

TOWN OF CLARKSON
TOWN BOARD MEETING
November 24, 2009

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, November 24, 2009 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 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
Kristin Coon	Deputy Town Clerk

ALSO:

William Ey	Ass't to Supervisor
** Pam Dolliver	Assessor
Chad Fabry	Building Insp/Code Enf.
Christopher Lyon	Acting Assessor

**excused

Supervisor Kimball opened the meeting, and Kristin Coon, Deputy 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

No one spoke.

PUBLIC HEARING ON PROPOSED LOCAL LAW #3

Supervisor Kimball opened the public hearing.

No one spoke.

Supervisor Kimball closed the public hearing.

RESOLUTION ADOPTING LOCAL LAW #3-2009; A LOCAL LAW TO REVISE LOCAL LAW #1-2009 AND TO EXTEND THE MORATORIUM ON THE CONSTRUCTION OF WIND GENERATORS IN THE TOWN OF CLARKSON

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 November 24, 2009

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

Absent: None

Introduced by: Councilperson Hoy

Seconded by: Councilperson Didas

RESOLUTION ADOPTING LOCAL LAW #3-2009

Whereas, the Town Board has before it a Local Law entitled " Local Law #3-2009 "A Local Law to Extend the Moratorium on the Construction of Wind Generators in the Town of Clarkson" which, if adopted, will continue the moratorium on the construction of Wind Generators in the Town of Clarkson pending a review by, and a recommendation from a special committee with a final report due by March 9, 2010 and the moratorium continuing until April 30, 2010; and

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

11.24.09

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 #3-2009 "A Local Law to Extend the 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

CRIME PREVENTION SESSION

Councilperson Didas updated the Board on the Crime Prevention Session scheduled for Tuesday, December 15, 2009 at 7:00pm at the Clarkson Courthouse, 3655 Lake Road. This is an educational session open to the public on avoiding becoming a victim of crime. Interested persons can register by calling the Clarkson Town Hall; registration is free and limited to 100 people. Monroe County Sheriff's Department Crime Prevention Officer Joseph Resch will speak on home/vehicle security and the Neighborhood Watch program and answer any questions people have. A free home safety audit is available. Councilperson Didas requested the Board approve the expense of approximately \$40 for refreshments for the attendees. Supervisor Kimball stated he did not think that would be a problem.

INTERVIEWS FOR BOARD VACANCIES

Due to a meeting Supervisor Kimball has scheduled in Sweden on December 1st for the fire contract, he requested that interviews for board vacancies take place at the Clarkson Town Hall on Thursday December 3, 2009 beginning at 6:00pm. Applicants will be contacted and scheduled by the Town Clerk.

ROUNABOUT SIGNAGE FEE WAIVERS

Supervisor Kimball briefly explained that the planned road construction at the corner of East and West Avenues includes a roundabout which will require two Clarkson businesses to relocate their signs; First Niagara Bank and Mobil On The Run. He proposed waiving any Town fees associated with this since the businesses are being required to comply. The businesses would be responsible for any expenses incurred.

Motion by Supervisor Kimball

Seconded by Councilperson Hoy

To waive any Town fees relating to the relocation of signage for First Niagara Bank and Mobil On The Run.

Unanimously carried

11.24.09**EMERGENCY CLOSURE CONTRACTORS**

Inspector Fabry stated that he received a phone call from Brockport Fire Dispatch requesting our assistance in dealing with multiple emergency closure contractors who respond to fire scenes to board up the property. There has been conflict and confusion as to which contractor does the work, which hampered the fire department's response to the fire. Fabry asked if the Board could develop an approved list of contractors having adequate insurance coverage and rotate the list to make it fair. After discussion the Board decided to have the code enforcement officers for the Towns of Sweden and Clarkson, and the Village of Brockport meet and compile a list of contractors who meet the minimal requirements of having workman's compensation and liability insurance, to be given to the fire dispatcher for use in assigning contractors to emergency situations in an orderly way.

