

**TOWN OF BRIGHTON TOWN BOARD
FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
MEETING AGENDA**

Meeting Date: Tuesday, November 15, 2022 (3:30 p.m.)

Location: *AUDITORIUM*, Brighton Town Hall

1. Approval of Minutes – Receive and file minutes of the November 1st, 2022 meeting.
2. Approve 10/1/2022-9/30/2023 STOP DWI funding agreements with Monroe County (Police Dept.) – Request from Police Chief David Catholdi for Town Board action to approve STOP DWI funding agreements with Monroe County for approximately \$10,294.73 for the October 1, 2022 through September 30, 2023 program year. Further authorization for the Town Supervisor to execute these agreements and any additional funding agreements should the New York State STOP DWI Foundation make additional funds available through Monroe County for this period (see letter from D. Catholdi).
3. Approve purchase of two stall dog kennel and installation costs and necessary budget amendment for \$25,000 (Police Dept.) – Request from Police Chief David Catholdi for Town Board action to purchase and install a two-stall dog kennel to be located at the Town's landfill. The cost of the kennel is \$15,878.45 with the additional funds needed for installation costs and supplies. Also approval to appropriate the \$25,000 to the Animal Control budget to facilitate this project (see letter from D. Catholdi).
4. Authorize the promotion of Nicholas MacLeod from Laborer to Skilled Laborer effective on November 28th, 2022 (Sewer Dept.) – Request from Mike Guyon for Town Board action to approve the promotion of Nicholas MacLeod from a Laborer to a Skilled Laborer in the Sewer Department. The promotion will be effective November 28th, 2022 at a rate of \$29.99 per hour for a 40 hour workweek and will serve a 26 week probationary period and is in accordance with the CSEA contract (see letter from M. Guyon).
5. Award bids for phase 3 of the Winter Farmer's Market project (Recreation/Public Works Dept.) – Request from Mike Guyon for Town Board action to award bids for General contract, Plumbing contract, HVAC contract and Electrical contract for phase 3 of the Farmer's Market Project. This included a new building and a connector building to the existing building. The total of the contracts plus a 10% contingency is \$1,842,269. Additional funding in the amount of \$392,000 is also anticipated to complete the needed site work utilizing Town Highway and Sewer staff. The total to complete the project is estimated at \$2,234,169 with only \$1,524,488 of funds available leaving a deficit of \$710,000. In order to have enough funds available to complete this project, the Town will have to either utilize unappropriated fund balances and/or issue bond anticipation notes while pursuing other potential grant funding to ultimately reduce the amount the Town may have to utilize in either fund balances and/or debt service (see letter from M. Guyon).

6. Approve contract with Burke Group for Actuarial Services for Other Post-Employment Benefits (OPEB) per GASB 75(Finance Dept.) – Request from Suzanne Zaso for Town Board action to approve a renewal contract with the Burke Group for the years ending 2022 – 2025 for these services. The base fee for the full years' valuations will be \$4,000 (no increase since 2012) and \$2,250 for the interim valuation years (no change since 2019). Funding for these services have been budget and are available for 2022 and 2023 (see letter from S. Zaso).
7. Approve contract value increase of \$325 per month with PenFlex for the WBFPD LOSAP dissolution (Finance Dept.) – Request from Paula Parker for Town Board action to approve an increase in the amount of the PenFlex contract for services relating to the dissolution and closeout of the Length of Service Awards Program for the West Brighton Fire Protection District. This cost of this extension will be at a maximum value of \$650 for the month of November and December (if needed) 2022. This will bring the total amount due to PenFlex at a maximum of \$12,325 or \$12,650 if the increase is needed for December 2022, which is unlikely. Due to one of LOSAP members responding late, this cost increase is needed to distribute the remaining funds and dissolving the LOSAP program (See letter from P. Parker).
8. **TABLED from 11/1/2022 FASC Meeting:** Review/Change RPTL Exemption Limits for Senior Citizens and People with Disabilities (Assessor's Dept.) – *Request from Pam Post to review memo and options regarding the increase of income limits for this group. There is information regarding what some other municipalities are doing as well as Pam's recommendation (see memo from P. Post). Review any available updated information.*
9. Review & Approve Rules of Decorum at Public Meetings – Review and recommend Town Board action to adopt the Rules of Decorum at Public Meetings (see draft).

