

TOWN OF CLARKSON
TOWN BOARD MEETING
October 9, 2012

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, October 9, 2012 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

PRESENT:

	Paul Kimball	Supervisor
**	Sharon Mattison	Town Clerk
	Allan Hoy	Councilperson
	Christa Filipowicz	Councilperson
	Patrick Didas	Councilperson
	Scott Tantalo	Councilperson
	Richard Olson	Attorney for the Town
	David Goodwin	Highway Superintendent

ALSO:

	Kristin Coon	Ass't to Supervisor
	Christopher Lyon	Assessor
	Chad Fabry	Building Insp/Code Enf.
	Kathy Kemp	Deputy Town Clerk

**excused

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

OPEN FORUM

Michelle Hare of 2227 Ireland Road requested the Town waive the \$150 application fee for a fence variance due to financial difficulties. Supervisor Kimball explained that they would not be able to waive the application fee, but would be willing to defer payment. Ms. Hare thanked the Board for their consideration and indicated that this would be acceptable.

MOTION TO DEFER APPLICATION FEE

Motion by Councilperson Filipowicz

Seconded by Councilperson Tantalo

To defer payment of \$150 application fee until November 30, 2012.

Unanimously carried

SEYMOUR LIBRARY BUDGET DISCUSSION

Andrea Tillinghast, Library Director and Mary Marone, Library Board Member distributed copies of their proposed budget for 2013. They have already met with the Town of Sweden and the Village of Brockport. To summarize, they are requesting a 4% increase from the Town of Clarkson. A lengthy question and answer session ensued. Supervisor Kimball indicated that the Town Board will consider the request as they continue working on the Town's 2013 budget.

PUBLIC HEARING FOR DOUBLE A RANCH DRAINAGE DISTRICT

Supervisor Kimball opened the public hearing at 6:25 P.M. No one spoke. Supervisor Kimball closed the public hearing at 6:28 P.M.

Discussion: Regarding the Double A Ranch Drainage District, Attorney Olson informed the Board that Mr. Antonucci signed the petition because he was the property owner at the time, but he has since transferred the property to Alice A. Sidoti. Attorney Olson has a document from her attorney indicating that she is aware of this proposal and joins in the application.

10.09.12

RESOLUTION ESTABLISHING DOUBLE A RANCH DRAINAGE DISTRICT

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

ABSENT: none

In the Matter

of

The Creation of the Double A Ranch
Drainage District,
Town of Clarkson, Monroe County, New York

**RESOLUTION
ESTABLISHING
DRAINAGE DISTRICT**

WHEREAS, a petition for the creation of a Drainage District in the Town of Clarkson, to be known as the Double A Ranch Drainage District, said petition being dated and acknowledged on June 19, 2012, was duly presented to this Board together with the necessary map and plan attached thereto; and

WHEREAS, an order was duly adopted by the Town Board on the 11th day of September, 2012, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed district, and the estimated expense thereof, and specifying October 9, 2012 at 6:00 P.M., as the time, and the Town Hall, 3710 Lake Road, as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly posted and published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 9th day of October, 2012, commencing at 6:00 P.M., in the Town Hall, 3710 Lake Road in said Town, and considerable discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Planning Board, as lead agency under SEQRA, has previously determined that this project will not have a negative impact on the environment

WHEREAS, it is *not* proposed or required that the Town shall finance the cost of this district construction of the improvements or the providing of service therein by the issuance of bonds, notes, certificates or other evidence of indebtedness:

NOW, upon the evidence given at such hearing, upon the motion of Councilperson Hoy, seconded by Councilperson Tantalo, it is

RESOLVED AND DETERMINED that:

A. The petition aforesaid is signed and acknowledged or proved as required by law, in due compliance with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district as herein approved, and it is otherwise sufficient;

B. All the property and property owners within the proposed district are benefited thereby;

C. All the property and property owners benefited are included within the limits of the proposed district; and

10.09.12

D. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED that the establishment of the district as proposed in said petition be approved; that the improvements therein mentioned be constructed upon the required funds being made available or provided for; and that such district shall be designated and known as the Double A Ranch Drainage District and shall be bounded and described as follows:

SEE ATTACHED EXHIBIT A

and

WHEREAS, all the lands and territory above described are situate within said Town of Clarkson and outside of an incorporated village or city; and it is further

ORDERED that the Town Clerk of this Town shall, within ten (10) days after the adoption of this resolution, cause a certified copy thereof to be recorded in the office of the Clerk of the County of Monroe and cause a certified copy thereof to be filed in the office of the State Department of Audit and Control at Albany, New York.

