

MINUTES OF TOWN BOARD MEETING  
 OF THE TOWN OF BRIGHTON, COUNTY OF  
 MONROE, NEW YORK, HELD AT THE  
 BRIGHTON TOWN HALL, 2300 ELMWOOD  
 AVENUE, ROCHESTER, NEW YORK  
 December 10, 2014

**PRESENT:**

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

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

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

Joshua Barouth

**APPROVAL OF AGENDA:**

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

October 22, 2014 Town Board Meeting

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

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

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

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

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Parks and Recreation & Community Services – Next meeting is January 26, 2015 at 4:30 PM at Brookside  
 Finance and Administrative Services – Next meeting is 12/16/2014 a 3:30 PM in Stage Conference Room  
 Public Safety Services – Next meeting is 1/13/2015 at 8:00 AM in Downstairs Meeting Room  
 Public Works Services – Next meeting is 1/6/2015 at 9:00 AM in Downstairs Meeting Room

**NEW BUSINESS:**

**MATTER RE:** Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval of Collective Bargaining Agreement between the Town and Teamsters Local #118 (see Resolution #2 and letter dated December 5, 2014 from Timothy Keef, P.E. Commissioner of Public Works).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to accept \$385.00 in donations from various residents, businesses and organizations, for the Veterans Memorial (see Resolution #4 and memorandum dated December 1, 2014 from Suzanne Zaso, Director of Finance).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE SUPERVISOR:**

Expenses and Revenue for the period ending November 30, 2014

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**CERTIFICATION:**

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

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

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

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

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

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

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

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

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

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

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

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

Dated: December 10, 2014 .

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

## Chapter 77. GENDER EXPRESSION NON-DISCRIMINATION

### § 77-1. Purpose.

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

### § 77-2. Authority.

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

### § 77-3. Definitions.

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

#### **COMMERCIAL SPACE**

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

## **DISCRIMINATION**

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

## **EMPLOYEE**

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

## **EMPLOYER**

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

## **EMPLOYMENT AGENCY**

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

## **GENDER IDENTITY AND EXPRESSION**

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

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

## **HOUSING ACCOMMODATION**

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

## **LABOR ORGANIZATION**

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

## **PERSON**



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

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

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

#### **REAL ESTATE BROKER**

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

#### **REAL ESTATE SALESPERSON**

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

#### **TOWN**

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

#### **UNLAWFUL DISCRIMINATORY PRACTICE**

Includes those practices specified in this chapter.

#### **§ 77-4. Exemptions.**

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

§ 77-5. Declaration of rights.

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

(1) Employment. It shall be unlawful:

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

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

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

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

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

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

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

**(3) Housing accommodations.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) Education.

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

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

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

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

**B. Enforcement.**

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

**§ 77-6. Statute of limitations.**

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

## CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

December 10, 2014

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

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

UPON ROLL CALL

MOTION CARRIED \_\_\_\_\_

APPROVED BY:

\_\_\_\_\_  
SUPERVISOR\_\_\_\_\_  
COUNCIL MEMBER\_\_\_\_\_  
COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE TOWN BOARD ON THE ABOVE DATE AND ALLOWED IN THE AMOUNTS SHOWN. YOU ARE HEREBY AUTHORIZED AND DIRECTED TO PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

\_\_\_\_\_  
DATE\_\_\_\_\_  
TOWN CLERK

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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



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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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



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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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

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

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

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

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

Dated: December 10, 2014

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