

TOWN OF CLARKSON
TOWN BOARD MEETING
March 11, 2025

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, March 11, 2025, 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

**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.

HISTORICAL MOMENTS

Town Clerk Susan Henshaw provided a report from Historian Leanna Hale. The Clarkson Historical Society and the Triangle Tract Society will be supporting the Morgan Manning House by offering use of the Academy for the remainder of the 2025 planned presentations. The first presentation will be on Wednesday, March 26 at 7:00pm at the Academy. Bill Lattin, a well-known historian from Orleans County, will be on hand to present the theme of architecture destroyed.

PUBLIC HEARING

Local Law #1-2025, Construction, Stormwater Pollution Prevention and Erosion and Sediment Control - Supervisor Liotta read the legal notice. Attorney O'Toole advised that state and federal requirements say the town must regulate stormwater pollutions to the best of their ability. This particular law deals with the design and construction of real estate projects.

RESOLUTION #92

LOCAL LAW #1 - 2025 - CLOSE PUBLIC HEARING

Introduced by Councilperson Culhane

Seconded by Councilperson D'Amuro

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson closes the public hearing for Local Law #1 - 2025.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #93

LOCAL LAW #1 - 2025 -- SEQR

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson classifies Local Law #1 - 2025 as a Type II action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(33 & 27) and not subject to review pursuant to SEQRA

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VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #94

LOCAL LAW #1 – 2025—RESOLUTION OF ADOPTION

Construction, Stormwater Pollution Prevention and Erosion and Sediment Control

Introduced by Supervisor Liotta

Seconded by Councilperson Culhane

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson adopts Local Law #1 of 2025 entitled "A Local Law for Construction, Stormwater Pollution Prevention and Erosion and Sediment Control"

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

Local Law #2-2025, Design and Management of Post-Construction Stormwater Pollution Prevention Measures – Supervisor Liotta read the legal notice. This law deals with the post construction framework for the town to inspect drainage facilities from stormwater pollution.

RESOLUTION #95

LOCAL LAW #2 - 2025 - CLOSE PUBLIC HEARING

Introduced by Councilperson Culhane

Seconded by Councilperson D'Amuro

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson closes the public hearing for Local Law #2 - 2025.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #96

LOCAL LAW #2 - 2025 -- SEQR

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson classifies Local Law #2 - 2025 as a Type II action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(33 & 27) and not subject to review pursuant to SEQRA

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #97

LOCAL LAW #2 – 2025—RESOLUTION OF ADOPTION

Design and Management of Post-Construction Stormwater Pollution Prevention Measures

Introduced by Supervisor Liotta

Seconded by Councilperson Culhane

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson adopts Local Law #2 of 2025 entitled "A Local Law for Design and Management of Post-Construction Stormwater Pollution Prevention Measures "

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VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

Local Law #3-2025, Illicit Discharge Connection Stormwater - Supervisor Liotta read the legal notice. Attorney O'Toole advised that state and federal requirements say to prevent stormwater pollution discharge, such as pouring bad items into the storm sewers. Used motor oil is the most common. The law provides regulations to prevent this from happening. Martha Clasquin, 34 Sherwood Drive, experienced this unfortunate common practice and the side effects of doing so.

RESOLUTION #98

LOCAL LAW #3 - 2025 - CLOSE PUBLIC HEARING

Introduced by Councilperson Culhane

Seconded by Councilperson D'Amuro

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson closes the public hearing for Local Law #3 - 2025.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #99

LOCAL LAW #3 - 2025 -- SEQR

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson classifies Local Law #3 - 2025 as a Type II action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(33 & 27) and not subject to review pursuant to SEQRA.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #100

LOCAL LAW #3 - 2025—RESOLUTION OF ADOPTION

Illicit Discharge Connection Stormwater Local Law

Introduced by Supervisor Liotta

Seconded by Councilperson Culhane

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Town Board of the Town of Clarkson adopts Local Law #3 of 2025 entitled "A Local Law to ensure the health, safety and general welfare of citizens and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act."