Dated: October 10, 2012

PAUL M. KIMBALL
ALLAN HOY
CHRISTA FILIPOWICZ
PATRICK DIDAS
SCOTT TANTALO
Members of the Town Board of
the Town of Clarkson, Monroe
County, New York.

RESOLUTION SETTING PUBLIC HEARING LOCAL LAW #2-2012**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

Introduced by: Councilperson Hoy
Seconded by: Councilperson Didas

WHEREAS, the Town Board has before it a proposed Local Law to authorize a property tax levy in excess of the limit established in General Municipal Law §3-c; 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;

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 23rd day of October, 2012, at 6:00 p.m. at the Town Hall, 3710 Lake Road, Town of Clarkson, New York, 14430 to consider 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: Supervisor Kimball, Councilperson Hoy, Filipowicz, Didas and Tantalo

NAYS: None

Discussion: Attorney Olson stated that the Law merely gives the Board the authority to override the 2% tax cap; it does not mean the Board will take this action. The tax cap limit has not been calculated by the Office of the State Comptroller.

10.09.12**SEYMOUR LIBRARY BOARD OPENING**

One application was received. The candidate will be contacted to see if he would be able to meet briefly with the Board before the October 23rd meeting, at approximately 5:45.

2013 TENTATIVE BUDGET

Supervisor Kimball distributed a tentative budget derived from the workshop held on October 2nd. This topic will be tabled until the next meeting.

**MOTION AUTHORIZING SUPERVISOR TO SIGN QUACKENBUSH
SUBDIVISION SANITARY SEWER AGREEMENT**

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 9th day of October, 2012, at 6:00 P.M. there were:

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

ABSENT: none

Introduced by: Councilperson Hoy

Seconded by: Councilperson Filipowicz

TOWN OF CLARKSON , MONROE COUNTY**RESOLUTION AUTHORIZING SUPERVISOR TO SIGN AGREEMENT FOR
SANITARY SEWER HOOK UP FOR LOT 1 OF THE QUACKENBUSH
SUBDIVISION**

WHEREAS, The Executor of the Estate of Marian Quackenbush has requested permission to connect to the Monroe County Pure Waters Interceptor line located on Lot 1 of the Quackenbush Subdivision located being part of tax account number 29.03-1-32; and

WHEREAS, Monroe County Pure Waters will allow this connection if the owner of the property installs, at its expense, a manhole to service the property and that the Town of Clarkson agrees to maintain the sewer line between the manhole and the interceptor line; and

WHEREAS, the Town Board has determined that this application should be granted providing that a satisfactory access agreement to the area to be maintained by the Town is granted.

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Supervisor is hereby authorized to sign an agreement authorizing the connection of Lot 1 of the Quackenbush Subdivision to the interceptor;

SECTION 2. That this agreement shall be prepared by the attorney for the Town after consultation with the Town Highway Superintendent and shall provide that if a sanitary sewer district is ever formed in the vicinity of this property, that the property shall become part of that district. Said agreement shall further provide that if Lot 1 of the Quackenbush Subdivision is further subdivided that a sanitary sewer district will have to be formed. Said agreement shall also provide that all costs of construction and maintenance of said connection shall be responsibility of the owner, its heirs, successors and assigns.

SECTION 3. That the easements shall be prepared by the attorney for the Town after consultation with the Town Highway Superintendent and, if necessary, the Monroe County Pure Waters District.

SECTION 4. That the property owner shall pay all costs associated with the matter including legal fees and recording expenses.

SECTION 5. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

Whereupon the Resolution was declared adopted

10.09.12

Discussion: This subdivision is requesting to hook Lot #1 up to the sanitary sewer system. If we agree, they would sign an agreement to be recorded with the County Clerk stating that if a district is formed in this area in the future, they would be responsible. The Town will be responsible for the area between the interceptor and the manhole, approximately 10 feet, so we will request an access easement.

