject an applicant's income to discounting, in whole or in part, because of an applicant's gender identity and expression.

(4) Education.

(a) It shall be an unlawful discriminatory practice for an education corporation or association which holds itself out to the public to be nonsectarian and exempt from taxation pursuant to the provisions of Article 4 of the Real Property Tax Law to deny the use of its facilities to any person otherwise qualified by reason of his or her gender identity and expression.

(b) It shall be an unlawful educational practice for an educational institution to exclude or limit or otherwise discriminate against any person or persons seeking admission as students to such institution or to any educational program or course operated or

provided by such institution because of gender identity and expression ; except that nothing in this section shall be deemed to affect, in any way, the right of a religious or denominational educational institution to select its students exclusively or primarily from members of such religion or denomination or from giving preference in such selection to such members or to make such selection of its students as is calculated by such institution to promote the religious principles for which it is established or maintained. Nothing contained herein shall impair or abridge the right of an independent institution, which establishes or maintains a policy of educating persons of one sex exclusively, to admit students of only one sex.

- (5) **Civil rights.** No person, because of gender identity and expression, shall be subjected to any discrimination in his or her civil rights, or to any harassment in the exercise thereof, by any person or by any firm, corporation, institution located in the Town, or by the Town or any agency of the Town.

**B. Enforcement.**

Any person claiming to be aggrieved by an unlawful discriminatory practice shall have a cause of action in any court of appropriate jurisdiction for damages and such remedies as may be appropriate.

**§ 77-6. Statute of limitations.**

Any action brought for violation of this chapter must be commenced within one year after the alleged unlawful discriminatory practice.

## CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

December 10, 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>102,496.87</u>
D - HIGHWAY		<u>24,097.86</u>
H - CAPITAL		<u>853.70</u>
L - LIBRARY		<u>111.94</u>
SB - BUSINESS IMPROVM		<u>162.00</u>
SF - FIRE DIST		<u>37,776.27</u>
SR-REFUSE DISTRICT		<u>68,789.49</u>
SS - SEWER DIST		<u>58,160.45</u>
TA - AGENCY TRUST		<u>11,381.66</u>
TE - EXPENDABLE TRUST		<u>15.00</u>
TOTAL	\$	<u>303,845.24</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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 5, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute a collective bargaining agreement between the Town and Teamsters Local #118 covering the period of January 1, 2015 through and including December 31, 2019, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a collective bargaining agreement between the Town and Teamsters Local #118 covering the period of January 1, 2015 through and including December 31, 2019 subject to the review and approval of the form of the agreement by the Attorney to the Town.

Dated: December 10, 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

December 5, 2014

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

Re: Proposed Teamsters Collective Bargaining Agreement  
2015 - 2019

Dear Supervisor Moehle and Town Council Members:

As previously discussed the Town and Teamsters Local 118 have reached agreement upon a new contract for years 2015 through 2019. Attached is a copy of the final agreement, which was unanimously ratified by the Teamster membership on November 25, 2014. It is therefore recommended that the Supervisor be authorized to execute said agreement with the Teamsters Union. Furthermore, I thank yourselves and the Teamsters for culminating this matter in a timely fashion.

Very truly yours,

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

TEK/wp

attachment

cc: T. Anderson  
E. Heinsbergen  
M. Maynard  
M. Hussar  
K. Gordon

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 9, 2014 from Chief Fire Marshal Christopher Roth regarding a request to authorize the employment of a particular person as a part-time Assistant Fire Marshal effective December 15, 2014, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the employment of David Kaltenbach as part-time, Assistant Fire Marshal with a starting salary rate of \$18.54 per hour, within a 20 hour work week, effective December 15, 2014 subject to a 52 week probationary period.

Dated: December 10, 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	_____



**OFFICE OF THE FIRE MARSHAL**  
**TOWN OF BRIGHTON**  
2300 ELMWOOD AVENUE – ROCHESTER, NEW YORK 14618  
(585) 784-5220 OFFICE (585) 784-5207 FAX

**Christopher A. Roth**  
[christopher.roth@townofbrighton.org](mailto:christopher.roth@townofbrighton.org)

Tuesday, December 09, 2014

Honorable Town Supervisor William W. Moehle  
Members of the Town Board  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, NY 14618

FROM: Chief Fire Marshal, Christopher Roth

SUBJECT: Approval to hire a particular person as a part-time Assistant Fire Marshal

I am requesting authorization to hire David Kaltenbach as a part time Assistant Fire Marshal effective Thursday December 11, 2014.

As you know the current Assistant Fire Marshal Richard Tracy recently resigned as of December 8, 2014 and this new hire would be a back fill to the existing open position.

This position will be subject to a 52-week probationary period with a starting \$ 18.54 per hour salary within a 20 hour work week.

Thank you and I appreciate your consideration on this matter.

Very truly yours,

Christopher A. Roth  
Chief Fire Marshal

TEK/wp

cc: T. Keef  
S. Zaso  
G. Brandt

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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated December 1, 2014 from Director of Finance Suzanne Zaso regarding a request to authorize the acceptance of monetary donations from various individuals and organizations in the total amount of \$385.00 to support the Town of Brighton Veterans Memorial Fund, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby gratefully authorizes the acceptance of monetary donations from various individuals and organizations in the total amount of \$385.00 to support the Town of Brighton Veterans Memorial Fund.

Dated: December 10, 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 *nz*  
Date: December 1, 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 \$385.00 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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 1, 2014 from Recreation Director Rebecca Cotter regarding a request to authorize the Supervisor to execute a contract to renew the Town's transportation service contract with Park Place Corporation Services for calendar year 2015 at a reduced contract rate of \$86.38 per hour, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract to renew the Town's transportation service contract with Park Place Corporation Services for calendar year 2015 at a reduced contract rate of \$86.38 per hour.

Dated: December 10, 2014

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



**TOWN OF BRIGHTON**  
RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT

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

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

December 1, 2014

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

Dear Finance Committee Members:

I respectfully request your permission to authorize the Supervisor to renew our day to day transportation service with Park Place Corporation Services for 2015. We are pleased to renew this contract at a rate of \$86.38 per hour. This is a \$3.60 decrease from the rate charged for 2014 of \$89.98 per hour. We average 3 hours of service on a normal program day.

The term of this renewal will be for a period of one year. Funding for this service is provided in the 2015 budget.

The Seniors have been satisfied with the quality of transportation services provided by Park Place. I will be happy to answer any questions you may have regarding this matter.

Respectfully,

*Rebecca Cotter*  
Rebecca J. Cotter  
Recreation Director  
Town of Brighton

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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated December 2, 2014 from Coordinator of Data Processing Susan Wentworth regarding a request to authorize the Supervisor to execute a contract to renew the Town's telecommunication systems maintenance contract with RelComm, Inc. for calendar year 2015 at a contract rate of \$795 per month subject to annual automatic renewal cancellable with 30 days written notice, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract to renew the Town's telecommunication systems maintenance contract with RelComm, Inc. for calendar year 2015 at a contract rate of \$795 per month subject to annual automatic renewal cancellable with 30 days written notice.

Dated: December 10, 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  
2300 ELMWOOD AVENUE  
ROCHESTER, NEW YORK 14618  
(585) 784-5390 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Finance Committee  
From: Susan Wentworth, Coordinator of Data Processing  
Date: December 2, 2014  
Subject: Request Town Board action to Authorize the Town Supervisor to execute the Telecommunication System Maintenance Agreement with RelComm, Inc.

The Town of Brighton's Mitel phone system is covered under a support agreement with RelComm, Inc.

The Telecommunication System Maintenance Agreement describes the existing equipment to be covered for support. All pricing is on NY State contract through January 6, 2018.

There is no increase in cost from 2014. The monthly cost will continue to be \$795 per month from January 1, 2015 through December 31, 2015. The contract will auto-renew on the anniversary for a duration of 12 months unless the Town provides a written cancellation notice with a 30 day notice.

The maintenance has been an ongoing shared expense for the following budgets: Highway (A.HWY.5132), Court (A.JSTCE.1110), Police (A.POLCE.3120), Recreation (A.REC.7020), Facilities (A.DPW.1620) and Library (L.LIBRY.7410).

This request is for authorization for the Town Supervisor to approve the attached maintenance agreement with Rel Comm, Inc.

Thank you for your consideration.

*Susan A. Wentworth*

# Rel Comm

"Voice & Data Communications"

R  
C  
C

## **Town of Brighton RCC SUPPORT AGREEMENT**

Rel Comm, Inc. hereby agrees to provide Support Services for the Communications Equipment as listed in the attached Rate and Inventory sheet. Any additional equipment leased or sold to *Town of Brighton* shall become part of this agreement at the next billing cycle. Rel Comm, Inc. shall keep the entire system in good working condition and furnish all parts and labor necessary to accomplish this. Any malfunction that cannot be immediately isolated to a specific piece of equipment or service will require the participation of Rel Comm, Inc. and all other service suppliers until responsibility for the problem has been determined. Rel Comm, Inc. has the responsibility to assure, with best efforts, participation of all applicable service suppliers. Expenses incurred for service supplier's services shall be borne by the responsible party. In no instance shall the failure to resolve the issue of responsibility relieve Rel Comm, Inc. of the obligation to restore system operation with the least impact on the functional operation of the telephone system.