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

OLD BUSINESS

WIBA#1 - Supervisor Liotta read through the resolution. She mentioned the 5th payment to Pilon Construction is for the time spent from February 1-28, 2025. She mentioned it is extremely important that Pilon Construction submits paperwork each time a payment goes through. They must show proof of where the money is spent, the cost for each employee, and the time frame that work is performed. The money is monitored by the MRB Group and the USDA who has granted the town funding.

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RESOLUTION #101
AUTHORIZING PAYMENT #5 TO PILON CONSTRUCTION CO., INC. of
\$261,251.00 TOWN OF CLARKSON WATER IMPROVEMENT BENEFIT AREA
NO. 1

Introduced by Councilperson D'Amuro
Seconded by Councilperson Culhane

WHEREAS, on August 27, 2024, the Town of Clarkson entered into a contract with Pilon Construction Company, Inc. (hereinafter "Pilon") for the construction of the Town of Clarkson Water Improvement Benefit Area No. 1; and

WHEREAS, the contract provides for progress payments to Pilon during the construction; and

WHEREAS, the funds for the construction of the Town of Clarkson Water Improvement Benefit Area No. 1 are being provided by a bond in the amount of \$4,700,000.00 and a grant from USDA Rural Development in the amount of \$2,944,000.00; and
WHEREAS, in anticipation of the permanent bond in the amount of \$4,700,000.00 from USDA Rural Development, the Town sold \$4,700,000.00 in Bond Anticipation Notes to Greene County Commercial Bank with the proceeds being received by the Town on November 14, 2024; and.

WHEREAS, Pilon has requested a progress payment in the amount of \$261,251.00; and

WHEREAS, MRB Group, the Town's Engineer for this project has reviewed the request and recommended payment in the amount of \$261,251.00; and

WHEREAS, Richard J. Olson, the Town's Attorney for this project, has reviewed the request with respect to the legal requirements and has found no impediments to payment and.

WHEREAS, after reviewing the request and the Engineer's recommendation this Board has determined that the request by Pilon for a progress payment in the amount of \$261,251.00 should be approved;

THEREFORE, Now, BE IT RESOLVED, that the Town Board authorizes the payment of \$261,251.00 to Pilon Construction Co., Inc.; and be it

FURTHER RESOLVED, that such payment shall be made from the proceeds of the Bond Anticipation Notes which were sold to Greene County Commercial Bank: and be it

FURTHER RESOLVED, that this Resolution take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

WIBA#1 Work Schedule - Supervisor Liotta mentioned there is a progress report every 2 weeks with the Town Engineer, Scott Mattison, from MRB Group, Monroe County Water Authority, and members from the USDA, to provide updates to the town. At the last meeting on March 4, we learned the project was approximately 36% completed. Delays are due to conditions that are beyond our control, such as weather, ground conditions, and stakeouts. Pilon Construction has requested and has been given an extension for the WIBA project. Supervisor Liotta read the resolution containing contents of the change order. The next progress report meeting will be Tuesday, March 25, at 9:30am.

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RESOLUTION #102
AUTHORIZING CHANGES TO CONTRACT WITH PILON CONSTRUCTION
CO., INC.
TOWN OF CLARKSON WATER IMPROVEMENT BENEFIT AREA NO. 1

Introduced by Councilperson Culhane
Seconded by Councilperson D'Amuro

WHEREAS, The Town Board of the Town of Clarkson previously entered into a contract with Pilon Construction Co., Inc. (hereinafter "Pilon"), for the construction of the Town of Clarkson Water Improvement Benefit Area No. 1; and

WHEREAS, Said contract anticipated a "Substantial Completion" date of March 23, 2025 with a "Ready for final payment date" of May 22, 2025; and

WHEREAS, In accordance with the contract, Pilon commenced work in the fall of 2024; and

WHEREAS, As detailed in Pilon's letter of March 7, 2025, Pilon has encountered the following:

- a. Unforeseen and differing ground conditions;
- b. Inclement weather conditions;
- c. State regulations resulting in restrictions on road work;
- d. Extreme utility location delays;
- e. Material availability issues; and
- f. Long side service drilling is expected to be difficult because of the unforeseen and differing ground material.

