

TOWN OF CLARKSON  
TOWN BOARD MEETING  
September 10, 2013

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, September 10, 2013 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 P.M.

PRESENT:

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Scott Tantalo	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	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**

Dennis Riley of Spencerport, NY expressed his opinion regarding the under utilization of Ridgewood Park. He has contacted the Sweden/Clarkson Recreation Center numerous times, but no one ever gets back to him. There seems to be a major lack of interest in increasing usage of these softball fields. Mr. Riley stated he had a softball league all ready to start in the fall. The consensus from management at the Sweden/Clarkson Recreation Center was that they didn't care about it; just go and play without any official contracts, team registrations, or fees paid. Supervisor Kimball responded that he and Councilperson Filipowicz will be meeting with members from the Rec Center on September 17, 2013. Mr. Riley wondered if there was any way to separate Clarkson from the Sweden/Clarkson Recreation Center; he would be interested in running a recreation department for Clarkson. He stated that there are several softball leagues in the Rochester area that are looking for places to play.

Carl Grasta of Outlook Development addressed the Board. He is requesting that the Town defer the Green Area Trust fees usually collected at the time permits are issued and allow him to pay these fees at closing, when the Certificate of Occupancy is issued. Attorney Olson researched the Town Code and verified there was nothing in the code dictating when payment was due; however, Olson stated that if you allow the Green Area Trust fees to be deferred to a later date, you could be setting a precedent for other applicants.

**MOTION TO DEFER GREEN AREA TRUST FEES**

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To allow Carl Grasta of Outlook Development to defer Green Area Trust fees to the time the Certificate of Occupancy is issued.

**VOTE OF THE BOARD**

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz and Tantalo

NAYS: Councilperson Didas

**09.10.13**

**LIBRARY BUDGET PRESENTATION**

Mary Marone and Linda Sanford distributed copies of the budget to the Board members for review. The library is requesting a 6% increase. A lengthy discussion was held. Councilperson Didas requested a balance sheet to help demonstrate the need for this increase. Councilperson Hoy asked whether or not fines could be increased to aid with revenue; however, the fine amounts are set by the Monroe County Library System. The library is actively searching for a new library director. Thus far they have four potential candidates who appear to have very good credentials. Mary Marone added that they have applied for a grant for a room addition at a cost of approximately \$170,000. The grant would cover 75% of this cost; the remaining 25% would come from an endowment fund. Supervisor Kimball explained that an agreement would have to be reached between the three municipalities regarding this proposed library budget increase. He added that Clarkson has a 1.6% tax cap that we have to stay within. Supervisor Kimball suggested that a meeting be scheduled with the Library Board and members of the three municipalities involved to discuss this issue. On behalf of the library, Linda Sanford expressed her thanks to Sharon and Kristin for all they do.

**PUBLIC HEARING LOCAL LAW #4-2013**

Supervisor Kimball called the public hearing to order at 6:35 P.M. No one spoke. Supervisor Kimball closed the public hearing at 6:37 P.M.

**RESOLUTION ADOPTING LOCAL LAW #4-2013**

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Tantalo  
ABSENT: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Hoy

**A LOCAL LAW TO ESTABLISH STOP SIGNS AT THE INTERSECTIONS OF LINDERA LANE WITH BERRY GROVE LANE AND SUMMER HILL DRIVE AND AT THE INTERSECTION OF WEDGEWOOD COURT AND BERRY GROVE LANE**

**Whereas**, on August 13, 2013, this board ordered that a Public Hearing be held to consider this proposed local law and set September 10, 2013 at 6:00 p.m. at the Town Hall, 3710 Lake Road Clarkson as the date, time and place of the Public Hearing; and

**Whereas**, the notice of this hearing was duly published and posted as required by law; and

**Whereas**, the Public Hearing was duly held on September 10, 2013 at 6:00 p.m. at the Town Hall, 3710 Lake Road, Clarkson, New York and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to said Proposed Local Law, or any part thereof, and

**Whereas**, this action is a Type II action under the State Environmental Quality Review Act and not subject to further review; and

**Whereas**, the Town Board after due deliberation finds it in the best interest of the Town to adopt said Local Law;

**Now, therefore, be it resolved:**

**Section 1.** That the Town Board of the Town of Clarkson hereby enacts Local Law #4-2013, "A Local Law to Establish Stop Signs at the Intersections of Lindera Lane with Berry Grove Lane and at the Intersection of Wedgewood Court and Berry Grove Lane."

