

TOWN OF CLARKSON
TOWN BOARD MEETING
March 24, 2009

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, March 24, 2009 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
Chad Fabry	Building Insp/Code Enf.

**excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military.

OPEN FORUM

Leanna Hale, Town Historian requested permission to attend the Association of Public Historians of NYS annual conference from April 27-29, 2009.

Motion by Councilperson Filipowicz

Seconded by Councilperson Meyers

To allow Leanna Hale to attend the conference

Unanimously carried

PUBLIC HEARING-LOCAL LAW #1-2009 "A LOCAL LAW TO ESTABLISH A MORATORIUM ON THE CONSTRUCTION OF WIND GENERATORS IN THE TOWN OF CLARKSON"

Supervisor Kimball opened the Public Hearing. No one spoke. Supervisor Kimball closed the Public Hearing.

At a regular meeting of the Town Board of the Town of Clarkson held at the Town Hall, 3710 Lake Road, Clarkson, New York on March 24, 2009

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

Absent: None

Introduced by: Councilperson Hoy

Seconded by: Councilperson Filipowicz

RESOLUTION ADOPTING LOCAL LAW

Whereas, the Town Board has before it a Local Law entitled " Local Law #1-2009 "A Local Law to Establish a Moratorium on the Construction of Wind Generators in the Town of Clarkson" which, if adopted, will place a moratorium on the construction of Wind Generators in the Town of Clarkson pending a review by, and a recommendation from a special committee; and

03.24.09

Whereas, the Town Board has, on this date, held a public hearing to consider said proposed Local Law; and

Whereas, Pursuant to the State Environmental Quality Review Act and the regulations promulgated thereunder, the adoption of a moratorium is a Type II Action, and not subject to environmental review; and

Whereas, the notice of this hearing was duly published and posted as required by law;

Now, therefore, be it resolved:

Section 1. That the Town Board of the Town of Clarkson hereby enacts Local Law #1-2009 "A Local Law to Establish a Moratorium on the Construction of Wind Generators in the Town of Clarkson".

Section 2. That the Town Clerk is ordered to publish a legal notice indicating the adoption of this Local Law and to file a copy of this Local Law with New York State.

Section 3. That this Local Law shall take effect immediately.

Section 4. That this resolution shall take effect immediately.

Vote of the Board

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

Nays: none

Discussion: Supervisor Kimball stated that he will contact the Chairman of the Conservation, Planning and Zoning Boards regarding the formation of a committee with respect to the construction of wind generators in the Town. Attorney Olson stated the need for a resident to serve on the committee as well. Supervisor Kimball instructed the Town Clerk to advertise for a resident volunteer. All interested applicants must be a Clarkson resident and submit a letter to the Town Clerk by April 10, 2009.

PUBLIC HEARING ON PROPOSED DEMOLITION OF STONE AND MASONARY BLDG. AT 3726 LAKE RD.

Don Lage, President of the Clarkson Historical Society was present and read the letter that follows. Supervisor Kimball asked the Boards permission to include the letter in the Minutes of this meeting as it shows the due diligence that has been done to try to save the building and provides historic information on the building for future generations. Chad Fabry informed the Board that he spoke with Andrea Rebeck, Historic Preservationist Architect and agrees with the report Don gave to the Board. Leanna Hale stated that she is pleased that the Town has come to a resolution on the building and thanked everyone for their help. Leanna would like to see the Town set up a process for anyone wishing to use/purchase the cobbles as she would like to see all the building's materials stay within the Town. Supervisor Kimball informed everyone the Town was committed to saving the building, however, when the Highway Dept. started work to restore the front of the building they realized it was in much worse condition than first anticipated.

George Shaw, President of the Architectural Review Board, stated that after looking at the building across the street from his house for the past 30 years, it will be a shame to see it go, however he agrees that the building is no longer worth saving. George requested that the Town take photos of the buildings demolition and keep them as a historic record.

