

TOWN OF CLARKSON  
SPECIAL TOWN BOARD MEETING  
August 27, 2024

The Town Board of the Town of Clarkson held a Special Town Board meeting on Tuesday, August 27, 2024, at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 P.M.

PRESENT:

Ursula Liotta	Supervisor
** John Culhane	Councilperson
Nick D'Amuro	Councilperson
Sharon Mattison	Councilperson
Evan Wexler	Councilperson
Susan Henshaw	Town Clerk
Robert Viscardi	Highway Superintendent
Keith O'Toole	Attorney
Kevin Moore	Building Inspector

\*\* excused

Supervisor Liotta 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, along with thanks to healthcare workers who tirelessly work to save lives every day.

Supervisor Liotta wanted to advise the purpose of the meeting was to conduct routine town board business on a non-scheduled meeting night. Therefore it was titled and advertised as a special meeting.

**NEW BUSINESS**

**WIBA#1** – Supervisor Liotta mentioned that Pilon Construction, Inc. was awarded the water project last month. Attorney Olson has reviewed the contract, and has prepared a resolution to be signed. Supervisor Liotta read aloud the resolution prior to approval.

**RESOLUTION #212**

**RESOLUTION AUTHORIZING SUPERVISOR TO SIGN CONTRACT WITH  
PILON CONSTRUCTION CO., INC.**

**TOWN OF CLARKSON WATER IMPROVEMENT BENEFIT AREA NO. 1**

At a meeting of the Town Board of the Town of Clarkson held at the Town Hall, 3710 Lake Road, Clarkson, New York at 6:00 P.M. on August 27, 2024

Introduced by Councilperson Wexler

Seconded by Councilperson D'Amuro

**WHEREAS**, on July 23, 2024, upon reviewing the bids for the Town of Clarkson Water Improvement Benefit Area No. I, this Board awarded the bid to Pilon Construction Co. Inc. of Albion, New York and ordered a contract to be prepared; and

**WHEREAS**, subsequent to the award, a contract was prepared setting forth all of terms and conditions of the project; and

**WHEREAS**, Pilon Construction Co., Inc. has signed the contract; and

**WHEREAS**, Richard J. Olson, the Town's Attorney for this project, has certified that he has examined the attached Contract and performance and payment bond(s) and the manner of execution thereof, and is of the opinion that each of the aforesaid agreements is adequate and has been duly executed by the proper parties thereto acting through their duly authorized representatives; that said representatives have full power and authority to execute said agreements on behalf of the respective parties named thereon; and that the foregoing agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with the terms, conditions, and provisions thereof; and

**WHEREAS**, Richard J. Olson, the authorized and acting legal representative of the Town of Clarkson has signed the Certificate of Owner's Attorney and Agency Concurrence which is attached hereto

**8-27-2024**

**THEREFORE**, Now **BE IT RESOLVED**, that the Supervisor of the Town of Clarkson is authorized to sign the attached Contract with Pilon Construction, Co., Inc.; and be it **FURTHER RESOLVED**, that this Resolution take effect immediately.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

Supervisor Liotta discussed the need for an intermunicipal agreement, as we have some parcels that border on the Town of Sweden and the Town of Murray. This will allow those towns to tie in once the water lines are in place. Attorney Olson discussed that having this agreement, will assist in reducing the annual cost to the Town of Clarkson residents. He further briefly discussed an approximately 100 acres of land on Countyline Road.

**RESOLUTION#213**

**AUTHORIZING SUPERVISOR TO SIGN INTERMUNICIPAL AGREEMENT  
WITH THE TOWN OF SWEDEN  
TOWN OF CLARKSON WATER IMPROVEMENT BENEFIT AREA NO. 1**

At a meeting of the Town Board of the Town of Clarkson held at the Town Hall, 3710 Lake Road, Clarkson, New York at 6:00 P.M. on August 27, 2024

Introduced by Councilperson Wexler

Seconded by Councilperson Mattison

**WHEREAS**, part of the Town of Clarkson Water Improvement Benefit Area No. 1, (WIBA #1) borders on the Town of Sweden; and

**WHEREAS**, allowing properties in Sweden to connect to WIBA #1 will result in lower annual costs to the Town of Clarkson residents in WIBA #; and

**WHEREAS**, the attached Intermunicipal Agreement and User Agreement set forth the terms and conditions of such connections;

**THEREFORE, Now BE IT RESOLVED**, that the Supervisor of the Town of Clarkson is authorized to sign the attached Intermunicipal Agreement with the Town of Sweden; and be it

**FURTHER RESOLVED**, that this Resolution take effect immediately.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

**RESOLUTION#214**

**AUTHORIZING SUPERVISOR TO SIGN INTERMUNICIPAL AGREEMENT  
WITH THE TOWN OF MURRAY  
TOWN OF CLARKSON WATER IMPROVEMENT BENEFIT AREA NO. 1**

