

TOWN OF CLARKSON
TOWN BOARD MEETING
July 12, 2022

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, July 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
Kevin Moore	Building Inspector

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 and veterans, particularly those who have paid the ultimate price.

OPEN FORUM

No one spoke

HISTORICAL MOMENTS

Historian Leanna Hale discussed Juneteenth and Independence Day. On the internet you can find an educational short film called "Brain-Pop" that depicts Juneteenth. This film is shown in the schools, grades K-8th. June 19th is recognized as Black Independence Day. There were a few stand out black war soldiers, James Armistead, a spy for Washington D.C. who helped claim victory in the Battle of Yorktown. Peter Salem, he was a hero of the Battle of Bunker Hill in 1775, along with fighting in other battles as well. In 1882 the DOR, Daughters of the Revolution, erected a monument in his honor, in Framingham, Massachusetts. As well as Crispus Attucks who was the 1st American killed in the Boston Massacre in 1770. She also discussed Matthew Clarkson, whom the town is named after, joined the Revolutionary Army when he was 17 years old.

PUBLIC HEARING

Supervisor Filipowicz opened the Public Hearing for Buck Run Solar, LLC.

Buck Run Solar - Kaitlin Vigars, attorney with Phillips Lytle LLP and Bernardo Urdaneta, project developer for Cypress Creek were here to speak about the Solar project located at 2540 Redman Road. It is a 5 MW project on a 27.4 acre portion of a 119.5 acre parcel of land. Property is zoned suburban residential which requires re-zoning to solar-overlay. They will be clearing approximately 2 acres of trees for the project. Zoning application was submitted on March 10, 2022, they appeared before Town Board on April 12 and June 14, 2022. Presentations were provided at both the town board meetings with question and answers following. Lead Agency packets were recently circulated to all Town of Clarkson agencies involved along with sending the packet to Monroe County Planning.

Mark and Darlene Westin of 2577 Redman Road inquired about the number and size of the current solar projects within Clarkson. Two are completed and one in the process at this time. The 4th being Buck Run Solar.

Mark Westin: Does the town have a number of projects allowed:

Supervisor Filipowicz: Applications are reviewed by the town board for each inquiry.

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Mark W: How does the profits from a solar farm effect tax payers and does the town profit from energy produced?

Supervisor: Not from energy produced.

Attorney Richard Olson: \$340,000 is paid up front at start of project. Similar to other solar farms in the town, except the Lake Road project.

Mark W: How do I profit from this new solar farm across the street?

Supervisor: This does not affect the value of the home. There is no personal profit.

Attorney: This does not affect value and is better than perhaps a housing development. The monies collected from these solar developments will be used towards town hall renovations, instead of having taxes increase for the residents.

Mark W: Is there a reduced electric cost savings for me and am I forced to use it?

Kaitlyn Vigars – This solar farm connects the flow of energy to the grid and you would receive benefits from National Grid if signed up to receive the discounts.

Mark W: What is the property value change? Does this change the fact that we still need water down our street to our house?

Attorney: Stay for the rest of the meeting, we have good news!

Supervisor: We tried to think of ways that benefit the entire town on these projects, instead of one street or a small percentage of residents. We want everyone to benefit.

Mark W: Only 27 acres will be used, are they purchasing the entire parcel, and will it all be turned into solar as well?

Bernardo Urdaneta: Only the 27 acres will be used for the solar project (he describes the drawings provided, depicting the exact parcel, hidden by vegetative screening from the front)

Mark W: How long are the solar panels good for and will they be recycled?

Bernardo U: 25-30 years

Kaitlyn V : The decommissioning plan is available to view and that parcel of land will then become vacant after the 25-30 years.

Warren Smith of 2633 Redman Road, is asking if the parcel is rezoned after decommissioning takes place?

Supervisor -We call it a floating zone – for solar.

Warren S – After the decommissioning, does another solar farm go in its place?

Attorney – It's possible a new solar panel/project could go in its place. We don't know. Its amazing that solar even works through-out New York State with the change in climate. 20 years ago a solar project was unheard of. We just don't know what the future holds for solar.

Warren S: Will all solar panels be removed from the site and brought somewhere?

Attorney: All will be removed.

Kaitlyn V: If a new solar company wishing to purchase the parcel, they too need to go through the same procedures required at that time as any solar company would.

Councilperson D'Amuro – a new company would have to go through the same process – yes.

Warren S: Were surveys completed to discuss what happens with the water in the area?

Kaitlyn V: There is a Stormwater pollution plan in place during construction. Water is able to flow underneath the panels. Vegetation is permitted under the panels.

Warren S: That is different, it is not the same type of vegetation.

Kaitlyn V: Things are subject to change however there is a Stormwater plan in place according to construction and general utility practices. They have measures prepared for flooding and impact to the wetlands area.

