

TOWN OF CLARKSON
TOWN BOARD MEETING
September 9, 2014

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, September 9, 2014 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
Jackie Smith	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 and fallen RPD Officer Pierson.

OPEN FORUM

No one spoke.

PUBLIC INFORMATION MEETING; PROPOSED EAST AVE. SEWER EXTENSION

Chatfield Engineers submitted a report regarding the proposed East Avenue sewer extension, from 389 to 419 East Avenue. They estimate an annual cost of \$1,112 per parcel for 30 years. This charge would be added to the tax bill for each parcel. Attorney Olson reported that the overall project cost for five parcels would be \$93,295.50, which includes labor, administration, engineering, and interest rates (which are slightly higher than mortgage rates). This cost is based on the use of the Town's Highway Department. In addition, there will be costs from Pure Waters on a per gallon basis. Because the cost is higher than the State Comptrollers guideline, 100% participation may be needed. A short question and answer session ensued. Supervisor Kimball remarked that confidential postcards will be sent to each property owner to determine interest.

SEYMOUR LIBRARY BUDGET PRESENTATION

Carl Gouveia, Director of the Seymour Library, and Board of Trustee members Scott Rochette (Clarkson), Mary Marone (Clarkson), and Linda Sanford (Sweden) were present. He distributed copies of the proposed 2015 budget. He reviewed the various programs offered by the library as well as attendance statistics. Expenditures and revenues were reviewed. He announced that the library had recently received a grant from the State in the amount of \$117,000 for an addition to the existing library building. In summary, the library is requesting an 8% increase from the Town of Clarkson. Supervisor Kimball stated that the Board would like to have a better understanding of the various funds/accounts the library maintains. Councilperson Didas questioned the availability of financial statements and wondered why the library doesn't utilize some of their liquid assets versus asking for such large increases from the towns. M. Marone will make sure that the monthly financial statements are emailed to Town Clerk, S. Mattison. Councilperson Filipowicz questioned the method used for calculating participation in the various clubs and activities sponsored by the library. C. Gouveia explained the process.

09.09.14

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **288 Lawrence Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **3250 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

09.09.14

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **3770 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Smith

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8470 Ridge Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

09.09.14

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

Discussion: Supervisor Kimball remarked that the process for mowing lawns is very cumbersome and perhaps the Board could review this process and how to simplify it.

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8162 Ridge Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

09.09.14

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **334 Gilmore Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **2575 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

09.09.14

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS

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

ABSENT: None

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Hoy

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **11 Larrigan Crossing, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

Unanimously carried

LOCAL LAW #2-2009 REVIEW

Attorney Olson will review possible changes to this local law. Supervisor Kimball stated that currently this is a three-week process. R. Viscardi added that this additional work is hard on the equipment as most of these lawns are very overgrown. The cost is recovered on property taxes. One option discussed is to request bids from outside parties, perhaps for the 2015 mowing season.

09.09.14

RESOLUTION RECOGNIZING TYPE II SEQRA ACTION

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

ABSENT: None

Introduced by Councilperson Hoy

Seconded by Councilperson Smith

Whereas, The Town of Clarkson Highway Garage Office is scheduled for expansion and renovation to make the structure handicap accessible and more functional; and

Whereas, this Board, by motion dated 9/09/14 declared itself to be the Lead Agency for purposes of SEQRA; and

Whereas, this project is an Type II Action for the purposes of SEQRA pursuant to 6NYCRR617.5(c)(7) as it involves construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and does not require a change in zoning or use variance, and is, therefore, not subject to review pursuant to SEQRA;

Whereas, the Town Board has considered all of the above and all of the previous documents, discussion and debate;

Now, therefore, be it resolved:

Section 1. That this project has been determined not to have a significant impact on the environment and is not subject to further review under SEQRA.

Section 2. This resolution shall take effect immediately.

VOTE OF THE BOARD

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

NAYS: None

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project: Highway Garage and Office Renovation at 3623 Lake Road, Town of Clarkson

Date: September 9, 2014

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 environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Highway Garage and Office Renovation, 3623 Lake Road, Town of Clarkson

SEQR Status: Type II

Conditioned Negative Declaration: No

Description of Action: Expansion of existing highway garage office owned by the Town of Clarkson.

Location: Lake Road, Town of Clarkson, Monroe County, New York

09.09.14

Reasons Supporting This Determination: Pursuant to Section 617.5(7) of NYS Department of Environmental Conservation "State Environmental Quality Review", this action has is not subject to review because it is construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less that 4,000 square feet of gross floor area and not does not involve a change in zoning or a use variance and is consistent with local land use controls.

