

TOWN OF CLARKSON  
TOWN BOARD MEETING  
December 14, 2010

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, December 14, 2010 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM

**PRESENT:**

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	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
Christopher Lyon	Assessor
Chad Fabry	Building Insp/Code Enf.

\*\*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**

Brian Winant appeared as the Vice-President of the Brockport Stetson Club and reported that 18 of the Hometown Hero Banners are in and there will be a press conference for the official unveiling at the Exempts Club on Thursday at 10:00 a.m. for anyone that may be available to attend. The 18 banners will be hung in the Village after the first of the year with another 6 to 8 still to be ordered in the spring.

**COMPREHENSIVE PLAN/NEW ZONING CODE UPDATE**

A meeting took place with C. Fabry, C. Filipowicz and R. Olson to review the option of codifying the zoning code in accordance with the Comprehensive Plan. They hope to have a draft in place by March 2011 for review and the final ready for adoption by early summer.

**WORKPLACE VIOLENCE PREVENTION PROGRAM**

PERMA provided the Town with a sample Workplace Violence Policy and Procedures, Policy Statement and an Employee Security Survey for their review. PERMA advised the Town that it is now a requirement to have this policy in place. Attorney for the Town, Richard Olson will review the documents provided by PERMA and advise the Board at the next meeting.

**MOTION AUTHORIZING VACATION ROLLOVER**

Motion by Councilperson Hoy  
Seconded by Councilperson Didas  
To Authorize all eligible employees to rollover up to ten days of unused vacation time.  
Unanimously carried

**MOTION SETTING DATE/TIME OF 2011 ORGANIZATIONAL MEETING**

Motion by Councilperson Filipowicz  
Seconded by Councilperson Meyers  
To hold the 2011 Organizational meeting on Tuesday, January 4, 2011 at 6:00 p.m. at the Clarkson Town Hall, 3710 Lake Road.  
Unanimously carried

**12.14.10**

**RESOLUTION SETTING PUBLIC HEARING; INTRODUCTORY LOCAL LAW #5-2010**

**PRESENT:** Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers  
**ABSENT:** NONE

**RESOLUTION SETTING PUBLIC HEARING**

Introduced by Councilperson Filipowicz  
 Seconded by Councilperson Hoy

**INTRODUCTORY LOCAL LAW #5-2010  
 TOWN OF CLARKSON, MONROE COUNTY**

**“A Local Law Regulating Ambulance Services in the Town of Clarkson”**

**WHEREAS,** the Town Board has before it a proposed Local Law to regulate the providing of Ambulance Service within the Town; and

**WHEREAS,** in order to adopt said Local Law, the Town Board of the Town of Clarkson is required to hold and conduct a public hearing thereon;

**NOW, THEREFORE, BE IT RESOLVED:**

**SECTION 1.** That the Town Board of the Town of Clarkson shall hold and conduct a Public Hearing on the 22nd day of December, 2010, at 5:15 p.m. at the Town Hall, 3710 Lake Road, Town of Clarkson, New York, 14430 to consider the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

**SECTION 2.** That the Town Clerk shall cause due notice of such public hearing to be published as required by law.

**VOTE OF THE BOARD**

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

**NAYS:** None

**\*see attached Introductory Local Law #5-2010**

**MOTION ACCEPTING RESIGNATION OF CONSERVATION BOARD MEMBER, JULIANN DEAN**

Motion by Councilperson Filipowicz  
 Seconded by Councilperson Meyers

To accept the resignation of Conservation Board Member, Juliann Dean, effective 12-31-2010. Juliann Dean has accepted a seat on the Library Board effective 01-01-2011.  
 Unanimously carried

**RESOLUTION ORDERING PUBLIC INFORMATION MEETING; FIRE DISTRICT FORMATION**

**PRESENT:** Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers  
**ABSENT:** NONE

Introduced by Councilperson Meyers  
 Seconded by Councilperson Hoy

**WHEREAS,** there has been duly established in the Town of Clarkson a fire protection district known as the Clarkson Fire Protection District, which embraces all territory in said Town; and

**WHEREAS,** on November 23, 2010, the Town Board of the Town of Clarkson resolved to pursue the formation of a Fire District to replace the current Clarkson Fire Protection District.

