

TOWN OF CLARKSON  
TOWN BOARD MEETING  
October 23, 2012

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, October 23, 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**

Henry Conratt, owner of the Clarkson Self-Storage, spoke requesting a reduction on his building permits to \$0.16/square foot (totaling \$192) since the three new buildings he is constructing required separate building permits. C. Fabry explained that permits have to be on a per building basis.

Kirk Golden, representing Brockport United Lacrosse, thanked the Town for the use of the fields at Ridgewood Park. He inquired as to whether or not the outfield fence could be removed which would allow for three full lacrosse fields. He distributed maps of the area to Board members. D. Goodwin informed the group that there is a plan to sell the fencing on a municipal auction site. Mr. Golden also asked that we consider renting our indoor facilities for practices for the younger teams (K-4) once the weather turns colder. Apparently the Clarkson-Sweden Recreation Center has a "no hard ball" rule for use of their facility. Mr. Golden emphasized that these are the younger players and therefore there is no potential for damage to the facility. Supervisor Kimball said that he would talk to Jill.

**PUBLIC HEARING ON LOCAL LAW #2-2012**

Supervisor Kimball opened the public hearing on Local Law #2-2012 at 6:13 p.m. and gave a brief explanation of the tax cap rate, the proposed 2.8% increase in the tax rate, proposed Local Law #2-2012 and how the process works. He gave an example using an average-priced house of \$125,000; the town tax amount would increase \$11. Attorney Olson explained the tax cap law and that it was the recommendation of the NYS Association of Mayors that towns should pass a local law giving them the ability to override the 2% tax cap even if they do not use it; thus saving possible penalties in the future should there be changes in the State Comptroller's rulings. The discussion was opened.

Bob Rejewski of 246 Gina Way raised the question of how many years has this State law been in effect. Atty Olson answered that this is the second year that the Town has not elected to go above this tax cap. Mr. Rejewski also asked if State mandates are affecting our rates. Atty Olson answered yes; retirement is up 18% and worker's comp is up 15%.

Wayne Ward of 3267 Sweden Walker Road expressed his opposition to Local Law #2-2012.

**10.23.12**

Cheryl Beardslee of 8258 Ridge Road spoke next and was opposed to Local Law #2-2012.

Kevin Pfund of 281 Lawrence Road stated his opposition to Local Law #2-2012.

Stan Galinski of 1493 Lawrence Road questioned why his house was assessed higher this year than last year.

Bob Fox, Town CPA, explained that tax caps do not include special services such as lighting, drainage or water districts. Those districts are paid by people in those districts. He further explained what the assessed value is and offered to stay after the meeting to answer any questions.

Alan Bertch of 1965 Roosevelt Highway asked that the difference between the tax rate and the tax levy be explained to the residents in attendance. Supervisor Kimball explained that the new tax rate would be 2.8%, from approximately \$3.60/1000 to \$3.70/1000.

Duane Marshall of 3213 Lake Road stated that it was the principle of the Local Law #2-2012, not the amount and is against passing Local Law #2-2012.

Connie Ohler of 8152 Ridge Road spoke and was opposed to Local Law #2-2012.

Steve Pratt of Redman Road was against Local Law #2-2012.

Rich Beehler of 252 Lawrence Road questioned the cost to maintain the Town parks. This will be answered at the upcoming public hearing on the 2013 budget.

Ed Chapman of 199 Lawrence Road spoke in opposition of Local Law #2-2012.

Attorney Olson explained that if Local Law #2-2012 was passed, it would only be applicable for this year and is only being sought to protect the Town against possible penalties later on. In other words, if we don't need it when finalizing the budget, "it goes away." He gave an example of the recent Benita pump Station that was replaced. An original low bid of \$8000 ended up being \$11,900 with the same company because of prevailing wages under NYS law.

Wayne Ward questioned if the Town budget was public record and was informed that all Town budgets were available for review.

Supervisor Kimball asked if anyone else wanted to speak. No one spoke. Supervisor closed the Public Hearing at 7:20 p.m.

**AUTHORIZATION TO RELEASE LETTER OF CREDIT FUNDS FOR LIBERTY COVE SUBDIVISION-SECTION 5**

Motion by Councilperson Tantalo

Seconded by Councilperson Hoy

To release of \$65,851.50 from the letter of credit for Liberty Cove Subdivision-Section 5.

