

TOWN OF CLARKSON
TOWN BOARD MEETING
April 10, 2012

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, April 10, 2012 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

PRESENT:

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

ALSO:

Kristin Coon	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

Tom Erwin, Real Estate Contractor for Verizon Wireless stated that the company is looking for a ¼ acre site in Clarkson to construct a 150-foot tower that would enable them to provide improved service to their customers. If the Town opts to enter into a lease agreement with Verizon, D. Goodwin suggested Horizon Park Drive as a possible location. The initial lease would be \$12,000 a year with a 15% increase every term. The initial term is five years, with four initial five-year renewals, for a total of 30 years.

Tom Erwin drafted a lease to be reviewed by the Board. Attorney Richard Olson stated that a written proposal will be necessary before proceeding further.

EMPLOYEE HANDBOOK UPDATE

The employee handbook update has been deferred to the April 24, 2012 meeting.

LIBRARY BOARD UPDATE

Andrea Tillinghast, the new Director of the Seymour Library, appeared with Library Board members Mary Ellen Baker and Mary Marone. She gave a brief update regarding current activities at the library.

TOWN HALL HEATING SYSTEM

C. Fabry will obtain quotes for heating systems for the Town Hall, Highway Garage and the lodge at Ridgewood Park. This information will be discussed at the April 24, 2012 meeting.

MOTION AUTHORIZING THE PURCHASE OF 2012 SKID STEER AND TRADE-IN 2011 SKID STEER

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To purchase 2012 GEHL 5240E Skid Steer with auger attachment at a State bid price of \$29,470.99. To trade in the 2011 BOBCAT S205 H51 at a trade in price of \$29,470.99.

There will be no cost to the town for the upgrade.

Unanimously carried

04.10.12

**RESOLUTION APPROVING DRAFT LEGISLATION TO SUBMIT TO
STATE OF NEW YORK – BROCKPORT FIRE DISTRICT**

MOTION for adoption of this resolution by Councilperson Filipowicz
Seconded by Councilperson Didas

WHEREAS, the Brockport Fire District was established by vote of the resident electors of the Town of Sweden and the Village of Brockport, and the Town of Clarkson on November 29, 2011; and

WHEREAS, the Clarkson Town Board by Resolution dissolved the Clarkson Fire Protection District in accordance with the plan for dissolution endorsed on August 9, 2011; and

WHEREAS, in furtherance of the creation of the Brockport Fire District it is proposed that the attached "Draft Legislation" be submitted to the State of New York for consideration and passage.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Clarkson Town Board does hereby approve the attached "Draft Legislation" and recommend that it be sent to the State of New York for passage.

Sec.2. That this resolution shall take effect immediately.
Discussion: Attorney Richard Olson explained that Attorney Ray DiRaddo worked with members of the New York State Assembly and the New York State Senate to make the necessary clarifications to the Draft Legislation.

VOTE OF THE BOARD:

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

NAYS: None

Submitted –April 10, 2012

***copy of Draft Legislation 4-9-2012 attached at end of minutes**

SUPERVISOR REPORTS

Supervisor Kimball gave a brief update on the Morton-Walker-Hamlin Fire Dept. meeting he attended on March 27, 2012.

BUILDING INSPECTOR REPORTS

C. Fabry attended the second meeting as advisory committee member for second floor historic preservation.

HIGHWAY SUPT. REPORTS

D. Goodwin reported that his department has been busy with spring repair work. The windows have been installed in the lodge at Ridgewood Park. Dave provided wood-grain vinyl siding samples for the Board's review. Price quotes are as follows: Lowes \$89 per 100 square feet; ABC Supply and B&L Whole Sale \$80 per 100 square feet; and Lakeside Materials, Inc. were the low bidders at \$76.44 per 100 square feet.

Two quotes for plumbing supplies for the lodge at Ridgewood Park were received as follows: Ferguson for a total bid of \$2,408.33 and VP Supply Corp. for a total bid of \$2,098.17.

**MOTION AWARING BID FOR SIDING MATERIAL FOR THE LODGE AT
RIDGEWOOD PARK**

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To award the low bid for siding to Lakeside Materials, Inc. in the amount of \$76.44 per 100 square feet of material.

Unanimously carried

04.10.12**MOTION AWARDING BID FOR PLUMBING SUPPLIES FOR THE LODGE AT RIDGEWOOD PARK**

Motion by Councilperson Tantalo

Seconded by Councilperson Didas

To award the low bid for plumbing supplies to VP Supply Corp. in the amount of \$2,098.17.

Unanimously carried

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Tantalo

To approve March 27, 2012 minutes.

Unanimously carried

AUDIT—4-1-2012

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize payment of audit 4-1-2012 to include the following:

Vouchers 20120299-20120344; Total \$25,176.97; Gen. \$14,457.40; Hwy. \$4,616.44; H \$6,103.13

For distribution checks from 23845 - 23882

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To enter executive session at 6:35 P.M. to discuss possible litigation.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To return to regular session at 7:45 P.M.

