

TOWN OF CLARKSON
TOWN BOARD MEETING
January 23, 2018

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, January 23, 2018 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

PRESENT:

Gerald Underwood	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Jackie Smith	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Superintendent
Richard Olson	Attorney for the Town

ALSO:

Kristin Coon	Director of Finance
Chad Fabry	Building Inspector/Code Enforcement
Elizabeth Spencer	Assessor
**excused	

Supervisor Underwood 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 and for our First Responders.

OPEN FORUM

Bill Chambers of Clarkson-Parma Town Line Road reported that he owns three parcels in Clarkson. Consequently, he will be billed three times for the new water district on Clarkson-Parma Town Line Road. One property is an eight-acre parcel that is landlocked and he feels he should not be charged for that parcel. He stated he knows of another resident who owns a landlocked parcel in the same area who is not being charged for that parcel. He questions whether or not an error has been made. In discussion with L. Spencer, the Town Assessor, it has been determined that Mr. Chambers qualifies for a courtesy merge on this eight-acre parcel. R. Olson commented that this water district was created in conjunction with the Town of Parma. He will talk with the attorney for the Town of Parma.

A Tearose Meadow Lane resident is wondering why sidewalks are not plowed on his street. He questioned who is responsible for clearing the sidewalks. R. Viscardi, Highway Superintendent, replied that there is no policy regarding snow removal of sidewalks. The Town has approximately eight miles of sidewalk. For the past 20 years, the Highway Department has cleared the main arterials, which consists of Lifetime Assistance through to the hospital. They started doing Gilmore Road five years ago and added Mission Hill this year. The equipment being used is a 1972 Bombardier, which is in pretty poor condition. A new machine is about \$80,000 and he only has a staff of eight. At this point, we do not have the manpower or equipment. We do have a Bobcat that can be used when the snow gets deep, but it is wider than the sidewalks, which leads to lawn damage. Councilperson Hoy commented that a lot of money was spent installing sidewalks, so it would nice if they could be used all year. R. Olson stated that separate sidewalk districts were created in each of the subdivisions. In theory, these districts should have been funded so when sidewalks needed repair/replacement, funds would be available and not have to be taken out of the General Fund. In regards to some of the main roads, there were agreements from the State that when funds were given, we would receive the money, provided we did the plowing. For Tearose and some of the other subdivisions, these were put in by the developer and maintained by people in the sidewalk district; the same with the plowing. Councilperson Didas suggested that the Highway Superintendent put together a financial analysis to determine how much we would need to include in the Town budget to be able to clear all Town sidewalks.

It was pointed out that when sidewalks are not cleared, people walk in the street, which then becomes a safety issue.

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BACKGROUND/SCREENING PROCEDURES:

K. Coon reported that currently we use MetroData who has requested that we sign an addendum, basically a hold harmless statement, which our attorney did not approve of. She researched five other companies and their prices were quite a bit more than MetroData. She contacted MetroData today and their owner informed her that we did not need to sign the hold harmless addendum which basically was adding a request for past employment verification information. The basic new hire package is what we have been using which includes social security number, previous address, county criminal, national criminal, state sex offender, department of corrections, and terrorist watch list. She is requesting to continue using MetroData and not include past employment information verification. It was decided to continue utilizing MetroData for background/screening of new employees.

RESOLUTION #63

APPOINT COURT PERSONNEL

REMOVE COURT PERSONNEL

Judge Wilcox spoke regarding court personnel changes. He is requesting appointment of two new court officers, Robert Duff and Mike Detoy and two new part-time court clerks, Patricia Preston and Kellie Messler.

