

TOWN OF CLARKSON
TOWN BOARD MEETING
May 27, 2008

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, May 27, 2008 at the Clarkson Court House, 3655 Lake Road, Clarkson, NY at 7:00 PM

PRESENT:

Paul Kimball	Supervisor
Christa Filipowicz	Councilperson
Allan Hoy	Councilperson
Patrick Didas	Councilperson
Sheldon Meyers	Councilperson
Sharon Mattison	Town Clerk
David Goodwin	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

William Ey	Ass't to Supervisor
** Pam Dolliver	Assessor
** Larry Gurslin	Building Insp/Code Enf.

**excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military.

OPEN FORUM

No one spoke

PUBLIC HEARING CLARKSON HAMLIN TOWN LINE ROAD WATER DISTRICT # 2

Supervisor Kimball opened the hearing. Hamlin Supervisor, Dennis Roach, Councilpersons Breslawski, Marchetti and Rath were present. Attorney for the Town of Clarkson, Richard Olson, explained briefly the procedure as well as the total cost per parcel and addressed questions and comments from all interested parties. Superintendent Goodwin advised the residents that a reasonable timeframe to start the project would be after Thanksgiving providing all approvals have been received from the State. Supervisor Kimball closed the hearing.

At a regular meeting of the Town Board of the Town of Clarkson, Monroe County, New York, held at the Courthouse 3655 Lake Road in said Town, on the 27th day of May, 2008, at 7:00 P.M., there were

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Meyers

ABSENT:

RESOLUTION ESTABLISHING WATER DISTRICT

In the Matter
of

The Creation of the Clarkson Hamlin Townline Road Water District #2, Town of
Clarkson, Monroe County, New York

WHEREAS, a petition for the creation of the Clarkson Hamlin Townline Road Water District #2 of the Town of Clarkson, Monroe County, New York, said petition being dated April 14, 2008, was duly presented to this Board together with the necessary map and plan attached thereto; and

05.27.2008

WHEREAS, an order was duly adopted by The Town Board on the 19th day of April, 2008, reciting the filing of said petition for the proposed district and the estimated expense thereof, and specifying May 27, 2008, at 7:00 P.M., as the time, and the Town Courthouse, 3655 Lake Road, Clarkson, New York, as the place, where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly posted and published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Town Board on the 27th day of May, 2008, commencing at 7:00 P.M., in the Town Hall, 3710 Lake Road in said Town, and considerable discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, it is proposed that the cost of said district in an amount not to exceed ninety eight thousand eight hundred twenty six and 75/100 dollars (\$98,826.75) to pay for the following improvements: two thousand five hundred (2,500) feet of six inch water main, two valves, four fire hydrants and all incidental equipment, including the necessary access to lands and the right-of-way therefore in accordance with plans prepared by Chatfield Engineers, P.C. and which were part of the petition filed on April 14,2008; and

WHEREAS, thirty five thousand and 00/100 dollars (\$35,000.00) of the cost is to be paid for by a grant from Monroe County Community Block Grant; and

WHEREAS, the method for financing the balance of construction of the water district is by the issuance of Serial bonds in an amount not to exceed sixty three thousand eight hundred twenty six and 75/100 dollars (\$63,826.75) for a maturity not to exceed forty years in accordance with the provisions of the Local Finance Law of the State of New York; and

WHEREAS, the Town of Clarkson, by prior Resolution, has determined that this action will not have a significant impact on the environment and has issued a negative declaration for this project.

NOW, upon the evidence given at such hearing, upon the motion of Councilperson Meyers, seconded by Councilperson Hoy, it is

RESOLVED AND DETERMINED THAT:

A. The petition aforesaid is signed and acknowledged or proved as required by law, in due compliance with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed extension as herein approved, and it is otherwise sufficient;

B. All the property and property owners within the proposed extension are benefited thereby;

C. All the property and property owners benefited are included within the limits of the proposed district; and

D. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED that the establishment of the district as proposed in said petition be approved; that the improvement therein mentioned be constructed upon the required funds being made available or provided for; and that such district shall be designated and known as the Clarkson-Hamlin Townline Road Water District #2 of the Town of Clarkson, and shall be bounded and described as follows:

05.27.2008

Beginning at a point, said point being the intersection of the southerly projection of the easterly property line of tax account No. 029.02-1-8, and centerline of Clarkson-Hamlin Town Line Road, having a right-of-way width of 49.5 feet; thence