WHEREAS, Because of these unforeseen circumstances, Pilon has requested a change in the contract times to a "Substantial Completion" date of August 29, 2025, with a "Ready for final payment date" of October 31, 2025, as detailed on "Change Order No.:1". ***See Attachment***.

THEREFORE, BE IT RESOLVED, that after considering the circumstances Change Order No.:1 is accepted; and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign Change Order No.:1 and be it

FURTHER RESOLVED, that this Resolution take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

NEW BUSINESS

Underground Railroad – In January, Supervisor Liotta received a letter from Diana Rapp Keating, Vice President of Visit Rochester. They have proposed a project called The Harriet Tubman Underground Railroad Proposed Scenic Byway. The byway is defined as any designated highway, street or route that features certain qualities that span over 550 + miles through 22 NYS counties. Supervisor Liotta showed a map of the route that borders Clarkson/Brockport near the West Avenue section. She read the resolution and provided further information.

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RESOLUTION #103
Motion for Harriet Tubman Underground Railroad New York Scenic Byway
Nomination
and Corridor Management Plan Adoption

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

WHEREAS, the historic qualities of the Harriet Tubman Underground Railroad New York Scenic Byway, as described in the corridor management plan, and the surrounding areas have been appreciated and celebrated for over a century by the residents of New York State, as well as tourists, historians, artists, authors, and other visitors to the region; and it is this unique combination of the journeys of Harriet Tubman and those Freedom Seekers who traveled on the Underground Railroad that create the special sense of place that is vital in telling the New York story of the human desire for freedom and the historic sites they utilized during their journey to emancipation; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, committed to working cooperatively to protect and promote the historic, scenic, recreational, and economic well-being of the 544-mile Corridor throughout the state and agreed to pursue the nomination of the Harriet Tubman Underground Railroad New York Scenic Byway; and

WHEREAS, under the leadership of the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee contributed to the development of this corridor management plan by encouraging public participation, confirming the vision and goals, and leading individual meetings of the Collaborative; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, consisting of relatives of Harriet Tubman, descendants of Freedom Seekers, Harriet Tubman and/or Underground Railroad historians, representatives from state and federal agencies has strengthened the historic integrity, representation, and the principles of the corridor management plan; and

WHEREAS, in the process of developing this corridor management plan, the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee has strengthened the bonds of inter-municipal cooperation, and the involved entities envision further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved visitor experience that interprets and promotes the corridor's intrinsic qualities and resources; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkson supports the designation of the Harriet Tubman Underground Railroad New York Scenic Byway which includes programs for stewardship and enhancement of the historic scenic byway and guidance to manage future activities along its corridor; and

BE IT FURTHER RESOLVED, that the Town of Clarkson confirms that they will not approve any requests for new off-premise outdoor advertising signs along the designated Harriet Tubman Underground Railroad New York Scenic Byway route; and

BE IT FURTHER RESOLVED, that the Town of Clarkson will work in partnership with the other municipalities along the Harriet Tubman Underground Railroad New York Scenic

RESOLUTION #104
Authorize Extension of
Inter-Municipal Street Sweeper Sharing Agreement
between the Towns of Clarkson, Parma and Sweden

Introduced by Councilperson Culhane

Seconded by Councilperson D'Amuro

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o empowers municipal corporations (school districts, boards of cooperative educational services, counties, cities, town, villages, and fire districts) to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

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WHEREAS, in 2008, the Towns of Clarkson, Hamlin, Parma and Sweden were awarded a grant to purchase a Street Sweeper through the Shared Municipal Services Incentive Grant Program; and

WHEREAS, said Towns purchased the Street Sweeper and entered into an Inter-Municipal Agreement dated September 16, 2008 to share the Street Sweeper; and

WHEREAS, the Town of Hamlin has elected to terminate its participation in said agreement and the remaining Towns wish to adopt a new Inter-Municipal Agreement for the shared Street Sweeper.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Town Board of the Town of Clarkson authorizes the Supervisor to sign the Inter-Municipal Agreement with the Towns of Parma and Sweden to govern the shared use of the Street Sweeper known as a 2009 GMC Truck with Johnston VT650 Sweeper. This Inter-Municipal Agreement shall be for a term commencing January 1, 2025, and terminating December 31, 2029 unless earlier revoked by any party.