Rel Comm., Inc. shall effectively provide Support on equipment listed in the Rate and Inventory Section.

Rel Comm., Inc. shall maintain a spare parts inventory at the servicing support facility.

*Town of Brighton* shall have no responsibility for any costs other than the cost of this Support agreement without its prior written agreement.

### **PAYMENT**

Rel Comm, Inc. will invoice *Town of Brighton* monthly in advance for the Support charge. Payment will be made within 30 days of receipt of invoice.

### **RATE**

Rel Comm, Inc. will not adjust the Support charge per item for the duration of this contract. Any items purchased / leased within the contract term shall become part of this agreement at the next billing cycle, and charged at the same rate from the first 12 months. If Rel Comm, Inc. requires an adjustment in any of the rates, Rel Comm, Inc. will give a 30 day written notice before the adjustment becomes valid.

#### **Rochester, New York**

250 Cumberland St.  
Suite 214  
Rochester, NY 14605  
Voice: 585.546.8888  
Fax: 585.546.8925

#### **Buffalo, New York**

4230-B Ridge Lea Rd.  
Suite 112  
Amherst, NY 14226  
Voice: 716.204.4444  
Fax 716.204.0010

#### **Syracuse, New York**

6838 Ellicott Dr.  
East Syracuse, NY 13204  
Voice: 315.422.9700  
Fax: 315.438.3142

#### **Raleigh, North Carolina**

1191 West Chatham St.  
Cary, NC 27513  
Voice: 919.210.3500  
Fax: 919.433.3119

**TERM**

This agreement is a 12-month contract. The contract will then auto-renew on the anniversary for a duration of 12 months thereafter unless Rel Comm Inc. has received a written cancellation notice from Town of Brighton with a 30-day notice. Rel Comm, Inc. reserves the right to cancel this agreement with 30-days written notice to the customer, or should the customer become delinquent in payment.

**LIMITS OF LIABILITY**

Rel Comm, Inc. shall not be liable to the user for any consequential damages for interruption of service, which the user may incur as a result of equipment failure.

**NOTICES**

Any communication to Rel Comm, Inc. shall be deemed given when sent prepaid certified mail and addressed to Rel Comm, Inc. at its address, as appearing on this or at such address as the party may have requested in writing.

**SUCCESSORS OR PARTIES BOUND**

This agreement and all its Terms and Conditions shall inure to and become binding upon the Heirs, Executors, Administrators, Successors and Assigns of Parties hereto.

**Town of Brighton SUPPORT RATE AND INVENTORY**

<b>Quantity</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extended Cost</b>
<b>224</b>	<b>Active Telephone Ports</b>	<b>\$2.00</b>	<b>\$448.00</b>
<b>27</b>	<b>Active Trunk / T1 Ports</b>	<b>\$1.00</b>	<b>\$27.00</b>
<b>8</b>	<b>Voice Mail Ports</b>	<b>\$15.00</b>	<b>\$120.00</b>
<b>10</b>	<b>Network Equipment</b>	<b>\$20.00</b>	<b>\$200.00</b>
<b>TOTAL MONTHLY CHARGE:</b>			<b>\$795.00</b>

\*Quantities may vary based on final configuration.

Original Installation: 10/31/2011

System Type: Mitel 5000 HX controllers, networked over IP

System Notes: SWA is covered until 11/04/2016

Inclusions/Exclusions: This contract covers all sites and network equipment.

(Please Include additional covered locations)

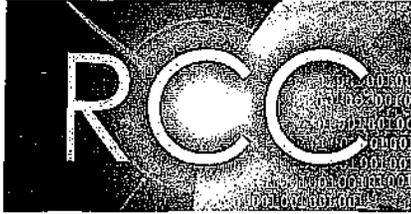
UPS is not covered under the scope of this agreement.

**Rochester, New York**  
250 Cumberland St.  
Suite 214  
Rochester, NY 14605  
Voice: 585.546.8888  
Fax: 585.546.8925

**Buffalo, New York**  
4230-B Ridge Lea Rd.  
Suite 112  
Amherst, NY 14226  
Voice: 716.204.4444  
Fax 716.204.0010

**Syracuse, New York**  
6838 Ellicott Dr.  
East Syracuse, NY 13204  
Voice: 315.422.9700  
Fax: 315.438.3142

**Raleigh, North Carolina**  
1191 West Chatham St.  
Cary, NC 27513  
Voice: 919.210.3500  
Fax: 919.433.3119



## RCC PREMIUM LEVEL SUPPORT AGREEMENT INCLUSIONS / EXCLUSIONS

### Support Services shall include:

- Regular service during business hours, within (1) business day from request.
- Emergency service during business hours (in the event of total or substantial system failure) within two (2) hours.
- Emergency service after business hours, (in the event of total or substantial system failure) within three (3) hours.  
**\*\*Business hours are Monday thru Friday 8:00am – 5:00pm.\*\***
- Discounted labor rate for Adds, Moves & Changes:  
Rate for NON-Supported customers                      \$125.00 per hour  
Rate for Supported customer                              \$95.00 per hour  
After Hours / 1.5 Multiplier  
Holidays / 2.0 Multiplier
- Remote Programming, up to 15 minutes
- Annual on-site Preventative Maintenance visit by certified technician

### Support Service shall not include:

- The repair or replacement of equipment that has become defective as a result of an accident, physical abuse or misuse, acts of God or any other reason other than normal wear and/or manufacturer's defects.
- Any repairs caused externally to the equipment as a result of loss of air conditioning or electric power.
- Any software defects or damage to system software program caused by environmental or equipment malfunctions.
- Any non-supported/discontinued equipment by manufacturer - Rel-Comm, Inc. will make best effort to repair equipment dependent upon parts availability. Upgrade/replacement options will be provided when repair efforts cannot be completed.
- Any Pre-existing problems.
- Servicing equipment not detailed in the rate and equipment section.
- UPS is not covered under the scope of this agreement.

**Rochester, New York**  
250 Cumberland St.  
Suite 214  
Rochester, NY 14605  
Voice: 585.546.8888  
Fax: 585.546.8925

**Buffalo, New York**  
4230-B Ridge Lea Rd.  
Suite 112  
Amherst, NY 14226  
Voice: 716.204.4444  
Fax 716.204.0010

**Syracuse, New York**  
6838 Ellicott Dr.  
East Syracuse, NY 13204  
Voice: 315.422.9700  
Fax: 315.438.3142

**Raleigh, North Carolina**  
1191 West Chatham St.  
Cary, NC 27513  
Voice: 919.210.3500  
Fax: 919.433.3119

Contract Execution -

End User Company: Town of Brighton

Bill-To Address: 2300 Elmwood Avenue Ship-To Address: 2300 Elmwood Avenue  
Rochester, NY 14618 Rochester, NY 14618

End User Name/Title: William W. Moehle/Town Supervisor  
(Please Print)



End User Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Vendor Name: Rel Comm, Inc.  
Vendor Address: 250 Cumberland Street Suite 214  
Rochester, NY 14605  
Phone | 585-546-8888  
Fax | 585-546-8925

Rel Comm Representative: Kelly Kaye / CFO  
(Please Print)

Rel Comm Signature: \_\_\_\_\_ Date: \_\_\_\_\_

SUPPORT START DATE: 

01/01/2015- 12/31/2015
---------------------------

 SALESMAN: Jaclyn Scalera

The above costs are good for 30 days. Please ask for new quote if not signed within 30 days of receipt.

**Rochester, New York**  
250 Cumberland St.  
Suite 214  
Rochester, NY 14605  
Voice: 585.546.8888  
Fax: 585.546.8925

**Buffalo, New York**  
4230-B Ridge Lea Rd.  
Suite 112  
Amherst, NY 14226  
Voice: 716.204.4444  
Fax 716.204.0010

**Syracuse, New York**  
6838 Ellicott Dr.  
East Syracuse, NY 13204  
Voice: 315.422.9700  
Fax: 315.438.3142

**Raleigh, North Carolina**  
1191 West Chatham St.  
Cary, NC 27513  
Voice: 919.210.3500  
Fax: 919.433.3119

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 10th day of December, 2014

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 4, 2014 from Chief of Police Mark T. Henderson regarding a request to amend the 2014 Police Department Operating Budget by increasing appropriations in the Computer Equipment Account (A.POLCE 3125.2.13) by \$21,155.00 to fund the purchase of tablets and associated software and equipment to be funded by an identical sum of money from the Forfeited Property Account (A.889.JSTCE), be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the amendment of the 2014 Police Department Operating Budget by increasing appropriations in the Computer Equipment Account (A.POLCE 3125.2.13) by \$21,155.00 to fund the purchase of tablets and associated software and equipment to be funded by an identical sum of money from the Forfeited Property Account (A.889.JSTCE); and be it further

**RESOLVED**, that the Town Board hereby authorizes the purchase of 25 Lenovo computer tablets and related items all as set forth in the above referenced correspondence, at an aggregate purchase price of \$21,155.00.

