

TOWN OF CLARKSON
TOWN BOARD MEETING
January 25, 2011

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, January 25, 2011 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

Mike Cunningham and Kurt Diehl, representatives of Salmon Creek Snowmobile Club expressed their appreciation to the Board for the use of the lodge for their first annual Winterfest. The event was a success, serving 123 people for breakfast. The Club maintains all snowmobile trails in the town of Clarkson at no expense to residents. They added the Club is looking forward to future cooperative projects with the Town.

PROCUREMENT POLICY DISCUSSION

Attorney for the Town, Richard Olson reviewed the revised version of the policy. Olson stated that before it can be adopted, Schedule A and B need to be completed. A lengthy discussion took place regarding credit cards and store lines of credit. W. Ey is currently working with the town liaison at JP Morgan Bank. All necessary information will be provided to Olson before the next board meeting.

SUPERVISOR REPORTS

Supervisor Kimball gave an update on a meeting he attended with members of the fire department regarding the formation of an ambulance corporation. During the meeting Mayor Castañada stated that the Village Board of Trustees would like to schedule a workshop with Attorney Ray DiRaddo and a meeting with representatives from Hilton and Spencerport to better understand the formation of a fire district. At that time a 30 day extension was discussed to better accommodate the Village. The new meeting dates are as follows; March 8th, March 29th and May 3rd.

AUTHORIZE SUPERVISOR TO SIGN REVISED DOG CONTROL AGREEMENT

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To authorize supervisor to sign the revised dog control agreement with the Town of Sweden to include a cost increase to \$20 for dog pickup and detention and boarding of each dog per day or part thereof.

Unanimously carried

01.25.11**SEYMOUR LIBRARY**

Board members had a brief discussion with Library Board member, Mary Marone before the meeting. The Town of Clarkson is in the process of assuming the Library's bookkeeping responsibilities. The Memorandum of Understanding states the responsibility will switch between the towns and village every five years, however the village has been providing the service for the past 15 years.

Attorney for the Town Olson stated, according to civil service regulations the people who work at the library must be employees of the municipality where the charter is. He said that the wording of the library charter is vague regarding the exact location, mentioning only "Brockport" and not the village or towns. He is in the process of researching case law to clarify this. Olson also discussed removing the language in the charter which refers to switching bookkeeping responsibilities between towns and village every five years since this is impractical.

SUPERVISOR REPORTS

Supervisor Kimball read Resolution No. 3; Property Tax Cap. The Resolution will be presented and passed at the annual Association of Towns meeting.

***see attached Resolution No. 3 at end of minutes**

BUILDING INSPECTOR REPORTS

Insp. Fabry reported that on 1-17-11 Ridge Village Apts. flooded due to broken water pipes in several unheated apartments and utility room. Insp. Fabry is working with the owners to bring the building up to code so the tenants can move back into their apartments.

MIDDLE DEPARTMENT INSPECTION AGENCY RECOMMENDATION

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

Upon recommendation of Bldg. Insp. Fabry, Middle Department Inspection Agency is hereby deemed an Inspection Agency for the Town of Clarkson.

Unanimously carried

HISTORIAN REPORTS

Historian, Leanna Hale was not present at this time.

ASSESSOR REPORTS

Assessor, Christopher Lyon informed the Board that upon completion of 285 hours of coursework he is in receipt of his New York State Assessor Certification. The Town Board congratulated Chris on his accomplishment.

HIGHWAY SUPT. REPORTS

Supt Goodwin stated that his dept. has been extremely busy with snow removal. At the end of February, Working Foreman Mark Stephens will be retiring and his position will not be filled at that time. Supt. Goodwin would like to hold the position open pending evaluation of work load.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT

Motion by Councilperson Didas

Seconded by Councilperson Hoy

For supervisor to sign the Indexed Lump Sum Municipal Snow and Ice Agreement between NY State DOT and the Town of Clarkson which expires June 30, 2013. The lump sum amount is \$251,709.15.

Unanimously carried

01.25.11

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH NIAGARA MOHAWK

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To sign an agreement to allow Clarkson to use Niagara Mohawk utility poles for street decorations.

Unanimously carried

MINUTES

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To approve January 11, 2011 minutes.