Section 2. That this resolution shall take effect immediately.

Section 3. That the Town Clerk forward a copy of this resolution to the Towns of Parma and Sweden.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

Merit Increase – Supervisor Liotta advised her assistant Tammy Blanchard has been with the town for 1.5 years. This will be her third performance review. She feels Tammy is a great asset to the town as well as our office. She is happy to have her.

RESOLUTION #105

TO AUTHORIZE MERIT INCREASE #3 FOR THE ASSISTANT TO THE SUPERVISOR TAMMY BLANCHARD

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

To authorize merit increase #3 for the Assistant to the Supervisor Tammy Blanchard from Clerk 1, Step 14 at \$25.90/hour to Clerk 1, Step 16 at \$26.68/hour effective March 13, 2025.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

Seymour Library Trustee – We have filled the Library Board Trustee position. We have been needing to fill this position since Mike Andriatch stepped away. Julie Pruss comes with a background working in the libraries. She will be finishing Mike's term that ends December, 2027.

RESOLUTION #106

MOTION TO APPOINT JULIE PRUSS AS A SEYMOUR LIBRARY BOARD OF TRUSTEE WITH TERM ENDING DECEMBER 31, 2027

Introduced by Councilperson Culhane

Seconded by Councilperson D'Amuro

Motion to appoint Julie Pruss as Seymour Library Board of Trustee with term ending December 31, 2027.

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VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #107

ACKNOWLEDGE RECEIPT OF SUPERVISOR'S FEBRUARY FINANCIAL REPORT

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

Acknowledge receipt of Supervisor's February Financial Report.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

Supervisors Report

Comp Alliance – Supervisor Liotta mentioned that in the beginning of the year the town had switched their Workers Comp Insurance carrier to Comp Alliance. Comp Alliance partners with the Association of Towns as well as the Conference of Mayors within the State of New York. They offer a Member Loyalty award program each year. Although the town is new to the program, we have received a Member Loyalty award check for \$500. This program will continue to run through 2026, so we can expect another check in the future.

NYS Historic Business Preservation Registry – Supervisor Liotta mentioned on February 19, 2025, she received an email from Assemblyman Steve Hawley. He was seeking nominations for the NYS Historic Business Preservation Registry. This is for businesses that have been in operation for the last 50 years as well as contributed to their community's history. After having discussions with town board members and others, we have recommended Kirby's Farm Market for the recognition because of its longevity, and its impact on the community through its farm programs year-round. We are waiting to hear if they have been chosen.

Grants – MRB Group has provided us with an updated list of grants and projects as of 3/11/2025. Discussion was had about the status of each of the projects, as noted on the list. It will be on the counter for viewing as well as posted on our website. Martha Clasquin, 34 Sherwood Dr, mentioned the sidewalk along Lake Road and the flooding when it rains. Supervisor Liotta advised that NYS must grant permission to work on that portion of the sidewalk as it is a state road. She will follow up with Superintendent Viscardi and report back.

Hafner Park Concept Plan – Supervisor Liotta mentioned last week that MRB Group made corrections to the Hafner Park Concept Plan, and sent it to NYS Parks, where it was then approved. A feasibility study will be started by MRB, and we hope to apply for implementation in July 2025. The concept plan will be on the counter to view.

Goodwin Lodge – is presently getting a facelift by the highway crew. It is closed for the month of March. They will be adding new ceiling tiles, new lights, a separate kitchen area with new appliances and fresh paint throughout.