03.24.09

RESOLUTION DIRECTING COMPLETION OF FULL ENVIRONMENTAL ASSESSMENT FORM

At a regular meeting of the Town Board of the Town of Clarkson held at the Town Hall, 3710 Lake Road, Clarkson, New York on March 24, 2009

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

Absent: None

Introduced by: Councilperson Didas, reluctantly

Seconded by: Councilperson Hoy, regretfully

RESOLUTION DIRECTING COMPLETION OF FULL ENVIRONMENTAL ASSESSMENT FORM

Whereas, the Town Board has, on this date, conducted a Public Hearing to consider demolishing a stone and masonry building owned by the Town of Clarkson and located at 3726 Lake Road in the Town of Clarkson; and

Whereas, the Board has received at this public hearing several comments and recommendations and also has on file several other comments and recommendations; and

Whereas, that pursuant to the State Environmental Quality Review Act, the Town Board must consider the potential environmental impact of such an action;

Now, therefore, be it resolved:

Section 1. That the Town Building Inspector with the assistance of the Town Historian and Architectural Review Board shall prepare a Full Environmental Assessment Form no later than April 24, 2009;

Section 2. That the Full Environmental Assessment Form shall be reviewed by the Town Conservation Board which shall make a recommendation to the Town Board with respect to the proposed demolition no later than May 2, 2009.

Section 3. That this resolution shall take effect immediately.

Vote of the Board

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

Nays: none



The Clarkson Historical Society Working to Preserve Our Heritage since 1997

March 20, 2009

TO: Paul Kimball, Supervisor and the Clarkson Town Board

RE: Cobblestone building on Lake Road, Clarkson known as the Deats Woodworking Shop

The Clarkson Historical Society was formed in 1997 with the mission of preserving and protecting historic structures within the Town of Clarkson's Historical District and to ensure that local history, through both physical structures and educational content is available to future generations.

As president of the Clarkson Historical Society, the Society members and I have been interested in the possible restoration of the Cobblestone Shop on Lake Road. At various times, in the process of the restoration of the Academy, I have had opportunities to bring various experts on masonry buildings to the Academy and have also asked their opinion on the cobblestone shop.

The building is believed to be built around 1835. In the 1800's (picture #1) the uses included a blacksmith shop, harness shop and buggies and small wagons were made on the second floor. The roof was replaced approximately 1910-1920 (picture #2). Later, the shop became a single story building and was used as an automobile repair shop and woodworking shop.

On March 3, 2009, I was informed that the foundation on the shop was only 24" deep and Chad Fabry was getting in touch with a preservation professional for an opinion. On March 4, I called Andrea Rebeck. She was the Historical Sites Restoration Coordinator and worked for the NYS Office of Parks Restoration and Historical Preservation. I had become acquainted with her when we applied to the State for grants for the Academy. Andrea had been very professional, knowledgeable and helpful with other concerns about the Academy. In speaking to her on the 4th, I discovered that she was the preservation professional Chad Fabry contacted. She told me that she and Bill Latten of the Cobblestone Society inspected the building and they believe that the integrity and structure of the building was compromised due to the many changes over the years. In the 1950's the second story was removed, steel roofing installed, the cobblestone gables front and back removed, the cement block addition for a bathroom was added, original windows and doors removed, cement floor installed, interior walls changed and 2 feet of concrete block installed between cobbles and roof. Due to these changes, the building doesn't qualify to be on the National Registry and therefore, probably not eligible for Federal grant money. (See Secretary of the Interior Standards for Rehabilitation Qualifications, Pages 5-7.) I also asked Andrea if she would

have any idea of the cost of putting the building back to the original condition? She estimated to cost at least \$500,000.00.

The following is a list of names of qualified people who have given their professional opinion on the building.

1. Totally Stone: Scott George, professional lime mortar and cobblestone restoration.
2. Bruce Midkiff: Coordinator Western Pennsylvania Preservation and Restoration Counselor (he also worked on the pyramids in Egypt). Bruce has been the head mason at the Cobblestone Society under Bill Lattin.

Both Scott and Bruce were at the Cobblestone Shop last summer and at that time, the walls were as they described, "popping" (moving).

Their assessment was that the cobblestone walls were buckling out in various places.

Due to this damage they felt that the walls may have been too far gone to save them.

They recommended that the cobbles, quoins, and lintels be stored for future use as they are scarce and hard to find.

