

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall
Wednesday, August 3, 2022 at 7:00 PM

Board Members

Conrad Ziarniak, Chairperson
Joseph Perry
Joanne Scheid
Howard Henick
Dan Maier

Support Staff

Keith O'Toole, Town Attorney
Kevin Moore, Code Enforcement
Anna Beardslee, Building Department Clerk

Excused *

CALL TO ORDER:

C. Ziarniak called the Zoning Board meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance with a moment of silence for first responders. He then read aloud the agenda for the night.

TRAINING SESSION:

K. O'Toole began a training session for the Zoning Board Members in regards to the Open Meetings Law. Below are some key notes that were covered during the training and more details can be found in the information packet that was provided to the Board Members by K. O'Toole.

Open Meetings Law:

Convening of a public body for the purpose of public business.

Quorum:

- The amount of board members needed to be present to legally conduct a meeting.
- If there are 5 Board Members, 3 board members need to be present to conduct a meeting.

Social Functions:

- Keep in mind if you are out in a public setting and three board members are present and Board Business comes up in discussion, it would be considered a meeting.
- Meetings cannot be held unless prior notice is given.

Workshops:

If a workshop is being held and there are no decisions or votes to be made, but there are still discussions, this would still be considered an open meeting.

Notices:

- Notices should be given to public with the time, date, and location at least 72 hours in advance
- Public Hearings need to be published in the newspaper.
- Agendas are not required.

Public Attendance:

- Public have a right to listen and watch, but they do not have the right to speak or ask questions unless there is a Public Hearing.
- When a Public Hearing is on the agenda, the public is allowed to speak within a reasonable amount of time.
- The applicant and the public should only address the Chairman.
- The Public has a right to record, take notes, and they are allowed to bring in signs.
- All public is welcome to attend Meetings that includes: adults, children, town residents, non-town residents, etc.

Executive Session:

- An executive session is when the meeting is closed to the public to discuss an issue. (There are only 8 items that can be discussed – please see information packet for more details).
- A reason must be given with basic information for why an executive session is being had.
- Motions are made to enter into the executive session.

Minutes:

- Minutes do not need to be transcribed.
- They are allowed to be minimal or detailed, they must include: motions, proposals, matters that are voted on, and results of any votes.
- Regular minutes should be posted within 2 weeks of the Meeting.
- Minutes that include Executive Sessions must be posted within 1 week of the Meeting.

Questions for K. O'Toole:

C. Ziarniak asked about communicating through emails and wanted to know if Board Members should have a Town email or use their personal email.

K. O'Toole stated that Town emails are ideal, but it would be up to the Town Board to make that decision.

K. O'Toole stated that in communication of emails, no debating of an item should be done.

C. Ziarniak asked if emails could be FOILed.

K. O'Toole stated that emails can be FOILed for the Town, but there are exceptions in the FOIL law.

K. Moore asked if an application is withdrawn and then the applicant submits a new application, are they still subject to paying the fees.

K. O'Toole stated yes, it would be a brand new application.

C. Ziarniak stated that years ago, he was told by the Town Attorney that recordings of the meeting could not be done.

K. O'Toole stated he would check into it.

C. Ziarniak asked what can be done if a meeting gets volatile.

K. O'Toole stated that if a meeting gets out of control, the Chairman can politely adjourn the Meeting.

MINUTES:

J. Perry made a motion to approve the minutes from July 20, 2022.

H. Henick seconded.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak made a motion to adjourn at 8:00 PM.

J. Scheid seconded.

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, August 17, 2022 at 7:00 PM held at the Town Hall.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Minutes approved on 8/17/2022