

TOWN OF CLARKSON
TOWN BOARD MEETING
April 14, 2015

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, April 14, 2015 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
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

Mary Edwards, President of the Clarkson Historical Society, had some questions regarding Good Neighbor Days. The Clarkson 5K race is also August 14th and she asked whether the Town's insurance would cover this event. Supervisor Kimball will check with B. Baty and report back to Mary. She also wondered if the Town Clerk's office would be available to assist with pre-registration again this year. S. Mattison said she would. In addition, this year's race is in the late afternoon with registration at 4 p.m. and the race at 6 p.m. She anticipates that the traffic pattern will be different and they may need more assistance from the Highway Department and/or local authorities. Supervisor Kimball suggested she discuss this further with Bob Viscardi as the race date gets closer.

The Clarkson Historical Society would like to obtain historical plaques for more historical properties in Town. Supervisor Kimball reported that more information on cost is needed before a decision can be made. M. Edwards will research this.

Cody Dean from Brockport Ambulance gave an update on statistics.

Boy Scouts from Troop #574 were present to observe the Town Board meeting.

Sweden Town Supervisor Rob Carges and Jill Wisnowski was present to report on activities at the Sweden Recreation Center. Soccer and baseball registrations are almost complete – statistics were provided. She introduced her new full-time employee, Grant Holupko. He is working on softball registration; deadline is April 23 with games to start after Memorial Day. She asked if Clarkson would be able to make sure that softball fields are mowed, etc. before Sunday morning leagues and Monday evening leagues. Jill reported that they will be two U-10 fields and two U-8 fields for soccer. New nets will be purchased for the goals and they are in the process of lining those fields. Jill and B. Viscardi will be in touch regarding the location of the soccer goals as well as the upkeep of both soccer and softball fields. B. Viscardi will oversee use of the generator for lights/night games. Jill reported a new activity coming up this summer is adult sand volleyball.

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**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQR")-
DETERMINATION OF NONSIGNIFICANCE (NEGATIVE DECLARATION)**

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

ABSENT: Councilperson Smith

Introduced by: Councilperson Hoy

Seconded by: Councilperson Filipowicz

WHEREAS, the Town of Clarkson has before it a resolution to rezone a parcel of land at 3550 Redman Road from Suburban Residential (RS-20) to Highway Commercial (HC).

WHEREAS, the Town Board has determined that it is the agency for purposes of SEQR review with respect to the rezoning of this parcel; and

WHEREAS, the Town Board has determined that the action is an unlisted action pursuant to SEQR; and

WHEREAS, the board has reviewed the Environment Assessment form on file in the Town Office; and

WHEREAS, on this date, April 14, 2015, at a special meeting, the Town Board conducted the required SEQR review process by completing Part 3 of the Environmental Assessment Form.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby finds:

SECTION 1. Based on its review of all of the evidence submitted and reviewed, and based upon the Town Board's own deliberations and its review of the Environmental Assessment Form for the proposed action, the Town Board has determined that the proposed action will not have a significant impact on the environment and that a negative declaration is hereby issued for the rezoning.

SECTION 2. This notice of this determination of non-significance shall be filed as required by SEQR.

SECTION 3. The foregoing resolution was approved as follows:

VOTE OF THE BOARD

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

NAYS: None

**RESOLUTION REZONING PARCEL OF LAND AT 3550 REDMAN ROAD FROM
SUBURBAN RESIDENTIAL (RS-20) TO HIGHWAY COMMERCIAL (HC)**

PRESENT: Supervisor Kimball, councilpersons Hoy, Filipowicz and Didas

ABSENT: Councilperson Smith

Introduced by: Councilperson Didas

Seconded by: Councilperson Filipowicz

WHEREAS, the owner of the subject parcel has applied to the Town Board to rezone the following land from Suburban Residential (RS-20) to Highway Commercial (HC):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Clarkson, County of Monroe and State of New York, being part of Town Lot 2, Section 6, Township 4 of the Triangular Tract bounded and described as follows:

Commencing at a point of intersection of the centerline of Old Redman Road with the center line of Ridge Road; thence easterly along the centerline of Ridge Road a distance of 198.60 feet to a point; thence northerly with an interior angle of $83^{\circ} 06'54''$ a distance of 49.86 feet to the point of beginning; thence (1) continuing northerly along the same course as last mentioned, a distance of **04.14.15**

151.82 feet to a point; thence (2) northerly with an interior angle of $168^{\circ}33'43''$ a distance of 127.38 feet to a point; thence (3) continuing northerly with an interior angle of $173^{\circ}00'00''$ a distance of 607.86 feet to a point in the south line of Great Lot #3; thence (4) westerly with an interior angle of $83^{\circ} 00'00''$ and along the division line of Great Lot #2 and 3 a distance of 502.99 feet to a point in the east line of the new Redman Road; thence (5) southerly along a curve to the southeast having a radius of 1876.78' and a delta of $1^{\circ} 34'42''$; a distance of 51.70 feet to a point; thence (6) continuing south-easterly on the east line of the new Redman Road a distance of 145.13 feet to a point; thence (7) continuing southerly with an interior angle of $184^{\circ} 18'58''$ a distance of 155.00 feet to a point of tangency; thence (8) continuing southerly on a curve to the left having a radius of 1318.24 feet and a delta of $9^{\circ} 00'00''$ a distance of 207.07 feet to a point of curvature; thence (9) continuing southerly on a line a distance of 103.43 feet to a point; thence (10) continuing southerly on a line making an interior angle of $186^{\circ} 11'09''$ a distance of 131.85 feet to a point in the north line of Ridge Road; thence (11) easterly making an interior angle of $118^{\circ} 03'47''$ a distance of 191.48 feet to the point of beginning.

