

TOWN OF CLARKSON  
TOWN BOARD MEETING  
July 9, 2019

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, July 9, 2019 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

**PRESENT:**

Christa Filipowicz	Supervisor
Allan Hoy	Councilperson
Patrick Didas	Councilperson
Jackie Smith	Councilperson
** Leslie Zink	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Supt.
** Richard Olson	Attorney for the Town

**ALSO:**

** Elizabeth Spencer	Assessor
** Kevin Moore	Bldg. Inspector
Keith O'Toole	Deputy Attorney for the Town
**excused	

Supervisor Filipowicz opened the meeting. Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for our service men and women, first responders and those that paid the ultimate price.

**OPEN FORUM**

James Schmidt of 315 Chadlee Drive questioned the availability of legal notices. Supervisor Filipowicz stated that they are in the *Hamlin Clarkson Herald*, the Town's legal newspaper, and on the Town website. If he did not see it on our website it is due to a glitch we had with the website.

Supervisor Filipowicz introduced Deputy Town Attorney, Keith O'Toole and stated Councilperson Zink, Bldg. Insp. Kevin Moore, Assessor Liz Spencer and Attorney Richard Olson were excused this evening.

**PUBLIC HEARING, INTRODUCTORY LOCAL LAW #1; DOG LICENSING AND CONTROL LAW**

Attorney, Keith O'Toole explained that Introductory Local Law #1 includes amendments to the existing Dog Control Law. It establishes a cap of three dogs per household, exempts puppies under age of six months and permitted kennels. There will be a grandfather provision on the dog ownership cap for dogs owned and licensed in Clarkson prior to the effective date of the law. In addition, it amends notice provisions for dogs that are seized by the Town which have been abandoned or seized due to an incident. The notice provisions are being put into place to harmonize those found in the N. Y. State Dept. of Ag. and Markets Law.

Supervisor Filipowicz proposed the effective date of September 1, 2019, to allow dogs already owned and licensed to be grandfathered.

**RESOLUTION #166**  
**OPEN PUBLIC HEARING**

Introduced by Councilperson Hoy

Seconded by Councilperson Smith

To open the public hearing on Introductory Local Law #1.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith

NAYS: None

**07.09.19**

James Schmidt of 315 Chadlee Drive asked if the changes to the Dog Licensing and Control Law will be posted on the Town's website and in the *Herald*. Supervisor Filipowicz stated yes. Section 3 (56-12 (A)) was explained to J. Schmidt by Attorney Keith O'Toole.

No one else spoke.

**RESOLUTION #167**  
**CLOSE PUBLIC HEARING**

Introduced by Councilperson Didas

Seconded by Councilperson Hoy

To close the public hearing on Introductory Local Law #1.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith

NAYS: None

**RESOLUTION #168**  
**SEQR FOR INTRODUCTORY LOCAL LAW #1-2019; DOG**  
**LICENSING AND CONTROL**

Introduced by: Councilperson Hoy

Seconded by: Councilperson Smith

SEQR FOR INTRODUCTORY LOCAL LAW #1-2019  
TOWN OF CLARKSON, MONROE COUNTY

**WHEREAS**, the Town Board has before it a proposed Local Law #1 of 2019 to amend the Town of Clarkson's "Dog Licensing and Control Law of the Town of Clarkson" as codified in Chapter 56 of the Clarkson Code; and

**WHEREAS**, in order to adopt said Local Law, the Town Board of the Town of Clarkson must comply with SEQR;

**NOW, THEREFORE, BE IT RESOLVED:**

**Section 1.** That the Town Board of the Town of Clarkson classifies this as an Unlisted Action and makes a determination of no significant environmental impact.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith

NAYS: None

**RESOLUTION#169**  
**ADOPTING LOCAL LAW #1-2019; A LOCAL LAW TO AMEND THE**  
**TOWN OF CLARKSON'S "DOG LICENSING AND CONTROL LAW**  
**OF THE TOWN OF CLARKSON"**

Introduced by: Councilperson Didas

Seconded by: Councilperson Smith

**WHEREAS**, the Town Board has before it a Local Law entitled " Local Law #1-2019 "A local law to amend the Town of Clarkson's "Dog Licensing and Control Law of the Town of Clarkson"

which, if adopted, will restrict the number of dogs per household to three dogs, and permits dogs to be exempt from this restriction if they are duly licensed no later than September 1, 2019. It also amends the redemption period and notice provisions for dogs that have been abandoned or seized; and

**WHEREAS**, the Town Board has, pursuant to law, held public hearings to consider said proposed Local Law; and

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**WHEREAS**, this action was classified as an Unlisted action under the State Environmental Quality Review Act and the Town Board made a finding of no significant environmental impact and 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 of the Town of Clarkson hereby enacts Local Law #1-2019 "A local law to amend the Town of Clarkson's "Dog Licensing and Control Law of the Town of Clarkson""

**Section 2.** That the Town Clerk is ordered to publish a legal notice indicating the adoption of this Local Law and to file a copy of this Local Law with New York State.

