

TOWN OF CLARKSON  
TOWN BOARD MEETING  
August 8, 2023

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, August 8, 2023 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
Keith O'Toole	Attorney
Kevin Moore	Building Inspector

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

**HISTORICAL MOMENTS**

Leanna Hale discussed being at the Hamlin History Center earlier in the day and was teaching children cursive and how to play older games. She will be conducting a tour of the Clarkson Academy on Friday, August 18 between 4:00pm–5:00pm during Good Neighbor Day. She will also have a tent at the event, to show children cursive and some early games. August 21-24 is the Academy's Summer Camp. If interested in being a member of the CHS, Clarkson Historical Society, please go online and sign up. Leanna wants to thank the board for sending her once again to her annual Historian's conference in Ithaca coming up in September. The Sweden Harvest Festival is September 23 with wagon tours of the Lakeview cemetery. Walking tours will be in the afternoon of the Civil War soldiers within the cemetery. Leanna will be hosting the Monroe County Historians meeting on October 11 at the Clarkson Academy. Field trips will begin this Fall for the 4<sup>th</sup> graders from Hill School. She wanted to advise that in 2025 the Eric Canal turns 200 years old. She mentioned the land gifted to the town from the San Souci family, which is now known as San Souci Park along the canal. Solar Eclipse upcoming on April 8, 2024 and Clarkson is ground zero. She mentioned how she volunteers at the Parma Museum and speaks to the school kids whenever requested.

Supervisor Filipowicz recognized Leanna Hale for 20 years of service as the Town of Clarkson's Historian. Leanna is a wealth of knowledge and can assist anyone with information about the town, Clarkson Schoolhouse and its rehabilitation, any history regarding any home or local building and even the cemeteries. She told a story regarding a Sheriff's barracks blowing up in the town many years ago and how Leanna had information the next day regarding the event.

**PUBLIC HEARING**

**Local Law#4-2023 -Accessory Structure and Uses**

Kevin Moore described the local laws and that these structures are incidental to the primary residence. They are not to be larger than the principal structure.

*Joe Sidonio, 3803 Herb Road, Holley NY*, mentioned that they are working with Accessory Structures and Uses law in their town and inquired about agricultural aspect of this law. Would a landowner leasing his property to a farmer, be able to place an



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accessory structure or pole barn on that said property? Kevin Moore advised that the primary use of that particular property would be farming. So the pole barn would have to be used for incidentals, such as crops, hay, tractors or something that supports the agricultural land. They further discussed residential and other principled properties and zoning.

**RESOLUTION #225**  
**MOTION TO CLOSE PUBLIC HEARING FOR LOCAL LAW#4-2023**  
**ACCESSORY STRUCTURES AND USES**

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to close Public Hearing to Local Law#4-2023 Accessory Structures and Uses.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**RESOLUTION #226**  
**MOTION TO APPROVE LOCAL LAW#4-2023 ACCESSORY STRUCTURES**  
**AND USES**

Introduced by Councilperson Zink

Seconded by Councilperson Guarino

**BE IT RESOLVED AS FOLLOWS:**

**Section 1.** That the Town Board of the Town of Clarkson classifies this as a Type 2 action under SEQR.

**Section 2.** That the Town Board of the Town of Clarkson approves Local Law #4 of 2023 - A local law to amend the Town of Clarkson's "Local Law No. 1-1973 of the Town of Clarkson".

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**Local Law#5-2023- Moratorium on Land Development**

Supervisor Filipowicz reviewed the Comprehensive Plan that was adopted in 2022 and advised this is the vision of the town. The town board is trying to create a zoning code and map that encompasses areas that have changed. The board needs a temporary pause on development until this new zoning code is in place.

*Bill Fine, 3502 County Line Road*, asked when this law will expire. Supervisor Filipowicz advise that it is for six months.

