

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

Present:

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

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

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING CALLED TO ORDER AT 7:05 PM:

RECOGNITIONS/PRESENTATIONS:

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

OPEN FORUM:

Jennifer Wolfley
Robert Levine
Ray Tierney

APPROVAL OF AGENDA:

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

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

Matter held

COMMUNICATIONS:

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

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

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

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

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Parks and Recreation & Community Services - Next meeting 4/28/14 at 4:30 PM at Brookside
 Finance and Administrative Services – Next meeting 4/1/14 at 3:30 PM in Stage Conference Room
 Public Safety Services – Next meeting 4/8/14 at 8:00 AM at 8:00 AM in Downstairs Meeting Room
 Public Works Services – Next meeting 4/7/14 at 9:00 AM in Downstairs Meeting Room

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MEETING ADJOURNED AT 9:31 PM:

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

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

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

March 26, 2014

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE TOWN BOARD AUDIT COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>282,142.20</u>
D - HIGHWAY		<u>136,774.98</u>
H - CAPITAL		<u>68,865.20</u>
L - LIBRARY		<u>37,662.68</u>
SF - FIRE DIST		<u>662.33</u>
SL - LIGHTING DIST		<u>25,140.30</u>
SS - SEWER DIST		<u>62,806.00</u>
TA - AGENCY TRUST		<u>23,647.49</u>
	TOTAL \$	<u>637,701.18</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 26th day of March, 2014.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

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

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

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

Dated: March 26, 2014

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

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

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

Councilpersons

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

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

Dated: March 26, 2014

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

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

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

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

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

Dated: March 26, 2014

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

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

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

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

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

Dated: March 26, 2014

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

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

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

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

Dated: March 26, 2014, 2012

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

EXHIBIT NO. 7

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

PRESENT:

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

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

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

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

Dated: March 26, 2014

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

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

PRESENT:

William W. Moehle,
Supervisor

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

Councilpersons

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

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

Dated: March 26, 2014

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