Building Inspector – Supervisor Liotta read from a report provided by Kevin Moore. Fire inspections and operating permits are the focus this time of year for local businesses and multi-family dwellings. Fire inspections are lagging at approximately 15% completion to date, down from 40% in 2024. /* Kevin responded to a house fire with extensive damage last week, that displaced two families. Everyone evacuated safely. Discussion was had regarding the fire on Ridge Road. /* There were nine property violations in January with all but one being resolved at this time. /* In April, the DEC will be visiting to review the

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floodplain development for the Town. /* Kevin would like to thank Mike Farrell for filling in while he was on vacation. He responded to two fire calls and continued with inspections in his absence.

RESOLUTION #108

MOTION TO APPROVE 2-25-2025 MEETING MINUTES

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

Motion to approve 2-25-2025 meeting minutes.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #109

AUDIT 3-11-2025

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

To authorize payment of audit 3-11-2025 totaling \$503,755.32, AA - General \$42,871.19, BB – General - Outside Village \$5,389.40, DA - Highway – Town Wide \$106,187.55, HH - Capital Projects \$265,379.61, SF - Fire \$63,539.06, SL - Lighting \$4,837.16, SL - Sewer \$6,371.77, SW- Special District – Water \$9,048.16, TA – Agency \$131.42. Joint Checking #5290-5337.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

RESOLUTION #110

MOTION TO ADJOURN

Introduced by Councilperson D'Amuro

Seconded by Councilperson Culhane

Motion to adjourn at 6:58pm.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane and D'Amuro

NAYS: none

ABSENT: Councilpersons Mattison and Wexler

Respectfully submitted,

Susan Henshaw

Town Clerk

Approved 3-25-2025

CHANGE ORDER NO.: 1

Owner: Town of Clarkson
 Engineer: MRB Group
 Contractor: Pilon Construction Co., Inc.
 Project: Water Improvement Benefit Area No. 1
 Contract Name:
 Date Issued: March 10, 2025 Effective Date of Change Order: March 10, 2025
 Owner's Project No.:
 Engineer's Project No.: 0330.22002
 Contractor's Project No.:

The Contract is modified as follows upon execution of this Change Order:

Description:

Contract times have been extended due to delays caused by a number of factors.

Attachments:

Letter from Pilon Construction Co., Inc. requesting an extension of time and an updated schedule for the remaining work to be completed.

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 5,603,420.00	Original Contract Times: Substantial Completion: March 23, 2025 Ready for final payment: May 22, 2025
[[Increase]] [[Decrease]] from previously approved Change Orders No. 1 to No.: \$ N/A	[[Increase]] [[Decrease]] from previously approved Change Orders No. 1 to No.: Substantial Completion: N/A Ready for final payment: N/A
Contract Price prior to this Change Order: \$ 5,603,420.00	Contract Times prior to this Change Order: Substantial Completion: March 23, 2025 Ready for final payment: May 22, 2025
[[Increase]] [[Decrease]] this Change Order: \$ N/A	[[Increase]] [[Decrease]] this Change Order: Substantial Completion: August 29, 2025 Ready for final payment: October 31, 2025
Contract Price incorporating this Change Order: \$ 5,603,420.00	Contract Times with all approved Change Orders: Substantial Completion: August 29, 2025 Ready for final payment: October 31, 2025

Recommended by Engineer (if required)	Accepted by Contractor
By: _____	_____
Title: _____	_____
Date: _____	_____
Authorized by Owner	Approved by Funding Agency (if applicable)
By: _____	_____
Title: _____	_____
Date: _____	_____

Spencer Pilon
Pilon Construction Co., Inc.
13205 Route 31
Albion, NY 14411

C: 585-507-5397

P: 585-589-5201

F: 585-589-2241

pccoffice45@gmail.com

03/07/2025

Town of Clarkson
MRB Group

Subject: Request for Extension of Time and
Potential Change Orders - Town of Clarkson WIBA

I am writing to formally request an extension of time for the completion of the Town of Clarkson WIBA watermain installation due to several unforeseen circumstances that have significantly impacted our ability to progress according to the original schedule. Additionally, we anticipate the potential need for change orders to address specific challenges encountered during the course of work.

