

TOWN OF CLARKSON
TOWN BOARD MEETING
April 25, 2023

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, April 25th, 2023 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 P.M.

PRESENT:

Christa Filipowicz	Supervisor
Nick D'Amuro	Councilperson
John Culhane	Councilperson
Tom Guarino	Councilperson
Leslie Zink	Councilperson
Susan Henshaw	Town Clerk
Robert Viscardi	Highway Superintendent
Keith O'Toole	Attorney
Kevin Moore	Building Inspector
Tammy Baker	Assessor

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 and veterans, particularly those who have paid the ultimate price.

NEW BUSINESS –

RESOLUTION #115
MOTION TO ADOPT THE 2023 MONROE COUNTY FEMA HAZARD
MITIGATION PLAN UPDATE

Introduced by Councilperson Guarino

Seconded by Councilperson Culhane

WHEREAS the Town Board recognizes the threat that natural hazards pose to people and property within the Town of Clarkson; and

WHEREAS the County of Monroe has prepared a multi-hazard mitigation plan, hereby known as the Monroe County Hazard Mitigation Plan 2023 Update in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Monroe County Hazard Mitigation Plan 2023 Update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the County of Monroe, including the Town of Clarkson, from the impacts of future hazards and disasters; and

WHEREAS adoption by the Town Board demonstrates the Town's commitment to hazard mitigation and achieving the goals outlined in the Monroe County Hazard Mitigation Plan 2023 Update.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSON, NEW YORK, THAT:

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Section 1. The Town Board adopts the Monroe County Hazard Mitigation Plan 2023 Update. This plan, approved by Town Board, may be edited or amended after submission for review, but will not require the Town Board to re-adopt any further iterations. This only applies to this specific plan and does not absolve the Town from updating the plan in 5 years.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino, D'Amuro, and Zink
NAYES: None

RESOLUTION #116**MOTION TO APPROVE MERIT INCREASE OF 3% FOR ANDREA ROOKEY FROM \$18.06 TO \$18.60 / HR**

Introduced by Councilperson Culhane

Seconded by Councilperson Zink

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino, D'Amuro, and Zink
NAYES: None

RESOLUTION #117**MOTION TO APPROVE ONE-DAY MARRIAGE OFFICIANT LICENSE**

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

New York State recently adopted legislation amending domestic relations law to allow for a one-day marriage officiant to solemnize marriages with an effective date of March 28th, 2023. This one-day license can be handled at the Town Clerk's office and is subject to a \$25 fee.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink
NAYES: None

OLD BUSINESS**RESOLUTION #118****MOTION TO ADOPT A BOND RESOLUTION FOR EXPENDITURE OF SUMS IN CONNECTION WITH THE WATER IMPROVEMENT BENEFIT AREA #1**

Introduced by Councilperson Culhane

Seconded by Councilperson Zink

This motion will allow the Town of Clarkson to borrow the money from the bond to be repaid back once we receive the grant from USDA Rural Development moneys.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino, D'Amuro, and Zink
NAYES: None.

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BOND RESOLUTION DATED MARCH 28, 2023 OF THE TOWN BOARD OF THE TOWN OF CLARKSON, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Clarkson Water Improvement Benefit Area No. 1 is a water improvement benefit area of the Town of Clarkson, New York, duly established by the Town Board pursuant to the Town Law on March 14, 2023; and

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on July 27, 2021, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSON, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Clarkson shall undertake certain capital improvements consisting of the acquisition and construction of water Improvements for the Town of Clarkson Water Improvement Benefit Area No. 1, to include the erection and construction of a water supply system, including approximately 69,500 linear feet of 8" water mains, hydrants, valves and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$4,700,000 of the Town are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

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Section 2. The estimated aggregate maximum cost to the Town of Clarkson of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$7,655,000. The plan for financing of said purpose is to provide (i) up to \$4,700,000 from USDA Rural Development loan to be evidenced by the issuance of bonds, as well as, bond anticipation notes in anticipation thereof as herein authorized; and (ii) up to \$2,955,000 from anticipated grant funds.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically

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to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Clarkson.

Section 7. The faith and credit of the Town of Clarkson, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Clarkson together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

OLD BUSINESS

Supervisor Filipowicz reviewed payroll processing. At the last board meeting, three proposals were given to the town board for time and attendance and payroll needs. Since then, the Town Board has reviewed the proposals and decided that based on the proposals, Complete Payroll would be the best company to suit our needs. They work with other municipalities, and a payroll specialist to assist us.