Dated: December 10, 2014

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



# Town of Brighton

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



**Mark T. Henderson**  
Chief of Police

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

December 4, 2014

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

**RE: PURCHASE USING SEIZED ASSETS ACCOUNT**

Dear Board Members:

I hereby request that an amendment be approved to the 2014 Police Department operating budget to provide for sufficient appropriations for the purchase of the following items:

<i>25 Lenovo computer tablets &amp; associated software</i>	<b>\$20,695.00</b>
<i>Protective sleeves</i>	<b>\$300.00</b>
<i>Hardware (10 Diamond Multimedia file transfer cables)</i>	<b>\$160.00</b>
	<b>\$21,155.00</b>

I propose that the Proceeds of Forfeited Property be used to fund this purchase. I request that appropriations in account **A.POLCE.3125.2.13 (Computer Equipment)** be increased by **\$21,155.00**. The total expenditure will be supported with the use of Forfeited Property account **A.889.JSTCE**. I have consulted with the United States Attorney's Office and they concur that the use of seized forfeiture asset funds for the purpose of these purchases is appropriate.

Respectfully,

Mark T. Henderson  
Chief of Police

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated November 21, 2014 from Chief of Police Mark T. Henderson regarding a request to authorize the Supervisor to execute a contract with Town and Country Cleaners for uniform dry cleaning and laundering for 2015 with an option which may be exercised by the Town to allow for up to four annual renewals of said contract, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Town and Country Cleaners for uniform dry cleaning and laundering for 2015, and further authorizes the Supervisor to execute on behalf of the Town up to four annual contract renewals of said contract without further action by the Town Board.

Dated: December 10, 2014

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



# Town of Brighton

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



**Mark T. Henderson**  
Chief of Police

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

November 21, 2014

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

**Re: 2015 Police Dry Cleaning Contract**

Dear Board Members:

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

I have been very satisfied with their past service and I would recommend that the Town Board renew this contract with Town and Country Cleaners for 2015.

Respectfully,

Mark T. Henderson  
Chief of Police

MTH:jpo

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated November 21, 2014 from Chief of Police Mark T. Henderson regarding a request to authorize the Supervisor to execute a contract with Geese Control of New York for geese control services in the Town of Brighton for the period April 1, 2015 through June 30, 2015 and August 1, 2015 through November 30, 2015 at a contract rate of \$650 per month with no service during the month of July, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Geese Control of New York for geese control services in the Town of Brighton as described above at a contract rate of \$650 per month.

Dated: December 10, 2014

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



# Town of Brighton

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



**Mark T. Henderson**  
Chief of Police

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

November 21, 2014

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

**RE: 2015 Geese Control Contract**

Dear Board Members:

I recommend that the Supervisor be authorized to execute an agreement between Geese Control of New York and the Town of Brighton for the provision of geese control in the Town of Brighton. This contract is for the period beginning April 1, 2015 through November 30, 2015, with no service for the month of July.

I hereby recommend acceptance of the agreement as presented by Geese Control of New York for services to the Town for the stated time period. Geese Control of NY will keep the rates the same as 2014 at \$650 per month. There are no other vendors in the area that provide this service.

Thank you for your consideration. I will be happy to answer any questions you may have regarding this request.

Sincerely,

Mark T. Henderson  
Chief of Police

MTH:jpo  
attachment

c: Captain David Catholdi  
Bruce Blackman, Animal Control Supervisor

**2015 CONTRACT FOR  
CANADA GOOSE CONTROL  
TOWN OF BRIGHTON**

**GEESE CONTROL OF NY  
3325 BAILEY RD.  
BLOOMFIELD NY 14469**

***Environmentally safe Canada goose control with trained Border collies***

Thank you very much for your past business. We will exclude July for molt as requested for 2015. Contract will cover April thru June, August thru November. 7 months @ \$650 per month, (Total \$4,550). The price is based on 24 visits per month at the Town Park on Westfall Road. This price includes visits to the Town of Brighton's three other sites, Lac Deville, Meridian Centre and Buckland Park. We will still monitor all the sites daily as before and encourage calling in any information concerning bird habitation and timing. The handler is available 7 days a week and can normally be on site within one hour, and there is no extra charge for call in visits if needed.

Invoices are generated once a month. A service report will be handed in at the end of each period with dates, times and approx. number of geese on property. Contracts may be dissolved for any reason up to fifteen days after work has begun. (a prorated bill will apply). Visits may vary from month to month at GCNY's discretion, per geese habits, molting status, etc., with notification to Animal Control of any variations or changes. To my knowledge and that of the D.E.C. we are still the sole provider of this service in the area.

GCNY will defend and hold our clients harmless against any penalties, fines, or claims by the federal or state authorities alleging the injury or death of Canada Geese due to GCNY's work. GCNY is fully insured by Dryden Ins. Agency.

Submitted by, Gordon R. Kornbau

Cell/Pager/Voice (585) 414-4419

Date 11/14/14

Gkornbau@rochester.rr.com

Acceptance of Contract

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as defined above.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**2015 CONTRACT FOR  
CANADA GOOSE CONTROL  
TOWN OF BRIGHTON**

**GEESE CONTROL OF NY  
3325 BAILEY RD.  
BLOOMFIELD NY 14469**

***Environmentally safe Canada goose control with trained Border collies***

Thank you very much for your past business. We will exclude July for molt as requested for 2015. Contract will cover April thru June, August thru November. 7 months @ \$650 per month, (Total \$4,550). The price is based on 24 visits per month at the Town Park on Westfall Road. This price includes visits to the Town of Brighton's three other sites, Lac Deville, Meridian Centre and Buckland Park. We will still monitor all the sites daily as before and encourage calling in any information concerning bird habitation and timing. The handler is available 7 days a week and can normally be on site within one hour, and there is no extra charge for call in visits if needed.

Invoices are generated once a month. A service report will be handed in at the end of each period with dates, times and approx. number of geese on property. Contracts may be dissolved for any reason up to fifteen days after work has begun. (a prorated bill will apply). Visits may vary from month to month at GCNY's discretion, per geese habits, molting status, etc., with notification to Animal Control of any variations or changes. To my knowledge and that of the D.E.C. we are still the sole provider of this service in the area.

GCNY will defend and hold our clients harmless against any penalties, fines, or claims by the federal or state authorities alleging the injury or death of Canada Geese due to GCNY's work. GCNY is fully insured by Dryden Ins. Agency.

Submitted by, Gordon R. Kornbau

Cell/Pager/Voice (585) 414-4419

Date 11/14/14

Gkornbau@rochester.rr.com

Acceptance of Contract

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_ Date \_\_\_\_\_

## AGREEMENT

THIS AGREEMENT, made this 10th day of December in the year 2014, by and between the Town of Brighton, a municipal corporation, with offices at 2300 Elmwood Avenue, Rochester, New York 14618, hereinafter referred to as the "Town", and Geese Control of New York, with offices at (or residing at) 3325 Bailey Road, Bloomfield, New York 14469, hereinafter referred to as the "Contractor".

## WITNESSETH

WHEREAS, the Town of Brighton is desirous of obtaining the services of the Contractor to perform the scope of services set forth in Section 1 hereof; and

WHEREAS, the Contractor is willing, able and qualified to perform such services.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto mutually agree as follows:

1. The Contractor hereby agrees to perform the following services for the Town of Brighton: Harassment of Canada Geese using border collies, in complete accord with the proposal offered by the Contractor for service provision in 2015, attached hereto and made a part of this agreement.

2. The term of this agreement shall be from April 1, 2015 through June 30, 2015 and August 1, through November 30, 2015. This contract may be terminated by the Town of Brighton upon written notice to the Contractor.

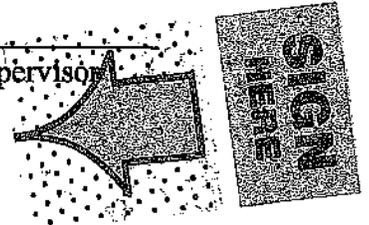
3. The Town hereby agrees to pay the Contractor a sum in full satisfaction of all expenses and compensation due at the rate of Six Hundred Fifty Dollars (\$650.00) per month, and a total amount not to exceed \$4,550 annually.

reasonable attorney's fees, which may be asserted against the Town or any of its officers and/or employees, and arising out of this agreement or out of services which the Contractor may perform for the Town pursuant to this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

TOWN OF BRIGHTON

By: \_\_\_\_\_  
William Moehle, Supervisor



GEESE CONTROL OF N.Y.

By: \_\_\_\_\_

\_\_\_\_\_  
[Print Name]

\_\_\_\_\_  
Fed. I.D.# or Social Security #

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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated November 21, 2014 from Chief of Police Mark T. Henderson regarding a request to authorize the Supervisor to execute a contract with Pittsford Animal Hospital to provide boarding and veterinary services for 2015 at contract rates as set forth in said proposed contract attached to the referenced correspondence, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Pittsford Animal Hospital to provide boarding and veterinary services for 2015 at contract rates as set forth in said proposed contract attached to the above referenced correspondence.

Dated: December 10, 2014

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



# Town of Brighton

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



**Mark T. Henderson**  
Chief of Police

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

November 21, 2014

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

**RE: 2015 Boarding and Veterinary Services Agreement**

Dear Board Members:

I recommend that the Supervisor be authorized to execute an agreement between the Animal Hospital of Pittsford and the Town of Brighton for the provision of boarding and veterinary services. This contract is for the period beginning January 1, 2015 through December 31, 2015. This year's proposed contract represents a slight increase in some of the fees for services provided by the Pittsford Animal Hospital.

