

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

**Meeting Date: Wednesday, August 16, 2023 (8:30 a.m.)**

**Location: Auditorium, Brighton Town Hall**

1. Approval of Minutes – Receive and file meeting minutes from August 2, 2023.
2. Award contract to Keeler Construction Company to install sidewalks along a portion of East Avenue in the amount of \$99,200 as part of the 2022 Monroe County CDBG Funded Project (Public Works) – Request from Chad Roscoe for Town Board action to award this project and authorize the Town Supervisor to enter an agreement with Keeler Construction as the lowest responsible bidder to the request for proposal (RFP) for the East Avenue Sidewalk Improvement project with authorization for the Finance Department to complete any necessary budget transfers and amendments based upon the CDBG award of \$84,898 (see letter from C Roscoe).
3. Authorize Amendatory Agreement with Waste Management of New York to provide Refuse and Recycling Services to the Consolidated Refuse District for 2024. (Brighton Consolidated Refuse District) – Request from Chad Roscoe for Town Board action to authorize the Town Supervisor to renew the terms of the agreement with Waste Management of New York authorized at the 11/13/2019 Town Board meeting for the 2024 year at a price of \$284.52 per unit (4,555 units) per year, which is a 2.43% increase from 2023 (see letter from C Roscoe).
4. Award contract to Bergman Architects Engineers Planners to provide the professional services required to prepare the Rochester Multiversity Concept for a cost not to exceed \$74,795 (Public Works) – Request from Rick DiStefano for Town Board action to award this contract and authorize the Town Supervisor to enter an agreement with Bergman Architects Engineers Planners as the lowest responsible bidder to the request for proposal (RFP). This project is recommended by BikeWalkBrighton and Envision Brighton 2028 and works to link the University of Rochester, Rochester Institute of Technology and Monroe Community College by bicycle connections. At the end of 2019 Brighton was awarded grant funds from the Climate Smart Community Grant Program and will utilize a 50% match (\$23,500 municipal funds, \$28,000 in-kind services) from the Town of Brighton toward an expected project cost of \$103,000 (see letter from R DiStefano).
5. Authorize the Town Supervisor to certify the Town of Brighton's participation in the issuance of debt as described in the Certification of Municipal Official form provided by Municipal Solutions and approved in the July of 2021 resolution to borrow funds for the Library Roof Project. (Finance) – Request from Earl Johnson for Town Board action to authorize the Town Supervisor to certify the Town of Brighton's participation in the issuance of debt scheduled for September 5th, 2023, as approved by Res07-28-2021-09 with the actual borrowing being \$285,000 over 10 years.

6. Authorize the Department of Public Works to accept a \$10,000 Clean Energy Communities (CEC) Grant from NYSERDA for the purpose of completing a Sustainability Oversight Committee priority project (Public Works) – Request from Brendan Ryan for Town Board action to authorize the Town Supervisor to accept this grant and for the Finance Department to make any necessary budget amendments to proceed with this project which is to replace the Carmen Clark Lodge furnace in Brighton Town Park with an air source heat pump that is more energy efficient, reduces carbon emissions and adds cooling to the building. This grant was available because the town earned enough points with NYSERDA by completing various projects related to clean energy initiatives (see letter from B Ryan).
7. Reject bids for the 2023 Cured in Place Pipe (CIPP) Project due to lack of response and both received bids being higher than the current Monroe County CIPP contract (Public Works) – Request from Brendan Ryan for Town Board action to reject bids as advertised and opened on July 20, 2023 and authorize public works to rebid the contract which will include discrete bid items for hot water curing (the preferred method in residential neighborhoods). The 2023 Cured in Place Pipe Project contract has a one-year term with the option to renew for up to three years and any contract extension will be presented to FASC prior to authorization (see letter from B Ryan).

**The next regularly scheduled meeting of the FASC will be held on  
WEDNESDAY, SEPTEMBER 6, 2023, at 8:30 a.m.  
in the AUDITORIUM of the Brighton Town Hall.  
All members of the public are invited to attend FASC meetings.**

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



## Public Works Department

Commissioner of Public Works – Evert Garcia, P.E.

Chad Roscoe  
Junior Engineer

August 10, 2023

The Honorable Town of Brighton Board  
2300 Elmwood Avenue  
Rochester, New York 14618

Re: 2022 East Avenue Sidewalk Improvements  
a Monroe County CDBG Funded Project

Dear Councilperson, DiPonzio and Committee Members Finance:

A request for bids for the above referenced project was publicly advertised and received bids were publicly opened, all as required by law. Bids were received and opened on 7/24/2023 at 10am. Attached is the bid notice for your reference.

Five (5) contractors submitted bid proposals. Table-1 provides a summary of the proposed project costs as submitted by the bidding contractors.

Table-1

	<b>Contractor Name</b>	<b>Base Bid</b>
1	<u>Campobello Construction</u>	\$123,500
2	Ramsey Constructors Inc	\$169,135
3	Pro Construction	\$106,250
4	Villager Construction	\$255,020
5	<b>Keeler Construction Co.</b>	<b>\$99,200</b>

Town staff reviewed the bids for completeness and accuracy and concluded that the lowest price quote provided by Keeler Construction Co. Inc., and is representative of the costs necessary to complete the project and the contractor is qualified to perform the proposed work. Therefore, I am requesting that FASC recommend that the Town Board award the contract to install sidewalks along a portion of East Avenue to the low, responsible, and responsive bidder, Keeler Construction Co. Inc., for a total contract cost not to exceed \$99,200. The Town of Brighton has been awarded \$84,898 by Monroe County as part of the Community Development Block Grant Program to partially fund this project. Additional funding will need to be provided by the Town to supplement the funds necessary to complete this project.

We are also requesting authorization for the Finance Department to complete the necessary budget transfers and amendments to fund this project.

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

Respectfully,

Chad Roscoe  
Junior Engineer

6. Authorize the Department of Public Works to accept a \$10,000 Clean Energy Communities (CEC) Grant from NYSERDA for the purpose of completing a Sustainability Oversight Committee priority project (Public Works) – Request from Brendan Ryan for Town Board action to authorize the Town Supervisor to accept this grant and for the Finance Department to make any necessary budget amendments to proceed with this project which is to replace the Carmen Clark Lodge furnace in Brighton Town Park with an air source heat pump that is more energy efficient, reduces carbon emissions and adds cooling to the building. This grant was available because the town earned enough points with NYSERDA by completing various projects related to clean energy initiatives (see letter from B Ryan).
7. Reject bids for the 2023 Cured in Place Pipe (CIPP) Project due to lack of response and both received bids being higher than the current Monroe County CIPP contract (Public Works) – Request from Brendan Ryan for Town Board action to reject bids as advertised and opened on July 20, 2023 and authorize public works to rebid the contract which will include discrete bid items for hot water curing (the preferred method in residential neighborhoods). The 2023 Cured in Place Pipe Project contract has a one-year term with the option to renew for up to three years and any contract extension will be presented to FASC prior to authorization (see letter from B Ryan).

**The next regularly scheduled meeting of the FASC will be held on  
WEDNESDAY, SEPTEMBER 6, 2023, at 8:30 a.m.**  
in the **AUDITORIUM** of the Brighton Town Hall.  
All members of the public are invited to attend FASC meetings.

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





# Department of Planning & Development

*Monroe County, New York*

**Adam Bello**  
*County Executive*

**Ana J. Liss**  
*Director*

August 1, 2023

Chad Roscoe, Junior Engineer  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

**Re: CDBG 2022 YR 47, East Avenue Sidewalk Installation**

Dear Mr. Roscoe,

The agreement for the above project has been executed, which was funded by the CDBG program in 2022 in the amount of \$84,898. **Please contact me, or have your Project Manager contact me, prior to starting the project.** This will allow me to answer any questions, as well as schedule necessary inspections. I will need to review bid documents, be present for bid openings, schedule a preconstruction meeting, as well as conduct employee interviews during construction.

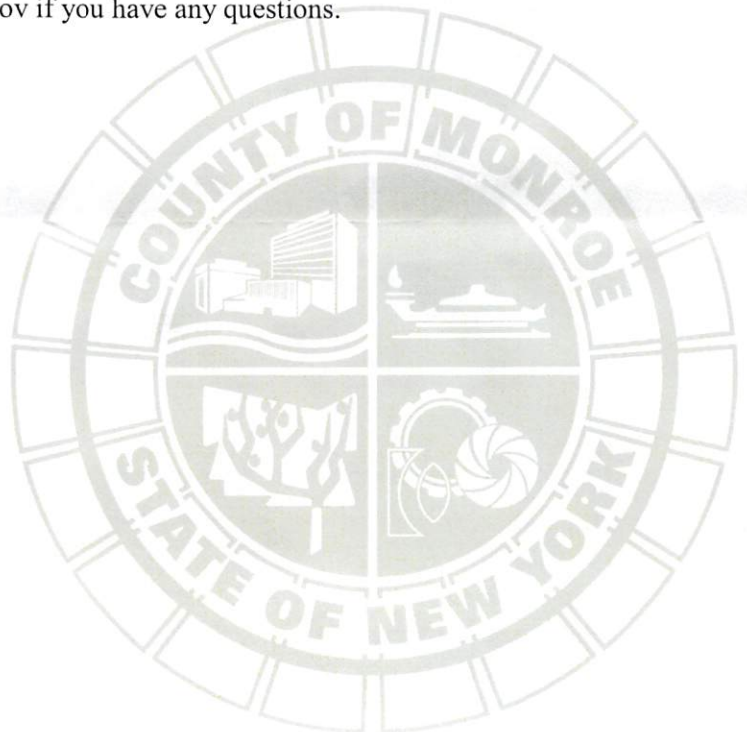
Upon notification the project is started, a Professional Service SCPO Claim Voucher will be prepared with the Town name, address and vendor number as well as the SC Purchase Order number for this project. You can make copies of this form and submit hand-written vouchers for payment, or you can get in touch with me and I can e-mail you this document in Word format..

I look forward to working with you and your staff on this project. Feel free to contact me at (585) 753-2003, or via e-mail at [pmorgan@monroecounty.gov](mailto:pmorgan@monroecounty.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "PMorgan", is written over a horizontal line.

Phil Morgan  
Sr. Rehabilitation Specialist



WESTERN NEW YORK  
**THE DAILY RECORD**  
YOUR TRUSTED SOURCE FOR LEGAL AND REAL ESTATE NEWS

## ADVERTISEMENT FOR BIDS

The Town of Brighton, Monroe County, New York, will receive sealed bids for the improvements to the:

### **2023 TOWN OF BRIGHTON EAST AVENUE SIDEWALK IMPROVEMENTS**

Sealed Bids will be received, publicly opened and read at the following place and time: Place: Town of Brighton Department of Public Works 2300 Elmwood Avenue Rochester, New York 14618 Date: July 24, 2023

Time: 10:00 A.M. Local Time The work consists principally of removal of existing sidewalk as well as new installation of sidewalks along East Avenue in the Town of Brighton. The foregoing is a general outline of work only and shall not be construed as a complete description of the work to be performed under each contract. Plans and Specifications can be downloaded from the Towns website ([www.townofbrighton.org](http://www.townofbrighton.org)) under the Town Departments -Public Works - Current Bid Offerings.

The check for the Plans and Specifications shall be made payable to the Town of Brighton. Bids must be made in writing on the forms furnished and shall be accompanied by a bid guarantee for an amount not less than five percent (5%) of the amount bid in accordance with the INSTRUCTIONS TO BIDDERS. The Town of Brighton is exempt under New York State Tax law, and therefore, no sales tax on the cost of materials incorporated into the project shall be included in the bid. All prices bid shall be good for a period of sixty (60) days after opening. The Town of Brighton reserves the right to consider bids for sixty (60) days after their receipt before awarding any contract. The Town of Brighton further reserves the right to reject any and all bids, and to accept any Proposal or individual item or items, which it may deem to be the most favorable to its best interests. A non-collusive bidding certificate shall be included with each bid. The attention of the Bidder is called to the requirements as to the conditions of employment and the minimum wage rates to be paid under this contract. Any unauthorized modifications or alterations to this document could result in a rejected bid.

Dated: July 10, 2023

2519498 7-10-1t

---



## Public Works Department

Commissioner of Public Works – Evert Garcia, P.E.

Chad Roscoe  
Junior Engineer

8/10/2023

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

re: Authorize Amendatory Agreement  
Waste Management of New York  
Refuse and Recycling Services to the Districts for 2024

Dear Councilperson DiPonzio and Committee Members:

At the 11/13/19 Town Board meeting the Board authorized the renewal for refuse and recycling within the Town of Brighton to be done administratively for 2021, 2022, 2023 and 2024. It is recommended that our agreement with Waste Management of New York be renewed pursuant to the terms of said agreement, under which they will continue to provide refuse and recycling services to our refuse districts for an increased unit price of 2.43% (\$277.68 to \$284.52 per year).

The total units within the Brighton Consolidated Refuse District (BCRD) is 4,555 for a total cost of \$1,295,988.60 per year to the BCRD or \$284.52 per home per year for 2024.

The extension to renew, which is permitted within the contract, would be for one year ending December 31, 2024 and is based upon factors such as tipping fees, the cost of fuel and labor, and the CPI (see attached letter from Waste Management and supporting documents). As always, thank you for your consideration.

Sincerely,

Chad Roscoe  
Junior Engineer



WASTE MANAGEMENT

100 Ransier Drive  
West Seneca, NY 14224

August 9, 2023

Mr. Chad Roscoe  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, NY 14618

RE: 2024 Brighton Refuse Districts Refuse Collection

Dear Mr. Roscoe:

Below is the preliminary rate increase information based on the data supplied in the original contract and subsequent years.

Item	Change	% of Contract Price	Weighted Average Adjustment	Information Source for % Change
Disposal	1.00%	35.00%	.35%	Monroe County Transfer Station Tipping Fee
Fuel	-14.7%	5.00%	-.74%	Dept of Energy Low Sulfur #2
Labor	2.7%	20.00%	.54%	NYS Dept of Labor, schedule of Prevailing Wage Rates as reported 2023 versus 2024
CPI	5.7%	40.00%	2.28%	Bureau of Labor Statistics, CPI - WST, Northeast Region
<b>TOTALS</b>			<b>2.43%</b>	
				Price per Item Per Year
2023 Contract Price				\$277.68
<b>2024 Contract Price per Home per Year</b>				<b>\$284.52</b>
<b>2024 Contract Price per Home per Month</b>				<b>\$23.71</b>

This number will be based on 4,555 units, unless otherwise communicated by the Town to Waste Management.

Please let me know if you have any questions. I can be reached at (716) 239-0297, or via email at [pmarti18@wm.com](mailto:pmarti18@wm.com)

Sincerely,

Patrick Martino  
Public Sector Solutions Representative  
Waste Management of New York, LLC



Kathy Hochul, Governor

Roberta Reardon, Commissioner

Town of Brighton

Chad Roscoe, Junior Engineer  
2300 Elmwood Avenue  
Rochester NY 14618

Schedule Year 2023 through 2024  
Date Requested 10/18/2019  
PRC# 2019901207

Location Town of Brighton  
Project ID#  
Occupation Type(s) Trash and Refuse Removal

### PREVAILING WAGE SCHEDULE FOR ARTICLE 9 PUBLIC WORK PROJECT

Attached is the current schedule(s) of the prevailing wage rates and prevailing hourly supplements for the project referenced above. A unique Prevailing Wage Case Number (PRC#) has been assigned to the schedule(s) for your project.

The Schedule is effective from July 2023 through June 2024. All updates or corrections, are posted on the 1st business day of each month. Updated PDF copies of your schedule can be accessed by entering your assigned PRC# at the proper location on the website, [www.labor.ny.gov](http://www.labor.ny.gov). Future copies of the annual determination are also available on the Department's website.

It is the responsibility of the contracting agency or its agent to annex and make part, the attached schedule, to the specifications for this project, when it is advertised for bids and /or to forward said schedules to the successful bidder(s), immediately upon receipt, in order to insure the proper payment of wages.

Please refer to the "General Provisions of Laws Covering Workers on Article 9 Public Work Building Service Contracts" provided with this schedule, for the specific details relating to other responsibilities of the Department of Jurisdiction.

Upon completion or cancellation of this project, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

#### NOTICE OF COMPLETION / CANCELLATION OF PROJECT

Date Completed: \_\_\_\_\_ Date Cancelled: \_\_\_\_\_

Name & Title of Representative: \_\_\_\_\_

Phone: (518) 457-5589 Fax: (518) 485-1870  
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12226



# **General Provisions of Laws Covering Workers on Article 9 Public Work Building Service Contracts**

## **Introduction**

The Labor Law requires public work contractors and subcontractors to pay a service employee under a contract for building service work for a public agency, a wage of not less than the prevailing wage and supplements (fringe benefits) in the locality for the classification(s) in which the worker was employed. Such a public work building service contract must be in excess of one thousand five hundred dollars (\$1,500.00).

Building service employee includes, but is not limited, to, watchman, guard, doorman, building cleaner, porter, handyman, janitor, gardener, groundskeeper, stationary fireman, elevator operator and starter, window cleaner, and occupations relating to the collection of garbage or refuse, and to the transportation of office furniture and equipment, and to the transportation and delivery of fossil fuel but does not include clerical, sales, professional, technician and related occupations.

Building service employee also does not include any employee to whom the provisions of Article 8 are applicable.

## **Responsibilities of the Public Agency**

A Public Agency means the state, any of its political subdivisions, a public benefit corporation, a public authority or commission or special purpose district board appointed pursuant to law, and a board of education.

The Public Agency responsible for preparing the specifications for a building service contract must file a statement identifying the types of employees and work to be performed with the New York State Commissioner of Labor, or other fiscal officer (NOTE: The New York State Commissioner of Labor is the fiscal officer on all building service contracts except for those performed by or on behalf of a city, in which case the fiscal officer is the comptroller or other analogous officer of the city).

A separate filing is required for every building service contract. Only one filing is required for each contract, regardless of the duration of the contract. To file with the Commissioner of Labor, the Public Agency MUST submit a Request for Wage and Supplement Information" form (PW 39) to the Bureau of Public Work, either online, by fax, or by mail.

In response to each filing, the Bureau of Public Work will assign a Prevailing Rate Case (PRC) number to each building service contract, and will issue a Prevailing Wage Schedule setting forth the wage rates required to be paid for work performed and the expiration date of those rates. If work on the contract continues beyond the expiration date set forth in the Wage Schedule, new rates and expiration dates will be made available online as part of the original PRC Prevailing Wage Schedule determination automatically, without further filings or requests from the Public Agency.

The Public Agency must include in the specifications for each building service contract the PRC number assigned to such contract and stipulation obligating the contractor to pay not less than the wage rates set forth in the Prevailing Wage Schedule issued under that PRC number.

Upon the awarding of the contract, the law requires that the Public Agency furnish the following information to the Bureau of Public Work: the name and address of the contractor, the date the contract was let and the approximate dollar value of the contract. To facilitate compliance with this provision of the Labor Law, a copy of the Bureau's "Notice of Contract Award" form (PW 16.9) is provided with the original Prevailing Rate Schedule. The Public Agency is required to notify the Bureau of the completion or cancellation of any public work building service contract. The Bureau's PW 200.9 form is provided for this purpose.

## **Hours**

A building service employee, employed by a contractor, shall work up to eight (8) hours in any one day and up to forty (40) hours in any workweek for the appropriate posted prevailing wage rate. A building service employee who works more than eight (8) hours in any one day or more than forty (40) hours in any workweek shall be paid wages for such overtime at a rate not less than one-and-one-half (1.5) times his prevailing basic cash hourly rate.

## **Wages and Supplements**

The wages and supplements to be paid and/or provided to a building service employee, employed on a public work contract shall be not less than those listed in the Prevailing Rate Schedule provided with the awarded contract. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage or in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wage specified in such local law.