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RESOLUTION #119
MOTION TO CONTRACT COMPLETE PAYROLL FOR PAYROLL
PROCESSING SERVICES

Introduced by Councilperson Culhane

Seconded by Councilperson Guarino

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

SPECIAL DISTRICT

Attorney Keith O'Toole proposed an update to the Landmarks Preservation Local Law. This would allow for an expansion of the control that the Architectural Review Board's has on the regulations over adjacent properties to the town.

RESOLUTION #120
MOTION TO CALL FOR A PUBLIC HEARING ON APRIL 11TH AT 6:00PM
INTRODUCTORY LOCAL LAW #2

Introduced by Councilperson D'Amuro

Seconded by Councilperson Guarino

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

(ATTACHED - PROPOSED LOCAL LAW 2023 #2)

Supervisors Report –

Supervisor Filipowicz stated that on Wednesday, March 22nd at 6pm the Town Board held a Town Hall Renovation workshop. The group was brought together to discuss the future plans of our Town Hall, Hafner Park, and what could be done to preserve our Town Hall, while improving the appearance of the main drag of Clarkson.

As a result of that workshop the Town Board agreed to make necessary repairs the historic town hall (windows, roof, siding or paint, water service, bathrooms, porch, pillars, fill vault rooms, exterior steps, repair leaks around foundation, etc) and to prepare a Master Plan for future use of Hafner Park and HWY property. This could include a new town hall, placement of HWY buildings, a roadway from our Ridge Rd property, etc. Also, to incorporate the ADA recreational concept in conjunction with Lifetime Assistance similar to the plan used by the Mohawk Valley Region Accessible Recreation Park that Supervisor Filipowicz shared last year.

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Town Board Reports –

Zoning Code – Councilperson Zink advised that after meeting with the Zoning Committee of the Comprehensive Planning Committee and our consultants, that she has created a list of residents with agricultural exemptions and is planning to hold a focus group meeting with the local farmers.

Good Neighbor Days – Councilperson Zink advised she is continuing to work on the event. She had discussed with Superintendent Viscardi about the tent placement at Hafner Park and his input on keeping the tent up until the Tuesday after Good Neighbor Days, due to hours of operation of the tent rental company.

Architectural Review Board- Councilperson D’Amuro is continuing to seek out candidates for consideration for a spot on the Architectural Review Board (ARB). Councilperson Zink and D’Amuro have collaboratively come up with requirements and qualifications that they would like to see in a candidate. Once those members have been agreed upon, the application would be submitted to the state. Lily, our Veteran Outreach Intern, will be asking permission at local establishments to hang up posters for the Veteran Outreach Hours.

Superintendent Report – Superintendent Viscardi followed up with the discussion of Highway Foreman Mike Farrell’s visit to Advocacy Day in Albany. As previously stated, towns were requesting an increase of \$200 million in CHIPS funding and \$70 million for extreme winter weather recovery for local towns through-out the state. Local towns are responsible for 25% of all state roads across New York. He is requesting \$250 million in road moneys.

Superintendent Viscardi advised that the highway crew has cleared out roughly 2 out of the 10 acres of dead trees in the back fields near Hafner Park. The end goal is to grade, seed, and be able to mow that cleared area. The brush is being taken to our Transfer Station. Superintendent Viscardi is working on his annual grading of the roads on a scale of 1-5; 1 being no work needing to be done, and 5 needing complete repair. He mentioned that most of the roads in Clarkson fall right in the middle of the scale. This determines the highway paving schedule for the upcoming spring. That information will be posted on our website once it becomes available.

RESOLUTION #121

APPROVE MINUTES 3-14-2023

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

To approve minutes from 3-14-2023.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D’Amuro, Guarino and Zink

NAYES: None

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RESOLUTION #122
AUDIT 3-14-2023

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

To authorize payment of audit 3-14-2023 totaling \$46,053.76. AA General \$16,063.05, BB General- Outside Village \$7,296.38, DA Highway - Town Wide \$19,440.50, DA Highway – Outside Village \$2,482.65, HH- Capital Projects \$284.50, SS – Sewer \$323.00, TA – Agency \$163.68 and Distribution of checks: Joint Checking #0003274-0003305 and Trust and Agency #0006286.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino, D'Amuro and Zink

NAYES: None

RESOLUTION #123
MOTION TO ADJOURN

Introduced by Councilperson Guarino

Seconded by Councilperson Zink

Motion to adjourn at 6:15 PM.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino, D'Amuro, and Zink

NAYES: None

Respectfully submitted,

Courtney Miller for Susan Henshaw

Town Clerk

Approved 4-11-2023