

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
February 11, 2015

Present:

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

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 7:00 PM:

RECOGNITIONS & PRESENTATIONS:

Black History Month

Proclamation presentation to the Buffalo Soldiers Color Guard
Commander Bing C. Reaves Sr.

Redevelopment of Clover Lanes property presentation

OPEN FORUM:

Jim Coffey
Judy Schwartz

APPROVAL OF AGENDA:

Motion by Councilmember James Vogel seconded by Councilmember Louise Novros to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

APPROVE AND FILE TOWN BOARD MEETING MINUTES FOR:

January 14, 2015 Town Board Meeting

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to approve and file the aforementioned minutes

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE: Adopt Speed Limit Local Law 2015 to reduce speed limits on particular streets (see Resolution #1).

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. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Incentive Zoning and Rezoning application for University of Rochester's proposed Institutional Planned Development project.

MATTER HELD

COMMUNICATIONS:

FROM Tony Fiorillo, ASA from Penflex Inc. to Suzanne Zaso dated January 28, 2015 Re: January 1, 2015 Annual Report for the West Brighton Fire Protection District Service Award Program (complete report available for viewing in the Town Clerk's office)

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the aforementioned communications be received and filed

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Parks and Recreation & Community Services – Next meeting 2/23/2015 at 4:30 PM at Brookside
 Finance and Administrative Services – Next meeting 2/17/2015 at 3:30 PM in Stage Conference Room
 Public Safety Services – Next meeting 3/10/2015 at 8:00 AM in Downstairs Meeting Room
 Public Works Services – Next meeting 3/3/2015 at 9:00 AM in Downstairs Meeting Room

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros 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: Authorize Supervisor to execute agreement with Government Payments Service, Inc. to provide on-line payment services for Town Court (see Resolution #2 and letter dated February 4, 2015 from Dianne Burdett, Administrative Court Clerk).

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to submit application to Monroe County for a Community Development Block Grant to fund the remaining installation of 1200 linear feet of sidewalk in the Crittenden Road area (see Resolution #3 and letter dated January 21, 2015 from Michael Guyon, P.E. Town Engineer).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donation of \$500 from Noël A. Hollister in memory of Bessie Pires to be used for the Brighton Senior Program (see Resolution #4).

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donation of \$500 from the Sam & Lottie Friedland Charitable Foundation, Inc. and to appropriate funds into the 2015 budget for the Brighton Police Citizens Academy (see Resolution #5 and letter dated January 27, 2015 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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute Certificate of Exemption form (TP-584) and Sidewalk Easement agreement with the Brighton Central School District (see Resolution #7 and letter dated January 30, 2015 from Michael Guyon, P.E. Town Engineer).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to submit application to the New York State Clean Water State Revolving Fund to support the proposed Westfall Heights Sanitary Sewer project (see Resolution #8 and letter dated January 30, 2015 from Michael Guyon, P.E. Town Engineer).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to solicit for proposals to provide professional design services associated with proposed HVAC improvements to the Town Hall Public Safety Wing (see Resolution #9 and letter dated January 30, 2015 from Michael Guyon, P.E. Town Engineer).

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 Monroe County for the 2015 Stop DWI Enforcement and Crackdown Weekends programs with approval to amend 2015 budget to support the addition and appropriation of associated funding (see Resolution #10 and letter dated February 2, 2015 from Police Chief Mark Henderson).

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to re-appropriate \$14,000 in unspent 2014 police general funds to the 2015 law enforcement equipment account to support purchase of Fingerprint System (see Resolution #12 and letter dated February 2, 2015 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. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize various necessary budget transfers and amendments to the 2014 Town, Special District and Capital Budgets as part of the year-end closing process (see Resolution #13 and memorandum dated February 3, 2015 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to re-appropriate \$35,000 in unspent 2014 general funds to the 2015 Town Park facility improvements account to support Carmen Clark Lodge 2015 improvements (see Resolution #14 and memorandum dated February 3, 2015 from Suzanne Zaso, Director of Finance).

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. 13 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize the closing of a 2011 Information Technology Capital project for Town Hall, public works and highway operations and transfer any remaining funds to debt service fund for any future debt service payments relating to project (see Resolution #15 and memorandum dated February 3, 2015 from Suzanne Zaso, Director of Finance).

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. 14 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file proposed Solar Local Law and refer to Planning Board for preparation of advisory report (see Resolution #16 and letter dated February 4, 2015 from Ramsey Boehner, Town Planner).

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. 15 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Receive and file advisory report from Planning Board for Incentive Zoning application from Woodstone Custom Homes, Inc. for project known as Pinnacle Hills Subdivision (see Resolution #17 and letter dated February 6, 2015 from Ramsey Boehner, Town Planner).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO GO INTO EXECUTIVE SESSION AT 9:24 PM:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to go into executive session at 9:24 PM to discuss matters of the employment of a particular person and collective bargaining

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to come out of executive session at 10:09 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED AT 10:10 PM:

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to adjourn at 10:10 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 11th day of February 2015 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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 11th day of February 2015 at 7:30 p.m., to consider the adoption of a proposed Local Law to be known as "Speed Limit Local Law of 2015"; and

WHEREAS, such public hearing was duly called and held on February 11, 2015 at 7:30 pm and all persons having an interest in the matter having had an opportunity to be heard; and,

WHEREAS, based on the testimony and submission at such Public Hearing, the Town Board hereby determines that it is advisable to adopt such Local Law.

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 February 11, 2015 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, Chapter 185-36 of the Town Code be amended in accordance with the proposed Local Law annexed hereto and made a 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: February 11, 2015

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

LOCAL LAW OF 2015

SPEED LIMIT LOCAL LAW OF 2015

Section 1. Title

This Local Law shall be known as the Speed Limit Local Law of 2015 of the Town of Brighton.

Section 2. Purpose and Intent

It is the purpose and intent of this Local Law to modify the existing speed limits currently in place along specific town roads to promote vehicle and pedestrian safety.

Section 3. Amendments to the Town Code

Section 185-36 is hereby amended to add the following streets to Schedule II for each street's entire length and to set the speed limit for each below listed street at 25 miles per hour:

| NAME OF STREET | SPEED LIMIT | LOCATION |
|------------------|-------------|---------------|
| Elmore Road | 25 | Entire Length |
| Laconia Park | 25 | Entire Length |
| Meadow Drive | 25 | Entire Length |
| Orchard Drive | 25 | Entire Length |
| Sunset Drive | 25 | Entire Length |
| Willowdale Drive | 25 | Entire Length |
| Winhurst Drive | 25 | Entire Length |
| Southland Drive | 25 | Entire Length |
| Doncaster Drive | 25 | Entire Length |
| Furlong Road | 25 | Entire Length |
| Sylvia Street | 25 | Entire Length |

Section 4. Severability

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

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

February 11, 2015

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>4,511,182.44</u> |
| D - HIGHWAY | | <u>58,137.93</u> |
| H - CAPITAL | | <u>5,779.85</u> |
| L - LIBRARY | | <u>4,965.39</u> |
| SF - FIRE DIST | | <u>11,100.16</u> |
| SL - LIGHTING DIST | | <u>4,724.49</u> |
| SS - SEWER DIST | | <u>3,905.51</u> |
| TA - AGENCY TRUST | | <u>7,098.88</u> |
| | TOTAL \$ | <u>4,606,894.65</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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated February 4, 2015 from Administrative Court Clerk Dianne Burdett, together with attachments thereto, regarding a request to authorize the Supervisor to execute an agreement with Government Payment Services, Inc. to facilitate on-line payments for Town Court matters, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Government Payment Services, Inc. to facilitate on-line payments for Town Court matters.

Dated: February 11, 2015

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

JUSTICE COURT

TOWN OF BRIGHTON

MONROE COUNTY

2300 ELMWOOD AVENUE, ROCHESTER, NY 14618

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

<http://www.townofbrighton.org>

JUSTICES
KAREN MORRIS
JOHN A. FALK

COURT ADMINISTRATOR
DIANNE BURDETT
ASSISTANT COURT CLERK
MARY JO SCHILLER

February 4, 2015

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

RE: Government Payment Service, Inc.

Dear Supervisor Moehle and Town Board Members,

On behalf of the town court I am requesting authorization for the Supervisor to enter into an agreement with Government Payment Service, Inc., an on line credit card service provider. The agreement is for one year with an automatic renewal provision. Cancellation is with 30 days written notice.

This on line payment service will provide the quick and convenient processing of payments 24 hours a day/7 days a week that many defendants are seeking.

Sincerely,



Dianne Burdett
Administrative Court Clerk

Attachment

cc: file

PARTICIPATION AGREEMENT

Participant:

Brighton Town Court
2300 Elmwood Avenue
Rochester, NY 14618
Main Voice Phone: (585) 784-5157

Government Payment Service, Inc. ("GPS")
7102 Lakeview Parkway West Drive
Indianapolis, Indiana 46268
Phone: (866) 564-0169
Facsimile: (888) 665-4755
Email: accountservices@govpaynet.com

1. Services. The above Participant authorizes GPS to act on its behalf in processing credit, debit, and prepaid debit card transactions through the Visa, MasterCard, Discover, and American Express payment systems for the payment types specified in this Participation Agreement ("Agreement"). GPS shall provide Participant with training, documentation, and electronic and telephonic support at GPS' expense. GPS shall cause funds to be forwarded electronically to such account as Participant designates within two banking days after transaction authorization or by mailed check if Participant so indicates.

