

TOWN OF CLARKSON
TOWN BOARD MEETING
April 12, 2022

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, April 12, 2022 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 P.M.

PRESENT:

Christa Filipowicz	Supervisor
Nick D'Amuro	Councilperson
John Culhane	Councilperson
Tom Guarino	Councilperson
Leslie Zink	Councilperson
Susan Henshaw	Town Clerk
Robert Viscardi	Highway Superintendent
** Richard Olson	Attorney
** Liz Spencer	Assessor
Kevin Moore	Building Inspector
Keith O'Toole	Deputy Attorney

** excused

Supervisor Filipowicz opened the meeting. She led everyone in the Pledge of Allegiance. A moment of silence was observed for our service men and women, first responders, as well as those on the front lines fighting COVID.

OPEN FORUM

Martha Clasquin of 34 Sherwood Drive wanted to inquire about expanding the agricultural base of the town, and what is the priority for the correction of poor drainage sections within the town. She asked if the Omnibus bill or ARPA funds may be used towards either. Councilperson Zink advised that it is an action item within the Comprehensive Plan to address the drainage. ARPA projects have yet to be finalized. Two projects regarding drainage are currently being addressed by the highway department.

HISTORICAL MOMENTS

Historian Leanna Hale talked about cursive writing. She advised that the Historical Society wished to make Clarkson the Cursive Capitol of the west. She talked about cursive no longer being taught in elementary schools across the country. Leanna offers 4th grade field trips to the Clarkson Schoolhouse with teaching history of the town along with teaching cursive writing. Over each summer she has Cursive Camp for 4th and 5th graders over 4 days in the month of August where kids learn about the Erie canal, older folk songs and games, art, science, clothespin in a bottle, cursive writing, music and artifacts. Leanna offered cursive packets to those interested.

COMMUNICATIONS

Supervisor Filipowicz advised that the board received a thank you from Brockport High School Project Graduation 2022 for their donation. Monroe County Planning Board is offering classes that will be shared to all those interested on our support boards. The Seymour Library Foundation is having the Nifty 50's Event on Saturday, May 7 at 7:00pm where the town board will offer an item for their raffle.

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OLD BUSINESS

Town Hall Renovations – Highway Superintendent Viscardi is working on drawings and quotes for an addition on courthouse as a proposed Town Hall, then will share with the town board.

NEW BUSINESS

Zoning Code - John Steinmetz from Bergmann, Engineering Consultants, discussed Zoning Code and Comprehensive Code updates that need to be made to our website. That cell phones and online communications, shopping were not around at the time many of the codes were developed. How vital it is to the fabric of the community to have these updates in place for purposes of being neighborly, for farming and basic general codes. How often the zoning chapter is sought after in the course of the year is immense. The information provided involves a resident's home and personal property which directly affects them. Clarkson code was originated in 1973 and has had many updates since. After many decades it is time to take a fresh look at the codes in their complete form. The 3 main types of zoning are Euclidean, which is the most common and most used, Performance based and Form Based Zoning, which is more traditional. A zoning code should reflect the several items and vision of the comprehensive plan that the residents were seeking, while staying within the guidelines of New York State Law. John suggests some solutions would be to use desktop publishing and to condense and have codes written in plain English that are user friendly. He offered a one size fits all approach on the zoning codes. He suggests this being the most efficient time to do a complete update as we have a new Comprehensive Plan and is the best way to tie policy to code which helps keep the community informed. John advised the timeline for this project would be 10-14 months. A code assessment and audit would be performed prior to the start of this project. He mentions to begin with an informational meeting open to the public. Then meet with local farmers, agriculture and local businesses, followed by an open house, and finally a public hearing.

Buck Run Solar LLC – Joining us are Kaitlin Vigars attorney with Phillips Lytle LLP and Bernardo Urdaneta, project developer for Cypress Creek. They provided an overview of project details along with updates. They ensured that they are conforming to solar law for the town. This is a 5 megawatt project located on 2540 Redman Road. They have an agreement with the current landowner Louis Carpenter. This project would be on the western portion of the property which contains 116 total acres, but only 27 acres would be used for this solar project. They said 18 of the 80 acres is prime farmland, but it is in random areas. Access to the property would be on the north edge. They propose approximate 130, 6 ft. evergreen trees to help with the landscape along the western side of the property. He wishes to advise there is no battery system to be used in this proposal. Bernardo mentions he has consulted with the DEC and wildlife services and found there is no endangered species threat. There is a Forestry exemption on the property. Building Inspector and Code Enforcement Kevin Moore advised the need to stay in contact with the DEC and ensure to adhere to NYS law. The panels are single access tracking and stand at 12 ft. at full tilt. He advised he will submit a decommissioning plan that will involve returning the prime farmland to its pre-existing state. Councilperson Zink inquired about the house located on the property. Bernardo advised they will remove all structures from the property and leave the rest of the property as wetlands and forestry. His goal is to begin construction in July 2023 upon approval. Harold Mundy of 85 Mission Hill Drive inquired about the racking systems, and suggests Bernardo view the landscaping project on County Line Road. Building Inspector Kevin Moore advised he is waiting on information from the town attorney to move forward. Deputy attorney Keith O'Toole inquired about the 6 ft. tall evergreen trees when the panels stand at 12 ft. in height. He also suggests landscaping around the entire project. Bernardo advises that the residents will receive a 10% discount on energy savings for those that opt in. Supervisor Filipowicz is looking for creative ways to benefit the town through host agreements, besides the energy savings to the residents.

