

TOWN OF CLARKSON
TOWN BOARD MEETING
September 13, 2011

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, September 13, 2011 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 P.M.

PRESENT:

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	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
Christopher Lyon	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

Howard and Ruth Twigger of 8281 Ridge Road appeared before the Board requesting permission to sell garage sale items more often than twice a year as town code allows. Mr. Twigger stated that Insp. Fabry, acting on a complaint, informed him that he is only allowed to have two sales per year; any more than that and he would be in violation and could be cited. The Board informed Mr. Twigger that what he was doing would be considered "running a business" since he was going out and purchasing items at flea markets and auctions intended for resale and does not fit the definition of "customary home occupation". The Board suggested that Mr. Twigger sell his items on Craigslist, at an organized flea market or collect the items he intends to sell and hold his sales once or twice a year.

Don Warner of 8286 Ridge Road asked the Board for permission to sell a couple items at a time throughout the year. The Board stated that twice a year is all that is allowed by town code.

Joseph Palumbo of 139 Pesh Homes Trail explained to the Board that he had a used car business and repair shop in Spencerport. He is in the process of purchasing a piece of property in Hamlin to relocate his business, however there are several issues delaying the closing of the property. Because of the delays, Mr. Palumbo reported that he may lose his New York State License to sell used cars since he no longer has a physical address for the business. At this time Mr. Palumbo is asking the Board for a letter stating that he has been granted permission by the town to use his home address at 139 Pesh Homes Trail as his business address. He assured the Board that it would only be temporary and stated that he would agree not to sell cars at 139 Pesh Homes Trail. After much discussion it was determined that Attorney for the town Olson will work with Mr. Palumbo's attorney to see what the town can do to help.

09.13.11**DRIVEWAY SETBACK REVIEW**

Supervisor Kimball discussed sample legislation which was previously given to the Planning Board and said the Board recommended that a certain percentage of a front yard be deemed green space and that existing driveways be grandfathered. Attorney for the Town Olson discussed his research of other municipality's rules concerning the determination of the maximum allowable paved area in a home's front yard, averaging 25 to 35 percent. Discussion was had concerning regulating an appropriate setback instead of setting a maximum percentage of paved yards. Attorney for the Town Olson will do additional research specific to the Town of Clarkson and will recommend an allowed percentage of paved yard for future consideration.

FIRE DISTRICT SEQRA REVIEW

Tabled to September 27, 2011 meeting.

FIRE DISTRICT REFERENDUM

Attorney Olson stated that he had attended a meeting earlier today and the new target date for an election on the fire district referendum is November 29, 2011. The Town of Clarkson will hold the election on the same day as the Town of Sweden outside the Village, which is called the Sweden Fire Protection District; the Village of Brockport within the Village, which includes the village in the Town of Sweden and a little part of the village in the Town of Clarkson. Clarkson's election will include the areas within the Clarkson Fire Protection District. The election will be done by ballot and there is a possibility absentee ballots will be available. The Board will need to pass a resolution at the September 27, 2011 meeting setting the date for the referendum. The referendum has to pass by a majority vote in all three municipalities in order to move forward.

RIDGEWOOD PARK UPDATE

Supt. Goodwin stated that the park is busy with fall leagues. Clarkson received 65 10-wheel truck loads of millings at no cost and are being used in the parking area of the ball fields.

URBAN FORESTRY PLAN UPDATE

Councilperson Meyers spoke with Andy Pleninger regarding the planting of trees in front of the Highway Dept. Mr. Pleninger recommended using Red Oak, London Planetree and Gink trees since they are tolerant of harsh urban conditions. Supt. Goodwin will obtain pricing on 6-12 trees at different diameters. Some of the trees will be planted near the Courthouse, Firehouse and behind the sidewalk in front of the Highway Garage.

ADOPTION OF MONROE COUNTY PRE-MITIGATION PLAN

Tabled to September 27, 2011 meeting for Board members to have time to review the plan.

PERSONNEL FILES/EMPLOYEE HANDBOOK

Assistant to the Supervisor, Bill Ey will contact Paychex for direction on how to move forward with this matter. Councilperson Filipowicz stated that she is again requesting that all personnel files be retained in the Supervisor's office, the request was made a couple years ago and the transfer has not been completed. On July 27, 2010 a motion was made amending the employee handbook, however the handbook has not been updated and she has concerns that the employees are unaware of the amendment. Councilperson Filipowicz has asked that all employees be advised verbally of the amendment.

SUPERVISOR REPORTS

Supervisor Kimball updated the Board by letting them know that the Brockport Ambulance is moving forward in creating their own district.

BUILDING INSPECTOR REPORTS

Insp. Fabry stated that the office is busy with four new homes under construction.

09.13.11**HISTORIAN REPORTS**

Historian L. Hale reminded the Board that Sweden's Harvest Festival is scheduled this weekend and will include barn tours. L. Hale will be offering two cemetery tours.

ASSESSOR REPORTS

Assessor C. Lyon stated that he is busy with phone calls regarding the change to the school tax bills.

HIGHWAY SUPT. REPORTS

Supt. Goodwin stated that his department is currently finishing County road work. Construction on the roundabout will start soon. Junk drop off is scheduled for October 29th and 31st with brush pick up to begin on November 9th.

TOWN CLERK REPORTS

Clerk S. Mattison stated that the Town Clerk's office is busy accepting school tax payments.

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To approve August 9, 2011 and September 6, 2011 minutes as amended.

Unanimously carried

AUDIT—08-2-2011

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To authorize payment of audit 08-2-2011 to include the following:

Vouchers 20110873-20110911; Total \$58,097.42; Gen. \$34,202.37; Hwy. \$23,657.13;

H \$144.63; SF \$12.74; SL \$0; SS \$80.55

For distribution checks from 23133 - 23162

Unanimously carried

AUDIT—09-1-2011

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To authorize payment of audit 09-1-2011 to include the following:

Vouchers 20110912-20110977; Total \$84,843.38; Gen. \$35,030.26; Hwy. \$48,264.11;

H \$1,075.88; SL \$384.64; SS \$88.49

For distribution checks from 23163 - 23212

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To enter executive session at 8:05 P.M. to discuss a personnel matter.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To return to regular session at 8:30 P.M.

Unanimously carried

09.13.11

MOTION TO ADJOURN

Motion to adjourn at 8:35 P.M. by Councilperson Hoy
Seconded by Councilperson Meyers
Unanimously carried

Respectfully submitted,

Sharon S. Mattison
Town Clerk

APPROVED 09-27-2011