

TOWN OF CLARKSON
TOWN BOARD MEETING
January 22, 2008

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, Jan. 22, 2008 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM

PRESENT:

Paul Kimball	Supervisor
Christa Filipowicz	Councilperson
Allan Hoy	Councilperson
Patrick Didas	Councilperson
Sheldon Meyers	Councilperson
Sharon Mattison	Town Clerk
David Goodwin	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

William Ey	Ass't to Supervisor
** Pam Dolliver	Assessor
** Larry Gurslin	Building Insp/Code Enf.

**excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance.

OPEN FORUM

Historian gave review of recent activities.

Peter Schedel, 976 West Ave., expressed an interest in obtaining public water west of Redman Road. After discussion with Town Board, Mr. Schedel withdrew request. Tom Dorrer, 3321 Lake Rd. addresses the Board regarding the status of broadcasting Board meetings. The Board stated they are investigating vendors for cable access. Mr. Dorrer expressed his concerns with the MCC tax to Clarkson residents and questioned why some Town vehicles are not identified. Supervisor Kimball stated he would investigate. Tom Trapp, 36 Sugar Tree Circle also addressed the Board regarding the broadcasting of Town Board meetings if better quality was available. Supervisor Kimball again stated they are investigating the possibilities.

RESOLUTION CALLING FOR PUBLIC HEARING ON LOCAL LAW #1-2008

AT A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF CLARKSON HELD AT THE TOWN HALL, 3710 LAKE ROAD, TOWN OF CLARKSON, MONROE COUNTY, NEW YORK ON THE 22nd DAY OF JANUARY, 2008

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers

ABSENT: NONE

RESOLUTION SETTING PUBLIC HEARING

Introduced by: Councilperson Hoy

Seconded by: Councilperson Meyers

**LOCAL LAW #1-2008
TOWN OF CLARKSON, MONROE COUNTY**

**"A LOCAL LAW TO CHANGE THE DEFINITION OF CONGREGATE
HOUSING IN THE CLARKSON ZONING CODE"**

WHEREAS, the Town Board has before it a proposed Local Law to change the definition of Congregate House in §140-3 of the Clarkson Zoning Code; and

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;

01.22.2008

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 12th day of February, 2008, at 7:00 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: 5

NAYS: 0

Local Law #1-2008

"A LOCAL LAW TO CHANGE THE DEFINITION OF CONGREGATE HOUSING IN THE CLARKSON ZONING CODE"

Be it enacted by the Town Board of the Town of Clarkson

SECTION 1. TITLE

This local law shall be known as Local Law #1-2008 "A LOCAL LAW TO CHANGE THE DEFINITION OF CONGREGATE HOUSING IN THE CLARKSON ZONING CODE"

SECTION 2. CHANGE TO ZONING CODE

The definition of CONGREGATE HOUSING in §140-3 of the Clarkson Code is amended to read as follows"

CONGREGATE HOUSING -- A form of residential environment consisting of independent living units which may include facilities for the provision of congregate meals, housekeeping and personal services for persons who are age 55 years or older or physically handicapped regardless of age.

SECTION 3. SEVERABILITY

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provisions been excluded.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately.

Motion by Councilperson Hoy
Second by Councilperson Meyers
Unanimously carried.

01.22.2008

RESOLUTION #32

REQUESTING TE-9 FOR SPEED REDUCTION ON REDMAN ROAD

Motion by Councilperson Filipowicz

Second by Councilperson Meyers

To submit a TE-9 for speed reduction from 55 MPH to 50 MPH for the northernmost portion of Redman Road, from Ridge Road (Rt. 104) to approximately 0.7 miles south.

Unanimously carried.

MOTION TO ADOPT RESOLUTION TO INSTALL STREETLIGHT ON NEW POLE AT HIDEAWAY LANE AND LAWRENCE ROAD INTERSECTION

At a meeting of the Town Board of the Town of Clarkson, Monroe County, New York, held in the Town Office in the said Town on the 22ND day of January, 2008.

The following resolution was regularly made, seconded and carried:

RESOLVED: Niagara Mohawk is hereby authorized and directed to do the following work in the Town of Clarkson, St. Light Account No. 77538-79101

Install: One streetlight-only pole, 150 whps lamp and cobrahead luminaire at the intersection of Hideaway Lane and Lawrence Rd.

Estimated Annual Cost: \$265

Motion by Councilperson Filipowicz

Second by Councilperson Hoy

Unanimously carried.

MOTION FOR SUPERVISOR TO SIGN AGREEMENT WITH LOLLYPOP FARM

Motion by Councilperson Hoy

Second by Councilperson Filipowicz

Unanimously carried.