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Landowner Lou Carpenter talked about the conservation easements to the community and noted the amount of hunters in our area and the possibility of selling portions of his land to them. Kaitlin Vigars once again advised that she will re-visit the host agreement and discuss with our town attorney. She also suggests the Town Board declare they are lead agency for SEQR.

Employee Vacation Rollover – Supervisor Filipowicz had a request for rollover hours for Bryce Gaesser with 40 hours, Corry Johnson with 40 hours and Robert Wilson with 80 hours.

RESOLUTION #142
TO APPROVE VACATION ROLLOVER HOURS FOR HIGHWAY
EMPLOYEES

Introduced by Councilperson Culhane

Seconded by Councilperson Guarino

To approve vacation hours for Bryce Gaesser with 40 hours, Corry Johnson with 40 hours and Robert Wilson with 80 hours.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

Supervisors Report –

Townwide Water Grant – Water samplings has been completed by the MRB Group and we have submitted for the grant.

Bookmark Contest - Supervisor Filipowicz was a judge for the 5th grade Bookmark contest held at the Seymour Library this past week.

Town Board Reports –

Councilperson Culhane - is continuing to work on the electronic payroll for all town employees.

Councilperson Zink – reminded us that Good Neighbor Day is scheduled for Friday, August 19. The band, fireworks and the tent are secured. She attended the Friends of the Library fundraiser last week and it was a success! We established that the Town Board is Lead Agency for the 2022 Comprehensive Plan for SEQR.

Councilperson D'Amuro –spoke last evening at the Vets Club in Hamlin in regards to the upcoming event on May 14. He has been working with our social media specialist Tyler Jones to create a town twitter account – Town of Clarkson. Our town Facebook page and our website are merging and will be archived to save all photos and contents.

Highway Department – Superintendent Viscardi advised they are transitioning from winter equipment to summer. They have been doing a soft brush pick-up for the residents with all the high winds of late. Spring brush pick-up begins Monday, April 24. The highways' winter operation clocked 30,767 miles and the salt usage was 2,000 tons. Both are average for Clarkson. He also provided figures for gravel, mulch and other tabulations for highway that will be included in the upcoming Spring newsletter.

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Building Inspector – Kevin Moore advised that the Redman Road solar projects I and II are both active. Wellington Woods remodel for all 9 buildings is completed along with Wellington Woods North, the new senior housing project. In the month of March, he has completed:

16 fire inspections
 37 building code inspections
 2 new housing permits
 5 planning board applications
 1 zoning board application

RESOLUTION #143**APPROVE MINUTES 3-22-2022**

Introduced by Councilperson Guarino
 Seconded by Councilperson D'Amuro
 To approve minutes from 3-22-2022.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink
 NAYES: None

RESOLUTION #144**APPROVE MINUTES FROM 3-29-2022 SPECIAL MEETING**

Introduced by Councilperson Guarino
 Seconded by Councilperson D'Amuro
 To approve minutes from 3-29-2022 Special Meeting.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink
 NAYES: None

RESOLUTION #145**AUDIT 4-12-2022**

Introduced by Councilperson Guarino
 Seconded by Councilperson D'Amuro
 To authorize payment of audit 4-12-2022 totaling \$129,973.33 AA General \$39,693.41, BB General- Outside Village \$4,153.50, DA Highway - Town Wide \$60,681.72, SL – Lighting \$25,444.70 and Distribution of checks: Trust and Agency #6256-6259, Joint Checking #0279-2127.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink
 NAYES: None

RESOLUTION #146**DECLARE TOWN BOARD AS LEAD AGENCY FOR 2022 COMPREHENSIVE PLAN FOR SEQR**

Introduced by Councilperson Culhane
 Seconded by Councilperson Guarino
 To declare Town Board for the Town of Clarkson as Lead Agency for the 2022 Comprehensive Plan for SEQR. See attachment

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink
 NAYES: None

Comprehensive Plan – Upon a reading of Part 1 of the Environmental Assessment Form, Supervisor Filipowicz reviewed and completed Parts 2 and 3 of the EAF with the Board.