**The next regularly scheduled meeting of the FASC will be held on
TUESDAY, December 6, 2022 at 3:30 p.m. in the
AUDITORIUM at the Brighton Town Hall.**

All members of the public are invited to attend FASC meetings.

****AS PER THE REGULAR SCHEDULE****

Brighton Town Board
Finance and Administrative Services Committee
Meeting Notes from the Tuesday, November 1, 2022 Meeting

ATTENDEES

FASC Committee members:

Jason DiPonzio (Chair)
Robin Wilt
William Moehle
Paula Parker (Staff to the Committee)

Other Town Councilmembers:

Department Heads/Other attendees:

Mike Guyon (Highway/Public Works)
Pam Post (Town Assessor)
Tricia VanPutte (Personnel)
Ken Gordon (Town Attorney)

The Town Board's Finance and Administrative Services Committee (the FASC) met at 3:30 p.m. and reviewed a number of contractual, procurement, finance and/or budget, and personnel related matters referred by Town departments and is prepared to make recommendations to the full Town Board as follows:

Approval of Minutes: Approval of Minutes – Receive and file the minutes of the October 18, 2022 meeting.

Town Bid/Proposal Authorizations and Awards:

No matters for this meeting.

Grant Authorizations and Acceptances:

No matters for this meeting.

Contracts and Contract Change Orders:

Authorize the purchase of Salt & Plow monitoring equipment & software subscription (Highway Dept.) – The FASC discussed with Mike Guyon his request for Town Board action to approve the purchase of salt and plow monitoring hardware (\$13,654) and the related software subscription (\$3,360) from Precise MRM LLC. The first year total cost will be \$17,014 with the subscription to be charged annually. Precise is the sole source provider as related to the Town's current salter mechanisms used. This will provide accurate data related to the amount of salt discharged and allow for adjustments as needed. Also to authorize the Finance Department to make the necessary budget adjustments as this purchase was not planned (see letter from M. Guyon).

The FASC recommends the Town Board take favorable action on this matter.

Budget Amendments and Transfers:

Approve budget transfer in Information Technology Budget (IT Dept.) – The FASC discussed with Paula Parker the request from Jeremy Lutz for Town Board action to approve a transfer in the amount of \$800 from A.INFO.1680.4.22 Telephone Services to A.INFO.1680.4.41 Maintenance/Repair Service to fund the software support for our phone system (see letter from J. Lutz). The FASC recommends the Town Board take favorable action on this matter.

Personnel Matters:

Approve Dental 2023 rates and authorize related contracts (Personnel Dept.) – The FASC discussed with Tricia VanPutte her request for Town Board action to approve the dental insurance rates for both active employees and retirees as related to dental benefits for 2023. For 2023 our Town rates will increase slightly by 2.6% (Single options increasing by \$1 monthly and Family options increasing by \$2 monthly) and an increase of \$.09 in the administrative fee (\$4.58 from \$4.49) charged by Excellus. Also authorize the Supervisor to execute any agreements as needed for these benefit plans (see letter from T. VanPutte). The FASC recommends the Town Board take favorable action on this matter.

Approve change to HSA contribution methodology and Hardship Advance request policy (Personnel Dept.) – The FASC discussed with Tricia VanPutte her request for Town Board action to approve the amended HSA contribution policy by

- a. increase the first contribution of the employee's annual contribution rate to 50% (was 25%) and;

- b. adopt the Hardship Advance Contribution Policy as presented

Putting these changes into place may help alleviate some fear employees have regarding the participation in the high-deductible health plan (see letter & policy from T. VanPutte).

The FASC recommends the Town Board take favorable action on this matter.

Approve MVP health plan rates for 2023 and authorize related contracts (Personnel Dept.) – The FASC discussed with Tricia VanPutte her request for Town Board action to approve the health insurance for both active employees and pre-65 retirees as related to MVP for 2023. Also authorize the Supervisor to execute any agreements as needed for these benefit plans (see letter from T. VanPutte).

The FASC recommends the Town Board take favorable action on this matter.

