

TOWN OF CLARKSON
TOWN BOARD MEETING
April 27, 2010

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, April 27, 2010 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:30 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.
Christopher Lyon	Acting Assessor
Kristin Coon	Deputy Town Clerk

**excused

Supervisor Kimball opened the meeting, and Kristin Coon, Deputy Town Clerk led all those present in the Pledge of Allegiance.

EXECUTIVE SESSION

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To enter into executive session at 6:30 P.M. to discuss a personnel matter.

Unanimously carried.

RETURN TO REGULAR SESSION

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To return to regular session at 7:05 P.M.

Unanimously carried.

OPEN FORUM

Sue Marshall of 3213 Lake Road presented the Town Board with a Certificate of Appreciation for the Town's assistance in collecting used cell phones for the Cell Phones for Soldiers program. Sue briefly explained the process of submitting used cell phones to obtain calling card minutes for soldiers to use in calling home. Supervisor Kimball and the Town Board members thanked Sue for her efforts in volunteering to collect the phones and Councilperson Hoy expressed his appreciation for this cause.

Steven and Connie Pratt of 2845 Redman Road asked for clarification on the proposed Local Law #3, which provides for electrical inspections and allows for the appointment of electrical inspectors in the Town of Clarkson. Supervisor Kimball explained that the new law requires each inspector to be certified by the Building Inspector, which allows any qualified individual to perform inspections, rather than just a few agencies having that ability as in the past. Inspector Fabry added that nothing is changing regarding the requirements for performing inspections.

PUBLIC HEARING-LOCAL LAW #3-2010 "A LOCAL LAW TO PROVIDE FOR ELECTRICAL INSPECTIONS AND ALLOW FOR THE APPOINTMENT OF ELECTRICAL INSPECTORS IN THE TOWN OF CLARKSON"

Supervisor Kimball opened the public hearing at 7:10 p.m.

Attorney for the Town, Richard Olson explained the law. No one spoke.

Supervisor Kimball closed the public hearing at 7:15 P.M.

04.27.10

Local Law # 3-2010

A LOCAL LAW TO ALLOW FOR THE APPOINTMENT OF ELECTRICAL INSPECTORS IN THE TOWN OF CLARKSON

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

Section 1. This Local Law is enacted pursuant to the authority contained in Article 2 of the Municipal Home Rule Law of the State of New York and the New York State Town Law.

Section 2. That the purpose of this Local Law is to provide a procedure for the appointment of electrical inspectors in the Town of Clarkson and the inspection of electrical installations in the Town of Clarkson.

Section 3. Chapter 62 “Electrical Inspectors” is repealed in its entirety and replaced by the following:

**CHAPTER 62
ELECTRICAL INSPECTIONS**

§ 62-1. Definitions.

As used in this chapter, the following terms shall have the following respective meanings:

BUILDING INSPECTOR - The Building Inspector of the Town of Clarkson, or such other person appointed by the Town Board to administer and enforce the provisions of this chapter.

ELECTRICAL INSPECTOR – A person or business entity approved by the Town Board of the Town of Clarkson as set forth herein who authorized and deputized as agents of the Town of Clarkson to make inspections and reinspections of all electrical installations heretofore and hereafter described and to approve or disapprove the same.

§ 62-2. Authorized inspectors; costs.

A. Electrical Inspectors, qualified as set forth herein, are authorized and deputized as agents of the Town of Clarkson to make inspections and reinspections of all electrical installations heretofore and hereafter described and to approve or disapprove the same.

B. In no event, however, will the cost or expense of such inspections and reinspections be a charge against the Town of Clarkson.

§ 62-3. Duties of electrical inspector.

A. It shall be the duty of the Electrical Inspector to report in writing to the Building Inspector, whose duty it shall be to enforce all provisions of this chapter, all violations or deviations from or omissions of the electrical provisions of the New York State Uniform Fire Prevention and Building Code and of all local laws and ordinances insofar as any of the same apply to electrical wiring.

B. The electrical inspector shall make inspections and **re-inspections** of electrical installations in and on premises in the Town of Clarkson upon the written request of an authorized official of the Town of Clarkson or as herein provided.

C. The electrical inspector is authorized to make inspections and **re-inspections** of electrical wiring, installations, devices, appliances and equipment in or on premises within the Town of Clarkson where he deems it necessary for the protection of life and property.

D. In the event of an emergency, it is the duty of the electrical inspector to make electrical inspections upon the oral request of an official or officer of the Town of Clarkson.

