

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
April 26, 2017

Present:

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

Daniel Aman, Town Clerk
Kenneth Gordon, Attorney for the Town
Mark Henderson, Chief of Police
Michael Guyon, Town Engineer
Suzanne Zaso, Director of Finance

MEETING CALLED TO ORDER AT 7:00PM:

PRESENTATIONS/RECOGNITIONS:

- Arbor Day, April 28, 2017 Proclamation
- The Days of Remembrance – Yom Ha'Shoah Proclamation
- 2016 Town of Brighton Year End Financial Report - Presentation

OPEN FORUM:

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:

April 12, 2017 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

PUBLIC HEARINGS:

BIDS:

COMMUNICATIONS:

FROM: Marty Robinson to Supervisor dated March 27, 2017 regarding the proposed Whole Foods Plaza project.

FROM: Brighton Central School District Superintendent, Kevin McGowan, Ed.D dated April 17, 2017 to all Involved & Interested Agencies regarding full Environmental Assessment Form Part 3 and Negative Declaration Resolution for proposed BCSD Capital Project.

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

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Community Services Committee – Met on 4/19/17; next meeting 5/17/17 at 9:30 AM at Brookside School.
 Finance and Administrative Services – Met on 4/18/17; next meeting 5/2/17 at 3:30 PM in the Stage Conference Room at Town Hall.

Public Safety Services – Has not met since the last Town meeting; next meeting 5/9/17 at 8:00 AM in the Downstairs Meeting Room at Town Hall.

Public Works Services – Met 4/25/17; next meeting 6/6/17 at 9:00 AM in the Downstairs Meeting Room at Town Hall.

OLD BUSINESS:**NEW BUSINESS:**

MATTER RE: Reading and approval of claims

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner 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 Supervisor to execute customer service order and agreement with Spectrum/Time Warner Cable Business Class to provide Town Internet and Wide Area Network (WAN) services to the town (*see Resolution #1 and letter dated April 18, 2017 from Susan Wentworth, IT Coordinator*).

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. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize Supervisor to execute a Grantee Certification and all other related documents associated with the award of the State and Municipal Facilities Program ("SAM") grant in the amount of \$500,000 through the Dormitory Authority of the State of NY ("DASNY") (*see Resolution #2 and letter dated April 5, 2017 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: Approval to rescind Resolution #03-22-17.5 adopted on March 22, 2017 that declared a 2006 Club Car Carryall Utility Cart as surplus and authorized its disposal through public auction. (*see Resolution #3 and letter dated April 18, 2017 from Suzanne Zaso, Director of Finance*).

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. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to declare a 2007 Vactor Flusher Truck as surplus with authorization to dispose of same through its sale to the Village of East Rochester. (*see*

Resolution #4 and letter dated April 13, 2017 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. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTERS OF THE ATTORNEY TO THE TOWN:

MATTERS OF THE TOWN CLERK:

MATTERS OF THE BOARD:

MOTION TO GO INTO EXECUTIVE SESSION AT 8:10 PM:

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to go into executive session to discuss matter of litigation and Matter of real property.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Authorize the Town to employ Kenneth Gordon Esq. to represent the Town in connection with litigation against the County of Monroe

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. EX-1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

.MOTION TO EXIT EXECUTIVE SESSION AT 9:29 PM:

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to come out of executive session.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

ADJOURNED AT 9:29 PM:

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel to adjourn at 9:29 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 26th day of April 2017 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

April 26, 2017

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>278,223.98</u>
D - HIGHWAY		<u>97,605.93</u>
H - CAPITAL		<u>6,675.00</u>
L - LIBRARY		<u>44,685.45</u>
SA - AMBULANCE DIST		<u>97,600.00</u>
SS - SEWER DIST		<u>81,861.29</u>
TA - AGENCY TRUST		<u>37,078.15</u>
	TOTAL \$	<u>643,729.80</u>