Introduced by Councilperson Didas

Seconded by Councilperson Smith

Appoint part-time Court Clerk Patricia Preston of 1258 Drake Road, Clarkson, NY

Appoint part-time Court Clerk Kellie Messler of 3613 Redman Road, Clarkson, NY

Appoint Court Security Michael Detoy of 35 Deer Track Lane, Clarkson, NY

Appoint Court Security Robert Duff of 19 Barry Street, Brockport, NY

Remove Court Security Jacob Farrell of 469 Lawton Road, Clarkson, NY

VOTE OF THE BOARD

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

NAYS: None

SUPERVISOR REPORTS

Supervisor Underwood commented that he would like the Town Board minutes to be transcribed verbatim, for transparency. There are several area towns who video their Town Board meetings. He is requesting that we research the cost of recording/ transcribing equipment. A discussion was held regarding the costs, time involved in transcribing minutes verbatim, and what information needs to be recorded in the minutes. Supervisor Underwood and Councilperson Smith recently attended a training workshop where they learned that by law, meeting minutes must contain summary of motions, responses, actions taken, resolutions and vote of members. Councilperson Smith spoke with a representative at the office of Robert Freeman, Executive Director for the Committee on Open Government, regarding meeting minutes. He stated that if minutes are to be typed verbatim, the meeting must be recorded. You need a good recording device and that recording should be available for residents to listen to. He also recommended staying away from verbatim minutes. The meeting minute recordings must be made available for four months after approval. S. Mattison will research costs involved in recording equipment. She added that there is no way to estimate the time that might be involved in verbatim transcription as each meeting is different. S. Mattison has been looking at on-line minutes for area towns, and most of them use numbered resolutions except for reports by Board members, which appear to be more verbatim. She feels that our meeting minutes contain more dialogue than the ones she has been reviewing. Councilperson Smith added that other towns' minutes contain more detailed information regarding the abstract and individual invoices. S. Mattison commented that she has contemplated attaching the Supervisor's Financial Report to the minutes, but that document is approximately 14 pages long. C. Fabry questioned if verbatim minutes would include all support board meeting minutes, or just Town Board minutes. The consensus is that the same rules would be followed for every Board.

He feels that verbatim minutes would affect the process of how things get done at Planning and ZBA meetings and that there would be less input from members. R. Olson stated that in the past they have hired out to have minutes transcribed verbatim, but this is very costly. S. Mattison mentioned that she emails her draft minutes to Board members for their review and welcomes any comments.

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SEYMOUR LIBRARY UPDATE

Councilperson Smith reported that she recently attended the Seymour Library Board meeting. She forwarded those meeting minutes to Board members. John Rombaut, a Clarkson resident, was recognized as Volunteer of the Year. Carl Gouveia, Library Director, is actively looking to fill Chris Daley's position. Chris has agreed to stay until her replacement is hired and will assist with transition. The Library Board has a list of committees that will be updating the Board throughout the year. They are looking at some grants and trying to do a better job of getting information out to the community regarding the different programs the library offers. The Library Board President and Carl plan on coming in to discuss the library building as well as the land upkeep. The library held 50 events in the month of December with 878 attendees. Supervisor Underwood reported that he received an email today from LuAnn asking to set up a meeting with T. Huntington, C. Gouveia, K. Johnson and M. Zimmer to discuss the library district and funding issues. The building is currently owned by the three municipalities and C. Gouveia stated they are interested in taking over ownership of the building. This may assist them in being able to form a library district.

MONROE AMBULANCE LEASE AGREEMENT

The area leased by Monroe Ambulance in the basement of the courthouse was recently visited. The condition of the room is unacceptable. M. Bove assured us that it would be cleaned up by the end of the week. There are two EMTs per eight-hour shift, a total of eight in a 24-hour period. There should be a small refrigerator available to employees as well as a locked cabinet for medical supplies. There is concern that the monthly rental of \$150 does not cover the electricity being used by the EMTs. M. Bove stated that the only electronics that should be there includes a computer and battery banks for charging spare batteries. There is a furnace in the basement, but it was noted that a space heater was being used. Chad Fabry, Building Inspector/Code Enforcement Office, reported that he has visited the basement. He stated that space heaters should not be allowed. In addition, he noted that several devices were being run with extension cords, which also should not be allowed. Councilperson Didas requested that the lease agreement be re-negotiated and that the condition and maintenance of this area be monitored by C. Fabry.

