

TOWN OF CLARKSON
TOWN BOARD MEETING
August 11, 2020

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, August 11, 2020 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY 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
**excused	

Supervisor Filipowicz opened the meeting. She led everyone in the Pledge of Allegiance. A moment of silence was observed for our service men and women, first responders, as well as those on the front lines fighting COVID.

OPEN FORUM

No one spoke.

NEXAMP

Tabled to future Town Board meeting.

SEYMOUR LIBRARY REPORT

Mary Squires, CPA from the Town of Sweden, is one of five new trustees for the Library Board, address the timing and concerns pertaining to a 12-31-19 audit of the Library. Given the difficulties in verifying any beginning of the year balances, a 12-31-19 audit would be difficult and likely would cost a significant amount of extra audit fees to have completed. Given the calendar 2020 assistance of the firm Yeager Treviso, the firm retained by the library for month to month assistance with the Library's accounting, Mary felt the library has significantly tightened up control over cash disbursements and making sure everything is appropriately accounted for, and a calendar 2020 audit conducted in 2021 would be much more feasible.

Mary Squires indicated that the library will reserve the funding for the audit for the next calendar year and it will not be included in the 2021 budget request. The board understood the reason for the request.

TREE MANAGEMENT POLICY

B. Viscardi, Highway Superintendent, shared copies of a draft *Tree Management Policy*. This policy breaks it down to trees on Town-owned lands and parks, trees inside a Town right-of-way, trees outside of Town right-of-way, trees in drainage or sewer easement, trees in creek/stream. He also shared copies of a draft *Tree Evaluation Request* form. These documents were reviewed and discussed by Board members. A revised policy incorporating changes discussed will be forthcoming.

08.11.20

RESOLUTION #368
APPROVE TREE MANAGEMENT POLICY

Introduced by Councilperson Didas

Seconded by Councilperson Hoy

To approve the *Tree Management Policy*, with discussed insertions, pending final review and approval by the Town Attorney.

VOTE OF THE BOARD

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

NAYS: None

**see attached documents*

TOWN BOARD REPORTS

Supervisor Filipowicz attended the final meeting of the Brockport Central School's Back-To-School Advisory Committee. We will be assisting them by offering the use of Goodwin Lodge for lunch time meal distribution. This will involve all home-schooled students. Alex Bieler has completed his Eagle Scout project, the historical scavenger hunt app which has now been approved by Google. In addition to the app, he is responsible for the bench at the West Clarkson Cemetery and the perennial garden outside of the Town Hall. She also reported that per Jackie Smith, Alex's sister, Kate Bieler, Julia Nenni and McKenna Nichols were nominated by Clarkson Town Board members for the Young Citizen Award of the year for Monroe County Legislature. All three girls are from Girl Scout Troup #60233 and will receive this award for their hard work in building the *Little Libraries*. Supervisor Filipowicz was invited by Captain Sam Bell to participate in a Town Hall event on Monday, August 17th from 6:30 to 8 p.m. at the Hilton Community Center along with other municipal and community guests. It will be moderated by the Monroe County Alliance for Transformation of Community and Police. A similar event was recently held in Brighton. Topics discussed included: (1) in a perfect world what would community policing look like; and (2) what does defunding the police mean to you. These topics were discussed in small groups and then they come back and report the highlights from each group.

Councilperson Zink reminded all about the census. Per the website, as of today, 60.1% of Clarkson residents have responded to the census. In 2010 we had a response rate of 79.2% so we have a long way to go. Workers are now out going to houses. She requested that a reminder be placed in our Town newsletter. Deputy Hurley is willing to reschedule the Community Safety Program on September 21st. This will be held at the Kimball Park Lodge. Flyers will be distributed.

TOWN CLERK REPORT

Nothing to report.

HIGHWAY SUPERINTENDENT REPORT

B. Viscardi reported that to date, we have billed \$87,287 to Monroe County for summer projects. In regards to the Route 18 waterline, they are just crossing the Clarkson Parma TL Road behind the Dakota with tie-in approximately August 19th. A loop will be made and then pressure testing which takes a couple days.

B. Viscardi as well as Supervisor Filipowicz received an email with questions regarding the Transfer Station. The rules for the Transfer Station are well written and concise. These were reviewed along with the justification for the recent changes. Tipping fees to date total \$10,000. He will stop in at the Transfer Station on Wednesday and Saturday to observe as residents have been verbally abusive to the workers. Supervisor Filipowicz suggested we hand out copies of the justification again explaining why the change in some of the rules. Other issues discussed: (1) the cardboard/paper bin has been overflowing so residents will be reminded to break down boxes; (2) cooking oil is allowed with motor oil; (3) emporium is not meant for electronic devices; (4) construction debris, furniture, mattresses and lumber should not be placed in the compactor as it would ruin it; residents should be directed to Junk Days for disposal of those items.

08.11.20

The Transfer Station is meant to provide an affordable alternative to dispose of household garbage and residents must have a permit to enter. New bold and accurate signage will be obtained for all areas.

RESOLUTION #369
MINUTES

Introduced by Councilperson Didas
Seconded by Councilperson Guarino
To approve meeting minutes of 07-28-2020.

VOTE OF THE BOARD

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

RESOLUTION #370
AUDIT 8-01-2020

Introduced by Councilperson Hoy
Seconded by Councilperson Guarino
To authorize payment of audit 8-01-2020 totaling \$34,684.77: AA General \$17,954.21, BB General \$1,187.90, DA Highway \$5,081.84, HH Capital Projects \$6,332.13, SL Lighting \$4,057.95, SS Sewer \$70.74. Checks distributed include Joint Checking: #35773-35810; Trust and Agency: #6110-6113.