3. Steve Monno: Steve had been recommended as a leading lime mortar mason. He stated because of the severe deterioration of the mortar and movement of the cobbles it would be very expensive to bring back to an acceptable condition. He gave a rough estimate of over \$70,000. He also stated that should the building be raised, the cobbles, lintels, sills, quoins should be saved as there is a shortage of these materials. Because of their value, they should be in a secured storage area, perhaps behind the Highway Department garage.
4. John Bero Architectural Firm: John Bero was recommended by Cynthia Howk of the Monroe County Landmark Society, to do the condition report on the Academy. I called him recently and he said that a complete inspection of the building would cost \$11,000, for a complete historical report, \$4,600 for a condition report and \$2,350 for a site report (which \$1,500 of which could be obtained from the through the Council of the Arts In NYC.)
He did, however, do us a great favor and inspected the exterior of the building when he was in the area, at no charge. He informed me that his estimate to bring the building back would cost approximately \$450,000 to \$475,000.

I thank Leanna Hale and Chad Fabry and those people listed in this report. I regret that as a result of all these findings there won't be much of a chance of obtaining any grant that would Fund this restoration project. The Historical Society has just been refused grants for the academy by the NY State and the Rochester Area Community Fund because of the present financial situation in our country. We also recommend that if the building is demolished that the old materials as listed above, be saved in a secure area to be used future projects within the town.

Sincerely



Donald Lage

President, Clarkson Historical Society

The Secretary of the Interior's
Standards for Rehabilitation
and Guidelines for
Rehabilitating Historic Buildings (Revised 1983)

U.S. Department of the Interior
National Park Service
Preservation Assistance Division
Washington, D.C.

Attachment #2

#87130

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising Federal agencies on the preservation of historic properties listed or eligible for listing in the National Register of Historic Places. In partial fulfillment of this responsibility, the Secretary of the Interior's Standards for Historic Preservation Projects have been developed to direct work undertaken on historic buildings.

Initially used by the Secretary of the Interior in determining the applicability of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the Standards for Historic Preservation Projects have received extensive testing over the years—more than 6,000 acquisition and development projects were approved for a variety of work treatments. In addition, the Standards have been used by Federal agencies in carrying out their historic preservation responsibilities for properties in Federal ownership or control; and by State and local officials in the review of both Federal and nonfederal rehabilitation proposals. They have also been adopted by a number of historic district and planning commissions across the country.

The Standards for Rehabilitation (36 CFR 67) comprise that section of the overall historic preservation project standards addressing the most prevalent treatment today: Rehabilitation. "Rehabilitation" is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

The Standards for Rehabilitation are as follows:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