2. Term and Termination. This Agreement shall become effective upon the date of the latter signature to this Agreement and shall continue for one year, automatically renewing for additional one year periods. This Agreement may be terminated (i) by Participant at any time with or without cause upon 30 days written notice to GPS; (ii) by GPS upon 30 days' written notice to Participant prior to any renewal term; or (iii) by either party immediately upon notice to the other party of such other party's material breach of this Agreement, subject to a reasonable opportunity to cure such breach.

3. Fees. GPS shall not charge Participant for services. GPS shall collect all service fees from cardholders as its sole compensation. All service fees are non-refundable. GPS may modify service fees at its sole option, providing Participant with 30 days' advance written notice. Service fees are as described in Attachment "A" to this Agreement.

4. Chargebacks. Participant shall have no liability for chargebacks. GPS shall be responsible for handling all transaction disputes associated with cardholders' use of cards to make payments to Participant through GPS, for asserting any challenges to chargeback claims, and for any resulting chargeback liability. All payments will be considered no longer subject to chargeback 12 months after their authorization date.

5. Warranties. Each party warrants that this Agreement is valid, binding, and enforceable against such party in accordance with its terms and that each party has full power and authority to execute and deliver this Agreement and to perform its obligations hereunder. GPS further warrants that during the performance of this Agreement, GPS (i) shall provide services in a non-discriminatory manner and shall not deny services or employment on the basis of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, marital status or any other legally protected class; (ii) will comply with all applicable laws and regulations and the rules and procedures applicable to the credit and debit card brands it accepts and processes; and (iii) in accordance with PCI DSS v3.0, requirement 12.9, will maintain proper security and responsibility for cardholder data while it is in GPS's possession, all at GPS' sole cost.

5.1. IF PARTICIPANT IS A BAIL BONDSMAN: Participant is duly licensed to provide its services in the jurisdiction(s) in which it operates and shall take all necessary actions to keep such license(s) current and in full force and effect. Participant, upon GPS request, shall provide GPS with current copies of such license(s). Participant shall only use GPS services for the collection of customer fees payable to Participant, not for the posting of cash sureties.

6. Indemnification and Disclaimers. GPS shall indemnify and save harmless Participant, its agents, officers, and employees from responsibility or liability for all damages, costs, expenses, (including reasonable attorney fees and defense costs) relating to death or bodily injury or damages to physical property directly resulting from GPS' performance under this Agreement. **GPS ACCEPTS NO RESPONSIBILITY FOR SECURITY OF CARDHOLDERR DATA ON SYSTEMS OTHER THAN THOSE CONTROLLED BY GPS. GPS LIABILITY WITH RESPECT TO PAYMENTS PROCESSED HEREUNDER IS LIMITED TO**

MAKING PAYMENTS IN THE AMOUNTS AUTHORIZED. GPS IS NOT A SURETY AND PROCESSING A PAYMENT THROUGH GPS DOES NOT GUARANTEE ANY PARTICULAR OUTCOME INCLUDING, BUT NOT LIMITED TO, A DEFENDANT'S COURT APPEARANCE OR FULL SATISFACTION OF A FINANCIAL OBLIGATION. OTHER THAN WARRANTIES EXPLICITLY MADE IN THIS AGREEMENT, GPS DISCLAIMS ALL WARRANTIES OR REPRESENTATIONS OF ANY KIND, EXPRESS OR IMPLIED. NEITHER PARTY SHALL BE LIABLE FOR INCIDENTAL, INDIRECT, PUNITIVE, OR CONSEQUENTIAL DAMAGES EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. PARTICIPANT BEARS RESPONSIBILITY FOR ANY ADMINISTRATIVE ACTIONS IT MAY TAKE IN CONNECTION WITH SERVICES PROVIDED UNDER THIS AGREEMENT.

7. Independent Contractor. GPS shall provide all services to Participant as an independent contractor. Nothing contained herein shall be deemed to create any association, partnership, joint venture, or relationship of master and servant or employer and employee between the parties or to provide either party with the right, power, or authority, expressed or implied, to create any such duty or obligation on behalf of the other party.

8. Taxes. GPS shall be responsible for the payment of all taxes legally imposed upon its services.

9. Notices. All notices permitted or required by this Agreement shall be in writing and given to the respective parties in person, by first class mail, by recognized private courier, or by facsimile (with a hard copy following) directed to the address first stated in this Agreement or to such other person or place that the parties may from time to time designate (if to GovPayNet, note "Attention: Account Services"). Notices and consents under this section shall be deemed to be received, if sent by mail or courier, five days following their deposit in the U.S. Mail or with such courier or, if sent by facsimile, when such facsimile is transmitted to the number the intended recipient provides and sender receives a confirmation that such facsimile was transmitted.

9.1. FOR PURPOSES OF SERVICE CHANGES: Participant is responsible for advising GPS as to the types of payments GPS is authorized to accept on Participant's behalf (per the fees in Attachment "A") and the type of service and equipment modes that will apply to each payment type. Participant may at

any time (i) authorize GPS to accept additional types of payments, (ii) cancel the processing through GPS of any types of payments, (iii) modify the service or equipment modes (from among Internet, telephone, Internet and telephone, *GovSwipe*[®], etc.), (iv) modify the account(s) to which GPS shall direct payments to Participant, or, if Participant is a government entity and using appropriate means, (v) add other agencies, departments or sub-agencies ("Affiliated Agencies") to, or delete Affiliated Agencies from Participant's use of any GPS services and equipment by specifying all such changes to GPS in writing. Any such changes will be subject to GPS acknowledgment and acceptance in writing. For purposes of this subsection only, "in writing" shall mean via letter, facsimile, or email (if to GovPayNet, to accountservices@govpaynet.com).

10. GovSwipe. GPS will provide Participants who select *GovSwipe* with card readers and peripheral equipment (cables, etc.), which are and will remain the property of GPS. Participant understands that GPS card readers are embedded with proprietary technology ("Firmware"). GPS grants Participant a license to use such card readers and Firmware for the duration of the Agreement. Participant's use of card readers and Firmware shall be limited to the purposes of this Agreement. Acceptance and use of card readers does not convey to Participant any title, patent, copyright or other proprietary right in or to the Firmware. At all times, GPS or its suppliers retain all rights to the Firmware, including but not limited to updates, enhancements, and additions. Participant shall not attempt to access or disclose the Firmware to any party, or transfer, copy, license, sub-license, modify, translate, reverse engineer, decompile, disassemble, tamper with, or create any derivative work based on Firmware.

Participant will use reasonable care to protect card readers from loss, theft, damage or any legal encumbrance. GPS shall provide card readers and installation instructions at service implementation and when providing any replacement or additional card readers by shipment to a location Participant designates or, at GPS's option, Participant will allow GPS and its designated representatives reasonable access to Participant's premises for training purposes and device installation, repair, removal, modification, upgrades, and relocation.

Card readers for use with *GovSwipe* are designed to communicate cardholder data to GPS through Participant's computing equipment to which they are cable-attached via USB port. Internet access to GPS is required for transaction processing via *GovSwipe*

and is enabled solely by Participant's computers and networks. Participant is responsible to use standard safeguards and practices to keep its computers and networks secure and free from malicious software or hardware. GPS shall not be held liable to Participant for exposure of Participant's computers or networks to malicious software or hardware of any kind. GPS is solely responsible for the maintenance of any card readers and shall supply Participant with replacement card readers on Participant's request and as GPS deems appropriate. Upon termination of the Agreement, GPS may require Participant to return card readers at GPS's expense and by such method as GPS specifies.

11. Miscellaneous. There are no third-party beneficiaries to this Agreement. This Agreement may not be assigned, in whole or in part, by either party hereto without prior written consent of the other party, which consent shall not be unreasonably withheld. Either party is excused from performance and shall not be liable for any delay in performance or non-performance, in whole or in part, caused by the occurrence of any contingency beyond the control of the non-performing party including, but not limited to, work stoppages, fires, civil disobedience, riots, rebellions, terrorism, loss of power or telecommunications, flood, storm, Acts of God, and similar occurrences. This Agreement shall be

governed by the internal laws of the state of Indiana. A waiver of any portion of this Agreement shall not be deemed a waiver or renunciation of other portions. Rights and obligations under this Agreement which by their nature should survive will remain in effect after termination or expiration hereof. In the event that any provision of this Agreement is adjudicated by any court of competent jurisdiction to be invalid, illegal, void, or unenforceable, all other provisions of this Agreement shall remain in full force and effect.

12. Completeness and Execution. This Agreement is the entire agreement between the parties and expresses the complete understanding of the parties, superseding all prior or contemporaneous agreements with regard to the subject matter herein. This Agreement may not be altered, amended or modified except in a writing incorporated hereto and signed by the parties, provided, however, that GPS may revise the terms of this Agreement if required to comply with law, regulation, or card industry rules and GPS provides prompt notice to Participant of such change(s). This Agreement may be executed simultaneously in multiple counterparts, each of which is deemed an original, but all of which taken together constitute one and the same instrument. All signed fax or .pdf counterparts to this Agreement shall be deemed as valid as originals.