Possible alternatives to Pittsford Animal Hospital have been researched; however no other animal hospital offers a 24 hour emergency service site to compare to the Animal Emergency Services. AES is a division of Pittsford Animal Hospital.

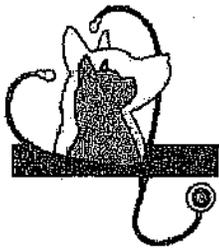
Thank you for your consideration. I would be happy to answer any questions you may have regarding this request.

Respectfully,

Mark T. Henderson  
Chief of Police

MTH:jpo  
Attachment

c: Captain David Catholdi  
Bruce Blackman, Animal Control Supervisor



**ANIMAL HOSPITAL OF PITTSFORD**  
2816 MONROE AVENUE  
ROCHESTER, NY 14618

---

TELEPHONE (585) 271-7700  
FAX (585) 244-7287  
WWW.PITTSFORDVET.COM

**HOSPITAL DIRECTORS:**

**PAUL R. BLACK, DVM**  
**TODD W. WIHLEN, DVM**

November 5, 2014

The following proposal is submitted to **Town of Brighton Animal Control** by Pittsford Animal Hospital (AHOP)/Animal Emergency Service (AES), (hereafter referred to as "provider") for providing leased space for shelter and professional veterinary services under contract with the Town of Brighton.

1. The contract will be for one year, ending **December 31, 2015**.
2. Provider will provide shelter for stray dogs, cats, and/or injured animals picked up by Brighton Animal Control or good Samaritans within the Town of Brighton. Provider will contact Brighton Animal Control when a Good Samaritan or police officer brings an animal to the hospital. The number of animals sheltered at one time will not exceed six without specific approval of the Hospital Director.
3. Animals placed in the shelter will be provided food, water, and exercise on a scheduled basis. Medical treatment will be administered under the supervision of the hospital veterinarians as approved by the Animal Control Officers.
4. Immediate emergency care, on a minimal life support basis, will be provided for any animal in critical condition or experiencing undue suffering at the veterinarian's discretion. In these cases, the Animal Control Officer will be notified as soon as possible.
5. The Brighton Animal Control Officers will communicate directly with the doctor assigned to the injured animal, or Dr. Black or Wihlen at AHOP in regard to the medical care disposition of the animal.
6. Animals with chronic medical problems will not be treated for their problems at Town of Brighton expense.
7. Emergency care for animals picked up after the hospitals are closed will be handled by the Animal Emergency Service at 825 White Spruce Blvd. Well animals picked up by the town may be brought to Pittsford Animal Hospital for impounding on Sundays and holidays when a kennel worker is present to admit the Animal Control Officer to the hospital.
8. All initial communication with the public will be handled through the Brighton Animal Control. This will include initial lost dog inquiries, initial injured animal inquiries, and updated vaccinations information. The hospital will release animals to owners/harborers only when the proper release forms have been obtained, fees have been satisfied, and/or on direct instructions from the Animal Control Officers.
9. Fees to be collected by the Brighton Town Clerks Office or Brighton Animal Control Officers prior to the release of any animals include charges for seizure, boarding, and license fees.
10. All fees owed to the Provider for services rendered, except boarding, will be paid directly to the Hospital by the animal owner/harborer.

11. Provider will bill the Town of Brighton on a monthly basis for boarding, euthanasia, and cremation fees accrued during the month.

12. All adoptable animals that are not claimed upon completion of the required impound period are to be taken to the Monroe County Humane Society by Brighton Animal Control, dependent upon the Humane Society's willingness to accept the animals.

13. A schedule of fees is attached.

### **SCHEDULE OF FEES FOR PROFESSIONAL SERVICES**

Leased space and proposed fees for the boarding of stray/injured animals and professional veterinary services for the Town of Brighton Are as follows:

1. Sheltering of animals to include caging, food, and limited exercise (calculated on a 24 hr basis).

Dogs--\$14.00 for the first day; \$10.50 for each additional day

Cats--\$8.50 for the first day; \$6.25 for each additional day

2. Emergency care at the Animal Emergency Services with Animal Control Officer having direct access to the facility and a veterinarian available in residence 24 hours a day including all weekends and holidays, physical examinations, and recommendations for further diagnosis and treatment.

Emergency exam--\$45.00

3. Minimal life support will have to be determined on a per case basis dependent on the extent of injuries in need of immediate medical attention. In all cases, Brighton Animal Control will be notified immediately of the anticipated expenses.

If paid by owner/harbinger--standard hospital charges.

If paid by Town of Brighton--20% professional services discount of standard hospital fees.

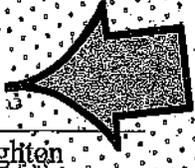
4. A standard fee of \$20.00 will be charged for all animal euthanizations, regardless of size, requested by Brighton Animal Control.

5. A standard fee of \$ 1.15 per pound with a minimum fee of \$25.00 per animal will be charged for all animal cremations, up to 100 pounds, requested by Brighton Animal Control.

*Paul Black, DVM*

Paul Black, D. V. M.

Director, Pittsford Animal Hospital

  
Supervisor, Town of Brighton

**SIGN  
HERE**

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated November 24, 2014 from Director of Personnel and Human Resources Gary Brandt regarding a request to authorize the Supervisor to execute a contract with Public Employer Risk Management Association, Inc. to provide Workers' Compensation coverage for the Town for 2015, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Public Employer Risk Management Association, Inc. to provide Workers' Compensation coverage for the Town for 2015 at a contract price of \$300,103.00 subject to a 2% discount if paid in full by January 15, 2015.

Dated: December 10, 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

**TO:** Christopher Werner, Chair, Finance & Administrative Services Committee  
**FROM:** Gary Brandt, Director of Personnel & HR   
**DATE:** November 24, 2014  
**RE:** 2015 NYS Workers' Compensation Coverage with PERMA/NEAMI

Attached is the quote from PERMA (Public Employer Risk Management Assoc) for our 2015 NYS Workers' Compensation coverage. The quote of \$300,103 includes all the 2015 statutory administrative assessments for NYS employers. The Town will realize a 2% savings (\$6,002) if full payment is made to PERMA by January 31, 2015.

Our cost in 2014 was \$280,361, see attached. Thus, with the 2% discount, our increase for 2015 will be a 4.5% increase over 2014. Attached is the loss run totals for 01/01/08 to 11/03/2014 for your review. For 2014 through 11/03/2014, our losses have been \$81,149.

I recommend that you approve acceptance of this bid, and authorize the Supervisor to execute a contract with PERMA/NEAMI, Inc. for 2015.

Jerry Doberstein of Paris Kirwan is in attendance to assist in answering any of your questions regarding this agenda item.

c: Suzanne Zaso

MaryAnn Hussar ✓





**Public Employer Risk Management Association, Inc.**

9 Cornell Road, Latham, NY 12110

Toll Free in US (888) 737-6269

www.perma.org

**Managed by Northeast Association Management, Inc.**

Quote Date: November 6, 2014

Member Number: WC 0001304-05 Broker of Record: 2600-01

<b>Town of Brighton</b> 2300 Elmwood Ave Rochester, NY 14618	<b>Parls Kirwan Associates, Inc.</b> PO Box 40420 Rochester, NY 14604
--	---

**First Dollar Pricing Indication**

**Workers' Compensation and Employers Liability**  
 Unit: 1-Town of Brighton

**Coverage Period:**  
 From 01/01/2015-01/01/2016

Class Code	Description	Estimated Exposure	Estimated Contribution
5506	Street Maintenance-Paving	143,220	26,595
7580	Sewer Plant	624,796	34,317
7720	Police Department	3,621,631	55,959
8391	Automobile Mechanics	264,766	13,014
8810	Clerical Office	2,622,319	7,740
8831	Animal Control Officers	50,315	897
8838	Library	1,126,038	7,509
9015	Lifeguards/Beaches	112,181	4,263
9026	Building Operations, Custodial	142,632	6,210
9063	Recreation	311,735	3,484
9101	Schools: All Others	149,595	8,004
9102	Parks Maintenance	1,182,154	35,659
9402	Street Cleaning	503,415	40,314
9410	Municipal Employees	511,974	25,973
9501	Sign Shop	60,148	1,781
9999 V	All Volunteers	If any	0
<b>Subtotals:</b>		<b>11,426,919</b>	<b>\$271,719</b>

**Volunteer Firefighters Benefit Law (VFBL):**

**No Coverage Elected**

**Volunteer Ambulance Workers Benefit Law (VAWBL):**

**No Coverage Elected**



**Public Employer Risk Management Association, Inc.**  
9 Cornell Road, Latham, NY 12110  
Toll Free in US (888) 737-6269  
[www.perma.org](http://www.perma.org)

**Managed by Northeast Association Management, Inc.**

Quote Date: November 6, 2014

Member Number:

WC 0001304-05

Broker of Record: 2600-01

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

**First Dollar Pricing Indication**

**Workers' Compensation and Employers Liability  
Unit: 1-Town of Brighton**

**Coverage Period:  
From 01/01/2015-01/01/2016**

Total Contribution	\$271,719
New York State Assessment	\$28,384
Total Estimated Contribution & Assessment	\$300,103
Total Estimated Coverage Cost dire PERMA	\$300,103

Please note that the promulgated Experience Modification Factor for the Town of Brighton is 1.02.