*Sharon Mattison, 55 East Avenue*, handed out a flyer of her 65-acre parcel advising its exact location being in a high speed, heavy traffic area. She discussed this being her family's land and that it did not meet the towns' description of a mixed-use hamlet. By definition a hamlet has commercial, residential and civic uses within a small scale traditional rural downtown center. She feels this does not describe her property. She is requesting that her parcel ID#055.03-1-13.001 be removed from a mixed-use hamlet zoning on the proposed map, dated February 20, 2023 and placed in the same zoning as the balance of her 150 acres of land on the south side of Ridge Road and be zoned as on the same map dated February 20, 2023. Councilperson Zink advised that this map was developed by Bergmann and is not a final map for the zoning committee rather just used for the moratorium purposes. She advised they are still working on what parcels should be placed where. When the committee work is completed there will be an informational session for the public so people can view and offer feedback at that time. The committee will then go back and make changes accordingly and present the map once again during a public hearing. Supervisor Filipowicz mentioned more in detail what a hamlet is to look like and felt that in her opinion, this property probably does not fit that description.

Councilperson Guarino discussed that final decisions will be made once the committee redefines the scale and after the public hearing. Councilperson Culhane inquired about all



others within this hamlet. He doesn't agree with the map as it stands at this time.

Councilperson Zink

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advised the committee is trying to get all hamlets defined. They are asking for a few more months to complete this project. It is common for a town board to request an 18-month moratorium, while Clarkson is asking for six months. Councilperson Culhane suggests redo the existing map and remove Ms. Mattisons' property in question.

*Ursula Liotta, 61 Hideaway Lane*, mentioned that the current parcel in question is zoned RS-20, but yet on the new map showing in a hamlet, she is unable to do anything with her property in this time frame while a decision is made. She mentioned that Ms. Mattison was unaware that her land was moved into the mixed hamlet. Keith O'Toole advised that this map is not final. It is more of a point of reference. It is not adopted. He advised that the board could move forward with the moratorium, omitting that parcel of land in question, and they could proceed. Councilperson Culhane feels as if this parcel does not fit the hamlet and should be omitted. Keith O'Toole advises that the moratorium and the zoning are different things once the zoning is complete it will help with the map.

*Martha Clasquin, 34 Sherwood Drive*, discussed wanting to work on the obvious needs of a small town. She pointed out certain areas that need immediate attention and felt that this hamlet is not a priority as people can walk to the village if looking for a place with small shoppes and local stores. Councilperson Guarino added that he feels a hamlet is a great concept yet it has several restrictions. Councilperson Zink advised that the Comprehensive plan is trying to help devise a plan for the future of the town. She is asking for six months moratorium to complete their study to help keep Clarkson a place to be proud of. Supervisor Filipowicz discussed the Brookfield project at the corner of Sweden Walker Road and Ridge Road and how building the complex has stalled. That at the time it was to bring in 1000 people and the need for sidewalks and shopping in that area was in progress. This project was approved in 2015 with little movement since. She also mentioned that anyone can appeal a local law. [Superintendent Viscardi discussed pulling a permit and going before the DRC, Pre-Development Review, and the Planning Board and ultimately through the building inspector.] Kevin Moore mentioned that the moratorium gives the committee time to decide placement of parking, signage, what the façade will look like and more design criteria. He explained there is no design criteria for the hamlet specifically and that is why they are working on this. Discussion ensued regarding 500-foot letters to the residents; letters sent to neighboring towns and municipalities; the DRC and their duties in any given project; as well as a complete moratorium on the entire town for six months. Councilperson Zink advised that the committee is taking the zoning code, the map and re-defining all the zoning within the town. There will be twice as many types of zoning and all residents will have a chance to review the maps and codes at public information session as well as a public hearing. Kevin Moore explained that the hamlets are the most demanding over the residential districts. They discussed the lack of sewers reduces developmental areas. Sharon Mattison reiterated she requests to have her 65 acres remain zoned as RS-20 and not in the hamlet. Supervisor Filipowicz advised that when the committee is finished and the board has the zoning map, and its approved, then the moratorium could end prior to six months.

#### **RESOLUTION #227**

#### **MOTION TO AMEND THE MAP REMOVING PARCEL TAX ID#055.03-1-13.001 AND SEND OUT 500 FOOT LETTERS TO RESIDENTS EFFECTED**

Introduced by Councilperson Guarino

Seconded by Councilperson Culhane

Motion to amend the map removing parcel Tax ID#055.03-1-13.001 and send out 500-foot letters to residents effected.