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Steve Piskorowski of 2636 Redman Road advised that he is sandwiched between 2 solar farms if this one is approved. He enjoys hunting and it makes this difficult for him. He voiced his concern about the possibility of other hunters walking on the property as he believes this parcel was deeded to the town. Will there be signs posted for no trespassing?
Attorney – This is not deeded property, Louis Carpenter still owns the back half. It is the Lake Road parcel that is deeded to the town.

Bernardo U: The back portion is wetlands, no hunting there.

Steve P: I am very concerned with the prospect of hunting and what this means. I would like to talk to you after the meeting if we could. These solar farms coming in on both sides of me, along with their fencing, restricts the deer from coming on my property.

Louis Carpenter: I have standing arboreous trees, orchards in the back of the property. It has a lot of Ash Trees as well that have died. There are other hardwood trees that I have planted that are growing nicely back there.

Steve P: Are there plans for the back half of the property?

Kaitlyn V: No plans for the back half of the property.

Steve P: How does the power supply work? Can it handle these solar systems?

Kaitlyn V: I cannot speak about the power grid. That is a question for the utility company.

Steve P: Can the sub-station handle it?

Bernardo U: The sub-station is a project at the top of the queue.

Martha Clasquin of 34 Sherwood Drive advised she is in communications with Nexamp with the Lake Road project. Electricity is being produced here in Clarkson, however her electricity may come from somewhere else within the state. It all feeds into National Grid and those signed up for the discount get credit off their bill.

Warren S: What is the projection of megawatt hours?

Kaitlyn V: 5 megawatts.

Bernardo U: That is 7-8 million kilowatt hours, enough to power 1000 homes a year.

Warren S: Is this based on our weather and snow coverage? Can it handle the snow? Is this one of your smallest projects?

Bernardo U: Yes it can handle the snow. It is 5 Megawatt cap, which is the standard size of other projects across the state. The power produced must stay within the National Grid's territory.

Mark W: Do you have other projects in the area?

Bernardo U: We have 35 projects state wide, 3 or 4 within Monroe County.

Mark W: Does the town investigate those other projects?

Supervisor: The town board does not investigate. The Planning Board will be doing the site plan for this project.

Bernardo U: We are still in the Zoning process at this time.

Steve P: How far from my property will this be?

Bernardo U: There is a 75 ft. property line to the fence.

Kaitlyn V: 100 ft. from property line

Steve P: Are there any other incentives provided to the neighbors of this solar farm? This is something we will be looking at for at least 30 years.

Kaitlyn V: The biggest benefit is the Community Host Agreement that is provided to the town.

Steve P: What about water reaching us on Redman Road. Is there Federal Funds coming to the neighbors?

Supervisor: Please stay to hear the rest of the meeting as we touch base on the water concerns.

Councilperson D'Amuro: The incentive funds from the solar farm are discussed amongst the town board members.

Harold Mundy of 85 Mission Hill Drive wanted to advise that the incentive funds benefit the town as the funds are used towards the town hall renovations, and therefore the need does not get spread across to the residents through taxes.

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Kaitlyn Vigars wants to thank everyone for the discussion and would like to request to close the public hearing.

Bernardo U: We are making significant progress in the sub station in Hamlin to help the grid as well as pay our share of property taxes.

Warren S: With this project paying a lump sum, are the taxes for the residents offset by this amount? Will we see a discount in our taxes?

Councilperson Culhane: The incentive funding helps save the residents money so we do not need to increase their taxes. The solar farm will help increase tax revenue and the job of the town boards is to work towards keeping expenses from rising, therefore increasing your taxes.

Supervisor: The Community Host Agreement funds will be used towards town projects, like the town hall renovations, so that taxes do not have to be raised. It has to have a community benefit. Funds may also be used towards roads and other projects.

Councilperson Culhane: The town board will decide how best to spend those funds to assist the community as a whole.

Councilperson D'Amuro: Funds can be budgeted towards other items, not just town hall. Reiterating that the funds will be used to benefit the community. The information will be posted online for those interested.

Councilperson Culhane: Is there a plan to address the water concerns with this solar project?

Bernardo U: There is a water pollution plan. These are impervious surfaces which controls erosion and other civil engineering measures to ensure not to increase the stormwater runoff.

Councilperson Culhane: We don't want a situation that may worsen the water concerns.

Bernardo U: This will not make them worse, no.

Councilperson D'Amuro: Our Conservation Board will have input into this and other concerns that will be brought to the Planning Board.

Councilperson Zink: Yes, Conservation board has been and is currently making recommendations to the Planning Board.

Councilperson Culhane and Harold Mundy: We encourage the public to attend the upcoming Planning Board meetings.