BRIGHTON TOWN COURT

GOVERNMENT PAYMENT SERVICE, INC.

(signature)

William W. Moehle
Supervisor

Date: _____

(signature)

Mark E. MacKenzie
President & CEO

Date: _____



ATTACHMENT "A" – SERVICE FEES
GPS Agree. No. NY-BRIGHTONTOWNCOURT, 2015FEB03

| Service Fee Schedule for Administrative & Civil Payments #4 | | | |
|--|--------------------|--|--------------------|
| Payments Made via Internet (Web/GovSwipe®) | | Telephone-Assisted Payments (Call Center/Live Agent) | |
| Transaction Range | Service Fee | Transaction Range | Service Fee |
| \$0.01 > \$50.00 | \$1.75 | \$0.01 > \$50.00 | \$5.75 |
| \$50.01 > \$75.00 | \$2.00 | \$50.01 > \$75.00 | \$6.00 |
| \$75.01 > \$100.00 | \$3.25 | \$75.01 > \$100.00 | \$7.25 |
| \$100.01 > \$150.00 | \$5.25 | \$100.01 > \$150.00 | \$9.25 |
| \$150.01 > \$200.00 | \$7.25 | \$150.01 > \$200.00 | \$11.25 |
| <i>For each additional increment of \$50.00, or portion thereof, add \$2.00.</i> | | <i>For each additional increment of \$50.00, or portion thereof, add \$2.00.</i> | |

All Service Fees Are Non-refundable



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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated January 21, 2015 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the preparation and submission of a Monroe County Community Development Block Grant Application for funding to construct approximately 1200 linear feet of sidewalk on the south side of Crittenden Road extending west from the East Squire Drive intersection, together with attachments thereto, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the preparation and submission of a Monroe County Community Development Block Grant Application for funding to construct approximately 1200 linear feet of sidewalk on the south side of Crittenden Road extending west from the East Squire Drive intersection.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

January 21, 2015

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

Re: Community Development Block Grant (CDBG) Application
Monroe County

Dear Councilperson Werner and Committee Members:

In February 2014 the DPW submitted a CDBG application to fund the installation of approximately 1,700 linear feet, lf, of 5ft wide concrete sidewalk on the south side of Crittenden Road from the corner of West Henrietta Road eastward to East Squire Drive. As required by the application, the Town concluded a SHPO and SEQR review of the project. CDBG funding was provided for approximately 500 lf of the project leaving approximately 1,200 lf. unfunded.

We are requesting that the FASC recommend that the Town Board authorize the preparation of a Monroe County CDBG grant application to fund the remaining construction of the sidewalk. The proposed sidewalk will extend west approximately 1,200 feet along the south side of Crittenden Road from E. Squire Drive to the sidewalk being constructed as part of the previous phase of the project.

Monroe County's CDBG funds are intended to be used in suburban towns and villages for projects located serving Low-Moderate income areas as determined by HUD. The proposed project will provide for safe pedestrian travel within Census Block Group 130.019 which is considered a Low-Moderate Income area.

We are requesting that 90% of the project to be funded by the CDBG Grant program. The remaining 10% will be funded by the Town of Brighton through in-kind services. The in-kind services will include project design, preparation of construction documents and construction oversight.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled February 3, 2015 meeting in the event that you have any questions regarding this matter.

Respectfully,

Michael E. Guyon, P.E.
Town Engineer

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

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



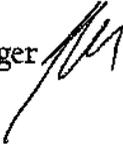
Department of Planning and Development
Monroe County, New York

Maggie Brooks
County Executive

Judy A. Seil
Director

MEMORANDUM

TO: Monroe County Community Development Steering Committee (Town Supervisors, Village Mayors,)

FROM: Jeffery McCann, Community Development Manager 

DATE: January 15, 2015

SUBJECT: 2015 CDBG Applications for Funding

The 2015 CDBG Applications for Funding were distributed at the January 14th meeting of the Monroe County Community Development Steering Committee. Enclosed for your information and use are the following application materials: 2015 Application for Funding; CDBG Public Works Project Checklist and Timeline and a printout of the slide presentation that was reviewed at the Steering Committee Meeting. Anyone wishing to have a Microsoft Word version of the application can send an email request to Cathy Shafer at cshafer@monroecounty.gov and one will be emailed to you.

The submission deadline for CDBG applications is Friday, February 13, 2015 at 5:00 p.m. Applications may be submitted by mail at the address indicated on the application or via email.

The U.S. Department of Housing and Urban Development (HUD) has not posted the allocations for the 2015 program year as yet. HUD Representatives recommend that we plan and budget based on the actual 2014-2015 allocation amounts of \$2,607,503 from HUD in 2014. This amount represents allocations for the Community Development Block Grant (CDBG) in the amount of \$1,653,925, the HOME Investment Partnership Program (HOME) in the amount of \$882,780, and the Emergency Solutions Grants Program (ESG) in the amount of \$135,147. Program income for the CDBG and HOME Programs in 2015 is expected to make available an additional \$340,000, for a combined anticipated total of \$3,011,852.

You should note that there have been changes to Low/Mod Upper Quartile areas in some towns and villages. Updated maps showing these areas in your municipality (if there are any) are enclosed for your convenience. Additionally, we have been advised by HUD that grants for improving handicap accessibility can only be granted for mitigation of existing barriers – not new construction. If you are considering a project to improve handicap accessibility, please contact us before submitting an application.

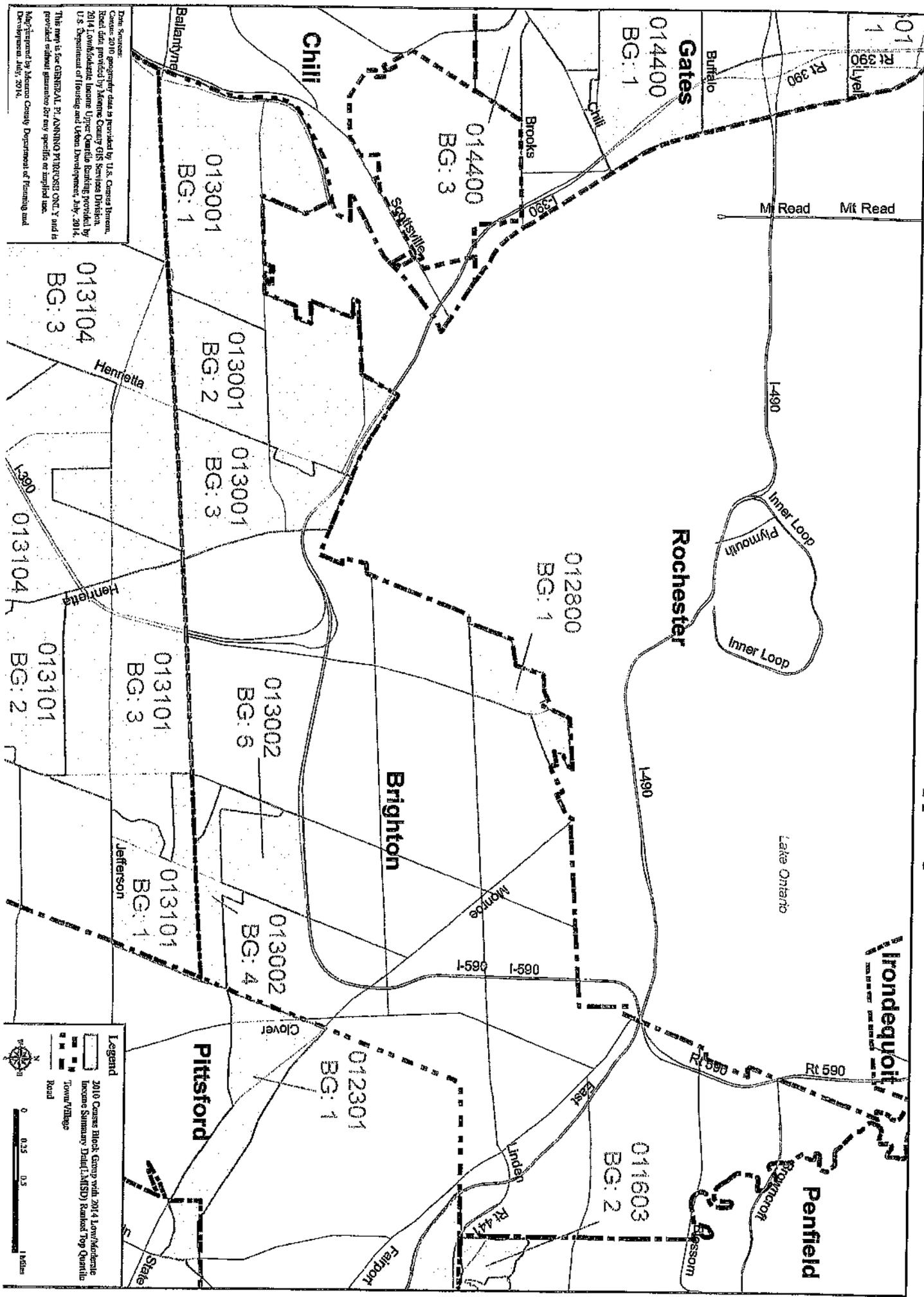
Please feel free to contact me or the appropriate member of the Community Development staff with any questions you may have in regard to the application or a specific project idea. As always, the Community Development staff is available to assist you and looks forward to working with you during the 2015 program year.