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RESOLUTION #147

COUNCILPERSON ZINK TO EXECUTE THE DOCUMENTATION FOR THE BOARD AS LEAD AGENCY FOR THE 2022 COMPREHENSIVE PLAN

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

Ratifying the Board's position as sole agency of a lead agency review under SEQR and authorizing Councilperson Zink to execute the EAF for the Board for the 2022 Comprehensive Plan.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

RESOLUTION #148

MOTION TO ADOPT THE 2022 COMPREHENSIVE PLAN

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to adopt the 2022 Comprehensive Plan. See attachment

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

RESOLUTION #149

MOTION TO ENTER EXECUTIVE SESSION FOR PERSONNEL MATTER

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to enter executive session for personnel matter at 7:26PM.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

RESOLUTION #150

MOTION TO EXIT EXECUTIVE SESSION

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to exit executive session at 8:26PM.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

RESOLUTION #151

MOTION TO ADJOURN

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

Motion to adjourn at 8:27PM.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, D'Amuro, Guarino and Zink

NAYES: None

Respectfully submitted,

Susan Henshaw

Town Clerk

Approved 4-26-2022

RESOLUTION ADOPTING COMPREHENSIVE PLAN

ON MOTION by Councilperson Zink
seconded by Councilperson Culhane
the following resolution was adopted:

WHEREAS, in accordance with the provisions of Section 272-a of New York State Town Law, the Town Board established an advisory Steering Committee to review the Town's existing Comprehensive Plan, adopted in 2005 ("2005 Plan"), and to make recommendations for updates to that Plan for Town Board consideration and adoption; and

WHEREAS, the Comprehensive Plan Steering Committee was comprised of members of the Town Board, Planning Board, Zoning Board of Appeals, and other community members who represented a broad range of community perspectives; and

WHEREAS, the Steering Committee, supported by Barton & Loguidice, D.P.C. reviewed the 2005 Plan and developed a Comprehensive Plan Update setting forth a vision for the Town and identifying goals, objectives and action items regarding agricultural preservation, enhancing quality of life, and supporting sustainable growth; and

WHEREAS, throughout the process, the Steering Committee engaged residents of the Town of Clarkson in the planning process by means of a community survey, a public open house, a public hearing, and information posted on the Town website; and

WHEREAS, in accordance with New York State Law, the Steering Committee voted to recommend the Draft Comprehensive Plan Update to the Town Board for review and adoption; and

WHEREAS, pursuant to General Municipal Law Section 239-m, the Town transmitted a complete statement of the Draft Comprehensive Plan Update to the Monroe County Planning Department; and

WHEREAS, on January 27th, the Steering Committee hosted an Open House to provide an overview of the Draft Comprehensive Plan Update, followed by a properly noticed Public Hearing to receive public comments on the Draft Comprehensive Plan Update, which Public Hearing was held open until February 10, 2022; and

WHEREAS, the Town posted a complete copy of the Draft Comprehensive Plan Update on the Town's website and accepted written and electronic comments on the Draft Plan until February 10, 2022; and

WHEREAS, the Town Board has considered all of the comments received by the public, and has made certain modifications to the Draft Comprehensive Plan Update in response thereto; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA) and Town Law Section 272-a(8), the Town Board, as SEQRA lead agency, prepared a Full Environmental Assessment Form (EAF) identifying and evaluating the potential environmental impacts that could result from adoption of the Draft Comprehensive Plan Update; and

WHEREAS, upon consideration of the completed EAF and all of the public comments received concerning the Plan, and following a careful evaluation of the criteria for making a determination of significance as provided in 6 NYCRR Section 617.7(c), the Town Board has concluded that adoption of the Draft

Comprehensive Plan Update will not result in any significant adverse environmental impacts;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts a SEQRA Negative Declaration with respect to the adoption of the Town of Clarkson 2022 Comprehensive Plan Update pursuant to 6 NYCRR Section 617.7 for the reasons set forth in Part 3 of the EAF, which is expressly incorporated by reference herein; and

BE IT FURTHER RESOLVED, pursuant to Town Law Section 272-a(7), the Town Board hereby adopts the 2022 Comprehensive Plan Update, as modified, as its official Comprehensive Plan.

LEAD AGENCY RESOLUTION
Town of Clarkson 2022 Comprehensive Plan Update

WHEREAS, the Town of Clarkson is finalizing the 2022 Comprehensive Plan Update; and

WHEREAS, the Town of Clarkson has determined that the adoption of such a comprehensive plan is Type I Action as defined in the State Environmental Quality Review Act (6 NYCRR §617); and

WHEREAS, it is the intent of the Town of Clarkson Town Board to assume the role of "Lead Agency" for purposes of conducting a SEQRA assessment of the Plan; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed and will be circulated to all Interested and Involved Agencies for purposes of establishing the Town of Clarkson Town Board as "Lead Agency" in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that Leslie Zink, Councilperson of the Town of Clarkson hereby is authorized to sign Part I of the FEAF; and it is further

RESOLVED, that the Supervisor of the Town of Clarkson and the Town Board, together with B&L, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

The foregoing resolution was thereupon declared duly adopted.

Dated: April 12, 2022

I hereby certify that this resolution was adopted on April 12, 2022 and is recorded in the Meeting Minutes of the Town of Clarkson.

Susan Henshaw
Town Clerk