Approve Aetna Medicare Supplemental plan rates for 2023 for post-65 retirees and authorize related contracts (Personnel Dept.) – The FASC discussed with Tricia VanPutte her request for Town Board action to approve the Aetna Medicare Supplemental insurance plan for the post-65 retirees for 2023. Also authorize the Supervisor to execute any agreements as needed for these benefit plans (see letter from T. VanPutte).

The FASC recommends the Town Board take favorable action on this matter.

Approve Flexible Spending Administration participant monthly rate – Lifetime Benefit Solutions, Inc. for 2023 and authorize related contracts (Personnel Dept.) – The FASC discussed with Tricia VanPutte her request for Town Board action to approve the per participant monthly rate of \$3.15 (no change from 2021 or 2022 rate of \$3.15) and a compliance service rate increasing to \$325 annually (no change from the 2022 rate) and authorize the Supervisor to execute the contract and any related documents (see letter from T. VanPutte).

The FASC recommends the Town Board take favorable action on this matter.

Approve Teamsters' Health Plan rates for 2023 and authorize related contracts (Personnel Dept.) – The FASC discussed with Tricia VanPutte her request for Town Board action to approve the health insurance 2023 rates related to the Teamsters' health plan for the Teamster Local 118 members as follows:

Single: \$773.76; 2-person: \$1,545.92; Family: \$2,125.42

Also authorize the Supervisor to execute any agreements as needed for these benefit plans (see letter from T. VanPutte).

The FASC recommends the Town Board take favorable action on this matter.

Temporary promotion to the position of Planner, effective November 14, 2022 – The FASC discussed with Mike Guyon his request for Town Board action to approve a temporary promotion of to the position of Planner effective November 14, 2022. Salary will be set at Group 7, Step 2 (35 hrs per week) \$60,897.20 annually as per the Non-represented full-time salary schedule. The promotion will remain temporary and upon permanent appointment the employee will serve the required probationary period (See letter from M. Guyon). It was noted that this item will be placed on the executive session on the Town Board meeting agenda to discuss employment of particular people.

The FASC recommends the Town Board take favorable action on this matter.

Other Matters for Action of the Town Board:

Review & Approve Rules of Decorum at Public Meetings (Supervisor's Office) – The FASC discussed the proposed Decorum Rules. After discussion and consideration, it was decided to move ahead and adopt these rules at the November 9th Town Board meeting if all Council Members are in concurrence. The FASC recommends the Town Board take favorable action on this matter.

Approve Stenzel's LOSAP amount to be split 50/50 amount the last known surviving heirs (Finance Dept.) – The FASC discussed with Paula Parker and Ken Gordon the request from Paula Parker for Town Board action to approve a resolution to split Harold Stenzel's LOSAP uncashed Volunteer Fire Fighter LOSAP pension benefit in the amount of \$1,440 equally between his last two known heirs (see letter from P. Parker).

The FASC recommends the Town Board take favorable action on this matter.

Other Matters for Discussion Only:

Due to the resignation of Jeff Frisch, the Planning Department will be seeking to refill this planning technician position.

Matters Tabled for Research and/or Discussion:

Review/Change RPTL Exemption Limits for Senior Citizens and People with Disabilities (Assessor's Dept.) – Request from Pam Post to review memo and options regarding the increase of income limits for this group. There is information regarding what some other municipalities are doing as well as Pam's recommendation (see memo from P. Post).

The committee discussed many options and the potential related impacts. This item was tabled and will remain on the agenda for discussion at the next FASC meeting on November 15, 2022.

Executive Session:

No matters for this meeting

The meeting was adjourned at 5:35 pm.

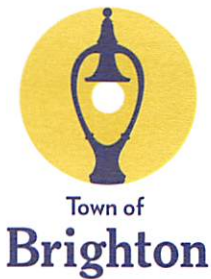
The next regularly scheduled meeting of the FASC will be held on

Tuesday, November 15th, 2022 at 3:30 PM

in the **AUDITORIUM**** at Brighton Town Hall.

All members of the public are invited to attend FASC meetings.