Enclosures

Bill -
I hope all is well with you.
I look forward to working with you
and your team in my new capacity.
I will reach out to you in the near
future - I would like to get your thoughts
on our program.
Jeff

Monroe County, New York

2014 Low/Moderate Income Upper Quartile



Data Sources:
 Census 2010 geography data is provided by U.S. Census Bureau.
 Road data provided by Monroe County GIS Services Division.
 2014 Low/Moderate Income Upper Quartile Ranking provided by
 U.S. Department of Housing and Urban Development, July, 2014.
 This map is for GENERAL PLANNING PURPOSES ONLY and is
 provided without guarantee for any specific or implied use.
 Map prepared by Monroe County Department of Planning and
 Development, July, 2014.

Legend

- 2010 Census Block Group with 2014 Low/Moderate Income Summary Data (MISD) Ranked Top Quartile
- Town/Village
- Road

Scale: 0 0.25 0.5 1 Miles

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

RESOLVED, that correspondence dated January 14, 2015 from Noel A. Hollister regarding a donation of \$500.00 to the Brighton Senior Center in memory of Bessie Pires, be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the generous donation of \$500.00 to the Brighton Senior Center in memory of Bessie Pires.

Dated: February 11, 2015

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



WOODWARD, PIRES & LOMBARDO, P.A.

ATTORNEYS AT LAW

CRAIG R. WOODWARD
Board Certified: Real Estate

MARK J. WOODWARD
Board Certified: Real Estate

ANTHONY P. PIRES, JR.
Board Certified: City, County,
and Local Government

J. CHRISTOPHER LOMBARDO
Board Certified: Marital
and Family Law

ELEANOR W. TAFT
Admitted to Rhode Is. Bar
Of Counsel

ROBERT E. MURRELL
Of Counsel

JENNIFER L. DEVRIES

JENNIFER M. TENNEY

MATTHEW P. FLORES

J. TODD MURRELL

January 14, 2015

Brighton Senior Center
c/o Nancy McGory
220 Idlewood Road
Rochester, NY 14618

Re: Donation in Memory of Bessie Pires

Dear Ms. McGory:

Enclosed please find a check payable to the Brighton Senior Center in the amount of \$500.00 in memory of Bessie Pires.

Please return a receipt to my attention at 3200 Tamiami Trail North, Suite 200, Naples, FL 34103. Should you require anything further regarding the foregoing, please do not hesitate to contact me.

Sincerely yours,

Noël A. Hollister

/nah

Enclosures as stated

REPLY TO:

☒ 3200 TAMAMI TRAIL N.
SUITE 200
NAPLES, FL 34103
239-649-6555
239-649-7342 FAX

☐ 606 BALD EAGLE DRIVE
SUITE 500
P.O. BOX ONE
MARCO ISLAND, FL 34146
239-394-5161
239-642-6402 FAX

WWW.WPL-LEGAL.COM

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated January 27, 2015 from Chief of Police Mark T. Henderson regarding a donation of \$500.00 to the Brighton Police Department from the Sam and Lottie Friedland Charitable Foundation, Inc., be received and filed; and be it further

RESOLVED, that the Town Board hereby gratefully accepts the generous donation of \$500.00 to the Brighton Police Department from the Sam and Lottie Friedland Charitable Foundation, Inc. and directs that the funds be deposited and credited as requested in the Chief's correspondence.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

January 27, 2015

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

Dear Board Members:

Re: \$ 500.00 Sam & Lottie Friedland Charitable Foundation, Inc.

Recently, the Police Department received a donation of \$500.00 from the Sam & Lottie Friedland Charitable Foundation, Inc.

I request that the Town Board authorize the acceptance of this gift, and that the donation be recorded as revenue to the 2015 Police Department Operating Budget, I further request that the 2015 Police Department Operating Budget be amended to increase line **A.POLCE.3120 4.18 Programs and Supplies by \$500.00, to be fully supported by an increase in A.POLCE 3120.2705 Gifts and Donations.**

The donation will be placed in the budget line which supports the Brighton Police Citizen's Police Academy.

I have attached a copy of my letter to Mrs. Sandra Friedland, President of the Sam & Lottie Friedland Charitable Foundation, Inc.

Sincerely,

Mark T. Henderson
Chief of Police

Attachment



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

January 27, 2015

Sam & Lottie Friedland Charitable Foundation, Inc.
Mrs. Sandra Friedland, President
7623 Southampton Terrace
Bldg. B, Apt 216
Tamarac, Florida 33321

Dear Mrs. Friedland:

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

While it is not necessary to make direct donations to the department for services provided, your thoughtfulness and consideration help instill a strong community-oriented attitude in our officers. In keeping with the spirit of your donation, I have directed that the \$500.00 donation be placed in the budget line which supports community service functions, specifically the Brighton Police Department Citizen's Police Academy.

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

Sincerely,

Mark T. Henderson
Chief of Police

*WE LOOK forward to
having Reenie + Fran in
our Citizen's Police Academy!*

P.S. I very much enjoyed speaking to you about the Champion Company and your husband's affiliation with this great Rochester business.

Sam & Lottie Friedland Charitable Foundation, Inc.

Sandra Friedland, President

"For what we are, we are by sharing."

7623 Southampton Terrace, B-216

Tamarac, Florida 33321

954-720-5661

levyfriedland@aol.com

January 22, 2015

**Mark T. Henderson, Chief of Police
Brighton Police Department
2300 Elmwood Avenue
Rochester, New York 14618**

**RE: Reenie Levy
Fran Levy**

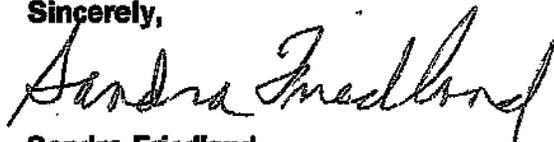
Dear Chief Henderson:

As promised in my phone conversation of the last hour, enclosed please find check #2441 in the amount of \$500. This check is to say thank you for the kindness you you showed my family.

They say timing is everything. Reenie called to tell me how thrilled she was with meeting you and the invitation for her and her mother to be included in a class that the Brighton Police Department is having for lay people. Little did she know of the story that my sister shared with me about the police of this country being maligned in a public speech just a few days before. I did not know what to do with the immense displeasure I felt. Lo and behold, I received Reenie's phone call to tell me of her letter to you and your kind response, and I knew how to ameliorate the rage I felt.

Now you know the story of the check from, dare I say, "heaven", to help you out however you wish with your fine program. Again, thank you for your sensitivity to Reenie reaching out to you. I like to think of all of the above as "playing it forward". Also, I am pleased that this check is saying thank you for a kindness, rather than saying thank you for any of the lurid things the police are called upon to do.

Sincerely,



**Sandra Friedland
Enc.**

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated January 30, 2015 from Town Engineer Michael E. Guyon regarding a request to authorize the Supervisor to execute a sidewalk easement agreement and related documents with respect to property owned by the Brighton Central School District and in connection with the Monroe Avenue Green Innovation Grant Program Project, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a sidewalk easement agreement and related documents with respect to property owned by the Brighton Central School District and in connection with the Monroe Avenue Green Innovation Grant Program Project subject to review and approval of the sidewalk easement agreement by the Attorney to the Town.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

January 30, 2015

The Honorable Town of Brighton Town Board
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618

Re: Monroe Avenue Green Innovation Grant Program Project
Brighton School District
Proposed Sidewalk Easement

Dear Supervisor Moehle and Town Board Members:

The above referenced project includes the construction of a public sidewalk on the property owned by the Brighton School District along the south side of Monroe Avenue. The sidewalk will be located outside of the New York State public Right-of-Way. A draft copy of the easement is attached for your reference. Town staff has reviewed the easement language maps and descriptions and find them acceptable. Prior to obtaining the supervisor's signature the easement will be reviewed and approved by the Town Attorney.

I am requesting that the Town Board authorize the Supervisor to endorse this easement and the corresponding TP 584 forms as approved by the Town Attorney.

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

Respectfully,

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

Cc: Tim Keef
Ramsey Boehner
Kenneth W Gordon
David Dollinger

**LEGAL DESCRIPTION
FOR
PERMANENT SIDEWALK EASEMENT
(Reputed Owner)
(Tax Account# 137.14-1-87)**

Permanent Easement

Description of property which the Town of Brighton and New York State Department of Transportation deem necessary to acquire as a Permanent Easement for sidewalk purposes. The parcel to be acquired is shown on **Map PL-02,**

All that piece or parcel of land, Tax Account# 137.14-1-87, situate in the Town of Brighton, County of Monroe, State of New York, as shown on map PL-02 and described as follows:

Beginning at a point at the southeast intersection of the Elmwood Avenue and Monroe Avenue Highway Boundary. Said point also being the northwest corner of Tax Parcel 137.14-1-87, thence;

- (1) Southeasterly along the Monroe Avenue Highway Boundary for a distance of 306± feet to a point, thence;
- (2) Southwesterly along a line perpendicular to the Monroe Avenue Highway Boundary for a distance of 40± feet to a point, thence;
- (3) Northwesterly along a line parallel to the Monroe Avenue Highway Boundary for a distance of 334± feet to a point on the Elmwood Avenue Highway Boundary, thence;
- (4) Northeasterly along the Elmwood Avenue Highway Boundary for a distance of 47± feet to a point, said point being the point of beginning.