**Section 2.** That the Town Clerk is ordered to publish a legal notice indicating the adoption of this Local Law as required by law and to file a copy of this Local Law with New York State as required by law.

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**Section 3.** That this resolution shall take effect immediately

**VOTE OF THE BOARD**

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

NAYS: None

**UPDATE ON PROPOSED CLARKSON PARMA TOWN LINE ROAD WATER DISTRICT**

Attorney Olson explained that the petition process is still underway. This process requires two things: (1) 50% of the assessed valuation of all the parcels in the district – we are not there, we are at 48.8%; and (2) 50% of the resident owners' assessed valuation – we are at 54%. If we look at the numbers it appears that we have about half of the resident owner's who have signed the petition. Fifty-four percent is not high enough to fulfill the requirements of the State Comptroller's Office. Two or three more signatures would be needed to bring us to 70 to 75%. Parma is waiting to see what Clarkson does. Supervisor Kimball suggested we send out a reminder letter to try and obtain more signatures with a closing date of October 1.

**RESOLUTION REQUIRING CUTTING OF GRASS; 8470 RIDGE ROAD**

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

ABSENT: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Filipowicz

**RESOLUTION REQUIRING CUTTING OF GRASS**

**Whereas**, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8470 Ridge Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

**Whereas**, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

**Whereas**, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

**Now, therefore, be it resolved:**

**Section 1.** That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

**Section 2.** That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

**Section 3.** That this resolution shall take effect immediately.

**VOTE OF THE BOARD**

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

NAYS: None

**09.10.13**

**RESOLUTION REQUIRING CUTTING OF GRASS; 3250 LAKE ROAD**

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Tantaló

ABSENT: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Filipowicz

**RESOLUTION REQUIRING CUTTING OF GRASS**

**Whereas**, the Town Board has received a report from Chad Fabry, Building Inspector that property at **3250 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

**Whereas**, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

**Whereas**, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

**Now, therefore, be it resolved:**

**Section 1.** That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

**Section 2.** That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

**Section 3.** That this resolution shall take effect immediately.

**VOTE OF THE BOARD**

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

NAYS: None

Discussion: C. Fabry informed the Board there was a concern from the neighbor regarding stagnant water on the pool cover; however, Mr. Fabry stated that he did not find the water to be an unhealthy or danger condition.

**UPDATED TOWN POLICIES AND PROCEDURES; FUND BALANCE AND INVESTMENT**

After a brief discussion, the Board tabled this matter to September 24, 2013.

**HONOR ROLL**

Supervisor Kimball and K. Coon will meet with LonaWood Art Co. to discuss possible design and cost for new Honor Roll sign. Further discussion will take place regarding the location of the Honor Roll.

**RESOLUTION REQUESTING TE-9 FOR SPEED REDUCTION ON DRAKE ROAD**

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Tantaló

To submit a TE-9 requesting the DOT establish a lower maximum speed at which vehicles may proceed on Drake Road between Ridge Road and Clarkson Hamlin Town line Road.

**VOTE OF THE BOARD**

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

NAYS: None

**09.10.13****RESOLUTION REQUESTING TE-9 FOR SPEED REDUCTION ON SUMMER HILL DRIVE, MISSION HILL AND BEV LANE**

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Tantalo

To submit a TE-9 requesting the DOT reduce the maximum speed at which vehicles may proceed from 55 mph to 30 mph on Summer Hill Drive, Mission Hill and Bev Lane.