04.27.10**§62-4 Authorized Inspectors.**

- A. Only inspectors authorized herein shall be permitted to make electrical inspections in the Town of Clarkson.
- B. Any person, organization or business may apply for permission to conduct electrical inspections in the Town of Clarkson. The applicant and all of its agents must meet the criteria set forth in this chapter.
- C. Application. The application shall be submitted and shall include the following:
- (1) The application on a form provided by the Building Inspector or on a form requiring the same information.
 - (2) A nonrefundable application fee as established by resolution of the Town Board.
 - (3) Proof of insurance naming the Town of Clarkson as additional insured as follows:
 - (a) Statutory workers' compensation coverage as is required by law;
 - (b) Automobile and public liability coverage for property damage and personal injury including wrongful death, in an amount of at least three million dollars (\$3,000,000.00);
 - (c) The applicant shall provide proof of insurance annually and proof of continued qualification with each bi-annual renewal request.
- D. Action on Application.
- (1) The Building Inspector shall review the application for accuracy and completeness and shall investigate the business reputation and qualifications of the applicant within 30 days of the receipt of the application. The Building Inspector shall provide the Town Board with a written recommendation to approve or reject the application, which shall include the reasoning for the recommendation. Within 30 days of receipt of such recommendation the Town Board shall, by resolution, approve or reject the application.
 - (2) The Building Inspector, in the recommendation to the Town Board, shall indicate if the applicant is deemed qualified to inspect residential, commercial or industrial properties or only some of the above. In making this recommendation, the Building Inspector shall, if appropriate, use the standards set forth by nationally recognized electrical inspector organizations.
 - (3) If the application is approved, the Building Inspector shall issue a letter to the applicant certifying that the applicant is qualified to perform electrical inspections in the Town of Clarkson. Such certification shall be valid until December 31, 2011, or until such time as it is revoked by the Town Board upon good cause. Application fees shall not be pro-rated.
 - (4) Should the Town Board make a determination that an applicant or inspector is not qualified to perform electrical inspections in the Town of Clarkson, the applicant or inspector shall be provided written notice of such decision. The applicant or inspector may, within 30 days of the receipt of such determination, request a public hearing before the Town Board at which hearing the applicant or inspector may present evidence to provide proof of qualification.
- E. The Building Inspector shall maintain a list of qualified electrical inspectors with their current business addresses and telephone numbers. This list shall be made available to any person requesting the same and made available on the website maintained on behalf of the Town of Clarkson.

§62-5 Inspector's Qualifications.

A. Certificate. All electrical inspectors shall be certified by a nationally recognized inspector certification program accepted by the Board. The certification program shall specifically qualify the individual in electrical inspections.

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No person shall perform electrical inspections in the Town of Clarkson as an Electrical Inspector unless that person is the holder of an Electrical Inspector's certificate issued by the Town Board except that any person or agency serving as a legally appointed Electrical Inspector for the Town of Clarkson as of the adoption date of this law shall be permitted to continue to serve as an Electrical Inspector in the Town of Clarkson, NY until December 31st of the year this law is adopted.

B. Experience. Electrical inspector applicants shall demonstrate the following:

- (1) Have a demonstrated knowledge of the standard materials and methods used in the installation of electrical equipment and systems; and,
- (2) Be well versed in the approved methods of construction concerning safety to persons and property and,
- (3) Be well versed in the statutes of *New York State Building and Residential Code* relating to electrical work and the *National Electrical Code* and,
- (5) Have at least 1 (one) year of experience as an Electrical Inspector *or*, 4 (four) years of experience in the installation of electrical equipment *or*, shall be a graduate of an electrical engineering or similar curriculum of a college or university considered by the Board as having suitable requirements for graduation and shall have had 2 (two) years practical electrical experience.

C. Recertification. Electrical inspectors shall be qualified and recertified as established by provisions of the applicable certification program including providing proof of any continuing education as is required by the certification program. Proof of continued qualification is required with each bi-annual renewal request.

§ 62-6. Application for inspection required.

It shall be a violation of this chapter for any person, firm or corporation to install or cause to be installed or to do electrical wiring for light, heat or power in or on property situate in the Town of Clarkson until an application for inspection has been filed with an Electrical Inspector qualified in, and approved by, the Town of Clarkson as set forth in this Local Law.

§62-7. Unauthorized Inspections.

It shall be a violation of this chapter for any person, firm or corporation to inspect or cause to be inspected electrical wiring for light, heat or power in or on property situated in the Town of Clarkson unless said person, firm or corporation is qualified in, and approved by, the Town of Clarkson as set forth in this Local Law.

§ 62-8. Penalties for offenses.

Any person, persons, firms, associations or corporations which violates any of the provisions of this chapter or any section or part thereof shall be guilty of an offense, punishable by a fine not exceeding \$250 or imprisonment for a period not to exceed 15 days, or both. Each day that a violation of this chapter continues after notice to the persons so violating the same shall be deemed to be a separate violation. Further, any person, persons, firms, associations or corporations that violate the sections of this chapter with regard to compliance with electrical inspections shall be subject to such fines, penalties or other remedies including any appropriate action or proceedings to prevent continued violations of this chapter or to restrain, correct or abate such violations.

Section 4. Severability. The invalidity of any section or provision of this local law shall not invalidate any other section or provision thereof.

Section 5. Effective Date. That this local law shall take effect immediately.