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

RESOLVED, that correspondence dated January 30, 2015 from Town Engineer Michael E. Guyon regarding a request to authorize the preparation and submission to the New York State Environmental Facilities Corporation of the Point Source and Nonpoint Source Project Listing Application which is the first step in seeking financing through the Clean Water State Revolving Fund for the proposed Westfall Heights Subdivision gravity sanitary sewer improvements, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the preparation and submission to the New York State Environmental Facilities Corporation of the Point Source and Nonpoint Source Project Listing Application which is the first step in seeking financing through the Clean Water State Revolving Fund for the proposed Westfall Heights Subdivision gravity sanitary sewer improvements.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

January 30, 2015

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

Re: New York Clean Water State Revolving Fund
Municipal Point Source & Nonpoint Source Project Listing
Westfall Heights Sanitary Sewer

Dear Councilperson Werner and Committee Members:

The residents of the Westfall Heights Subdivision submitted an informal petition which suggested that approximately 70% of the homes in area supported the construction of public sewers to serve their properties. The informal petition requested that the Town of Brighton investigate funding alternatives to reduce the resident's cost contribution toward the construction of the improvements.

The New York State Environmental Facilities Corporation (EFC) administers the Clean Water State Revolving Fund (CWSRF) on behalf of the New York State Department of Environmental Conservation (DEC). For municipally-owned wastewater treatment projects EFC offers a long-term financing program with interest rate subsidies. Project listing is the first step to obtaining financing through the Clean Water State Revolving Fund (CWSRF).

We are requesting that the FASC recommend that the Town Board authorize the preparation of the Point Source & Nonpoint Source Project Listing application for the proposed Westfall Heights Subdivision gravity sanitary sewer improvements as described in a report prepared by the Town of Brighton titled, Engineer's Report Sanitary Sewer Feasibility Study Westfall Heights dated, February 2014.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled February 3, 2015 meeting in the event that you have any questions regarding this matter.

Respectfully

Michael E. Guyon, P.E.
Town Engineer

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

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

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated January 30, 2015 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the preparation and solicitation of a request for proposals for professional design services to develop construction bid documents for the proposed Public Safety Wing HVAC improvements, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes the preparation and solicitation of a request for proposals for professional design services to develop construction bid documents for the proposed Public Safety Wing HVAC improvements.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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)784-5388

January 30, 2015

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

Re: Public Safety Wing
Prepare and solicit an RFP for professional design services for an HVAC Bid Documents

Dear Councilperson Werner and Committee Members:

I am requesting authorization to prepare and solicit a request for proposals for professional design services to develop construction bid documents regarding the proposed Public Safety Wing HVAC improvements described in the Public Safety Wing HVAC Study prepared by M/E Engineering dated September 2014. The study recommended the implementation of five improvements whose total cost is estimated to be \$422,000.00

No action as to awarding a contract will be considered without returning to this committee. We continue to work with the finance department to determine the appropriate account to fund this project and we will present this account to the FASC before requesting authorization to award these consultant services.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled February 3, 2015 meeting in the event that you have any questions regarding this matter.

Respectfully,

Michael E. Gayon, P.E.
Town Engineer

cc: T. Keef
S. Zaso
Chief M. Henderson

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated February 2, 2015 from Chief of Police Mark T. Henderson regarding a request to authorize the Supervisor to execute an agreement with the County of Monroe for STOP-DWI enforcement funding in the amount of \$17,759.88 and to authorize the budget amendments set forth in said correspondence, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with the County of Monroe for STOP-DWI enforcement funding in the amount of \$17,759.88 and adopts the budget amendments set, forth in the above referenced correspondence.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

February 2, 2015

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

**RE: STOP-DWI Enhanced Enforcement
STOP-DWI Crackdown Weekends**

Dear Board Members:

I hereby request that the Supervisor be authorized to enter into an agreement with the County of Monroe to accept the following funding:

| | |
|--------------------------------------|--------------------|
| STOP-DWI Enhanced Enforcement | \$15,260.09 |
| STOP-DWI Crackdown Weekends | \$ 2,499.79 |
| | \$17,759.88 |

The funding will be used to augment police department STOP DWI enforcement efforts.

I request that appropriations in account **A.POLCE.3120.1580 (STOP DWI Reimbursement Revenue Account)** in 2015 police department budget be increased by **\$2,499.79** (an increase over projected 2015 funding). I am also requesting that the 2015 police department budget be amended to reflect the additional Stop DWI funding over the **\$15,260.09** which has already been projected in the 2015 budget by increasing appropriations in Law Enforcement Supplies (**A.POLCE.3120 4.14**) by **\$2,499.79**.

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

BE IT RESOLVED, that correspondence dated February 2, 2015 from Chief of Police Mark T. Henderson regarding a request to authorize the reappropriation of \$14,000.00 in unspent 2014 funding to the Police Department's 2015 law enforcement equipment line (A.POLCE 3120.2.17) to fund the purchase of replacement equipment for the MoRIS and ILEADS system, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes the reappropriation of \$14,000.00 in unspent 2014 funding to the Police Department's 2015 law enforcement equipment line (A.POLCE 3120.2.17) to fund the purchase of replacement equipment for the MoRIS and ILEADS system.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

February 2, 2015

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

RE: Budget Appropriation to Replace the Digital Police MoRIS Fingerprint Station

Dear Board Members:

The 2014 Town Budget allowed for the funding of \$14,000 to replace the digital MoRIS fingerprinting system used by the Police Department.

Due to concerns with the current status of Monroe County's plan to upgrade the MoRIS and ILEADS system, as well as the fact that the current equipment was in fair condition and was still operable, it was decided not to replace the equipment. The unused appropriations fell to fund balance at year-end 2014. Unfortunately, the system has recently failed and is in need of replacement. I am requesting that the **\$14,000 that was unspent in 2014** be re-appropriated into the 2015 budget to replace this system.

My formal request of the Town Board is to authorize an appropriation of \$14,000 from general fund balance into the Police Department's 2015 law enforcement equipment budget line (A.POLCE.3120 2.17).

I have consulted with Suzanne Zaso, Finance Director and will be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL

LOUISE NOVROS

CHRISTOPHER K. WERNER

JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that a memorandum dated February 3, 2015 from Finance Director Suzanne Zaso regarding a request to authorize budget transfers and amendments as set forth in the attached schedule to complete year-end adjustments for 2014, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes the budget transfers and amendments as set forth in the schedule attached to the above referenced memorandum to complete year-end adjustments for 2014.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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
Suzanne Zaso, Director of Finance
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
(585) 784-5210 Fax (585) 784-5396

MEMORANDUM

To: The Honorable Town Board
Attn: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *W*
Date: February 3, 2015
Subject: Year-End Transfers and Amendments to 2014 Town, Special District, and Capital Budgets

Each year, based on a review of year-to-date expenditures, we request Town Board authorization to record needed budget amendments and transfers to resolve any object-level negative balances in the Town and Special District Operating Budgets, and in the Capital Budget, to address:

- the proper classification of expenditures either actual or estimated
- any appropriation shortfalls resulting from actual operations (vs. budgeted)
- any unanticipated expenditures not provided for in the budget

Attached to this memo is a listing of the budget transfers and amendments we are recommending at this time, each marked accordingly.