All as shown on a map made by Owen and Lisowski and dated July 31, 1987 to contain 5.968 acres, more or less.

Tax Map No. 039.03-1-22.2

and

WHEREAS, the Town Board of the Town of Clarkson has held a public hearing to consider said proposed rezoning; and

WHEREAS, this Board has by a prior resolution determined that this action will not have a negative impact on the environment; and

WHEREAS, this action is consistent with the Comprehensive Plan of the Town of Clarkson; and

WHEREAS, the notice of this 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 rezones the following parcel of land from Suburban Residential (RS-20) to Highway Commercial (HC):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Clarkson, County of Monroe and State of New York, being part of Town Lot 2, Section 6, Township 4 of the Triangular Tract bounded and described as follows:

Commencing at a point of intersection of the centerline of Old Redman Road with the center line of Ridge Road; thence easterly along the centerline of Ridge Road a distance of 198.60 feet to a point; thence northerly with an interior angle of $83^{\circ} 06'54''$ a distance of 49.86 feet to the point of beginning; thence (1) continuing northerly along the same course as last mentioned, a distance of 151.82 feet to a point; thence (2) northerly with an interior angle of $168^{\circ}33'43''$ a distance of 127.38 feet to a point; thence (3) continuing northerly with an interior angle of $173^{\circ}00'00''$ a distance of 607.86 feet to a point in the south line of Great Lot #3; thence (4) westerly with an interior angle of $83^{\circ} 00'00''$ and along the division line of Great Lot #2 and 3 a distance of 502.99 feet to a point in the east line of the new Redman Road; thence (5) southerly along a curve to the southeast having a radius of 1876.78' and a delta of $1^{\circ} 34'42''$; a distance of 51.70 feet to a point; thence (6) continuing south-easterly on the east line of the new Redman Road a distance of 145.13 feet to a point; thence (7) continuing southerly with an interior angle of $184^{\circ} 18'58''$ a distance of 155.00 feet to a point of tangency; thence (8) continuing southerly on a curve to the left having a radius of 1318.24 feet and a delta of $9^{\circ} 00'00''$ a distance of 207.07 feet to a point of curvature; thence (9) continuing southerly on a line a distance of 103.43 feet to a point; thence (10) continuing southerly on a line making an interior angle of $186^{\circ} 11'09''$ a distance of 131.85 feet to a point in the north line of Ridge Road; thence (11) easterly making an interior angle of $118^{\circ} 03'47''$ a distance of 191.48 feet to the point of beginning.

All as shown on a map made by Owen and Lisowski and dated July 31, 1987 to contain 5.968 acres, more or less.

Tax Map No. 039.03-1-22.2

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Section 2. That the Town Clerk is ordered to publish a legal notice indicating this rezoning and to notify the Town Engineer to update the official map of the town to reflect this change.

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas

NAYS: None

PUBLIC HEARING LOCAL LAW #1-2015; "A LOCAL LAW TO PROVIDE FOR THE ORDERLY DEVELOPMENT OF PROPERTY OWNED BY GOVERNMENT ENTITIES"

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

RESOLUTION ADOPTING NEGATIVE DECLARATION; LOCAL LAW #1-2015

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz and Didas

ABSENT: Councilperson Smith

WHEREAS, the Town Board has before it the following local law:

LOCAL LAW #1-2015 "A Local Law to Provide for the Orderly Development of Property Owned by Government Entities"; and

WHEREAS, this Board is the only involved Agency and has determined that it is the Lead Agency; and

WHEREAS, this project is an Unlisted Action for the purposes of SEQRA; and

WHEREAS, the Supervisor has signed and submitted Part 1 "Project Information" of the Short Environmental Assessment Form; and

WHEREAS, this Board having thoroughly reviewed the Short Environmental Assessment Form 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 Hoy, Seconded by Councilperson Filipowicz.**

NOW, THEREFORE, BE IT RESOLVED,

1. That the adoption of this local law will not have a negative impact on the environment.
2. That the Town Board adopts a Negative Declaration.
3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz and Didas

NAYS: None

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RESOLUTION ADOPTING LOCAL LAW #1-2015; “A LOCAL LAW TO PROVIDE FOR THE ORDERLY DEVELOPMENT OF PROPERTY OWNED BY GOVERNMENT ENTITIES”

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

ABSENT: Councilperson Smith

Introduced by: Councilperson Didas

Seconded by: Councilperson Hoy

Whereas, the Town Board has before it a Local Law entitled Local Law #1-2015 “A Local Law to Provide for the Orderly Development of Property Owned by Government Entities”, if adopted, will exempt government entities from the Town Zoning Code; and

Whereas, the Town Board has, on this date, held a public hearing to consider said proposed Local Law; and

Whereas, the Town Board has considered any public input; and

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

Whereas, the notice of this hearing was duly published and posted as required by law;

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Town Board hereby enacts, Local Law #1-2015 “A Local Law to Provide for the Orderly Development of Property Owned by Government Entities”^{cc}.