The Commissioner of Labor makes an annual determination of the prevailing rates, which is in effect from July 1st through June 30th of the following year. Any errors in the annual determination will be corrected and posted to the NYSDOL website on the first business day of each month. Contractors are responsible for paying these updated rates as well, retroactive to July 1st.



If a prime contractor on a public work contract has not been provided with a Prevailing Rate Schedule, the contractor must notify the Public Agency who in turn must request an original Prevailing Rate Schedule form the Bureau of Public Work.

Requests may be submitted by: mail to NYSDOL, Bureau of Public Work, State Office Bldg. Campus, Bldg. 12, Rm. 130, Albany, NY 12226; Fax to Bureau of Public Work (518) 485-1870; or electronically at the NYSDOL website [www.labor.state.ny.us](http://www.labor.state.ny.us). [www.labor.ny.gov](http://www.labor.ny.gov).

Upon receiving the original schedule, the Public Agency is REQUIRED to provide complete copies to all prime contractors who in turn MUST, by law, provide copies of all applicable county schedules to each subcontractor and obtain from each subcontractor, an affidavit certifying such schedules were received.

## **Payrolls and Payroll Records**

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. Payrolls must be maintained for at least three (3) years from the project's date of completion. Additionally, as per Article 6 of the Labor Law, contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records. At a minimum, payrolls must show the following information for each person employed on a public work project: Name; Address, Last 4 Digits of Social Security number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid or provided, and Daily and weekly number of hours worked in each classification. Payroll records and transcripts are required to be kept on site during all the time that work under that contract is being performed.

In addition, the Commissioner of Labor may require contractors to furnish, with ten (10) days of a request, payroll records sworn to as their validity and accuracy for public work and private work. Payroll records include, but are not limited to time cards, work description sheets, proof that supplements were provided, canceled payroll checks and payrolls. Failure to provide the requested information within the allotted ten (10) days will result in the withholding of up to 25% of the contract, not to exceed \$100,000.00.

All contractors or their subcontractors shall provide to their subcontractors a copy of the Prevailing Rate Schedule specified in the public work contract as well as any subsequently issued schedules. A failure to provide these schedules by a contractor or subcontractor is a violation of Article 9, Section 237 of the Labor Law. The prime contractor is responsible for any underpayments of prevailing wages or supplements by any subcontractor.

All subcontractors engaged by a public work project contractor or its subcontractor, upon receipt of the original schedule and any subsequently issued schedules shall provide to such contractor a verified statement attesting that the subcontractor has received the Prevailing Rate Schedule and will pay or provide the applicable rates of wages and supplements specified therein. (See NYS Labor Law, Article 9, Section 237).

## **Withholding of Payments**

When a complaint is filed with the Commissioner of Labor alleging the failure of a contractor or subcontractor to pay or provide the prevailing wages or supplements, or when the Commissioner of Labor believes that unpaid wages or supplements may be due, payments on the public work contract shall be withheld from the prime contractor in a sufficient amount to satisfy the alleged unpaid wages and supplements, including interest and civil penalty, pending a final determination.

When the Bureau of Public Work finds that a contractor or subcontractor on a public work contract failed to pay or provide the requisite prevailing wages or supplements, the Bureau is authorized by Sections 235.2 of the Labor Law to so notify the financial officer of the Public Agency that awarded the public work contract. Such officer MUST then withhold or cause to be withheld from any payment due the prime contractor on account of such contract the amount indicated by the Bureau as sufficient to satisfy the unpaid wages and supplements, including interest and any civil penalty that may be assessed by the Commissioner of Labor. The withholding continues until there is a final determination of the underpayment by the Commissioner of Labor or by the court in the event a legal proceeding is instituted for review of the determination of the Commissioner of Labor.

The Public Agency shall comply with this order of the Commissioner of Labor or of the court with respect to the release of the funds so withheld.

## **Summary of Notice Posting Requirements**

The current Prevailing Rate Schedule must be posted in a prominent and accessible place on the site of the public work contract.

## **Apprentices**

Employees cannot be paid apprentice rates unless they are individually registered in a program registered with the NYS Commissioner of Labor. The allowable ratio of apprentices to journeyworkers in any craft classification can be no greater than the statewide building trade ratios promulgated by the Department of Labor and included with the Prevailing Rate Schedule. An employee listed on a payroll as an apprentice who is not registered as above, must be paid the prevailing journeyworker's wage rate for the classification of work the employee is actually performing.

NYSDOL Labor Law, Article 9, Section 231-7a, require that only apprentices individually registered with the NYS Department of Labor may be paid apprenticeship rates on a public work project. No other Federal or State Agency of office registers apprentices in New York State.

Persons wishing to verify the apprentice registration of any person must do so in writing by mail, to the NYSDOL Office of Employability Development / Apprenticeship Training, State Office Bldg. Campus, Bldg. 12, Albany, NY 12226 or by Fax to NYSDOL Apprenticeship Training (518) 457-7154. All requests for verification must include the name and social security number of the person for whom the information is requested

The only conclusive proof of individual apprentice registration is written verification from the NYSDOL Apprenticeship Training Albany Central office. Neither Federal nor State Apprenticeship Training offices outside of Albany can provide conclusive registration information.

It should be noted that the existence of a registered apprenticeship program is not conclusive proof that any person is registered in that program. Furthermore, the existence or possession of wallet cards, identification cards, or copies of state forms is not conclusive proof of the registration of any person as an apprentice.

## **Interest and Penalties**

In the event that an underpayment of wages and/or supplements is found:

- Interest shall be assessed at the rate then in effect as prescribed by the Superintendent of Banks pursuant to section 14-a of the Banking Law, per annum from the date of underpayment to the date restitution is made.
- A Civil Penalty may also be assessed, not to exceed 25% of the total of wages, supplements, and interest due.

## **Debarment**

Any contractor or subcontractor and/or its successor shall be ineligible to submit a bid on or be awarded any public work contract or subcontract with any state, municipal corporation or public body for a period of five (5) years when:

- Two (2) willful determinations have been rendered against that contractor or subcontractor and/or its successor within any consecutive six (6) year period.
- There is any willful determination that involves the falsification of payroll records or the kickback of wages or supplements.

## **Criminal Sanctions**

Willful violations of the Prevailing Wage Law (Article 9 of the Labor Law) constitute a misdemeanor punishable by fine or imprisonment, or both.

## **Discrimination**

No employee or applicant for employment may be discriminated against on account of age, race, creed, color, national origin, sex, disability or marital status.

No contractor, subcontractor nor any person acting on its behalf, shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates (NYS Labor Law, Article 9, Section 239-1).

No contractor, subcontractor, nor any person acting on its behalf, shall in any manner, discriminate against or intimidate any employee on account of race, creed, color, disability, sex, or national origin (NYS Labor Law, Article 9, Section 239-2).

The Human Rights Law also prohibits discrimination in employment because of age, marital status, or religion.

There may be deducted from the amount payable to the contractor under the contract a penalty of \$50.00 for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract (NYS Labor Law, Article 9, Section 239-3).

The contract may be cancelled or terminated by the State or municipality. All monies due or to become due thereunder may be forfeited for a second or any subsequent violation of the terms or conditions of the anti-discrimination sections of the contract (NYS Labor Law, Article 9, Section 239-4).

Every employer subject to the New York State Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers notices furnished by the State Division of Human Rights.

## **Workers' Compensation**

In accordance with Section 142 of the State Finance Law, the contractor shall maintain coverage during the life of the contract for the benefit of such employees as required by the provisions of the New York State Workers' Compensation Law.

A contractor who is awarded a public work contract must provide proof of workers' compensation coverage prior to being allowed to begin work.

The insurance policy must be issued by a company authorized to provide workers' compensation coverage in New York State. Proof of coverage must be on form C-105.2 (Certificate of Workers' Compensation Insurance) and must name this agency as a certificate holder.

If New York State coverage is added to an existing out-of-state policy, it can only be added to a policy from a company authorized to write workers' compensation coverage in this state. The coverage must be listed under item 3A of the information page.

The contractor must maintain proof that subcontractors doing work covered under this contract secured and maintained a workers' compensation policy for all employees working in New York State.

Every employer providing worker's compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

### **Unemployment Insurance**

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the New York State Department of Labor.



Kathy Hochul, Governor

Roberta Reardon, Commissioner

Town of Brighton

Chad Roscoe, Junior Engineer  
2300 Elmwood Avenue  
Rochester NY 14618

Schedule Year 2023 through 2024  
Date Requested 10/18/2019  
PRC# 2019901207

Location Town of Brighton  
Project ID#  
Occupation Type(s) Trash and Refuse Removal

### Notice of Contract Award

New York State Labor Law, Article 9, Section 231.5 requires that certain information regarding the awarding of public work contracts, be furnished to the Commissioner of Labor. One "Notice of Contract Award" (PW 16.9, which may be photocopied), MUST be completed for EACH prime contractor on the above referenced project.

Upon notifying the successful bidder(s) of this building service contract, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

### Contractor Information

All information must be supplied

Federal Employer Identification Number: _____		
Name: _____		
Address: _____ _____		
City: _____	State: _____	Zip: _____
Amount of Contract: \$ _____	Occupation(s): _____	
Approximate Starting Date: _____ / _____ / _____	_____	
Approximate Completion Date: _____ / _____ / _____	_____	

Phone: (518) 457-5589 Fax: (518) 485-1870  
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12226



## Introduction to the Prevailing Rate Schedule

### Introduction

The Labor Law requires public work contractors and subcontractors to pay a service employee under a contract for building service work for a public agency, a wage of not less than the prevailing wage and supplements (fringe benefits) in the locality for the classification(s) in which the worker was employed. Such a public work building service contract must be in excess of one thousand five hundred dollars (\$1,500).

### Requesting a Wage Schedule

For every building service contract, the public agency must file a statement identifying the types of employees and work to be performed by submitting a Request for Wage and Supplement Information form (PW 39) to the Bureau of Public Work, either online, by fax, or by mail.

The Commissioner of Labor makes an annual determination of the prevailing rates. This determination is in effect from July 1st through June 30th of the following year.

The Public Agency must include the specifications for each building service contract the PRC number assigned to such contract and stipulation obligating the contractor to pay not less than the wage rates set forth in the Prevailing Wage Schedule issued under that PRC number.

### Hours

A building service employee, employed by a contractor, shall work up to eight (8) hours in any one day and up to forty (40) hours in any workweek for the appropriate posted prevailing wage rates. A building service employee who works more than eight (8) hours in any one day or more than forty (40) hours in any workweek shall be paid wages for such overtime at a rate not less than one-and-one-half (1.5) times the prevailing basic cash hourly rate.

### Wages and Supplements

The wages and supplements to be paid and/or provided to a building service employee, employed on a public work contract shall be not less than those listed in the Prevailing Rate Schedule.

A supplemental benefit of 'paid time off' shall be provided as paid leave, or converted to an hourly value paid to the employee. If 'paid time off' is converted to an hourly monetary value, such an amount is to be paid in addition to any other hourly supplements required by this schedule.

The hourly value for 'paid time off' would be calculated as follows: hourly wage rate X 8 hours per day X total number of paid days off divided by 2080 hours. For example: \$16.00 per hour wage rate X 8 hours per day = \$128.00; \$128.00 X 5 paid days off = \$640.00; \$640.00 divided by 2080 hours = \$0.31 per hour. The \$0.31 per hour amount would be in addition to any other required supplemental monetary amount paid.

All 'paid time off' provided to part-time employees, shall be prorated (divided, distributed, or assessed proportionately) based on fulltime equivalent hours.

The amount of 'paid time off' for part-time employees, would be calculated as follows: number of part-time weekly hours divided by 40 fulltime weekly hours = percentage of 'paid time off' for part-time employee. For example: a fulltime employee works 40 hours per week and a part-time employee works 30 hours per week (30 hours divided by 40 hours = .75); If a fulltime employee is provided 5 paid vacation days (5 X .75 = 3.75), a part-time employee would be provided 3.75 paid vacation days.

### Payrolls and Payroll Records

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. Payrolls must be maintained for at least three (3) years from the projects date of completion. Additionally, as per Article 6 of the Labor Law, contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records.

At a minimum, payrolls must show the following information for each person employed on a public work project: Name; Address, Last 4 Digits of Social Security number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid or provided, and Daily and weekly number of hours worked in each classification.

Payroll records and transcripts are required to be kept on site during all the time that work under that contract is being performed.

**NOTE:** For more detailed information regarding Article 9 prevailing wage contracts, please refer to "General Provisions of Laws Covering Workers on Article 9 Public Work Building Service Contracts".

If you have any questions concerning the attached schedule or would like additional information, please write to:

New York State Department of Labor  
Bureau of Public Work  
State Office Campus, Bldg. 12  
Albany, NY 12226

OR

Contact the nearest BUREAU of PUBLIC WORK District Office

District Office Locations:	Telephone #	FAX #
Bureau of Public Work - Albany	518-457-2744	518-485-0240
Bureau of Public Work - Binghamton	607-721-8005	607-721-8004
Bureau of Public Work - Buffalo	716-847-7159	716-847-7650
Bureau of Public Work - Garden City	516-228-3915	516-794-3518
Bureau of Public Work - Newburgh	845-568-5287	845-568-5332
Bureau of Public Work - New York City	212-932-2419	212-775-3579
Bureau of Public Work - Patchogue	631-687-4882	631-687-4902
Bureau of Public Work - Rochester	585-258-4505	585-258-4708
Bureau of Public Work - Syracuse	315-428-4056	315-428-4671
Bureau of Public Work - Utica	315-793-2314	315-793-2514
Bureau of Public Work - White Plains	914-997-9507	914-997-9523
Bureau of Public Work - Central Office	518-457-5589	518-485-1870

## Monroe County Article 9

### Trash and Refuse Removal

08/01/2023

**JOB DESCRIPTION** Trash and Refuse Removal

**DISTRICT** 10

#### ENTIRE COUNTIES

Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates

#### WAGES

For use with Transfer Station Site Operations Only

Per hour: 07/01/2023

Indus. Truck Driver/Tractor Operator  
\$ 21.17

Laborer/ non-construction  
\$ 18.90

Conveyor operators and tenders  
\$ 20.32

Weighers/Measurers  
\$ 21.80

#### IMPORTANT INFORMATION:

Article 9 §230.6. "Prevailing wage" means the wage determined by the fiscal officer to be prevailing for the various classes of building service employees in the locality. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage established by article nineteen of this chapter, or, in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wage specified in such local law.

#### SUPPLEMENTAL BENEFITS

Per hour: \$ 2.19

#### OVERTIME PAY

See (B, B2) on OVERTIME PAGE

#### HOLIDAY

Paid: See (1) on HOLIDAY PAGE

10-NYS/R&S - Trans.Station.Ops

### Trash and Refuse Removal

08/01/2023

**JOB DESCRIPTION** Trash and Refuse Removal

**DISTRICT** 10

#### ENTIRE COUNTIES

Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Erie, Franklin, Genesee, Jefferson, Lewis, Livingston, Madison, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Schuyler, Seneca, St. Lawrence, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates

#### WAGES

Per Hour:

	07/01/2023	05/01/2024	05/01/2025	05/01/2026
Trash, Recycling Roll-Off and Brush Drivers	\$ 18.50	\$ 19.00	\$ 19.50	\$ 20.00

Thrower Helper	15.00	15.50	16.00	16.50
----------------	-------	-------	-------	-------

#### IMPORTANT INFORMATION:

Article 9 §230.6. "Prevailing wage" means the wage determined by the fiscal officer to be prevailing for the various classes of building service employees in the locality. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage established by article nineteen of this chapter, or, in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wage specified in such local law.

#### SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2023	05/01/2024
	\$ 8.08	TBD



Applies the 1st of the month after 30 days of service.  
Required up to 40 hours paid per week

Vacation pay:

After one year of service: 5 days per year  
After four years of service: 10 days per year  
After nine years of service: 15 days per year

4 Personal days after 90 days of service.

Paid time off for part-time employees shall be prorated. (See "Introduction to the Prevailing Rate Schedule" page 10, 'Wage and Supplements' heading, for a detailed explanation.)

#### **OVERTIME PAY**

See (B, B2, K) on OVERTIME PAGE

#### **HOLIDAY**

Paid: See (5, 6) on HOLIDAY PAGE

Overtime: See (5, 6) on HOLIDAY PAGE

To be eligible for holiday pay an employee must complete 6 months continuous service, have worked the regularly scheduled day prior to the holiday as well as the first regularly scheduled day after the holiday.

Employees who are scheduled to work on a holiday must work that holiday or forfeit holiday pay.

If a holiday falls on an unscheduled workday (Sat/Sun) no holiday pay will be issued.

10-317

## Overtime Codes

Following is an explanation of the code(s) listed in the OVERTIME section of each classification contained in the attached schedule. Additional requirements may also be listed in the HOLIDAY section.

NOTE: Supplemental Benefits are 'Per hour worked' (for each hour worked) unless otherwise noted

- ( AA ) Time and one half of the hourly rate after 7 and one half hours per day
- ( A ) Time and one half of the hourly rate after 7 hours per day
- ( B ) Time and one half of the hourly rate after 8 hours per day
- ( B1 ) Time and one half of the hourly rate for the 9th & 10th hours week days and the 1st 8 hours on Saturday.  
Double the hourly rate for all additional hours
- ( B2 ) Time and one half of the hourly rate after 40 hours per week
- ( C ) Double the hourly rate after 7 hours per day
- ( C1 ) Double the hourly rate after 7 and one half hours per day
- ( D ) Double the hourly rate after 8 hours per day
- ( D1 ) Double the hourly rate after 9 hours per day
- ( E ) Time and one half of the hourly rate on Saturday
- ( E1 ) Time and one half 1st 4 hours on Saturday; Double the hourly rate all additional Saturday hours
- ( E2 ) Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- ( E3 ) Between November 1st and March 3rd Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather, provided a given employee has worked between 16 and 32 hours that week
- ( E4 ) Saturday and Sunday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- ( E5 ) Double time after 8 hours on Saturdays
- ( F ) Time and one half of the hourly rate on Saturday and Sunday
- ( G ) Time and one half of the hourly rate on Saturday and Holidays
- ( H ) Time and one half of the hourly rate on Saturday, Sunday, and Holidays
- ( I ) Time and one half of the hourly rate on Sunday
- ( J ) Time and one half of the hourly rate on Sunday and Holidays
- ( K ) Time and one half of the hourly rate on Holidays
- ( L ) Double the hourly rate on Saturday
- ( M ) Double the hourly rate on Saturday and Sunday
- ( N ) Double the hourly rate on Saturday and Holidays
- ( O ) Double the hourly rate on Saturday, Sunday, and Holidays
- ( P ) Double the hourly rate on Sunday
- ( Q ) Double the hourly rate on Sunday and Holidays
- ( R ) Double the hourly rate on Holidays
- ( S ) Two and one half times the hourly rate for Holidays

- ( S1 ) Two and one half times the hourly rate the first 8 hours on Sunday or Holidays One and one half times the hourly rate all additional hours.
- ( T ) Triple the hourly rate for Holidays
- ( U ) Four times the hourly rate for Holidays
- ( V ) Including benefits at SAME PREMIUM as shown for overtime
- ( W ) Time and one half for benefits on all overtime hours.
- ( X ) Benefits payable on Paid Holiday at straight time. If worked, additional benefit amount will be required for worked hours. (Refer to other codes listed.)

## Holiday Codes

### PAID Holidays:

Paid Holidays are days for which an eligible employee receives a regular day's pay, but is not required to perform work. If an employee works on a day listed as a paid holiday, this remuneration is in addition to payment of the required prevailing rate for the work actually performed.