Unanimously carried

SEYMOUR LIBRARY SETTLEMENT CLAIM**RESOLUTION AUTHORIZING SETTLEMENT OF CLAIM**

Introduced by Councilperson Hoy

Seconded by Councilperson Didas

NOW THEREFORE BE IT RESOLVED:

1. That the Town of Clarkson pay the sum of \$5,000.00 for its share of a settlement of New York State Division of Human Rights Case Nos. 10148759 and 10152057
2. That the Supervisor is authorized to and directed to sign the Stipulation of Settlement for New York State Division of Human Rights Case Nos. 10148759 and 10152057 on behalf of the Town of Clarkson
3. That this Resolution is contingent upon the Town of Sweden, the Village of Brockport and the Seymour Library each paying the same amount in settlement of the claim.

Vote of the Board

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

NAYS: None

Submitted: April 10, 2012

04.10.12

MOTION REQUESTING CHATFIELD ENGINEERS SERVICES

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To request Chatfield Engineers work up retro fit design for new pumps in the Benita sewer pump station.

Unanimously carried

MOTION AUTHORIZING THE SUPERVISOR TO SIGN MS4 AGREEMENT

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To Authorize Supervisor Kimball to sign MS4; Annual Storm Water Agreement.

Unanimously carried

MOTION TO ADJOURN

Motion to adjourn at 7:50 P.M. by Councilperson Hoy

Seconded by Councilperson Tantalo

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

APPROVED 04-24-2012

DRAFT LEGISLATION 4-9-2012

AN ACT to authorize the transfer of cash and reserve accounts of the Village of Brockport, allocated for fire protection in the fire protection area encompassing the Town of Sweden, the Town of Clarkson and the incorporated Village of Brockport, Monroe County, New York to the Brockport Fire District, subsequent to the formation of the Brockport Fire District and the dissolution of the Sweden Fire Protection District and the dissolution of the Clarkson Fire Protection District; and to further ratify the tax levy of the Village of Brockport upon its residents in its 2012-2013 fiscal year budget for fire protection to be provided by the Brockport Fire District for the period July 1, 2012 – December 31, 2012; and to further authorize the transfer to the Brockport Fire District of the unexpended portion of the Village of Brockport 2012-2013 fiscal year budget designated for fire protection, including reserves, as well as the transfer to the Brockport Fire District of any and all other cash and reserve accounts designated for fire protection; and to further authorize the transfer of unexpended cash and reserve fire protection district funds of the Sweden Fire Protection District and the Clarkson Fire Protection District located in the Towns of Sweden and Clarkson, Monroe County, New York to the Brockport Fire District, subsequent to the formation of the Brockport Fire District and the dissolution of the Sweden Fire Protection District and the dissolution of the Clarkson Fire Protection District.

The People of the State of New York, represented in Senate and Assembly do enact as follows:

§ 1. Notwithstanding any other provision of law to the contrary, upon the dissolution of the Sweden Fire Protection District and the Clarkson Fire Protection District encompassing the Town of Sweden and part of the Town of Clarkson, Monroe County, New York, and subsequent to the formation of the Brockport Fire District by the Town Boards of the Towns of Sweden and Clarkson and the Board of Trustees of the Village of Brockport, the following shall occur, which is hereby declared to be in every respect in the public interest and undertaken solely for the provision of services and for the safety and the inhabitants of the Brockport Fire District:

(a) The Town of Sweden and the Town of Clarkson, on behalf of the Sweden Fire Protection District and the Clarkson Fire Protection District, are hereby empowered to and shall transfer any and all of their unexpended cash and reserve fire protection district funds allocated for fire protection within such fire protection districts, to the Brockport Fire District, provided however that any and all such unexpended cash and reserve fire protection district funds shall be used by the Brockport Fire District, or any successor thereto, for the purposes and provision of services and for the safety of the inhabitants of the Brockport Fire District, as provided by law; and

(b) The Village of Brockport is hereby empowered to and shall transfer to the Brockport Fire District on or after July 1, 2012,

1) the unexpended portion of its 2012-2013 fiscal year budget designated for fire protection. The tax levy for fire protection raised by the Village of Brockport for the period July 1, 2012 to December 31, 2012 being approximately \$60,467.36, and,

2) the tax levy raised by the Village of Brockport for the period June 1, 2012 to December 31, 2012 designated for contribution to the fire protection reserves funds being approximately \$19,369.56, and

3) any and all other cash and reserve accounts designated for fire protection, said reserve accounts shall include but not be limited to the reserve accounts for purchase of fire apparatus, equipment and/or fire fighting vehicles, to the Brockport Fire District, and

4) All such transferred funds shall be used by the Brockport Fire District, or any successor thereto, for the purposes and provision of services and for the safety of the inhabitants of the Brockport Fire District, as provided by law.

§ 2. This act shall take effect immediately.