

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  
June 25, 2014

Present:

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

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

**MOTION TO GO INTO EXECUTIVE SESSION AT 6:28 PM:**

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to go into executive session to discuss matters of the employment of a particular person and tax certiorari litigation

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to come out of executive session at 6:59 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING CALLED TO ORDER AT 7:04 PM:**

**RECOGNITIONS/PRESENTATIONS:**

Brighton Police Department Explorers:

**OPEN FORUM:**

Jason Zoghlin

**APPROVAL OF AGENDA:**

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

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

May 28, 2014 Town Board Meeting

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM** Thomas Goodwin, Planning Manager, Monroe County Planning & Dev. Re: Copy of the 2013 Land Use Report for Monroe County (copy on file for viewing in the Town Clerk's Office)

**FROM** Chris Mueller, Dir. Local Franchising, Time Warner Cable dated June 18, 2014 Re: Technical system and channel changes that have been made.

**FROM** Mayor Lovely A. Warren dated June 16, 2014 to particular Town Supervisors seeking support to help identify potential opportunities for shared services amongst organizations.

**FROM** NY State Dept. of Environmental Conservation to Supervisor, dated June 17<sup>th</sup>, 2014 regarding notice of complete application by Brighton Central School District for restoration of a 200 linear foot section of Buckland Creek at Twelve Corners Middle School

Motion by Councilmember James Vogel 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 7/28/2014 at 4:30 PM at Brookside  
Finance and Administrative Services – Next meeting 7/1/2014 at 3:30 PM in Stage Conference Room

Public Safety Services – Next meeting 7/8/2014 at 8:00 AM in Downstairs Meeting Room  
Public Works Services – Next meeting 7/7/2014 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 James Vogel 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 for Supervisor to execute agreement with M/E Engineering to provide professional design services for HVAC analysis in the Public Safety Wing of Town Hall (see Resolution #1 and letter dated June 6, 2014 by Michael Guyon, P.E. Town Engineer).

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize bid award with approval for Supervisor to execute agreement with SWBR Architects to provide professional design services for the roof of the Highway Department's salt barn (see Resolution #2 and letter dated June 4, 2014 from Michael Guyon, P.E., Town 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.3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Set public hearing date of July 23, 2014 to consider proposed Local Law #3 of 2014 Best Value Pricing Local Law (see Resolution #3, letter dated June 16, 2014 from Kenneth Gordon, and copy of proposed law)

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 CARREID

**MATTER RE:** Authorize Supervisor to execute a Business Online Banking Agreement, a Fax Wire Agreement and all related documents with First Niagara Bank to allow for on-line banking services for the Town Court and Finance Dept. (see Resolution #4 and memorandum dated June 17, 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:** Authorize Supervisor to execute Temporary Construction Easement agreement and corresponding TP-584 forms to provide access on property located at 2000 Monroe Avenue during construction relating to the Monroe Ave. Green Infrastructure project (see Resolution #5 and letter dated June 18, 2014 from Michael Guyon, P.E. Town Engineer)

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MEETING ADJOURNED:**

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio to adjourn at 8:15 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 June 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

June 25, 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>236,326.65</u>
D - HIGHWAY		<u>88,738.63</u>
H - CAPITAL		<u>35,604.00</u>
L - LIBRARY		<u>64,242.61</u>
SB - BUSINESS IMPROVM		<u>270.00</u>
SL - LIGHTING DIST		<u>20,049.31</u>
SP-PARKS DISTRICT		<u>125.00</u>
SS - SEWER DIST		<u>28,666.51</u>
TA - AGENCY TRUST		<u>22,744.41</u>
TE - EXPENDABLE TRUST		<u>2,758.00</u>
	TOTAL \$	<u>499,525.12</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 June, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated June 6, 2014 from Town Engineer, Michael E. Guyon, P.E., regarding a request to authorize the Supervisor to execute a contract with M/E Engineering PC to provide professional design services in relation to the evaluation of the HVAC systems serving the Public Safety Wing of Town Hall for a cost not to exceed \$6,800.00 plus change orders not to exceed ten percent of the face amount of the contract, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with M/E Engineering PC to provide professional design services in relation to the evaluation of the HVAC systems serving the Public Safety Wing of Town Hall for a cost not to exceed \$6,800.00; and be it further

**RESOLVED**, that the Supervisor is authorized to execute change orders not to exceed ten percent of the face amount of the contract, in the aggregate without further Town Board approval subject to the review and approval of said contract by the Attorney to the Town.

