

TOWN OF CLARKSON
TOWN BOARD MEETING
May 26, 2015

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, May 26, 2015 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
Jackie Smith	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

Kristin Coon	Ass't to Supervisor
Chad Fabry	Building Insp/Code Enf.
Christine McGough	Assessor's Office

**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

Cody Dean from Brockport Ambulance shared statistics for 2015. He reported that they just received an Agency of the Year Award for 2014. Mr. Dean is requesting that the Board strongly consider returning to Brockport Ambulance as the Town's primary provider for emergency services.

UPDATE ON PROPOSED BROOKFIELD AT CLARKSON PROJECT

Supervisor Kimball reported that the Board has been consulting with Attorney Olson regarding this proposed Incentive Zoning project. An information meeting was held on May 21st with Bob Morgan of Morgan Management in attendance as well as Donald Osborne, Planning Board Chairperson, Supervisor Kimball and Town Board members C. Filipowicz and J. Smith. Councilperson Smith added that the meeting was well attended by the public with many questions and answers addressed. Councilperson Filipowicz commented that traffic still remains a major concern. Supervisor Kimball suggested that we hold another information meeting regarding the "four corners" in an attempt to keep the residents informed. A resolution allowing attorney-client privilege was requested to further discussion.

RESOLUTION ALLOWING ATTORNEY-CLIENT PRIVILEGE

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

ABSENT: None

Introduced by: Councilperson Hoy

Seconded by: Councilperson Didas

Whereas, Section 108(3) of the Public Officers Law exempts "any matter made confidential by federal or state law" from the provisions of the Open Meetings Law; and

Whereas, Section 4503 of the New York State Civil Practice Law and Rules provides for confidential and privileged communications between an attorney and his or her client in the course of professional employment; and

05.26.15

Whereas, the Town Attorney has requested the opportunity to discuss legal matters with his client, the Town Board;

Now, therefore, be it resolved:

That the Town Board enters into a private session with its attorney to discuss legal matters and that in addition to the Town Board of Trustees and the Attorney, the following individuals shall be included:

1. Town Clerk
2. Building Inspector
3. Assessor
4. Superintendent of Highways
5. Assistant to the Supervisor

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **3770 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 Smith

NAYS: None

05.26.15

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Hoy

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:

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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 Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Hoy

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;

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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 Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8438 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 Smith

NAYS: None

MOTION AUTHORIZING SUPERVISOR TO SIGN CERTIFICATIONS FOR MULTI-GOVERNMENT EFFICIENCY PLAN

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize the Supervisor to sign the certifications.

Unanimously carried

Discussion: K. Coon explained that the plan includes actions taken by local governments to improve services that result in lower costs. The Town of Clarkson is participating with Monroe County who will file this group efficiency plan with New York State. The submission deadline is June 1, 2015.

***see certifications at end of minutes**

05.26.15

PROPOSED EAST AVENUE SEWER DISTRICT

A brief discussion was held and further agreed that Supervisor Kimball would speak with Kepler's of East Avenue.

TOWN CLERK REPORTS

S. Mattison reported that her office has been working for the past year in the Record Retention Room. There are approximately 100 boxes of purged files scheduled for shredding on June 2nd at a cost of \$4/box.

BUILDING INSPECTOR REPORTS

C. Fabry reported that construction projects are in full swing with many deck and pool permits being issued. He has also been dealing with quite a few neighbor complaints. Supervisor Kimball mentioned a possible drainage problem from the Grasta property and Martin Farms. C. Fabry said he has been in contact with Dave Martin.

ASSESSOR REPORTS

C. McGough reported that the Board of Assessment Grievance Day is tomorrow evening. Many residents came in at the last minute. At this time, she has eight appointments scheduled. She distributed a 3-year comparison in terms of what the assessment would be for the Autumn Woods project, assuming it is complete by March 1, 2016. This would go on the 2016 assessment roll.

HIGHWAY SUPT. REPORTS

B. Viscardi reported on the status of our 10-wheelers; 1999, 2003, 2007 and we are still using a 1994. He is proposing to get rid of the 1994 and lease a new 10-wheeler at a cost of \$220,000. This lease would be set up through First Niagara with a 7-year payment of \$34,468 at a 2.89% interest rate or a 5-year payment of \$46,722 at an interest rate of 2.68%. Payments would not start until 2016. Supervisor Kimball reiterated that the Town is behind on replacing vehicles. B. Viscardi will work with Attorney Olson to obtain the best lease option.