Unanimously carried

**MOTION TO SCHEDULE PUBLIC HEARING ON 2013 BUDGET**

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To schedule a public hearing for the next Town Board meeting on Tuesday, November 13<sup>th</sup> for discussion of the 2013 budget.

Unanimously carried

Discussion: Attorney Olson mentioned that if special districts increase by more than 2%, this needs to be done by resolution.

**10.23.12****AUTHORIZATION FOR HIGHWAY TO REMOVE RIDGEWOOD PARK FENCING AND SELL ON MUNICIPAL AUCTION SITE**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To have the Highway Department remove the fencing at Ridgewood Park before posting for sale on the online Tietsworth Municipal Auction site.

Unanimously carried

**AUTHORIZATION TO ADVERTISE BOARD VACANCIES**

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To advertise upcoming Board vacancies beginning the week of November 12<sup>th</sup>.

Unanimously carried

**BROCKPORT SOCCER CLUB MEMORANDUM OF UNDERSTANDING**

Copies of this MOU were distributed to members of the Board. This MOU is to be reviewed and signed on an annual basis by both the Sweden/Clarkson Recreation Department and the Brockport Soccer Club. It outlines field use and fees for the year. Attorney Olson stated that language needs to be added to this document specifying a dollar amount on the certificate of insurance. Discussion ensued whether or not to charge for the use of our fields by area sports clubs. It was felt that if we begin getting requests from teams outside of our town, we would revisit this idea.

**AUTHORIZATION FOR SUPERVISOR TO SIGN BENITA PUMP STATION REPLACEMENT AGREEMENT**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To authorize the supervisor to sign the Benita Pump Station Replacement (Contract 2) agreement.

Unanimously carried

**AUTHORIZATION TO REVISE FEE SCHEDULE**

Motion by Councilperson Didas

Seconded by Councilperson Tantalo

The Town Board discussed and agreed to make the following change to the fee schedule under Zoning Board of Appeals: Appeal variances resulting from decisions or interpretations - \$150.

Unanimously carried

**BUILDING INSPECTOR REPORT**

C. Fabry had nothing to report.

**ASSESSOR REPORT**

Supervisor Kimball congratulated announced that C. Lyon had received the IAO designation, which is the highest designation available in NYS. C. Lyon had nothing to report.

**HIGHWAY SUPT. REPORT**

D. Goodwin reported that the Benita pump station replacement is up and running. He discussed details of the work completed. Highway staff will be working on getting the winter equipment ready, snow fences, fall brush pickup and junk days. In regards to the upcoming winter months, he indicated that the salt bill will be less this year because of the mild winter last season.

**10.23.12**

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN 2013  
AMENDATORY AGREEMENT-ALL SEASONS COUNTY/TOWN WORK  
AGREEMENT WITH MONROE COUNTY**

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To authorize the Supervisor to sign the Amendatory agreement for all seasons County/Town work with Monroe County for 2013.

**VOTE OF THE BOARD**

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

NAYS: None

**DISCUSSION**

H. Mundy distributed a comment sheet regarding the Brockport Fire District. The Board had a brief discussion regarding the Fire District.

**MINUTES**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To approve September 11, 2012 minutes.

Unanimously carried

**MINUTES**

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To approve September 25, 2012 minutes.

Unanimously carried

**MINUTES**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To approve October 9, 2012 minutes.

Unanimously carried

**AUDIT**—10-2-2012

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To authorize payment of audit 10-2-2012 to include the following:

Vouchers 20121097-20121153; Total \$41,632.89; Gen. \$9,244.85; Hwy. \$11,489.91; H \$2,270.12; SS \$18,628.01

For distribution checks from 24488 - 24537

Unanimously carried

**EXECUTIVE SESSION**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To enter executive session at 8:10 P.M. to discuss a personnel matter.

Unanimously carried

**RETURN TO REGULAR SESSION**

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To return to regular session at 9:05 P.M.

Unanimously carried

**10.23.12**

**MOTION TO ADJOURN**

Motion to adjourn at 9:10 P.M. by Councilperson Hoy  
Seconded by Councilperson Didas  
Unanimously carried

Respectfully submitted,

*Sharon S. Mattison*  
Town Clerk

APPROVED 11-13-2012