MOTION FOR SUPERVISOR TO SIGN EAP

Motion by Councilperson Hoy

Motion by Councilperson Didas

Unanimously carried.

MOTION TO ADOPT SEQRA RESOLUTION FOR ACQUISITION OF 8264 RIDGE ROAD (formerly 104 Enterprises)

TOWN OF CLARKSON

New York State Environmental Quality Review Act ("SEQR")-
Determination of Nonsignificance
(Negative Declaration)

WHEREAS, the Town of Clarkson, as sponsor, is considering purchasing property known as 8264 Ridge Road West from the County of Monroe; and

WHEREAS, the Town Board had retained the services of Lu Engineers to prepare the appropriate Environmental Assessment Form; and

WHEREAS, the Town Board has determined that it is the lead agency for purposes of SEQR review in this matter; and

WHEREAS, Lu Engineers has advised that because of the location and size of the property to be acquired, that the proposal is an "Unlisted Action" pursuant to SEQRA.

WHEREAS, based on the review and recommendation of Lu Engineers, the Town Board has determined that the action is an unlisted action pursuant to SEQR; and

01.22.2008

WHEREAS, the board has reviewed the Short Environment Assessment form on file in the Town Office; and

WHEREAS, on this date, January 22, 2008, at a regular meeting, the Town Board conducted the required **SEQRA** review process by reviewing each and every item contained in Part 2 of the Short Environmental Assessment Form.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby finds:

SECTION 1. Based on its review of all of the evidence submitted and reviewed, and based upon the Town Board's own deliberations and its review of the short Environmental Assessment Form for the proposed action, the Town Board has determined that the proposed action will not have a significant impact on the environment and that a negative declaration is hereby issued for the acquisition of 8264 Ridge Road West.

SECTION 2. This notice of this determination of non-significance shall be filed as required by SEQRA.

SECTION 3. The foregoing resolution was approved as follows:

Motion by Councilperson Hoy
Second by Councilperson Didas

AYES 4- Supervisor Kimball, Councilperson Hoy, Councilperson Didas,
Councilperson Meyers
NAYS 1- Councilperson Filipowicz

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT
FOR TOWN TO PURCHASE 8264 RIDGE ROAD
RESOLUTION**

Introduced by: Councilperson Hoy
Seconded by: Councilperson Didas

**RESOLUTION AUTHORIZING SUPERVISOR TO SIGN PURCHASE
AGREEMENT FOR REAL PROPERTY AT 8264 RIDGE ROAD WEST**

WHEREAS, Monroe County has offered to sell 8264 Ridge Road West (Tax account number 054.14-1-21) to the Town of Clarkson for \$742.00;and

WHEREAS, the Town has discussed cleaning up this property and using it for a park; and

WHEREAS, the Town Board has applied for and received a state assistance grant for the cleanup of this property in the amount of \$181,440; and

WHEREAS, the final documents for funding the grant (the State Assistance Contract) cannot be submitted until the Town owns the property; and

WHEREAS, the an agreement has been prepared which is attached hereto and made a part hereof

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Supervisor is hereby authorized to sign the agreement and addendum attached hereto.

01.22.2008

SECTION 2. That any counteroffers, changes in price or material changes from the closing costs stated in the contract will be subject to further review by this Board.

SECTION 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: 4- Supervisor Kimball, Councilperson Hoy, Councilperson Didas, Councilperson Meyers

NAYS: 1- Councilperson Filipowicz

MOTION TO REPLACE TOWN JUSTICE COMPUTER TOWER

Motion by Councilperson Filipowicz

Second by Councilperson Hoy

Unanimously carried.

MOTION TO ADVERTISE COURT ATTENDANT POSITION

Motion by Councilperson Filipowicz

Motion by Councilperson Didas

To advertise the position with a closing date for applications to be February 8, 2008.

Unanimously carried.

MINUTES

Motion by Councilperson Filipowicz

Second by Councilperson Hoy

To approve January 08, 2008 minutes.

Unanimously carried.

AUDIT—12-6-2007

Vouchers 1703-1712; Total \$7,002.43; Gen. \$6,800.83; SF \$48.30; SS \$153.30.

Motion by councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

AUDIT—01-1-2008

Vouchers 0001-0086; Total \$265,771.96; Gen. \$197,514.44; Hwy. \$8596.21;

SF \$59,640.75; SS \$20.56

Motion by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

EXECUTIVE SESSION

Motion by Councilperson Filipowicz; second by Councilperson Didas to go to executive session to discuss personnel issues. Unanimously carried.

Motion to adjourn at 8:30 p.m. by Councilperson Didas

Second by Councilperson Hoy

Unanimously carried.

Respectfully submitted,

Sharon S. Mattison

Town Clerk