URgrcst.dot

# PERMA Pay Plan

Pay Plan Description
Annual Billing

Description	Due at Inception
Contribution	\$271,719
New York State Assessment	\$28,384
<b>Total</b>	<b>\$300,103</b>

Invoice Schedule	Amount
<b>Post Date</b>	
12/01/2014 Annual Installment	\$300,103
<b>Total</b>	<b>\$300,103</b>

lgrcst.dot



**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
8	3	4	1	27,999.96	240.75	53,808.52	0.00	81,149.23

Coverage Period: 01/01/2014 - 01/01/2015  
 Town of Brighton (1)

**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
19	5	12	2	59,502.80	2,713.00	137,294.77	0.00	199,510.57

Coverage Period: 01/01/2013 - 01/01/2014  
 Town of Brighton (1)

**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
14	0	14	0	20,689.20	319.10	0.00	0.00	21,008.30

Coverage Period: 01/01/2011 - 01/01/2013  
 Town of Brighton (1)

**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
18	1	17	0	67,674.60	3,503.11	27,233.18	0.00	98,410.89

Coverage Period: 01/01/2011 - 01/01/2012  
 Town of Brighton (1)

**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
Coverage Period 01/01/2008 - 01/03/2015								
Town of Brighton (1)								

**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
Coverage Period 01/01/2008 - 01/03/2015								
Town of Brighton (1)								
Member PERMA								
Town of Brighton (1)								

**PERMA**  
**Claims Experience Member Report**  
 Calendar Coverage Year Range 2008 To 2015  
 As of 11/03/2014, All Products, All Claims  
 For Member: (1304) Town of Brighton

Total Claims	Open Claims	Closed W/Pay	Closed No Pay	Loss Payments	Expense Payments	Outstanding Reserves	Recoveries	Incurred Losses
Coverage Period 01/01/2008 - 01/03/2015								
Town of Brighton (1)								
Member PERMA								
Town of Brighton (1)								

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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 2, 2014 from Junior Engineer Chad Roscoe regarding a request to authorize the Supervisor to execute a contract with Ontario Exteriors, Inc. to provide general construction services for the project known as the Operations Center Salt Barn Roof Replacement including the work for the base bid and Alternates 1 and 2 for a total cost not to exceed \$96,010.00 and to further authorize the Supervisor to execute necessary change orders that do not collectively exceed \$4,000.00, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Ontario Exteriors, Inc. as the lowest responsive and responsible bidder to provide general construction services for the project known as the Operations Center Salt Barn Roof Replacement including the work for the base bid and Alternates 1 and 2 for a total cost not to exceed \$96,010.00, subject to the review and approval of said contract by the Attorney to the Town, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute necessary change orders that do not collectively exceed \$4,000.00.

Dated: December 10, 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

12/2/14 revised  
11/20/14

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

Re: Award of Bid  
2014 Operations Center Salt Barn Roof Replacement

Dear Councilperson Werner and Committee Members:

The bids for the above referenced project were publicly advertised and publicly opened on November 20, 2014 at 2:00 PM, all as required by law. A copy of the bid advertisement is attached for your reference. Three bids were received and are shown in Table - 1.

Table - 1 Bid Results Summary

Bidder	Base Bid	Alternate No. 1, Prep and Recoat Bearing Plates	Alternate No. 2, Prep and Recoat Gusset Plate Fasteners	Base Bid plus Alternate No.1 & Alternate No. 2	Unit Price for Plywood Replacement, 4' x 8' sheet
Ontario Exteriors	\$76,970.00	\$ 9,870.00	\$ 9,170.00	\$ 96,010.00	\$ 85.00
Gudabri, Inc.	\$90,800.00	\$ 5,288.00	\$ 8,181.00	\$ 104,269.00	\$ 275.00
Upstate Roofing and Painting	\$78,780.00	\$ 22,410.00	\$ 39,500.00	\$ 140,690.00	\$ 80.00

Town Staff and SWBR reviewed the bids for completeness and accuracy and concluded that the low bid submitted by Ontario Exteriors is a true representation of the costs to complete the project and the contractor is qualified to complete the works of the Contract. Attached is a recommendation letter dated 11/24/14 from SWBR supporting the decision to use Ontario Exteriors. Therefore, I am requesting that FASC recommend that the Town Board award the base bid, plus Alternate No. 1 and Alternate No. 2 for the Operations Center Salt Barn Roof Replacement to the low, responsible and responsive bidder, Ontario Exteriors for a cost not to exceed \$96,010.00. I further recommend that the Supervisor be authorized to execute any necessary change orders that do not collectively exceed \$4000.

As always, thank you for your consideration. A representative from our department will be in attendance at your regularly scheduled December 2, 2014 meeting in the event that you have any questions regarding this matter.

Respectfully,

Chad J. Roscoe  
Junior Engineer

Attachments

cc: S. Zaso, T. Keef, M. Hussar, Tim Anderson



S | W  
B | R

SWBR ARCHITECTS

ROCHESTER NY  
387 East Main Street  
Rochester NY 14604  
Voice: 585.282.8300  
SYRACUSE NY  
309 South Franklin Street  
Syracuse NY 13202  
Voice: 315.488.8638  
www.swbr.com

November 24, 2014

Mr. Michael Guyon, P.E.  
Town Engineer  
Town of Brighton Department of Public Work  
2300 Elmwood Avenue  
Rochester, NY 14618

Re: Town of Brighton Salt Barn Roof Replacement  
**Contract: General Construction**  
SWBR Architects Project No. 14525.00

Dear Mike:

On Thursday, November 20, 2014 at 2:00 p.m. EST, the Town of Brighton closed bidding for the above mentioned project. Shortly following this, the sealed bids received were opened and publicly read aloud. A total of three bid proposals were received and read aloud for the Roof Replacement General Construction Contract, the results of which are recorded on the attached Bid Tabulation Sheet. All bidders were cross-referenced to New York State Department of Labor's "List of Employers Ineligible to Bid On or Be Awarded Any Public Work Contract", and it was verified that none of these bidders are currently on this list.

Ontario Exteriors, Inc. of Fairport, NY was the apparent low bidder, with a total bid of \$96,010.00, including Bid Alternates No. 1 and 2. I interviewed Ontario Exteriors' Project Manager, Todd Jones, by telephone this afternoon to review project scope, discuss his comfort with his bid and Alternate amounts, and discuss any other issues or questions they might have. Todd expressed that they are comfortable with their bid and with the scope of work involved.

Ontario Exteriors, Inc. has been in the roofing business for 19 years, and has applied hundreds of thousands of square feet of laminated shingle roofing, the specified system for this project. They are prepared to enter into an agreement with the Town of Brighton, based on their November 20, 2014 proposal for the Base Bid work, both Bid Alternates, and Unit Price No. 1.

Ontario Exteriors, Inc. submitted the required Bid Security Form, Certification of Bidder Responsibility, Non-Collusive Bidding Certificate, MacBride Fair Employment Certificate, Site Investigation Certificate, and required Bonds with their proposal. No addenda were issued during the bidding period. To the best of our knowledge, no issues were identified.

Mr. Michael Guyon, P.E.  
Town of Brighton Department of Public Work  
SWBR Project No. 14525.00  
November 24, 2014  
Page 2

Based on the review of their proposal, our discussion with their Project Manager, and other pertinent information, we recommend the award of the General Construction Contract to Ontario Exteriors, Inc. for the sum of **\$96,010.00**, the amount of their Base Bid amount plus Alternates No. 1 and 2.

Sincerely,



Randal R. Sickler, AIA, LEED Green Associate  
Senior Associate

RRS/pav

xc: David Beinetti – SWBR Architects

Attachments: Bid Tabulation Sheet  
Copy of Ontario Exteriors, Inc. Roofing Proposal

I:\2014\14525.00 TOWN OF BRIGHTON SALT DARN ROOFS-PROJECT MOTO.07\_BIDDING LETTER OF REC\_11-21-14.DOCX



SWBR ARCHITECTS

ROCHESTER, NY  
 667 East Main Street  
 Rochester, NY 14604  
 Voice: 565.292.8300  
 SYRACUSE, NY  
 300 South Franklin Street  
 Syracuse, NY 13202  
 Voice: 315.489.6655  
 WWW.SWBR.COM

Salt Barn Roof Replacement  
 Town of Brighton  
 SWBR Project No. 14/14525  
 Bids Received November 20, 2014

**BID TABULATION SHEET**

<b>General Construction Contract</b>						
Contractor	Base Bid	Alternate No. 1 Prep & Recoat Bearing Plates	Alternate No. 2 Prep & Recoat Gusset Plate Fasteners	Total of Base Bid + both Alternates	Unit Price No. 1 Replace Plywood Sheathing	Add. #1 Bond
1. Ontario Exteriors Inc.	\$76,970.00	\$9,870.00	\$9,170.00	\$96,010.00	\$85.00	N/A
2. Secor Building Solutions	\$90,800.00	\$5,288.00	\$8,181.00	\$104,269.00	\$275.00	N/A
3. Upstate Roofing & Painting, Inc.	\$78,780.00	\$22,410.00	\$39,500.00	\$140,690.00	\$80.00	N/A

Works  
2300 Elmwood  
Avenue  
S Rochester, New  
York 14619  
Date: Thursday  
November 20,  
2014  
Time: 2:00 PM  
Local Time

The work consists  
principally of re-  
placement of as-  
phalt shingle roof-  
ing on the exist-  
ing gambrel-  
roofed structure  
including full re-  
moval of the exist-  
ing roofing system.