Request for Time Extension

Since the **Notice to Proceed**, we have encountered persistent challenges that have affected production rates and overall project efficiency. Among these, **unforeseen and differing ground conditions** have had a substantial impact on daily productivity, reducing anticipated progress by up to **300 linear feet per day**, with even greater reductions when hydraulic hammering is required. These conditions have significantly extended our time on-site, **reducing our operating budgets and causing substantial financial losses on the project.**

The primary causes of delay include:

1. Inclement Weather

- Below-freezing temperatures and heavy snowfall have affected productivity and site conditions.
- Snowmelt has caused ground saturation and localized flooding, hindering excavation and installation efforts.

2. State Regulations

- Restrictions on road work during inclement weather, along with travel bans and limited operations during the holiday season, have further impacted progress.

3. Unforeseen and Differing Ground Conditions

- The material encountered has ranged from **hard pan, clay stone, weak shale, bedrock, varved clay,**

and lodgment till, all of which have significantly slowed excavation efforts.

- Bedrock quantities have exceeded the original estimates, requiring extensive hydraulic hammering to clear the installation path.
- Poor drainage conditions have led to water accumulation in ditches, necessitating continuous pumping to prepare areas for excavation.

4. Utility Location Delays

- Persistent delays by utility providers in locating and marking existing utilities have prevented excavation from commencing in a timely manner, with wait times ranging from several days to weeks.

5. Material Availability

- Delays in product manufacturing, coupled with extended approval timelines for material ordering, have impacted our ability to maintain scheduled installation sequences.

6. Remaining Work - Mainline Installation and Long Side Services

- In addition to the mainline installation, we still have to complete the long side services, which require drilling through the hard material described above. This process will require considerable time and effort due to the depth and density of the material.
- To expedite this work, we have contacted subcontractors with specialized equipment to assist in drilling through the rock and harder materials. We are currently waiting for quotes for these services, which will help facilitate completion and hopefully accelerate the project timeline.

Given these ongoing challenges, we respectfully request an extension of time to allow for the safe and proper completion of the project in compliance with specifications. At this time, we estimate that substantial completion will be achieved between July and August 2025, with final restoration completed in late September or October 2025.

Potential Change Orders

Due to the unforeseen conditions encountered, we anticipate the need for change orders related to:

- **Additional Rock Excavation** - Increased quantities of bedrock requiring hydraulic hammering beyond the initial scope.
- **Additional Costs for Services in Hard Material** - The need for specialized equipment and subcontracted services to drill through bedrock, weak shale, and other hard materials for the long side services will result in additional costs.

The extended time on-site, coupled with reduced productivity due to these challenges, has placed a significant financial strain on our company, leading to unexpected cost overruns and a negative financial impact on the project. We request that these circumstances be considered in the approval of both the time extension and any necessary change orders to fairly compensate for the additional resources required.

We remain committed to completing this project efficiently while maintaining the highest standards of quality and compliance. We appreciate your consideration of this request and are available to discuss any further details as needed. Please let us know a convenient time to meet or if any additional documentation is required.

Thank you for your time and cooperation. We look forward to working together to successfully complete this project.

Sincerely,

Spencer Pilon

Operations Manager

Pilon Construction Co., Inc.

Pilon Construction Company
13205 Route 31
Albion NY 14411

03/10/2025-04/18/2025	WEST AVENUE & OLD 31 MAINLINE INSTALLATION
04/21/2025-05/16/2025	LAWTON ROAD MAINLINE INSTALLATION
05/19/2025-06/13/2025	IRELAND ROAD MAINLINE INSTALLATION
06/16/2025-06/27/2025	SWEDEN WALKER ROAD MAINLINE INSTALLATION
06/30/2025-07/04/2025	MISCELLANEOUS CONNECTIONS DRAKE ROAD
07/07/2025-08/29/2025	SERVICE INSTALLATION
09/01/2025-10/31/2025	FINAL RESTORATION