Supervisor Underwood questioned coverage since the elimination of Brockport Ambulance. M. Bove responded that they have plenty of ambulances (28), but there is about 25% shortage of emergency technicians across the country. They have added a third ambulance which is a basic life support unit, which is parked in Churchville. This unit which covers all of the low priority calls from Route 259 west, freeing up paramedic ambulances to be more available. He reviewed area staffing issues as well as stats, which are summarized in his December report. Councilperson Didas thanked Monroe Ambulance for their service to Clarkson residents.

STORMWATER REPRESENTATIVE

Highway Superintendent R. Viscardi reported that in the past ten years, the Stormwater Coalition has become very active, meeting twice a month. They want us to do enforcement with contractors, along with soil and water. Currently 15 to 20 hours a week is dedicated to Stormwater work. In the summer, they will have to develop a plan for outfalls and retention ponds. They are marked out, but they are not managed the way the County wants. The Town of Sweden hired a prior building inspector as their Stormwater representative, 25 hours a week. C. Fabry explained that this is a stormwater pollution program, developed by municipalities to help reduce the amount of silt and unfiltered runoff that goes into water systems. During the construction process, the developer or engineer presents a detailed stormwater pollution prevention plan called a SWPPP. For sites under development, a Town representative is required to monitor every stormwater pollution site.

Currently R. Viscardi and M. Farrell that every time it rains, they record the amount of rain, inspect at the detention ponds, and monitor the flow of streams. There are 37 ponds and 65 outfalls to be checked and maintained, including mowing and clearing of debris. Once a site is dedicated, the Town becomes responsible. R. Viscardi stated that these additional responsibilities produce a manpower problem. R. Olson stated that separate districts were set up for sanitary sewers and stormwater. K. Coon commented on how these special districts are billed. C. Fabry reported that mandates from NYS are causing a manpower issue in a lot of areas. For example, he recently received a 60-page report listing additional inspections he is supposed to be doing. If a project is under development, these inspections should be the responsibility of the developer.

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R. Olson stated that there should be fees associated with additional inspection services. R. Viscardi would like to designate a Stormwater representative. He will do some research and put together a detailed job description. The County needs to be notified if a site is not correct and fines could be imposed. The Stormwater representative should report to the Building Inspector. Councilperson Hoy questioned whether or not C. Fabry could fulfill these responsibilities if he were a full-time employee. R. Viscardi and C. Fabry agreed that larger towns usually have multiple building inspectors enabling them to handle Stormwater responsibilities, while smaller towns hire a part-time person for Stormwater responsibilities. Supervisor Underwood questioned whether or not we could increase our building fees. C. Fabry responded that we recently adjusted fees and are now in the top 20% when comparing to surrounding towns.

PESH HOMES

Supervisor Underwood reported that he received an email from a Mr. Palumbo who wants to build some lots/houses on Pesh Homes by changing it to a flag-shaped lot. If he did that we would never be able to connect the road. There is supposed to be a loop there now. C. Fabry gave further detail regarding past conversations on this matter. The consensus was that the resident needs to talk to an engineer and then make application to the Planning Board. Supervisor Underwood will relay this information to Mr. Palumbo and let him know to contact C. Fabry directly if he has any further questions.

RESOLUTION #64**RT 18 CLARKSON HAMLIN TOWN LINE ROAD WATER DISTRICT**

R. Olson reported that there was an error in the legal notice regarding this water district. Two parcels have been removed, which changes the formula. He has spoken with K. Light, the attorney for the Town of Hamlin and they are having a public hearing next week. R. Olson will deduct any fees associated with this error from his next invoice.