****AS PER THE REGULAR SCHEDULE****



Brighton Police Department

2300 Elmwood Avenue
Rochester, New York 14618
(585) 784-5150



David Catholdi
Chief of Police

November 15, 2022

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

RE: STOP-DWI Enhanced Enforcement
STOP-DWI High Visibility Engagement Campaign

Dear Board Members:

I hereby request that the Supervisor be authorized to enter into an agreement with the County of Monroe to accept the following initial funding:

2023 STOP-DWI Enhanced Enforcement	\$6,878.73
2023 STOP-DWI High Visibility Campaign (10/1/22 – 9/30/23)	<u>\$3,416.00</u>
	\$10,294.73

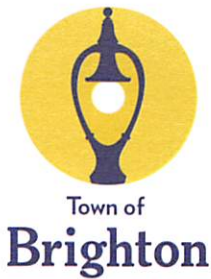
I am also requesting the Supervisor be authorized to accept any additional funds from STOP-DWI due to more funding from the New York State STOP-DWI Foundation, Inc. between the period of October 1, 2022 through September 30, 2023.

Sincerely,

David Catholdi
Chief of Police

c: Paula Parker, Director of Finance
Captain Michael DeSain
Lieutenant Tim Karch
Mr. John O'Brien

CDC:ksk



Brighton Police Department

2300 Elmwood Avenue
Rochester, New York 14618
(585) 784-5150



David Catholdi
Chief of Police

November 2, 2022

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

RE: Purchase of a Two-Stall Dog Kennel

Dear Board Members:

The Brighton Police Department would like to purchase a two-stall dog kennel to help address current dog boarding issues. Currently, there are no animal hospitals or shelters in Monroe County that are boarding dogs, and finding shelter for these dogs has been an ongoing problem. I propose this purchase be made to provide proper shelter for lost dogs, as well as dogs that require a five-day quarantine.

I am seeking Town Board approval to appropriate \$25,000 to our Animal Control Budget for the purchase of the kennel and incidentals that will come with it. The cost of the kennel is \$15,878.45. The remainder of the requested funds will be used for incidentals that include, but are not limited to: site improvements, electrical supply, water, additional fencing, lighting, dog supplies, and other items that may be needed.

The Department of Agriculture and Markets has given us preliminary approval for the purchase, but they will have to inspect the shelter when we have it in place.

Respectfully,

David Catholdi
Chief of Police

CDC:jpo





Public Works Department

Mike Guyon, P.E.
Commissioner of Public
Works

November 10, 2022

Honorable Finance Committee
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

RE: Sewer Department
Promotion from Laborer to Skilled Laborer

Dear Council Person DiPonzio and Committee Members:

The Town of Brighton sanitary sewer department hires new entry level and inexperienced employees as laborers. Once these employees gain experience and become proficient performing the Sewer Department duties they are considered for a promotion to a skilled laborer. Nicholas MacLeod has demonstrated the ability to proficiently operate sewer equipment, interact effectively with residents and to independently complete service calls. Additionally, Nick has obtained his commercial driver's license, CDL.

We are requesting that Nicholas MacLeod be promoted from the position of Laborer to Skilled Laborer. The starting wage for a skilled laborer will be \$29.99/hour (40 hours/week) in accordance with the current collective bargaining agreement with the Brighton CSEA unit.

The appointment is subject to a 26-week probationary period and is classified as "noncompetitive" by the Monroe County Civil Service Commission. The promotion will be effective as of November 28, 2022

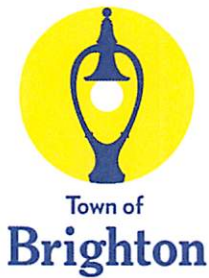
The sewer department organizational chart includes two vacant skilled laborer positions and there is sufficient funds in account SS.SEWER.8120 1.10 to accommodate the increased pay associated with this promotion.

Thank you for your consideration. I will be in attendance at your regularly scheduled meeting on Tuesday November 15, 2022 to answer any questions.

Sincerely,

Michael E. Guyon

Cc Paula Parker
Tim Jason
Steve Zimmer



Public Works Department

Mike Guyon, P.E.
Commissioner of Public
Works

November 8, 2022

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Town of Brighton Winter Farmer's Market
Phase 3 Improvements, New and Connector Building

Dear Councilperson DiPonzio and Committee Members:

The Town Board at their January 12, 2022 meeting authorized the solicitation of bids for the construction of phase 3 of the Winter Farmers Market project. This phase includes the construction of a new building and a connector building that joins the existing barn to the new building. The project was developed in accordance with Wick's Law and separate bids were prepared for the General Contract, Plumbing Contract, HVAC Contract and Electrical Contract.

