

TOWN OF CLARKSON  
TOWN BOARD MEETING  
September 12, 2009

The Town Board of the Town of Clarkson held their regular meeting on Saturday, September 12, 2009 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 9:00 AM.

PRESENT:

Paul Kimball	Supervisor
Christa Filipowicz	Councilperson
Allan Hoy	Councilperson
Patrick Didas	Councilperson
Sheldon Meyers	Councilperson
Sharon Mattison	Town Clerk
David Goodwin	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

** William Ey	Ass't to Supervisor
** Pam Dolliver	Assessor
** Chad Fabry	Building Insp/Code Enf.
Christopher Lyon	Acting Assessor

\*\*excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military.

**OPEN FORUM**

John Lemke, 93 Gallup Rd. appeared before the Board to ask what the total sale price of Ridgewood Park will be. Supervisor Kimball stated that the sale price as of today is \$350,000 to be verified by two appraisals.

Marge Crane, 89 Clarkson Hamlin Town Line Road appeared to express appreciation to the Board for their due diligence in working to create a water district that benefits several residents on Clarkson Hamlin Town Line Road.

Don Lage, President of the Clarkson Historical Society stopped to thank the Board for creating the "Clarkson Good Neighbor News" newsletter. He stated that he has heard a lot of positive feedback and thinks the newsletter was very thorough. Mr. Lage updated the Board on estimates he has obtained to save a small section of the Cobblestone building walls. The Clarkson Historical Society will be holding their reunion tomorrow from 2-4:30p.m. and Mr. Lage thanked the Board for everything they have done over the past several years in supporting their goals.

**FIRE CONTRACT UPDATE**

Supervisor Kimball reviewed what has been happening to date and stated that the Board will be attending a meeting along with Sweden Board members and representatives from the Brockport Fire Dept. to explore the possibility of forming a fire district.

**RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO MOW GRASS IN ACCORDANCE WITH LOCAL LAW #2-2009**

Present: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers  
Absent: None

Introduced by: Councilperson Didas  
Seconded by: Councilperson Hoy

**09.12.09****RESOLUTION REQUIRING CUTTING OF GRASS**

**Whereas**, the Town Board has received a report from Chad Fabry, Building Inspector that property at 12 Larrigan Crossing, Clarkson, NY has an unhealthful and dangerous condition, to wit high grass and weeds; and

**Whereas**, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

**Whereas**, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

**Now, therefore, be it resolved:**

**Section 1.** That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

**Section 2.** That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

**Section 3.** That this resolution shall take effect immediately.

**Vote of the Board**

Ayes: Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Nays: none

**RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO MOW GRASS IN ACCORDANCE WITH LOCAL LAW #2-2009**

Present: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Absent: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Hoy

**RESOLUTION REQUIRING CUTTING OF GRASS**

**Whereas**, the Town Board has received a report from Chad Fabry, Building Inspector that property at 81 Lynnwood Drive, Clarkson, NY has an unhealthful and dangerous condition, to wit high grass and weeds; and

**Whereas**, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

**Whereas**, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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**09.12.09**

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**Section 3.** That this resolution shall take effect immediately.

**Vote of the Board**

Ayes: Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Nays: none

**RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO MOW GRASS IN ACCORDANCE WITH LOCAL LAW #2-2009**

Present: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Absent: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Hoy

**RESOLUTION REQUIRING CUTTING OF GRASS**

**Whereas**, the Town Board has received a report from Chad Fabry, Building Inspector that property at 16 Woodstock Lane, Clarkson, NY has an unhealthful and dangerous condition, to wit high grass and weeds; and

**Whereas**, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

**Whereas**, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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**Section 3.** That this resolution shall take effect immediately.

**Vote of the Board**

Ayes: Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Nays: none

**RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO MOW GRASS IN ACCORDANCE WITH LOCAL LAW #2-2009**

Present: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Absent: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Hoy

**09.12.09****RESOLUTION REQUIRING CUTTING OF GRASS**

**Whereas**, the Town Board has received a report from Chad Fabry, Building Inspector that property at 9159 Ridge Road, Clarkson, NY has an unhealthful and dangerous condition, to wit high grass and weeds; and

**Whereas**, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

**Whereas**, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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**Section 3.** That this resolution shall take effect immediately.