The foregoing is a  
general outline of  
work only and  
shall not be con-  
sidered as a com-  
plete description  
of the work to be  
performed under  
each contract.

Paper copies of  
the Plans and  
Specifications are  
available for in-  
spection at the  
above location or  
you can request a  
digital copy of the  
plans from: Chad  
Roscoe at  
chad.roscoe@twnbrighon.org.

Paper copies of  
the Plans and  
Specifications  
may be obtained  
upon payment of  
a non-refundable  
fee of \$25.00 dollars  
for each set of  
documents re-  
quested.

The check for the  
Plans and Spec-  
ifications shall be  
made payable to  
the Town of  
Brighton.

Although no for-  
mal scheduled  
site walk of the  
project site will be  
held, the Town of  
Brighton will allow  
prospective bid-  
ders to inspect  
the existing con-  
ditions upon re-  
quest. Please  
contact Tim An-  
derson at 744-  
5288 to schedule  
a site visit. The  
Town requires  
any and all bid-  
ding contractors  
to review existing  
conditions prior to  
submission of  
bids.

Bids must be  
made in writing  
on the forms fur-  
nished and shall  
be accompanied  
by a bid guaran-  
tee for an amount  
not less than five  
percent (5%) of

the amount bid in  
accordance with  
the INSTRUCTIONS TO BIDDERS.

The Town of  
Brighton is ex-  
empt under New  
York State Tax  
Law and there-  
fore no sales tax  
on the cost of ma-  
terials incorporated  
into the project  
shall be included  
in the bid.

All prices bid shall  
be good for a pe-  
riod of sixty (60)  
days after open-  
ing. The Town of  
Brighton reserves  
the right to con-  
sider bids for sixty  
(60) days after  
their receipt be-  
fore awarding any  
contract. The  
Town of Brighton  
further reserves  
the right to elec-  
t any and all bids  
and to accept any  
Proposal or indi-  
vidual item of  
items which it  
may deem to be  
the most favora-  
ble to its best in-  
terests.

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

The attention of  
the Bidder is cal-  
led to the require-  
ments as to the  
conditions of em-  
ployment and the  
minimum wage  
rates to be paid  
under this con-  
tract.

The Contractor  
by bidding on the  
contract, ac-  
knowledges his or  
her understand-  
ing and support of  
this policy and  
pledges to fully  
cooperate with  
the Town of  
Brighton in meet-  
ing State require-  
ments as set forth  
in the Bidding and  
Contract Docu-  
ments.

Dated November  
6, 2014  
Timothy Keefe  
PE  
Town Of Brighton  
Commissioner of  
Public Works  
(585)784-5260  
NY 6  
02546140

### STATE OF NEW YORK Monroe County

with being duly sworn, deposeth and saith that she  
is the bookkeeper for  
**BRIGHTON-PITTSFORD POST**  
Newspaper  
Town of Pittsford, County of Monroe and State of New York  
A foresaid and that a notice of which the  
ed is a printed copy, was published in the said  
Paper once in each week

**NOVEMBER 6, 2014**  
**ENDING ON**  
**NOVEMBER 6, 2014**

*Leslie Simon*  
Foreman of the Publisher

Subscribed and sworn on before me,  
this 7TH day Of **NOVEMBER 2014**

*Barbara S. Connelly*  
Notary Public, State of NY

140

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

**LEGAL NOTICE**  
SECTION 160.30  
ADVERTISE-  
MENT FOR BIDS  
The town of  
Brighton Monroe  
County New  
York will receive  
sealed bids for  
the SALT BARN  
ROOFING RE-  
PLACEMENT.  
Sealed Bids will  
be received and  
bids publicly  
opened and read  
at the following  
place and time:  
Place: Town of  
Brighton  
Dept. of Public

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated November 25, 2014 from Deputy Highway Superintendent Timothy J. Anderson regarding a request to authorize the transfer of a total of \$22,000.00 from certain specified Highway Road Repair accounts to specified Highway Vehicle Parts, Maintenance and Repair accounts to be used to cover repairs to Highway Truck 27 and Rubber Tire Excavator (Drott) 100) and for the cost of vehicle parts purchases, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the transfer of funds as detailed in the above referenced correspondence.

Dated: December 10, 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

November 25, 2014

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

Re: Transfer of funds - Machinery

Honorable Members:

I recommend that a transfer be approved from the following:

Highway – Road Repair – Masonry Supplies (D.HWY.5110 4.06) in the amount of \$2,500  
and  
Highway – Road Repair – Storm Sewer Repair Materials (D.HWY.5110 4.07) in the amount of \$6,000  
and  
Highway – Road Repair – Road Materials (D.HWY.5110 4.16) in the amount of \$13,500

To the following:

Highway – Machinery – Vehicle Parts (D.HWY.5130 4.08) in the amount of \$11,000  
and  
Highway – Machinery – Vehicle Maint/Repair (D.HWY.5130 4.65) in the amount of \$11,000

The funds are proposed to be used to cover repairs to Highway Truck 27 and Rubber Tire Excavator (Drott) 100 along with covering increase costs of vehicle parts purchases for the year. I am available to answer any questions if needed.

Sincerely,

Timothy J. Anderson  
Deputy Highway Superintendent

Cc: M. Hussar  
S. Zaso  
T. Keef  
A. Banker

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 10th day of December, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated December 2, 2014 from Finance Director Suzanne Zaso regarding a request to authorize the amendment of the Town's Procurement Policy and Procedures to increase certain specified monetary thresholds and to put into effect the Town's Best Value Pricing Local Law and the attached text of the revised policy, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the amendment of the Town's Procurement Policy and Procedures to increase certain specified monetary thresholds and to put into effect the Town's Best Value Pricing Local Law all as detailed in the text of the revised policy attached to the above referenced correspondence.

Dated: December 10, 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

December 2, 2014

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

Re: Town Procurement Policy and Procedures  
Revision for Best Value Pricing and Thresholds for Quotes

Dear Honorable Members:

Based on prior review and discussions with the Finance and Administrative Services Committee, I am recommending revisions to the Town's Procurement Policy and Procedures to incorporate a new local law for best value pricing and to amend the thresholds for requiring price quotes for commodity and equipment purchase, public work contracts, and professional services.

Attached is the latest Town Board adopted Procurement Guidelines and Procedures from February 2013 with the proposed revisions marked. The pricing limit for requiring two (2) quotes for commodities, equipment and professional services is proposed to increase from \$600 to \$1,000 and for public work contracts from \$600 to \$2,000 (to match that already in existence for equipment repair/service). The pricing limit for requiring for three (3) quotes is proposed to increase from \$1,000 to \$2,500 for commodities, equipment and professional services and from \$1,000 to \$5,000 for public work contracts (again to match that already in existence for equipment repair/service).

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

Sincerely,

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

Suzanne E. Zaso  
Director of Finance

# PROCUREMENT POLICY AND PROCEDURES

## Introduction

General Municipal Law (GML) Section 104-b requires every unit of local government to adopt internal policies and procedures governing procurement of goods, equipment, and services not required to be made pursuant to the competitive bidding requirements of GML Section 103 or any other State or local law. It is the policy of the Town of Brighton to procure the highest quality of goods, equipment, and services at the lowest net cost to the Town through full and open competition.

The following Procurement Policy and Procedures are intended to meet the requirements of GML Section 104-b and to provide guidance to departments involved in the procurement process, and to ensure that Policy provisions are followed. Also, these procedures are intended to address all situations that may present themselves in the procurement process. In the event a situation is not provided for, inquiry should be made of the Director of Finance who shall seek such guidance from the Supervisor and Town Board as is necessary to resolve the situation. In that the Town must be sure to make prudent use of limited taxpayer dollars, full conformance with the Town's Policy and Procedures is not a matter of discretion, but required both by law and by Town Board directive.

## Legal Basis for Competitive Bidding and Authority

New York State GML Section 103 requires that all purchase contracts (for supplies and equipment) estimated to cost more than \$20,000, and all public work contracts (for labor or construction) estimated to cost more than \$35,000, shall be subject to formal competitive bidding. The Supervisor, as Chief Executive Officer and Chief Fiscal Officer of the Town, acting through the appointed Director of Finance, is responsible for conformance by all Town departments to applicable State and Town laws, policies, and regulations.