RESOLUTION DECLARING TOWN BOARD LEAD AGENCY FOR RIDGEWOOD PARK

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To declare the Town Board as Lead Agency and to complete an uncoordinated review.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz and Didas

NAYS: Councilperson Meyers

RESOLUTION ADOPTING NEGATIVE DECLARATION SEQR

At a regular meeting of the Town Board of the Town of Clarkson, Monroe County, New York, held at the Town Hall, 3710 Lake Road in said Town, on the 24th day of November, 2009, at 6:00 P.M., there were:

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

ABSENT: None

RESOLUTION ADOPTING NEGATIVE DECLARATION

WHEREAS, it is proposed that the Town of Clarkson purchase a 49.6 acre parcel at 8000 Ridge Road, Town of Clarkson and use the same for a park and athletic fields; and

WHEREAS, this Board, by motion dated November 24, 2009 declared itself to be the Lead Agency for Purposes of SEQRA; and

WHEREAS, this project is an Unlisted Action for the purposes of SEQRA; and

WHEREAS, the Town Supervisor has prepared and submitted Part 1 "Project Information" of the (short) Environmental Assessment Form; and

WHEREAS, this Board having thoroughly reviewed the Environmental Assessment Form prepared by John Paul Schepp, P.E. the recommendation from the Town Engineer, Chatfield Engineers, P.C. and considered each and every impact in accordance with SEQRA

NOW, upon consideration of the above and all of the previous documents, discussion and debate, upon the **Motion of Councilperson Filipowicz, Seconded by Councilperson Hoy**.

BE IT RESOLVED

1. That the Town Board hereby accepts the EAF as prepared;
2. Confirms that the project will not result in any significant impacts on the environment;
3. Adopts the Negative Declaration attached hereto and made a part hereof as if the same were set forth a length herein.

11.24.09

4. That this resolution shall take effect immediately.

Upon a roll call vote, the votes were cast as follows:

Kimball: Aye
 Hoy: Aye
 Filipowicz: Aye
 Didas: Aye
 Meyers: Nay

Members of the Town Board of
 the Town of Clarkson, Monroe
 County, New York.

Whereupon the resolution was declared adopted

DISCUSSION: Town Attorney Olson read the document aloud.

DISCUSSION OF SALARIES FOR SUPPORT BOARDS

Supervisor Kimball opened the discussion of whether to change payments to the support board members from a semi-annual stipend to a “per meeting” payment. After discussion it was agreed to leave the current method in place because of the many hours spent by board members outside of actual meetings.

CLARKSON FOUNDERS DAY

Councilperson Meyers stated that on behalf of the steering committee of the Clarkson Historical Society, he requests the Board’s preliminary approval of a Clarkson Founders Day to take place at a future time. Participants would give tours of the historical area, dressed in historical costumes. It may be a small expense to the Town. Supervisor Kimball replied that in the past the Historical Society was invited to be a part of Clarkson Good Neighbor Days and that historic home tours had been done previously as a part of that festival. He offered that opportunity again as an option. Councilperson Meyers answered that the Historical Society had considered that but preferred a separate event as a focus on the historical part of the Town. Councilperson Didas requested an estimated budget so that the Board can allocate a specific amount for the event. Councilperson Meyers said he would meet with the Historical Society to determine future action.

DISCUSSION OF SANITARY SEWER DISTRICT EAST OF GARLAND

Town Attorney Olson said the former site of the Apple Tree furniture store is now the New Beginnings Christian Fellowship Church and they are required to hook into a sanitary sewer or construct a large septic system. Connecting to the sewer would require an easement on the adjoining Mattison property. Highway Superintendent Goodwin described the sewage grinder system to be used and how it would be pumped to the northernmost end of the sewer line on the corner of Ridge Road and Sweden Walker Rd. Town Attorney Olson said the church was responsible for obtaining the easements, doing the engineering work, and installing the sewage grinder system. If a district is created, several area property owners would have the option of hooking up to the line at their own expense. If they hooked up, they would share responsibility for the maintenance costs, if necessary in the future. Superintendent Goodwin stated there would be no cost to the Town.

EMPLOYEE CARRYOVER OF VACATION TIME

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

Motion made to approve the carryover of unused vacation hours as presented, up to but not more than 80 hours. See attached list.