B. Viscardi also reported that the Town picked up five road projects in Greece that will fill up the month of July. The Canal Road project should be finished up today. County work for Ogden will begin next week.

RESOLUTION AUTHORIZING SUPERVISOR TO SIGN LEASE AGREEMENT WITH CATERPILLAR FINANCIAL SERVICES CORPORATION

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

ABSENT: None

Introduced by: Councilperson Hoy

Seconded by: Councilperson Smith

WHEREAS, the annual lease payment would be \$15,474.06 for a term of five (5) years for one (1) new 938M Caterpillar Wheel Loader.

WHEREAS, the annual trade agreement includes a \$10 per hour usage charge, plus the manufacturer's price increase.

Sec. 1. That the Supervisor is hereby authorized to execute the Governmental Equipment Lease-Purchase Agreement with Caterpillar Financial Services Corporation upon review and recommendation of the Town Attorney.

Sec. 2. That this Resolution shall take effect immediately.

VOTE OF THE BOARD:

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

NAYS: None

05.26.15

MINUTES

Motion by Councilperson Filipowicz

Seconded by Councilperson Smith

To approve May 12, 2015 minutes.

Unanimously carried

AUDIT—05-02-2015

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize payment of audit 05-02-2015 to include the following:

Vouchers 20150423-20150457; Total \$25,263.47; Gen. \$18,857.84; Hwy. \$6,271.60;

SS \$134.03

For distribution checks from 30176 - 30210

Unanimously carried

MOTION FOR EXECUTIVE SESSION

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To enter executive session at 6:28 P.M. to discuss a personnel matter.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Filipowicz

Seconded by Councilperson Smith

To return to regular session at 7:18 P.M.

Unanimously carried

RESOLUTION AUTHORIZING SUPERVISOR TO SIGN INCENTIVE ZONING LETTER; BROOKFIELD AT CLARKSON

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

ABSENT: None

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize the supervisor to sign the proposal letter to Alantic Funding and Real Estate, LLC. The letter states that the town board will agree to proceed to the next steps on Alantic Funding's most recent plan with the following conditions:

1. No real property tax incentives
2. Cash payment to the Town of Clarkson in the amount of \$375,000.00

VOTE OF THE BOARD

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

NAYS: None

MOTION TO ADJOURN

Motion to adjourn at 7:25 P.M. by Councilperson Hoy

Seconded by Councilperson Smith

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

Approved 06-09-2015

CERTIFICATIONS FOR MULTI-GOVERNMENT EFFICIENCY PLAN

AGREE TO IMPLEMENT CERTIFICATE

CERTIFICATION TO BE SIGNED BY CHIEF EXECUTIVE OFFICER OR BUDGET OFFICER OF EACH LOCAL GOVERNMENT THAT IS A SIGNATORY TO A MULTI – GOVERNMENT PLAN

I Supervisor Kimball hereby certify that the Clarkson Town Board agrees to undertake its best efforts to fully implement by the end of the local fiscal year beginning in 2017 the cooperation agreements, mergers, efficiencies and/or shared services specified in this plan.

DIRECT SAVINGS CERTIFICATE

CERTIFICATION TO BE SIGNED BY THE CHIEF FINANCIAL OFFICER OF EACH LOCAL GOVERNMENT THAT IS A SIGNATORY TO A MULTI – GOVERNMENT PLAN

I Supervisor Kimball do hereby certify that it is my professional opinion that full implementation by the end of the local fiscal year beginning in 2017, of the cooperation agreements, mergers, efficiencies and/or shared services that are to be undertaken by the

Clarkson Town Board as specified in this plan will result in the savings set forth in this government efficiency plan.

SAVINGS TARGET CERTIFICATE

SAMPLE OF SECOND CERTIFICATION TO BE SIGNED BY THE CHIEF EXECUTIVE OFFICER OF EACH LOCAL GOVERNMENT THAT IS A SIGNATORY TO A MULTI – GOVERNMENT PLAN

I Supervisor Kimball do hereby certify that it is my professional opinion, that full implementation of the cooperation agreements, mergers, efficiencies and/or shared services as specified for all the local government units that are signatories to this plan will result in savings of at least one percent of the tax levies for fiscal years beginning in 2014 for all local government units that are signatories to such plan, in each of the fiscal years beginning in 2017, beginning in 2018 and beginning in 2019.