

TOWN OF CLARKSON  
TOWN BOARD MEETING  
May 12, 2020

The Town Board of the Town of Clarkson held a virtual Town Board meeting on Tuesday, May 12, 2020 at 6:00 P.M.

**PRESENT:**

Christa Filipowicz	Supervisor
Allan Hoy	Councilperson
Patrick Didas	Councilperson
Tom Guarino	Councilperson
Leslie Zink	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Superintendent
Richard Olson	Attorney for the Town

**ALSO:**

Kevin Moore	Building Inspector
Elizabeth Spencer	Assessor
Kathy Kemp	Deputy Town Clerk
**excused	

Supervisor Filipowicz opened the meeting and took roll call. She then led everyone in the Pledge of Allegiance. A moment of silence was observed for our service men and women, first responders and those who have paid the ultimate price. In addition, for all those on the front lines fighting the COVID-19 pandemic and keeping our communities running well and safely.

**OPEN FORUM**

This is the portion of the meeting where we allow public comment. As posted, those wishing to speak emailed the Town Clerk or myself today with their credentials so that we could allow them access.

Question from Sheldon Meyers, 223 Darla Drive: *Can the Board please address how they are planning on dealing with the anticipated shortfall of revenue with the next budget? Also, are there any measures now they can do to minimize expenses?*

Response from Supervisor: *I have reviewed potential impacts from COVID-19 and each department head is working on how to reduce their budgets and whether or not any budgeted projects such as the Comprehensive Plan and Town Code updates need to be postponed or if we can begin them and spread out payments over three budget cycles. We may also have additional revenue that may come in to help offset budget deficits. We laid off part-time employees, did not publish a spring newsletter, discontinued some services, canceled Good Neighbor Day and postponed the Rabies Clinic. State funding anticipated is \$594,000; if there is a 20% reduction in this, there would be a loss of \$118,980 and a 40% reduction would be \$237,960. We are preparing for the COVID-19 impacts, however, we have to be fluid and will be better able to address matters when we have specifics from the State and the County.*

There are no public hearings scheduled for this evening.

**COVID-19 UPDATE**

Supervisor Filipowicz stated that she has extended the State of Emergency for an additional 30 days beginning May 3, 2020. Every department head has provided a proposed phased plan to re-open to the public when it can be done safely. It is important to note that because of our small staff, employees have shown incredible resiliency finding new ways to do things, using remote work space, staggered shifts, and teaching residents how to complete services online themselves. Some highlights include the installation of glass service windows on the town clerk's counters, moving employees from shared offices that do not meet social distancing requirements, and the installation of doorbells on all buildings.

**05.12.20**

Sharon Mattison is one of the only town clerks who are doing front door marriage licenses. We have canceled the Rabies Clinic scheduled for June 4, 2020 as well as Good Neighbor Days scheduled for August 22, 2020. It is anticipated that our phased plan will be reviewed by the Town Board before implementation. It will be a fluid plan and subject to changes as the region opens up. It is unknown when our buildings will re-open to the public, however, it will most likely not be before the end of June. We will not re-open until we can work safely, although most services are ongoing.

**BORREGO SOLAR**

We have reached a Community Host Agreement for Borrego Solar on Redman Road. All of the paperwork has been reviewed by Attorney Richard Olson. We are awaiting final breakdown of the projects. Topic was tabled until the next Town Board meeting.

**WELLINGTON WOODS PILOT AGREEMENT**

The PILOT agreement for Wellington Woods North has been reviewed with R. Olson and the Town Board.