### OVERTIME Holiday Pay:

Overtime holiday pay is the premium pay that is required for work performed on specified holidays. It is only required where the employee actually performs work on such holidays. The applicable holidays are listed under HOLIDAYS: OVERTIME. The required rate of pay for these covered holidays can be found in the OVERTIME PAY section listings for each classification.

Following is an explanation of the code(s) listed in the HOLIDAY section of each classification contained in the attached schedule. The Holidays as listed below are to be paid at the wage rates at which the employee is normally classified.

- ( 1 ) None
- ( 2 ) Labor Day
- ( 3 ) Memorial Day and Labor Day
- ( 4 ) Memorial Day and July 4th
- ( 5 ) Memorial Day, July 4th, and Labor Day
- ( 6 ) New Year's, Thanksgiving, and Christmas
- ( 7 ) Lincoln's Birthday, Washington's Birthday, and Veterans Day
- ( 8 ) Good Friday
- ( 9 ) Lincoln's Birthday
- ( 10 ) Washington's Birthday
- ( 11 ) Columbus Day
- ( 12 ) Election Day
- ( 13 ) Presidential Election Day
- ( 14 ) 1/2 Day on Presidential Election Day
- ( 15 ) Veterans Day
- ( 16 ) Day after Thanksgiving
- ( 17 ) July 4th
- ( 18 ) 1/2 Day before Christmas
- ( 19 ) 1/2 Day before New Years
- ( 20 ) Thanksgiving
- ( 21 ) New Year's Day
- ( 22 ) Christmas
- ( 23 ) Day before Christmas
- ( 24 ) Day before New Year's
- ( 25 ) Presidents' Day
- ( 26 ) Martin Luther King, Jr. Day
- ( 27 ) Memorial Day
- ( 28 ) Easter Sunday

( 29 )      Juneteenth

**New York State Department of Labor - Bureau of Public Work**  
**State Office Building Campus**  
**Building 12 - Room 130**  
**Albany, New York 12226**

**REQUEST FOR WAGE AND SUPPLEMENT INFORMATION**

As Required by Articles 8 and 9 of the NYS Labor Law

Fax (518) 485-1870 or mail this form for new schedules or for determination for additional occupations.

**This Form Must Be Typed**

Submitted By:

(Check Only One) ☐ Contracting Agency ☐ Architect or Engineering Firm ☐ Public Work District Office Date:

**A. Public Work Contract to be let by:** (Enter Data Pertaining to Contracting/Public Agency)

<p>1. Name and complete address <input type="checkbox"/> (Check if new or change)</p>  <p>Telephone _____ Fax _____</p> <p>E-Mail: _____</p>	<p>2. NY State Units (see Item 5).</p> <table style="width: 100%;"><tr><td><input type="checkbox"/> 01 DOT</td><td><input type="checkbox"/> 07 City</td></tr><tr><td><input type="checkbox"/> 02 OGS</td><td><input type="checkbox"/> 08 Local School District</td></tr><tr><td><input type="checkbox"/> 03 Dormitory Authority</td><td><input type="checkbox"/> 09 Special Local District, i.e., Fire, Sewer, Water District</td></tr><tr><td><input type="checkbox"/> 04 State University Construction Fund</td><td><input type="checkbox"/> 10 Village</td></tr><tr><td><input type="checkbox"/> 05 Mental Hygiene Facilities Corp.</td><td><input type="checkbox"/> 11 Town</td></tr><tr><td><input type="checkbox"/> 06 OTHER N.Y. STATE UNIT</td><td><input type="checkbox"/> 12 County</td></tr><tr><td></td><td><input type="checkbox"/> 13 Other Non-N.Y. State (Describe)</td></tr></table>	<input type="checkbox"/> 01 DOT	<input type="checkbox"/> 07 City	<input type="checkbox"/> 02 OGS	<input type="checkbox"/> 08 Local School District	<input type="checkbox"/> 03 Dormitory Authority	<input type="checkbox"/> 09 Special Local District, i.e., Fire, Sewer, Water District	<input type="checkbox"/> 04 State University Construction Fund	<input type="checkbox"/> 10 Village	<input type="checkbox"/> 05 Mental Hygiene Facilities Corp.	<input type="checkbox"/> 11 Town	<input type="checkbox"/> 06 OTHER N.Y. STATE UNIT	<input type="checkbox"/> 12 County		<input type="checkbox"/> 13 Other Non-N.Y. State (Describe)
<input type="checkbox"/> 01 DOT	<input type="checkbox"/> 07 City														
<input type="checkbox"/> 02 OGS	<input type="checkbox"/> 08 Local School District														
<input type="checkbox"/> 03 Dormitory Authority	<input type="checkbox"/> 09 Special Local District, i.e., Fire, Sewer, Water District														
<input type="checkbox"/> 04 State University Construction Fund	<input type="checkbox"/> 10 Village														
<input type="checkbox"/> 05 Mental Hygiene Facilities Corp.	<input type="checkbox"/> 11 Town														
<input type="checkbox"/> 06 OTHER N.Y. STATE UNIT	<input type="checkbox"/> 12 County														
	<input type="checkbox"/> 13 Other Non-N.Y. State (Describe)														
<p>3. SEND REPLY TO <input type="checkbox"/> (check if new or change) Name and complete address:</p>  <p>Telephone _____ Fax _____</p> <p>E-Mail: _____</p>	<p>4. SERVICE REQUIRED. Check appropriate box and provide project information.</p> <p><input type="checkbox"/> New Schedule of Wages and Supplements. APPROXIMATE BID DATE : _____</p> <p><input type="checkbox"/> Additional Occupation and/or Redetermination</p> <table style="width: 100%;"><tr><td style="border: 1px solid black; padding: 5px; width: 50%;">PRC NUMBER ISSUED PREVIOUSLY FOR THIS PROJECT :</td><td style="border: 1px solid black; padding: 5px; width: 50%;">OFFICE USE ONLY</td></tr></table>	PRC NUMBER ISSUED PREVIOUSLY FOR THIS PROJECT :	OFFICE USE ONLY												
PRC NUMBER ISSUED PREVIOUSLY FOR THIS PROJECT :	OFFICE USE ONLY														

**B. PROJECT PARTICULARS**

<p>5. <u>Project Title</u> _____</p> <p><u>Description of Work</u> _____</p> <p>_____</p> <p><u>Contract Identification Number</u> _____</p> <p><u>Note: For NYS units, the OSC Contract No.</u> _____</p>	<p>6. Location of Project: <u>Location on Site</u> _____</p> <p><u>Route No/Street Address</u> _____</p> <p><u>Village or City</u> _____</p> <p><u>Town</u> _____</p> <p><u>County</u> _____</p>																						
<p>7. Nature of Project - Check One:</p> <table style="width: 100%;"><tr><td><input type="checkbox"/> 1. New Building</td></tr><tr><td><input type="checkbox"/> 2. Addition to Existing Structure</td></tr><tr><td><input type="checkbox"/> 3. Heavy and Highway Construction (New and Repair)</td></tr><tr><td><input type="checkbox"/> 4. New Sewer or Waterline</td></tr><tr><td><input type="checkbox"/> 5. Other New Construction (Explain)</td></tr><tr><td><input type="checkbox"/> 6. Other Reconstruction, Maintenance, Repair or Alteration</td></tr><tr><td><input type="checkbox"/> 7. Demolition</td></tr><tr><td><input type="checkbox"/> 8. Building Service Contract</td></tr></table>	<input type="checkbox"/> 1. New Building	<input type="checkbox"/> 2. Addition to Existing Structure	<input type="checkbox"/> 3. Heavy and Highway Construction (New and Repair)	<input type="checkbox"/> 4. New Sewer or Waterline	<input type="checkbox"/> 5. Other New Construction (Explain)	<input type="checkbox"/> 6. Other Reconstruction, Maintenance, Repair or Alteration	<input type="checkbox"/> 7. Demolition	<input type="checkbox"/> 8. Building Service Contract	<p>8. OCCUPATION FOR PROJECT :</p> <table style="width: 100%;"><tr><td><input type="checkbox"/> Construction (Building, Heavy Highway/Sewer/Water)</td><td><input type="checkbox"/> Fuel Delivery</td></tr><tr><td><input type="checkbox"/> Tunnel</td><td><input type="checkbox"/> Guards, Watchmen</td></tr><tr><td><input type="checkbox"/> Residential</td><td><input type="checkbox"/> Janitors, Porters, Cleaners, Elevator Operators</td></tr><tr><td><input type="checkbox"/> Landscape Maintenance</td><td><input type="checkbox"/> Moving furniture and equipment</td></tr><tr><td><input type="checkbox"/> Elevator maintenance</td><td><input type="checkbox"/> Trash and refuse removal</td></tr><tr><td><input type="checkbox"/> Exterminators, Fumigators</td><td><input type="checkbox"/> Window cleaners</td></tr><tr><td><input type="checkbox"/> Fire Safety Director, NYC Only</td><td><input type="checkbox"/> Other (Describe)</td></tr></table>	<input type="checkbox"/> Construction (Building, Heavy Highway/Sewer/Water)	<input type="checkbox"/> Fuel Delivery	<input type="checkbox"/> Tunnel	<input type="checkbox"/> Guards, Watchmen	<input type="checkbox"/> Residential	<input type="checkbox"/> Janitors, Porters, Cleaners, Elevator Operators	<input type="checkbox"/> Landscape Maintenance	<input type="checkbox"/> Moving furniture and equipment	<input type="checkbox"/> Elevator maintenance	<input type="checkbox"/> Trash and refuse removal	<input type="checkbox"/> Exterminators, Fumigators	<input type="checkbox"/> Window cleaners	<input type="checkbox"/> Fire Safety Director, NYC Only	<input type="checkbox"/> Other (Describe)
<input type="checkbox"/> 1. New Building																							
<input type="checkbox"/> 2. Addition to Existing Structure																							
<input type="checkbox"/> 3. Heavy and Highway Construction (New and Repair)																							
<input type="checkbox"/> 4. New Sewer or Waterline																							
<input type="checkbox"/> 5. Other New Construction (Explain)																							
<input type="checkbox"/> 6. Other Reconstruction, Maintenance, Repair or Alteration																							
<input type="checkbox"/> 7. Demolition																							
<input type="checkbox"/> 8. Building Service Contract																							
<input type="checkbox"/> Construction (Building, Heavy Highway/Sewer/Water)	<input type="checkbox"/> Fuel Delivery																						
<input type="checkbox"/> Tunnel	<input type="checkbox"/> Guards, Watchmen																						
<input type="checkbox"/> Residential	<input type="checkbox"/> Janitors, Porters, Cleaners, Elevator Operators																						
<input type="checkbox"/> Landscape Maintenance	<input type="checkbox"/> Moving furniture and equipment																						
<input type="checkbox"/> Elevator maintenance	<input type="checkbox"/> Trash and refuse removal																						
<input type="checkbox"/> Exterminators, Fumigators	<input type="checkbox"/> Window cleaners																						
<input type="checkbox"/> Fire Safety Director, NYC Only	<input type="checkbox"/> Other (Describe)																						

9. Does this project comply with the Wicks Law involving separate bidding? YES ☐ NO ☐

10. Name and Title of Requester

**Signature**





NEW YORK STATE DEPARTMENT OF LABOR  
Bureau of Public Work - Debarment List

**LIST OF EMPLOYERS INELIGIBLE TO BID ON OR BE  
AWARDED ANY PUBLIC WORK CONTRACT**

Under Article 8 and Article 9 of the NYS Labor Law, a contractor, sub-contractor and/or its successor shall be debarred and ineligible to submit a bid on or be awarded any public work or public building service contract/sub-contract with the state, any municipal corporation or public body for a period of five (5) years from the date of debarment when:

- Two (2) final determinations have been rendered within any consecutive six-year (6) period determining that such contractor, sub-contractor and/or its successor has WILLFULLY failed to pay the prevailing wage and/or supplements;
- One (1) final determination involves falsification of payroll records or the kickback of wages and/or supplements.

The agency issuing the determination and providing the information, is denoted under the heading 'Fiscal Officer'. DOL = New York State Department of Labor; NYC = New York City Comptroller's Office; AG = New York State Attorney General's Office; DA = County District Attorney's Office.

**Debarment Database:** To search for contractors, sub-contractors and/or their successors debarred from bidding or being awarded any public work contract or subcontract under NYS Labor Law Articles 8 and 9, or under NYS Workers' Compensation Law Section 141-b, access the database at this link: <https://applications.labor.ny.gov/EDList/searchPage.do>

**For inquiries where WCB is listed as the "Agency", please call 1-866-546-9322**





**Article 9**

<b>AGENCY</b>	<b>Fiscal Officer</b>	<b>FEIN</b>	<b>EMPLOYER NAME</b>	<b>EMPLOYER DBA NAME</b>	<b>ADDRESS</b>	<b>DEBARMENT START DATE</b>	<b>DEBARMENT END DATE</b>
DOL	NYC	*****5732	COMMERCIAL BUILDING MAINTENANCE CORPORATION		65 BILTMORE DR MASTIC BEACH NY 11951	03/14/2022	03/14/2027
DOL	NYC		DAVID PARSONS		200 OAK DR SYOSSET NY 11791	03/14/2022	03/14/2027
DOL	DOL	*****9060	PEC GROUP OF N.Y., INC.		9.35 S LAKE BLVD SUITE 7MAHOPAC NY 10541	03/02/2021	03/02/2026
DOL	DOL		RUSSELL NEEDHAM		532 NEPTUNE AVENUE BROOKLYN NY 11224	01/12/2022	01/12/2027
DOL	DOL	*****7007	SHOREFRONT MENTAL HEALTH BOARD	BROOKLYN BRIGHT	532 NEPTUNE AVENUE BROOKLYN NY 11224	01/12/2022	01/12/2027



## Building and Planning Department

Commissioner of Public Works – Evert Garcia, P.E.

Rick DiStefano  
Senior Planner

August 11, 2023

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

Re: Award of Professional Service Contract  
Bergmann Architects Engineers Planners  
Rochester Multiversity Concept

Honorable Members:

BikeWalkBrighton and Envision Brighton 2028 both recommend the Rochester Multiversity Concept. The Rochester Multiversity Concept proposes linking the University of Rochester, Rochester Institute of Technology and Monroe Community College by bicycle connections. The schools are home to 80,000 students, all within biking distances of one another. Developing this concept would encourage active transportation to a large and growing portion of Rochester's population. The City of Rochester has received significant funding to complete the Roc the Riverway project. The Rochester Multiversity Concept connects to the Genesee Valley Greenway and will revitalize a portion of the Genesee River corridor. This concept is consistent with the goals of the Roc the Riverway project and could be considered the southern gateway to this project.


Pursuant to our standard procedures a written RFP was prepared and sent to three qualified firms, Bergmann Architects Engineers and Planners, Environmental Research & Design and Barton & Loguidice. Environmental Design & Research and Barton & Loguidice did not submit proposals. Bergman Architects Engineers Planners submitted a proposal which indicates a maximum not-to-exceed price to provide the services outlined in the RFP of \$74,795.00.

At the end of 2019, the Town of Brighton was awarded \$58,290 in grant funds from the Climate Smart Community Grant Program (CSC) for professional consulting services to prepare a detailed master plan for the Rochester Multiversity Concept. The original award was based on an estimated cost for consulting services of \$81,790.00. Since the price proposal for consulting services came in lower than anticipated, we have revised the project budget to reflect these changes and now anticipate that the grant funds will be reduced to \$51,300. The CSC Grant Program requires a local match equal to 50% of the total eligible project costs. The Town is meeting the local match requirement by providing \$23,500 in general municipal funds and \$28,000 (original match \$34,822) with in-kind services for a total project cost of \$103,00 (original project cost estimate \$116,612). Once completed, the master plan will be used to apply for additional grant funding for the design and construction of the project.

Page 2  
August 11, 2023

I recommend that an award be approved for Bergman Architects Engineers Planners and request that the FASC authorize the Supervisor to enter into an agreement with Bergman Architects Engineers Planners for a cost not-to exceed \$74,795 to provide the professional services necessary to prepare the Rochester Multiversity Concept in accordance with the scope of work outlined in the Request for Proposals. The agreement will be reviewed by the Town Attorney before the document is presented to the Town Supervisor for signature.

Sincerely,



Rick DiStefano  
Senior Planner

Enc: Rochester Multiversity Concept Plan Proposal-Bergmann

cc: Earl Johnson  
Evert Garcia





**BERGMANN**

ARCHITECTS ENGINEERS PLANNERS

*Bergmann has joined Colliers Engineering & Design*

## TOWN OF BRIGHTON, NY Rochester Multiversity Concept Plan

AUGUST 9, 2023

### TABLE OF CONTENTS

- 02 Cover Letter
- 03 Firm Identification & Qualifications
- 04 Project Understanding, Approach, Scope of Work & Schedule
- 14 Project Staffing
- 17 Recent Clients
- 19 Federal, State, DBE Requirements
- 19 Price Proposal



280 East Broad Street, Suite 200  
Rochester, NY 14602



[www.bergmannpc.com](http://www.bergmannpc.com)



Thomas Robinson, RLA, LEED AP  
585.417.3487  
[thomas.robinson@collierseng.com](mailto:thomas.robinson@collierseng.com)

# Cover Letter



Brendan Ryan, Assistant Engineer  
Town of Brighton, NY  
2300 Elmwood Avenue  
Rochester, NY 14618

Dear Brendan,

Thank you for this opportunity to submit our proposal to provide planning and design services associated with the Rochester Multiversity Concept Plan. Our team members helped develop the original Rochester Multiversity concept and have extensive experience with active transportation and climate action projects in the Town of Brighton and Monroe County. Our staff have worked with Brighton for over a decade on a network of resiliency projects that supported Brighton's certification as a Climate Smart Community. Our goal is to work collaboratively with the Town and stakeholders to establish a Multiversity Concept Plan that supports equity, connectivity, and climate resilience.

## **BERGMANN IS NOW PART OF COLLIERS ENGINEERING & DESIGN.**

Please note that, as of November 1, 2021, Bergmann, D.P.C. has now joined Colliers Engineering & Design to further enhance our mutual strengths, resources, and capabilities and help our clients meet their own strategic goals. This new collaboration allows us to greatly expand services, expertise, and depth of experience while allowing us to operate independently and tailor our services to your specific needs. This proposal represents the qualifications of Colliers Engineering & Design and its trusted affiliates, independent contractors, and/or business partners.

Our team for the Multiversity Concept Plan includes community planners, landscape architects, civil engineers, and environmental specialists. For this project, we offer the Town of Brighton:

- Local knowledge and established relationships with Town staff and stakeholder groups
- Experience with equity-based community engagement processes
- Expertise with Active Transportation and Climate Action projects in Brighton and Monroe County
- Experience with New York State's Consolidated Funding Application (CFA), and the Climate Smart Community (CSC) Grant program

Based on updated site analysis, stakeholder involvement, and public input, this project will provide a progressive, practical, and fundable implementation plan for Rochester Multiversity. We look forward to supporting the continuing advancement of active transportation and climate resilience in Brighton. Should you have any questions regarding this proposal, please contact Tom Robinson, Project Manager.

This RFP does not contain express instructions stating that exceptions to the terms and conditions must be taken at the proposal submittal stage. Therefore, Bidder reserves all rights to negotiate such terms upon receipt of an awarded contract.

Sincerely,



**John Steinmetz, FAICP**  
Principal in Charge  
585.498.7945  
john.steinmetz@collierseng.com



**Thomas Robinson, RLA, LEED AP**  
Project Manager  
585.417.3487  
thomas.robinson@collierseng.com



# Firm Identification & Qualifications

## 2,600+

### EMPLOYEES

Together, Bergmann & CED employ more than 2,600 people across all areas of expertise.