**Vote of the Board**

Ayes: Kimball, Councilpersons, Hoy, Filipowicz, Didas, Meyers

Nays: none

**CONSERVATION BOARD INTERVIEWS**

Two applications were received for one open position on the Conservation Board. Interviews will be held on Tuesday, September 15, 2009 starting at 6:00 p.m.

**AUTHORIZATION FOR SUPERVISOR TO SIGN GRANT APPLICATION FOR CLARKSON HORSE ARENA AT HAFNER PARK**

The matter has been tabled to September 22, 2009 Board meeting.

**MOTION TO AWARD CONTRACT TO UPDATE WEBSITE**

Motion by Councilperson Meyers

Seconded by Councilperson Filipowicz

To award contract to Webmaster, Waylen Bray to update the Towns current website at a cost not to exceed \$1,500. Councilperson Filipowicz to work with Webmaster on the project.

Unanimously carried

**AUTHORIZATION FOR SUPERVISOR TO SIGN PARKS ADMINISTRATION CONTRACT**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize the Supervisor to sign the contract with J. O'Connell & Assoc for the purpose of grants administration for the Ridgewood Park Acquisition & Development.

**Vote of the Board**

Ayes: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas

Nays: Councilperson Meyers

**J.O'Connell & Associates**   
GRANTS CONSULTANTS

10646 Main Street  
Clarence, New York 14031  
(716) 759-8580

**THIS AGREEMENT**, made this 12<sup>th</sup> day of September, 2009 by and between **J. O'CONNELL & ASSOCIATES, GRANTS CONSULTANTS**, having its principal place of business at 10646 Main Street, Clarence, New York 14031, hereinafter referred to as "J. O'CONNELL & ASSOCIATES," and the **TOWN OF CLARKSON**, having its principal place of business at 3710 Lake Road, PO Box 858, Clarkson, New York 14430 hereinafter referred to as "THE ORGANIZATION."

**WITNESSETH:**

**WHEREAS**, J O'CONNELL & ASSOCIATES is engaged in the business of grants consultation; and

**WHEREAS**, THE ORGANIZATION is desirous of retaining the professional services of J. O'CONNELL & ASSOCIATES;

NOW, in consideration of the mutual promises and covenants contained herein, it is agreed between the parties hereto as follows:

1. That THE ORGANIZATION retains the professional services of J. O'CONNELL & ASSOCIATES for the purposes of grants administration for the Ridgewood Park Acquisition & Development (EPF-E08028-G5). Grants Administration commences upon notification of grant award by the NYS Office of Parks, Recreation & Historic Preservation (NYSOPRHP).

2. This agreement will be in effect through out the entire term of the project, and will end when all necessary documentation is complete, and in compliance with the regulations of the NYS Office of Parks, Recreation & Historic Preservation (NYSOPRHP).

3. That THE ORGANIZATION agrees to pay J. O'CONNELL & ASSOCIATES for services rendered hereunder, the sum of Twenty Thousand (\$20,000.00) Dollars, payable as follows for the services performed by J. O'CONNELL & ASSOCIATES:

Payment Schedule will be as follows:

- (1) Amount Due - \$10,000.00 – upon signing of this contract.
- (2) Amount Due - \$10,000.00 – upon closeout of project and when all requirements of NYSOPRHP are met.

4. In consideration of the sums to be paid by THE ORGANIZATION, J. O'CONNELL & ASSOCIATES agrees to perform all necessary reporting & documentation to NYS Office of Parks, Recreation & Historic Preservation (NYSOPRHP) including:

- (1) Communicating with, or meeting with the Regional Parks Representative as the Town of Clarkson's administrative representative on the project;
- (2) Communicating with, or meeting with Town of Clarkson's personnel in order to provide required information to the Regional Parks Representative;
- (3) Preparing all documentation needed in order to Clear Title on the property purchase;
- (4) Preparing and submitting time sheets in order to document donations and purchases of services;
- (5) Preparing and submitting back-up documentation to establish the value of donated supplies and equipment;
- (6) Preparing and submitting Force Account Work Documentation, i.e. time sheets, pay check stubs, with collation to time sheets;
- (7) Coordinating the Sealed Bid Process for contracts that must be bid, in order to comply with competitive bidding requirements of section 103 General Municipal Law;
- (8) Preparing and submitting compliance reports and documentation to the Affirmative Action Office;
- (9) Issuing reports, with needed documentation to any other regulating agencies, such as Historic Preservation, DEC, and Army Corps of Engineers;
- (10) Submitting project activity status reports to Regional Grants Representative of NYSOPRHP; and

- (11) Providing close out documentation as required to the Regional Grants Representative.