BUILDING INSPECTOR REPORT

C. Fabry had nothing to report.

ASSESSOR REPORT

C. Lyon had nothing to report.

HIGHWAY SUPT. REPORTS

D. Goodwin distributed price information from four different vendors regarding propane for Ridgewood Park. These prices would only be valid if we elected to use the respective vendor's above-ground propane tank. Extended conversation took place regarding possible purchase of our own tank, what size tank (500 or 1000 gallon) would be required, and investigating the State bid program for propane.

D. Goodwin also brought up an incident that occurred at Ridgewood involving the generator, lighting, and the lodge being unlocked. Supervisor Kimball will contact Jill at the Recreation Center regarding this incident and the appropriate use of the lodge.

MOTION AUTHORIZING THE PURCHASE OF PROPANE FROM TOWNSEND ENERGY

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To purchase propane from Townsend Energy for the first year and then re-evaluate price quote. Townsend Energy to provide tank.

Unanimously carried

Discussion: Price quotes were obtained from Hometown Energy of \$1.79/gallon for first fill and then \$1.99/gallon; Suburban Propane of \$1.86/gallon for first fill and then \$1.92/gallon; Burnwell Gas Distributors of \$1.69/gallon; and Townsend Energy of \$1.50/gallon for first fill and then \$1.70/gallon.

BROCKPORT VOLUNTEER AMBULANCE CORPS.

David Rice, President, distributed copies of their business plan. Discussion was held regarding equipment, membership status, and various statistics, mainly focusing on call coverage. The Board decided that the *reason for missed calls* would be an important statistic to add to the report. Mr. Rice agreed to add this information in the future. It was determined that quarterly updates to the Board shall continue before any decisions are made.

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To approve October 2, 2012 workshop minutes.

Unanimously carried

MINUTES

Approval of the September 25, 2012 minutes has been tabled.

AUDIT—10-1-2012

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To authorize payment of audit 10-1-2012 to include the following:

Vouchers 20121027 - 20121096; Total \$32,777.35; Gen. \$17,159.43; Hwy. \$8,692.64; H \$3,360.87; SL \$2,926.16; SS \$638.25

For distribution of checks from 24437 - 24487

Unanimously carried

10.09.12

EXECUTIVE SESSION

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To enter executive session at 7:20 P.M. to discuss a personnel matter

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To return to regular session at 8:10 P.M.

Unanimously carried

MOTION TO ADJOURN

Motion to adjourn at 8:15 P.M. by Councilperson Hoy

Seconded by Councilperson Didas

Unanimously carried

Respectfully submitted,

Kathy Kemp

Deputy Town Clerk

APPROVED 10-23-2012

EXHIBIT A

DESCRIBING ALL THAT TRACT OR PARCEL OF LAND SITUATE IN PART OF TOWN LOT 11, SECTION 19, TOWNSHIP 4, TRIANGULAR TRACT LOCATED IN THE TOWN OF CLARKSON, COUNTY OF MONROE, STATE OF NEW YORK AND MORE IN PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF LAWRENCE ROAD AND CLARKSON-PARMA TOWN LINE ROAD; THENCE

- 1.) TURNING AND RUNNING A LINE HAVING A BEARING OF N 19° - 33' - 55" E A DISTANCE OF 830.58 FEET TO A POINT; THENCE
- 2.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF N 89° - 12' - 25" W A DISTANCE OF 657.74 FEET TO A POINT; THENCE
- 3.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF S 06° - 14' - 33" W A DISTANCE OF 756.81 FEET TO A POINT; THENCE
- 4.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF S 89° - 12' - 25" E A DISTANCE OF 465.48 FEET TO A POINT OR PLACE OF BEGINNING;
- 5.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF S 70° - 26' - 05" E A DISTANCE OF 35.00 FEET TO A POINT; THENCE
- 6.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF S 19° - 33' - 55" W A DISTANCE OF 25.00 FEET TO A POINT; THENCE
- 7.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF S 70° - 26' - 05" E A DISTANCE OF 115.00 FEET TO A POINT; THENCE
- 8.) TURNING AND RUNNING ON A LINE HAVING A BEARING OF S 19° - 33' - 55" W A DISTANCE OF 30.0 FEET TO A POINT OR PLACE OF BEGINNING.

Intending to describe the AA Ranch Subdivision as shown on a map to be filed in the Monroe County Clerk's Office.

Tax Account No. 031.03-1-8.21