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

MOTION TO ACCEPT STONEBRIDGE BUSINESS PARTNERS PROPOSAL

Motion by Councilperson Didas

Seconded by Councilperson Smith

To accept the proposal to provide professional services from StoneBridge Business Partners. There is no cost to the Town for StoneBridge services, it is a recovery based fee.

Unanimously carried

Discussion: The Town has received a proposal from StoneBridge Business Partners to audit their contractual relationship with Time Warner Cable. They would receive 20% of whatever they recover.

MOTION APPOINTING ZONING BOARD OF APPEALS MEMBER; THOMAS**A. GUARINO**

Motion by Councilperson Filipowicz

Seconded by Councilperson Smith

To appoint Thomas A. Guarino of 9208 Ridge Road, Clarkson to the ZBA. T. Guarino will complete a three year term vacated by M. Beadling beginning immediately and ending 12-31-2015.

Unanimously carried

RESOLUTION REQUESTING TE-9 FOR SPEED REDUCTION ON GALLUP ROAD

Motion by Councilperson Smith

Seconded by Councilperson Didas

To submit a TE-9 for speed reduction from 55 MPH to 35 MPH for the Clarkson portion of Gallup Road

Unanimously carried

MOTION ACKNOWLEDGING RECEIPT OF SUPERVISOR'S REPORT

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

Acknowledging receipt of Supervisor's Report.

Unanimously carried

TOWN CLERK REPORTS

S. Mattison presented statistics illustrating revenue generated by lodge rentals thus far in 2014. She also reported that the Clarkson Community Church will no longer be used as a polling site. The new site will be Ridgewood Lodge. The church is not ADA compliant. The County offered to update the church to make it ADA compliant, free of charge, but this offer was denied by church officials.

BUILDING INSPECTOR REPORTS

C. Fabry reported that he has received applications for two new houses. The finishing touches are underway at Deerfield.

09.09.14**ASSESSOR REPORTS**

C. Lyon has announced his resignation. He has accepted a position with the City of Canandaigua. He has agreed to stay until November 1. C. Lyon reported that he did have one SCAR hearing and he is waiting to hear the results of that.

HIGHWAY SUPT. REPORTS

R. Viscardi shared a summary of County work that has been billed so far, totaling \$140,561.12. Recently additional County work has been accepted and he hopes to end the year at approximately \$200,000. Town work began last week.

MINUTES

Motion by Councilperson Didas
 Seconded by Councilperson Hoy
 To approve August 12, 2014 minutes.
 Unanimously carried

AUDIT—8-02-2014

Motion by Councilperson Hoy
 Seconded by Councilperson Filipowicz
 To authorize payment of audit 8-02-2014 to include the following:
 Vouchers 20140676-20140713; Total \$31,074.77; Gen. \$12,176.85; Hwy. \$18791.40;
 SS \$106.52
 For distribution checks from 26502 - 26536
 Unanimously carried

AUDIT—9-01-2014

Motion by Councilperson Hoy
 Seconded by Councilperson Filipowicz
 To authorize payment of audit 9-01-2014 to include the following:
 Vouchers 20140714-20140748; Total \$21,219.11; Gen. \$7,990.37; Hwy. \$9,775.95;
 SS \$3,452.79
 For distribution checks from 26537 - 26569
 Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Hoy
 Seconded by Councilperson Smith
 To enter executive session at 7:20 P.M. to discuss possible litigation and a personnel matter.
 Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Didas
 Seconded by Councilperson Smith
 To return to regular session at 7:36 P.M.
 Unanimously carried

REQUEST MERIT INCREASE, DON SIGLER

Motion by Councilperson Filipowicz
 Seconded by Councilperson Smith
 To approve a merit increase for Don Sigler, MEO, from Step 1 to Step 3, \$17.23 per hour.
 Unanimously carried

REQUEST MERIT INCREASE, KATHARINE KEMP

Motion by Councilperson Smith
 Seconded by Councilperson Filipowicz
 To approve a merit increase for Deputy Town Clerk, Katharine Kemp, from Step 8 to Step 10, \$14.46 per hour.

Unanimously carried

09.09.14

MOTION TO ADVERTISE FOR ASSESSOR (FULL-TIME)

Motion by Councilperson Hoy

Seconded by Councilperson Smith

To advertise for an assessor (full-time).

Unanimously carried

MOTION TO ADJOURN

Motion to adjourn at 7:50 P.M. by Councilperson Didas

Seconded by Councilperson Smith

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

Approved 09-23-2014