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

Attachment

Copy to: Department Heads

| Year-End 12/31/14 | | | FROM | TO |
|--------------------------------|-------------------|-----------------------|----------|----------|
| Budget Transfers | | | (DEBIT) | (CREDIT) |
| General Fund (A) | | | | |
| Assessor | | | | |
| Contingency | A.UNDST.1990 4.90 | Contingency | \$20,735 | |
| Assessor | A.ASSOR.1355 4.53 | Attorney Fees | | \$20,735 |
| | | | | |
| Attorney to the Town | | | | |
| Contingency | A.UNDST.1990 4.90 | Contingency | \$3,880 | |
| Attorney to the Town | A.ATTY.1420 4.53 | Attorney Fees | | \$3,880 |
| | | | | |
| Town Council | | | | |
| Town Council | A.BOARD.1010 4.89 | Misc. Expense | \$1 | |
| Town Council | A.BOARD.1010 1.10 | Wages | | \$1 |
| | | | | |
| Public Works | | | | |
| Public Works Dept. | A.DPW.1490 4.74 | Membership & Training | \$250 | |
| Public Works Dept. | A.DPW.1490 1.50 | Longevity | | \$250 |
| Town Clerk/Central Services | A.CLERK.1610 1.20 | Part-Time Wages | \$8,800 | |
| Town Clerk/Central Services | A.CLERK.1610 4.45 | Equipment Rental | \$5,120 | |
| Facility Operations | A.DPW.1620 1.10 | Full-Time Wages | | \$13,920 |
| Public Works Dept. | A.DPW.1490 8.40 | Medical Premiums | \$1,875 | |
| Facility Operations | A.DPW.1620 8.20 | FICA | | \$790 |
| Facility Operations | A.DPW.1620 8.40 | Medical Premiums | | \$1,085 |
| Parks Administration | A.DPW.7021 1.20 | Part-time Wages | \$3,925 | |
| Townwide Sidewalk Snow Removal | A.DPW.5415 1.10 | Full-time Wages | | \$3,925 |
| Corbett's Glen Park | A.DPW.7122 4.11 | Maintenance Supplies | \$1,360 | |
| Townwide Sidewalk Snow Removal | A.DPW.5415 4.62 | Diesel Fuel | | \$1,360 |
| Building & Planning | A.DPW.8020 4.83 | Printing | \$75 | |
| Building & Planning | A.DPW.8020 4.22 | Telephone Charges | | \$75 |
| Green Brighton Task Force | A.DPW.8982 4.74 | Membership & Training | \$270 | |
| Streetscape Improvements | A.DPW.8510 4.83 | Printing | | \$270 |
| | | | | |
| Public Works/Parks | | | | |
| Buckland Farmhouse | A.DPW.7116 4.41 | Maintenance/Repairs | \$205 | |
| Buckland Farmhouse | A.DPW.7116 4.21 | Gas & Electric | | \$205 |
| | | | | |
| Town Clerk | | | | |
| DPW - Bldg/Planning | A.DPW.8020 1.10 | Full-Time Wages | \$2,770 | |
| Town Clerk | A.CLERK.1410 1.20 | Part-Time Wages | | \$2,770 |
| Town Clerk | A.CLERK.1410 8.40 | Medical Premiums | \$1,000 | |
| Receiver of Taxes | A.CLERK.1330 4.74 | Membership & Training | \$575 | |
| Town Clerk | A.CLERK.1410 4.15 | Computer Software | | \$1,575 |
| | | | | |
| Highway (General Fund) | | | | |
| Traffic Signs/Markings | A.HWY.3310 1.10 | Full-Time Wages | \$7,250 | |
| Parks | A.HWY.7110 1.10 | Full-Time Wages | \$8,500 | |
| Undistributed | A.UNDST.9000 1.40 | Other Wages | \$10,560 | |
| Landfill | A.HWY.8160 1.30 | Overtime | | \$26,310 |
| Traffic Signs/Markings | A.HWY.3310 1.30 | Overtime | | |
| | | | | |
| Operations Center | A.HWY.5132 4.41 | Equipment Rental | \$3,610 | |
| Operations Center | A.HWY.5132 4.22 | Telephone | | \$3,610 |

| Year-End 12/31/14 | | | FROM | TO |
|--|--------------------|------------------------|----------|----------|
| Budget Transfers | | | (DEBIT) | (CREDIT) |
| Town Landfill | A.HWY.8160 4.63 | Tires | \$545 | |
| Town Landfill | A.HWY.8160 4.21 | Gas & Electric Charges | | \$545 |
| Employee Benefits | A.HWY.9000 4.39 | Insurance Admin Costs | \$1,345 | |
| Employee Benefits | A.HWY.9000 8.10 | NYSRS Contributions | | \$1,345 |
| Justice Court | | | | |
| Justice Court | A.JSTCE.1110 1.20 | Part-Time Wages | \$605 | |
| Justice Court | A.JSTCE.1110 4.83 | Printing | | \$605 |
| Personnel | | | | |
| Contingency | A.UNDST.1990 4.90 | Contingency | \$4,275 | |
| Finance | A.FINCE.1310 4.49 | Contracted Services | \$8,500 | |
| Personnel Office | A.PRSNL.1430 4.53 | Attorney Fees | | \$12,775 |
| Recreation | | | | |
| Rec Administration | A.REC.7020 8.20 | Employer FICA | \$845 | |
| Senior Program | A.REC.6772 8.20 | Employer FICA | | \$845 |
| Supervisor | | | | |
| Finance | A.FINCE.1310 1.10 | Full-Time Wages | \$1,060 | |
| Supervisor | A.SUPVR.1220 1.20 | Part-Time Wages | | \$1,060 |
| Highway Fund (D) | | | | |
| Road Repair | D.HWY.5110 1.10 | Full Time Wages | \$4,935 | |
| Highway Admin | D.HWY.5140 1.10 | Full Time Wages | | \$4,935 |
| Road Repair | D.HWY.5110 1.10 | Full Time Wages | \$42,000 | |
| Road Repair | D.HWY.5110 1.30 | Overtime Wages | \$16,500 | |
| Machinery | D.HWY.5130 1.10 | Full Time Wages | \$5,800 | |
| Machinery | D.HWY.5130 1.30 | Overtime Wages | \$6,400 | |
| Employee Benefits - Highway | D.HWY.9000 8.45 | Retiree Medical | \$8,800 | |
| Snow & Ice Control | D.HWY.5142 1.10 | Full Time Wages | | \$48,000 |
| Snow & Ice Control | D.HWY.5142 1.30 | Overtime Wages | | \$31,500 |
| W. Brighton Fire Prot. Dist. (SF) | | | | |
| WBFPD | SF.FIRED.3415 8.10 | NYSRS Contributions | \$90 | |
| WBFPD | SF.FIRED.3415 1.40 | Other Wages | | \$90 |
| Street Lighting Dist. (SL) | | | | |
| Deerfield Woods Lighting Dist. | SL.LGHTD.5223 4.41 | Maint/Repair Services | \$81 | |
| Mercy Park Lighting Dist. | SL.LGHTD.5223 4.21 | Electric Charges | | \$81 |
| Sewer District (SS) | | | | |
| Consolidated Sewer Dist | SS.SEWER.8120 1.10 | Full-Time Wages | \$5,150 | |
| Consolidated Sewer Dist | SS.SEWER.8120 8.45 | Retiree Medical | | \$5,150 |
| Consolidated Sewer Dist | SS.SEWER.8120 4.71 | Uniform/Clothing | \$500 | |
| Consolidated Sewer Dist | SS.SEWER.8120 2.13 | Computer Equip | | \$500 |

| Year-End 12/31/14 | | | TO (CREDIT) |
|---|--------------------|------------------------|------------------------|
| Appropriations | | | |
| Supported by amounts available in the respective Fund Balance Accounts | | | |
| | | | |
| | | | |
| Street Lighting Districts (SL) | | | |
| East Ave. Lighting | SL.LGHTD.5204 4.21 | Gas & Electric Charges | \$334 |
| Victory Lane Lighting | SL.LGHTD.5214 4.21 | Gas & Electric Charges | \$2 |
| Elmwood Manor Lighting | SL.LGHTD.5216 4.21 | Gas & Electric Charges | \$36 |
| MCC Complex Lighting | SL.LGHTD.5217 4.21 | Gas & Electric Charges | \$57 |
| Metro Industrial Park Lt | SL.LGHTD.5219 4.21 | Gas & Electric Charges | \$56 |
| Elmwood Terrace Lighting | SL.LGHTD.5221 4.21 | Gas & Electric Charges | \$5 |
| | | | |
| | | | |
| Sidewalk Snow Removal Districts (SM) | | | |
| Bel-Air Snow Removal | SM.SNOWD.5421 4.46 | Snow Removal Services | \$2,234 |
| Fairhaven Snow Rmvl | SM.SNOWD.5422 4.46 | Snow Removal Services | \$299 |
| Home Acres Snow Rmvl | SM.SNOWD.5423 4.46 | Snow Removal Services | \$1,827 |
| Meadowbrook Snow Rmvl | SM.SNOWD.5424 4.46 | Snow Removal Services | \$1,817 |
| Roselawn Snow Rmvl | SM.SNOWD.5425 4.46 | Snow Removal Services | \$1,871 |
| Struckmar Snow Rmvl | SM.SNOWD.5426 4.46 | Snow Removal Services | \$1,804 |
| N. Roselawn Snow Rmvl | SM.SNOWD.5428 4.46 | Snow Removal Services | \$553 |
| Brookside Snow Rmvl | SM.SNOWD.5429 4.46 | Snow Removal Services | \$350 |
| Council Rock Snow Rmvl | SM.SNOWD.5430 4.46 | Snow Removal Services | \$879 |
| Pelham Rd Snow Rmvl | SM.SNOWD.5431 4.46 | Snow Removal Services | \$492 |
| Grosvenor Rd Snow Rmvl | SM.SNOWD.5432 4.46 | Snow Removal Services | \$237 |
| Ambassador Dr Snow Rmvl | SM.SNOWD.5433 4.46 | Snow Removal Services | \$392 |
| Sandringham Rd Snow Rmvl | SM.SNOWD.5434 4.46 | Snow Removal Services | \$626 |

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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that a memorandum dated February 3, 2015 from Finance Director Suzanne Zaso regarding a request to authorize the re-appropriation of \$35,000.00 to the 2015 Brighton Town Park facility improvements budget line (A.DPW.7120 2.60) for the funding of the kitchen renovations at the Carmen Clark Lodge in Town Park, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes the re-appropriation of \$35,000.00 to the 2015 Brighton Town Park facility improvements budget line (A.DPW.7120 2.60) for the funding of the kitchen renovations at the Carmen Clark Lodge in Town Park.

Dated: February 11, 2015

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



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

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance *SZ*
Date: February 3, 2015
Subject: Budget Appropriation for Improvements at Carmen Clark Lodge

The 2014 Town Budget allowed for \$35,000 for improvements to the kitchen and bathrooms at Carmen Clark Lodge in Brighton Town Park. Due to initial bids coming in over budget, a contract for these services was not secured prior to year-end 2014. As the scope of the project has now been changed to stay within budget, I am requesting that the funding that fell to fund balance at year-end 2014 be re-appropriated into the 2015 Brighton Town Park budget.