04.27.10**MOTION TO ADOPT PROPOSED FEE SCHEDULE**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To adopt the new Town of Clarkson fee schedule.

Unanimously carried.

attached at end of minutes

RESOLUTION TO ADOPT LOCAL LAW #1-2010 SEQRA NEGATIVE DECLARATION

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 27th day of April, 2010, at 7:00 P .M. there were:

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

ABSENT: None

RESOLUTION ADOPTING NEGATIVE DECLARATION

WHEREAS, The Town Board has before it proposed Local Law #1-2010 “Wind Energy Facilities Law of the Town of Clarkson; and

WHEREAS, this Board, by motion dated January 12, 2010 declared itself to be the Lead Agency for Purposes of SEQRA; and

WHEREAS, in accordance with law and local practice, this Board referred this matter to the, the Town Conservation Board; and

WHEREAS, this project is a Type I Action for the purposes of SEQRA; and

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

WHEREAS, this Board discussed this proposed local law in great detail with the Conservation Board at a special meeting; and

WHEREAS, this Board having thoroughly reviewed the Environmental Assessment Form, the Recommendation from the Conservation Board, and the recommendations of the Wind Generator Committee 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 adopts the Negative Declaration attached hereto and made a part hereof as if the same were set forth a length herein.

2. That this resolution shall take effect immediately.

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

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

NAYS: None

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

Whereupon the resolution was declared adopted

04.27.10

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number: Local Law 1-2010

Date: April 27, 2010

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Clarkson as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Local Law #1-2010 “Wind Energy Facilities Law of the Town of Clarkson”.

SEQRA Status: Type 1

Conditioned Negative Declaration: No

Description of Action: A local law to regulate the construction, placement, operation and decommissioning of wind energy conversion systems of all sizes in the Town of Clarkson, Monroe County, New York. This local law divides wind energy conversions systems (WECS) into three (3) sizes:

A. Large: A total height of greater than 100 feet, but no greater than 400 feet. Construction of Large WECS will require approval from the Town Board in the form of a zoning overlay and will also require a Special Use Permit from the Clarkson Planning Board. Construction of Large WECS is defined to be a Type I SEQRA action.

B. Medium: Between 35 feet and 100 feet in height. Construction of Medium WECS will require the preparation of an EAF and will require a Site Plan Review by the Clarkson Planning Board.

C. Small: Less than 35 feet in height. Construction of Medium WECS will require the preparation of an EAF and will require a Special Use Permit from the Clarkson Planning Board.

Location: Entire Town of Clarkson. No specific projects at this time.

Reasons Supporting This Determination:

(See §617.7(a)-(c) for requirements of this determination)

The proposed Local Law was developed by the Wind Generator Committee, a committee established by the Town Board pursuant to Local Law #1-2009 and Local Law #3-2009. The Committee was comprised of one member of the Town Planning Board, one member of the Town Zoning Board of Appeals, one member of the Conservation Board and two members of the community at large. The attorney for the town advised the committee on legal issues. The committee met several times to develop this proposed law. A review of the minutes of the committee shows that a considerable amount of discussion occurred surrounding potential environmental issues arising from the construction of Wind Energy Conversion Systems. Further, the Town Board after conducting the public hearing on Local Law #1-2010 on March 9, 2010, met with the Wind Generator Committee and the Town Conservation Board on March 24, 2010 to discuss environmental issues raised in the EAF. As a threshold issue impacting the environment, the Committee found that wind energy is an abundant, renewable, and nonpolluting energy resource of the Town of Clarkson and its conversion to electricity may reduce dependence on nonrenewable energy sources and decrease the air and water pollution that results from the use of conventional energy sources.

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This Determination of Non-Significance is based on a thorough review of the proposed Local Law and the meetings described above. Taken by classification the Town Board has made the following determinations:

LARGE WECS

Under the proposed Local Law Large WECS can only be constructed in a Wind Energy Overlay District. The creation of this district will be on application to the Town Board and will occur in the least densely populated zoning districts of the Town of Clarkson. The process followed will be the same as for a rezoning. Under the proposed Local Law any application for a Large WECS is deemed to be a Type I action under SEQRA. The following environmental issues are considered to be the most likely to arise for a Large WECS application:

A. Visual. Large WECS are just that, large. The proposed Local Law requires a Visual EAF Addendum for all proposed Large WECS. The law requires that all measures be adopted to reduce the visual impact of Large WECS to the greatest extent possible and contains requirements for color, camouflage, conformity of appearance and the prohibition of signage or letter visible from off the site. A subset of the Visual Impact is shadow flicker, the effect of sunrays passing the rotating blades of a WECS. The proposed Local Law addresses this issue by permitting the reviewing board to require the applicant to produce studies showing the effect, to mitigate the effect and also to prevent maintenance or replacement activities to increase shadow flicker.

B. Noise. The proposed Local Law contains standards for noise levels to keep the noise to the lowest practical level and not above conversation level. Further, large setbacks from adjacent properties and buildings are required.