#### **VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane and Guarino

NAYES: Zink

ABSENT: D'Amuro



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NEW BUSINESS

RESOLUTION #228  
MOTION TO AMEND RESOLUTION #227 SCHEDULING A REVISED LOCAL  
LAW#5-2023 MORATORIUM ON LAND DEVELOPMENT FOR PUBLIC  
HEARING TO SEPTEMBER 12

Introduced by Councilperson Guarino

Seconded by Councilperson Culhane

Motion to amend Resolution #225 scheduling a revised local law#5-2023 for Public Hearing to September 12, 2023.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

RESOLUTION #229  
ACKNOWLEDGE RECEIPT OF SUPERVISOR'S JULY FINANCIAL REPORT

Introduced by Councilperson Guarino

Seconded by Councilperson Zink

Acknowledge receipt of Supervisors July Financial Report.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

RESOLUTION #230  
MOTION TO ACCEPT RESIGNATION OF HAROLD MUNDY FROM THE  
PLANNING BOARD

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to accept resignation of Harold Mundy from the Planning Board.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

NEW BUSINESS

RESOLUTION #231  
MOTION TO APPOINT LOCAL GOVERNMENT SERVICES, LLC AS OUR  
ACCOUNTANTS

Introduced by Councilperson Guarino

Seconded by Councilperson Zink

Motion to appoint Local Government Services, LLC as our accountant.

VOTE OF THE BOARD

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

RESOLUTION #232  
MOTION TO APPROVE ROBERT VISCARDI, HIGHWAY SUPERINTENDENT  
TO BID ON GILMORE ROAD PUMP STATION GENERATOR

Introduced by Councilperson Culhane

Seconded by Councilperson Guarino

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Motion to approve Robert Viscardi, Highway Superintendent to bid on Gilmore Road pump station generator.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**RESOLUTION #233****AUTHORIZE MERIT/STEP INCREASE FOR THE ASSISTANT TO HIGHWAY SUPERINTENDENT KELLY SPRAGUE**

Introduced by Councilperson Culhane

Seconded by Councilperson Guarino

To authorize a merit/step increase for the Assistant to Highway Superintendent Kelly Sprague from Clerk 1, Step 11 at \$21.67/hour to Clerk 1, Step 13 at \$22.33/hour effective August 8, 2023.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**RESOLUTION #234****MOTION TO ROLLOVER 5 VACATION HOURS FOR ASSISTANT TO HIGHWAY SUPERINTENDENT KELLY SPRAGUE**

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

Motion to rollover 5 vacation hours for Assistant to Highway Superintendent Kelly Sprague.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**Property Violations** - Kevin Moore advised of 7 property addresses for Chapter 5, Brush, Grass and Weed violations.

3224 Lake Road

2548 Lake Road

7547 Ridge Road

8314 Ridge Road

1648 Lawrence Road

2374 Sweden Walker Road

8354 Ridge Road

**RESOLUTION #235****MOTION FOR BUILDING INSPECTOR TO SEND LETTERS FOR TOWN CODE VIOLATIONS**

Introduced by Councilperson Guarino

Seconded by Councilperson Culhane

Motion for Building Inspector to send letters of code violations.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**RESOLUTION #236****TO APPROVE LINE TRANSFERS FROM 8-9-2023 AS RECOMMENDED FROM EFPR**

Introduced by Councilperson Zink

Seconded by Councilperson Culhane

To approve line transfers from 8-9-2023 as recommended from EFPR. **See attachment**



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**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**RESOLUTION #237**

**TO AUTHORIZE YOUNG EXPLOSIVES CORP. FIREWORKS AGREEMENT  
FOR GOOD NEIGHBOR DAYS**

Introduced by Councilperson Zink

Seconded by Councilperson Guarino

To authorize Young Explosives Corp. to hold a firework's display on August 18, 2023 at Hafner Park, 3645 Lake Road, Clarkson NY. A certificate of Liability Insurance for the Young Explosives Corp was provided and is on file with the Town of Clarkson. The Town of Clarkson is aware of Article 405 regarding firework permits.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**OLD BUSINESS**