Dated: June 25, 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 25th day of June, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated June 4, 2014 from Town Engineer, Michael E. Guyon, P.E., regarding a request to authorize the Supervisor to execute a contract with SWBR Architects to provide professional design services in relation to the study, design, bid and administer the construction of the rehabilitation of the Highway Department's Salt Barn Roof for a cost not to exceed \$13,460.00 plus change orders not to exceed ten percent of the face amount of the contract, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract with SWBR Architects to provide professional design services in relation to the study, design, bid and administer the construction of the rehabilitation of the Highway Department's Salt Barn Roof for a cost not to exceed \$13,460.00; and be it further

**RESOLVED**, that the Supervisor is authorized to execute change orders not to exceed ten percent of the face amount of the contract in the aggregate without further Town Board approval subject to the review and approval of said contract by the Attorney to the Town.

Dated: June 25, 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 25th day of June, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated June 16, 2014 from Attorney to the Town Kenneth W Gordon requesting that the Town Board set a public hearing on the adoption of a Local Law and the attached draft of the "Value Pricing Local Law of 2014", be received and filed; and be it further

**RESOLVED**, that the Town Board hereby sets a public hearing for consideration of and public comment regarding the adoption of the proposed "Value Pricing Local Law of 2014" for July 23, 2014 at 7:30 pm or as soon thereafter as this matter may be heard at the Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and that the Clerk of the Town publish and otherwise provide to the public notice of such public hearing as is required by law.

Dated: June 25, 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	_____

**Local Law #3 of 2014  
Best Value Pricing Local Law**

**Section 1. Title**

This Local Law shall be known as the Best Value Pricing Local Law of the Town of Brighton.

**Section 2. Purpose.**

It is the purpose and intent of this Local Law to authorize the award of contracts on the basis of Best Value for the purchase of goods or services in accordance with Section 103(1) of the New York State General Municipal Law. Such Best Value awards will not apply to contracts for public works projects.

**Section 3. Text of Local Law**

Pursuant to the provisions of New York State General Municipal Law Section 103(1), the Town of Brighton, New York, located in the County of Monroe, hereby authorizes the use of "best value", as that term is defined in Section 163 of the State Finance Law, for awarding purchase contracts other than purchase contracts for the completion of a public works contract pursuant to Article 8 of the Labor Law.

**Section 4. Effective Date**

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



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 June, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that a memorandum dated June 17, 2014 from Director of Finance Suzanne Zaso regarding a request to the Town Board to authorize the Supervisor to execute a Business Online Banking agreement and Fax Wire agreement with First Niagara Bank, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a Business Online Banking agreement and Fax Wire agreement with First Niagara Bank together with any other related required documents subject to the review and approval of all agreements and related documents by the Attorney to the Town.

Dated: June 25, 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	_____

EXHIBIT NO. 6

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 June, 2014.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

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

Councilpersons

**RESOLVED**, that correspondence dated June 18, 2014 from Town Engineer, Michael E. Guyon, P.E., regarding a request to authorize the Supervisor to execute a temporary construction easement and related paperwork with CRE JV Mixed Five NY Branch Holdings, LLC relative to the Green Infrastructure Pilot Project in the vicinity of 2000 Monroe Avenue in the Town, be received and filed; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a temporary construction easement and related paperwork with CRE JV Mixed Five NY Branch Holdings, LLC relative to the Green Infrastructure Pilot Project in the vicinity of 2000 Monroe Avenue in the Town subject to the review and approval of said easement agreement by the Attorney to the Town.

Dated: June 25, 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	_____