

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  
May 28, 2014

**PRESENT:**

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

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

**MEETING CALLED TO ORDER AT 7:00 PM:**

**RECOGNITIONS/PRESENTATIONS:**

**Brighton Police Department Awards:**

**Distinguished Service Awards to:**

Sergeant David Molisani  
Police Officer James Tumbiolo  
Police Officer Scott Corey  
Police Officer Jose Caraballo

**Citizen Citation Awards:**

Ms. Lisa Lindsay  
Ms. Christine Fantauzzo

**Excellent Police Service Awards:**

Lieutenant Michael Desain  
Sergeant Christopher Wagner  
Investigator Timothy Karch  
Investigator Kevin Dennis

**Life Saving Award:**

Police Officer Renee Fischer  
Police Officer Brad Steve  
Police Officer Michael Romach

**OPEN FORUM:**

Sandra Frankel  
Ray Tierney

**APPROVAL OF AGENDA:**

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Brighton residents Don Nichols and Marsha Condon to Supervisor, dated April 23, 2014 concerning the proposed purchase of one street sweeper for the Highway Department.

**FROM** Kathi Gingello, Community Development Mgr. Monroe County Dept. of Planning and Development regarding Town's continued membership in the Consolidated Plan Consortium for a three year period of October 1, 2014 through September 30, 2017.

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to receive and file the aforementioned correspondence

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services – Next meeting 6/23/14 at 4:30 PM at Brookside  
 Finance and Administrative Services – Next meeting 6/3/14 at 3:30 PM in Stage Conference Room  
 Public Safety Services – Next meeting 6/10/14 at 8:00 AM in Downstairs Meeting Room  
 Public Works Services – Next meeting 6/2/14 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:** Approve bid award to low and responsible bidder, Joe Johnson Equipment Co., with authorization for Supervisor to execute agreement with same, for purchase of one street sweeper at a cost not to exceed \$190,900 (see Resolution #1 and letter dated May 5, 2014 from Timothy Keef, P.E., Commissioner of Public Works.).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve bid award to low and responsible bidder, Waste Management Inc., with authorization for Supervisor to execute agreement with same, to provide Refuse Districts services for 2015 at a cost not to exceed \$801,393.60 (see Resolution #2 and letter dated May 9, 2014 from Chad Roscoe, Town Jr. 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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to declare one desk and credenza from the Police Dept. as surplus, with authorization to be sold as scrap (see Resolution #3 and letter dated May 19, 2014 from Police Chief Mark Henderson).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to adopt revised Charge and Credit Card Use Policy (see Resolution #4 and letter dated May 21, 2014 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to accept donation from Mr. and Mrs. George Mackey in the amount of \$284.00 to be used for the replanting of two (2) trees in the public right of way at #199 Palmerston Road (see Resolution #5 and letter dated May 21, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve traffic control measures (stop signage) being installed by the Monroe County Department of Transportation, at the intersection of Reserve View Blvd. and South Clinton Avenue (see Resolution #6 and letter dated May 21, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve traffic control measures (lane re-striping) being installed by the Monroe County Department of Transportation, on South Clinton Avenue at Brighton-Henrietta Townline Road (see Resolution #7 and letter dated May 21, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve traffic control measures (lane re-striping) being installed by the Monroe County Department of Transportation, on South Clinton Avenue from Senator Keating Blvd. to Woods Meadow Drive (see Resolution #8 and letter dated May 21, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Reappoint Stephen Kittelberger as a member of the Sustainability Oversight Committee effective nunc pro tunc March 1, 2014 through February 28, 2015 (see Resolution #9).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for The Town as set forth in Exhibit No. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MOTION TO GO INTO EXECUTIVE SESSION AT 8:23 PM**

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to go into executive session to discuss employment of a particular person in Facility Operations and matters of West Brighton Fire Department litigation and tax certiorari litigation

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to come out of executive session at 9:04 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED AT 9:05 PM:**

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to adjourn at 9:05 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 28<sup>th</sup> day of May 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

