

TOWN OF CLARKSON  
TOWN BOARD MEETING  
November 12, 2013

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, November 12, 2013 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

**PRESENT:**

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Scott Tantalo	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Supt.
Richard Olson	Attorney for the Town

**ALSO:**

Kristin Coon	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**

Bill Andrews addressed the Board members about the need to reconstitute the Selection Committee for the Monika W. Andrews Creative Volunteer Leadership Award. Members of this committee consist of representatives from the three local municipalities. Mr. Andrews remarked that an invitation has been sent to last year's representatives asking whether or not they would like to continue on this committee. Kermit Mercer was the Clarkson representative.

Lucas VanDervort spoke on behalf of the Brockport Volunteer Ambulance Corp. He reiterated the complete dedication of its members. Board members were invited to go on a ride-along for a first-hand experience.

**RESOLUTION RELEASING WATER DISTRICT FUNDS**

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

**ABSENT:** none

Introduced by Councilperson Hoy

Seconded by Councilperson Filipowicz

**WHEREAS,** The Town of Clarkson has carried a fund balance for Water District #1 (aka CL 401, aka Clarkson Water Ext. #1) tax revenue; and

**WHEREAS,** the responsibility for repairs and maintenance of Water District #1 has been turned over to the Monroe County Water Authority; and

**WHEREAS,** there is no outstanding debt service for Water District #1.

**NOW, THEREFORE BE IT RESOLVED** by the Town Board of the Town of Clarkson, Monroe County, New York, as follows:

**SECTION I:** The Town Board does hereby release the funds held by the Town as identified above.

**11.12.13**

**SECTION II:** The Town Board authorizes the immediate distribution of the funds to the current property owners within Water District #1 (CL 401) on an ad valorem basis, such refunds to be credited to the 2014 Town Tax Bill for the property.

**VOTE OF THE BOARD:**

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

**NAYS:** None

**RESOLUTION RELEASING WATER DISTRICT FUNDS**

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

**ABSENT:** none

Introduced by Councilperson Didas

Seconded by Councilperson Hoy

**WHEREAS,** The Town of Clarkson has carried a fund balance for Water District #5 (aka CL 407, aka Gilmore Road Water District) tax revenue; and

**WHEREAS,** the responsibility for repairs and maintenance of Water District #5 has been turned over to the Monroe County Water Authority; and

**WHEREAS,** there is no outstanding debt service for Water District #5.

**NOW, THEREFORE BE IT RESOLVED** by the Town Board of the Town of Clarkson, Monroe County, New York, as follows:

**SECTION I:** The Town Board does hereby release the funds held by the Town as identified above.

**SECTION II:** The Town Board authorizes the equal distribution of the funds to the current property owners within Water District #5, such refunds to be credited to the 2014 Town Tax Bill for the property.

**VOTE OF THE BOARD:**

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

**NAYS:** None

**RESOLUTION AUTHORIZING SPECIAL DISTRICT TAX LEVY INCREASE IN EXCESS OF LIMIT SET FORTH IN SECTION 3-c OF THE GENERAL MUNICIPAL LAW**

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

**ABSENT:** None

Introduced by Councilperson Hoy

Seconded by Councilperson Tantalo

**WHEREAS,** Section 3-c of the General Municipal Law places a limit on the amount the taxes for local government can increase over the previous year; and

**WHEREAS,** the definition of “local government” includes special districts; and

**WHEREAS,** the limit on increases can be overridden by a 60% vote of the Town Board; and

**WHEREAS,** the amount in the proposed budget for the **Clarkson Meadows Sewer District** exceeds the limit allowed without a vote to override.

**11.12.13**

Now, Therefore, be it resolved:

**Section 1.** The levy for the **Clarkson Meadows Sewer District** for the fiscal year commencing January 1, 2014 may exceed the tax levy limit as defined by General Municipal Law §3-c

**Section 2.** This Resolution shall take effect immediately.

**VOTE OF THE BOARD:**

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

NAYS: None

**RESOLUTION AUTHORIZING SPECIAL DISTRICT TAX LEVY INCREASE  
IN EXCESS OF LIMIT SET FORTH IN SECTION 3-c OF THE GENERAL  
MUNICIPAL LAW**

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

**ABSENT:** None

Introduced by Councilperson Tantalo

Seconded by Councilperson Hoy

**WHEREAS,** Section 3-c of the General Municipal Law places a limit on the amount the taxes for local government can increase over the previous year; and

**WHEREAS,** the definition of “local government” includes special districts; and

**WHEREAS,** the limit on increases can be overridden by a 60% vote of the Town Board; and

**WHEREAS,** the amount in the proposed budget for the **Liberty Cove Lighting District** exceeds the limit allowed without a vote to override.

