

TOWN OF CLARKSON  
TOWN BOARD MEETING  
January 23, 2024

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, January 23, 2024 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 P.M.

**PRESENT:**

Ursula Liotta	Supervisor
John Culhane	Councilperson
Nick D'Amuro	Councilperson
Sharon Mattison	Councilperson
Evan Wexler	Councilperson
Susan Henshaw	Town Clerk
Robert Viscardi	Highway Superintendent
Keith O'Toole	Attorney
Kevin Moore	Building Inspector
John Jackson	Chairperson of Planning Board
Darryl Fleischer	Planning Board

Supervisor Liotta 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. Along with thanks to healthcare workers who tirelessly work to save lives every day.

**HISTORICAL MOMENTS**

Town Historian Leanna Hale spoke about John Hancock and how he signed the Declaration of Independence so large that you could see it without your glasses. The Clarkson Historical Society is in its 10<sup>th</sup> year, where they enjoy teaching cursive writing to young children. She mentioned that the state of California just voted that all schools must teach cursive writing. She mentioned Brockport Central School 4<sup>th</sup> grade teacher Chris Albrecht and how his students attend their summer camp and field trips offered by the Historical Society where they too continue to teach cursive writing. Seth Voorhees from Spectrum news attended and filmed this past summer camp Cursive Writing Contest. That podcast can be seen as of this evening. Ms. Hale reminded us that January is Black History month and she has left 2 books on the counter for viewing titled The Signers and The Colored Patriots of the American Revolution. The Clarkson Historical Society is looking for 2 board members to join if interested. She wanted to mention that she would like to place a box of The Town of Clarkson-Sesquicentennial books on the table and request donation only. She would like all proceeds to go towards much needed Historical markers for the town.

**NEW BUSINESS**

**RESOLUTION #61**

**MOTION TO APPOINT COLLEEN MATTISON TO THE ZONING BOARD OF APPEALS**

Introduced by Councilperson D'Amuro

Seconded by Councilperson Wexler

Motion to appoint Colleen Mattison to the Zoning Board of Appeals.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

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**RESOLUTION #62**  
**MOTION TO APPOINT KELLY SMITH TO THE ENVIRONMENTAL**  
**CONSERVATION BOARD**

Introduced by Councilperson Mattison

Seconded by Councilperson Culhane

Motion to appoint Kelly Smith to the Environmental Conservation Board.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

**RESOLUTION #63**  
**MOTION TO APPOINT KATHY KEMP AS TEMPORARY DEPUTY TOWN**  
**CLERK**

Introduced by Councilperson Culhane

Seconded by Councilperson Mattison

Motion to appoint Kathy Kemp as temporary Deputy Town Clerk.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

**Historic Preservation** – Councilperson D'Amuro discussed Certified Local Government and how there are only 50 CLG's across NYS. This is a wonderful designation for our town. The commission has already been created and we await being certified by the National Park Service.

**RESOLUTION #64**  
**MOTION TO AUTHORIZE THE CONTRACT WITH NYS OFFICE OF**  
**PARKS, RECREATION AND HISTORIC PRESERVATION**

Introduced by Councilperson D'Amuro

Seconded by Councilperson Mattison

Motion to authorize the contract with NYS Office of Parks, Recreation and Preservation.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

**WIBA#1**- Supervisor Liotta advised that as a requirement of the USDA we must obtain a single audit letter of engagement. Two local CPA firms who can assist, were suggested. After reviewing both options with assistance from MRB Group, we will be hiring Allied CPA, PC to create this single audit.

**RESOLUTION #65**  
**MOTION TO AUTHORIZE A SINGLE AUDIT LETTER OF ENGAGEMENT**  
**WITH ALLIED CPA, PC**

Introduced by Councilperson Wexler

Seconded by Councilperson Culhane

Motion to authorize a single audit letter of engagement with Allied CPA, PC.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

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**OLD BUSINESS**

**Solidago Solar** – Supervisor Liotta read a letter of determination:

The Town Board has carefully considered this project. We have listened to developer's presentations on more than one occasion, and we have read the numerous letters supporting his position. We have also done our due diligence to arrive at what we believe to be the best decision for the town residents, including consulting with all experts available to us. We hereby agree with the Planning Board's recommendation and will not be calling for a public hearing to rezone the parcel from RS-10 to RS-20. This matter is closed.