Bergmann joined Colliers Engineering & Design in November 2021, forming a world class architecture, engineering and planning firm with comprehensive capabilities and national reach. Together, our 2,600+ professionals pride themselves on the highest level of integrity, dependability, ethics and quality of work. Our professionals serve as trusted advisors and partners for projects ranging from commercial/retail to municipal/civic, education, transportation, research & manufacturing, water resources and workplaces.

## >95%

### REPEAT CLIENTS

More than 95% of our work is from repeat clients.

## #213

### ENGINEERING NEWS RECORD RANK

We ranked in ENR's Top 500 Design Firm rankings for 2021.



## #87

### ARCHITECTURAL RECORD RANK

We ranked in Architectural Record's Top 300 rankings for 2021.

- **Organizational Structure:** Officers of the Firm  
Joseph Dopico President, Chairman of the Board  
Russ McFall, Vice President  
Kevin L. Haney, Vice President  
Peter Tsoukalas, Vice President  
Leonardo E. Ponzio, VP & Secretary / Treasurer  
Sean M. O'Rourke, Vice President  
Richard W. Chelotti, Vice President  
Andrew Hart, Associate Vice President  
Thomas R. Reder, Vice President  
Jeffrey Allen, Associate Vice President
- **Full time Employees:** 2,616
- **Part time Employees:** 83
- **Areas of Practice:** *Buildings:* Architecture, Interior Design, Structural, Mechanical, Electrical, Plumbing, Civil/Site Engineering  
*Energy, Community Planning, Transportation Systems:* Highway, Bridge, Rail, CI, Traffic, Survey, Coastal/Marine, Telecommunications, *Civil Works:* Environmental, Water Resources, Hydraulics, Waterway Structures
- **Number of years the firm has been in business:** 39 Years
- **Qualifications for this project: (include history of project experience):** Please see "Recent Clients Section" within this proposal.
- **Conflict of Interest:** None.
- **The firm has/has not had prior comprehensive planning experience associated with the development of trails and/or experience with NYS Climate Smart Communities Grants.** Yes, the firm has prior experience.

## #38

### BUILDING DESIGN + CONSTRUCTION RANK

We ranked #38 in BD+C's Top 95 Architecture/Engineering Firms nationally in 2021.

### 75+ Office Locations

We serve our clients from more than 75 locations nationwide. Visit [bergmannnpc.com/locations](http://bergmannnpc.com/locations) to view our offices.





# Project Understanding

The Town of Brighton is seeking professional consulting services for the preparation of a detailed plan for the Rochester Multiversity Concept. The Multiversity concept connects the University of Rochester, Rochester Institute of Technology, and Monroe Community College by linking to the Erie Canalway Trail, Lehigh Valley Trail and the Genesee River Way Trail with multi-use walking and biking connections. The Plan will consider an area roughly defined as a triangle between the three campuses, mostly within the Town of Brighton with connections into the City of Rochester and Town of Henrieta. Comprehensive stakeholder involvement and equitable public participation will drive development of the concept plan. The plan will include the necessary environmental review as required by New York State Law, as well as cost estimates for implementation phases. Once completed, the plan will be used to apply for additional grant funding for the design and construction of the project. This project has been funded in part by the NYS Climate Smart Communities Grant Program. The Multiversity Concept Plan will comply with all requirements of the Climate Smart Communities Grant Program and the approved work plan for this project.

Our understanding of this project is based on our review of the RFP issued July 19, 2023, our team members' prior work on BikeWalk Brighton and Envision Brighton, experience walking and bicycling in the study area, previous and current work on all three involved campuses, and over ten years of project work in Brighton focused on active transportation and climate action.

## Project Approach

The Bergmann team commends the Town of Brighton for their achievements in advancing active transportation and climate resilience over recent years. Several important recommendations from BikeWalk Brighton and Envision Brighton have been implemented and are contributing to community resilience and quality of life in Brighton. The Multiversity Triangle will be imbedded in an evolving multi-modal context that includes such projects as the Brickyard Trail, Highland Crossing Trail, Brighton Auburn Trail, and Brighton Bicycle Boulevards. Bicycle and pedestrian improvements along Elmwood Avenue between 12 Corners and South Goodman St. will soon provide improved connectivity between 12 Corners and the College Town area of U of R.

Multiversity is an important step towards building a robust regional trail network for the Town of Brighton and Monroe County. The Multiversity vision is to connect the University of Rochester, Rochester Institute of Technology, and Monroe Community College with ADA and AASHTO compliant, off-road multi-use trails applying best practices for safety and resilient design. Our approach to this project will include developing a feasible, fundable, and sustainable Multiversity Concept Plan that will provide maximum positive outcomes in the areas of active transportation, social equity, and climate resilience.

The Multiversity will link the 3 campuses, provide access to local assets, and establish functional connectivity between open space resources. In addition to connecting the 3 campuses, this project has the potential to significantly increase connectivity between neighborhoods, protect and restore unique landscapes, and equitably expand public access to water resources, recreational amenities, and public open spaces. When constructed, the Multiversity will enable Brighton to realize the long-term economic, environmental, health, and social benefits of active transportation and multi-use trails. With the development of this plan, the Town is taking a progressive stance in addressing important issues such as climate change, environmental degradation, and environmental justice.

The Bergmann team has completed numerous successful and unique trail projects throughout New York State, in environments ranging from urban settings to pristine, remote, backcountry areas. Our project team for the Multiversity Concept Plan consists of landscape architects, planners, engineers, and environmental scientists with a wealth of background knowledge and experience in developing trail systems in challenging and sensitive locations. Our approach is rooted in the belief that vision can be balanced with implementation. We strive to provide realistic recommendations that allow for short-term successes as well as long term goals and objectives.

Bergmann team members are currently involved in the Monroe County Countywide Active Transportation Plan (CATP), Monroe County Phase 2 Climate Action Plan, and City of Rochester ROC the Riverway projects. Public input, stakeholder relationships and data acquired through these projects will help support our efforts on the Multiversity Concept Plan. The Monroe County CATP, for example, contains guidance for e-bike use on multi-use trails that can be integrated into the Multiversity Concept Plan. The Monroe County Climate Action Plan models the potential reduction of greenhouse gas emissions from the implementation of the recommended countywide ATP network (approximately 12.5 million tons of carbon dioxide annually). Our experience on related projects with Monroe County, the City of Rochester, and the three involved college campuses will add value to the Multiversity Concept Plan.





Our approach to the feasibility assessment and planning of multi-use trails focuses on the following key strategies and objectives:

- Provide trail facilities that are context sensitive and responds to the transportation, social, recreational, cultural, and economic needs of the community;
- Develop sustainable strategies for construction and longevity of the system, creating a safe and sustainable trail that is cost-effective to build and maintain;
- Prioritize sustainable trail design and construction practices that minimize impacts, and enhance existing habitats and ecosystem conditions;
- Ensure early and continuous involvement of key stakeholders, along with local businesses, communities, and vested project allies to understand and balance the needs of all users; and,
- Provide an inclusive design concept to support and encourage use by visitors of all mobility levels and ages during all seasons.

Currently, approximately 80% of the Multiversity Triangle trails exist in some useable form. Some segments are missing, some segments need to be improved to meet current best practices, and there are conflict points at some existing road crossings. Trail user experience can be improved by adding resting points, micro-destinations, and side loops off the main trail corridors. Consistent wayfinding is needed to maximize connectivity to community resources. Merging trail enhancements with ecosystem restoration will improve biodiversity, provide bio sequestration of carbon dioxide, and capture the full potential of the trail corridors for climate mitigation. Mitigating climate change and advancing environmental justice could open up additional funding source for Multiversity implementation, including the NYS Environmental Bond Act (\$4.2 billion).

Objectives for the Multiversity Concept Plan can include, but are not limited to:

- Identify existing gaps and provide feasible concept plans and cost estimates for completing the Multiversity Triangle.
- Identify existing trail segments in need of improvements and provide enhancement recommendations.
- Assess existing road crossings and make improvement recommendations based on active transportation best practices.
- Investigate existing connectivity from the Multiversity trails onto each of the 3 campuses and identify enhancement opportunities.
- Make recommendations for connecting the Multiversity to adjacent neighborhoods and existing pedestrian and bicycle facilities.
- Provide recommendations for wayfinding and place-branding of the Multiversity Triangle.
- Consider operational and management requirements of emerging trail user groups including e-bikes and scooters.
- Provide concept-level design solutions for increasing actual and perceived safety and security along the trail segments.
- Formulate strategies for eliminating potential conflicts between trail users.
- Maximize the climate mitigation and adaptation potential of the Multiversity network.
- In collaboration with academic programs at the three colleges, develop opportunities for citizen science along the Multiversity that can support local climate initiatives and provide usable data to land managers to support efficient maintenance of the system.

### Project Challenges:

Our team members cycled the Multiversity trail segments on August 6, 2023. One important overall challenge for the Multiversity is the multiple jurisdictions, land managers and other entities involved in the study area. Consistent communication and coordination throughout the project will be one key to project success. Bergmann will leverage our existing relationships with stakeholders and knowledge of the project area to help build consensus on a final Multiversity Concept Plan.



[Click here to view the Rochester Multiversity Bicycle Ride video](#)

We observed several challenges in the field, a few of which are noted below:



**Jefferson & John Street Intersection** | This intersection consists of both MCDOT and NYSDOT Region 4 roadway jurisdictions. NYSDOT controls the intersection and signals. Identified as a challenge in both BikeWalk Brighton and the Town of Henrietta Active Transportation Plan, this intersection remains problematic for pedestrians and cyclists. Recommendations will be made for possible improvement strategies to enhance comfort and safety for pedestrians and bicyclists. Our team will communicate with NYSDOT Region 4 to discuss possible safety enhancements.



**Lehigh Valley Trail and Brighton Henrietta Townline Road** | The connection between these 2 trail segments is unmarked, unsurfaced, and not ADA compliant. Design solutions will improve sight lines, provide appropriate wayfinding, and establish a smooth, barrier-free transition that meets ADA requirements.



**Lehigh Valley Trail and East River Road** | There is no established crossing for the Lehigh Valley Trail at East River Road. Curb ramps, signage and pavement markings are all lacking. On the north side of East River Rd. there are no vehicle access controls. A car was observed parked on the side of the trail just north of East River Road. Concept design will include layout of a safe and ADA compliant crossing for the trail at East River Road.



**Lack of Wayfinding** | BikeWalk Brighton, the Henrietta Active Transportation Plan, and the Monroe County CATP all emphasize the importance of providing safe connectivity from local neighborhoods to the major regional trails. In the Multiversity study area, there are numerous spur trails linking to the Erie Canal Trail that are not clearly marked. The Multiversity Concept plan will provide guidance for a clear and consistent wayfinding system and identify locations in need of signage.

## Scope of Work

### Task 1 – Existing Conditions, Issues, and Opportunities Identification & Analysis

#### 1.1 Review Existing Town Planning & Policy Documents

Our team recognizes that the Town of Brighton has conducted several planning efforts that support, describe, and illustrate the Rochester Multiversity Concept Plan. An important part of this project will be to bring together the objectives and recommendations of these existing plans to further the development of the concept into implementation. We will review all existing town planning & policy documents, including Envision Brighton 2028, Town of Brighton Draft Climate Action Plan, Bike/Walk Brighton, and efforts of the Town of Brighton IDEA Board Action Plan, in addition to engineering transportation design plans, land use regulations, zoning code, and projects and/or developments underway. The unique perspectives that these planning documents provide on the impact of the Multiversity Concept, as described below, that will set a holistic foundation for the development of the project.

##### 1.1.1 Town of Brighton Comprehensive Plan "Envision Brighton 2028"

Envision Brighton 2028 presents the Multiversity Concept as an opportunity to improve institutional collaboration, economic development, neighborhood connectivity, and community sustainability. As Recommendation #14, The Town of Brighton Comprehensive Plan identifies the need to pursue non-vehicular connectivity opportunities to strengthen the Multiversity Concept. It is important to note that through the public engagement process, the public voiced a preference for, "year-round accessibility to trails connecting the surrounding areas," "establishing a valuable transport corridor between UR, RIT and downtown/southeast quadrant, and allowing isolated communities to safely interact with Brighton, etc," and "connect canal to 12 corners bike paths."

### 1.1.2 *Town of Brighton Draft Climate Action Plan*

The Climate Action Plan measures the environmental impact of active transportation and preservation of open space as a means to reduce community-wide greenhouse gas emissions. The plan identifies the need to preserve green space and protect habitats that cleanses water, air, and sequesters carbon as part of its approach towards land use. For its approach towards transportation, the plan encourages bicycle riding and walking, college and hospital mobility, and more walkable destinations to reduce transportation-related carbon dioxide emissions from personal vehicle usage.

### 1.1.3 *Bike/Walk Brighton*

Bike/Walk Brighton uses the Multiversity Concept to illustrate how active transportation can accommodate a growing population, alleviating traffic congestion and increased parking infrastructure. Identified as Recommendation #6, the Multiversity Concept was originally conceived in this project in coordination with Jon Schull of RIT.

Two key recommendations to strengthen the concept include a hiking trail connecting MCC to the Erie Canal Trail near South Clinton Avenue, and linking UR to RIT by improvements to the Lehigh Valley Trail.

### 1.1.4 *Town of Brighton Inclusion, Diversity, & Equity Advisory (IDEA) Board Action Plan*

With input from Brighton residents, the IDEA Board developed the IDEA Plan, which provides a road map for diversity and inclusion initiatives in Brighton on an ongoing basis. The IDEA Board efforts will reflect equity-based solutions that relate to accessibility to trails and open spaces.

## 1.2 **Natural Resource Inventory**

Our team will collect data, perform a desktop review, and verify on-site conditions, as necessary, to understand the existing infrastructure and natural resources in proximity to the Rochester Multiversity area. This data will be compiled into a GIS geo-database for this project.

In our search, we will utilize the NYS GIS Clearinghouse, NYS Department of Environmental Conservation (DEC) Environmental Resource Mapper, NYSDEC Nature Explorer, US Fish and Wildlife Service (USFWS) Wetlands Mapper, Natural Resource Conservation Service (NRCS) Web Soil Survey and other online resources to collect relevant data on present critical, endangered, and threatened species, critical environmental areas, floodplains, topography, historic places, and locally present species. Where we need supplementary data, our team will conduct outreach to the Town for GIS data including, but not limited to, parcels, roads, parks, sidewalks, bicycle facilities, building footprints, utilities, schools, and other pertinent information. In situations where pdf or printed maps are only available, our team will georeference and digitally trace the necessary information for integration into a GIS geo-database.

## 1.3 **Deliverables**

### 1.3.1 *Project Schedule*

Our team will review the proposed project schedule with the Town of Brighton and the Steering Committee to determine if any changes need to be made to accommodate schedules, availability, and/or public needs and opportunities. The schedule will be updated, as necessary, each month during the project to reflect progress and projected milestones.

### 1.3.2 *Existing Conditions Report*

Our team will submit an Existing Conditions Report to the Town of Brighton, which describes the existing conditions of the Project Site based on planning and policy document review, site observations, natural resources, and data collection. This will include:

- A summary of existing conditions such as, but not limited to, site visit observations, existing habitats, open spaces, vegetation, and ecologically sensitive areas, commercial and economic development corridors, and existing and proposed trail networks and active transportation improvements.
- For key site photos, our team will provide a photo log and photo location map. Our team will also share the compiled GIS geo-database.

This report will set the foundation for the opportunities and recommendations that will be developed in the Draft and Final Master Plans. The Existing Conditions Report will be submitted in pdf format.

## Task 2 – Public Engagement Process

Our team understands that there have been several public engagement efforts in existing Town planning and policy documents that include feedback about the Rochester Multiversity Concept Plan. Our project will adapt successful engagement efforts into this project to provide a continuous, comprehensive public engagement process to maximize public feedback.

### 2.1 Identify Key Groups, Neighborhoods, Constituents, and Businesses

We will work with the Town of Brighton to identify key groups, neighborhoods, constituents, and businesses that will need to be represented and engaged for the Rochester Multiversity Concept Plan. A list of potential organizations for the Town and Steering Committee to connect with include the Town to consider groups, such as the University of Rochester, Monroe Community College, Rochester Institute of Technology, NYS Parks, Highland Park Conservancy, Color Brighton Green, Genesee Regional Off-Road Cyclists, Reconnect Rochester, Monroe County, NYS Canal Corporation; neighborhoods, such as the West Brighton and Highland Neighborhood Groups; businesses such as the Brighton Chamber of Commerce, Strong Business District, and Citygate; and constituents such as Jon Schull. Jon is a retired RIT professor and originator of the Multiversity Concept. He currently leads the EcoRestoration Alliance, a global network of scientists, storytellers, and practitioners working to restore the planet's climate by restoring the biosphere.

### 2.2 Partner Organizations

There are several businesses, jurisdictions, non-profit organizations, and companies that are located and engaged within the project area. We will work with the Town of Brighton and Steering Committee to determine potential partner organizations that will aid in project implementation, programming, maintenance, and monitoring. This will include specific consideration of institutional partners at UR, MCC, and RIT campuses.

### 2.3 Design and Plan Outreach with the Steering Committee and Town Staff

Public input is vital for project development and success. Our team is prepared to compile and apply a public engagement strategy that will best solicit public input based on our previous experience with Brighton and experience on other similar project. We understand that engagement approaches will need to be flexible and diverse to accommodate a wide range of user groups from institutions to individual residents, collective neighborhoods, business owners, local officials, and non-profit organizations. We will utilize existing communication networks and platforms as a foundation for spreading awareness of the project. Beyond this point, we will select convenient venues to maximize public involvement for in-person meetings, in consideration of local events, the multi-jurisdictional project area, and diverse work schedules. We will connect existing online networks with the project website and other online material related to the project. We will prepare comprehensive visuals and interactive elements to build a relationship with the community, clearly communicate project design challenges and opportunities, and effectively discuss design solutions.

### 2.4 Plan and Coordinate all Community Workshops/Events with Town Staff and the Steering Committee

Our team will plan and coordinate two community workshops, one event, and one Town Board meeting at minimum with the Town Staff and Steering Committee. To accommodate the changing needs of the public and the Steering Committee in the last few years, our strategy towards public engagement is based on flexibility. We recommend including hybrid opportunities, incorporating both lunch-time and evening engagement events, online options for attending public meetings, and coordinating community workshops with highly-attended local events. Prior to the development of meeting materials and formats, the team will discuss the approach towards community workshops with Town Staff and the Steering Committee for approval.

### 2.5 Engagement Tools, Understanding, and Meeting Format

Our team will use a mix of activities and prompts to engage the public in discussion and collect meaningful feedback through a hybrid approach. Providing both online and in-person opportunities for the public to provide feedback will increase convenience, accessibility to project information, and opportunities for active discussion. Potential tools and formats are included below:

#### On-Going

- Citizen Science: One of the ways we will engage residents and users of the corridor is by using open-source crowd sourcing applications. In this manner, the community can become involved in invasive species and establishment of healthy, bio-diverse communities, encouraging "citizen science" that supports the long-term resiliency of the habitat corridors adjacent to the trails.



### Online

- Project Website, providing continuous updates throughout the project duration, enabling access to project documents, and integrating Social Pinpoint.
- The Social Pinpoint Ideas Wall and/or Interactive Mapping will provide opportunities for the public to comment their ideas related to project topics and challenges, and allows other community members to build upon each other's ideas. We can also create an interactive map identifying potential trail opportunities, constraints, and areas of concern.
- Survey123 will be distributed through existing communication networks in the Town to determine usership, demographics, concerns, opportunities, and preferences.
- Coordination with social media platforms, such as the Town's Facebook and twitter accounts to heighten awareness of project milestones, events, workshops, and opportunities to provide feedback.

### In-Person

- Mini-surveys distributed to campuses to collect student feedback.
- Interactive project boards with focused prompts, preferences, open-ended questions, and imperative project information.
- Comment cards to provide anonymous feedback about project-specific areas, opportunities, and concerns.
- Mapping activities to identify key areas of concern, needs, and communicate ideas.