**RESOLUTION #238**

**SCHEDULE PUBLIC HEARING FOR PROPOSED LOCAL LAW:  
INTRODUCTORY LOCAL LAW #3-2023  
TOWN OF CLARKSON**

Introduced By Councilperson Guarino

Seconded by Councilperson Zink

**A LOCAL LAW TO AMEND THE** Town of Clarkson's "Local Law No. 1-1973 of the Town of Clarkson".

**WHEREAS**, the Town Board has before it proposed Introductory Local Law #3-2023 to amend "Local Law No. 1-1973 of the Town of Clarkson" which will amend the zoning regulations involving the design requirements of Pole Barn Residences; 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;

**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 10th day of October, 2023, at 6:00 p.m. at the Town Hall, 3710 Lake Road, Town of Clarkson, New York, 14430 to consider the changes which are contained on 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 as required by law.

**VOTE OF THE BOARD**

AYES: Supervisor Filipowicz, Councilpersons Culhane, Guarino and Zink

NAYES: None

ABSENT: D'Amuro

**Supervisors Report –**

**Budget –** Preparations for the budget have begun. Superintendent Viscardi and I are scheduled to meet with our accountant September 6 or 7 to start crunching the numbers. Budget request forms will be provided to all departments this week and the Town Board will develop the budget assumptions.

**PERMA -** Supervisor Filipowicz met with PERMA for their annual review and inspection of the Town Hall and the Highway. They review:

- Operational exposures
- Loss analysis
- Claim management
- Injury and accident prevention



They provide us with their observations and recommendations, and we await their report.

**PESH** -Public Employees Safety and Health stopped by at the same time as PERMA unannounced and did their inspection and review. It was a surprise, but we did well, and we await their report.

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**MCWA** – Steve Savage contacted me yesterday to advise that there would be a brief boil-water advisory on the west side of Lake Road for seven homes between Lawrence and Glidden Circle.

### **Town Board Reports -**

**Kimball Tree Program** – Councilperson Culhane advised that Sara’s Farm Market has not yet heard back from the supplier. Martha Clasquin and he discussed options of trees prior. He will be taking inventory of the current trees at the park.

**BEST** – a non for profit to help teachers collect donations to provide grants to students for taking AP exams and other needed items. They hold an annual dinner at Kirby’s Farm Market. Councilperson Culhane attended and it was a really nice event with teachers and the Superintendent of Schools in attendance. For a \$125 donation, they will add the Town of Clarkson to their BEST list. All members were in favor.

**Good Neighbor Day** – Councilperson Zink advised she is finalizing things. Tents are paid and will be delivered on Thursday, August 17. She will meet with Superintendent Viscardi and Mike Farrell for tent lay-out. Tom will tend to parking and the vendors for the event. There will be a petting zoo along with pony rides and tickets will need to be handed out to those riders.

**Zoning Code** – Councilperson Zink met with the committee last week and plan for community information to roll out in the Fall. Bergmann will be providing a draft of the zoning code soon.

**Planning Board** – there is a vacancy on the board and Councilperson Zink has reached out to someone to fill that spot.

**Conservation Board** – has an opening if anyone has any ideas please advise Councilperson Zink.

Councilperson Guarino advised that he will be uploading tonight’s Town Board meeting to Facebook tomorrow. Technical difficulties developed and he was unable to stream tonight’s meeting.

**Town Clerk** – Deputy Stacey Yanklowski advised that we will need to issue a refund of \$98.00 to residents Rebecca Peck Tricamo and her husband Steven as they handed in their Transfer Station permit last week. They were advised from transfer station employees they were not adhering to the rules and regulations of the facility. A letter was drafted, shared with the board, and sent out offering them a refund for the remainder of the year.

We will be receiving a \$150.00 refund for the chairs we ordered for Goodwin lodge. They were to come assembled but were not. After Susan contacted the company, she requested a refund for the dis-service and they granted \$150.00. Otherwise, the Clerk’s office continues to be very steady with marriage licenses and passports.

**Superintendent Report** – Superintendent Viscardi advised he met with PERMA for 2 hours and all the highway employees annual certification is completed and some housekeeping items have been fixed. CPR class is coming up for all employees. He advised he consistently sends up to 4 guys to Sweden to help on East Avenue. That drainage project will run into September. Oil and stone will begin on Redman Road, Hideaway Lane, Stag Creek, St. Katharine Way, Gallup Road and Industrial Park and should be a 2-day project.