C. Birds and other wildlife. The proposed Local Law requires consideration of endangered species and the flight pattern of birds in the construction of specific Large WECS projects and contains prohibitions the construction of Large WECS from having a significant adverse impact on endangered or threatened fish, wildlife, or plant species or their critical habitats or other significant habitats identified in the Town of Clarkson.

D. Danger from structural or mechanical failure. The proposed Local Law contains provisions to prevent these. For example, the setback requirements allow for a tower to collapse without hitting another tower. The setbacks from adjoining properties also prevent a collapsing tower from crossing a power line. The Wind Tower Committee and the Town Board discussed a few incidents where towers did collapse as designed without any damage to the surrounding areas. No verifiable incidents of a blade becoming disconnected and being “thrown” or ice being “thrown” and causing injury or damage could be found.

E. Maintenance and discontinuance of use. Closely associated with the above items is the potential impact of poor maintenance or discontinuance of use. The proposed Local Law requires that sufficient financial security be provided to enable the Town, upon notice to the owner, to remove the Large WECS should use be discontinued or it not be properly maintained.

MEDIUM WECS

Under the proposed Local Law Medium WECS can only be constructed on parcels of 7 acres or more and only one per parcel. A site plan review and approval by the Planning Board is required. Any Medium WECS proposal will require a full EAF and a Visual EAF Addendum to be reviewed by the Planning Board. The Local Law for Medium WECS has provisions relating to setbacks, noise and visual impact as well as maintenance and decommissioning. These provisions give maximum protection to the potential environmental impacts while allowing the Medium WECS to be constructed.

04.27.10**SMALL WECS**

Under the proposed Local Law, Small WECS can be installed in any district in the Town of Clarkson with a Site Plan Review and a Special Use Permit from the Town Planning Board. The Special Use Permit is reviewed at the end of five (5) years. Any Small WECS proposal will require a full EAF and a Visual EAF Addendum to be reviewed by the Planning Board. The Local Law for Medium WECS has provisions relating to setbacks, noise and visual impact as well as maintenance and decommissioning. These provisions give maximum protection to the potential environmental impacts while allowing the Small WECS to be constructed.

Based on the foregoing analysis and all of the documents, meetings and hearings to date, the Town Board of the Town of Clarkson determines that approving Local Law #1-2010 will not have a significant negative impact on the environment.

For Further Information

Contact Person: Paul M. Kimball, Supervisor

Address: 3710 Lake Road, PO Box 858, Clarkson, New York 14430

Telephone Number: (585) 637-1131

A Copy of the Notice is sent to:

Environmental Notice Bulletin
625 Broadway, Albany, NY 12233-1750

Judy A. Seil, Director
Monroe County Department of Planning and Development
50 West Main Street, Suite 8100
Rochester, NY 14614

Terrence Rice, Director of Transportation
Monroe County Department of Transportation
City Place – 6th Floor
50 West Main Street
Rochester, NY 14614

John A. Felsen, MPH Manager of Environmental Health
Monroe County Department of Health
111 Westfall Road, Room 908
Rochester, NY 14620

Town of Clarkson Planning Board
3710 Lake Road
Clarkson, NY 14430

04.27.10

RESOLUTION TO ADOPT LOCAL LAW #1-2010 "WIND ENERGY FACILITIES LAW OF 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 April 27, 2010

Present: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Meyers
Absent: None

Introduced by: Councilperson Didas
Seconded by: Councilperson Hoy

RESOLUTION ADOPTING LOCAL LAW

Whereas, the Town Board has before it a Local Law entitled " Local Law #1-2010 "WIND ENERGY FACILITIES LAW OF THE TOWN OF CLARKSON" which, if adopted, will regulate the construction, placement, operation and decommissioning of wind energy conversion systems of all sizes in the Town of Clarkson; and

Whereas, the Town Board did on March 9, 2010, held a public hearing to consider said proposed Local Law; and

Whereas, the Town Board also held a public meeting to discuss the proposed local law with the Wind Committee and the Clarkson Conservation Board; and

Whereas, this action is a Type I action under the State Environmental Quality Review Act and the Town Board has adopted a Negative Declaration; and

Whereas, the notice of the public 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 #1-2010 "Wind Energy Facilities Law of 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.

Vote of the Board

Ayes: Supervisor Kimball, Councilperson Hoy, Filipowicz, Didas and Meyers
Nays: None

DISCUSSION: Supervisor Kimball noted the Town Board's appreciation for the months of hard work by the Wind Generator Committee in the preparation of this local law. A letter of thanks will be sent to each member acknowledging their efforts.

MOTION TO APPROVE HIRING HIGHWAY DEPT. SEASONAL HELP

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To approve the hiring of 3 full time seasonal highway department employees.

Unanimously carried.

Discussion: Highway Superintendent David Goodwin explained the need for three seasonal employees to carry out temporary summer tasks.

