

TOWN OF CLARKSON
TOWN BOARD MEETING
January 12, 2010

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, January 12, 2010 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM

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

James Donahue of 2245 Lake Road explained that he would like to merge two adjacent properties located at 7056 Ridge Rd. and 7066 Ridge Rd. into one tax parcel. Mr. Donahue spoke with Tim Murphy, Director of Monroe County Real Property and was informed that he did not have to survey the properties to satisfy them, and that the merge could be completed administratively through the County with a request from the assessor providing the two parcels have never been subdivided. Acting Assessor, Chris Lyon also spoke with Tim Murphy regarding the merge and confirmed that a letter from his office would be needed stating Mr. Donahue's intent along with additional information showing the taxes are paid in full; both parcels are owned by the same individual and located on the same tax map. Once that information has been confirmed, the County will then issue a new tax account number and new tax map.

Attorney Olson stated that the matter should be reviewed by the Planning Board to address the possible re-subdivision waiver before Acting Assessor; Chris Lyon can send the required letter to the County.

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To waive the application fee providing there are no fees generated from the Town Attorney or Town Engineer and the Planning Board issues a waiver for further review.

Unanimously carried

SEYMOUR LIBRARY SPECIAL LEGISLATIVE PUBLIC LIBRARY DISTRICT

Present at the meeting were Library Board Members; Lori Lessord, Mary Marone, Mary Ellen Baker and President; Jeff Davignon.

The Town received a letter from Seymour Library Director, Cassie Guthrie dated January 7, 2010 requesting a letter of Home Rule approving legislation to be introduced in the NYS Senate and Assembly authorizing a voter referendum on the creation of a Special Library District serving the municipalities of Brockport, Clarkson and Sweden. Library representatives present stated they are looking for a formalized budget process. A lengthy discussion took place regarding the pros and cons of creating a special library district and re-charter the library.

01.12.10

Supervisor Kimball stated that he would be willing to participate in a joint public information meeting and feels it is important for residents to have the opportunity to ask questions and look at different alternatives.

RESOLUTION AUTHORIZING TAX SETTLEMENT WITH FRIESLAND, Inc. d/b/a Brockport country club

At a regular meeting of the Town Board of the Town of Clarkson held at the Town Hall, 3710 Lake Road, Clarkson, New York on January 12, 2010

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

Absent: None

Introduced by Councilperson Hoy

Seconded by Councilperson Didas

WHEREAS, Friesland, Inc. d/b/a Brockport Country Club, heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessment for the years 2006/2007, 2007/2008, 2008/2009, 2009/2010 for the premises located at 3739 Countyline Road (Tax Account Number: 052.040-001-002), located within the Town of Clarkson, and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioner in an attempt to settle and compromise Petitioner's claim, and

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by Friesland, Inc. d/b/a Brockport Country Club for the years 2006/2007, 2008/2009, 2009/2010 be and hereby are approved.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Clarkson be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Clarkson to reflect the terms of such settlement.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers

NAYS: None

MOTION TO ACCEPT RESIGNATION OF WADE RADTKE, ZBA MEMBER

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To accept, with regret, the resignation of Wade Radtke, ZBA Member, effective December 31, 2009.

Unanimously carried

MOTION AUTHORIZING SUPERVISOR TO SIGN 2010 EAP AGREEMENT

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

To authorize Supervisor Kimball to sign 2010 Employee Assistance Program agreement with Concentra.

Unanimously carried

01.12.10**MOTION AUTHORIZING HORSE ARENA BLEACHER REPAIRS (EAST SIDE)**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize replacement of planking on east side arena bleachers at an estimated cost of \$4750.00. Funds to be taken out of Parks account.

Unanimously carried

MOTION AUTHORIZING SUPERVISOR TO SIGN B.M.A. CONSULTING SERVICES CONTRACT

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

To renew annual contract with B.M.A. Consulting Services and authorize the Supervisor to sign 2010 contract at no increase in fee.

Unanimously carried

MOTION TO APPOINT JILL NUNDY TO HIGHWAY CLERK II POSITION

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To appoint, effective immediately, Jill Nundy to Highway Clerk II position at a pay rate of \$11.51 per hour based on the interview committee's recommendation and contingent upon successful completion of a background check and employee physical.