Now, Therefore, be it resolved:

**Section 1.** The levy for the **Liberty Cove Lighting District** for the fiscal year commencing January 1, 2014 may exceed the tax levy limit as defined by General Municipal Law §3-c

**Section 2.** This Resolution shall take effect immediately.

**VOTE OF THE BOARD:**

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

NAYS: None

**RESOLUTION AUTHORIZING SPECIAL DISTRICT TAX LEVY INCREASE  
IN EXCESS OF LIMIT SET FORTH IN SECTION 3-c OF THE GENERAL  
MUNICIPAL LAW**

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

**ABSENT:** None

Introduced by Councilperson Filipowicz

Seconded by Councilperson Didas

**WHEREAS,** Section 3-c of the General Municipal Law places a limit on the amount the taxes for local government can increase over the previous year; and

**WHEREAS,** the definition of “local government” includes special districts; and

**11.12.13**

**WHEREAS**, the limit on increases can be overridden by a 60% vote of the Town Board; and

**WHEREAS**, the amount in the proposed budget for the **Brianna Meadows Sewer District** exceeds the limit allowed without a vote to override.

Now, Therefore, be it resolved:

**Section 1.** The levy for the **Brianna Meadows Sewer District** for the fiscal year commencing January 1, 2014 may exceed the tax levy limit as defined by General Municipal Law §3-c

**Section 2.** This Resolution shall take effect immediately.

**VOTE OF THE BOARD:**

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

NAYS: None

**PUBLIC HEARING 2014 BUDGET AND SPECIAL DISTRICTS**

Supervisor Kimball opened the public hearing at 6:09 P.M. No one spoke. Supervisor Kimball closed the public hearing at 6:10 P.M.

**PUBLIC HEARING PROPOSED CRAIG HILL WATER DISTRICT**

Supervisor Kimball opened the public hearing at 6:11 P.M. No one spoke. Supervisor Kimball closed the public hearing at 6:12 P.M.

**MOTION TO ADOPT 2014 BUDGET**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To adopt 2014 Budget.

**VOTE OF THE BOARD:**

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

NAYS: None

**RESOLUTION CREATING THE CRAIG HILL WATER DISTRICT**

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

**ABSENT:** None

**RESOLUTION ESTABLISHING WATER DISTRICT**


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In the Matter

of

The Creation of the Craig Hill Water District , Town of  
Clarkson, Monroe County, New York

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**WHEREAS**, a petition for the creation of the Craig Hill Water District of the Town of Clarkson, Monroe County, New York, said petition being dated October 8, 2013, 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 22<sup>nd</sup> day of October, 2013, reciting the filing of said petition for the proposed district and the estimated expense thereof, and specifying November 12, 2013, at 6:00 P.M., as the time, and the Town Hall, 3710 Lake Road, Clarkson, New York, 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

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**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 Town Board on the 12<sup>th</sup> day of November, 2013, 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**, it is proposed that the cost of said district in an amount not to exceed \$138,548.20 to pay for the following improvements: two thousand five hundred (2,430) feet of eight inch water main, two valves, five fire hydrants and all incidental equipment, including the necessary access to lands and the right-of-way therefore in accordance with plans prepared by Schultz Associates, P.C. and which were part of the petition filed on October 8, 2013; and

**WHEREAS**, \$106,668.20 of the cost is to be paid for Deerfield Country Club; and

**WHEREAS**, the method for financing the balance of construction of the water district is by the issuance of Serial bonds in an amount not to exceed \$31,880.00 for a maturity not to exceed forty years in accordance with the provisions of the Local Finance Law of the State of New York with each of the benefited parcels other than Deerfield Country Club paying an equal share; and

**WHEREAS**, the Town of Clarkson, by prior Resolution, has determined that this action will not have a significant impact on the environment and has issued a negative declaration for this project.