**RESOLUTION #311**  
**AUTHORIZING SUPERVISOR TO SIGN**  
**WELLINGTON WOODS NORTH PILOT AGREEMENT**

Introduced by Councilperson Hoy  
 Seconded by Councilperson Didas

**WHEREAS**, Wellington North LLC (the “Company”) and Wellington Housing Development Fund Corp. (the “HDFC”) are to be the beneficial and fee owners of certain real property located at Wellington Woods Drive East, in the Town of Clarkson, New York (collectively, the "Property"); and

**WHEREAS**, the HDFC will obtain or has obtained fee title to the Property for the purpose of developing, through the Company, 50 units of rental housing for persons of low income age 62 and over (the “Project”), pursuant to Article XI of the Private Housing Finance Law of the State of New York (the "PHFL"); and

**WHEREAS**, the Company is to be formed in order to facilitate the development of the Project; and

**WHEREAS**, during the operation of the Project for a period of 50 years, the rents to be charged for apartment units in the Project may be no greater than those permitted by the New York State Homes and Community Renewal (NYSHCR) pursuant to the Low-Income Housing Tax Credit provisions of Section 42 of the United States Internal Revenue Code, as amended, and if applicable; and

**WHEREAS**, in order to make the Project economically feasible, it is necessary to obtain tax relief from the Town on the real property in the Project, while still providing payments to the Town to compensate for services provided by them which are utilized by the Project, which tax relief and payments shall provide no change in net payments normally payable to the Town in connection with the Project; and

**WHEREAS**, the Town wishes to grant the Project such tax relief as permitted by Section 577 of the PHFL.

**NOW, THEREFORE**, in consideration of the mutual covenants herein described, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

**05.12.20**

1. *Grant of Exemption.* As permitted by Section 577 of the PHFL, the Town hereby grants to the HDFC and the Company an exemption from all real property taxes, other than assessments for local improvements or special districts, during the PILOT Period, as defined below.

2. *Property to Which Exemption Applies.* The property to which the above exemption applies is that parcel of property located at Wellington Woods Drive East, SBL No. (unknown) together with all improvements thereon (collectively, the "Property").

3. *Term of Exemption.* The exemption provided under this Payment in Lieu of Taxes Agreement (the "Agreement") shall become effective on the date on which the Project receives a temporary or permanent Certificate of Occupancy or its equivalent from the Town, and continue for a term of twenty (20) years following closing of the permanent financing, unless terminated sooner pursuant to Section 6, below (the "PILOT Period"). The exemption shall be automatically renewed for successive five (5) year terms thereafter subject to review by the Town of the Property's continued status as housing for low income seniors 62 and over.

4. *Payment in Lieu of Taxes (PILOT).* Notwithstanding the foregoing, during the term of this Agreement, the HDFC and the Company shall collectively make annual payments in lieu of taxes (PILOT) in the amounts set forth herein. These payments shall be made on or before February 10 of each year, commencing in the first year after the Project is placed into service upon receipt of the Certificate of Occupancy. Late payments will be subject to the same late charges as imposed on the collection of taxes. For so long as the Property is owned by the HDFC and Company and used for the purpose of the Project and the Project is conducted in accordance with the provisions of Article XI of the PHFL, HDFC and Company shall collectively pay annually to the Town as payment in lieu of taxes an initial amount equal to \$900 per unit increasing 2% per year thereafter, as shown more particularly in Attachment A. The payments for a given tax year shall be paid to the Town for its use and purposes as determined by the Town.

5. *Regulation of Rents.* During the term of this Agreement, the rents to be charged for all income- restricted apartment units in the project shall be no greater than those permitted by the New York State Division of Housing and Community Renewal pursuant to the Low-Income Housing Tax Credit provisions of Section 42 of the United States Internal Revenue Code, as amended, and if applicable.

6. *Termination of PILOT.* In the event that the HDFC and Company fail to make a PILOT Payment as required by this Agreement for two (2) consecutive years, this Agreement shall terminate, the exemption hereunder shall cease, and the improvements shall be placed on the assessment roll by the Assessor of the Town of Clarkson.