May 28, 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>195,205.46</u>
D - HIGHWAY		<u>78,591.69</u>
H - CAPITAL		<u>280.00</u>
L - LIBRARY		<u>32,264.77</u>
SF - FIRE DIST		<u>193,299.04</u>
SS - SEWER DIST		<u>19,852.16</u>
TA - AGENCY TRUST		<u>22,171.05</u>
TE - EXPENDABLE TRUST		<u>2,733.43</u>
TOTAL	\$	<u>544,397.60</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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 5, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the Supervisor to execute a contract with Joe Johnson Equipment Company as the lowest responsive and responsible bidder for the purchase of one street sweeper at a cost not to exceed \$190,900.00, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Joe Johnson Equipment Company as the lowest responsive and responsible bidder for the purchase of one street sweeper at a cost not to exceed \$190,900.00.

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 9, 2014 from Town Junior Engineer Chad Roscoe regarding a request to authorize the Supervisor to execute a contract with Waste Management as the lowest responsive and responsible bidder to provide Refuse District services for 2015 at a cost not to exceed \$801,393.60, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with Waste Management as the lowest responsive and responsible bidder to provide Refuse District services for 2015 at a cost not to exceed \$801,393.60.

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 19, 2014 from Chief of Police Mark Henderson regarding a request to have the Town Board declare one desk and credenza from the Police Department as surplus and to further authorize the same to be sold as scrap, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby declares one desk and credenza from the Police Department as surplus and further directs the same to be sold as scrap.

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated May 21, 2014 from Finance Director Suzanne Zaso regarding a request to have the Town Board adopt a revised Charge and Credit Card Use Policy, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby adopts the revised Charge and Credit Card Use Policy attached to the above referenced memorandum.

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

**RESOLVED**, that correspondence dated May 21, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to have the Town Board accept a \$284.00 donation from Patricia and George Mackey to be used for the replanting of two trees in the public right of way at 199 Palmerston Road, be received and filed, and it is further

**RESOLVED**, that the Town Board hereby accepts a \$284.00 donation from Patricia and George Mackey to be used for the replanting of two trees in the public right of way at 199 Palmerston Road .

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 21, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to have the Town Board consent to the installation by the County of Monroe of a stop sign at the intersection of Reserve View Blvd and South Clinton Avenue, be received and filed, and it is further

**RESOLVED**, that pursuant to New York State Vehicle and Traffic Law Section 1652-a, the Town Board hereby consents to the installation by the County of Monroe of a stop sign at the intersection of Reserve View Blvd and South Clinton Avenue provided that the installation, removal and maintenance of the stop sign be paid for by the County of Monroe.

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 21, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to have the Town Board consent to lane restriping on South Clinton Avenue at Brighton-Henrietta Townline Road as detailed in the correspondence and attachments thereto, be received and filed, and it is further

**RESOLVED**, that pursuant to New York State Vehicle and Traffic Law Section 1652-a, the Town Board hereby consents to lane restriping on South Clinton Avenue at Brighton-Henrietta Townline Road as detailed in said correspondence and the attachments thereto provided that the installation, removal and maintenance of the lane striping be paid for by the County of Monroe.

Dated: May 28, 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 28th day of May, 2014.

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Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated May 21, 2014 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to have the Town Board consent to lane restriping on South Clinton Avenue from Senator Keating to Woods Meadow Drive as detailed in the correspondence and attachments thereto, be received and filed, and it is further

**RESOLVED**, that pursuant to New York State Vehicle and Traffic Law Section 1652-a, the Town Board hereby consents to lane restriping on South Clinton Avenue from Senator Keating to Woods Meadow Drive as detailed in said correspondence and the attachments thereto provided that the installation, removal and maintenance of the lane striping be paid for by the County of Monroe.

Dated: May 28, 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 28th day of May, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**RESOLVED**, that the Town Board hereby reappoints Stephen Kittelberger of 160 Penarrow Road, Rochester, NY 14618 as a member of the Sustainability Oversight Committee effective nunc pro tunc March 1, 2014 through February 28, 2015

Dated: May 28, 2014

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