The bids were publically advertised on September 20, 2022 and were received and publically open and read on October 27, 2022. Table 1 – 4 provide the bid results for each contract.

Table – 1 General Contract

	Company	Base Bid	Alternate	Base+Alternate
1	Iversen Construction	\$ 1,370,000.00	\$ 1,000.00	\$ 1,371,000.00
2	Maracon Enterprises	\$ 1,573,800.00	\$ 1,200.00	\$ 1,575,000.00
3	Building Innovation Group	\$ 1,347,958.00	\$ -	\$ 1,347,958.00
4	Javen Construction Co.	\$ 1,649,000.00	\$ -	\$ 1,649,000.00

Table – 2 Plumbing Contract

	Company	Base Bid	Alternate	Base+Alternate
1	Michael Farruilo Plumbing & Heating	\$ 119,000.00	\$ 15,000.00	\$ 134,000.00
2	DG Messmer Corp	\$ 109,900.00	\$ 12,700.00	\$ 122,600.00
3	Landry Mechanical Contractors	\$ 111,150.00	\$ 7,700.00	\$ 118,850.00
4	Amering & Johnston, Inc.	\$ 92,800.00	\$ 19,200.00	\$ 112,000.00
5	Llyod Mechanical Co.	\$ 124,000.00	\$ 17,300.00	\$ 141,300.00
6	Kondra & Jaquin Enterprises, Inc.	\$ 124,799.00	\$ 4,750.00	\$ 129,549.00



Table – 3 HVAC Contract

	Company	Base Bid	Alternate	
1	Leo J. Roth	\$ 108,480.00	NA	
2	The Betlem Service Group	\$ 167,960.00	NA	
3	Landry Mechanical	\$ 96,700.00	NA	
4	Lloyd Mechanical Co.	\$ 127,000.00	NA	
5	Kondra & Jaquin Enterprises, Inc.	\$ 156,000.00	NA	

Table – 4 Electrical Contract

	Company	Base Bid	Alternate	
1	Erie Electrical	\$ 287,846.00	NA	
2	Hewitt Young Electrical	\$ 153,000.00	NA	
3	Connors-Haas	\$ 150,800.00	NA	
4	NB Electrical Services	\$ 188,000.00	NA	
5	Kyle R. Lawrence Electric, Inc.	\$ 248,800.00	NA	
6	Concord Electric	\$ 146,850.00	NA	
7	Power & Construction Group	\$ 298,000.00	NA	
8	Billitier Electric	\$ 133,600.00	NA	

In•Site Architecture reviewed the bids for completeness and accuracy and recommended that the Town of Brighton award the GC, Plumbing, HVAC, and Electrical contracts to the lowest responsible bidders shown in Table – 5. A copy of the Recommendation of Award letter prepared by In•Site Architecture is attached for your reference.

Table – 5 Bid Results

		Company	Base Bid	Alternate	Base+Alternate
1	General Contract	Building Innovation Group	\$ 1,347,958.00	\$ -	\$ 1,347,958.00
2	Plumbing Contract	Amering & Johnston, Inc.	\$ 92,800.00	\$ 19,200.00	\$ 112,000.00
3	HVAC Contract	Landry Mechanical	\$ 96,700.00	NA	
4	Electrical Contract	Billitier Electric	\$ 133,600.00	NA	
			\$ 1,671,058.00	\$ 19,200.00	\$ 1,690,258.00

The General and Plumbing bid documents include a base bid and alternative. The alternative includes the installation of floor drains and hose bibs. We are recommending the award of the General Contract to Building Innovation Group including the alternate for a price of \$1,347,958.00 plus a 10% contingency or \$1,482,754; the Plumbing contract to Amering & Johnston, Inc including the alternate for a price of \$112,000 plus a 5% contingency or \$117,600; the HVAC contract to Landry Mechanical for a price of \$96,700 plus a 5% contingency or \$101,535 and the Electrical contract to Billitier Electric for a price of \$133,600 plus a 5% contingency or \$140,280. The total cost plus contingencies to construct the new and connector buildings is \$1,842,269.



The bids presented in this document do not include funding for site improvements. Town Highway and Sewer staff whose wages are included in the 2023 budget will provide the labor to complete the site work. However, the cost of the materials which are estimated to be \$392,000 have not been included in the budget. The total cost to complete the final phase of the Winter Farmer's market including the site work is \$2,234,169.