5. If the ORGANIZATION requests the presence of J. O'CONNELL & ASSOCIATES at an out of town meeting regarding the administration of this parks project, travel is billable at the IRS rate or coach class air-fare (which ever is less). Out of town travel would be outside of the Western New York Area, or 200 miles round trip from the offices of J. O'CONNELL & ASSOCIATES. Travel will only be billed upon prior notification and approval of the Supervisor of the Town of Clarkson. Travel expenses will be paid to J. O'CONNELL & ASSOCIATES by the ORGANIZATION, upon presentation of receipts and prior approval of travel by the ORGANIZATION. Travel expenses to include; transportation, lodging and meals.

Date: Aug. 27, 2009

J. O'CONNELL & ASSOCIATES,  
GRANTS CONSULTANTS

BY Jean K. O'Connell  
JEAN K. O'CONNELL,  
OWNER

Date: 9/12/09

TOWN OF CLARKSON,

BY Paul Kimball  
PAUL KIMBALL,  
SUPERVISOR

### **EDUCABLE CONTRACT**

Councilperson Meyers requested that the Board authorize the Supervisor to sign a contract with EduCable at a cost of \$4,600 which would include taping and public access of meetings. Supervisor Kimball stated that the Town has free public access through Time Warner and before the Board can consider signing a contract for \$4,600 they would need more information along with copies of financial records showing EduCable to be a viable business. The matter is tabled to the 9-22-09 meeting for further discussion.

**09.12.09**

**HIGHWAY SUPT. REPORTS**

Supt. Goodwin updated the Board on highway happenings. Supt. Goodwin informed the Board that the construction project in Brockport has begun and they are looking for a location to put clean fill at no cost to the Town of Clarkson. Supt. Goodwin stated that the transfer station on Redman Rd. would be a good location. Councilperson Filipowicz requested that the town engineer review the dump site before dumping begins.

**Motion by Councilperson Hoy**

**Seconded by Supervisor Kimball**

**Motion to allow the Village of Brockport to dump clean spoils from the main street project at the transfer station on Redman Rd. contingent upon engineer approval.**

**Unanimously carried**

**MINUTES**

The August 11, 2009 minutes are tabled to 9-22-2009 Board meeting.

**MINUTES**

Motion by Councilperson Didas

Second by Councilperson Hoy

To approve August 18, 2009 special meeting minutes.

Unanimously carried.

**AUDIT**—08-02-2009

Vouchers 20090952-20091011; Total \$61,956.18; Gen. \$30,521.52; Hwy. \$31,321.54  
SS \$113.12

Motion by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

**AUDIT**—08-03-2009

Vouchers 20090891-20090891; Total \$54.00; Gen. \$54.00

Motion by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

**AUDIT**—09-01-2009

Vouchers 20091013-20091059; Total \$78,665.04; Gen. \$11,200.04; Hwy. \$4,960.34  
SF \$59,640.75; SL \$2,863.91

Motion by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

**AUDIT**—09-03-2009

Vouchers 20091012-20091012; Total \$50.00; Gen. \$50.00

Motion by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

**DISCUSSION**

Councilperson Meyers requested information on a voucher for a reduced amount previously agreed upon for Hamlet signs. Supt. Goodwin explained that only a portion of the signs have been ordered to date explaining why the voucher was for less.

**EXECUTIVE SESSION**

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To enter into Executive Session to discuss a matter in litigation.

Unanimously carried

**09.12.09**

**RETURN TO REGULAR SESSION**

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To return to Regular Session.

Unanimously carried

Motion to adjourn at 10:15 a.m. by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

Respectfully submitted,

Sharon S. Mattison

Town Clerk

**APPROVED 09-22-2009**