## **2.6 Community Workshop Concerns, Ideas, and Feedback Memo**

The team will coordinate with the Steering Committee to develop a schedule of eight (8) meetings that take place before and after each workshop or event. Meetings prior to workshops or events will be scheduled at least one week in advance so the team can effectively coordinate a review, gather feedback on the upcoming workshop materials, format, prompts, and agenda, and make revisions. Within one week after each workshop, our team will submit a memo to the Town of Brighton that summarizes the concerns, ideas, and feedback that were shared with the project team. Upon acceptance from the Town, the team will integrate a review of this information as part of the agenda for each Steering Committee Meeting to gather further thoughts and ideas on how to address this feedback in the project process and in development of the Master Plan.

## **2.7 Project Website Design Elements Document**

Our team will provide a memo to the Town of Brighton that includes potential design elements of the project website. Website features may include, but are not limited to:

- Platform, such as ESRI Storymap, Wix, ArcGIS hub.
- Project branding, including color scheme, logo, and text.
- Plug-ins, such as Survey123, Social Pinpoint, and ArcGIS online.
- Home page design, such as project description, schedule, and upcoming events.
- Images, in consideration of Town approval.
- Tabs such as project materials, input submittal, data, and helpful links.

To assist the conversation, the team will review other project websites with the Town of Brighton, including those coordinated by the Town (Climate Action Plan, etc), and two to three (2-3) other website examples, to gain an understanding of the Town's preferences.

## **2.8 Develop, Manage, Host, and Coordinate the Project Website with Town Facebook and Twitter Accounts**

Our team will coordinate project updates, the project website, and upcoming workshops and events with the Town's existing Facebook and twitter accounts. We will provide the Town with quick statements related to the project for continuous outreach to post on each page, hyperlinks to project documents, as well as graphics containing meeting information that are in line with the project branding. We will maintain the website throughout the project duration and continue maintaining the site for two years after completion of the project. The cost associated with the website is included in our cost proposal.



## 2.9 Deliverables

### 2.9.1 *Public Participation Plan*

The team will provide a digital copy of the Public Participation Plan that identifies how and when the public will be engaged. The Plan will identify in-person and online public outreach efforts, engagement tools, and an engagement timeline.

### 2.9.2 *List of key groups, neighborhoods, constituents, and businesses and their contact information*

The team will identify and confirm a list of key groups, neighborhoods, constituents, and businesses with the Town and the Steering Committee. Upon approval, they will move forward with obtaining contact information and a key contact person. This will be organized into an excel spreadsheet for future reference.

### 2.9.3 *Schedule of workshops and events*

A schedule of workshops and events will be provided to the Town in an illustrative format, indicating engagement types, reference to other project milestones, durations, and completion dates.

### 2.9.4 *Meeting materials*

Meeting materials will be provided in pdf and digital formats to the Town of Brighton, and shared on the Project Website and other platforms for convenient access and future reference.

### 2.9.5 *Report/memo following each meeting identifying community concerns, ideas, and other feedback*

The team will distribute the memo once it has been approved by the Town to the Steering Committee that identifies community concerns, ideas, and other feedback identified during community workshops, events, and through online input.

### 2.9.6 *Design document outlining elements to be included on the website*

The team will provide an array of plug-ins, widgets, and visuals that the Town and Steering Committee may voice their preference on for the project website. The selected tools, styles, and formats will be noted in a design document, and serve as the design template moving forward.

### 2.9.7 *Digital copy of completed website and copies of posted website materials for website prior to it going live for public use*

The team will share a digital copy of the website for the Town and Steering Committee to review and approve. Upon approval, the team will publish the project website to the public.

## Task 3 – Prepare a Draft Concept Plan

### 3.1 **Prepare a Draft Master Plan for the Rochester Multiversity Concept that links MCC, RIT, UR, and Genesee Valley Greenway**

Our team will prepare schematic designs for enhanced and new trail alignments that support the Rochester Multiversity Concept Plan, considering structural improvements, trail surface treatments, safety features, road crossings, and connectivity to existing resources, destinations, and views.

The team will work with the Town and the Steering Committee to identify a set of evaluation criteria related to enhancements to the existing trails and potential new trail connections. This criteria may include installation cost, anticipated life cycle span, environmental impacts, site control including right of way versus potential acquisition needs, utility conflicts and relocations, and on-going maintenance.

All trail enhancements and connections will be evaluated and developed using state and nationally accepted trail guidance and standards, such as the New York State Highway Design Manual, AASHTO's Guide for the Development of Bicycle Facilities, FHWA's Designing Sidewalks and Trails for Bicycle Access, and FHWA's Selecting Roadway Design Treatments for Bicycles. We will evaluate opportunities and develop strategies for minimizing and mitigating potential conflicts between trail users, motorists, property owners, and others that would cross the trail to access adjacent properties.

The Rochester Multiversity Concept Plan will reference the Crime Prevention through Environmental Design (CPTED) strategies to balance perceived and actual safety for trail users throughout existing and proposed trail corridors. We will integrate the three main principles, including natural surveillance, territoriality, and access control.

We will utilize the latest research on the operational characteristics of emerging trail user groups in consideration of the usage of existing trails and opportune user groups. With new technologies and changing demographics, e-bikes, scooters, tricycles, and recumbent bicycles are becoming more common. There are also a number of people using mobility assistive devices. Planning and design will aim for an inclusive and barrier-free facility that supports local user groups.

### *3.1.1 Illustrate location of the proposed trails within the project area and include a preliminary cost estimate for implementation and construction of the plan*

We will use basemaps created during the existing conditions phase and locate proposed trails on these maps in a comprehensive manner. Data including length, proposed surface type, topography, user groups, and connections will be included for each segment. Supporting sketches will be developed for key trail improvements, including gateways, surface treatments, trail crossings, and viewsheds. For all proposed trails, the team will provide planning level cost estimates that cover the cost of implementation and construction.

Logical phasing of the trail will consider the integration of certain segments or connections, and the general feasibility in a matrix or similar format that compares pertinent characteristics of each to specific physical, operational, design, policy, and regulatory needs and opportunities. These will be reviewed by the Town and Steering Committee before being finalized.

### *3.1.2 Context sensitivity and minimal disturbance to environmentally sensitive areas*

Our team will apply best management practices to avoid or reduce water quality impairments from upland runoff or in-water activities and identify any potential impacts to special management areas or other sensitive resources. We will consider opportunities to restore and enhance existing habitats, selecting native plant communities and controlling invasive species, and educational opportunities that celebrate these existing natural resources. Analysis of the recommended trails will also include potential ROW and utility conflicts, and considerations for multi-jurisdictional maintenance.

## **3.2 Present Draft Master Plan and Post on Website for Public Comment**

The Master Plan will be presented in digestible pieces to the public, so that connections can easily be drawn between previous planning efforts, current planning efforts, public feedback, existing conditions, and recommended master planning content. The Plan will be divided into existing conditions and proposed conditions in the final report document and on the project website, with appendixes related to certain public feedback and data collection separated out, as necessary. The public will be able to interact with project maps through an ArcGIS plug-in, provide input directly on proposed materials through boards and prompts at an engagement event, and provide open-ended comments on the report at large through a comment widget on the project website.

## **3.3 Prepare Presentation Materials**

As noted in 2.5, the team will provide a variety of materials appropriate for the presentation format to illustrate the Master Planning existing conditions and recommendations and prompt directed public input. A balance of text and illustrations will be achieved to best communicate project information. For each of the proposed trail alignments and trail enhancements, the teams will provide supporting illustrations, including perspective renderings and cross sections, to visually communicate to the public the ideas that the team are presenting. These visualizations will help the public connect and better understand what the team is proposing, so they can more easily provide feedback that is critical to project development. The team will also provide a QR code and links to the Draft Master Plan so that the public can easily access and view the document during the meeting.

## **3.4 Revise Draft Master Plan per Public Comments**

Our team will compile a document with public comments to be addressed in the Draft Master Plan based on the Public Comments received at the Public Event and use this list to revise the Draft Master Plan accordingly. The team will review feedback in comparison to updates that have been made on the document with the Town and Steering Committee to ensure all feedback is addressed appropriately and completely before the Draft Plan is submitted.

### 3.5 Deliverables

#### 3.5.1 Draft Master Plan for the Rochester Multiversity Concept

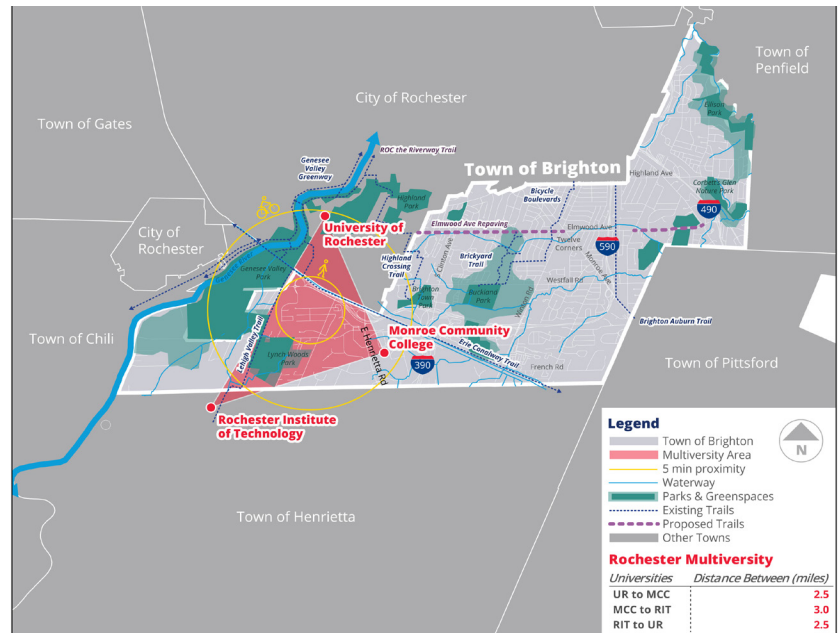
The team will provide the Draft Master Plan as a pdf to the Town of Brighton for review and feedback. Once the team has received public feedback from the public event and feedback from the Town and Steering Committee, we will send an updated Draft Master Plan to the Town in pdf format.

### Task 4 – Prepare a Final Master Plan

#### 4.1 Prepare the Final Master Plan for the Rochester Multiversity Concept

The Final Master Plan will include further detail on the trails to be included in the final Rochester Multiversity Concept. The team will employ a variety of graphic conventions, including, but not limited to, illustrative plans, sections, elevations, renderings, perspectives, and sketches to support the trail concepts. Project visualizations will clearly communicate design concepts, build consensus, and support future funding applications. Ancillary public comments that were received after the Draft Master Plan was submitted will be accounted for and addressed in the Final Master Plan.

##### 4.1.1 *Identify necessary infrastructure improvements and a final cost estimate for implementation and construction of the plan*



We will revise the Master Plan to clearly communicate the goals of the project, methodology, existing conditions, technical analysis and potential trail segments considered including complete environmental and ROW assessments, concept layout and typical sections. The description of the enhanced and new trails as part of the Rochester Multiversity Concept will include:

- Primary trail alignment, geometry, widths, clear zones, and materials.
- Specific trail features, iconic or unique identity Barriers, including guiderails, fencing, buffers, and access controls.
- Grading and drainage.
- Critical habitat areas.
- Lighting and utility coordination.
- Property acquisitions and easements.
- Locations where state and local regulations, floodplain ordinances, or any other environmental factor may impact implementation of the trail.
- Trail crossings.
- Proposed connections.
- Structural design elements, needs, and/or requirements.
- Gateways, nodes, trailheads, and primary access locations.
- Wayfinding signage and interpretive opportunities.
- Vegetation management recommendations.
- Trail amenities and materials.
- Wayfinding and signage.

Cost estimates will be further detailed for each of the trail enhancements and proposed segments using bidding outcomes from trails constructed within the last five (5) years and the NYSDOT Pay Item Catalog to ensure estimates are accurate and up-to-date.



#### 4.1.2 Encourage active transportation while improving collaboration between institutions, increasing economic opportunities

The prioritization and logical phasing that was considered in the draft plan will be further developed to include potential implementation partners, responsibilities, detailed cost estimates, timeline and potential sources of funding for each phase.

#### 4.1.3 Present Draft Master Plan at a Public Meeting and post on the website for public comment

As done for the Draft Master Plan, the team will post project materials for the Final Master Plan to the project website and at a public meeting for public comment.

#### 4.1.4 Identify permits and approvals needed to implement and construct the plan

Our team will identify permitting needs at the local, state, and federal levels that may be required for implementation for each of the proposed trail segments and trail enhancements.

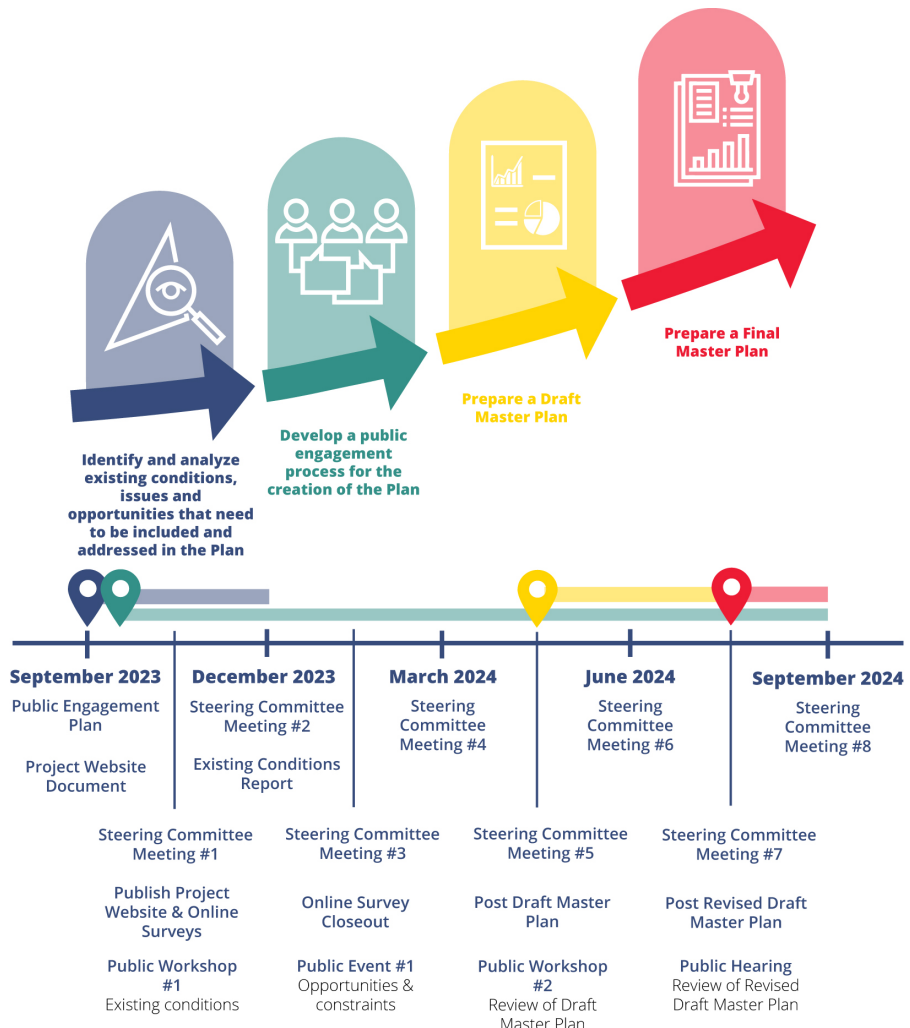
## 4.2 Deliverables

### 4.2.1 Final Master Plan for the Rochester Multiversity Concept

Our team will submit a digital copy of the Final Master Plan for the Rochester Multiversity Concept for review by the Town and the Steering Committee prior to finalization and final submittal.

# Schedule

The project team has developed a proposed project schedule based on the assumption that the project will need to be completed within one year of project commencement. This schedule is flexible and may be amended upon review by the Town and the Steering Committee.



# Project Staffing



Thomas Robinson will be the primary point of contact, providing oversight and management for the entire project to ensure the study stays on schedule, within budget, and exceeds the expectations for the Town of Brighton, Multiversity Concept Plan. Collectively, our team has an established track record of working together to exceed the expectations of our clients. We approach projects from an interdisciplinary perspective and our depth of expertise enables us to quickly tap into a variety of resources, as needed, to effectively execute and address any project needs. All of the staff identified below have availability in their project schedules for the timely completion of the project.

## Thomas Robinson, RLA, LEED AP

### PROJECT MANAGER (62 hours)



#### Education

Master of Landscape Architecture,  
University of Washington

Japanese Ministry of Education  
(Monbusho) Grant, Kobe University

BS, Arboriculture and Urban Forestry  
University of Massachusetts

#### Professional Affiliations

American Society of Landscape  
Architects

United States Green Building  
Council: LEED AP

Town of Penfield Watershed  
Management Committee

Tom will act as Project Manager and is a senior landscape architect with over 25 years of professional experience in active transportation, community design, and project management. His projects emphasize the integration of natural systems into the built environment with the aim of providing measurable positive outcomes to public health and community resilience. Evidence-based design strategies are applied to establish high-performance landscapes across urban, suburban, and rural environments. Areas of focus include active transportation, green infrastructure, and sustainable design. Tom regularly manages interdisciplinary teams that provide clients with practical solutions to complex environmental challenges. His work has included active transportation and climate action projects for Monroe County, the City of Rochester, Town of Henrietta, Rochester Institute of Technology, New York State Parks, and the Town of Brighton. Tom grew up on Summit Drive in Brighton, attended BCSD K-12, and has completed nine projects for the Town over a period of 15 years. All projects were supported by robust public engagement processes and included extensive interaction with Brighton Town staff and Town residents. Tom has facilitated over 20 public meetings for the Town of Brighton. Tom will be the primary point of contact as the Project Manager, and will oversee the development of the Plan to ensure it fulfills the goals and objectives of this

### PROJECT EXPERIENCE

#### Town of Brighton Projects

- Meridian Fields | Brighton, NY | Project Manager
- Lynch Woods Community Trails Brighton, NY | Senior Landscape Architect and Project Manager
- Bike Walk Brighton | Brighton, NY | Senior Landscape Architect and Project Manager
- Monroe Avenue Green Street Retrofit | Brighton, NY | Project Manager
- Winter Farmers Market | Brighton, NY | Project Manager
- Envision Brighton | Brighton, NY | Landscape Architect

#### Other Relevant Projects

- Town of Henrietta Active Transportation Plan | Project Manager
- Monroe County Active Transportation Plan | Monroe County, NY | Landscape Architect
- RIT Farnum Lane Trail | Henrietta, NY | Project Manager
- RIT Gleason Circle | Henrietta, NY | Project Manager
- RIT Perkins Green | Henrietta, NY | Project Manager
- Monroe County Climate Action Plan | Monroe County, NY | Landscape Architect
- NYS Parks Greenway Trail Extension | Cuba, NY | Project Manager
- Cayuga County Sterling-Fair Haven Trail Study | Cayuga County | Project Manager
- RIT Residence Hall Landscape Plan | Henrietta, NY | Project Manager



# John Steinmetz, FAICP

**PRINCIPAL IN CHARGE (8 hours)**



## Education

Bachelors of City Planning,  
University of Virginia

Main Street Institute, National Trust  
for Historic Preservation

## Professional Affiliations

College of Fellows, American  
Institute of Certified Planners

American Institute of Certified  
Planners

American Planning Association

John is a certified community planner with over 25 years of experience. He has worked on a wide range of planning and community development projects including but not limited to comprehensive plans, regulatory updates, farmland protection plans, active transportation studies, and waterfront and downtown revitalization efforts. His planning and zoning experience has provided him with an understanding of the issues facing towns, villages, and cities of various sizes. His expertise in public participation ensures a process and a product that reflects the values of local residents and business owners. He was recently given the 2018 Distinguished Leadership Award and named the first Upstate Fellow by the Upstate Chapter of the American Planning Association. John will be responsible for reviewing final documents, including the Public Engagement Plan, the Draft Master Plan, and the Final Master Plan.