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

ABSENT: None

In the Matter

of

The Creation of a The Route 18 Clarkson Hamlin
Town Line Road Water District in the Town
of Clarkson, Monroe County, New York

ORDER SETTING
PUBLIC HEARING

The following order was offered by Councilperson Hoy who moved its adoption, seconded by Councilperson Filipowicz, to wit:

WHEREAS, a written petition, dated November 6, 2017, in due form and containing the required signatures, has been presented to and filed with the Town Board of the Town of Clarkson, Monroe County, New York, for the creation of a Water District in the Town of Clarkson, Monroe County, New York, to be known as Route 18 Clarkson Hamlin Town Line Road Water, and to be bounded and described as follows:

The Town of Clarkson portion of the Route 18 Clarkson Hamlin Town Line Road Water District shall have an exterior boundary of the town limits as described as follows:

Beginning at a point, said point being the intersection of the centerline of Clarkson Parma Town Line Road and Roosevelt Highway Extension; thence

- C1. Southerly, 528 feet more or less, the centerline of Clarkson Parma Town Line Road, thence

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- C2. Westerly, 8,150 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Roosevelt Highway Extension and Roosevelt Highway (NYS Rt. 18) to a point, said point being on the easterly boundary of the Town of Clarkson Lawrence Road West Water District, also being the easterly property line of Tax Account No. 30.02-2-6; thence
- C3. Northerly, 83 feet more or less, along the easterly boundary of Town of Clarkson Lawrence Road West Water District to a point, said point being the northeast property corner of Tax Account No. 30.02-2-6; thence
- C4. Westerly, 278 feet more or less, along a northerly boundary of Town of Clarkson Lawrence Road West Water District to a point, said point being the southeast property corner of Tax Account No. 30.02-2-7; thence
- C5. Northerly, 444 feet more or less, along an easterly boundary of Town of Clarkson Lawrence Road West Water District also being the easterly property line of Tax Account No. 30.02-2-7 to a point, said point being the centerline of Roosevelt Highway (NYS Rt. 18); thence
- C6. Easterly, 8,433 feet more or less, along the centerline of Roosevelt Highway (NYS Rt. 18) and Roosevelt Highway Extension to a point, said point being the point of beginning.

and

WHEREAS, all the lands and territory above described are situated within said Town of Clarkson and outside of any incorporated village or city; and

WHEREAS, the improvements proposed consist of the erection, construction and maintenance of a water supply system to serve said property, including mains, hydrants, valves and all incidental equipment, including the acquisition of the necessary land and right-of-way therefore, in accordance with certain plans made a part of such petition and heretofore adopted by this Board and now on file in the office of the Clerk of said Town; and

WHEREAS, the maximum amount proposed to be expended by the Town of Clarkson for the improvement as stated in said petition is the sum of \$397,055.84; and

WHEREAS, it is intended that upon this district being created and the Town of Hamlin creating a water district in the same vicinity, which will share some of the lines, valves and hydrants, that the Town of Clarkson and the Town of Hamlin will enter into an Intermunicipal Agreement regarding the sharing of costs including the debt; and

WHEREAS, the estimated cost to a single-family residence during the first year will be \$1,000.00 for installation of water service, \$125.00 for internal plumbing changes, \$666.33 for the repayment of bonding, \$ 76.65 for the annual meter fee, \$177.60 for the purchase of water (estimated at 60,000.00 gallons per year at an estimated cost of \$2.96 per 1000 gallons) for a total first year cost of \$2,045.58; and

WHEREAS, the estimated cost to a single-family residence after the first year will be \$666.33 for repayment of bonding, \$ 76.65 for the annual meter fee, and \$177.60 for the average water charges, for a total cost per household of \$920.58 per year; it is therefore; and

WHEREAS, this hearing is necessary because of errors in the original notice caused by the reduction in the number of parcels included in the proposed district.

ORDERED, that a meeting of the Town Board of the Town of Clarkson, Monroe County, New York, shall be held at the Town Hall, 3710 Lake Road in said Town, on the 13th day of February, 2018, at 6:00 P.M., to consider said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the said Town Board with relation to said petition as may be required by law or proper in the premises; and it is further

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ORDERED, that a copy of this order, certified by the Town Clerk, shall be published in the Hamlin Clarkson Herald, a newspaper of general circulation in the Town, and shall be posted conspicuously on the signboard of the Town of Clarkson, maintained in the Town Hall at the Town Clerk's office. Such publication and posting to be not less than ten (10) nor more than twenty (20) days before the day designated for the hearing aforesaid.