Unanimously carried

MINUTES

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To approve January 18, 2011 minutes.

Unanimously carried

AUDIT—12-04-2010

Vouchers 20101582-20101617; Total \$18,807.01; Gen. \$5,273.04; Hwy. \$12,414.66; SS \$1,119.31

For distribution checks from 22143 - 22171

Motion by Councilperson Hoy

Seconded by Councilperson Didas

Unanimously carried

AUDIT—01-02-2011

Vouchers 20110020-20110062; Total \$153,079.47; Gen. \$144,977.57; Hwy. \$4,072.42 SS \$4,029.48

For distribution checks from 22172-22214

Motion by Councilperson Hoy

Seconded by Councilperson Didas

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To enter executive session at 8:00 P.M. to discuss the Workplace Violence Prevention Program and security proposal for town buildings.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Didas

Seconded by Councilperson Meyers

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

Unanimously carried

Motion to adjourn at 8:27 P.M. by Councilperson Hoy

Seconded by Councilperson Didas

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

APPROVED 02/08/2011

Resolution No. 3

Property Tax Cap

Whereas, towns provide services to more than eight million New Yorkers, yet account for less than 15% of the overall real property tax burden; and

Whereas, towns are uniquely dependent upon the real property tax to fund town services, more so than counties, cities and villages in that towns do not have the authority to levy sales taxes, occupancy taxes, gross receipts taxes or income taxes; and

Whereas, non property tax revenues (e.g. mortgage recording taxes [fell by \$164 million from 2006 to 2008], sales taxes [declined by \$30 million from 2008 to 2009], and state/federal aid/grant programs [State AIM decreased by 5%]) are subject to market fluctuations and the ability of the federal, state and county governments to share revenue with towns; and

Whereas, the costs to provide town services and to fund town operations continue to increase despite declining revenues, such as:

Health Care

Medical insurance costs represent one of the fastest-growing major categories of employee benefit expense, increasing more than 62 percent between 2002 and 2007, and 146 percent between 1997 and 2007. Moreover, employers can expect 2011 health care costs to be at their highest levels in five years, up nearly nine percent over 2010

Transportation/Water/Wastewater

There is a \$250 billion funding gap in water, wastewater, and transportation infrastructure needs over the next 20 years.

Pension Contributions

Local governments in New York State will face an unprecedented increase in pension costs that forced them to triple their contributions to the state pension system over the next six years. According to one analysis, pension contribution rates for civilian employees in local governments will soar to 30.3 percent of payroll by 2015 and contributions to police and fire department retirement plans are expected to increase to 41.1 percent of payroll in 2015.

Whereas, many town expenses are dictated by compliance with federal and state mandates, most notably: stormwater management, prevailing wage, procurement requirements, collective bargaining procedures, and the administration of real property exemptions; and

Whereas, New York State has primarily provided real property tax relief through ad hoc property tax exemptions rather than comprehensive property tax reform, resulting in a tax shift rather than a tax reduction as well as additional administrative and litigation costs; and

Whereas, simply capping property taxes will not reduce the cost of health care, mandate compliance, pension contributions or the public's expectation of governmental services; and

Whereas, town governments have taken initiative in lowering property taxes through staff and salary reductions, program cuts and voluntary tax caps; **NOW THEREFORE BE IT**

RESOLVED that the Association of Towns, based upon Home Rule principles, has traditionally opposed state mandated property tax caps; and **Be It Further**

RESOLVED that the Association of Towns calls upon the Governor and Members of the State Legislature to fund and/or eliminate state mandates, reform the real property tax system and address cost drivers in the provision of local government services/operations before implementing a property tax cap; and **Be It Further**

RESOLVED that in order for a real property tax cap to lower property taxes while ensuring the delivery of essential services the program must include at a minimum:

- exemptions for structured costs such as pension contributions, debt service, contract obligations, reductions in state or federal aid and emergencies and costs associated with unfunded and underfunded mandates;
- hardship relief on a case by case basis;
- mandate relief and reform;
- increased and predictable state revenue sharing and aid formulas;
- additional locally generated revenue streams;
- a defined floor of four percent with the possibility of an increased cap based upon a percentage of inflation; and
- local override by supermajority vote of the town board.