**NOW**, upon the evidence given at such hearing, upon the motion of Councilperson Filipowicz, 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

**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 improvement 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 Craig Hill Water District of the Town of Clarkson, and shall be bounded and described as follows:

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Clarkson, County of Monroe and State of New York, being a part of Town Lots 2, 3, 4, 8, 9 and 10 in Section 18, Township 4 of the Triangular Tract bounded and described as follows: Commencing at a point in the centerline of Clarkson-Parma Town Line Road, said point being 2,108.59 feet north of the centerline intersection of Peck Road with the center line of Clarkson-Parma Town Line Road; thence N 71° 32' 20" W a distance of 33.00 feet to a point on the west right-of-way of Clarkson-Parma Town Line Road, said point being the point of beginning, thence;

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- (1) N 18° 27' 40" E along the west line of said road 469.65 feet to the southeast corner of lands now or formerly of Gary A. and Ann Marie B. Missell, thence;
- (2) N 71° 32' 20" W along said Missell's south line 107.00 feet to a point, thence;
- (3) N 18° 27' 40" E along said Missell's west line 320.00 feet to the northwest corner thereof, thence;
- (4) N 48° 38' 37" W along lands of Maureen McBride 242.05 feet to a point dividing Town Lots 9 and 10, thence;
- (5) N 00° 32' 20" W along the west line of lands now or formerly of Carl Monahan 264.59 feet to a point in the south line of Deer Creek Estates, Section 1 (Liber 290 of maps, Page 45), thence;
- (6) S 89° 27' 40" W along the south line of said Deer Creek Estates and lands of DC Development 2,950.70 feet to a point in the west line of Town Lot 10, thence;
- (7) N 00° 06' 27" W along the west line of Town Lot 10, being also the east line of Town Lot 4, 376.21 feet to a point in the south line of lands now or formerly of Sandy Sorrentino, Jr., and Marie Sorrentino, thence;
- (8) S 89° 46' 13" W along the south line of said Sorrentino's land 4,060.85 feet to a point, thence;
- (9) Due south 691.21 feet to a point in the north line of Deerfield Estates, Section 2 (Liber 239 of Maps, at page 62), thence;
- (10) Due east 175.00 feet to a point, thence;
- (11) S 34° 38' 10" E 347.21 feet to a point, thence;
- (12) Due south 300.00 feet to a point on the north line of Deerfield Estates, Section 3, (Liber 255 of Maps, Page 36), thence;
- (13) Due east 1,146.55 feet to a point, thence;
- (14) N 75° 10' 39" E 530.00 feet to a point, thence;
- (15) Due east 400.00 feet to a point, thence;
- (16) Due south 430.00 feet to a point, thence;
- (17) S 76° 48' 43" W 190 feet to a point thence;
- (18) Due south 170.00 feet to a point; thence;
- (19) S 32° 57' 03" W 839.93 feet to a point, thence;
- (20) S 00° 20' 37" E 302.48 feet to a point on the northerly line of lands of Richard and Rhonda Greineder, thence;
- (21) N 89° 39' 23" E along the northerly line of Greineder's land 942.21 feet to a point in the east line of Town Lot 2, being also the west line of Town Lot 8, thence;
- (22) S 00° 37' 31" E along said Town Lot Line 448.78 feet to the southwest corner of Town Lot 8, thence;
- (23) N 89° 25' 32" E along the south line of said Town Lot 8, 3,288.82 feet to a point, thence;

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- (24) N 00° 34' 28" W along the west line of said Brown Resubdivision, 660.82 feet to the northwest corner thereof, thence;
- (25) N 89° 25' 32" E a distance of 200.00 feet to the west line of Pelligrini Subdivision (Liber 288 of Maps, Page 85), thence;
- (26) N 01° 22' 51" E along the westerly line of Pelligrini Subdivision 596.94 feet to a point on the southwest corner of Lot R-2A of the Pelligrini Resubdivision (Liber 295 of Maps, Page 42), thence;
- (27) N 89° 47' 10" E along the southerly line of Lot R-2A a distance of 329.59 feet to the southeast corner of Lot R-2A of the Pelligrini Resubdivision (Liber 295 of Maps, Page 42), thence;
- (28) N 12° 11' 50" W along the easterly line of Lot R-2A a distance of 40.89 feet to a point on the southwest corner of lands of Brian Godfrey, thence;
- (29) N 89° 47' 10" E along the southerly line of Godfrey a distance of 170.55 feet to a point on the southeast corner of Godfrey, thence;
- (30) N 12° 11' 50" W along the easterly line of Godfrey a distance of 259.26 feet to a point on the south line of Craig Hill Drive, thence;
- (31) Easterly along the south line of Craig Hill Drive on curve to the left having a radius of 285.00 feet, a delta angle of 10° 11' 11" and an arc length of 50.67 feet to a point, thence;
- (32) Northerly along the south line of Craig Hill Drive on a bearing of N 31° 47' 10" E a distance of 71.66 feet to a point, thence;
- (33) Easterly along the south line of Craig Hill Drive on a curve to the right having a radius of 167.75 feet, a delta angle of 92° 33' 00" and an arc length of 217.02 feet to a point, thence;
- (34) Easterly along the south line of Craig Hill Drive on a bearing of S 74° 04' 20" E a distance of 103.27 feet to a point, thence;
- (35) Southeasterly along the south line of Craig Hill Drive on a curve to the left having a radius of 30.00 feet, a delta angle of 92° 33' 00" and an arc length of 48.46 feet to a point, said point being the true point and place of beginning.