**VOTE OF THE BOARD**

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

NAYS: None

**SUPPORT BOARD TRAINING**

Councilperson Didas stated that an email was circulated regarding upcoming support board training sessions. He explained that there are educational requirements for some professionals and civic positions. The consensus was that the Board was not inclined to waive this requirement for support board members. Attorney Olson added that there are online classes available.

**RESOLUTION RELEASING TRUST ACCOUNT FUNDS**

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

ABSENT: none

Introduced by: Councilperson Hoy

Seconded by: Councilperson Tantalo

**WHEREAS**, The Town of Clarkson has collected and held funds from an employee's salary for his share of medical insurance premiums from March 2008 to August 2013; and

**WHEREAS**, during this time this employee was either exempt from paying a percentage of his premium or was not enrolled in the Town's health insurance plan; and

**WHEREAS**, the Town Board has reviewed the payroll records from the time period in question and has declared the funds totaling \$1,245.30 were erroneously collected and held by the Town.

**NOW, THEREFORE BE IT RESOLVED** by the Town Board of the Town of Clarkson, Monroe County, New York, as follows:

**SECTION I:** The Town Board does hereby release the funds held by the Town as identified above.

**SECTION II:** The Town Board authorizes the immediate distribution of the funds to the employee from which the money was withheld.

**VOTE OF THE BOARD**

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

NAYS: None

**MOTION APPROVING SUPERVISOR'S MONTHLY FINANCIAL REPORT**

Motion by Councilperson Filipowicz

Seconded by Councilperson Tantalo

To acknowledge receipt of the Supervisor's monthly financial report.

Unanimously carried

**BUILDING INSPECTOR REPORTS**

C. Fabry had nothing to report.

**ASSESSOR REPORTS**

C. Lyon stated that he will be attending the NYS Assessor's Annual Conference in Lake Placid October 1<sup>st</sup> – 4<sup>th</sup>. Supervisor Kimball stated that the cost of the conference was already budgeted.

**09.10.13**

**HIGHWAY SUPT. REPORTS**

Superintendent Viscardi reported that highway staff has been doing black topping on Lynnwood Drive with curb work scheduled to begin next week. Similar work was also done on Sugar Tree.

**TOWN CLERK REPORTS**

S. Mattison reported that the number of lodge rentals has increased from \$9,000 in 2012 to \$16,000 in 2013.

**MINUTES**

Motion by Councilperson Tantalo  
 Seconded by Councilperson Didas  
 To approve August 13, 2013 minutes.  
 Unanimously carried

**AUDIT**—8-02-2013

Motion by Councilperson Hoy  
 Seconded by Councilperson Tantalo  
 To authorize payment of audit 8-02-2013 to include the following:  
 Vouchers 20130735-20130781; Total \$20,902.39; Gen. \$12,418.76; Hwy. \$8,368.98;  
 SS \$114.65  
 For distribution checks from 25437 - 25479  
 Unanimously carried

**AUDIT**—9-01-2013

Motion by Councilperson Hoy  
 Seconded by Councilperson Tantalo  
 To authorize payment of audit 9-01-2013 to include the following:  
 Vouchers 20130782-20130818; Total \$21,292.24; Gen. \$5,947.41; Hwy. \$12,030.42;  
 SL \$3,314.41  
 For distribution checks from 25480 - 25513  
 Unanimously carried

**EXECUTIVE SESSION**

Motion by Councilperson Filipowicz  
 Seconded by Councilperson Hoy  
 To enter executive session at 7:00 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 8:30 P.M.  
 Unanimously carried

**MOTION TO ADJOURN**

Motion to adjourn at 8:30 P.M. by Councilperson Didas  
 Seconded by Councilperson Filipowicz  
 Unanimously carried

Respectfully submitted,

*Sharon S. Mattison*  
 Town Clerk

APPROVED 09-24-2013