VOTE OF THE BOARD

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

NAYS: None

TOWN CLERK REPORTS

Nothing to report.

BUILDING INSPECTOR REPORTS

C. Fabry reported that he remains busy with fire inspections. Express Mart has started clearing their lot. He just received their tax ID number from the assessor and will now be able to issue permits. He has been asked to participate as a Board member for the Cobblestone Society to develop and assign a scope of work to preserve buildings in Orleans and Monroe County. Meetings are on the second Tuesday of each month at 7 p.m. He is requesting to be able to leave the Town Board meetings by 6:45 on those evenings. The Board agreed.

HIGHWAY SUPT. REPORTS

R. Viscardi reported on year-to-date totals for road mileage and salt usage. On Town roads, our trucks have traveled 5,530 miles, County roads 5,641 miles, and State roads 11,473 miles for a total of 23,083 miles this year, which is about three times what we did last year. We have used 1,898 tons of salt thus far this year. Each year we budget for 2,500 tons, so we are getting close to our amount. Snow removal total costs for the year to date is \$383,541.39. He gave an equipment update. The sidewalk machine was repaired and we lost the transmission in the 2009 six-wheeler truck; currently looking for a used transmission. He had a request from a resident on Sweden Walker Road, just south of the Garland, her 18-inch driveway tile collapsed. Our policy is to charge for materials, not labor. She is on disability, living on a fixed income, and is unable to get in and out of her driveway. Materials are estimated at \$990, including black top which would not be done until spring. Without blacktop, the cost would be \$600. She still is not able to afford this repair. In the past, residents have to pay for these repairs up front. He is requesting that we let her pay for this in two separate payments. They will charge \$275 for blacktop in the spring. Bob will write up an invoice indicating this payment arrangement. R. Olson suggested the invoice state that if payment is not received as agreed upon, charges would be added to her next Town and County tax bill. They will begin this repair as soon as possible.

R. Viscardi shared a new emblem for Clarkson vehicles, retro-reflective.

RESOLUTION #65
MINUTES

Introduced by Councilperson Filipowicz

Seconded by Councilperson Didas

To approve January 9, 2018 minutes.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION #66
AUDIT—1-02-2018

Introduced by Councilperson Hoy

Seconded by Councilperson Didas

To authorize payment of audit 1-02-2018 to include the following:

Vouchers 20180062-20180125; Total \$193,720.62; Gen. \$150,440.76; Hwy. \$43,049.11; SS Funds \$212.87; SL Funds \$17.88.

For distribution checks from 32887 to 32944

VOTE OF THE BOARD

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

NAYS: None

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RESOLUTION #67
EXECUTIVE SESSION

Introduced by Councilperson Hoy

Seconded by Councilperson Didas

To enter executive session at 7:26 P.M. for ZBA interviews and to discuss personnel issues.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION #68
RETURN TO REGULAR SESSION

Introduced by Councilperson Filipowicz

Seconded by Councilperson Didas

To return to regular session at 10:10 P.M.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION #69
ZBA APPOINTMENT

Introduced by Councilperson Filipowicz

Seconded by Councilperson Hoy

To appoint James Gillette of 106 Laura Lane, Clarkson NY as member of the Zoning Board of Appeals beginning immediately and ending December 31, 2018.

VOTE OF THE BOARD

AYES: Councilpersons Hoy, Filipowicz, Didas and Smith

NAYS: Supervisor Underwood

RESOLUTION #70
ADJOURNMENT

Introduced by Councilperson Filipowicz

Seconded by Councilperson Didas

To adjourn the Town Board meeting at 10:15 P.M.

VOTE OF THE BOARD

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

NAYS: None

Respectfully submitted,

Sharon S. Mattison

Town Clerk

Approved 02-13-2018