## Steps to be followed in the Procurement Process

The typical procurement process includes a number of progressive steps, each of which is discussed in greater detail following this summary. These steps are:

1. determining a need for equipment, materials, and/or services
2. developing a specification or request for proposal
3. developing a preliminary estimate of the total cost for goods and/or services and identifying available appropriations to fund the purchase
4. identifying the required method by which competitive pricing will be sought: namely a request for proposals where professional services involving specialized expertise, use of professional judgment, and/or a

high degree of creativity is required to meet the department's need; or competitive bidding; or Federal, New York State, or any county, political subdivision, or district within New York State purchase contract, where permitted or required under Article 5-A of the New York State General Municipal Law

5. where competitive bidding is required, requesting Board approval to seek bids based on detailed specifications
6. where competitive bidding is not required, seeking competitive pricing proposals as required or utilizing applicable Federal, New York State, or any county, political subdivision, or district within New York State purchasing contracts available to the Town based on detailed specifications
7. documenting pricing proposals received from prospective vendors
8. based on review of the pricing proposals and selection of the appropriate vendor, obtain Town Board approval to award any formal bids and for the Supervisor to execute a contract (if required) and to make any necessary budget amendments
9. developing a purchase order, professional services contract, or claim voucher obtaining Finance Department approval as to conformance with policy and procedure, sufficiency of funds, and to encumber funds
10. advising the selected vendor of award of the purchase order or contract
11. taking delivery of equipment or materials, and/or acceptance of services
12. securing a vendor invoice/billing and, where the goods and/or services have been satisfactorily provided, recommendation for payment

The Town of Brighton shall provide equal business opportunities to all persons seeking to do business with the Town.

A minority or women owned business enterprise (M/WBE) is defined as a business that is owned and controlled by one or more minority group members, as that term is defined in Section 310 of the New York State Executive Law, or by one or more women.

It is Town practice to actively solicit M/WBEs and award business opportunities to M/WBEs when they are competitive with other suppliers for the same products, materials, supplies, services and equipment.

**Determining a Need for Equipment, Materials, and/or Services** - Identifying need is most often (but not always) readily apparent. Need can most often be anticipated and purchases can and should be planned. Without proper planning, departments may fully deplete inventories of materials or not have equipment on hand when needed, which could result in inefficiencies, increased costs, or the inability to perform an important function. A lack of or poor planning may result in what is perceived to be, but in fact is not, an emergency situation. In no event will

the Procurement Policy, or these prescribed procedures, be compromised to relieve a department of its responsibilities, or to compensate for poor planning.

**Developing a Specification or Request for Proposal** - A detailed specification provides a basis to describe to prospective vendors what is needed and should be communicated in writing. A detailed specification ensures that each vendor from whom a pricing proposal will be sought is pricing the same materials and/or equipment (known as "commodities"), or for a public work contract that the competitive process will be fair and equitable. A specification should neither be so brief as to leave a question as to what is desired, nor so finely detailed as to restrict or discourage competition.

**Specification for a Commodity** - At a minimum, a specification for a commodity should include:

- a clear and concise description of the commodity and any desired labor associated with providing the commodity
- the quantity of the commodity to be ordered
- the date by which prospective vendors must respond to the Town's request for a pricing proposal
- the date by which the commodity must be delivered or readied for pickup
- a notice that the price quoted should be expressed on a unit cost basis and extended to a total all-inclusive cost
- a notice that all associated delivery costs or any other costs to be incurred relating to the purchase are to be included in the price quoted.

**Request for Proposal** - A Request for Proposal (RFP) must be developed whenever professional services involving specialized expertise, use of professional judgment, and/or a high degree of creativity is required to meet the department's need. Professional services generally are not subject to formal competitive bidding requirements and therefore the RFP process is instead utilized to ensure competition. Major components of an RFP include (at a minimum):

- a complete description of the desired work product and the departmental objective to be met in having the prospective vendor provide the work
- the departmental requirements for the starting date and completion date for the desired work
- the intended basis upon which the department will make a recommendation to the Town Board for award of a professional services contract
- a request that the prospective vendor outline their intended work plan to meet the departmental objective and any "deliverables" to be provided
- a request that the prospective vendor identify the staff persons that will be involved in the work and of the expertise that each person brings to the job

- a request that the prospective vendor provide a list of client references the Town can contact to determine the prospective vendor's ability to do the work
- a request for a clear identification of the costs the Town will incur in having the prospective vendor provide the desired services

**Developing a Preliminary Estimate of the Total Cost for Such Goods and/or Services and Identifying Available Appropriations to Fund the Purchase -**

The department making the purchase needs to develop a cost estimate (based in part on the specification and on desired quantities) to make sure that appropriations are available to support the purchase. No purchase contract can be awarded unless an appropriation source to fund the purchase contract has been identified. Generally, pricing proposals should not be sought until the department is certain that funds are available. Provision of funding sometimes requires action of the Town Board. Where required, no commitment to a preferred vendor can be made until the Board acts favorably to provide funds.

**Identifying the Required Method by Which Competitive Pricing Will Be Sought -**

The following criteria indicate the method the department making the purchase must use in procuring commodities or equipment, public work, equipment repair/service, or professional services. In determining whether a purchase is an expenditure within the discretionary threshold amounts for competitive bidding under GML Section 103, the department shall consider the reasonably expected aggregate amount of all Town purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of purchase.

**Commodity or Equipment -** A commodity or equipment item for which the estimated annual cost of purchase, on a town-wide basis, is expected to be greater than or equal to \$ 20,000, is subject to:

- a formal competitive bid as authorized by the Town Board and, subsequent to receiving bids, as awarded by the Town Board; or (alternatively)
- utilization of an existing Federal, New York State, or any county, political subdivision, or district within New York State purchase contract available to the Town

A commodity or equipment item for which the estimated annual cost of purchase, on a town-wide basis, is expected to be less than \$ 20,000 but greater than \$1,000 is subject to:

- competitive quotations to be sought from no less than three (3) vendors if the total cost of purchase is expected to be greater than or equal to \$2,500; or no less than two (2) vendors if the cost of purchase is expected to exceed \$1,000 but be less than \$2,500; all such requests for pricing quotations are to be based on a written specification, or (alternatively)

- utilization of an existing Federal, New York State, or any county, political subdivision, or district within New York State purchase contract available to the Town

A commodity or equipment item for which the estimated annual cost of purchase, on a town-wide basis, is expected to be equal to or less than \$1,000:

- can be purchased from a (Finance Dept.) authorized vendor who can meet the ordering department's terms; or (alternatively)
- utilization of an existing Federal, New York State, or any county, political subdivision, or district within New York State purchase contract available to the Town

**Public Work Contracts and Equipment Repair/Service** - A public work contract (a contract for labor services or construction which may also involve the supply of materials) or equipment repair/service for which the estimated total cost, on a town-wide basis, is expected to be greater than or equal to \$35,000, is subject to:

- a formal competitive bid as authorized by the Town Board and, subsequent to receiving bids, as awarded by the Town Board; or (alternatively)
- utilization of an existing Federal, New York State, or any county, political subdivision, or district within New York State public work contract available to the Town

A public work contract or equipment repair/service, for which the estimated total cost, on a town-wide basis, is expected to be less than \$35,000 but greater than \$2,000, is subject to:

- competitive quotations to be sought from no less than three (3) vendors if the total cost of public work is expected to be greater than or equal to \$5,000; or no less than two (2) vendors if the total cost of public work or equipment repair/service is expected to exceed \$2,000 but be less than \$5,000; all such requests for pricing quotations are to be based on a written specification, or (alternatively)
- utilization of an existing Federal, New York State, or any county, political subdivision, or district within New York State public work contract available to the Town

A public work contract or equipment repair/service for which the estimated total cost, on a town-wide basis, is expected to be equal to or less than \$2,000:

- can be purchased from a (Finance Dept.) authorized vendor who can meet the ordering department's terms; or (alternatively)
- utilization of an existing Federal, New York State, or any county, political subdivision, or district within New York State public work contract available to the Town

The purchasing department shall require of public work contractors, where it is determined appropriate by the Department Head and/or the Attorney to the Town or other Town officer, that such contractor supply the Town with a certificate of insurance naming the Town of Brighton as an additional insured for the types and amounts of insurance deemed by the Attorney to the Town to provide sufficient coverage to the Town.

Bid and/or performance bonds/deposits or other types of security will be required of any prospective vendor where, in the opinion of the Department Head and/or Attorney to the Town, said security will protect the Town against any unforeseen risks or costs which might result from a vendor's failure to perform.

**Professional Services** - For needed professional services involving specialized expertise, use of professional judgment, and/or a high degree of creativity, an RFP should be drafted. If the expected cost is:

- greater than or equal to \$2,500, written responses should be sought from no less than three prospective vendors
- greater than \$1,000 but less than \$2,500, written responses should be sought from no less than two prospective vendors
- equal to or less than \$1,000 can be obtained through a (Finance Dept.) authorized vendor who can meet the department's needs

When considering professional service proposals, price of service remains a major consideration, but need not be the sole selection criteria. All professional service contracts should be submitted to the Town Board, requesting Board authorization for the Supervisor to enter into a contract for the desired services.

**Exclusions to Regular Procurement Provisions:** Except when directed by the Town Board, no formal bid or request for price quotation shall be required under any one of the following circumstances. In such event, the purchasing department may procure materials, equipment, or services in the most expeditious manner, still being mindful of cost considerations.