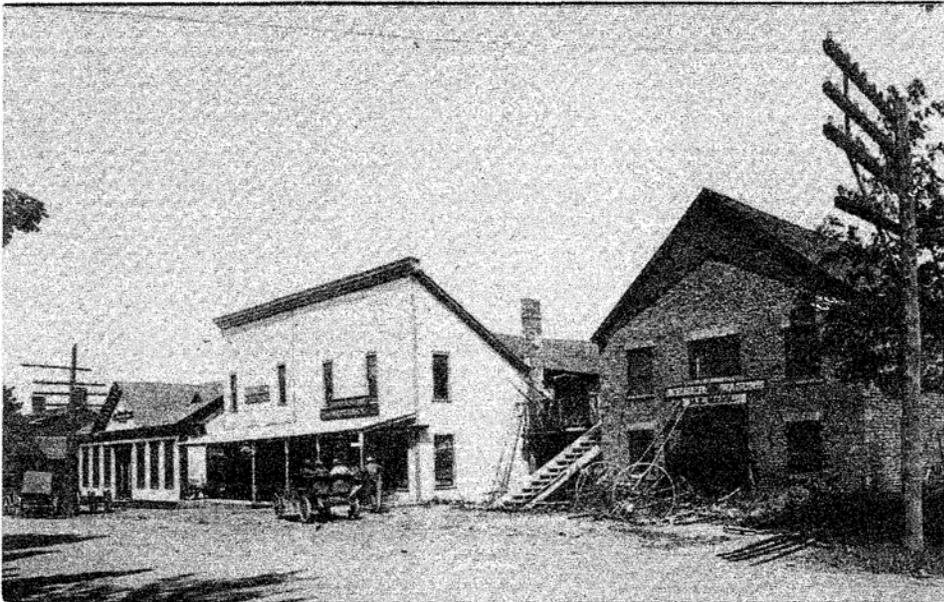
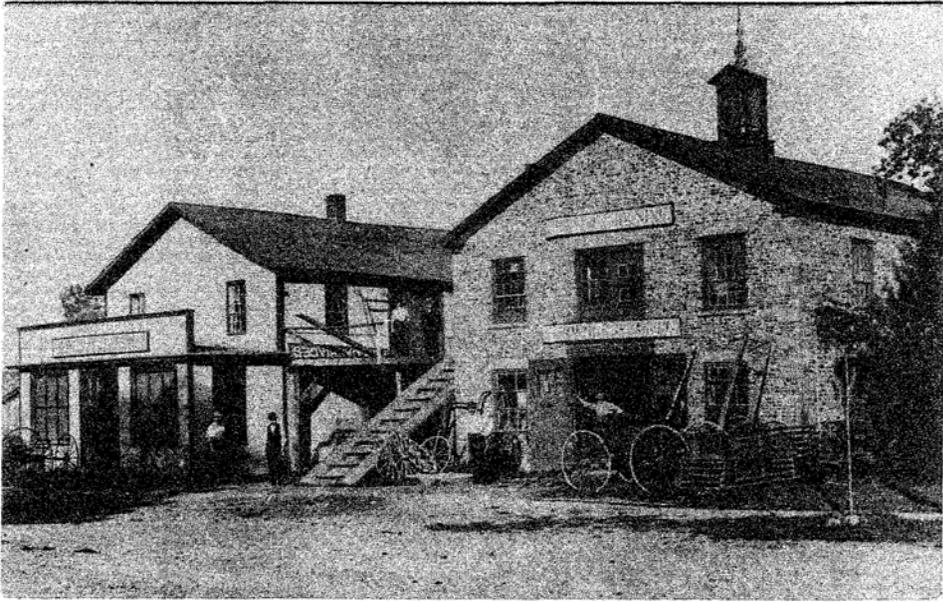
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