04.27.10**MOTION TO ADVERTISE FOR MOWER BIDS**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To advertise for sealed bids for the purchase of new finish mower tractor PTO driven, 15 ft in width, with hydraulic deck lifts.

VOTE OF THE BOARD:

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz and Didas

NAYS: Councilperson Meyers

Discussion: Sup't Goodwin explained the need for a tow-behind parks mower and requested the Town advertise for bids. Councilperson Meyers asked whether this was a replacement mower and Goodwin explained the mower is needed for the recently acquired park land. Supervisor Kimball explained the cost would come out of the budgeted parks capital. The bid date will be May 11, 2010 at 9:00 A.M. at which time sealed bids will be publicly opened and read aloud.

JUNK AND REFUSE STORAGE

Supervisor Kimball introduced an example of a Local Law which regulates junk and refuse storage. Inspector Fabry stated that as written the proposed Law is more enforceable than what the Town currently has. He stated this example eliminated a lot of the "gray area" in our current code, being much more specific about what constitutes "junk". Supervisor Kimball added there would be an appeal process through the Zoning Board. Attorney for the Town Olson stated he will do some research on several items contained in the example.

RESOLUTION HONORING JUSTICE WILLIAM CODY

Resolution

Memorializing Sweden Town Justice, the Honorable William J. Cody

WHEREAS, the Honorable William J. Cody served as Sweden Town Justice from May 14, 2001 until his untimely passing on December 17, 2009; and

WHEREAS, Judge Cody was a dedicated public servant and respected attorney noted for his compassionate and thoughtful jurisprudence; and

WHEREAS, Judge Cody's contribution to the greater community will be missed by local citizens, including the residents of the Town of Clarkson.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Clarkson joins with the Town Board of the Town of Sweden in honoring Judge William J. Cody's public service.

Sec. 2. That the Town Board of the Town of Clarkson congratulates the Town of Sweden on the renovation of its courtroom which was made possible through the efforts of Judge Cody.

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

MOTION for adoption of this resolution by Councilperson Didas

Seconded by Supervisor Kimball, Councilpersons Hoy, Filipowicz and Meyers

VOTE OF THE BOARD:

AYES: Supervisor Kimball, Councilperson Hoy, Filipowicz, Didas and Meyers

NAYS: None

Submitted – April 27, 2010

MOTION TO ACCEPT 2009 BUDGET MODIFICATIONS

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To accept budget modifications as presented.

Unanimously carried.

***budget modifications attached at end of minutes**

04.27.10**MOTION TO AWARD TOWN HALL PAINT BID**

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To accept the lowest bid from Neal Lavender of Lavender's Quality Painting for \$5,950 to include paint, primer and labor.

Unanimously carried.

MOTION TO APPROVE 2010 DOG CENSUS

Motion by Councilperson Hoy

Seconded by Councilperson Meyers

To approve a dog census

Unanimously carried.

Discussion: Dog Control Officer Kathy Beaumont has requested another dog census, the most recent having been in 2005. She is paid mileage plus \$1 for each dog registered.

SPECIAL DISTRICTS REPORT

Supervisor Kimball stated the petition for the proposed Redman Road water line will be available to sign at the Town Hall until April 30. Supervisor Kimball said the Town would determine where the interested people live and possibly modify the project to serve those interested, depending on the cost effectiveness. Councilperson Meyers said he has some information to share with the Town's grant writer regarding available sources of grants to help with the cost. Supervisor Kimball stated that the Town's grant writer will be looking at the way median incomes are defined and reviewing median income in that area to see if there were grants available.

BUILDING INSPECTOR REPORT

Insp. Fabry reported a dozen building permits were issued recently and the Booth Building has a major renovation going on. He also reported a sewage issue at a rented house on Redman Road which resulted in Inspector Fabry ordering the house vacated. The situation must be rectified before the property can be re-rented. He also reported extensive water damage due to damaged plumbing at the Ridge Road apartment complex. Inspector Fabry spent quite a bit of time repairing the plumbing in an effort to stop the water leak. Councilperson Didas stated the apartment owner should be billed for Fabry's time and Fabry stated he would prepare a bill.

LETTER REGARDING VILLAGE OF BROCKPORT AUDIT REPORT

Supervisor Kimball shared a copy of a letter that he and Town of Sweden Supervisor John Milner sent to the Deputy Comptroller regarding the audit of the Village of Brockport's proposed 2010-2011 budget. The letter states Supervisors Kimball and Milner's grave concerns regarding the Village's ability to fulfill its contractual obligations to the Towns of Clarkson and Sweden for the delivery of fire protection and ambulance services. The letter requests guidance from the Comptroller regarding safeguarding the taxpayers' fire protection dollars and the receiving of services. Kimball announced that as a result of a meeting between the Village Treasurer and the Comptroller, all of the tax dollars from the two towns and the 22% that the Village contributes to fund the Fire Department will be placed in a dedicated reserve fund so that those dollars can only be used for fire related expenses.