1. Westerly, 1,326 feet more or less, along the centerline of Clarkson-Hamlin Town Line Road, to a point, said point being the southerly extension of the westerly property line of tax account No. 29.02-1-12, thence
2. Easterly, 1,025 feet more or less, along the northerly property lines of tax account Nos. 29.02-1-12, 23.02-1-11, 29.02-1-10 and 29.02-1-9.1, to a point said point being on the northeasterly property corner of tax account No. 029.02-1-9.1; thence
3. Southerly, 309 feet more or less, along the easterly property line of tax account No. 029.02-1-9.1, to a point, said point being the north right-of-way line of Clarkson-Hamlin Town Line Road; thence
4. Easterly, 229 feet more or less, along the north right-of-way line of Clarkson-Hamlin Town Line Road, to a point said point being the southwest property corner of tax account No. 29.02-1-8 thence
5. Northerly, 402 feet more or less, along the westerly property line of tax account No. 029.02-1-8, to a point, said point being the northwesterly property corner of tax account No. 029.02-1-8; thence
6. Easterly, 250 feet more or less, along the northerly property line of tax account No. 029.02-1-8, to a point, said point being the northeasterly property corner of tax account No. 029.02-1-8; thence
7. Southerly, 402 feet more or less, along the easterly property line of tax account No. 029.02-1-8, to a point, said point being the point of beginning

All the lands and territory above described are situate within the Town of Clarkson and outside of any incorporated village or city; and it is further

RESOLVED that a Water District be established in said Town of Clarkson, Monroe County, New York, the description and boundaries of which shall be as above described; and it is further

RESOLVED that this district be established and combined with a district to be formed by the Town of Hamlin, Monroe County, New York, pursuant to an Order of the Town Board of the Town of Hamlin, and that said districts, using an intermunicipal agreement, be manage as one joint district and that the total cost of said districts being of ninety eight thousand eight hundred twenty six and 75/100 dollars (\$98,826.75) and indebtedness of said joint district be in the amount sixty three thousand eight hundred twenty six and 75/100 dollars (\$63,826.75); and it is further

RESOLVED that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application in duplicate, for permission to so create said Water District in the manner and form prescribed by Section 194 of the Town Law of New York; and it is further

05.27.2008

RESOLVED, that the Town Supervisor be and he hereby is authorized and directed to execute said application on behalf of the Town of Clarkson, New York, and it is further,

RESOLVED, that the Supervisor be, and he hereby is authorized and directed to make application to the Water Resources Commission of the State of New York for the approval of the Clarkson-Hamlin Town Line Road #2 Water District; and it is further

RESOLVED, that this resolution shall take effect immediately.

Motion by Councilperson Meyers
Seconded by Councilperson Hoy
Unanimously carried

At a regular meeting of the Town Board of the Town of Clarkson, Monroe County, New York, held at the Courthouse, 3655 Lake Road in said Town, on the 27th day of May, 2008, at 7:00 P.M., there were:

PRESENT: Supervisor Kimball
Councilpersons Hoy, Filipowicz, Didas and Meyers
ABSENT: NONE

RESOLUTION ADOPTING NEGATIVE SEQRA DECLARATION

**In the Matter
of
The Hamlin Clarkson Town Line Road Water
District #2, Town of
Clarkson, Monroe County, New York**

WHEREAS, The Town Board on this 27th day of May, 2008 has before it a resolution to create a Water District Extension, to be known as the Clarkson-Hamlin Town Line Road Water District #2; and

WHEREAS, the Town Board is required to consider the environmental impact of the creation of said District; and

WHEREAS, the creation of this District is an Unlisted Action pursuant to 6 NYCRR PART 617; and

WHEREAS, an Environmental Assessment Form has been prepared by John Paul Schepp, PE and executed by Paul M. Kimball, Supervisor;

NOW, upon the information before the Board, and upon the motion of Councilperson Hoy, seconded by Councilperson Filipowicz, it is

RESOLVED AND DETERMINED that:

- A. The creation of this District will not have a significant effect on the environment;
- B. A negative declaration is hereby adopted;
- C. This resolution is effective immediately.

Dated May 27, 2008

**PAUL KIMBALL
ALLAN HOY
CHRISTA FILIPOWICZ
PATRICK DIDAS
SHELDON MEYERS**

Members of the Town Board,
Town of Clarkson, Monroe
County, New York

05.27.2008

PUBLIC HEARING LOCAL LAW # 2 FLOOD DAMAGE PREVENTION

Supervisor Kimball opened the hearing. No one spoke. Supervisor Kimball closed the hearing.