My formal request of the Town Board is to authorize an appropriation of \$35,000 from general fund balance into the Brighton Town Park 2015 facility improvements budget line (A.DPW.7120 2.60).

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

Cc: Matt Beeman
Tim Keef

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL

LOUISE NOVROS

CHRISTOPHER K. WERNER

JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that a memorandum dated February 3, 2015 from Finance Director Suzanne Zaso regarding a request to authorize the closing of a 2011 Information Technology Capital Project and the transfer of any remaining funds to the debt service fund for any future debt service payments relating to the project, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes the closing of a 2011 Information Technology Capital Project and the transfer of any remaining funds to the debt service fund for any future debt service payments relating to the project.

Dated: February 11, 2015

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



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

MEMORANDUM

To: The Honorable Town Board
Attn.: Finance and Administrative Services Committee
From: Suzanne Zaso, Director of Finance 
Date: February 3, 2015
Subject: Close 2011 Technology Capital Project

In 2011 the Town Board set-up a capital project for the financing of a telephone system upgrade and software purchases for public works and highway operations. As all expenditures for the project have been paid out and permanent financing is in place, I am recommending that the Town Board authorize the closing and this capital project and the transfer of any remaining funds to the debt service fund to be applied towards future debt service payments relating to the project.

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

At a 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 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

BE IT RESOLVED, that a draft code amendment regarding Solar energy Systems together with correspondence dated February 4, 2015 from Environmental Review Liaison Ramsey A. Boehner regarding a request to refer the proposed code amendment to the Planning Board and to the Monroe County Department of Planning and Development for review, be received and filed; and

BE IT RESOLVED, that the Town Board hereby refers the proposed code amendment to the Planning Board and to the Monroe County Department of Planning and Development for review.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

February 4, 2015

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Re: Proposed Code Amendment Regarding Solar Energy Systems

Honorable Supervisor and Members:

I recommend that you receive and file this communication and the proposed code amendment regarding Solar Energy Systems as described in the attached memoranda to Tim Keef, Commissioner of Public Works, dated January 9, 2015.

I further recommend that your Honorable Body:

1. Request the Planning Board to review and prepare an advisory report regarding the proposed amendments; and
2. Direct the Town Planner, Ramsey Boehner to submit the required Development Referral Form and documents to Monroe County Department of Planning and Development for review.

Respectfully Submitted

Ramsey A. Boehner
Environmental Review Liaison Officer

cc: T. Keef
attachment



Town of Brighton
Interoffice Memo

To: Tim Keef, Commissioner of Public Works
From: Building & Planning Staff
CC:
Date: 1/9/15
Subject:
Solar Energy Systems – DRAFT

LOCAL LAW #_ OF 2015

SOLAR ENERGY SYSTEMS AMENDMENTS LOCAL LAW

TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK STATE

1 **Section 1. Title:**

2 This Local Law shall be known as the Renewable Energy Systems Ordinance for the
3 Town of Brighton.
4

5 **Section 2. Purpose:**

6 The sustainability of the built environment in the Town, in the face of rising energy costs
7 and of the threat of climate change, is found to be of increasing and vital import to the
8 public health, safety and welfare. Solar energy that is generated on-site can address these
9 issues. The purpose of this Local Law is to promote the use of solar energy sources and
10 to provide for the land planning, installation and construction of Solar Energy Systems,
11 subject to reasonable conditions. All references herein to Sections shall be deemed to
12 refer to Sections of the Brighton Town Code.
13

14 **Section 3. Amendments:**

15
16 I. The following definitions are hereby added to Chapter 201, Definitions:
17

18 **SOLAR ENERGY SYSTEM** - Any solar collector or other solar energy device,
19 or any structural design feature, mounted on a building or on the ground, and
20 whose primary purpose is to provide for the collection, storage and distribution of
21 solar energy for space heating or cooling, for water heating or for electricity.
22

23 **SOLAR ENERGY** - Radiant energy (direct, diffuse and reflected) received from
24 the sun.
25
26

27
28 II. A new Article IX, titled "Solar Energy Systems," is hereby added to Chapter 207 of
29 the Town Code, reading in its entirety as follows:
30

31 ARTICLE IX. Solar energy systems.

32 §207-45. Purpose.

33
34 The sustainability of the built environment in the Town, in the face of rising energy costs
35 and of the threat of climate change, is found to be of increasing and vital import to the
36 public health, safety and welfare. Solar energy that is generated on-site can address these
37 issues. The purpose of this article is to promote the use of solar energy, balance the
38 benefits of solar energy systems with their aesthetic impacts, and provide for the
39 installation and construction of these systems, subject to reasonable conditions.
40

41 §207-46. Use classification.

42
43
44 A. Roof-mounted solar energy systems shall be permitted as accessory uses in all
45 zoning districts and may be installed upon receipt of the necessary building and/or
46 electrical permit(s). This article applies to roof-mounted solar energy systems to be
47 installed and constructed for residential or commercial use.
48

49 B. Solar energy systems that are the principal use of a lot are not permitted.
50

51 §207-47. Applicability. This article applies to solar energy systems to be installed and
52 constructed after the effective date of the article.
53

54 §207-48. Reviews required.

55
56 A. The installation, replacement or expansion of a solar energy system on a town
57 landmark as designated by the Town of Brighton Historic Preservation Commission
58 shall require Certificate of Appropriateness approval from the Historic Preservation
59 Commission. The Historic Preservation Commission may use subsection C, below,
60 as a guide in their review in addition to the criteria in Chapter 224, Historic
61 Preservation.
62

63 B. Solar energy systems not located on a property designated as historic shall require
64 approval by the Architectural Review Board pursuant to Chapter 221 of the
65 Comprehensive Development Regulations if:
66

- 67 1. They are mounted on a single family or two-family dwelling or townhouse so
68 as to be visible from the street directly in front of the building, or
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- 2. They are mounted on any principal building other than a single family or two family dwelling or townhouse.
- C. Architectural Review Board guidelines. When reviewing applications for solar energy systems, the Architectural Review Board shall be guided by the following:
 - 1. The slope and proportions of a roof-mounted solar array should match the slope and proportions of the roof. The distance from the roof surface should be minimized.
 - 2. Solar arrays should be installed in a regular shape, usually rectangular, but using other, geometric shapes where appropriate, such as to match hip or mansard roofs.
 - 3. Single arrays of panels are preferred, but multiple panel arrays may be used where deemed appropriate by the Board.
 - 4. Interruptions of the array with rooftop projections, such as vents or skylights, should be avoided if feasible.
 - 5. Frame, panel, and equipment colors should match or complement the colors of the roof or wall where mounted, while maintaining the functional integrity and viability of the system.
 - 6. Durable, non-reflective, factory-applied coatings should be used.
 - 7. Text, advertising, and/or logos should not be visible.
 - 8. The visibility of equipment (conduits, pipes, transformers, etc.) should be minimized. Where visible, the conduit should be painted to match the background color.
- D. Solar energy systems shall comply with the Uniform Fire Prevention and Building Construction Code. Solar energy systems shall require a building permit and, as applicable, an electrical permit, and may be installed as long as they meet the requirements of this article and all other applicable construction codes. Unless waived by the Building Inspector, any application for a building permit for the installation, modification and/or replacement of a solar energy system shall be accompanied by:
 - 1. A site plan showing the location of major components.
 - 2. Specification sheets and installation manuals for all manufactured components.

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3. A letter or drawing, stamped or signed by a licensed architect or engineer, certifying that the structure can bear the loads imposed by the proposed solar energy system.
 4. Any additional information required by the Building Inspector.
- E. The design of solar energy systems shall conform to all applicable utility and industry standards. This shall include, but not be limited to, compliance with UL1741 (utility interconnection) and with the NEC standards.

126 §207-49. Location and configuration.

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- A. On a sloped roof, solar energy systems shall extend no more than three feet above the roof surface, measured perpendicular to the roof surface.
 - B. On a sloped roof, the highest point of a solar energy system shall not exceed the height of the roof peak.
 - C. On a flat roof, the highest point of a roof-mounted solar energy system shall not exceed the greater of four feet above the roof surface or the height of the parapet wall (if present).
 - D. Roof-mounted solar energy systems shall not extend past the deck line of the roof.

141 **Section 4. Effective Date:**

142
143 This Local Law shall take effect immediately upon filing with the Secretary of State.

144
145 **Section 5. Severability:**

146
147 If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any
148 reason be adjudicated finally by a court of competent jurisdiction to be invalid, such
149 judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall
150 be confined in its operation and effect to the clause, sentence, phrase, paragraph or part
151 thereof, directly involved in the controversy or action in which such judgment shall have
152 been rendered. It is hereby declared to be the legislative intent that the remainder of this
153 Local Law would have been adopted had any such provision been excluded.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 11th day of February, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL

LOUISE NOVROS

CHRISTOPHER K. WERNER

JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that correspondence dated February 6, 2015 from Town Planner Ramsey A. Boehner and a February 3, 2015 letter and advisory report from the Planning Board regarding the Pinnacle Hills Subdivision Incentive Zoning Application, be received and filed.