**Brook Field** - Supervisor Liotta briefly discussed the project on Sweden Walker Road, south of Ridge Road, corner of East Avenue. The developer is ready to start once funding is in place. She read the Resolution aloud.

**RESOLUTION #66**  
**MOTION TO APPROVE MODIFICATION TO INCENTIVE ZONING FOR**  
**BROOK FIELD AT CLARKSON**

**WHEREAS**, the Clarkson Town Board granted incentive zoning approval for an application from Atlantic Funding & Real Estate LLC and its affiliates (the "Developer") for the development project known as the Brook Field at Clarkson (the "Project") pursuant to a resolution adopted December 8, 2015 ("Incentive Zoning Approval"), as revised on July 25, 2017;

**WHEREAS**, the Project has been working diligently to advance the Project but has been delayed for a period of time as a result of COVID, economic conditions and other factors;

**WHEREAS**, the Developer has indicated that it is now preparing to move forward with the Project pursuant to the Incentive Zoning Approval and other project approvals, subject to the modifications described below;

**WHEREAS**, the Developer has indicated a need to modify the phasing of the Project described in Paragraph 4 of the Incentive Zoning Approval for purposes of financing to start the Project;

**WHEREAS**, the Town Board wishes to eliminate the provision of the Incentive Zoning Approval in Paragraph 4.B. which describes certain fixed tax payment amounts for the market rate residential units;

**WHEREAS**, the Town Board and the Developer wish to therefore modify the Incentive Zoning approval for the foregoing purposes, as further described in a letter from Woods Oviatt Gilman LLP , attorneys for the Developer to the Town Board dated January 23, 2024; and

**WHEREAS**, the Town Board determines that the proposed modifications are in the best interest of the Town of Clarkson and facilitate completion of the approved Project.

**NOW**, on motion duly made and seconded, it is

**RESOLVED**, that the Town Board of the Town of Clarkson resolves as follows:

1. In lieu of the phasing described in the 2015 Incentive Zoning Resolution, Paragraph 4, the phasing will be as follows: Phase 1 will include all buildings except for the senior housing part of the Project (which was originally called Phase 1). The Project is proposed to be completed in two phases. Phase 1 will include the 6 two-story 16-unit buildings (96 market rate units) and 12 two-unit villas (24 units) (originally called Phase 2) and the 5 eight-unit buildings plus 30,000 square ft. commercial space (originally called Phase 3).

2. Phase 2 is proposed to follow Phase 1, with an initial building permit application for Phase 2 to be submitted within 5 years from the completion and issuance of certificates of occupancy for 50% of the residential units in Phase 1. If the Developer fails to secure a building permit to commence Phase 2 within said 5-year period, the Town Board may, upon giving the Developer 60 days prior written notice and an opportunity to secure a building permit to commence Phase 2, take action to revoke this Incentive Zoning approval with respect to Phase 2.

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3. In respect to the terms of the 2015 Incentive Zoning Approval, Paragraph 4.B. which provides for a fixed annual tax payment per residential unit for the 6 two-story 16-unit buildings (96 units) and 12 two-unit villas (24 units), no such fixed payment will be included as part of the Incentive Zoning approval and the provision is omitted from the terms of the Incentive Zoning (such that any real property tax incentive would require approval by COMIDA).

4. All other terms of the Incentive Zoning Approval of December 8, 2015, as revised July 25, 2017, shall remain the same.

Motion by: Councilperson Mattison  
Seconded by: Councilperson D'Amuro

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

**Tax Exemptions** – Town Assessor Tammy Baker led a discussion on the new tax exemption options based on income levels for residents who are low income sliding scale, on disability, veteran's exempt and volunteer fireman. The volunteer fireman exemption originally was within Monroe County only; however the state has now adopted that exemption. This will allow the spouse to keep the exemption if the covered individual passes. She advised the lowest income level rose from \$29,000 to \$40,000, with a maximum level being \$52,000. She mentioned the current ranges for wartime veterans being at \$24,000 and that combat veterans receive an additional \$12,000 credit towards their tax bill. The disability portion for a veteran is set at \$150,000 but capped at \$204,000. There are several factors in determining where a resident may fall on this sliding scale. It is best to contact Tammy Baker for any further questions. This subject will be reviewed by the town board to determine the best way to move forward for our residents. The deadline on the decision is set for March 1, 2024.

