

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  
September 25, 2013

**PRESENT:**

Supervisor William Moehle	
Councilmember James Vogel	
Councilmember Louise Novros	Kenneth Gordon, Attorney for the Town
Councilmember Jason DiPonzio	Rebecca Cotter, Director of Recreation
Councilmember Christopher Werner	Suzanne Zaso, Director of Finance
Mark Henderson, Police Chief	Andrew Robinson, Budget Director
Tim Keef, Commissioner of Public Works	Maryann Hussar, Assistant to the Supervisor

**MEETING CALLED TO ORDER AT 7:05 PM:****APPROVAL OF AGENDA:**

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

August 28, 2013 Town Board Meeting

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to approve and file the aforementioned minutes

UPON ROLL CALL

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Jerry Goldman- Woods, Oviatt & Gilman, LLP dated September 11, 2013 to Ramsey Boehner, Town Environmental Review Liaison Officer concerning Draft Environmental Impact Statement Review for the project known as Clinton Crossings.

**FROM** Police Chief Mark Henderson dated September 16, 2013 re: resignation of Karen Walsh, Part-time Clerk IV Brighton Police Dept. effective September 17, 2013.

**FROM** Police Chief Mark Henderson dated September 11, 2013 re: resignation of Police Officer James Shafter effective October 17, 2013 after serving with distinction for 20 years with the Brighton Police Department.

**FROM** County Executive Maggie Brooks to Supervisor dated September 11, 2013 regarding award to Town \$32,625, from the Monroe County's Community Development Block Grant program, for the Crittenden Road Sidewalks project.

**FROM** Chris Mueller, Dir. Government Relations, Time Warner Cable to Supervisor dated September 12, 2013 and September 18, 2013 regarding Channels over 100 to be organized/listed on Channel Guide by genre, Channels 1-99 to remain the same and cable channels with agreements soon to expire which may or may not be renewed.

**FROM** Melanie Bernhardt, Ken Cupery, Gail Brownell, and Sally Springett to Supervisor dated September 23, 2013 and Nancy Carey and Jeanne Harper dated September 24, 2013 to

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. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approve budget appropriation in the amount of \$7,108.59, which will be totally supported by transfer of funds from the "Proceeds of Forfeited Property" account, to purchase new identification system for the Brighton Police Department (see Resolution #3 and letter dated September 24, 2013 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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to award bid to the lowest and responsible bidder, Saxby Implement Corp. for purchase of one tractor with snowplow and attachments along with authorization for a budget appropriation to support same (see Resolution #4 and letter dated September 12, 2013 from Timothy Keef, P.E. Commissioner of Public Works).

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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute renewal agreement with Penflex, Inc. for the period November 1, 2013 through October 31, 2014 to provide third-party administration services for the West Brighton Fire Protection District's Service Award Program (see Resolution #5 and memorandum dated September 16, 2013 from Suzanne Zaso Director of Finance).

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. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MOTION TO GO INTO EXECUTIVE SESSION:**

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to go into executive session at 8:48 PM to discuss West Brighton Fire Protection District litigation

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to come out of executive session at 9:23 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED:**

Motion by Councilmember Christopher Werner seconded by Councilmember Louise Novros to adjourn at 9:23 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 25<sup>th</sup> day of September 2013 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