Section 2. That the Town Clerk is ordered to file a copy of this Local Law with New York State.

Section 3. That this Local Law shall take effect upon filing with the Secretary of State.

Section 4. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz and Didas

NAYS: None

RESOLUTION SETTING PUBLIC HEARING; LOCAL LAW #2-2015

Introduced by: Councilperson Filipowicz

Seconded by: Councilperson Didas

INTRODUCTORY LOCAL LAW #2-2015 TOWN OF CLARKSON, MONROE COUNTY LOCAL LAW TO CHANGE ASSESSMENT GRIEVANCE DAY IN THE TOWN OF CLARKSON

WHEREAS, the Town Board has before it a proposed Local Law to change assessment grievance day; 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 28th day of April, 2015, 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.

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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, Councilpersons Hoy, Filipowicz and Didas

NAYS: None

ABSENT: Councilperson Smith

INTRODUCTORY LOCAL LAW #2-2015
LOCAL LAW TO CHANGE ASSESSMENT GRIEVANCE DAY IN THE TOWN OF CLARKSON

§1. Title

This law shall hereinafter be known and cited as "Local Law to Change Assessment Grievance Day in the Town of Clarkson."

§ 2. Purpose and intent.

Pursuant to Article 5 of the New York State Real Property Tax Law, The Town is required to have an annual grievance day for property owners to grieve their assessment. Said Law sets a statewide day of the 4th Tuesday in May. The law also requires that the appointed Sole Assessor be in attendance for Grievance Day. As of the enactment of this Local Law, Clarkson's Assessor also is the Sole Assessor in the Town of Canandaigua in Ontario County. Being that it is not possible for the Assessor to be in both places at once, the purpose of this Local Law is to change the Grievance Day in the Town of Clarkson.

§3. Legislative authority.

This local law is enacted pursuant to Article 5 of the Real Property Tax Law, Article 2 of the Municipal Home Rule Law; and Article IX of the New York State Constitution

§4. Change in Grievance Date.

That the day for Grievance Day in the Town of Clarkson is established as the day following the 4th Tuesday of May.

§5. Severability.

If any clause, sentence, phrase, paragraph or any part of this chapter shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this chapter but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this chapter would have been adopted had any such provisions been excluded.

§ 5. Repealer.

All local laws or parts of local laws inconsistent or in conflict with this local law are hereby repealed to the extent of such conflict or inconsistency.

§6. Effective Date

This Local Law shall become effective upon enactment and filing with the Secretary of State.

EMPLOYEE HANDBOOK REVISION

Kristin Coon remarked that the employee handbook is ready for duplication. She presented prices from three different vendors. It was decided to use CEPAC as they provided the lowest quote (approximately \$150 for 60 copies).

MOTION ACKNOWLEDGING RECEIPT OF SUPERVISOR'S FINANCIAL REPORT

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

Acknowledging receipt of Supervisor's Financial Report.

Unanimously carried

04.14.15**BUILDING INSPECTOR REPORTS**

C. Fabry reported that construction season has started with new builds on St. Katherine and Chandon Place. The former nursing home project at 122 West Avenue is moving along nicely. The library just submitted plans for a large history room addition to begin soon, to be funded through a grant.

HIGHWAY SUPT. REPORTS

B. Viscardi attended a recent County meeting. So far, Clarkson is assigned to only two projects: (1) surface trees on Clarkson Parma TL Road; and (2) spot repair on Redman Road south. He is hopeful that other work will become available. Town roads have been assessed and will require some spot repairs. Spring clean-up and lawn repairs are underway with mowing expected to begin soon. Regarding CHIPS money, the State offered another severe winter package which gives us another \$3,500. This raises our base amount of \$24,000 to almost \$28,000 for next year. A short discussion was held comparing the CHIPS amounts received by surrounding towns.

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To approve March 24, 2015 minutes.

Unanimously carried

AUDIT—04-01-2015

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize payment of audit 04-01-2015 to include the following:

Vouchers 20150279-20150332; Total \$31,195.30; Gen. \$15,764.27; Hwy. \$10,981.78; SL \$4,449.25

For distribution checks from 30046 - 30098

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To enter executive session at 6:37 P.M. to discuss a personnel matter.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Filipowicz

Seconded by Councilperson Didas

To return to regular session at 7:35 P.M.

Unanimously carried

MOTION APPOINTING ATTORNEY KEITH O'TOOLE

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To handle the prosecution of a noise ordinance complaint in Clarkson Town Court.

Unanimously carried

MOTION TO ADJOURN

Motion to adjourn at 7:37 P.M. by Councilperson Didas

Seconded by Councilperson Filipowicz

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

Approved 05-12-2015