VOTE OF THE BOARD

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

RESOLUTION #371
EXECUTIVE SESSION

Introduced by Councilperson Zink
Seconded by Councilperson Didas
To enter into Executive Session to discuss a personnel matter at 7:05 P.M.

VOTE OF THE BOARD

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

RESOLUTION #372
RETURN TO REGULAR SESSION

Motion by Councilperson Guarino
Seconded by Councilperson Didas
To return to regular session at 8:54 P.M.

VOTE OF THE BOARD

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

RESOLUTION #373
ADJOURNMENT

Introduced by Councilperson Hoy
Seconded by Councilperson Guarino
To adjourn the Town Board meeting at 8:54 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 08-25-2020

TREE MANAGEMENT POLICY

Overview: The Town will work with property owners to assess tree concerns and determine the best course of action. It is important to understand the difference between a “Right of Way” and an “Easement” which will define what the Town is able to do.

Easement — An easement to the Town of Clarkson is when the property owner gives permission to access a portion of their property as defined in a legal agreement (deed or survey map) as recorded in the Office of the Monroe County Clerk. This may be for drainage or access to property utilized by the town. Structures (catch basin, drainage pipe, grates) owned by the holder (Town) of the easement, are not the responsibility of the landowner.

Right-of-Way — A right-of-way (ROW) is granted or reserved over land for transportation purposes, such as a road or highway, to those who have jurisdiction over that roadway.

TREES ON TOWN-OWNED LANDS and PARKS

Jurisdiction: Highway Department

- ✓ Tree mitigation is managed by the Town.
- ✓ If an imminent threat, the Town may remove the canopy of the tree, and leave the trunk/stump.
- ✓ Canopy to be left where felled, unless on a resident’s property.

TREES INSIDE TOWN RIGHT-OF-WAY

Jurisdiction: Highway Department

- ✓ If a tree is an imminent safety threat, the Town may remove the threat.
- ✓ If a tree is near service lines, the service provider will manage tree removal.
- ✓ If a tree is dead or dying, the Town may remove it at their discretion.

TREES OUTSIDE TOWN RIGHT-OF-WAY

Jurisdiction: Highway Department

- ✓ Trees on private property will need to be managed by the property owner.
- ✓ If a tree falls into the ROW, the Town will remove the threat, but only back to the ROW line.
- ✓ If you have a tree concern near a power line, contact the utility provider directly.

TREES IN DRAINAGE OR SEWER EASEMENT

Jurisdiction: Highway Department

- ✓ If a tree is on the ground and adversely affecting Town drainage or sewer systems as determined by a Town Official, the Town will remove the blockage and correct the issue.
- ✓ If a tree is dead or dying but remains upright, and is not blocking or adversely affecting drainage, it can remain as is or be removed at property owner’s expense.

- ✓ Any and all other tree issues are the responsibility of property owners, i.e. broken branches, leaves, etc.
- ✓ Property owners should notify the Town before any tree removal work begins, to ensure that drainage or sewer systems are protected.

TREES IN CREEK OR STREAM

Jurisdiction: Highway Department

- ✓ If a tree has fallen and is blocking a creek bed or stream, or drainage system, the Town may remove the blockage.
- ✓ If a tree has fallen or is at risk of falling but does not pose a threat to person or property, or the drainage/sewer systems, it may be left as is.
- ✓ If a tree has fallen or is compromised, it is the responsibility of the property owner for management:
 - The property owner should contact the Town to evaluate the trees and recommend management options, i.e. felling the tree canopy to remove the threat or blockage.
 - In the event that it is necessary for the Town to cut or remove any dead or diseased trees or foliage, a Temporary Easement from the property owner to the Town may be needed to access the tree or blockage.

TREE EVALUATION REQUEST

Property owners may report a compromised tree or request an evaluation by the Town including fallen limbs, or a tree that is diseased or dead. Residents will be contacted once their information is reviewed by town staff. Please email the information below to highway@clarksonNY.org:

- Property owner:
- Phone number:
- Email address:
- Mailing address:
- Address of property where tree is located, if different from above:
- Detailed location of tree: (front or back yard, which side, in a sewer or drainage easement, etc.)
- Tree description: Describe number of trees, type of tree and, specifically, what is the issue with the tree such as fallen limbs, diseased, dead, etc.
- Obstructions: detail any existing obstruction located in the vicinity of the tree, such as power lines/poles, proximity to the street, driveway and structures such as a shed, deck, pool or fence.

Ash Trees

There are infestations by the Emerald Ash Borer and invasive beetle. If the tree becomes infested, the tree canopy will show signs of die-back, yellowing and browning of leaves. According to NYS DEC, the trunk will have large strips of bark falling off, revealing S-shaped larval galleries and most will die within 2-4 years.

How to identify an Ash Tree

- compound leaves w/ 5-11 leaflets that have smooth or finely toothed outer edge
- branches are in pairs, directly across from each other
- mature bark has diamond-shaped ridges

Helpful DEC sites:

Emerald Ash borer recommendations:

<https://www.dec.ny.gov/animals/45409.html>

Care and pruning of damaged trees:

<https://www.dec.ny.gov/lands/5295.html>

Prepared August 2020