Dated: February 11, 2015

| | | |
|--------------------------------------|--------|-------|
| 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

February 6, 2015

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Re: Planning Board Advisory Report regarding the Pinnacle Hills Subdivision Incentive Zoning Application

Honorable Supervisor and Members:

I recommend that your Honorable Body receive and file this communication and the attached Planning Board Advisory Report regarding the Pinnacle Hills Subdivision Incentive Zoning Application.

Respectfully Submitted

Ramsey A. Bohner
Town Planner

attachment





TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

February 3, 2015

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

RE: Planning Board Advisory Report regarding the Pinnacle Hills Subdivision Incentive Zoning Application
Dear Board Members:

At the January 21, 2015 Planning Board Meeting, the Planning Board reviewed the above referenced matter and offers the following comments pursuant to Chapter 209, Article I of the Comprehensive Development Regulations:

1. The wetland area (Federally Regulated) located within this project and the additional wetland area located at the southwest corner of Clinton Avenue South and Highland Ave. (Persimmon Park) should be reviewed by the New York State Department of Environmental Conservation (NYSDEC) for possible inclusion as a new NYS Freshwater Wetland pursuant to Article 24 of the Environmental Conservation Law. In 2003, it was the Town's understanding that the wetland met the criteria to be designated and protected as an NYS wetland and that the map amendment process was going to be initiated by NYSDEC. To date, NYSDEC has not initiated the process or amended the map.

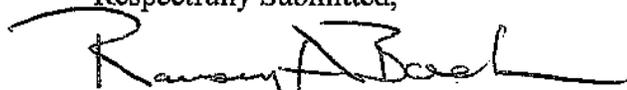
It is important to note that the wetland is located within an urbanized area and is situated near the Town/City corporate limits. The wetland is also located within and adjacent to the Town of Brighton's Persimmon Park and a Town of Brighton Woodlot Environmental Protection Overlay District. In addition, the wetland provides valuable wildlife habitat, flood control, and storm water quality management for the surrounding area.

2. The Planning Board recommends designing the project to better address street connectivity. Increased street connectivity between and within neighborhoods makes walking and biking more attractive, and makes public services, public spaces, and transportation options and emergency services more accessible through direct routes. The plan needs to better address vehicular and pedestrian connections to existing streets. The attached alternative sketches represent the concept that should be considered in the design of this project. Also, in consultation with the Town Engineer, consideration should be given to maintaining the existing 50' right-of-way width of Willard Avenue if it helps address better street connectivity.



3. The plans indicate that the stormwater management outfall pipe will be extended along Blaker Street, (unimproved) to South Clinton Avenue, continue south along Clinton Avenue and ultimately connect into the existing Monroe County storm sewer. Who will own and maintain the portion of storm sewer within the County Right of Way? The Town of Brighton GIS mapping suggests that Blaker Street does not extend to South Clinton Avenue and the proposed storm sewer will need to cross Persimmon Park property. The construction of this storm sewer may constitute an alienation of parkland. The applicant must demonstrate that the storm sewer construction will not alienate Town parkland.
4. The Planning Board is concerned that the design concept for the proposed homes indicates that they will not have basements due to a high water table. The homes will be designed with crawl spaces or will be slab on grade.
5. It is further recommended that the incentive zoning approval, if granted, does not include any commitment regarding the site plan layout or any commitment regarding approval of the proposed overall density, except as a maximum limit of 25 lots.
6. The Planning Board does not oppose the density of lots (housing units) proposed by the applicant.

Respectfully Submitted,



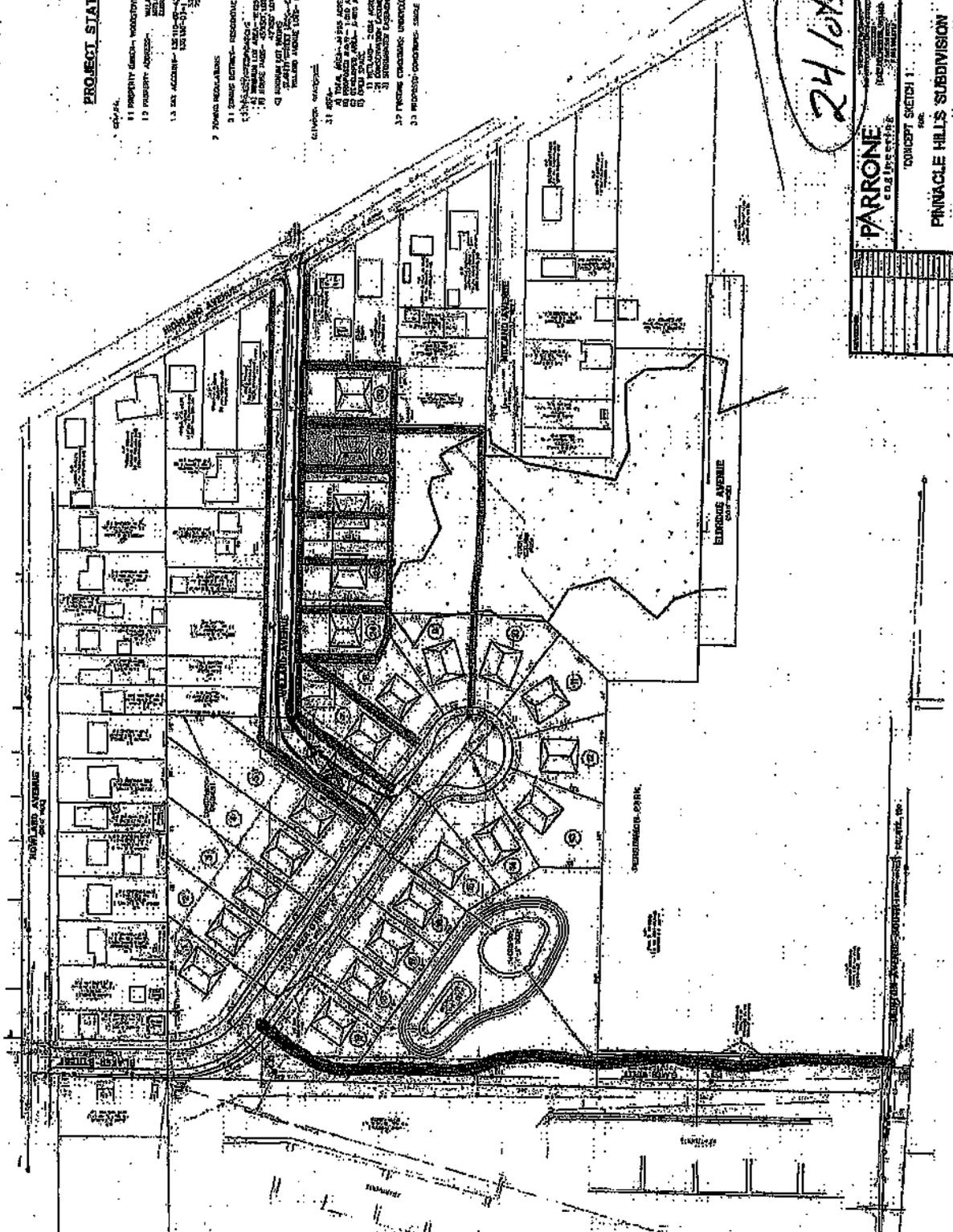
Ramsey A. Boehner
Executive Secretary
Planning Board

attachment(s)

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PROJECT STATISTICS

- 11 PROPERTY CLASS - RESIDENTIAL SINGLE-FAMILY HOME
- 12 PROPERTY ADDRESS - 1001 EAST AVENUE, SUITE 200, NEW YORK, NY 10001
- 13 MAX HEIGHT - 125 FT (38.1 M)
- 14 ZONING DISTRICT - R20
- 15 ZONING REGULATIONS - RESIDENTIAL SINGLE-FAMILY HOME
- 16 PERMITTED USES - RESIDENTIAL SINGLE-FAMILY HOME
- 17 MINIMUM LOT AREA - 10,000 SQ FT
- 18 MINIMUM LOT WIDTH - 100 FT
- 19 MINIMUM LOT DEPTH - 100 FT
- 20 MINIMUM LOT AREA - 10,000 SQ FT
- 21 MINIMUM LOT WIDTH - 100 FT
- 22 MINIMUM LOT DEPTH - 100 FT
- 23 FINISHING CONDITIONS - UNFINISHED ROOFED W/CL
- 24 FINISHING CONDITIONS - SINGLE FAMILY HOME



| | | | |
|----------------------|--|----------------------|--|
| PARRONE | | CONCEPT SKETCH 1 | |
| 1001 EAST AVENUE | | 1001 EAST AVENUE | |
| NEW YORK, NY 10001 | | NEW YORK, NY 10001 | |
| DATE: OCT 20, 2011 | | DATE: OCT 20, 2011 | |
| DRAWN BY: [Name] | | DRAWN BY: [Name] | |
| CHECKED BY: [Name] | | CHECKED BY: [Name] | |
| SCALE: 1" = 200' | | SCALE: 1" = 200' | |
| PROJECT NO. [Number] | | PROJECT NO. [Number] | |
| SHEET NO. [Number] | | SHEET NO. [Number] | |

- Trail
- Potential Sewer Easement(s)
- Revised Lot Configuration

1" = 200'

24 lots