**Supervisors Report** –

**Seymour Library** – Open House will be Tuesday, January 30 from 4:00pm – 7:00pm. Come visit to see the new changes and additional programs and services being offered.

**Legislator Jackie Smith** – supplied us with a summary list of all the services offered to our community. It provides options for free meals, clothing, hygiene bank, vision screening, narcotics anonymous and other services. Copies can be found in the entryway.

**Town Board Workshop** – will be Saturday, January 27 at the Town Hall at 8:30am. This meeting is set to discuss future projects within the town.

**Town Board Reports** –

**Councilperson Wexler** – being our newest town board member advises he is learning who to ask with any concerns and questions about a specific item. He advises he is open to visit with anyone about anything and to please feel free to contact him.

**Councilperson Culhane** - is continually working with Tammy Blanchard on requested information regarding the town Solar Projects.

**Councilperson D'Amuro** – had a zoom meeting with Monroe County Parks, which included Supervisor Liotta and Superintendent Viscardi regarding the vast ideas for Kimball Park.

**Town Clerk** – Susan Henshaw advised that any business in Clarkson have the ability to advertise on any of our four Welcome to Clarkson signs at the road entrances to our town. The information will be posted shortly on our social media platforms for those interested.

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Susan mentioned the 2023 transfer station permits are no longer valid, and the new 2024 permits are now required and available at the Town Hall. On January 9, Susan had a passport audit on the facility, and passed with no concerns. She reminded everyone that January is Oath Book month and all newly elected and appointed officials must stop and sign the book by January 31, 2024.

**Town Attorney** – Keith O’Toole discussed the dedication of Craig Hill Drive, and that progress has been made and the relevant parties have been found and things are moving forward.

**Highway Report** – Superintendent Viscardi mentioned that they are halfway through their winter schedule and as of January 22, trucks have driven 35,382 miles and have used just over 1,000 tons of salt on the roads. This is approximately a third of what is used each year. The ice rink was open for 8 days before the weather warmed. He advised that Kimball Lodge will be receiving some needed indoor updates during the slower wintertime months. The upgraded funds will be coming out of the Green Area Trust Fund which is allocated towards enhancing any of our parks. He will be sharing the project information at the next town board meeting.

**RESOLUTION #67**  
**MOTION TO APPROVE MINUTES 1-09-2024**

Introduced by Councilperson Culhane  
Seconded by Councilperson D’Amuro  
Motion to approve minutes 1-09-2024.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D’Amuro, Mattison and Wexler  
NAYES: None

**RESOLUTION #68**  
**AUDIT 1-23-2024**

Introduced by Councilperson Mattison  
Seconded by Councilperson D’Amuro  
To authorize payment of audit 1-23-2024 totaling \$541,909.76, AA General \$140,592.78, BB General- Outside Village \$351,233.54, DA Highway - Town Wide \$43,380.86, DB-Highway-Outside Village \$5,440.50, SS – Sewer \$1,262.08 and Distribution of checks: Joint Checking #4152-4198.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D’Amuro, Mattison and Wexler  
NAYES: None

Supervisor Liotta mentioned the large audit due to the 2024 annual payments for NYS Retirement of \$119, 799.00 along with the town commitment to the Seymour Library of \$191, 497.00 and the Sweden Clarkson Recreation Center of \$157,114.00.

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**RESOLUTION #69**  
**MOTION TO ADJOURN**

Introduced by Supervisor D'Amuro

Seconded by Councilperson Wexler

Motion to adjourn at 6:50 PM.

**VOTE OF THE BOARD**

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Mattison and Wexler

NAYES: None

Respectfully submitted,

*Susan Henshaw*

Town Clerk

Approved 2-13-2024