## PROJECT EXPERIENCE

- Comprehensive Plan Update | Brighton, NY | Principal Planner
- Comprehensive Plan & Zoning Code | Pittsford, NY | Principal Planner
- Zoning Code Updates | East Aurora & Hamburg, NY | Principal Planner
- Dewey Avenue Mixed Used Zoning Amendment | Greece, NY | Principal Planner
- Comprehensive Zoning Code Update | Geneseo, NY | Principal Planner
- State Route 332 & Route 96 Corridor Study | Canandaigua & Farmington, NY | Principal Planner
- Uptown Mixed Use and Transportation Corridor Feasibility Study | Canandaigua, NY | Principal Planner
- Bicycle & Pedestrian Master Plan | Chili, NY | Principal Planner

# Katie Darcy, AICP

**PLANNER (282 hours)**



## Education

MRP, City and Regional Planning  
Cornell University

BA, Environmental Design  
University at Buffalo

## Professional Affiliations

American Planning Association

American Institute of Certified  
Planners

Katie's primary role is to assist with all planning and zoning related projects, including, comprehensive plans, zoning codes, transportation plans, farmland plans, municipal assistance, and grant writing. Katie helps to draft and edit plan material, research and analyze community data, create interpretive maps and graphics, assess local land use regulations, and co-facilitate public engagement efforts. Katie will be responsible for developing, coordinating, and carrying out public engagement efforts and the Master Plan report document, including the project website, the engagement materials, and public input summaries. She will also lead the data collection and compilation effort. Using this information, she will work with her team to provide visuals, maps, and graphics that are in line with the project branding, project objectives, and reflective of public input.

## PROJECT EXPERIENCE

- Town of Lansing | Open Space Index and Conservation Plan | Lansing, NY | Assistant Project Manager
- Niagara Frontier Transportation Authority | DL+W Multimodal Study | Buffalo, NY | Project Planner
- City of Lockport | Comprehensive Plan & Code Update | Lockport, NY | Project Planner
- Town of Amherst | Suburban Agriculture Zoning Assessment | Amherst, NY | Project Planner
- City of Ithaca | Cayuga Waterfront Revitalization Project | Ithaca, NY | Project Planner
- Monroe County | Countywide Active Transportation Plan | Monroe County, NY | Project Planner

# Hanna Quigley

## LANDSCAPE DESIGNER/PLANNER (180 hours)



### Education

Bachelor of Landscape Architecture  
SUNY Environmental Science &  
Forestry

### Professional Affiliations

NY Upstate American Society of  
Landscape Architects  
National ASLA  
American Shore and Beach  
Preservation Association

Hanna has been involved in landscape architecture design and has led the design production of many different project types with various delivery systems and a wide range of scales. Hanna takes a collaborative approach to the design and construction process, working closely with consultant teams, contractors, and owners to develop successful solutions to clients' needs. She takes pride in the quality relationships she has built with those involved in projects she has worked on and is eager for each new challenge. Hanna will be responsible for visualizations that support the enhancements and new trails that are recommended to strengthen the Multiversity Concept. She will also assist with engagement activities, presentations, feasibility assessments, cost estimates, and report writing.

### PROJECT EXPERIENCE

- Finger Lakes Museum | Branchport, NY | Landscape Designer
- Lake Erie State Park Main Culvert Replacement Options | Chautauqua Lake, NY | Landscape Designer
- Erie County | Seneca Bluffs Green Infrastructure Parking Lot Study and Green Innovation Grant Program (GIGP) Application Support | City of Buffalo, NY | Lead Production Designer
- Buffalo Niagara Waterkeeper | Seneca Bluffs Site Enhancements Project | City of Buffalo, NY | Lead Production Designer
- Dewitt Recreation Area | City of Batavia, NY | Lead Production Designer
- Genesee County | Dewitt Recreation Area | City of Batavia, NY | Lead Production Designer

# Ariadna Cheremeteff

## ENVIRONMENTAL (27 hours)



### Education

BS, Environmental Management and  
Technology, Rochester Institute of  
Technology  
AS, Liberal Arts, Monroe Community  
College

### Professional Affiliations

Genesee Finger Lakes Chapter Air &  
Waste Management Association  
Women of Wastewater, Rochester,  
New York  
Brownfield Coalition of the North  
East

Ariadna has been working in the environmental remediation field, specializing in Phase I and Phase II Environmental Site Assessments, Environmental Program Cleanup Sites, hazardous waste remediation, construction oversight, project management, asbestos building inspections and abatement design, NEPA, Environmental Impact Statements, SEQR process, Housing and Community Renewal (HCR) and Housing and Urban Development (HUD) funding environmental studies, and environmental regulatory compliance and permitting. Ari has provided her expertise for site renovation, remediation, residential redevelopment, municipal, and industrial projects. Ariadna will be responsible for performing environmental and nature resources inventory and analysis of the Rochester Multiversity area, and will identify potential permitting needs for the project.

### PROJECT EXPERIENCE

- DePaul Properties | Environmental Investigations | Amsterdam Housing Redevelopment Project | Amsterdam, NY | Environmental Client and Project Manager, Asbestos Building Inspector, Asbestos Project Designer
- DePaul Properties | Environmental Investigations | Port Byron Housing Redevelopment Project | Port Byron, NY | Environmental Client and Project Manager, Asbestos Building Inspector, Asbestos Project Designer
- Beacon Communities | Environmental Investigations | Ulster Portfolio | Ulster County, NY | Environmental Client and Project Manager
- Christa Construction | Mold Assessments | Various Housing Development Projects | Throughout New York State | Environmental Client Manager and Environmental Discipline Lead



# Recent Clients



## ROC THE RIVERWAY | ROCHESTER, NY

**PROJECT DESCRIPTION** | Bergmann worked with the City of Rochester in the development of the ROC the Riverway Plan. ROC the Riverway focuses on the central core of the Genesee River, bringing to life a portion of the recently completed Local Waterfront Revitalization Plan (LWRP). The plan seeks to fund and implement the vision cultivated over years of planning and community engagement. As recommend in the ROC the Riverway Plan, Bergmann has completed design and construction of the West River Wall Phase 1. We are currently working on West River Wall Phase 2, the Vacuum Oil River Trail, and the transformation of the Broad Street Bridge (Aqueduct Reimagined). The City of Rochester continues to commit significant funding to the suite of riverside projects recommended in the ROC the Riverway Plan. The Rochester Multiversity Concept will connect to the Genesee River corridor and supports the goals of the ROC the Riverway Plan.

**TYPE OF WORK** | Trails & Recreation, Active Transportation, Waterfront Design, Native Species

### CLIENT REFERENCE

City of Rochester  
Erik Frisch, Deputy Commissioner  
City Hall, Room 223B  
30 Church Street  
Rochester, NY 14614  
585.428.6709

### PROJECT HIGHLIGHTS

- Establishes the Genesee River as the “centerpiece” of Downtown Rochester
- Leverages public dollars to encourage private investment, boost the economy and create jobs
- Seeks to attract more visitors to the Genesee River and downtown destinations



## CLIMATE ACTION PLAN | MONROE COUNTY, NY

**PROJECT DESCRIPTION** | Bergmann led a team that developed Phase 1 of the County's Climate Action Plan (CAP) that reduces greenhouse gas (GHG) emissions and strengthens resiliency; addresses both mitigation and adaptation; and creates goals, actions, and policies that are innovative and achievable. Bergmann created a plan that provides a clear path for transitioning to Phase 2: Countywide Climate Action Plan and a long-term vision, which will entail significant community outreach and buy-in to ensure buy-in and ownership of the Plan by County residents. The planning process was guided through continual input and feedback from the County's Climate Action Plan Advisory Committee, comprised of County staff, stakeholders, and local students. Bergmann coordinated with all County departments to obtain data for the initial greenhouse gas inventory for all the County's assets, such as buildings and facilities, vehicle fleets, and pure water infrastructure.



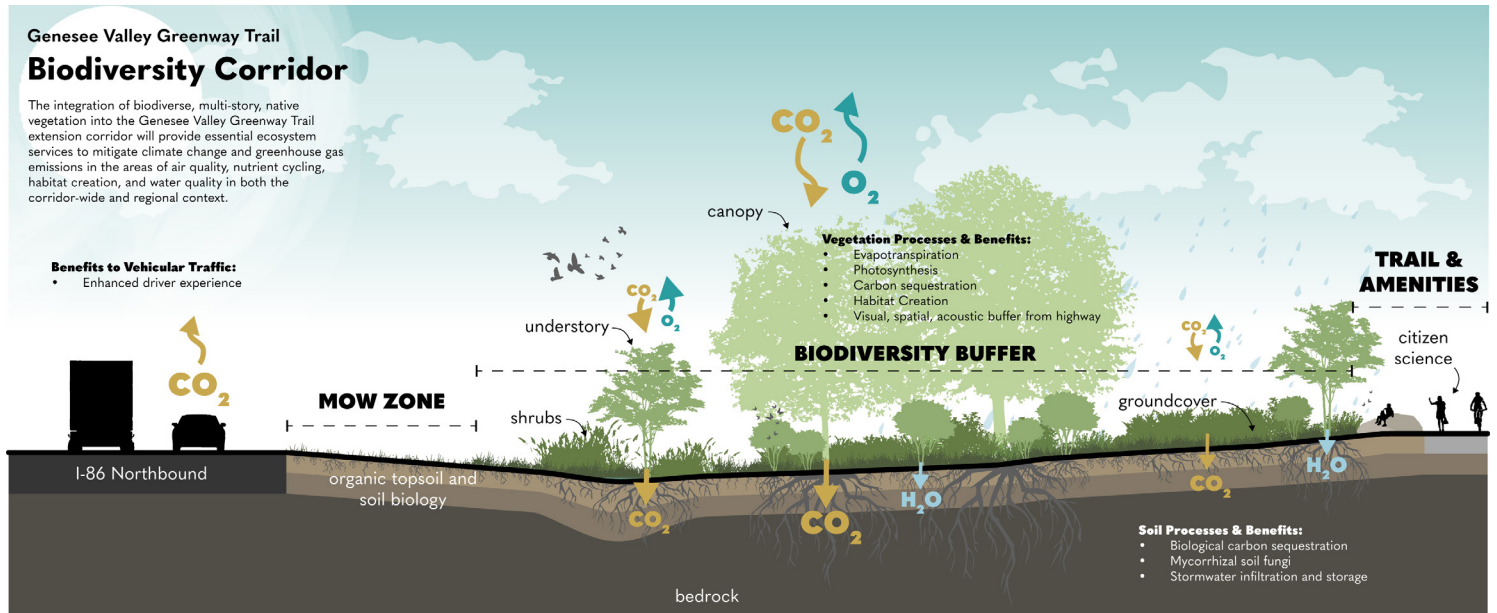
**TYPE OF WORK** | Community Resiliency, Climate Adaptation, Renewable Energy, Strategic Land Use

### CLIENT REFERENCE

Monroe County Planning & Development  
Patrick Gooch, Senior Planner  
City Place  
50 West Main Street, Suite 1150  
Rochester, NY 14614  
585.210.0295

### PROJECT HIGHLIGHTS

- GHG Emissions Inventory Report for County Operations
- Target GHG Reduction Goals
- Identify Case Studies and Best Practices
- Scenario Planning
- Create Strategies to Achieve Goals



## EXTENSION OF GENESEE GREENWAY TRAIL

ALLEGHENY & CATTARAUGUS COUNTIES, NY

### PROJECT DESCRIPTION

Bergmann is working with NYSOPRHP and local stakeholders to evaluate the feasibility of extending the Genesee Valley Greenway (GVG) 15-miles from its current southern terminus in Cuba, NY, to the City of Olean in Cattaraugus County. The GVG is a 90-mile open space corridor that currently runs from the Erie Canalway Trail in Rochester to the Village of Cuba in Allegany County. Bergmann is utilizing ArcGIS to help identify major challenges, opportunities, and potential trail alignments associated with each segment of the corridor. The trail has the potential to support recreation, tourism, community, and economic development efforts in the region. In addition to providing transportation alternatives and community connectivity, greenways improve biodiversity, protect important habitats, and provide corridors for people and wildlife. A regenerative strategy for the GVG trail will be based on control of invasive species and re-establishment of native plant communities. The U.S. Department of Transportation (DOT) Federal Highway Administration has issued guidance that encourages State DOTs to use highway ROW to develop biodiverse habitats that support pollinator species and can also contribute to climate mitigation. NYSDOT required buffer zones between I-86 and the proposed GVG trail will be developed into biodiversity corridors that improve safety, enhance trail user experience, and provide biological sequestration of greenhouse gases. Developing the biodiversity and climate mitigation aspects of the Genesee Valley Greenway will make the project eligible for funding under the NYS Environmental Bond Act (\$4.2 billion).

### TYPE OF WORK

Trails & Recreation, Biodiversity, Community Connectivity & Resiliency, Climate Mitigation, Ecological Restoration & Design, Wayfinding & Signage, Active Transportation

### CLIENT REFERENCE

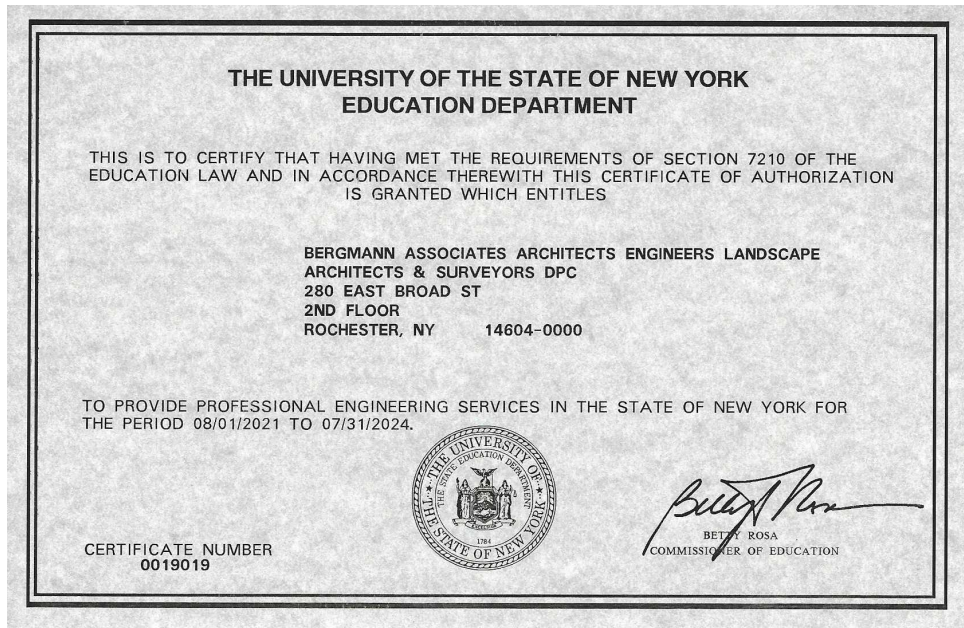
NYS Office of Parks, Recreation and Historic Preservation  
David Szuba, Associate Park Engineer  
625 Broadway  
Albany, NY 12207  
716.354.9101

### PROJECT HIGHLIGHTS

- On-road and off-road trail segment integration
- Design alternatives for space-constrained segments
- A regenerative strategy including ecosystem restoration, biodiversity, and bio sequestration of carbon dioxide

# Federal, State, DBE Requirements

Bergmann Associates Architects, Engineers, Landscape Architects & Surveyors, D.P.C. can provide Landscape Architecture and Architecture services in New York State.



## Price Proposal

Rochester Multiversity Concept Plan   <b>Fee Proposal</b>						
Task	Principal	Project Manager (Robinson)	Community Planner	Landscape Designer/Planner	Regional Discipline Leader Environmental	Subtotal per task
<b>TASK 1 - EXISTING CONDITIONS, ISSUES, &amp; OPPORTUNITIES</b>						<b>\$12,340.00</b>
Review of Town Planning & Policy Documents	0	2	12	4	2	\$2,670.00
Conduct Natural Resource Inventory	0	4	2	8	16	\$4,690.00
Deliverables (schedule and ES report)	0	2	24	8	4	\$4,980.00
<b>TASK 2 - PUBLIC ENGAGEMENT</b>						<b>\$27,970.00</b>
Identify key stakeholders	0	2	4	0	0	\$860.00
Identify partner organizations	0	2	4	0	0	\$860.00
Design outreach and meeting materials	0	2	20	8	0	\$3,780.00
Plan and coordinate workshops and events	0	8	24	16	0	\$6,280.00
Engagement tools, understandings, and format	0	2	32	0	0	\$4,360.00
Feedback memo	0	2	8	0	0	\$1,360.00
Website design document	0	2	12	0	0	\$1,860.00
Design, management, host, and coordinate website with social media	0	2	24	24	0	\$6,120.00
Deliverables (Public Participation Plan)	2	0	16	0	0	\$2,490.00
<b>TASK 3 - DRAFT MASTER PLAN</b>						<b>\$20,985.00</b>
Draft Master Plan	0	12	36	52	2	\$12,990.00
Present Plan at Public Meeting	0	4	4	6	0	\$1,910.00
Prepare Presentation Materials	0	4	16	12	0	\$4,100.00
Review Draft Master Plan	0	2	4	4	1	\$1,495.00
Deliverables	2	0	0	0	0	\$490.00
<b>TASK 4 - FINAL CONCEPT PLAN</b>						<b>\$12,500.00</b>
Final Master Plan	4	10	40	38	2	\$12,500.00
Subtotal of hours by employee	8	62	282	180	27	
Rate per hour	\$245.00	\$180.00	\$125.00	\$115.00	\$175.00	
Subtotal of fee by employee	\$1,960	\$11,160	\$35,250	\$20,700	\$4,725	
						\$73,795.00
					Reimbursable Expenses	\$1,000.00
						<b>\$74,795.00</b>



**BERGMANN**

ARCHITECTS ENGINEERS PLANNERS

*Bergmann has joined Colliers Engineering & Design*

[WWW.BERGMANNPC.COM](http://WWW.BERGMANNPC.COM)





## Finance Department

Earl Johnson  
Director of Finance

August 14, 2023

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

Re: 2023 \$285,000 Public Improvement Serial Bonds (Library Roof)  
Certification of Municipal Official

Dear Finance and Administrative Services Committee & Town Board Members:

I am requesting that Town Board authorization for the Town Supervisor to certify the Town's participation in the issuance of debt as described in the provided Certification of Municipal Official form provided by Municipal Solutions, Inc. for the purpose of issuing \$285,000 in Public Improvement (serial) Bonds in 2023 for the Library Roof Project.

The borrowing of funds was approved in July of 2021 (Res07-28-2021-09) for up to \$735,000 over 25 years. This need was reduced by \$350,000 through a SAM Grant received, payments toward the two initial Bond Anticipation Notes issued in 2021 and 2022 and slightly lower than anticipated construction costs (BAN borrowing history provided). The period of borrowing will be just 10 years, saving well over \$100,000 in interest over the approved term. The Bond Sale date is scheduled for September 5th, 2023.

This borrowing is reflected in the 2024-26 Capital Improvement Plan and the 2024 Library Budget (initial drafts). Approval is requested by August 25, 2023.