At a meeting of the Town Board of the Town of Clarkson held at the Town Hall, 3710 Lake Road, Clarkson, New York at 6:00 P.M. on August 27, 2024

Introduced by Councilperson Wexler

Seconded by Councilperson D' Amuro

**WHEREAS**, part of the Town of Clarkson Water Improvement Benefit Area No. 1, (WIBA #1) borders on the Town of Murray; and

**WHEREAS**, allowing properties in Murray to connect to WIBA #1 will result in lower annual costs to the Town of Clarkson residents in WIBA #; and

**WHEREAS**, the attached Intermunicipal Agreement and User Agreement set forth the terms and conditions of such connections;

**THEREFORE, Now BE IT RESOLVED**, that the Supervisor of the Town of Clarkson is authorized to sign the attached Intermunicipal Agreement with the Town of Murray; and be it

**FURTHER RESOLVED**, that this Resolution take effect immediately.

**8-28-2024**

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

*Gary Mantegna, 3380 Sweden Walker Road, inquired when they intend to begin digging and where will they start the project. Superintendent Viscardi suggested they may begin on a town road but was not clear on that. A start schedule is expected very soon, once the contract is signed. Pilon Construction, Inc. will have 180 days to complete the water project.*

**Seymour Library** – Supervisor Liotta mentioned that Don Pophal from the library was present as she discussed its support from the 3 municipalities; Town of Clarkson, Town of Sweden and the Village of Brockport. This support means they equally share the expenses for the maintenance of the building. The latest remediation/renovation work is expected to cost each municipality \$13,640.33.

**RESOLUTION #215**

**APPROVE TOWN SHARE OF SEWER REMEDIATION WORK AT THE SEYMOUR PUBLIC LIBRARY**

Introduced by Councilperson Wexler

Seconded by Councilperson Mattison

**WHEREAS**, the Town of Clarkson is one of the owners of the Seymour Library; and **WHEREAS**, the Seymour Library Board of Directors has recommended undertaking sewer remediation work; and

**WHEREAS**, The Clarkson Town Board has decided to increase their support for the Seymour Library for the 2024 budget in support of the renovation project.

**NOW, THEREFORE BE IT RESOLVED:**

**SECTION 1.** That the Town Board of the Town of Clarkson supports the sewer renovation work to be done at the Seymour Library.

**SECTION 2.** The Town of Clarkson increases its Seymour Library support for 2024 by \$13,640.33.

**SECTION 3.** The Town Supervisor is authorized to remit this additional support when the project begins.

**SECTION 4.** That this resolution shall take effect immediately.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

Superintendent Viscardi discussed the vacancy of 2 highway positions that have remained open for several years. Liam McGuire has worked part-time for 2 years with highway department. Superintendent Viscardi would like to hire Liam as a laborer until he obtains his CDL. The intent is for Liam to move up to MEO after his 6-month probation.

**RESOLUTION #216**

**MOTION TO APPROVE NEW HIGHWAY DEPARTMENT HIRE LIAM MCGUIRE**

Introduced by Councilperson D' Amuro

Seconded by Councilperson Mattison

Motion to approve new Highway Dept. hire Liam McGuire, Laborer Step 2, @ \$17.02/hr. effective August 5, 2024.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson Culhane, D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

**8-27-2024**

**Clerks' Office** – Supervisor Liotta discussed an excess balance in the clerk's account upon Town Clerk Susan Henshaw's arrival into that office in September 2020. The reason was mainly due to refunds of cancelled lodge rentals. The excess funds allowed easy access to assist in promptly refunding the residents. Those funds are no longer needed in the clerk's office and can now be transferred in the general fund.

**RESOLUTION#217**  
**MOTION TO AUTHORIZE A BANK TRANSFER OF FUNDS FROM THE**  
**TOWN CLERK ACCOUNT TO THE GENERAL FUND ACCOUNT IN THE**  
**AMOUNT OF \$4118.73**

Introduced by Councilperson Mattison

Seconded by Councilperson D'Amuro

Motion to authorize a bank transfer of funds from the Town Clerk account to the General Fund account in the amount of \$4118.73.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

**AOT** – Supervisor Liotta discussed a zoom meeting with Association of Towns regarding the 2025 budget. A set schedule is in place and provided to all department heads. Workshops will be scheduled for review of upcoming expenses. Discussion regarding frustration across the state with staying under the tax cap. Employee wages and healthcare are the driving concerns. It has always been the focus to stay under that cap. The state has prepared a local law format that allows towns to surpass that tax cap if needed. That is not the goal nor intent, but if the need is warranted, the town will have the ability. She then read the prepared resolution. Councilperson D'Amuro emphasized the need for municipalities to compete with the private sector. The flexibility needs to be present in the desire to keep their employees. To remain competitive and attract the best employees, we need to have all the tools available to us. We are currently searching for the best healthcare options, considering there is a projected 25% increase. It will be a struggle for the town considering the economic state of New York.