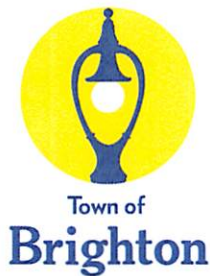
The Town currently has DASNY SAM grant funding in the amount of \$1,524,488 which leaves a short fall of approximately \$710,000. The Town will use unappropriated general fund balance and/or issue short term bond anticipation notes to finance the shortfall and pursue additional grant monies to reduce the use of the fund balance and the need to borrow.

As always, thank you for your consideration. I will be in attendance at your regularly scheduled November 15, 2022 meeting in the event that you have any questions regarding this matter.

Respectfully,

Michael E. Guyon, P.E.

cc: P. Parker
R. Cotter



Finance Department

Director of Finance – Paula Parker

Suzanne Zaso
Assistant Director of
Finance

November 4, 2022

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Re: Actuarial Services for Other Post-Employment Benefits (GASB 75)

Dear Honorable Members:

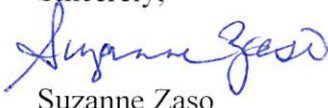
Per GASB Statement 75, the Town is required to obtain an actuarial valuation of Other Post-Employment Benefits (OPEB) and to disclose the Town's cost of post-employment healthcare benefits on their annual financial statements. While previous GASB requirements (GASB 45) were to have this valuation done every 2 years, since 2018 it is now required to have an interim valuation done in the off year as well.

The Town has utilized the service of the Burke Group for the past several years to perform the required actuarial services. I am recommending that the Town continue to utilize the services of the Burke Group for the fiscal years ending 2022 through 2025 (with the even years requiring a full valuation and the odd years an interim valuation) as they are familiar with the Town's benefits and we have set procedures in place for providing them the required information to perform such services.

My formal request to the Town Board is to authorize the Supervisor to sign an agreement with the Burke Group to prepare the required full and interim valuations per GASB 75 standards for the fiscal years ending 2022 through 2025. The base fee for the full valuation is \$4,000 (no change since 2012) and \$2,250 for the interim valuation (no change from 2019). Sufficient funding has been provided in both the 2022 and 2023 budgets for these services and will continue to be requested in the 2024 and 2025 budgets.

I will be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Sincerely,



Suzanne Zaso



BURKE GROUP

November 4, 2022

Ms. Suzanne Zaso
Assistant Director of Finance
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Re: GASB 75 Service Agreement

Dear Suzanne:

This letter outlines the services Burke Group will provide to the Town of Brighton (the Town) for actuarial services to be rendered for the Town regarding GASB 75 valuation services for their postretirement healthcare plans. When properly executed by both parties, this letter, together with referenced Appendix A, becomes the Service Agreement for these services.

Services, Deliverables and Fees

Appendix A, *Schedule of Services and Fees*, dated November 4, 2022 conveys our services, deliverables and related fees for this Agreement. If the scope of these services changes, we will issue a letter of amendment to this Service Agreement with an accompanying updated Appendix A for mutual signature.

The Burke Group Pension Services Team

Members of the Burke Group actuarial services team are listed at the bottom of Appendix A, *Schedule of Services and Fees*.

Key Dependencies and Assumptions

We assume that all data and information provided by you will be accurate and timely.

Fees

Fees for the pension services specified in this Agreement are presented in Appendix A, *Schedule of Services and Fees*. Additional fees, computed at the actuary's hourly rate, may be charged for additional services performed. Appendix A includes our hourly rates for additional services or special projects. Any change in our fees will be communicated to you in writing.

Term

This Agreement is applicable only for the project(s) stated. Either of us may terminate this Agreement by giving the other written notice at least 90 days in advance of the effective date of the termination and by you paying us for services we have rendered up to the time of termination.

Billing

All fees will be billed monthly as work progresses.

Payment

Our terms of payment are Net-30 days from date of invoice. We appreciate being paid promptly, and expect you to communicate with us before the invoice due date if you are not satisfied with our services, do not agree with our bill, or have other reasons why payment cannot be made within terms. In cases of unreasonable payment delays, we reserve the right to withhold services until accounts are brought current. In such instances, we will not be held accountable for delays in services.