ASSESSOR REPORT

Acting Assessor, Chris Lyon stated that all assessment change letters have been mailed and the tentative roll will be available from Monroe County by May 1st.

HIGHWAY SUPERINTENDENT REPORT

Sup't Goodwin stated junk drop off at the Highway Garage on Lake Road will be begin on Saturday May 1st from 8 A.M. to 4 P. M. Monday through Friday May 3 through 7 from noon until 5 P.M. and Saturday the 8th from 8 A.M. to 4 P.M. Brush pickup will commence on May 12th. After that date, a loaner trailer is available from the highway department at no charge for homeowners to fill. All residents may drop their brush and leaves at the transfer station during operating hours with no permit required.

04.27.10

Sup't Goodwin referred to a map on the wall to indicate the areas that fill material from the Village of Brockport Main Street construction project has been used to grade empty land at no expense to the Town of Clarkson, per the Town Engineer .

MINUTES

Motion by Councilperson Didas
Seconded by Councilperson Filipowicz
To approve April 10, 2010 minutes as amended.
Unanimously carried

AUDIT—04-02-2010

Vouchers 20100385-20100428; Total \$15,952.54; Gen. \$9,817.99; Hwy. \$2,766.72; SL \$3,192.19; SS \$175.64

Motion by Councilperson Hoy
Seconded by Councilperson Filipowicz
Unanimously carried

Motion to adjourn at 7:52 P.M. by Councilperson Hoy
Seconded by Councilperson Filipowicz
Unanimously carried

Respectfully submitted,

Kristin P. Coon
Deputy Town Clerk

APPROVED MAY 11, 2010

TOWN OF CLARKSON
PROPOSED BUDGET MODIFICATIONS
2009

GENERAL FUND (A)	ACCOUNT	BUDGETED	ACTUAL	INCREASE (DECREASE) BUDGET	COMMENTS
EXPENDITURES					
Justices					
Wages	1110.101-A	\$ 78,583.00	\$ 79,381.68	\$ 798.68	
Supervisor					
Contractual	1220.437-A	30,200.00	30,798.04	598.04	
Finance					
Auditor	1320.4XX-A	8,000.00	9,200.00	1,200.00	Justice Court Report
Attorney					
Wages	1420.4XX-A	19,000.00	19,413.00	413.00	
Personnel					
Wages	1430.101-A	45,415.00	45,941.04	526.04	
Buildings					
Wages	1620.101-A	15,561.00	30,361.94	14,800.94	Wages in 2008 were \$29,005.46
Capital	1620.201-A	4,000.00	8,691.16	4,691.16	2 AEDs and Welcome to Clarkson Signs
Buildings & Grounds Maint.	1620.401-A	6,270.00	14,225.15	7,955.15	More maintenance (eg. Drainage work)
Contractual	1620.437-A	5,700.00	3,874.61	(1,825.39)	
Telephone	1620.455-A	4,800.00	5,717.67	917.67	
Utilities	1620.461-A	21,400.00	23,968.71	2,568.71	
Misc. Expense	1620.485-A	850.00	117,037.24	116,187.24	Veterans Memorial Park
Central Storeroom					
Supplies	1660.413-A	7,300.00	8,372.56	1,072.56	
Municipal Association Dues					
Contractual	1920.4XX-A	2,500.00	2,789.00	289.00	
Contingent					
Contractual	1990.4XX-A	6,000.00	-	(6,000.00)	Used for budget purposes only
Garage					
Buildings & Grounds Maint.	5132.401-A	7,100.00	10,109.81	3,009.81	More maintenance work
Contractual	5132.437-A	200.00	-	(200.00)	
Telephone	5132.455-A	6,100.00	8,664.38	2,564.38	
Utilities	5132.461-A	12,135.00	9,086.00	(2,564.38)	
Parks					
Wages	7110.101-A	32,224.00	42,258.06	10,034.06	More park maintenance
Capital	7110.201-A	8,000.00	28,964.42	20,964.42	Grant Writer, soil removal & rock climbing wall
Buildings & Grounds Maint.	7110.401-A	12,000.00	13,019.74	1,019.74	
Contractual	7110.437-A	8,000.00	4,420.00	(1,019.84)	
Celebrations					
Contractual	7560.4XX-A	12,850.00	16,423.46	3,573.46	
Cemeteries					
Contractual	8810.4XX-A	125.00	868.00	743.00	
Employee Benefits					
State Retirement	9010.800-A	35,030.00	26,795.25	(8,234.75)	Expect increase in 2010
Hosp/Medical Ins.	9060.800-A	52,000.00	63,050.72	11,050.72	2008 actual was \$67,868
		<u>\$ 441,443.00</u>	<u>\$ 623,431.64</u>	<u>\$ 185,233.42</u>	
REVENUES					
Non-Property Taxes					
Non-Property Tax Dist.(Sales Tax)	1120.000-A	\$ 180,000.00	\$ 279,857.56	\$ 92,960.79	
General Government					
Mortgage Tax	3005.000-A	\$ 95,000.00	\$ 120,182.23	-	
General Government					
Other (Specify)	3089.000-A	\$ 12,500.00	\$ 104,772.63	92,272.63	Veterans Memorial Park Grant
		<u>\$ 287,500.00</u>	<u>\$ 504,812.42</u>	<u>\$ 185,233.42</u>	