**12.14.10**

NOW, THEREFORE, BE IT RESOLVED:

- Sec.1. That the Town Board of the Town of Clarkson will hold a Public Information meeting regarding the formation of a Fire District on Tuesday, January 18, 2011 at 7:30 pm at the A.D. Oliver Middle School, 40 Allen Street, Brockport, NY.
- Sec.2. That the meeting will be held jointly with the Town Board of the Town of Sweden.
- Sec.3. That the Village Board of the Village of Brockport is invited to participate.
- Sec.4. That the purpose of the meeting is to allow consultant Raymond DiRaddo to present information regarding the process of forming a Fire District.
- Sec.5. That there will not be a public comment period at this meeting. The public will have the opportunity to comment at a public hearing to be held at a later date.
- Sec.6. That this resolution shall take effect immediately.

VOTE OF THE BOARD:

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

NAYS: None

**RESOLUTION AUTHORIZING SPECIAL COUNSEL FOR FIRE DISTRICT FORMATION**

**PRESENT:** Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers

**ABSENT:** None

Introduced by Councilperson Didas

Seconded by Councilperson Hoy

WHEREAS, the Town Board of the Town of Clarkson has a need to consult with an attorney specializing in Fire District Formation.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Clarkson hereby appoints Raymond DiRaddo as special counsel to the Town regarding Fire District Formation.
- Sec. 2. That this resolution take effect immediately.

VOTE OF THE BOARD:

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

NAYS: None

Discussion: Attorneys for the Towns of Clarkson and Sweden recommended the hiring of special counsel. The expense will be shared by both towns.

**12.14.10****MOTION TO WAIVE SIGN FEES FOR CLARKSON HISTORICAL SOCIETY**

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To waive the \$150 ZBA application fee as well as the building permit fee of approximately \$40.00.

**VOTE OF THE BOARD:**

AYES: Supervisor Kimball, Councilpersons Hoy and Filipowicz

NAYS: None

ABSTAIN: Councilpersons Meyers and Didas as they are both members of the Clarkson Historical Society.

Discussion: The Clarkson Historical Society is a not-for-profit organization and is sponsoring an Eagle Scout project which involves building and erecting a permanent sign in front of the school house.

**BUILDING INSPECTOR REPORTS**

Insp. Fabry reported that he is working on the new Building Dept. software and hopes to have it online soon. He has been reviewing neighboring town codes and reported that his office has issued two new building permits.

**HISTORIAN REPORTS**

Historian, Leanna Hale was not present at meeting.

**ASSESSOR REPORTS**

Assessor, Chris Lyon reported that he has been updating inventory cards and working on Agricultural exemption renewals.

**HIGHWAY SUPT. REPORTS**

Supt. Goodwin reported that his dept. has been busy with snow removal and has used approximately 400 tons of salt in the last 10 days; still in the process of putting up snow fence and the roof of the Cobblestone Bldg. has been removed. Supt. Goodwin attended the Monroe County Highway Supt. meeting today.

**MOTION AUTHORIZING SUPERVISOR TO SIGN 2011 AMENDATORY AGREEMENT FOR ALL SEASONS COUNTY/TOWN WORK AGREEMENT WITH MONROE COUNTY**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize supervisor to sign the Amendatory Agreement for the All Seasons County/Town Work Agreement for 2011

Unanimously carried

**MINUTES**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To approve November 23, 2010 minutes.

Unanimously carried

**EXECUTIVE SESSION**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To enter into executive session at 7:25 p.m. to discuss a possible litigation matter.

Unanimously carried

**12.14.10****RETURN TO REGULAR SESSION**

Motion by Councilperson Meyers  
Seconded by Councilperson Hoy  
To return to regular session at 8:15 p.m.

**AUDIT**—12-01-2010

Vouchers 20101353-20101432; Total \$43,966.16; Gen. \$30,811.86; Hwy. \$9,646.52;  
SF \$10.92; SL \$3,352.86; SS \$144.00

Motion by Councilperson Hoy  
Seconded by Councilperson Didas  
Unanimously carried

Discussion: Councilperson Filipowicz requested that a past employee's name be removed from the Staples account. Town Clerk Mattison stated that she will again contact Staples.