Sincerely,

***Earl Johnson***

Earl Johnson  
Director of Finance  
Attachments

TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK  
\$285,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2023

CERTIFICATION OF MUNICIPAL OFFICIAL

I hereby certify that:

- I am a responsible officer / duly authorized representative of the above referenced municipality, and have the authority to participate in the issuance of debt offerings of such municipality;
- Our municipality has engaged the services of Municipal Solutions, Inc. (MSI) to assist with the preparation of the sale documents pertinent to the offering of the above referenced issue including (but not limited to) the Notice of Sale, the Official Statement, the Summary of Financial Information and/or any other relevant statements or documents that may be created in connection with the debt issuance. As part of our engagement with MSI, we have provided MSI with all information necessary for them to prepare such documents in a complete and accurate manner;
- MSI has provided me with the draft sale documents with sufficient time to review them, and the opportunity to provide comments on them, prior to mailing finalized versions to potential purchasers;
- I have read the documents provided to me by MSI in their entirety;
- I understand the information provided within the documents and agree, to the best of my knowledge, that it is accurate, true, and does not contain any misstatements nor omit any information that an investor would find material in their decision to purchase the above referenced debt issue;
- I further understand and acknowledge that if any of the information contained within the sale documents changes in a material manner, including the financial position of our municipality, I will promptly notify MSI.

---

(Name of Municipal Official)

(Title)

(Date)

Municipal Solutions, Inc. Use Only

Sent: 08-11-2023

File #: SB / Library 2023

---

**Municipal  
Solutions, Inc.**  
Municipal Financial Advisors

---

**TOWN OF BRIGHTON  
MONROE COUNTY, NEW YORK  
(the "Town")**

**\$285,000**

**PUBLIC IMPROVEMENT (SERIAL) BONDS, 2023  
(the "Bonds")  
(Designated/Bank Qualified)**

**NOTICE OF PRIVATE COMPETITIVE BOND SALE**

Telephone (585) 394-4090, Fax (585) 394-4092 or written proposals will be received and considered by the undersigned Supervisor of the Town of Brighton, Monroe County, New York (the "Town"), at the office of Municipal Solutions, Inc. (the "Municipal Advisor"), 2528 State Route 21, Canandaigua, New York on Tuesday, September 5, 2023, until 11:00 A.M., (Prevailing Time), at which time and place they will be publicly opened and announced, for the purchase, in federal funds, at not less than par and accrued interest of \$285,000 Public Improvement (Serial) Bonds, 2023 (the "Bonds"), dated September 19, 2023, and maturing in the annual principal installments each calendar year on March 1, with the interest thereon, beginning March 1, 2024, as follows:

<u>Year</u>	<u>Amount*</u>	<u>Year</u>	<u>Amount*</u>	<u>Year</u>	<u>Amount*</u>
2024	\$25,000	2027	\$25,000	2030	\$30,000
2025	25,000	2028	30,000	2031	30,000
2026	25,000	2029	30,000	2032	30,000
				2033	35,000

\* The aggregate principal amount of the Bonds, the purchase price thereof and the principal amounts of the installments listed in the table above are subject to change depending upon the actual interest rates bid and the successful bidder's initial reoffering yields, in order to (i) meet the requirements of substantially level or declining annual debt service in accordance with the New York Local Finance Law. Accordingly, the Town reserves the right, after selecting the lowest bidder, to adjust the maturity amounts of the Bonds to the extent necessary to satisfy such requirements. The successful bidder may neither withdraw nor modify its bid as a result of any such post-bid adjustment. Any such adjustment shall be conclusive, shall be promptly communicated to the successful bidder, and shall be binding upon the successful bidder. The Bonds of each maturity, as adjusted, will bear interest at the same interest rate as specified for that maturity in the Proposal for Bonds submitted by the successful bidder for the Bonds, and must have the same initial reoffering yields as thereafter specified by such bidder. Notwithstanding any post-bid adjustment and, provided the Town will receive at the time of delivery of such Bonds an amount at least equal to the par amount (as the same may have been adjusted) of the Bonds, the Town will hold constant, on a per bond basis, the successful bidder's underwriting spread with respect to such Bonds. However, the award shall be made to the bidder whose bid produces the lowest net interest cost rate solely on the basis of the Bonds offered, without taking into account any adjustment in the amount of the Bonds pursuant to this paragraph.

The Bonds will be dated September 19, 2023 and will bear interest at the rate or rates per annum specified by the successful bidder therefore in accordance herewith, payable March 1, 2024, September 1, 2024 and semi-annually thereafter on March 1 and September 1, in each year until maturity (or earlier redemption).

The Bonds maturing on or before March 1, 2031 will not be subject to redemption, in whole or in part, prior to maturity. The Bonds maturing on or after March 1, 2032 will be subject to redemption prior to maturity as a whole or

in part, and if in part, in any order of their maturity and in any amount within a maturity, at the option of the Town on March 1, 2031 or any date thereafter at par (100%), plus accrued interest to the date of redemption. Notice of the call for such redemption shall be given by mailing such notice to the registered owners thereof not more than sixty (60) days nor less than thirty (30) days prior to the designated redemption date. Notice of redemption having been given as aforesaid, the Bonds so called for redemption shall, on the date for redemption set forth in such notice of redemption, become due and payable, together with interest to such redemption date. Interest shall cease to be paid thereon after such redemption date. If less than all of the Bonds of any maturity are to be redeemed, the particular Bonds of such maturity to be redeemed shall be selected by lot in any customary manner of selection as determined by the Town Supervisor.

Interest will be calculated on the basis of thirty (30) days to the month and three hundred sixty (360) days to the year. Unless all bids are rejected, the Bonds will be awarded and sold to the bidder complying with terms of this Notice of Private Competitive Bond Sale and offering to purchase the Bonds at the lowest net interest cost. The Town reserves the right to reject any or all bids, and any bid not complying with this Notice of Sale will be rejected.

The record date for the Bonds is the fifteenth day of the calendar month preceding an interest payment date.

The Bonds will be designated as “qualified tax-exempt obligations” pursuant to Section 265(B)(3) of the Internal Revenue Code of 1986, as amended (the Code).

The Bonds are being issued in accordance with the Constitution and the Laws of the State of New York, including among others, the Local Finance Law and the Town Law, and pursuant to a bond resolution duly adopted by the Town Board on July 28, 2021 authorizing the issuance of up to \$735,000 in serial bonds for the reconstruction and/or replacement of the roof at Brighton Memorial Library.

The proceeds of the Bonds, along with \$410,000 of available funds of the Town, will be used to redeem and retire, in full, an outstanding bond anticipation note of the town issued on September 20, 2022.

The Bonds are general obligations of the Town and will contain a pledge of its faith and credit for the payment of the principal of, and interest on, the Bonds as required by the New York State Constitution. Unless paid from other sources, all the taxable real property in the Town is subject to the levy of ad valorem taxes to pay the principal of the Bonds and the interest thereon, subject to certain applicable statutory limitations imposed by Chapter 97 of the New York Laws of 2011, as amended. . The State Constitution also provides that if at any time the appropriating authorities fail to make the required appropriations for the annual debt service on the Bonds and certain other obligations of the Town, a sufficient sum shall be set apart from the first revenues thereafter received and shall be applied for such purposes, and also that the fiscal officer of the Town may be required to set apart and apply such revenues as aforesaid at the suit of any holder of such obligations.

The timely delivery of all proposals submitted by facsimile transmission (FAX) must be in legible and completed form, signed by an authorized representative of the bidder, and shall be the sole responsibility of the bidder. The Town shall not be responsible for any errors and/or delays in transmission and/or receipt of such bids, mechanical or technical failures or disruptions, or any omissions or irregularities in any bids submitted in such manner.

The Bonds will initially be issued in registered certificated form or at the option of the purchaser, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”), which will act as securities depository for the Bonds.

The Bonds will be issued in denominations, in multiples of \$5,000 or integral multiples thereof, as may be designated by the purchaser.

If the Bonds are issued through DTC, the successful bidder will be required to cause such bond certificates to be (i) registered in the name of Cede & Co., as nominee of DTC and (ii) deposited with DTC to be held in trust until maturity. Principal of and interest on the Bonds, will be payable by the Town Supervisor or its agent by wire transfer or in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. It shall be the responsibility of the Municipal Advisor to apply for assignment of CUSIP numbers within a timeframe sufficient to have such numbers

assigned prior to the award of the Bonds. CUSIP identification numbers will be printed on said bonds if the purchaser provides Bond Counsel with such numbers by telefax or any other mode of written communication (verbal advice will not be accepted) by 3:00 o'clock P.M. on the date following the date of sale of the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for said bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on said bonds shall be paid for by the issuer; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

If issued in book-entry-only format, the Town Clerk will act as Fiscal Agent for the Bonds. The Town contact information is as follows: William Moehle, Supervisor at 2300 Elmwood Ave., Rochester, New York 14618, telephone: 585-784-5251, fax: 585-784-5353, email: [william.moehle@townofbrighton.org](mailto:william.moehle@townofbrighton.org).

If the Bonds are in registered certificated form, principal and interest will be payable at such bank or trust company located and authorized to do business in the State of New York as may be selected by the Office of the Town Clerk, as fiscal agent for the Bonds, or at the election of the winning bidder. Paying agent fees, if any, in such case, are to be paid by the purchaser. Principal and interest will be payable in lawful money of the United States of America (Federal Funds). The Bonds may not be converted into coupon bonds or be registered to bearer.

Each proposal must be for all of the Bonds and must state in a multiple of one-hundredth of 1% or a multiple of one-eighth of 1%, the rate or rates of interest per annum which the Bonds are to bear and may state different rates of interest for Bonds maturing in different calendar years; provided, however, that (i) only one rate of interest may be bid for all Bonds maturing in any one calendar year; (ii) variations in rates of interest so bid shall be in ascending progression in order of maturity so that the rate of interest on Bonds maturing in any particular calendar year shall not be less than the rate of interest applicable to Bonds maturing any prior calendar year and (iii) the maximum difference between the highest and lowest rate of interest bid for the Bonds may not exceed three per centum, per annum. The amount of premium bid for the Bonds, if any, shall not exceed \$14,250.

Unless all bids are rejected, the award will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at such rate or rates of interest as will produce the lowest net interest cost computed in accordance with the net interest cost method of calculation, that being the rate or rates of interest which will produce the least interest cost over the life of the Bonds, after accounting for the premium offered, if any. If two or more such bidders offer to purchase the Bonds at the same net interest cost, computed as described above, the Bonds will be awarded to the bidder whose bid offers to purchase the Bonds at the highest premium dollar amount. If the premiums are the same, then the award shall be made by lot by the Town Supervisor. The right is reserved to reject any or all bids, and any bid not complying with this Notice of Private Competitive Bond Sale, except as provided above, will be rejected. Conditional bids will be rejected, including any bid subject to credit approval. A GOOD FAITH DEPOSIT WILL NOT BE REQUIRED.

If the Bonds are issued in book-entry-only registered form, the Bonds will be delivered in Jersey City, New Jersey (through the facilities of DTC) or at such other place as may be agreed with the purchaser on or about September 19, 2023. The purchase price of the Bonds, in accordance with the purchaser's bid, shall be paid in Federal Funds or other funds available for immediate credit on such delivery date.

As a condition to the purchaser's obligation to accept delivery of and pay for the Bonds, such purchaser will be furnished, without cost, the following, dated as of the date of the delivery of and payment for said Bonds: (i) a Closing Certificate, constituting a receipt for the Bond proceeds and a signature certificate, which will include a statement that no litigation is pending, or to the knowledge of the signers, threatened affecting the Bonds, (ii) an arbitrage certificate executed on behalf of the Town which will include, among other things, covenants, relating to compliance with the Internal Revenue Code of 1986, as amended (the "Code"), with the owners of the Bonds that the Town will, among other things, (a) take all actions on its part necessary to cause interest on the Bonds not to be includable in the gross income of the owners thereof for Federal income tax purposes, including without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the Federal Government, if any, and maintaining books and records in a specified manner, where appropriate, and (b) refrain from taking any action which would cause interest on the Bonds to be includable in the gross income of the owners thereof for Federal income tax purposes, including, without

limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes, and (iii) the approving opinion of the law firm of Harris Beach PLLC, Bond Counsel, of Pittsford, New York to the effect that (a) the Bonds are valid and legally binding general obligations of the Town for which the Town has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the Town is subject to the levy of ad valorem real estate taxes to pay the Bonds and interest thereon without limitation of rate or amount, subject to applicable statutory limitations and (b) interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals.

The successful bidder may, at its option, refuse to accept the Bonds if prior to delivery of the Bonds any new income tax law shall provide that all or a part of the interest on such Bonds is taxable, or shall be taxable at a future date for federal income tax purposes.

By submitting a bid, each bidder is certifying that its bid is a firm offer to purchase the Bonds, is a good faith offer which the bidder believes reflects current market conditions, and is not a “courtesy bid” being submitted for the purpose of assisting in meeting the competitive sale requirements relating to the establishment of the “issue price” of the Bonds pursuant to United States Treasury Regulation 1.148-1(f)(3)(i), including the requirement that bids be received from at least three (3) underwriters (as defined below) of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds (the “Competitive Sale Requirements”). The Municipal Advisor will advise the winning bidder if the Competitive Sale Requirements were met at the same time it notifies the winning bidder of the award of the Bonds. **Bids will not be subject to cancellation in the event that the Competitive Sale Requirements are not satisfied.**

The winning bidder shall, within one (1) hour after being notified of the award of the Bonds, advise the Municipal Advisor by electronic or facsimile transmission of the reasonably expected initial public offering price or yield of each maturity of the Bonds (the “Initial Reoffering Prices”) as of the date of the award.

By submitting a bid, each bidder (unless such bidder would be purchasing the Bonds for its own account and not with a view to distribution or resale to the public, as defined below) represents that it has an established industry reputation for underwriting new issuances of municipal bonds and agrees that if it is the winning bidder and if the Competitive Sale Requirements are not met, it will with respect to each maturity of the Bonds, elect and satisfy either option (1) or option (2) described below. **Such election must be made on the bid form submitted by each bidder. If no election is made, the bidder will be deemed to have elected option (1) below.**

(1) Hold the Price. The winning bidder:

- (a) will make a bona fide offering to the public of each maturity of the Bonds at the applicable Initial Reoffering Price and provide the Municipal Advisor and Bond Counsel with reasonable supporting documentation, such as a copy of the pricing wire or equivalent communication, the form of which is acceptable to Bond Counsel,
- (b) will neither offer nor sell to any person any maturity of the Bonds at a price that is higher, or a yield that is lower, than the applicable Initial Reoffering Price until the earlier of (i) the date on which the winning bidder has sold to the public at least ten percent of such maturity of the Bonds at a price that is no higher, or a yield that is no lower, than the applicable Initial Reoffering Price or (ii) the close of business on the 5<sup>th</sup> business day after the date of the award of the Bonds, and
- (c) has or will include within any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the winning bidder or another member of any underwriting syndicate established by the winning bidder for each maturity of the Bonds is a party) relating to the initial sale of each maturity of the Bonds to the public, together with the related pricing wires, language obligating each underwriter to comply with the limitations on the sale of each maturity of the Bonds as set forth above.

(2) Follow the Price. The winning bidder:

- (a) will make a bona fide offering to the public of each maturity of the Bonds at the applicable Initial Reoffering Price and provide the Municipal Advisor and Bond Counsel with reasonable supporting documentation, such as a copy of the pricing wire or equivalent communication, the form of which is acceptable to Bond Counsel,
- (b) will report to the Municipal Advisor and Bond Counsel information regarding the actual prices at which the Bonds within each maturity have been first sold to the public; such reporting requirement, which may extend beyond the closing date of the Bonds, will continue with respect to each maturity of the Bonds until either (i) all of the Bonds of such maturity have been sold, or (ii) the date on which the first price at which 10 percent of such maturity of the Bonds has been sold to the public,
- (c) will provide the Municipal Advisor and Bond Counsel with reasonable supporting documentation or certifications of such sale prices the form of which is acceptable to Bond Counsel, and
- (d) has or will include or cause to be included within any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the winning bidder or another member of any underlying syndicate established by the winning bidder for the Bonds is a party) relating to the initial sale of each maturity of the Bonds to the public, together with the related pricing wires, language obligating each underwriter to comply with the reporting requirement described above.

For purposes of the “hold the price” and “follow the price” requirements, a “maturity” refers to the Bonds that have the same interest rates, credit and payment terms.

Regardless of whether or not the Competitive Sale Requirements were met, the winning bidder shall submit to the Town a certificate (the “Reoffering Price Certificate”), satisfactory to Bond Counsel, prior to the delivery of the Bonds stating the applicable facts as described above. The form of Reoffering Price Certificate is available by contacting Bond Counsel or the Municipal Advisor.

If the winning bidder has purchased the Bonds for its own account and not with a view to distribution or resale to the public, then, whether or not the Competitive Sale Requirements were met, the Reoffering Price Certificate will recite such facts and identify the price or prices at which the purchase of the Bonds was made.

For purposes of this Notice of Private Competitive Bond Sale, the following terms shall have the following respective meanings:

- (A) the “public” means any person other than an underwriter or a related party (as defined below) to an underwriter;
- (B) an “underwriter” means (i) the winning bidder (unless the winning bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public), (ii) any person that agrees pursuant to a written contract with the winning bidder to form an underwriting syndicate to participate in the initial sale of the Bonds to the public, and (iii) any person that agrees pursuant to a written agreement with either the winning bidder or any other member of an underwriting syndicate for the Bonds to participate in the initial sale of the Bonds to the public (such as a third-party distribution agreement between a national lead underwriter and a regional firm under which the regional firm participates in the initial sale of the Bonds to the public); and
- (C) a “related party” (as defined in U.S. Treasury Regulation 1.150-1(b)) to an underwriter generally means any person who has greater than 50 percent common ownership, directly or indirectly, with such underwriter.

In making the representations described above, the winning bidder must reflect the effect on the offering prices of any “derivative products” (e.g., a tender option) used by the bidder in connection with the initial sale of any of the Bonds.

THE TOWN RESERVES THE RIGHT TO CHANGE THE TIME AND/OR DATE FOR THE OPENING OF BIDS. NOTICE OF ANY SUCH CHANGE SHALL BE PROVIDED NOT LESS THAN ONE HOUR PRIOR TO THE TIME SET FORTH ABOVE FOR THE OPENING OF BIDS BY MEANS OF A SUPPLEMENTAL NOTICE OF PRIVATE COMPETITIVE BOND SALE OR TO BE TRANSMITTED OVER THE TM3.

Copies of the Notice of Private Competitive Bond Sale may be obtained upon request from the offices of Municipal Solutions, Inc., 2528 State Route 21, Canandaigua, New York 14424, telephone number (585) 394-4090.

No Official Statement accompanies this Notice of Private Competitive Bond Sale.

August 28, 2023  
Brighton, New York

/s/ *William W. Moehle*  
\_\_\_\_\_  
William W. Moehle  
Town Supervisor and Chief Fiscal Officer

\*\*\*\*\*  
Additional copies of the Notice of Private Competitive Bond Sale may be obtained  
upon request from the office of Municipal Solutions, Inc., 2528 State Route 21,  
Canandaigua, New York 14424, telephone (585) 394-4090.  
Website: [www.municipalsolution.com](http://www.municipalsolution.com)



**PROPOSAL FOR \$285,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2023**  
**Town of Brighton, Monroe County, New York**

William W. Moehle, Supervisor  
Town of Brighton  
c/o Municipal Solutions, Inc.  
2528 State Route 21  
Canandaigua, New York 14424  
Telephone: 585-394-4090  
Fax: 585-394-4092

Sale Date: September 5, 2023  
11:00 A.M., Prevailing Time

**Dated: September 19, 2023**

**Maturities: March 1, 2024/2033**

Dear Mr. Moehle:

For the **\$285,000 Public Improvement (Serial) Bonds, 2023 of the Town of Brighton, Monroe County, New York**, that are the subject of the annexed Notice of Private Competitive Sale, which is hereby made a part of this bid, we will pay \$285,000 plus a premium of \$\_\_\_\_\_ (\$14,750 maximum premium) and accrued interest to date of delivery, provided that the bonds maturing in the several years set forth below shall bear interest in the indicated multiple(s) of 1/8th or 1/100th of one per centum (1%), from their dated date until maturity (or earlier redemption) at the respective rates per annum stated in the following table:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2024	_____ %	2027	_____ %	2030	_____ %
2025	_____ %	2028	_____ %	2031	_____ %
2026	_____ %	2029	_____ %	2032	_____ %
				2033	_____ %

The following is our computation of the net interest cost, made as provided in the above-mentioned Notice of Private Competitive Bond Sale, but not constituting any part of the foregoing proposal for the purchase of the Bonds therein described.