RESOLUTION #212

MOTION TO CLOSE PUBLIC HEARING FOR BUCK RUN SOLAR, LLC, CYPRESS CREEK

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to close Public Hearing for Buck Run Solar, LLC, Cypress Creek.

VOTE OF THE BOARD

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

NAYES: None

NEW BUSINESS

RESOLUTION #213

MOTION TO APPOINT COURTNEY MILLER TO POSITION OF SECRETARY TO THE SUPERVISOR

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

A motion to appoint Courtney Miller to position of Secretary to the Supervisor at a rate of \$19.78 per hour.

VOTE OF THE BOARD

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

NAYES: Councilperson Guarino

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Supervisors Report –

Seymour Library Survey – Supervisor Filipowicz met with Patty Hayles, Town of Sweden Councilperson to work on the survey. It will be online soon and when ready we will have links on our website.

Rural Development - Pleased to announce that Rural Development has approved funding for the Town-wide Water Grant. This was started back in 2019 and survived COVID shutdowns and other obstacles but our persistence paid off. There are approximately 8 areas identified as needing public water. Although not contiguous, we were able to submit the application as one district. This meant doing all the engineering and reports eight times. Those sections are:

Sweden Walker Road (remaining)

Redman Road (2 sections)

Drake Road

Monroe Orleans Countyline Road

Lawton Road

East Avenue

West Avenue

Ireland Road

We will be receiving a total of \$7.655 million, \$2.955 million in grant and \$4.7 million in a low interest loan of 1.5%. This will be \$733 per year in debt service for 38 years.

Everyone in town will have access to public water. Estimated start time to be summer 2023. More information to come at our next Town Board meeting on July 26. Warren Smith asked if this is water drain or supply water. Supervisor Filipowicz and Superintendent Viscardi advised it is water supply.

Town Board Reports –

Vehicle Charging Stations – Councilperson Culhane mentioned he is working with someone he knows owning an electric company regarding several questions. Mike Mosher who own EV Charging Solutions and has stations in the area. He is hoping he will help identify what area is best in Clarkson for a Charging Station, as well as looking for some help in funding that project.

Good Neighbor Day – Councilperson Zink reminded all that the event will be held on Friday, August 19. Working on having desserts this year. Meeting with Superintendent Viscardi tomorrow regarding layout of the event.

Best Neighbor Slogan – Few responses have come in and Councilperson Zink is reminding we have another week in this contest and hopeful for more responses to a winning slogan to be announced at Good Neighbor Days.

Comprehensive Plan – Councilperson Zink advised that the committee is working on the action items with Bergmann and the Conservation Board. They are looking to start in August with part 2 of the plan.

Conservation Board/ARB – Councilperson Zink mentioned that she is trying to have these 2 boards meet on a more regular basis, starting in August with some help from Councilperson D'Amuro.

Highway Meeting – Councilperson Guarino will meet with the highway employees on July 20 at 6:15 am.

Bench/Flower Boxes – Councilperson Guarino and his wife Dawn have complete p placing flowers around town in all the benches with flower boxes.

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Grants – Councilperson D’Amuro has been working on a Consolidated Funding application which is due July 29. Many grants you may apply for, are on our “dream list” here in Clarkson. Some of those include, Nature Trails, Charging Stations, Historical Items, Parks related items and possible Town Hall renovations. He mentioned he will be discussing all info with other board members in the next few weeks, who might be able to assist with several questions pertaining to a certain grant.

Town Clerk Report – Susan advised that the White Sabre Drum and Bugle Corps had rented the football fields at Hafner Park every Sunday afternoon during June. The Brockport Junior Blue Devils Football will be renting the football fields for the next 3 months starting August 1 – October 31. They have them rented 4 days a week. Both lodges are rented every weekend in July. Susan mentioned the concern with not having an assessor and the residents who are in need of one when they stop in or call Town Hall. She is able to assist with minimal concerns but who does she direct further questions to? Supervisor Filipowicz advised it was ok to send inquiries to her. Susan also mentioned that she is appointing Ursula Liotta as her Deputy Town Clerk, effective immediately. No motion needs to be taken and there is no difference in her compensation for this appointment at this time.

Town Attorney – Richard Olson mentioned that the funds from the Lake Road solar farm should be in at any time.