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**RESOLUTION #239**  
**APPROVE MINUTES 7-25-2023**

Introduced by Councilperson Zink  
Seconded by Councilperson Culhane  
To approve minutes from 7-25-2023.

**VOTE OF THE BOARD**

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

**RESOLUTION #240**  
**AUDIT 8-8-2023**

Introduced by Councilperson Guarino  
Seconded by Councilperson Zink  
To authorize payment of audit 8-8-2023 totaling \$51,266.53. AA General \$17,662.46, BB General- Outside Village \$649.01, DA Highway - Town Wide \$26,740.88, DB Highway - Outside Village 2,341.52, SL-Lighting \$3,763.54, TA-Agency \$109.12 and Distribution of checks: Joint Checking #0003651-0003702 and Trust and Agency #0006293.

**RESOLUTION #241**  
**MOTION TO ADJOURN**

Introduced by Councilperson Culhane  
Seconded by Councilperson Guarino  
Motion to adjourn at 7:35 PM.

**VOTE OF THE BOARD**

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

Respectfully submitted,

*Susan Henshaw*  
Town Clerk

Approved 9-12-2023



TOWN OF CLARKSON

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 8/9/23 MEETING:

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	AA.1990.400	Contingency	\$	10,000.00
	AA.9040.800	Workers Compensation, Empl Bnfts	\$	-
		<b>UNANTICIPATED REVENUE</b>		
	AA.1170.000	Franchises	\$	470.00
	AA.4089.000	FEMA Aid - Other	\$	422,973.00
			\$	<u>433,443.00</u>
<i>Transfer To:</i>	AA.1355.4000	Assessment, Contr Expend	\$	3,000.00
	AA.1375.400	Credit Card Fees	\$	90.00
	AA.1950.400	Taxes & Assess on Munic Prop, Contr Expend	\$	3,983.00
	AA.3510.400	Control of Animals, Contr Expend	\$	2,344.00
	AA.9785.601	Install Pur Debt, Principal (Downstairs)	\$	1,053.00
	AA.9901.900	Transfers, Other Funds	\$	422,973.00
			\$	<u>433,443.00</u>

GENERAL FUND - OUTSIDE VILLAGE

<i>Transfer From:</i>	BB.1990.400	Contingency	\$	2,500.00
		<b>UNANTICIPATED REVENUE</b>		
	BB.2410.000	Rental of Real Property	\$	17,818.00
			\$	<u>20,318.00</u>
<i>Transfer To:</i>	BB.7140.400	Playgr & Rec Centers, Contr Expend	\$	17,818.00
	BB.7410.400	Library, Contr Expend	\$	2,500.00
			\$	<u>20,318.00</u>

HIGHWAY FUND - TOWNWIDE

<i>Transfer From:</i>		<b>UNANTICIPATED REVENUE</b>		
	DA.3589.000	St Aid Other Transportation	\$	58,228.00
	DA.5031.000	Interfund Transfer	\$	244,295.00
			\$	<u>302,523.00</u>
<i>Transfer To:</i>	DA.5110.400	Maint of Streets, Contr Expend	\$	302,523.00
			\$	<u>302,523.00</u>

HIGHWAY FUND - OUTSIDE VILLAGE

<i>Transfer From:</i>		<b>UNANTICIPATED REVENUE</b>		
	DA.5031.000	Interfund Transfer	\$	18,600.00
			\$	<u>18,600.00</u>
<i>Transfer To:</i>	DB.5110.100	Maint of Streets, Pers Serv	\$	18,600.00
			\$	<u>18,600.00</u>

TOWN OF CLARKSON

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 8/9/23 MEETING:

SEWER DISTRICT #5

<i>Transfer From:</i>	SS.5999.000	Unexpended Fund Balance	\$	372.00
			\$	<u>372.00</u>
<i>Transfer To:</i>	SS.8120.400	Sanitary Sewers, Contr Expend	\$	372.00
			\$	<u>372.00</u>

APPROVED

NOT APPROVED

*Christa Suprowice*  
\_\_\_\_\_  
SIGNATURE - SUPERVISOR

*8.8.23*  
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DATE

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*N. D'AMURO absent.  
-Christa*