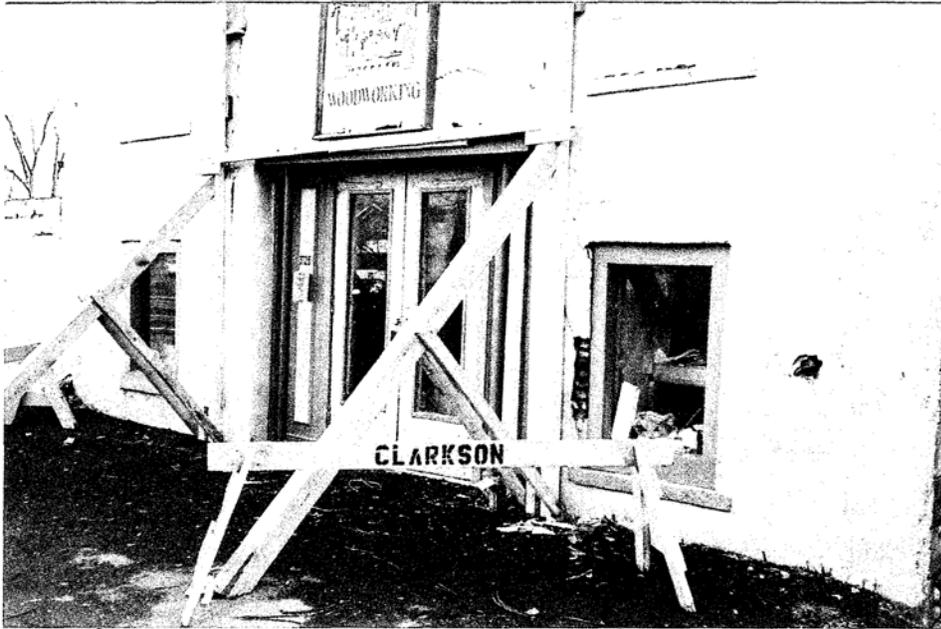
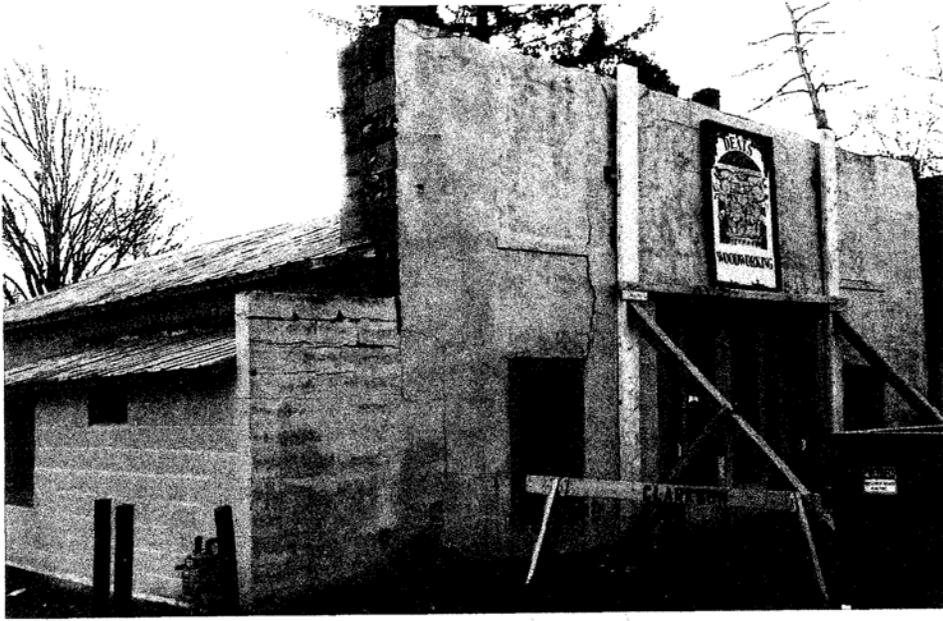
In the past several years, the most frequent use of the Secretary's "Standards for Rehabilitation" has been to determine if a rehabilitation project qualifies as a "certified rehabilitation" pursuant to the Tax Reform Act of 1976, the Revenue Act of 1978, and the Economic Recovery Tax Act of 1981, as amended. The Secretary is required by law to certify rehabilitations that are "consistent with the historic character of the structure or the district in which it is located." The Standards are used to evaluate whether the historic character of a building is preserved in the process of rehabilitation. Between 1976 and 1982 over 5,000 projects were reviewed and approved under the Preservation Tax Incentives program.