TOWN OF CLARKSON
PROPOSED BUDGET MODIFICATIONS
2009

DEPARTMENT/DESCRIPTION	ACCOUNT	BUDGETED	ACTUAL	INCREASE (DECREASE) BUDGET	COMMENTS
GENERAL FUND - OUTSIDE VILLAGE (B)					
EXPENDITURES					
Safety Inspection					
Wages	3620.101-B	\$ 34,088.00	\$ 41,704.11	\$ 7,616.11	Turnover; Town has Inspector and coordinator
Refuse and Collection & Disposal					
Wages	8160.101-B	20,683.00	33,445.00	12,762.00	Increased activity; See increased revenues
Wages (Pick up)	8160.102-B	22,153.00	19,468.97	(2,684.03)	Increased activity; See increased revenues
Capital	8160.201-B	5,000.00	15,119.65	10,119.65	Blacktop driveway
		<u>\$ 81,924.00</u>	<u>\$ 109,737.73</u>	<u>\$ 27,813.73</u>	
REVENUES					
Licenses and Permits					
Building & Alteration Permits	2555.000-B	\$ 18,000.00	\$ 22,044.00	\$ 4,044.00	Increased activity; See increased expenses
Permits, Other (Transfer Station)	2590.000-B	61,500.00	71,374.00	9,874.00	Increased activity; See increased expenses
FUND BALANCE					
Unappropriated Fund Bal.	0911-0000-B			13,895.73	Other increased revenues did not cover expenses
		<u>\$ 79,500.00</u>	<u>\$ 93,418.00</u>	<u>\$ 27,813.73</u>	
HIGHWAY FUND (DA)					
EXPENDITURES					
Services to Other Gov't					
Wages	5148.101-DA	\$ 159,728.00	\$ 162,019.42	\$ 2,291.42	Includes Clarkson Hamlin TL Water job
Diesel Fuel	5148.431-DA	39,600.00	12,846.11	(26,753.89)	Lower cost per gallon
Gasoline	5148.432-DA	10,395.00	3,381.05	(7,013.95)	Lower cost per gallon
Contractual	5148.437-DA	15,000.00	59,322.33	44,322.33	Clarkson Hamlin TL Water job
Salt	5148.438-DA	93,600.00	89,074.68	(4,525.32)	Expenses comparable to prior year
Sand	5148.439-DA	4,800.00	1,271.86	(3,528.14)	Expenses comparable to prior year
Employee Benefits					
Employee Benefits	9000.800-DA	3,500.00	3,600.00	100.00	
State Retirement	9010.800-DA	43,123.50	32,131.25	(11,232.15)	Expect increase in 2010
Social Security	9030.800-DA	36,062.61	33,854.68	-	
Worker's Compensation	9040.800-DA	31,900.00	24,182.98	(7,717.02)	Better experience rating
Hospital and Medical Insurance	9060.800-DA	87,000.00	109,849.17	22,849.17	2008 actual was \$118,887
		<u>\$ 524,709.11</u>	<u>\$ 531,533.53</u>	<u>\$ 4,792.45</u>	
REVENUES					
Intergovernmental Charges					
Services to Other Gov't	2300.000-DA	\$ 344,568.01	\$ 538,671.71	\$ 4,792.45	2008 actual was \$541,930
Use of Money and Property					
Interest and Earnings	2401.000-DA	19,500.00	5,434.37	-	Significant drop in rates
Rent Equipment/ Other Gov't	2416.000-DA	60,569.60	117,001.87	-	2008 actual was \$147,999
Sale of Property					
Sales of Equipment	2665.000-DA	-	24,850.00	-	Sold 2008 Bobcat for purchase price
		<u>\$ 424,637.61</u>	<u>\$ 685,957.95</u>	<u>\$ 4,792.45</u>	
HIGHWAY FUND - OUTSIDE VILLAGE (DB)					
No modifications proposed					