Gross Interest Cost	\$ _____
Less: Amount of Premium Offered	\$ _____
Dollar Interest Cost	\$ _____
Net Interest Cost	_____ % (Four Decimals)

**Please specify form of Bonds:**

\_\_\_\_\_ Book-Entry-Only registered to Cede & Co. ("DTC" Closing)

\_\_\_\_\_  
Signature

\_\_\_\_\_ Registered in the Name of the Purchaser ("Local" Closing)

**Please select one of the following\*:**

\_\_\_\_\_  
Name

\_\_\_\_\_ We are purchasing the Bonds for our own account, not as an underwriter, and have no present intention to sell, reoffer or otherwise dispose of the Bonds.

\_\_\_\_\_  
Address

\_\_\_\_\_ In the event the Competitive Sale Requirements are not met we elect, in accordance with the terms of the Notice of Sale, to\*\*:

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_ i) provide the Municipal Advisor and Bond Counsel ongoing pricing information until ten percent of the Bonds being purchased are sold (i.e. "follow the price"), or

\_\_\_\_\_  
Fax Number

\_\_\_\_\_ ii) hold the initial offering pricing for the lesser of five (5) business days or the date on which at least ten percent of the Bonds being purchased are sold (i.e. "hold the price").

\_\_\_\_\_  
E-Mail Address

\* In accordance with the Notice of Sale, unless the bidder is purchasing the Bonds for its own account, by submitting this bid the bidder represents that it has an established industry reputation for underwriting new issuances of municipal bonds.

\*\* If no election is made, the bidder will be deemed to have elected "hold the price".

**\$285,000 Public Improvement Serial Bonds - 10 Years**

Prepared For: Town of Brighton Level Debt  
 Prepared By: Municipal Solutions, Inc.  
 Project: Library Roof Replacement Project

Outstanding Amount: \$695,000  
 Less: Grant (350,000)  
 Less: Principal Payment (40,000)  
 Less: Unspent Proceeds (20,000)  
 Amount to Bond: \$285,000

Fiscal Year Ending Dec 31:	Principal Payment March 1	Interest Rates	Interest March 1	Interest September 1	Total Interest	Total Debt Service	Outstanding Bonds
2024	\$25,000	4.250%	\$5,658.75	\$5,756.25	\$11,415.00	\$36,415.00	\$260,000
2025	25,000	4.250%	5,756.25	5,225.00	10,981.25	35,981.25	235,000
2026	25,000	4.250%	5,225.00	4,693.75	9,918.75	34,918.75	210,000
2027	25,000	4.250%	4,693.75	4,162.50	8,856.25	33,856.25	185,000
2028	30,000	4.500%	4,162.50	3,487.50	7,650.00	37,650.00	155,000
2029	30,000	4.500%	3,487.50	2,812.50	6,300.00	36,300.00	125,000
2030	30,000	4.500%	2,812.50	2,137.50	4,950.00	34,950.00	95,000
2031	30,000	4.500%	2,137.50	1,462.50	3,600.00	33,600.00	65,000
2032	30,000	4.500%	1,462.50	787.50	2,250.00	32,250.00	35,000
2033	35,000	4.500%	787.50	0.00	787.50	35,787.50	0
<b>TOTALS</b>	<u>\$285,000</u>		<u>\$36,183.75</u>	<u>\$30,525.00</u>	<u>\$66,708.75</u>	<u>\$351,708.75</u>	

Note: \$285,000 serial bond issued September 19, 2023

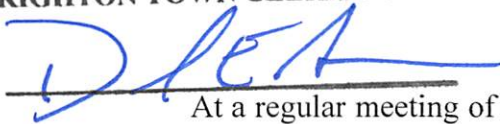
Bond Principal Due: March 1, 2024/2033

Bond Interest Payable: March 1, 2024, September 1, 2024 and semi-annually thereafter on March 1 and September 1

**TOWN OF BRIGHTON- VARIOUS PROJECTS - BOND ANTICIPATION NOTES**  
**(PRINCIPAL AND INTEREST PAID)**

PURPOSE	Fire Truck	Library Roof	
DATE BOND RESOLUTION ADOPTED	08/11/21	07/28/21	
DATE BOND RESOLUTION AMENDED			
PPU	20	25	Total:
AMOUNT AUTHORIZED	\$500,000	\$735,000	\$1,235,000
REPAYMENT PERIOD	5		
DATE OF ISSUANCE	09/21/21	10/14/21	
DATE OF MATURITY	09/20/22	09/20/22	
DAYS	359	336	
AMOUNT ISSUED	<b>\$500,000</b>	<b>\$735,000</b>	<b>\$1,235,000</b>
INTEREST RATE	0.29%	0.37%	
INTEREST DUE	\$1,445.97	\$2,538.20	\$3,984.17
PURCHASER	GCCB	GCCB	
CALLABLE	No	No	
AMOUNT OF PRINCIPAL REDUCTION	\$400,000	\$40,000	\$440,000
DATE OF ISSUANCE	09/20/22	09/20/22	
DATE OF MATURITY	09/19/23	09/19/23	
DAYS	359	359	
AMOUNT ISSUED	<b>\$100,000</b>	<b>\$695,000</b>	<b>\$795,000</b>
INTEREST RATE	3.50%	3.50%	
INTEREST DUE	\$3,490.28	\$24,257.43	\$27,747.71
PREMIUM	\$326.04	\$2,265.96	\$2,592.00
PURCHASER	R&C	R&C	
CALLABLE	No	No	
AMOUNT OF PRINCIPAL REDUCTION	\$100,000	\$410,000	\$510,000
AMOUNT TO BOND	<b>PIF</b>	<b>\$285,000</b>	

**CERTIFIED TO BE A TRUE COPY  
OF A RECORD ON FILE IN THE  
BRIGHTON TOWN CLERK'S OFFICE**



At a regular meeting of the Town Board of the Town of Brighton, Monroe County, New York, duly held at the Brighton High School Auditorium, 1150 Winton Road South, Rochester, New York, 14618, at 7:00 p.m. on July 28, 2021.

PRESENT: William Moehle, Supervisor  
Jason Diponzio  
Christopher Werner  
Robin Wilt  
Christine Corrado, Councilmembers



ABSENT: None

The following resolution was offered by Councilmember Werner, who moved its adoption, seconded by Councilmember Diponzio, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF  
BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"),  
AUTHORIZING THE RECONSTRUCTION AND/OR REPLACEMENT  
OF THE ROOF AT THE BRIGHTON MEMORIAL LIBRARY; STATING  
THE MAXIMUM ESTIMATED COST THEREOF IS \$735,000;  
APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING  
THE ISSUANCE OF UP TO \$735,000 IN SERIAL BONDS OF THE  
TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, the Town Board (the "Board") the Town of Brighton, Monroe County, New York (the "Town") proposes to authorize the issuance of \$735,000 in serial bonds of the Town to finance the reconstruction and/or replacement of the roof at the Brighton Memorial Library located at 2300 Elmwood Avenue within the Town, including any appurtenant and incidental costs and expenses (collectively, the "Project"), at an estimated maximum cost of \$735,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Brighton, Monroe County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake the reconstruction and/or replacement of the roof at the Brighton Memorial Library located at 2300 Elmwood Avenue within the Town, including any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$735,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$735,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of any grant monies received by the Town from the United States of America or the State of New York with respect to the Project, and (iii) unless paid from other sources, the levy

and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$735,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1). of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be

of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more object or purpose authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article 7 of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition

subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

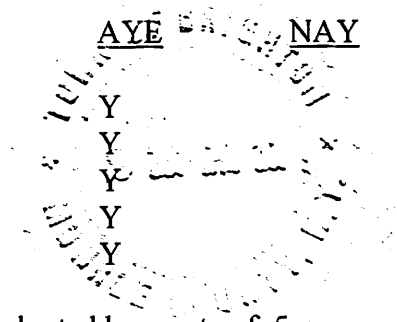
and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Town Board Member Corrado  
 Town Board Member Wilt  
 Town Board Member DiPonzio  
 Town Board Member Werner  
 Town Supervisor Moehle



The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Date: July 28, 2021



STATE OF NEW YORK            )  
COUNTY OF MONROE        ) ss.:

I, the undersigned Town Clerk of the Town of Brighton, Monroe County, New York (the "Town") DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Town Clerk of the Town and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and am duly authorized to execute this certificate.

2. A regular meeting of the Town Board of the Town was held on July 28, 2021 (the "Meeting"), and minutes of said Meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

3. Attached hereto is a true and correct copy of a Bond Resolution duly adopted at the Meeting of the Town Board held on July 28, 2021 and entitled:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION AND/OR REPLACEMENT OF THE ROOF AT THE BRIGHTON MEMORIAL LIBRARY; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$735,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$735,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

4. That the Meeting was duly convened and held and that said Bond Resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of the Meeting was given. A legal quorum of members of the Town Board was present throughout the Meeting, and a legally sufficient number of members (2/3's of the Town Board) voted in the proper manner for the adoption of the Bond Resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to the Meeting and the adoption of the Bond Resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

5. Public Notice of the time and place of the Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of the Town Board had due notice of the Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

6. The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Brighton this 28<sup>th</sup> day of July, 2021.

TOWN OF BRIGHTON

By:

  
Daniel Aman, Town Clerk



AFFIDAVIT REGARDING POSTING NOTICE

STATE OF NEW YORK     )  
COUNTY OF MONROE    ) ss:

I, Daniel Aman, being duly sworn, deposes and says:

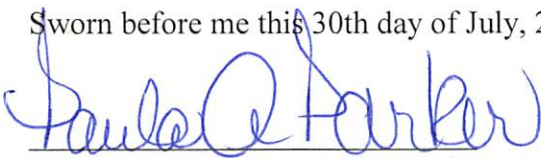
I am over the age of 18 years; and, on July 29th, 2021, I posted a true and correct copy of the attached Public Notice of the Town of Brighton, Monroe County, New York (the "Town") on the Town's official bulletin board located within the Town Hall and on the Town's website.

**TOWN OF BRIGHTON**

By:

  
Daniel Aman, Town Clerk

Sworn before me this 30th day of July, 2021

  
Notary Public, State of New York

PAULA A. PARKER  
NOTARY PUBLIC, State of New York  
No. 01PA5085342  
Qualified in Wyoming County  
Commission Expires Sept. 22, 2021

AFFP  
Library Bond

Dan Aman Town Clerk  
TOWN OF BRIGHTON "LE"  
2300 ELMWOOD AVENUE  
ROCHESTER, NY 14618

## Affidavit of Publication

State of Wisconsin  
County of Brown

I, said Legal Clerk, being duly sworn, says:

That I am the Legal Clerk of the The Post Zone 3, a daily newspaper of general circulation, printed and published in Canandaigua, Ontario County, New York; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

August 05, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Legal Clerk

Subscribed to and sworn to me this 5th day of August 2021.



Notary Public, State of Wisconsin, County of Brown

My commission expires:

6/30/2025

09100158 00100111

AMY KOKOTT  
Notary Public  
State of Wisconsin

LEGAL NOTICE  
PUBLIC NOTICE  
TOWN OF BRIGHTON

NOTICE IS GIVEN, that the Town Board (the "Town Board") of the Town of Brighton, Monroe County, New York (the "Town"), at a regular meeting held on July 28, 2021, duly adopted, subject to a permissive referendum, a resolution, an abstract of which is as follows below.

In accordance with Article 7 of the New York State Town Law, such bond resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Town Clerk a petition, subscribed and acknowledged by that number of electors of the Town qualified to vote upon a proposition to raise or expend money equal to at least five percent (5%) of the total vote cast for governor in the Town in the last general election for state officers, but which number of electors shall not be less than 100, protesting against such resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Town. If such a qualifying petition is filed, a proposition for approval of the resolution shall be submitted at a general or special Town election in accordance with Article 7 of Town Law.

Such Resolution was entitled:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION AND/OR REPLACEMENT OF THE ROOF AT THE BRIGHTON MEMORIAL LIBRARY; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$735,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$735,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

1. The resolution authorized the Town to undertake the reconstruction and/or replacement of the roof at the Brighton Memorial Library located at 2300 Elmwood Avenue within the Town, including any appurtenant and incidental costs and expenses. It was determined that the maximum estimated cost of the aforementioned class of object or purpose is \$735,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$735,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of any grant monies received by the Town from the United States of America or the State of New York with respect to the Project, and (iii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

2. Serial bonds of the Town (including, without limitation, statutory installment bonds) in the principal amount of \$735,000 are authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance said appropriation.

3. It was determined that the period of probable usefulness of the aforementioned class of object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1). of paragraph a. of Section 11.00 of the Law.

4. The temporary use of available funds of the Town, not immediately

required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is authorized pursuant to Section 165.10 of the Law, for the capital purposes described in the resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of the resolution. The resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by the resolution with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to the resolution.

6. Each of the serial bonds authorized by the resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

7. The Town Board delegated to the Town Supervisor of the Town the powers and duties of the Town Board relative to authorizing the issuance of said bonds, and any bond anticipation notes including renewals thereof, issued in anticipation of said bonds and prescribing the terms, form and content thereof.

8. The Town Supervisor was further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by the resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by the resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

9. The Town Supervisor was further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by the resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

10. The Town Board determined that the actions authorized by the resolution and the adoption thereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of the resolution.

11. The bond resolution was determined to be subject to permissive referendum.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF BRIGHTON,  
MONROE COUNTY, NEW YORK.

Dated: July 28, 2021  
Au 5  
00100111

## CERTIFICATE OF NO PROTEST

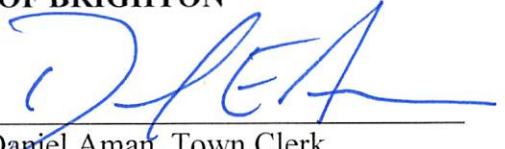
I, Daniel Aman, in my capacity as Town Clerk of the Town of Brighton, Monroe County, New York (the "Town"), DO HEREBY CERTIFY, as follows:

1. The Town Board of the Town at a meeting thereof duly called and held on July 28, 2021, adopted a Bond Resolution, a true, correct and certified copy which is attached hereto.
2. No petition or petitions protesting said resolution have been submitted or filed with the Town Clerk of the Town and the 30-day period has elapsed for submission and filing of a valid petition.

IN WITNESS WHEREOF, I have signed and affixed the corporate seal of the Town this 31 day of August, 2021.

**TOWN OF BRIGHTON**

By:

  
Daniel Aman, Town Clerk

[SEAL]

AFFP

ESTOPPEL NOTICE The resoluti

Dan Aman Town Clerk  
TOWN OF BRIGHTON \*LE\*  
2300 ELMWOOD AVENUE  
ROCHESTER, NY 14618

## Affidavit of Publication

State of Wisconsin  
County of Brown

I, said Legal Clerk, being duly sworn, says:

That I am the Legal Clerk of the The Post Zone 3, a daily newspaper of general circulation, printed and published in Canandaigua, Ontario County, New York; that the publication, a copy of which is attached hereto, was published in the said newspaper in the issues dated:

September 09, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Linda Tutt  
Legal Clerk

Subscribed to and sworn to me this 9th day of September 2021.

Amy Kokott  
Notary Public, State of Wisconsin, County of Brown

My commission expires: 10/30/2025

09100158 00100829

AMY KOKOTT  
Notary Public  
State of Wisconsin

## ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on July 28, 2021 by the Town Board of the Town of Brighton, Monroe County, New York, and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Brighton is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Daniel Aman, Town Clerk  
Town of Brighton

## SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Town Board of the Town of Brighton on July 28, 2021.

1. The resolution is entitled "BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION AND/OR REPLACEMENT OF THE ROOF AT THE BRIGHTON MEMORIAL LIBRARY; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$735,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$735,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION".

2. Object or Purpose: the reconstruction and/or replacement of the roof at the Brighton Memorial Library located at 2300 Elmwood Avenue within the Town, including any appurtenant and incidental costs and expenses.

3. Period of Probable Usefulness: 25 years.

4. Amount of Debt Obligations Authorized: \$735,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town of Brighton Town Hall, 2300 Elmwood Avenue, Rochester, New York 14618.

Sept 9  
00100829



## Public Works Department

Commissioner of Public Works – Evert Garcia, P.E.

**Brendan Ryan**  
Assistant Engineer

August 10, 2023

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

Re: Clean Energy Community Grant Application Request

Dear Councilperson DiPonzio and Committee Members:

The Town of Brighton is a participant in the Clean Energy Communities Program administered by the New York State Energy Research & Development Authority (NYSERDA). This program awards points to municipalities for the completion of various tasks relating to clean energy programs. At certain thresholds of total points, municipalities become eligible to apply for grant funding to complete sustainable energy-related projects. The first of these thresholds is 3,000 points, which qualifies municipalities under 40,000 residents for a \$10,000 grant. The Town of Brighton recently reached this level with the successful completion of the Clean Heating & Cooling Mini-Campaign.

Previously, Town staff and the Sustainability Oversight Committee identified a priority project to use this money to install an air source heat pump system in Carmen Clark Lodge in Brighton Town Park. The Lodge does not have any cooling system and is heated with a very old oil-fired furnace that is near the end of its life. FASC previously granted approval to staff to apply for the grant from NYSERDA for this project, and the application has now been approved. Town staff is requesting authorization to accept this grant and for the Finance Department to make any necessary amendments to the budget to proceed with this project.

I will be in attendance at your scheduled August 16, 2023 meeting in the event that you have any questions related to this matter. As always, your consideration of matters such as this is greatly appreciated.

Sincerely,

Brendan Ryan  
Department of Public Works

Cc: Earl Johnson  
Evert Garcia, P.E.



## Public Works Department

Commissioner of Public Works – Evert Garcia, P.E.

**Brendan Ryan**  
Assistant Engineer

8/10/2023

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

Re: 2023 Cured in Place Pipe (CIPP) Project

Dear Councilperson DiPonzio and Committee Members:

Pursuant to prior authorization, the above bid was publicly advertised and opened on July 20, 2023. Nine contractors downloaded the contract documents and two companies submitted bid prices for this project. Below is Table-1 which lists the bids that were received from contractors.

Table – 1 Contractor List

#	<u>Contractor Name</u>	<u>Base Bid</u>
1	Kenyon Pipeline Inspection	\$597
2	Skanex Pipe Services	\$615

Town staff reviewed the proposed prices from Kenyon Pipeline Inspection and Skanex Pipe Services. Both bids were higher than the current Monroe County CIPP contract, and additionally the low bidder indicated that this pricing is based upon steam curing and they would not be able to conduct hot water curing at this price point. Steam curing has led to a number of resident complaints in the past due to odors and steam release, making hot water curing the preferred method in residential neighborhoods. I am requesting that we reject the submitted bid and am asking for permission to rebid the contract which will include discrete bid items for hot water curing.

The 2023 Cured in Place Pipe Project contract has a one-year term with the option to renew the contract for up to three additional twelve-month periods at the sole discretion of the Town of Brighton. Future contract extensions will be presented to FASC prior to authorization.

As always, thank you for your consideration. If you have any questions regarding this matter please contact me.

Respectfully,

Brendan Ryan