- Government Contracts - Whenever prudent and cost-effective, the utilization of Federal, New York State, or any county, political subdivision, or district within New York State purchasing contracts shall be made for the purchase of commodities, equipment, and equipment repair/service. Such direction is given to reduce or eliminate the administrative burden that may result from the drafting of a specification or request for proposal needed to solicit competitive pricing.
- Sole Source Vendor – there are two criteria, one of which must be met, before a sole source vendor can be asserted. First, the Department Head must certify that there is no known alternative to, and that a critical need exists for, the purchase of the necessary item/service. Second, the purchasing department must obtain written documentation to support the

department's position that the item/service can only be obtained from one vendor.

- Goods/Services Purchased from Not-for-Profit Agencies – Certain not-for-profit agencies for the blind or handicapped, as approved by the State Commissioner of Social Services or Education, may provide goods/services without having to compete with other prospective vendors.
- Goods/Services purchased from New York State Correctional Facilities, or from another State governmental agency.

**Documenting Pricing Proposals Received from Prospective Vendors -**

When pricing proposals are received from prospective vendors, they must be documented in order to demonstrate that proper procedures were followed and that the vendor meeting the specification criteria whose price or, if applicable, value was best is the vendor selected. Documenting of pricing proposals usually takes one of two forms:

- a formal Bid Response Sheet which is part of the specification package provided to all prospective bidders and is filled out by each bidder and returned to the department involved with the bid. If the original bid specifications for the purchase of a commodity or equipment included the provision to allow selection based upon best value (in accordance with Section 103(1) of the NYS General Municipal Law) any quantitative data supporting best value should be included by the bidder with the response
- a standard Request for Pricing Quotation Sheet which is filled out by the department making the purchase based on the written quotes received from prospective vendors

In either case, all materials supporting pricing proposals received should be retained by the department making the purchase and copies provided to the Town Board or Finance Department where requested.

Award should not be made to the vendor submitting the lowest price proposal if material exception has been taken to the specifications provided in the request for price proposal, or if the prospective vendor is not deemed responsible. Facts supporting either judgment shall be documented and filed with the record supporting the purchase. A responsible vendor is one who demonstrates the qualifications and ability to perform, meeting substantially all of the terms and conditions of the request for pricing proposal.

If the department is unable to obtain the required number of price proposals, attempts made shall be documented and submitted to the Finance Department for review prior to the issuance of a purchase contract.

**Town Board Approvals and Budget Transfers** – If proposals were secured via a formal bid, a request should be submitted to the Town Board to award the bid to the proposed chosen vendor. In addition, if a contract is required (such as for

professional services) Town Board authorization must be sought of the Supervisor to execute such contract as approved by the Attorney to the Town.

If funding has not already been provided in the appropriate budgetary account, a request must be submitted to the Town Board identifying the source of funds and requesting the transfer to the appropriate budgetary account.

**Development of a Proposed Purchase Order, Claim Voucher, or Professional Services Contract** - Issuance of a Town purchase order (PO), which is a contract to buy the listed commodity, equipment, public work, or service/repair at an agreed upon price, is the standard method by which a vendor is authorized to provide goods and services. In some instances, a Town claim voucher or professional services contract may be more appropriate (as discussed later in this section).

It is extremely important to note that no order to purchase goods and/or services is valid and binding until approved by the Finance Department, acting on behalf of the Town Supervisor as Chief Fiscal Officer. Individuals who commit to vendors without first having an authorized PO in hand, or a commitment by the Finance Director or Town Supervisor to provide such authorization:

- may be held personally liable for payment to the vendor for goods and/or services delivered and used, or
- may be held responsible for returning to the desired vendor the goods and/or services obtained without a valid purchase order at their personal expense, or (at a minimum)
- may need to explain to the vendor likely payment delays resulting from their improper actions in accepting delivery without a valid purchase order.

Because of the prior-approval requirement, the use of so-called "Confirming Orders", whereby a vendor is asked to provide goods and/or services based on a pledge to provide a PO, are strongly discouraged. With confirming orders, both the department and the vendor are assuming undesirable risk. In the event a PO is not approved, again the person placing the order may be held personally liable, or the goods and/or services will need to be returned.

POs are initiated by the department making the purchase and "forwarded" to the Finance Department for final approval to ensure that the Procurement Policy has been followed, that the PO is complete in all respects, that the proposed expenditure would be a proper municipal expenditure, and to commit (encumber) budgeted funds for the purchase. All purchase orders are developed on the Town's Finance Information System (FIS) either by the ordering department (where the department has been granted access to the FIS), or by the Finance Department Clerk acting on behalf of, and based on information provided by, the department making the purchase. Training on use of the FIS is provided by the Finance Department for new "users".

Upon approval, a three-part Town of Brighton Purchase Order form will be generated by the Finance Department. The completed PO will be forwarded to the ordering department for disposition.

Distribution of an approved PO is as follows:

- the original vendor copy (white) is sent to, and retained by, the vendor as written evidence of the contract to purchase goods and/or services from the vendor
- the vendor claim copy (yellow) is used by the department to request payment to the vendor once delivery of goods and/or services ordered has been made and an invoice has been received
- the ordering department copy (pink) is retained by the department to provide a permanent record of the order and its specifics

POs generally are not used for the following types of goods and/or services:

- where the total estimated cost for goods/services does not exceed \$50
- personal services obtained pursuant to contract (e.g. steno expense)
- reimbursement of employee expenses incurred in direct relation to their employment such as conference expenses, mileage, tuition reimbursement
- utility billings (electricity, gas, water, pure waters, sewer, telephone)
- postage and other types of shipping charges
- legal notices placed with the BP Post, Gannett, other publications
- interdepartmental charges (e.g. fuel charges, labor)
- some subscriptions (newspapers, trade journals)
- professional association memberships (as approved by the Supervisor)
- replenishment of petty cash funds

In the above-listed cases, and in other situations as determined by the Finance Department, a Town of Brighton Claim Voucher is used to communicate an order and to effect payment to the vendor. Alternatively, where the estimated expense is less than \$40, petty cash may be used where permitted (see separate Petty Cash Policy and Procedures).

Claim vouchers must be filled out completely, indicate the source of budgeted funds, bear the original signature of the vendor only where no other invoice has been provided, and be approved for payment as evidenced by the original signature of the Department Head. If all portions of the voucher are not completed, the voucher will be considered incomplete and returned to the department for additional processing.

A pro-forma professional services contract has been drafted by the Attorney to the Town for use and is available in the Finance Department. Where there is a need to have a different form of agreement, such agreements must have the approval of the Attorney to the Town. As a matter of Town Law, as the Chief

Executive and Chief Fiscal Officer, only the Supervisor can sign professional service agreements. To effect payments to a professional service vendor, either a PO or claim voucher can be utilized. If there is a question as to which form would be more appropriate, the Finance Department should be consulted.

**Taking Delivery of Equipment or Supplies and Materials, and/or Acceptance of Services** - Delivery should only be accepted where the department is certain that a valid order has been placed. When delivery is taken, the department representative should be certain that:

- the entire order has been received or that there is an accounting of what is being delivered and what portion of the order, if any, is "back-ordered"
- that equipment, supplies and/or materials received are in good order (that they meet specifications and are not damaged)
- that a packing slip has been provided (where applicable)

If all these conditions are not met, either delivery should be refused, or the materials returned. In no case, should a vendor's claim for payment be processed without acceptable delivery of what was ordered. Generally, the Town does not pre-pay for goods and/or services.

**Securing a Vendor Invoice/Billing and Recommending Payment of the Vendor** - Once delivery is made and accepted by the ordering department, it is the department's responsibility to ensure that the vendor is paid as promptly as the Town Law allows. Vendor claims cannot be paid until "audited" and approved for payment by the Town Board (a routine agenda item at all regularly scheduled Town Board meetings). Prompt payment fosters good relations with vendors and increases the likelihood that vendors will continue to do business with the Town. Most importantly, prompt payment will (hopefully) discourage vendors from increasing pricing quoted to cover the "carrying cost" of money resulting from delayed payments.

The original copy of the vendor's invoice should be attached to either the vendor claim copy of the purchase order initially issued, or to the claim voucher where no purchase order was issued. Duplicated copies of original invoices are discouraged for use in payment in that to do so invites the possibility of undesirable duplicate payments. Where the vendor provides an original invoice for goods and/or services delivered, the original signature of the vendor is not required on the claim voucher (though such signature, if provided, is acceptable). Wherever the vendor claim copy of a purchase order, or a claim voucher, is submitted as the vendor's original invoice, such voucher must bear the original signature of the vendor.

The Department Head or their designee (where one is authorized) must approve each vendor claim being "charged" to their budgetary account(s). Such approval

is evidenced by signing and dating the vendor's claim and forwarding it to the Finance Department for payment.

Each Department Head should carefully consider each claim before signing (approving) the vendor's claim in that, by signing, the Department Head is certifying that:

- ordered goods and/or services have been provided in full and in good form
- they are authorizing the Finance Department to "charge" their listed budgetary account(s) for the cost of the goods and/or services
- they have not previously approved for payment the same claim, in that to do so could result in a duplicate payment to the vendor

All claims must have an original (not photo copied) full signature of the Department Head. All such signatures should be dated.

This policy along with the procedures should be carefully reviewed and followed by all staff involved in the procurement process. Suggestions for changes that would further improve or clarify this policy and the procedures are welcome and should be brought to the attention of the Finance Department.

Revised and Adopted by the Town Board on: December 10, 2014