Unanimously carried

TOWN OF CLARKSON

RECAP OF BENEFIT HOURS

AS OF PAYPERIOD: C-24-2009
DATE 11/24/2009

NAME	VACATION SIX MONTHS MAX.	* ROLLOVER HOURS FOR 2009
BRETT	37.00	37.00
BURCH	0.00	0.00
FARRELL	104.00	80.00
GRIMM	79.50	80.00
NURSE	72.50	72.50
ROMBAUT	81.00	80.00
STEPHENS	131.50	80.00
SWANGER	26.75	26.75
VISCARDI	0.00	0.00
WHALEN	3.50	0.00
WIETZ	22.50	35.50
WRIGHT	143.50	80.00
EY	174.56	70.00
ROGERS	110.50	70.00
REJEWSKI	35.70	35.70
DOLLIVER	0.00	0.00
LIOTTA	11.50	11.50
COON	0.00	0.00

* Rollover hours can not be higher than actual hours that are listed in payroll bank. In no case can an employee rollover more than two weeks.

8 EMPLOYEES COMP TIME.xls

BUILDING INSPECTOR REPORTS

Insp. Fabry reported he is working on a new price list for permit fees. He is tying up expired permits, doing final inspections and is preparing to do fire inspections on all commercial properties and multi-family units.

ASSESSOR REPORTS

Acting Assessor, Chris Lyon stated he is working on exemption renewals and requesting additional documentation on incomplete forms.

11.24.09

MOTION AUTHORIZING SUPERVISOR TO SIGN MONROE COUNTY AGREEMENT FOR 2009-2010 SNOW AND ICE CONTROL SERVICES

Motion by Councilperson Hoy

Seconded by Councilperson Didas

For Supervisor Kimball to sign the Snow and Ice agreement with Monroe County.

DISCUSSION: Supt. Goodwin presented the Monroe County Snow and Ice Contract which is an extension of the existing one, adjusted on a yearly basis. There are 40.46 lane miles of county road that Clarkson plows in the winter, and the total estimated payment would be \$118,484.48. This is a flat rate lump sum which usually comes close to the actual cost of fuel, equipment and labor, and is based on a ten-year average.

Unanimously carried

HIGHWAY SUPT. REPORTS

Superintendent Goodwin updated the Board with the progress made at last week's Veteran's Memorial Park meeting. It was requested that the Town fence off the back of the property to prevent hunters and others from accessing the land adjacent to the property which belongs to area homeowners. Snow fencing was installed subsequently by the Highway Department. Discussion ensued regarding the particulars of installing memorial bricks to honor local veterans. The Veteran's Memorial Park Committee consists of Jackie Smith, chairperson, Cheryl Beardsley, Don Lage, and Mr. & Mrs. Kermit Mercer. Supervisor Kimball suggested they put together a plan with some budgetary numbers so that another 50/50 parks grant can be applied for next summer to do this.

Superintendent Goodwin stated there are two highway department position openings due to two retirements. Internal posting will be done first, and then advertised if necessary.

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To approve the November 10, 2009 minutes.

Unanimously carried

AUDIT—11-02-2009

Vouchers 20091349-20091405; Total \$19,284.13; Gen. \$14,397.76; Hwy. \$4,714.36; SS \$172.01

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To enter into Executive Session at 7:05 p.m. to discuss two personnel matters.

Unanimously carried

REGULAR SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To return to regular session at 7:50 p.m.

Unanimously carried

11.24.09

ETHICS VIOLATION REFERRAL

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To refer personnel matter to the Monroe County Board of Ethics for review and possible disciplinary action recommendation.

VOTE OF THE BOARD

AYES: Councilpersons Hoy, Filipowicz and Didas

NAYS: Councilperson Meyers

ABSTAIN: Supervisor Kimball

Motion to adjourn at 7:55 p.m. by Councilperson Hoy

Seconded by Councilperson Didas

Unanimously carried

Respectfully submitted,

Kristin P. Coon

Deputy Town Clerk

APPROVED 12-08-09