**Section 3.** That this Local Law shall take effect immediately.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith

NAYS: None

**\*see attached copy of Local Law #1-2019**

**RESOLUTION #170**  
**REQUIRING CUTTING OF GRASS**

Introduced by: Councilperson Smith

Seconded by: Councilperson Hoy

**WHEREAS**, the Town Board has received a report from Kevin Moore, Building Inspector that property at **40 Woodstock Lane, 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 Filipowicz, Councilpersons Hoy, Didas and Smith

NAYS: None

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**RESOLUTION #171**  
**REGARDING PROPOSED WATER SERVICE CONNECTIONS**  
**WITHIN MONROE COUNTY AGRICULTURAL DISTRICT NO. 5**

Introduced by: Councilperson Hoy  
 Seconded by: Councilperson Smith

**WHEREAS**, the Town Board of the Town of Clarkson has created the Rt. 18 Clarkson Hamlin Water District pursuant to Town Law for the express purpose of providing public water supply to the residents of the District; and

**WHEREAS**, all of the land area within the proposed Rt. 18 Clarkson Hamlin Joint Water District is also within the Monroe County Agricultural District No. 5; and

**WHEREAS**, the Town Board has filed a Notice of Intent to undertake an action within an agricultural district and to evaluate the impact of providing a source of public water supply within this area on lands within Monroe County Agricultural District No. 5

**NOW, THEREFORE, BE IT RESOLVED;** that the Town Board of the Town of Clarkson, hereby resolves to limit connections to the public water supply only to existing non-farm uses, and to farm related uses within that portion of Rt. 18 Clarkson Hamlin Joint Water District which is within the limits of Monroe County Agricultural District No. 5.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith

NAYS: None

**SUPERVISOR REPORTS**

Supervisor Filipowicz attended the 4<sup>th</sup> of July celebration at the Sweden Clarkson Community Center. It was very well attended and had great fireworks.

Bicentennial Celebration continues. Councilperson Didas has planned the Kimball Park tree dedication which will be held at the Park on July 18, 2019 at 6:00 P.M. Invitations have been sent to donors and recipients.

Logistical planning continues for Good Neighbor Day; checking power, water and other needs.

Saturday, July 13<sup>th</sup> is the first round of interviews for Library Director position. Supervisor Filipowicz has been invited to participate in the interview process.

B. Viscardi and Supervisor Filipowicz will be joining the Town of Sweden in asking NY State DOT for a left turning lane on Sweden Walker Road at East Avenue.

**TOWN BOARD REPORTS**

Councilperson Smith reported that the next Library Board meeting is scheduled for Wednesday, July 17<sup>th</sup>. She attended the *Summer Reading Kick-off* on June 22<sup>nd</sup>. The Library did an incredible job, they did a glow in the dark space game, it was well attended.

J. Smith reminded everyone of the dog food and supply drive which will run till the end of July. You can drop off your donations at the Town Hall.

**HIGHWAY SUPERINDENDENT REPORTS**

R. Viscardi reported that his department just completed paving Gina Way, Amy Lane and Tearose Meadow. Lawrence Road Culvert replacement has begun and should take 3-4 weeks to complete.

**07.09.19**

**RESOLUTION #172**  
**MINUTES**

Introduced by Councilperson Smith  
Seconded by Councilperson Didas  
To approve June 25, 2019 minutes.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith  
NAYS: None

**RESOLUTION #173**  
**AUDIT**—7-01-2019

Introduced by Councilperson Hoy  
Seconded by Councilperson Didas  
To authorize payment of audit 7-01-2019 to include the following:  
Total \$25,441.32 BB-Gen. \$11,928.37; DA-Hwy. \$53.89; DB-Hwy. \$5,655.80; HH-Capital \$1,113.98; SL-Lighting \$4,847.29; TA \$1,650.81  
For distribution checks from Joint Checking 34569 – 34605  
For distribution checks from Trust & Agency 06018 - 06019

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith  
NAYS: None

**RESOLUTION #174**  
**ADJOURNMENT**

Introduced by Councilperson Didas  
Seconded by Councilperson Smith  
To adjourn the Town Board meeting at 6:15 P.M.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Hoy, Didas and Smith  
NAYS: None

Respectfully submitted,

*Sharon S. Mattison*  
Town Clerk

Approved 07-23-2019

LOCAL LAW # 1-2019  
TOWN OF CLARKSON, MONROE COUNTY

**A LOCAL LAW TO AMEND THE TOWN OF CLARKSON'S "DOG LICENSING AND CONTROL LAW"**

Be it enacted by the Town Board of the Town of Clarkson.

**Section 1. New Matter. Chapter 56 of the Code of the Town of Clarkson entitled "Dog Licensing and Control Law of the Town of Clarkson" is amended by adding the following:**

**§\_\_\_\_\_ Number of Dogs Restricted.**

- A. No person or persons living in the same household, living unit, apartment, trailer or other dwelling shall keep or suffer to be kept more than three dogs, six months old or older, at any one time on said premises, excepting here-from those persons operating an Animal Kennel.
- B. Exemption from Restriction. Any dog duly licensed on or before September 1, 2019 shall be exempt from the aforesaid numerical restriction.

**Section 2. Repealer. The following provisions of Chapter 56 of the Code of the Town of Clarkson entitled ""Dog Licensing and Control Law of the Town of Clarkson" are repealed:**

§56-12(A)

**Section 3. New Matter. Chapter 56 of the Code of the Town of Clarkson entitled "Dog Licensing and Control Law of the Town of Clarkson" is amended by adding the following:**

**§56-12(A)**

- A. In the event that the dog seized bears a license tag, the authorized person seizing the dog shall, within three days thereafter, ascertain the name of the owner and give the owner immediate notice by serving upon the owner personally, or by certified mail return receipt requested, an instrument in writing stating that the dog has been seized, indicating when, where and why the dog was seized and stating that the dog will be disposed of unless it is redeemed or a trial is demanded. If the instrument in writing has been served personally on the owner, then the owner will have 5 days after day of notice to redeem the dog or demand a trial. If the instrument in writing has been served by certified mail return receipt requested on the owner, then the owner will have 7 days after day of notice to redeem the dog or demand a trial.

**Section 4. Effective Date.**

This local law shall take effect immediately.