Unanimously carried

RESOLUTION LOCAL LAW #1-2010 – LEAD AGENCY

Introduced by: Councilperson Didas

Seconded by: Councilperson Meyers

**TOWN OF CLARKSON, MONROE COUNTY
WIND GENERATORS**

WHEREAS, the Town Board has heretofore created a committee to review the construction of Wind Generators in the Town of Clarkson; and

WHEREAS, said Committee, after several meetings, has caused a draft local law to be prepared; and

WHEREAS, said Committee has presented the local law to this board for consideration; and

WHEREAS, an Environmental Assessment Form (EAF) has been prepared; and

WHEREAS, the Town Board makes the following determinations:

1. That the proposed Local Law requires SEQR review;
2. That the proposed action is a Type I Action;
3. That the following are involved agencies, Department of Environmental Conservation, Monroe County Planning Department, the Town of Clarkson Planning Board and the Town Board of the Town of Clarkson, New York State Department of Real Property Tax Services;
4. That the Town Board of the Town of Clarkson wishes to assume Lead Agency status in connection with the SEQRA review of this project;
5. That the Town Board directs that a lead agency coordination letter be circulated among the various involved agencies together with the distribution package including the Environmental Assessment Form and a copy of the draft Local Law.

01.12.10

THE FOREGOING RESOLUTION, was put to vote as follows:

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers

NAYS: None

AUTHORIZATION FOR COURT PERSONNEL TO ATTEND TRAINING

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize Allyn S. Hammel, Town Justice and Colleen Rogers, Court Clerk to attend 2010 Annual NYS Assoc. of Towns Conference in NYC on February 14-17, 2010.

Unanimously carried

Discussion: Councilperson Meyers asked if there was training offered closer to Clarkson. Judge Hammel stated that there was, however the quality of the training does not compare. Cost per day is approximately \$200. Councilperson Filipowicz reminded Judge Hammel that it is important to review the reimbursement policy.

NYS DEC URBAN & COMMUNITY FORESTRY GRANT

Motion by Councilperson Meyers

Seconded by Councilperson Hoy

To award contract to Urban Forestry LLC in the amount of \$11,830.00 with 50% of the total being reimbursed by NYS with the grant received by the Town.

Discussion: This first task is to complete a tree risk survey of street trees by hiring a consultant (Urban Forestry LLC) to conduct a full tree inventory within the Town's right-of-way.

Unanimously carried

BUILDING INSPECTOR REPORTS

Insp. Fabry had no report at this time.

HISTORIAN REPORTS

Historian, Leanna Hale had no report at this time.

ASSESSOR REPORTS

Acting Assessor, Chris Lyon had no report at this time.

HIGHWAY SUPT. REPORTS

Highway crew is busy working on snow removal. Highway equipment is in good working condition. A salt delivery truck caused damage to salt barn roof, however their insurance company will be responsible for damages.

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To approve December 08, 2009 minutes.

Unanimously carried

MINUTES

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To approve January 5, 2010 minutes.

Unanimously carried

AUDIT—12-04-2009

Vouchers 20091562-20091592; Total \$23,756.73; Gen. \$2,914.46; Hwy. \$20,842.27

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

Unanimously carried

01.12.10**AUDIT**—01-01-2010

Vouchers 20100001-20100038; Total \$46,355.79; Gen. \$42,741.23; Hwy. \$3,593.00
SS \$21.56

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Filipowicz

Seconded by Councilperson Meyers

To enter into executive session at 8:12 P.M.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To return to regular session at 8:25 P.M.

Unanimously carried

AUTHORIZE PAY INCREASE-Kristin Coon

Motion by Councilperson Filipowicz

Seconded by Councilperson Meyers

To authorize a 3% merit raise for Kristin Coon bringing her hourly wage to \$12.22.

Unanimously carried

AUTHORIZE PAY INCREASE-Highway Employees

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To authorize the following merit increases based on the recommendation of Highway Supt. Dave Goodwin.

Unanimously carried

NAME	POSITION	CURRENT	NEW STEP	NEW RATE
D. Brett	MEO	19	20	\$20.81
M. Farrell	MEO	16	18	\$20.19
T. Swanger	MEO	6	8	\$17.40
R. Viscardi	Foreman	18	20	\$25.91
E. Weitz	MEO	19	20	\$20.81
R. Nurse	Clerk II	17	19	\$15.28
P. Tooley	Seasonal	5	6	\$10.34
C. Wilson	Seasonal	3	4	\$ 9.74

MOTION TO ACCEPT RESIGNATION OF RICHARD NURSE

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To accept, with regret, the resignation of Richard Nurse, effective 01-29-2010.

Unanimously carried

Motion to adjourn at 8:31 P.M. by Councilperson Hoy

Seconded by Councilperson Filipowicz

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

APPROVED 01-26-2010