Superintendent Viscardi – Drake Road is scheduled end of July early August for stone and sealing. Milling of interior roads will be starting soon and the list of roads can be found on the town website. Highway employees continue to clear trees from Brockport Creek, especially on Tearose Meadow Lane. Residents are getting used to the new 4-way stop signs on Gilmore Road. He has heard some positive feedback from this addition. Highway has rototilled the Round A Bout and Kathy from Sara’s Farm Market will be placing mulch down next week. County work is in full swing and we are assisting neighboring towns. Paving will take place on Clarkson Parma Townline Road from Ridge Road to Ireland Road. It is a \$650,000 project that will start in August and take 2-3 weeks to complete. Superintendent Viscardi is registered for an Electric Vehicle virtual meeting next week. The ARPA money through the County is open for towns to apply for these funds in needed areas. Anywhere from \$100,000 to \$400,000 projects are being considered. He will contact County Legislator Jackie Smith with any further questions. Superintendent Viscardi wanted to mention that his Highway Clerk Ursula Liotta will be retiring on August 31, 2022. He has been interviewing different candidates through-out the summer and has made his final decision. Kelly Sprague, who resides in Brockport, has 4 years of highway experience and works with Monroe County, will be the new Highway Clerk. Her start date is August 8, 2022. He will have her package together to discuss at the next Town Board meeting. Superintendent Viscardi would like to place more attention to our town parks. He has watched them go from hay fields to active sports fields, then back to hay fields. He would like the town boards’ permission to contact MRB Group and see if he can get some ideas to move forward on improvement. There are many different options and so much potential to improve and compliment them. They both offer easy access to their parks. Possible adaptive trail, fitness equipment, walking/biking paths, sports leagues of different types and many other options. He suggests forming a Parks’ Committee with some ideas from the community as well. He advised that there is 800 ft of woods at Kimball Park that we can utilize, however it is quite wet. There are 15 acres of woods at Goodwin Park that is full of ash trees that can be cleared for a new project. He will contact the Town Engineer and get things moving.

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Building Inspector – Kevin Moore wanted to share what the Building Department accomplished in the month of June:

107 Building Inspections
 21 Building Permits
 15 Fire Inspections
 7 Stormwater related inspections
 2 fire calls
 134 phone calls

RESOLUTION #214**ACKNOWLEDGE RECEIPT OF SUPERVISOR'S JUNE FINANCIAL REPORT**

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

Acknowledge receipt of Supervisors June Financial Report.

VOTE OF THE BOARD

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

NAYES: None

RESOLUTION #215**APPROVE MINUTES 06-28-2022**

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

To approve minutes from 06-28-2022.

VOTE OF THE BOARD

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

NAYES: None

RESOLUTION #216**APPROVE SPECIAL MEETING MINUTES 07-07-2022**

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

To approve Special Meeting minutes from 07-07-2022.

VOTE OF THE BOARD

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

NAYES: None

RESOLUTION #217**AUDIT 07-12-2022**

Introduced by Councilperson Guarino

Seconded by Councilperson D'Amuro

To authorize payment of audit 07-12-2022 totaling \$53,275.68 AA General \$8,418.97, BB General- Outside Village \$2,886.13, DA Highway - Town Wide \$31,773.24, HH Capital Projects \$5,964.30, SL – Lighting \$3,837.83, SS Sewer \$236.45, TA Agency \$158.76 and Distribution of checks: Trust and Agency #006265, Joint Checking #002373- 002421.

VOTE OF THE BOARD

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

NAYES: None

ABSENT: Guarino

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RESOLUTION #218
MOTION TO ENTER INTO EXECUTIVE SESSION PER ATTORNEY
REQUEST

Introduced by Councilperson Guarino
 Seconded by Councilperson Zink
 Motion to enter executive session at 7:12 PM.

VOTE OF THE BOARD

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

Whereas, Section 108(3) of the Public Officers Law exempts “any matter made confidential by federal or state law” from the provisions of the Open Meetings Law; and
Whereas, Section 4503 of the New York State Civil Practice Law and Rules provides for confidential and privileged communications between an attorney and his or her client in the course of professional employment; and

Whereas, the Town Attorney has requested the opportunity to discuss legal matters with his client, the Town Board;

Now, therefore, be it resolved

That the Town Board enter into a private session with its attorney to discuss legal matters and that in addition to the Town Board of Trustees and the Attorney, the following individuals shall be included:

1. Superintendent Robert Viscardi

RESOLUTION #219
MOTION TO EXIT EXECUTIVE SESSION

Introduced by Councilperson Culhane
 Seconded by Councilperson Guarino
 Motion to exit executive session at 7:53 PM.

VOTE OF THE BOARD

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

RESOLUTION #220
MOTION TO PAY KEVIN MANNA THE REMAINDER OF THE 99 HOURS
THAT WERE REPORTED

Introduced by Councilperson Guarino
 Seconded by Councilperson D'Amuro
 Motion to pay Kevin Manna the remainder of the 99 hours that were reported.

VOTE OF THE BOARD

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

RESOLUTION #221
MOTION TO ADJOURN

Introduced by Councilperson Culhane
 Seconded by Councilperson Guarino
 Motion to adjourn at 7:58 PM.

VOTE OF THE BOARD

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

Respectfully submitted,

Susan Henshaw
 Town Clerk

Approved 7-26-2022