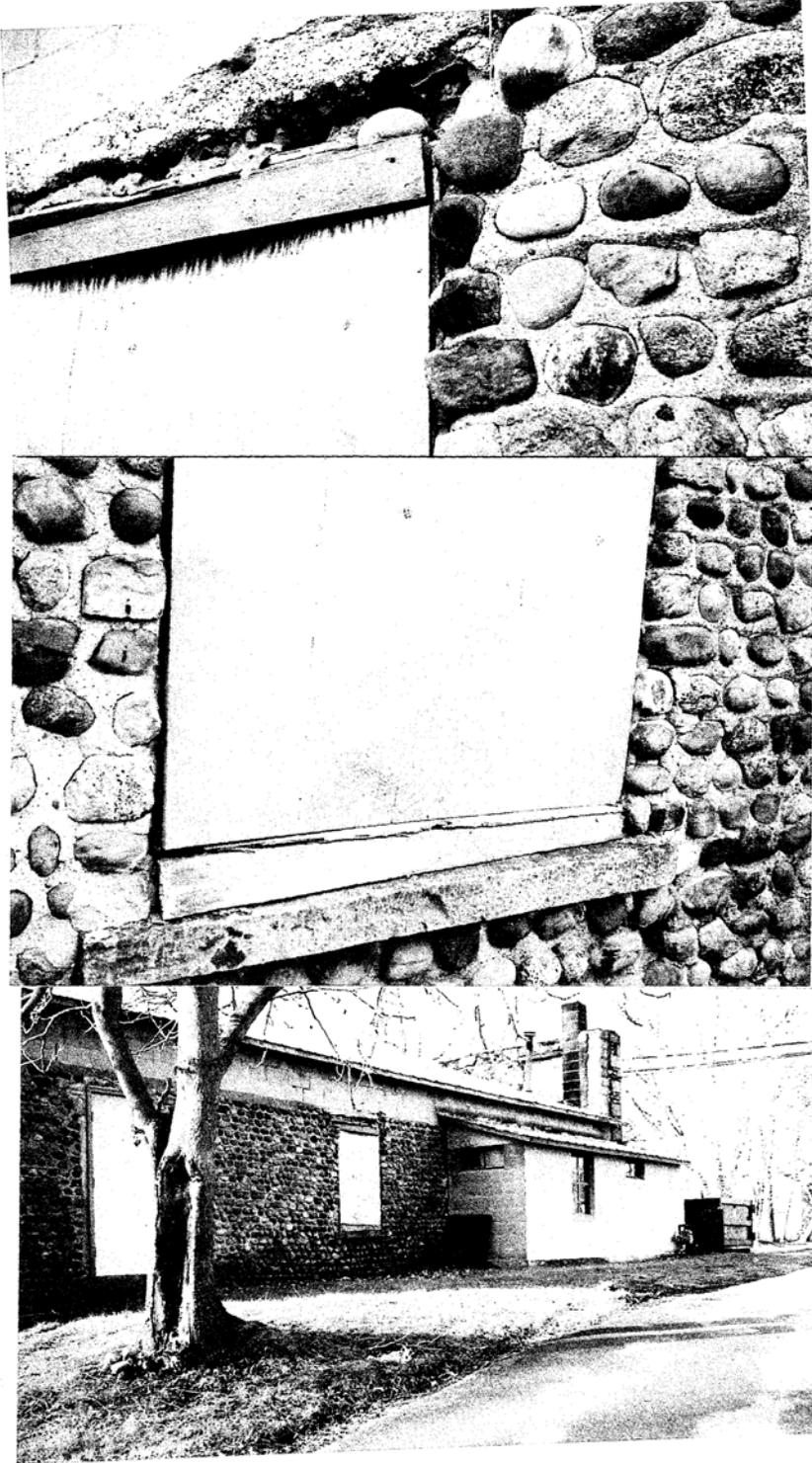
As stated in the definition, the treatment "Rehabilitation" assumes that at least some repair or alteration of the historic building will need to take place in order to provide for an efficient contemporary use; however these repairs and alterations must not damage or destroy the materials and features—including their finishes—that are important in defining the building's historic character.