Indemnification

You agree to indemnify and hold us and our parent, affiliates, officers, employees and agents (collectively the "indemnified parties") harmless for any loss, damage, liability or cost (including reasonable attorneys' fees) to you or any third party arising out of the performance of this Agreement, but only to the extent that such losses are caused by or result from 1) inaccurate information supplied by you, or 2) non-negligent acts or omissions on the part of the indemnified parties.

Confidentiality

Burke Group acknowledges the confidential nature of the information supplied by you, and will not disclose this information to any third party without your prior written consent, unless directed to do so by order of a court of law or authorized governmental department or agency.

Notice

Any notice given pursuant to this Agreement shall be in writing and shall be deemed to have been given when personally delivered, or sent by certified mail addressed to the party for whom it is intended at the address set forth on page 1 or at such other address the parties may specify.

Entire Agreement

This Agreement and incorporated Appendix A constitute the entire agreement between Burke Group and the Town of Brighton, and supersedes and cancels any and all prior representations, negotiations, undertakings and contracts, whether written or verbal, between them or their agents, with respect to any of the matters to which this Agreement applies. The non-enforceability of any single provision of this Agreement shall not affect the validity and enforceability of any remaining provisions. This Agreement may not be altered, amended, waived, canceled or changed in any manner, unless done so in a written document signed by both parties or a termination notification.

Governing Law

This Agreement shall be deemed to have been executed in the State of New York, and shall be construed and interpreted in accordance with the laws thereof. Any claims arising under this Agreement shall be brought in the courts of the State of New York or in the United States District Court for the Western District of New York, upon which jurisdiction is hereby expressly conferred.

Suzanne, we believe the foregoing correctly sets forth our understanding, but if you have any questions, please let us know. Otherwise, please acknowledge your agreement to the understanding by signing and dating below and returning one copy to us.

Sincerely,



Vince Cassano, F.S.A., M.A.A.A.
Consulting Actuary

BURKE GROUP, INC.

By: _____

Print Name: Vince Cassano

Title: Principal and Consulting Actuary

Date: November 4, 2022

Town of Brighton

By: _____

Print Name: _____

Title: _____

Date: _____

APPENDIX A

**Town of Brighton
SCHEDULE OF SERVICES AND FEES
GASB 75 SERVICE AGREEMENT DATED November 4, 2022**

Service	Fee
GASB 75 full valuation and report for the Town of Brighton postretirement healthcare plans for the fiscal year ending December 31, 2022	\$ 4,000
GASB 75 interim valuation and report for the Town of Brighton postretirement healthcare plans for the fiscal year ending December 31, 2023 (if requested by the Town)	\$ 2,250
GASB 75 full valuation and report for the Town of Brighton postretirement healthcare plans for the fiscal year ending December 31, 2024	\$ 4,000
GASB 75 interim valuation and report for the Town of Brighton postretirement healthcare plans for the fiscal year ending December 31, 2025 (if requested by the Town)	\$ 2,250
Actuarial Services Team Hourly Rates	
Any additional services that are beyond the scope of the GASB 75 project would be billed at the following hourly rates:	
Vince Cassano, Actuary	\$300 per hour
Tim Dennie, Analyst	\$175 per hour
Support Staff	\$50 per hour



Finance Department

Paula Parker
Director of Finance

November 10, 2022

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Re: W. Brighton Fire Protection District - Length of Service Award Program (LOSAP)
contract value extension with Penflex, Inc.

Dear Honorable Members,

Currently, we have a contract in effect with PenFlex for services relating to the close of the Length of Service Awards Program for the West Brighton Fire Protection District. The contract amount was not to exceed \$12,000 and was in effect until the LOSAP was liquidated and all vested members were paid.

The base fee portion of the contract for November 2021 through October 2022 was \$3,900 or \$325 monthly. Due to some unforeseen delays in the LOSAP members responding to PenFlex and completing the necessary documents, I am recommending that this agreement be amended to include an additional amount of \$325 per month until services are complete or until December 31, 2022 - whichever comes first.

Penflex has been of great assistance in helping the Town to better understand the financial implications and impacts of the Service Award Program and reaching out to all the members of the plan.

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Sincerely,

Paula Parker
Finance Director