**RESOLUTION #218**  
**SCHEDULE PUBLIC HEARING FOR PROPOSED LOCAL LAW:**  
**INTRODUCTORY LOCAL LAW #7 of 2024**  
**TOWN OF CLARKSON**

A Local Law to provide for an Override of the Real Property Tax Levy Limit for Fiscal Year 2025.

Introduced by Councilperson D'Amuro

Seconded by Councilperson Mattison

**WHEREAS**, the Town Board has before it proposed Introductory Local Law 7 of 2024 which would authorize an override of the real property tax levy limit found in NYS General Municipal Law Section 3-c(5) for the year 2025.

**WHEREAS**, in order to adopt said Local Law, the Town Board of the Town of Clarkson is required to hold and conduct a public hearing thereon;

**NOW, THEREFORE, BE IT RESOLVED:**

**SECTION 1.** That the Town Board of the Town of Clarkson shall hold and conduct a Public Hearing on the 10th day of September, 2024, at 6:00 p.m. at the Town Hall, 3710 Lake Road, Town of Clarkson, New York, 14430 to consider the changes which are contained on the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

**SECTION 2.** That the Town Clerk shall cause due notice of such public hearing to be published as required by law.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

**8-27-2024**

**Supervisors Report –**

**ARPA Funds** –A letter has been received from the County Executive’s office advising there are still residual funds Monroe County has to distribute. Our Legislator Jackie Smith and her fellow Republican Legislators have fought to ensure an equitable distribution of the \$6 million remaining for state and local fiscal recovery funds. Due to their hard work, every town will be receiving funds with amounts dependent on the population. Clarkson will be receiving a minimum \$75,575.38. This amount may change depending on any towns refusal of these funds or their time frame of acceptance. We will have a 2-year period to use these funds. Funds must be allocated towards youth and senior program expenses. Some examples include buses, municipal recreation centers, equipment or even kitchen supplies. Workshops will be scheduled for public input.

**Hafner Park** – surveys are due by August 31. MRB Group will then present their findings to the Town Board in the fall.

**Good Neighbor Day** -was a success! We estimate 800-900 attendees. The food vendors sold out and were satisfied with their sales. There will be a debriefing with the committee on August 28 to discuss the event.

**Lodges** - both lodges had air conditioning installed last week.

**Zoning Code** – reminder that this committee started in January 2024 and will meet with Bergmann in September to discuss the updates.

**Chicken Law** - Kevin Moore is working on revisions to the chicken law for updates to the zoning code after input from the Town Board and residents. A second public hearing is schedule for Tuesday, September 24.

**Kimball Park** – the multi-golf grant with T-Mobile was applied for and unfortunately was not awarded to the project. We have the opportunity to apply again for this grant. The board will discuss and decide the best way to fund this project.

**Budget 2025** – a workshop will be scheduled in the upcoming weeks.

**Town Board Reports -**

**Historic District** – Councilperson D’Amuro advised that all historic properties within the town have now been designated. A public hearing will be scheduled in October to adopt those properties.

**Highway Department** – Superintendent Viscardi mentioned they are currently in the process of milling and paving on many of the town’s subdivision roads. This project should be completed by September 4-5, weather permitting.

**RESOLUTION #219**

**MOTION TO APPROVE 8-13-2024 MINUTES**

Introduced by Councilperson Wexler  
Seconded by Councilperson Mattison  
Motion to approve minutes 8-13-2024.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

**8-27-2024**

**RESOLUTION #220**  
**AUDIT 8-27-2024**

Introduced by Councilperson Mattison

Seconded by Councilperson Wexler

To authorize payment of audit 8-27-2024 totaling \$74,256.23 AA General \$28,614.41, BB General- Outside Village \$412.04, DA Highway – Town Wide \$18,942.85, DB-Highway-Outside Village \$2,203.15, HH- Capital Projects \$10,408.38, SS – Sewer \$13,625.00, TA- Agency \$50.40 and Distribution of checks: Joint Checking #4774 -4808.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

**RESOLUTION #221**  
**MOTION TO ADJOURN**

Introduced by Councilperson D'Amuro

Seconded by Councilperson Wexler

Motion to adjourn at 6:35pm.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilperson D' Amuro, Mattison and Wexler

NAYS: None

ABSENT: Councilperson Culhane

Respectfully submitted,

*Susan Henshaw*  
 Town Clerk

Approved 9-10-2024