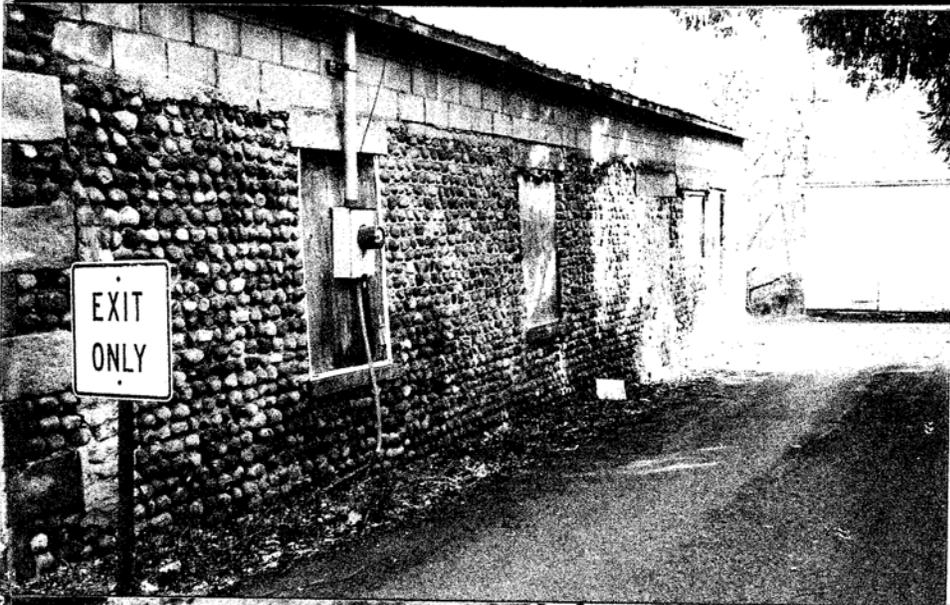
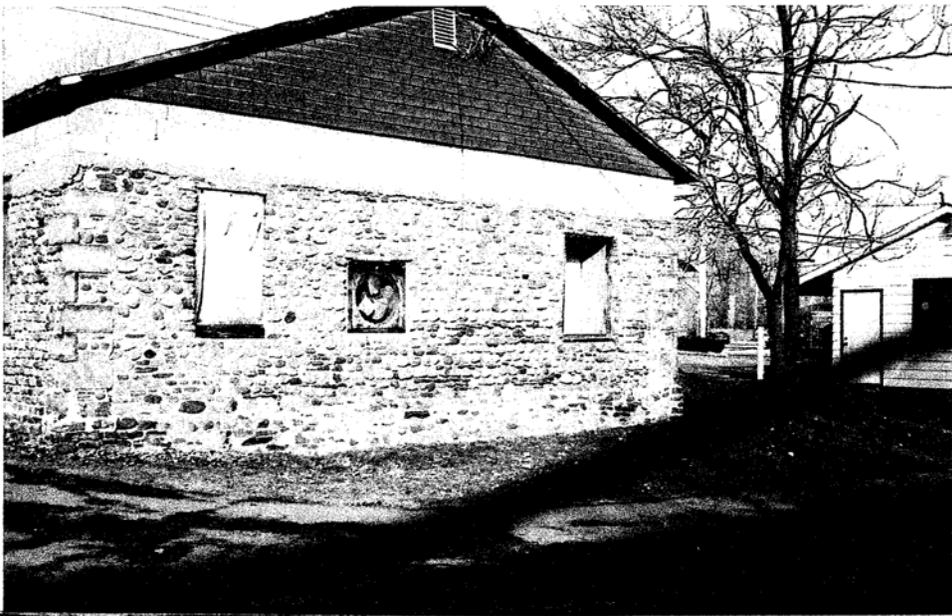
In terms of specific project work, preservation of the building and its historic character is based on the assumption that (1) the historic materials and features and their unique craftsmanship are of primary importance and that (2), in consequence they will be retained, protected, and repaired in the process of rehabilitation to the greatest extent possible, not removed and replaced with materials and features which appear to be historic, but which are--in fact--new.

To best achieve these preservation goals, a two-part evaluation needs to be applied by qualified historic preservation professionals for each project as follows: first, a particular property's materials and features which are important in defining its historic character should be identified. Examples may include a building's walls, cornice, window sash and frames and roof; rooms, hallways, stairs, and mantels; or a site's walkways, fences, and gardens. The second part of the evaluation should consist of assessing the potential impact of the work necessary to make possible an efficient contemporary use. A basic assumption in this process is that the historic character of each property is unique and therefore proposed rehabilitation work will necessarily have a different effect on each property; in other words, what may be acceptable for one project may be unacceptable for another. However, the requirement set forth in the definition of "Rehabilitation" is always the same for every project: those portions and features of the property which are significant to its historic, architectural, and cultural values must be preserved in the process of rehabilitation. To accomplish this, all ten of the Secretary of the Interior's "Standards for Rehabilitation" must be met.









03.24.09

WEBSITE REORGANIZATION

Councilperson Filipowicz has been working on the reorganization of the Town website in conjunction with Supervisor Kimball and Town Clerk Mattison. Councilperson Filipowicz provided Board members with an outline of her ideas and asked all members to look it over and bring their ideas to the April 14th Board meeting. Councilperson Meyers asked about the possibility of adding photographs of some of the historical homes to the site. Supervisor Kimball advised Councilperson Meyers that ARB President, George Shaw is working on a presentation that will include some of the historical homes and that will be incorporated on the site.