All the lands and territory above described are situate within the Town of Clarkson and outside of any incorporated village or city; and it is further

**RESOLVED** that a Water District be established in said Town of Clarkson, Monroe County, New York, the description and boundaries of which shall be as above described; and it is further

**RESOLVED** that no material shall be ordered nor shall any labor be performed with respect to this district until Deerfield Country Club has deposited the total sum of \$106,668.20 with the Town as and for its share. Deerfield Country Club shall be given credit for any sums paid to date with respect to this project.

**RESOLVED** that the this project does not require the approval of the Office of the State Department of Audit and Control, at Albany, New York, because the projected annual cost of \$682.05 for a single family residence is less than \$685.00 per year; and it is further

**11.12.13**

**RESOLVED**, that the Supervisor be, and he hereby is authorized and directed to make application to the Water Resources Commission of the State of New York for the approval of the Craig Hill Water District; and it is further

**RESOLVED**, that this resolution shall take effect immediately.

**VOTE OF THE BOARD:**

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

NAYS: None

**HAMLET MIXED USE-PROPOSED ZONING CODE**

After a brief discussion it was determined that a workshop will be held on November 25, 2013 at 6:00 P.M. to further discuss the matter.

**AUTHORIZATION TO ADVERTISE SUPPORT BOARD VACANCIES**

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To advertise in the Hamlin Herald for Support Board vacancies with letters of intent due by Monday, November 25, 2013. Interviews will be held at 15 minute intervals on Tuesday, December 3, 2013 beginning at 6:00 P.M.

Unanimously carried

**MONICA W. ANDREWS CREATIVE VOLUNTEER LEADERSHIP AWARD**

Motion by Councilperson Didas

Seconded by Councilperson Tantalo

To re-appoint Kermit Mercer as Clarkson's representative on the Selection Committee for this award.

Unanimously carried

**SUPERVISOR'S REPORT**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To acknowledge receipt of the Supervisor's Report. Supervisor Kimball reported that he received an email from Monroe County regarding the highway speeds on Lawrence Road stating that the current speed limit of 55 mph is considered a safe speed limit. The email also stated that there are some problems in one section, which has been referred to the Monroe County Sheriff's Department.

**BUILDING INSPECTOR REPORTS**

C. Fabry reported that Autumn Woods has applied for two additional permits. This makes a total of five buildings, including the Recreation Center. He mentioned that the first building is nearing completion and almost ready for final inspection.

**ASSESSOR REPORTS**

C. Lyon had nothing to report.

**HIGHWAY SUPT. REPORTS**

Highway staff is finishing up with County work and are busy with the transition from fall to winter. Superintendent Viscardi added that because of the recent wind storms, they will continue with brush pickup.

**TOWN CLERK REPORTS**

Nothing to report.

**MINUTES**

Motion by Councilperson Tantalo

Seconded by Councilperson Filipowicz

To approve October 22, 2013 minutes.

Unanimously carried

**11.12.13****AUDIT**—11-1-2013

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize payment of audit 11-1-2013 to include the following:

Vouchers 20130956-20131053; Total \$43,909.05 Gen. \$29,319.75; Hwy. \$11,042.59;  
SS \$3,546.71

For distribution checks from 25641 to 25725

Unanimously carried

**EXECUTIVE SESSION**

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To enter executive session at 6:15 P.M. for discussion regarding the Brockport Volunteer Ambulance Corp.

Unanimously carried

**RETURN TO REGULAR SESSION**

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To return to regular session at 7:24 P.M.

Unanimously carried

**MOTION TO ADJOURN**

Motion to adjourn at 7:26 P.M. by Councilperson Didas

Seconded by Councilperson Tantalo

Unanimously carried

Respectfully submitted,

*Sharon S. Mattison*

Town Clerk

Approved 11-26-2013