UPON ROLL CALL MOTION CARRIED _____

APPROVED BY: _____
SUPERVISOR

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE AND APPROVED BY THE TOWN BOARD ON THE ABOVE

PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

DATE

TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 26th day of April, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

RESOLVED, that a memorandum dated April 18, 2017 from Coordinator of Data Processing Susan Wentworth regarding a request to authorize the Supervisor to execute a Service Agreement and Service Order with Spectrum/Time Warner Cable LLC to consolidate Town Hall internet services and high speed fiber connections that will yield an annual cost savings of \$875.00 per year and provide the capability to connect said services to the Town's Operational remote sites (Highway Department and Recreation Department) through dedicated ethernet virtual private line and provide dedicated internet access at the Town Hall, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Service Agreement and Service Order with Spectrum/Time Warner Cable LLC for wide area internet services and high speed fiber connections for a term of three years as detailed in referenced letter and agreements, subject to review and approval of the form of said agreements by the Attorney to the Town.

Dated: April 26, 2017

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 26th day of April, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

RESOLVED, that correspondence dated April 5, 2017 from Michael E. Guyon, P.E., Town Engineer, concerning a State and Municipal Facilities Program Grant in the amount of \$500,000 to help fund the year round operation of the Brighton Farmers' Market, together with the Grantee Certification and Grantee Questionnaire all of which are required as part of the grant application and award process be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor and Supervisor's designee where required, to execute the Grantee Certification, the Project Information Sheet and Project Certification document and to complete and execute the Grantee Questionnaire with the Dormitory Authority of the State of New York, to further advance the official award of said grant.

Dated: April 26, 2017

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 26th day of April, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

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

WHEREAS, on March 22, 2017 the Town Board adopted a resolution to declare one 2006 Club Car Carryall Utility Cart Serial #QB0640690636 (Asset #004263) within the Parks Department as surplus and disposed of through public auction, it is now hereby

RESOLVED, that a memorandum dated April 18, 2017 from Director of Finance Suzanne Zaso regarding a request to keep said Utility Cart described herein as an asset of the Town, and to transfer possession of same from the Parks Department to the Town Facility Department, be received and filed; and be it further

RESOLVED, that the Town Board hereby rescinds the previous adopted resolution #03-22-17.5 thereby retaining Town Asset #004263 and authorizes possession of same be reassigned from the Town Parks Department to the Town Facility Department.

Dated: April 26, 2017

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 26th day of April, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor
JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO
Councilpersons

RESOLVED, that correspondence dated April 13, 2017 from Michael E. Guyon, P.E., Town Engineer, regarding a request to authorize the sale of a 2007 6x4 Sterling Vactor Flusher Truck, Asset #W65111 VIN # 2FZHAWDA17AW65111, to the Village of East Rochester, as is and where is for a price of \$36,000.00, be received and filed; and be it further

RESOLVED, that the Town Board hereby authorizes the sale of a 2007 6x4 Sterling Vactor Flusher Truck, Asset #W65111 VIN # 2FZHAWDA17AW65111, to the Village of East Rochester, as is and where is for a price of \$36,000.00, directs the Attorney to the Town to draft and prepare an appropriate Bill of Sale to accompany the sale of this asset, and authorizes the Supervisor or his designee to execute and deliver any necessary documents or agreements in connection therewith.

Dated: April 26, 2017

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

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 26th day of April, 2017.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER

Councilpersons

BE IT RESOLVED, that pursuant to Section 65 of the Town Law of the State of New York, the Town Board hereby authorizes the commencement of litigation in the name of the Town against the County of Monroe related to the County's decision to discontinue the guaranty of payment of Town charges for property maintenance and demolitions and further authorizes the Supervisor and/or the Attorney to the Town, or either of their designees, to initiate such proceeding for the benefit of the Town; and

BE IT RESOLVED, that the Town Board hereby authorizes the Town to employ Kenneth Gordon, Esq., Gordon & Schaal, LLP, to represent the Town in connection with such litigation.

Dated: April 26, 2017

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