7. *Effective Date and Expiration.* This Resolution is effective immediately. Any agreement entered into pursuant to this Resolution shall be null and void in the event that the project is not completed on or before October 31, 2022. The term completed shall mean that all fifty (50) units shall have been issued temporary or permanent Certificates of Occupancy.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino

NAYS: None

**Attachment A**

<b>Year</b>	<b>Total Payment</b>
1 <sup>(2)</sup>	45,000
2	45,900
3	46,818
4	47,754
5	48,709
6	49,684
7	50,677
8	51,691
9	52,725
10	53,779
11	54,855
12	55,952
13	57,071
14	58,212
15	59,377
16	60,564
17	61,775
18	63,011
19	64,271
20	65,557

Notes: (1) 2% annual increases;  
2) the PILOT takes effect upon issuance of a Certificate of Occupancy.

**NEXAMP SOLAR**

This item will be moved to executive session for discussion with our attorney.

**RESOLUTION #312**  
**APPROVE MERIT/STEP INCREASE**

Introduced by Councilperson Didas  
Seconded by Councilperson Guarino  
To approve merit/step increases for:

Brett Chebby, a 2-step increase to MEO, Step 10 @ \$21.43. Also promote to new job classification – HEO. Per our salary chart, employees being promoted to a new job classification shall enter the new classification at a rate nearest their current rate, plus immediately receive an increase of 2 steps, HEO Step 8 @ \$22.36, effective 6/2/2020.

Kevin Manna, a 2-step increase to MEO Step 4 at \$19.60, retroactive to 5/1/2020.

Thomas Sercu II, a 2-step increase to MEO Step 9 @ \$21.11, retroactive to 4/21/2020.

Kyle Donahue, a 2-step increase to MEO Step 8 @ \$20.80, retroactive to 4/27/2020.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino

NAYS: None

**05.12.20**

**RESOLUTION #313**

**ACKNOWLEDGE RECEIPT OF SUPERVISOR'S FINANCIAL REPORT**

Supervisor Filipowicz stated that she distributed the April financials provided by our accounting firm, EFPR, for Board members to review.

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To acknowledge receipt of the Supervisor's Financial Report for April 2020.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino

NAYS: None

**TOWN BOARD REPORTS**

Supervisor Filipowicz reported that K. Gilfilian has been busy with the Civil Service audit which has been completed with no discrepancies; the annual PERMA audit has been completed; annual audit by Sean Hucko LLC is underway; and she has attended a human resource seminar online.

Supervisor Filipowicz also reported that she met with Bob Fox at EFPR prior to filling out the AUD and to discuss 2021 budget planning; a replacement sign has been ordered for the northern entrance into the town on Lake Road near Krony's – this was hit by a truck and their insurance will cover replacement costs; she met with Library staff and the CPA regarding changes made to their financial reporting; thanked Will Haines and Mike Ray for their work on installation of the Ghost Bike in honor of Carrie Way on Sweden Walker Road. She continues with conference calls with County Executive and Dr. Mendoza on Mondays, Wednesdays and Fridays. Monroe County supervisors hold conference calls on Tuesdays and Thursdays and now include area mayors.

Thirty thousand masks were received from the County for distribution to our residents. First distribution day was Saturday, May 9<sup>th</sup> from 10 a.m. to 2 p.m. and was very successful. The remainder of the masks will be distributed on Wednesday, May 13<sup>th</sup> beginning at 10 a.m. The intention is to provide at least four masks per resident.

