

TOWN OF CLARKSON  
TOWN BOARD MEETING  
January 10, 2017

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, January 10, 2017 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.
Elizabeth Spencer	Assessor
**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**

No one spoke.

**INTRODUCTORY LOCAL LAW #1-2017; TAXATION OF SOLAR OR WIND ENERGY SYSTEMS OR FARM WASTE ENERGY SYSTEMS**

L. Spencer, Town Assessor, explained that if the Town does not opt out of exemptions for solar systems, we would be open to having to grant exemptions or possibly future PILOT (payment in lieu of taxes) programs. Many towns in Monroe County are in the process of deciding what to do, but most are leaning toward opting out. A short question and answer session ensued.

Tim Murphy, Director of Real Property for Monroe County, had comments regarding solar energy. He reported that there were seven or eight towns in the County that were served a notice of intent regarding solar energy. Tim will be gathering information from these towns as it becomes available. He stated that solar energy is a new concept and there are a lot of variables regarding PILOT agreements and how we value solar farms once they are in place.

**RESOLUTION SETTING PUBLIC HEARING INTRODUCTORY LOCAL LAW #1-2017 TOWN OF CLARKSON, MONROE COUNTY**

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

**ABSENT:** None

Introduced by: Councilperson Hoy

Seconded by: Councilperson Filipowicz

A Local Law on the Taxation of Solar or Wind Energy Systems or Farm Waste Energy Systems

**WHEREAS**, the Town Board has before it a proposed Local Law which, if

adopted, will prevent property tax exemptions on Solar or Wind Energy or Farm Waste Energy Systems constructed in the Town of Clarkson; 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;

**01.10.17**

**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 24<sup>th</sup> day of January, 2017, 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 and posted as required by law.

**VOTE OF THE BOARD**

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

NAYS: None

**LOCAL LAW ON PROPOSED MORATORIUM ON SOLAR ENERGY FACILITIES**

Attorney Olson initiated the discussion by stating that he does not feel that a moratorium is necessary. Choices include to have a moratorium, do nothing, incentive zoning application, or application for a use variance. He also suggested we could put together a small group and look at Model Code or overlay district information that he forwarded to Board members. Attorney Olson stated if the Board feels solar energy is coming to Clarkson, then we need to be prepared and have a local law in place. Kirk Golden explained rates and benefits. He stated that 8 to 10 acres would provide approximately 2 megawatts. After a lengthy discussion, it was decided to revisit this issue in two weeks to allow Board members time to digest the information provided and make an informed decision.

**COMMUNITY LIBRARY JOINT OPERATING AGREEMENT**

Supervisor Kimball led review of this draft agreement. There were concerns regarding: (1) successor reappointment and term limits; (2) appointment of municipal representatives – Councilperson Smith volunteered; (3) operating budget - the Town budgets its contribution to the Library based on the Library's budget; (4) in kind services - currently plowing services are rotated between the Town of Clarkson, Village of Brockport and the Town of Sweden. Since Clarkson owns the road into the library parking lot, Supervisor Kimball will speak to the other two municipalities about a possible agreement for Clarkson to take over the plowing completely with reimbursement from them. This agreement would begin in 2018. Expenses for other services, including mowing, trash, rubbish and garbage removal, would continue to be divided between the participating municipalities. Sealing, re-surfacing and maintaining the parking lot would have to be negotiated. The above concerns will be relayed to the Library.

**MOTION ACKNOWLEDGING RECEIPT OF SUPERVISOR'S FINANCIAL REPORT**

Motion by Councilperson Hoy

Seconded by Councilperson Didas

Acknowledging receipt of Supervisor's Financial Report.

Unanimously carried

**TOWN CLERK REPORTS**

S. Mattison reported that 2017 Town & County tax collection has begun and she just worked the first of five Saturdays that we will be open in 2017. In addition, 2016 revenue from passport applications, photos and lodge rentals was increased from 2015, and we have sold over 200 transfer station permits to date. Sharon also stated that an unfinished record retention project concerning the Assessor's office will be underway soon.

### **01.10.17**

#### **BUILDING INSPECTOR REPORTS**

C. Fabry reported that the Bassett project is coming along nicely. They are hoping for April 1<sup>st</sup> occupancy. He reported that 2016 developments included 16 single family homes, the Bassett project, and Carl Grasta's projects.

#### **ASSESSOR REPORTS**

L. Spencer reported that exemptions are coming in. Data collection for the re-val will begin soon. She explained the procedure and what is provided by the real estate valuation consultants. We have contracts from GAR and AVS Valuations (Dave Miller) and a third contract will be obtained from ENPM, Inc. Tim Murphy, Director of Real Property for Monroe County, commented on the clause in the AVS contract which Attorney Olson and the Town Board are concerned about. This indemnification clause is much shorter in the AVS contract and not very expansive, but it does indicate that they would go to court if needed. That is probably the biggest difference. Tim stated that a compromise is needed to make both parties content with the language in this clause. Attorney Olson is concerned about the limitation on liability statement. Mr. Miller has a \$1 million dollar insurance policy, so why does the language state that there is a limitation on liability. Tim added that this contract would never get signed at the County as their insurance coverage requirements are higher than \$1 million.

L. Spencer commented that the quotes are much higher with other companies than with AVS, which is the main reason she is pursuing them. Tim agreed that the larger firms are more costly. L. Spencer only needs a firm to consult on the commercial properties (approximately 50) and she would do the remainder. Board members feel that the consultant should be amenable to the Town's terms if they want our business. Mr. Miller is putting us in an awkward position by not conforming to the changes recommended by the Town attorney. Once all three contracts have been received and language reviewed, the Board will be able to make an informed decision.

#### **HIGHWAY SUPT. REPORTS**

B. Viscardi reported that highway staff is busy doing maintenance on equipment and they have done some painting at Ridgewood Lodge. New kill switches have been ordered.

#### **MINUTES**

Motion by Councilperson Didas  
 Seconded by Councilperson Smith  
 To approve December 13, 2016 minutes.  
 Unanimously carried

#### **MINUTES**

Motion by Councilperson Didas  
 Seconded by Councilperson Smith  
 To approve January 2, 2017 Organizational Meeting minutes.  
 Unanimously carried

**AUDIT—12-03-2016**

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To authorize payment of audit 12-03-2016 to include the following:

Vouchers 20161041-20161062; Total \$51,849.96; Gen. \$14,910.04; Hwy. \$36,939.92;

For distribution checks from 31879 - 31928

Unanimously carried

**01.10.17****AUDIT—1-01-2017**

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To authorize payment of audit 1-01-2017 to include the following:

Vouchers 20170001-20170033; Total \$134,931.32; Gen. \$72,000.15; Hwy. \$58,453.85;

SS \$600; SL \$3,877.32

For distribution checks from 31879 - 31928

Unanimously carried

**NOISE COMPLAINT**

A noise complaint was received from Ron and Cheryl Beardslee of 8258 Ridge Road. All Board members have acknowledged receipt of the written complaint.

**EXECUTIVE SESSION**

Motion by Councilperson Didas

Seconded by Councilperson Smith

To enter executive session at 7:27 P.M. to discuss a personnel matter.

Unanimously carried

**RETURN TO REGULAR SESSION**

Motion by Councilperson Smith

Seconded by Councilperson Didas

To return to regular session at 8:16 P.M.

Unanimously carried

**MOTION TO ADJOURN**

Motion to adjourn at 8:16 P.M. by Councilperson Didas

Seconded by Councilperson Smith

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

Approved 01-24-2017