September 25, 2013

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>326,075.35</u>
D - HIGHWAY		<u>94,795.68</u>
H - CAPITAL		<u>133,427.84</u>
L - LIBRARY		<u>35,522.93</u>
SA - AMBULANCE DIST		<u>1,901.25</u>
SB - BUSINESS IMPROVM		<u>615.00</u>
SD - DRAINAGE DIST		<u>1,320.00</u>
SF - FIRE DIST		<u>2,401.41</u>
SK - SIDEWALK DIST		<u>27,560.98</u>
SL - LIGHTING DIST		<u>5,672.50</u>
SM - SNOW REMOVAL DST		<u>3,460.00</u>
SN-NEIGHBORHOOD DIST.		<u>232.50</u>
SP-PARKS DISTRICT		<u>275.00</u>
SR-REFUSE DISTRIICT		<u>74,124.19</u>
SS - SEWER DIST		<u>83,558.80</u>
SW - WATER DIST		<u>1,227.50</u>
TA - AGENCY TRUST		<u>28,410.34</u>
TE - EXPENDABLE TRUST		<u>884.65</u>
TOTAL	\$	<u>821,465.92</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 25th day of September, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 11, 2013 from Town Engineer Michael E. Guyon, P.E. regarding a request to authorize the Supervisor to execute Change Order Number 2 in the amount of \$32,960.00 in relation to the Town's contract with Birchcrest Tree and Landscape to provide for additional specified improvements at the Veterans Memorial consisting of stone curb installation all to be paid for fully be grants and contributions received by the Town, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute Change Order Number 2 in the amount of \$32,960.00 in relation to the Town's contract with Birchcrest Tree and Landscape to provide for additional specified improvements at the Veterans Memorial consisting of stone curb installation all to be paid for fully be grants and contributions received by the Town.

Dated: September 25, 2013

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 25th day of September, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 10, 2013 from Public Works Accountant Amy Banker regarding a request to authorize the transfer of funds in Public Works accounts to facilitate the purchase of two new Field Markers, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the following transfers to facilitate the purchase of two new Field Markers:

Corbett's Glen Park -Landscaping Services (A.DPW.7122 4.43) reduced by \$6,247.50;

Buckland Park - Maintenance Equipment (A.DPW.7115 2.40) increased by \$3,123.75;

Meridian Centre - Maintenance Equipment (A.DPW.7125 2.40) increased by \$3,123.75.

Dated: September 25, 2013

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 25th day of September, 2013.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated September 24, 2013 from Chief of Police Mark T. Henderson regarding a request to increase account A.POLCE.3125.2.17 in the amount of \$7,108.59 to be fully supported by funds received into the Forfeited Property Account A.889.JSTCE for the purpose of funding the purchase of a new employee identification system for the Police Department, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the increase in account A.POLCE.3125.2.17 in the amount of \$7,108.59 to be fully supported by funds received into the Forfeited Property Account A.889.JSTCE for the purpose of funding the purchase of a new employee identification system for the Police Department.

Dated: September 25, 2013

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

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

Councilpersons

**RESOLVED**, that correspondence dated September 16, 2013 from Commissioner of Public Works Timothy E. Keef, P.E. regarding a request to authorize the award of a bid for the purchase of one tractor with snowplow and attachments from Saxby Implement Corporation in the amount of \$31,255.00 and further authorize the allocation of \$600.00 to allow for the acquisition of a new two way radio for the tractor to be funded with an increase in account A.HWY.8160 2.23 in the amount of \$31,855.00 to be fully supported by an increase in the mortgage tax revenues account (A.UNDST 3005), be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the award of a bid for the purchase of one tractor with snowplow and attachments from Saxby Implement Corporation in the amount of \$31,255.00 and further authorizes the allocation of \$600.00 to allow for the acquisition of a new two way radio for the tractor to be funded with an increase in account A.HWY.8160 2.23 in the amount of \$31,855.00 to be fully supported by an increase in the mortgage tax revenues account (A.UNDST 3005).

Dated: September 25, 2013

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



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**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated September 16, 2013 from Director of Finance Suzanne Zaso regarding a request to authorize the Supervisor to execute a renewal agreement with Penflex, Inc. to provide third-party administrator services for the West Brighton Fire Protection District's Service Award Program for the period of November 1, 2013 through October 31, 2014 at a base fee of \$3,000.00 to be pro-rated if services are terminated prior to the end of the contract year, be received and filed, and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a renewal agreement with Penflex, Inc. to provide third-party administrator services for the West Brighton Fire Protection District's Service Award Program for the period of November 1, 2013 through October 31, 2014 at a base fee of \$3,000.00 to be pro-rated if services are terminated prior to the end of the contract year.

Dated: September 25, 2013

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