Councilperson Zink reminded everyone to take a few moments and complete the 2020 Census. The 2020 Census is now underway. The goal of the census is to count every resident living in the United States. The census is done every 10 years. It impacts \$53 billion of federal funding that is used for community services and economic development and it impacts the number of congressional seats. It is quick and easy to do. It only takes a few minutes and can be done electronically. Information is on the Town Website or visit <http://my2020census.gov/>. She has have reached out to Captain Bell of the Monroe County Sheriff's Department to see if we can begin using the "Speed Wagon" again this year to try and slow traffic down on our streets. He is going to put the wagon on Sweden Walker Road as soon as he can. The home safety training scheduled in April with Deputy Hurley, had to be cancelled. She is going to try to get this session videotaped and put out on our website. More to come on this. David Maynard with the Hamlin Dog Shelter has worked with Supervisor Filipowicz and Monroe County Legislator Jackie Smith to set up a pet panty to help those in need with feeding their pets. Since the COVID-19 pandemic, Dave has been very busy delivering food to those in need. He has delivered over 500 pounds of dog food and 200 pounds of cat food in the last two months. Dave asks that residents in need of pet food who are not able to purchase it themselves call him at 353-8177. Councilperson Zink attended a training session on recent changes to solar law last week. Harold Mundy, a member of the Planning Board also attended the training. Questions and concerns as it related to our current law were shared with Richard Olson. She will be contacting the Garland Cemetery to see if we have approval to put flags on veterans' graves for Memorial Day. She will confirm the numbers of flags needed with Bob Viscardi. S. Mattison reported that we should be receiving two more boxes of flags from Fred's Flags on Friday. Good Neighbor Days has been cancelled. She will contact the band and several other vendors that we have signed contracts with to see what we can work out.

**05.12.20**

**ASSESSOR REPORT**

L. Spencer reported that her BAR chairperson recently attended training and will review information with the other BAR members. Councilperson Guarino will help set this up. BAR is scheduled for May 26, 2020 at the Kimball Lodge. Liz has a supply of *personal protective equipment* for all involved to use. She continues to work on the re-levy and the pilot programs.

**ATTORNEY REPORT**

R. Olson reported that the Planning Board and Zoning Board of Appeals will be holding virtual meetings this next week. He commented that the public will have to be able to participate in these meetings. Supervisor Filipowicz remarked that she did check into subscribing to an “800” number for participants calling long distance. The cost would be approximately \$60/month.

**HIGHWAY REPORT**

R. Viscardi thanked the Board for approving the merit increases. He stated that the first County project is scheduled to begin the first week of June and will consist of milling on Lawton Road. Residents will be notified. Work on the Roosevelt Highway waterline should resume next week. Brush pickup is about 75% complete.

**BUILDING INSPECTOR REPORT**

K. Moore reported that the annual stormwater report has been submitted. A total of 58 building permits have been closed out. A structural engineer was here this week to evaluate the Town Hall and found no structural concerns. He talked about re-opening of the Mill House, Grinds and Ridge Runners. He will await guidance on the rules for these re-openings.

**RESOLUTION #314**  
**MINUTES**

Introduced by Councilperson Guarino  
Seconded by Councilperson Didas  
To approve April 14, 2020 and April 28, 2020 minutes.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino  
NAYS: None

**RESOLUTION #315**  
**AUDIT 5-01-2020**

Motion by Councilperson Hoy  
Seconded by Councilperson Didas  
To authorize payment of audit 5-01-2020 totaling \$22,807.35 to include the following: AA General \$12,471.11; BB General \$1,296.13; DA Highway \$4,686.69; HH Capital Projects \$860.00; SL Lighting \$3,270.48; SS Sewer \$222.94.  
For distribution of checks: Joint Checking account #35530-35531, 35533-35561 (void 35529, 35532); Trust and Agency account #006080, 006084, 006086 (void 006081, 006082, 006083, 006085).

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino  
NAYS: None

**RESOLUTION #316**  
**EXECUTIVE SESSION**

Motion by Councilperson Zink  
Seconded by Councilperson Guarino  
To enter executive session at 6:32 P.M for discussions with the attorney.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino  
NAYS: None

**05.12.20**

**RESOLUTION #317**  
**RETURN TO REGULAR SESSION**

Motion by Councilperson Didas  
Seconded by Councilperson Guarino  
To return to regular session at 7:37 p.m.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino  
NAYS: None

**RESOLUTION #318**  
**ADJOURNMENT**

Introduced by Councilperson Hoy  
Seconded by Councilperson Zink  
To adjourn the Town Board meeting at 7:38 p.m.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas, Zink and Guarino  
NAYS: None

Respectfully submitted,

*Sharon S. Mattison*  
Town Clerk

Approved 05-26-2020