Motion to adjourn at 8:18 P.M. by Councilperson Hoy  
Seconded by Councilperson Meyers  
Unanimously carried

Respectfully submitted,

Sharon S. Mattison  
Town Clerk

APPROVED 01-11-2011

## LOCAL LAW #\_\_ 2010

## TOWN OF CLARKSON

## A Local Law Regulating Ambulance Services in the Town of Clarkson

Be it enacted by the Town Board of the Town of Clarkson as follows:

**CHAPTER \*\*****AMBULANCE SERVICE**

**§\*\*-1. Introduction and Purpose.** The Town of Clarkson is served by more than one provider of Ambulance Services. In some instances, it may be in the best interest of the Town that more than one provider of such services is authorized to provide such services within an area of the Town. The purpose of this Local Law is to establish rules and regulations with respect to Ambulance Service within the Town of Clarkson not including areas in the Village of Brockport.

**§\*\*- 2. Title**

This local law shall be know as Local Law # \_\_-2010 “A Local Law Regulating Ambulance Services in the Town of Clarkson ”

**§\*\*- 3. Authority.** This Local Law is adopted pursuant to the authority contained in Town Law §184, Town Law §64, General Municipal Law § 122-b and Article 2 of the Municipal Home Rule Law.

**§\*\*- 4. Definitions.**

The following words, terms, or phrases, many of which would not normally be capitalized are capitalized in this Local Law. The intent of this capitalization is to call attention to the fact that the word, term or phrase is a defined term. For the purpose of this Local Law, the following shall mean:

**Ambulance Service.** An entity which provides prehospital emergency medical treatment or transporting sick or injured persons found within the boundaries of the municipality to a hospital, clinic, sanatorium or other place for treatment of such illness or injury.

**Emergency Communications Department.** The division of the Monroe County Department of Public Safety which is responsible for 9-1-1 calls, dispatch of emergency service equipment, and relay or transfer of service calls to the appropriate public services agencies including police, fire and emergency services.

**Primary Responder.** The Ambulance Service designated herein to be the first one contacted by the Emergency Communications Department in the event Ambulance Services are required.

**Provider.** An Ambulance Service.

**Town Board.** The Town Board of the Town of Clarkson. Where applicable, the term shall refer to the Town Board of the Town of Clarkson acting for the Clarkson Fire Protection District.

**User.** The person for whom Ambulance Service is provided.

**§\*\*- 5. Contracts for Ambulance Service.**

**A.** In areas of the Town not otherwise served by Fire Districts, the Town Board shall, by contract, provide for Ambulance Service.

**B. Multiple Providers.**

1. Unless a contract for Ambulance Service provides for exclusivity, or otherwise provided for by law, the Town Board may contract with more than one provider of Ambulance Service in any part of the Town of Clarkson.
2. In the event the Town Board has entered into contracts for Ambulance Service with more than one provider, the board shall on or before December 31 of each and every year where this situation exists, by resolution, designate the primary responder for ambulance calls within the area covered by such contracts for the following year. In the event that the Town Board does not act on or before December 31, and should the contracts still exist, the designation of the primary responder for the previous year shall continue until December 31 of the following year.
3. Upon such designation, the Town Clerk and the primary responder shall notify the Emergency Communications Department of the designation.
4. The other Ambulance Service or Services shall be considered to be secondary responders and shall be called upon to provide the contracted service upon the inability of the primary responder to provide the service.
5. Nothing herein is intended to impair, alter or negate any mutual aid agreements among providers of Ambulance Service in the Town of Clarkson.

**§\*\*-6. Billing.**

**A.** The Ambulance Service providers designated by the Town Board may, if not otherwise prohibited by law, bill the User's health insurance provider and the User directly for the services provided by the Ambulance Service.

**B.** Each provider of Ambulance Services shall provide the Town Clerk with a copy of the schedule of fees which shall be available for inspection upon request.

**§\*\*-7. Severability.**

The provisions of this Local Law are hereby declared to be severable. If any provision, clause, sentence or paragraph of this Local Law or the application thereof to any Person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Local Law.

**§\*\*-8. Adoption of Local Law and Repealer.**

This Local Law shall be in full force and effect immediately after its final passage and adoption. All prior Ordinances and parts of Ordinances, Resolutions and parts of Resolutions and Local Laws and parts of Local Laws in conflict with this Local Law are hereby repealed.

Note: \*\* refers to the chapter number which shall be designated by General Code Publishers.