Town of Clarkson Fee Schedule
Town Board Approved 4-27-10

BUILDING PERMITS - Residential

NEW CONSTRUCTION (includes: modular, but not manufactured homes, i.e. trailers)			FOUNDATION	
Plan Review (2 hrs. in-house included)	50 hr. after 2 hrs.		for house/structure relocation	80 plus 1/2 sq. ft. fee
Outside consultation: cost + 10%				
Single (1+2 Family)	0.12 sq. ft.	50 min. fee	MISCELLANEOUS	
Multi-Family (3+)	0.15 sq. ft.	75 min. fee	Burn permit (residential)	25
Manufactured homes (new or replaced)	125		Burn permit (agricultural)	NC
			Demolition or Removal of	25
			Driveway - for Town Roads	40
			Electrical (permit reqd. but no fee)	NC
			Fence (no c/c req'd.)	40
			Generator-standby	65
			Handicap Ramp	NC
			Permit Renewal Fee	40
			Permit Renewal Fee (permit expired)	40
			Roofing - DIY (permit reqd. w/o fee)	NC
			Roofing - contractors (permit reqd. w/fee)	40
			Solar Energy Structures	65
			Telecommunication tower - personal/hobby use	80
			Wind generators - small <35'	65
			Wind generators - w/special permit from PB	
PLUMBING FEE	65			
plus fixtures	2 each			
ACCESSORY STRUCTURES			PARKLAND FEES	500 per dwelling unit
Including, but not limited to:				
Shed-Garage-Barn-Cazebio-Greenhouse			SEWER FEES	
1. up to and including 144 sq. ft. gross area	NC		Town connection fee	125
2. greater than 144 sq. ft.	80		County connection fee	250
Deck-Unenclosed Porch-Ramp				
1. 30 sq. ft. or smaller	65			
2. greater than 30 sq. ft.	80			
3. handicap ramp	NC			
Pool - Spa - Hot Tub				
1. in ground pool	80			
2. above ground pool	65			
3. Spa-Hot Tub	65			
Outdoor/Indoor Heating				
1. Outdoor Furnace	80			
2. Woodstove - Gas Fireplace	65			

BUILDING PERMITS - Commercial

NEW CONSTRUCTION			MISCELLANEOUS	
Plan review	100/hour		Business Permits renewed annually	250 min
0-4999 sq. ft.	\$0.18 sq. ft./\$75 min. fee		Demolition or Removal of Structure	250
5000-14999 sq. ft.	\$0.15 sq. ft.		Electrical	NC
15000-up sq. ft.	\$0.12 sq. ft.		Fence (no c/c reqd.)	65
			Generator-standby	80
REMODEL	\$0.15 sq. ft.		Operating Permit (business multi-use)	65
			Permit Renewal Fee	40
PLUMBING FEE	65		Roofing	100
plus fixtures	2 each		Sign Permit permanent (w/ZBA Spec. Permit)	2 per sq. ft. / \$40 min.
			Sign Permit temporary (no ZBA appl. reqd.)	150
ACCESSORY STRUCTURES			Solar Energy Structures	65
Shed-Garage-Barn (attached or detached)			Telecommunication tower	1,025
1. up to and including 144 sq. ft.	NC		Wind generators - per tower	500
2. 144 sq. ft. and greater	priced same as new construction		1. 40' - 35' - 100' (w/ Special Permit from PB)	
Deck-Unenclosed Porch-Ramp			2. Lg. = 100'-400' (w/ Special Permit from PB)	500
1. less than 200 sq. ft.	80		MET - single	
2. greater than 200 sq. ft.	100			
3. handicap ramp	NC		PARKLAND FEES	500 per unit
Greenhouses: used as retail space shall be charged as new construction			SEWER FEES	
Pool in ground	80		Town connection fee	250
			County connection fee	350

NOTE: Fees include consultations w/bldg. inspector, and inspections at the site. Fees include \$25 for certificates of occupancy/compliance where required. Permit fees may be doubled if no permit was obtained prior to the build. Cost based on sq. ft. will be rounded down to the nearest whole dollar.

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Town of Clarkson Fee Schedule
Town Board Approved 4-27-10

TOWN BOARD: Rezoning

Rezoning Application & Public Hearing	\$350
Zoning Map Revision	\$100 Outside consultation: cost + 10%

PLANNING BOARD

Subdivision w/ Site Plan	Note: for the purpose of development - site plan required
Residential (1&2 family)	\$300 plus \$25 per lot
Commercial	\$500 per lot
Resubdivision (all districts)	Note: for the purpose of lot line changes not involving development - instrument survey required
Lot line changes	\$150 per lot affected
Special Permits	\$150
Other	
Mylar rediate & resign	\$10/lot; \$50/min.
Fill Permits (includes grading)	\$50 flat fee
Review Fee	Outside consultation: cost + 10%
Inspection Fee	\$25
Administrative Review (> 25 yds per year)	\$25

ZONING BOARD OF APPEALS

Area Variance	\$150
Use Variance	\$350
Special Permits	
Customary Home Occupation	\$150
Sign (permanent only)	\$150
Note: temporary signs > 6 sq. ft. require a permit issued by building department. See commercial/miscellaneous.	
Appeals resulting from decisions or interpretations of an official who enforces the Clarkson Code:	
Residential	\$150
Commercial/Industrial	\$350

Note: Board fees are application fees only. The applicant is responsible for all fees or disbursements generated during the process, including but not limited to, engineering, attorney, inspection, and publication fees.

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