RESOLUTION Establishing Number of Hours That Constitute a Standard Workday for Retirement Purposes

WHEREAS, the Town Board is required to establish the number of hours that constitute a standard workday for retirement purposes.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That a 7-hour workday be established as the standard workday for retirement purposes for the following positions:

Supervisor
 Councilperson
 Town Justices
 Assessor
 Building Inspector PT
 Building Dept Coordinator
 Court Clerk
 Deputy Town Clerk
 Dog Control Officer
 Assistant to the Supervisor
 Secretary to Planning Board
 Town Clerk

Sec. 2. That an 8-hour workday be established as the standard workday for retirement purposes for the following positions:

Foreman
 Working Foreman
 Heavy Motor Equipment Operator
 Mechanic
 Motor Equipment Operator
 Superintendent of Highways
 Assistant to Superintendent of Highways
 Laborer (Highway) (Buildings & Grounds)
 Laborer PT (Highway) (Buildings & Grounds)

Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Hoy
 Seconded by Councilperson Didas

Discussion: Supervisor Kimball pointed out that this is not necessarily the hours worked daily, but is what you have to accumulate in a week in order to be considered for NYS retirement. Supt. Goodwin stated that his crew

VOTE BY ROLL CALL AND RECORD:

Councilperson aye Councilperson aye
 Councilperson aye Councilperson aye
 Supervisor aye

Adopted: March 24, 2009

03.24.09**RESOLUTION ACCEPTING BID FOR CLARKSON HAMLIN TOWN LINE ROAD WATER DISTRICT #2**

The Town received a recommendation from Town Engineer, J.P. Schepp, P.E. to award the bid to M.J. Pipe and Supply for the total amount base bid of \$38,324.45. Other bids received were; Blair Supply for \$39,906.60, Ramsco for \$39,911.34 and Vellano Bros. for \$40,536.85.

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

To award lowest bid, upon recommendation from the Town Engineer, to M.J. Pipe and Supply for \$38,324.45. Unanimously carried

Discussion: Supt. Goodwin stated that the job will require approximately 2500 feet of pipe. The cost of pipe is now a little under \$10 a linear foot whereas last year it was \$18 a linear foot.

HIGHWAY SUPT. REPORTS

Supt. Goodwin informed the Board that his Dept. has been busy removing snow fence, repairing winter lawn damage, attending OSHA school and getting ready for "Junk Days" at the end of April and brush pickup that is scheduled to begin on May 6th. Supt. Goodwin received a two year contract from Niagara Power Generation. They are asking Clarkson for a two year commitment for obtaining the Towns brush. Attorney Olson will review the contract and report to the Board.

MOTION TO ADVERTISE FOR BIDS ON INTERMUNICIPAL SHARED SERVICES**STREET SWEEPER**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To advertise for bids on Intermunicipal Shared Services street sweeper by sealed bid to be received no later than 11:00 a.m. on April 8, 2009, at which time the bids will be publicly opened and read aloud in the Town Hall, 3710 Lake Road, Clarkson NY.

Unanimously carried

Discussion: Supt. Goodwin stated that he received a signed contract for the Shared Municipal Grant, which includes Hamlin, Clarkson, Parma and Sweden to purchase a street sweeper which the State will pay 90% of the total cost of \$193,000. Bids were done previously in anticipation of the Grant coming through last December, however since the bids are outdated some of the equipment is no longer available making it necessary for Supt. Goodwin to modify the new bid specs.

MINUTES

Motion by Councilperson Didas

Second by Councilperson Filipowicz

To approve February 24, 2009 minutes.

Unanimously carried

MINUTES

Motion by Councilperson Hoy

Second by Councilperson Filipowicz

To approve March 10, 2009 minutes.

Unanimously carried

AUDIT—03-02-09

Vouchers 20090312-20090378; Total \$29,928.19; Gen. \$16,084.84; Hwy. \$10,571.36; SL \$3,141.38; SS \$130.61

Motion by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried

Motion to adjourn at 7:35 p.m. by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

APPROVED 04-14-2009