At a regular meeting of the Town Board of the Town of Clarkson held at the Town Courthouse 3655 Lake Road, Clarkson, New York on May 27, 2008

Present: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Meyers

Absent: None

Introduced by: Councilperson Hoy

Seconded by: Councilperson Meyers

RESOLUTION ADOPTING LOCAL LAW

Whereas, the Town Board has before it a Local Law entitled " Local Law #2-2008 "A LOCAL LAW FOR FLOOD DAMAGE PREVENTION" which, if adopted, will change, replace and update Chapter 76 of the Clarkson Code; and

Whereas, the Town Board has, on this date, held a public hearing to consider said proposed Local Law; and

Whereas, this action is an unlisted action under the State Environmental Quality Review Act and the Town Board has adopted a Negative Declaration; and

Whereas, the notice of this hearing was duly published and posted as required by law;

Now, therefore, be it resolved:

Section 1. That the Town Board of the Town of Clarkson hereby enacts Local Law #2-2008 "A Local Law for Flood Damage Prevention".

Section 2. That the Town Clerk is ordered to publish a legal notice indicating the adoption of this Local Law and to file a copy of this Local Law with New York State.

Section 3. That this Local Law shall take effect immediately.

Vote of the Board

Ayes: Supervisor Kimball, councilpersons Hoy, Filipowicz, Didas, Meyers

Nays:

TOWN OF CLARKSON

May 27, 2008

New York State Environmental Quality Review Act ("SEQRA")-
Determination of Nonsignificance
(Negative Declaration)

Local Law #2-2008

" A LOCAL LAW FOR FLOOD DAMAGE PREVENTION"

WHEREAS, the Town Board of the Town of Clarkson proposes to amend the provisions of the Clarkson Code contained in Chapter 76 "Flood Damage Prevention"; and

WHEREAS, the Town Board has determined that the project is an **unlisted action** pursuant to SEQRA regulations; and

05.27.2008

WHEREAS, the board has reviewed the Short Environment Assessment Form on file in the Town Office; and

WHEREAS, on this date, May 27, 2008, at a regular meeting, the Town Board conducted the required SEQRA review process by reviewing said Short Environment Assessment Form

NOW THEREFORE, BE IT RESOLVED:

1. Based on its review of all of the evidence submitted and reviewed, and based upon the Town Board's deliberations and its review of the short Environmental Assessment Form for the proposed project, it is hereby
 2. determined that the proposed project will not have a significant impact on the environment and that a negative declaration is hereby issued for the lease.
2. This notice of this determination of non-significance shall be filed as required by SEQRA.

The foregoing resolution was approved as follows:

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas, Meyers

NAYS:

TE-9 CLARKSON HAMLIN TOWN LINE ROAD

A favorable TE-9 was received. No further action needed.

COMMUNITY DEVELOPMENT BLOCK GRANT AWARD

Award was received for expansion of the fitness room at the Sweden Clarkson Recreation Center.

BROCKPORT AREA VETS CLUB REQUEST FOR FINANCIAL SUPPORT

Motion by Councilperson Filipowicz

Seconded by Councilperson Meyers

To make a \$1,000 contribution to the Brockport Area Vets Club for the installation of a flagpole monument.

Unanimously carried

MOTION TO REFUND DOUBLE PAYMENT FOR BUILDING PERMIT

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To refund \$45.00 fence application fee to Lori Carrera-Cumbo, 2 Woodstock Lane, as it was originally paid for on July 17, 2006 and then again on March 20, 2008.

Unanimously carried

ZONING CODE 140-25; CHANGE TITLE FROM CLARKSON HISTORICAL OVERLAY DISTRICT TO CLARKSON HISTORICAL PRESERVATION DISTRICT

Change was requested by Clarkson Historian, Leanna Hale. Attorney, Richard Olson advised the Board he will research the proposed name change.

05.27.2008

SUPERVISORS REPORT

Received \$5,700.00 teen/senior gaming grant for Seymour Library through O'Connell & Associates.

Seeking grant to purchase baseball diamonds at 8000 Ridge Road. Supervisor Kimball met with Karen Ferguson and a representative from O'Connell & Associates to review project.

HIGHWAY SUPT. REPORT

Supt. Goodwin reported brush pick up is complete. Presently working on drainage projects. Redman Rd. will close to traffic starting June 9, 2008 for bridgework. The road will be closed through October. The Highway Dept. received a Workers Comp. Award for exceeding goal on annual review.

MINUTES

Motion by Councilperson Hoy

Second by Councilperson Didas

To approve May 13, 2008 minutes.

Unanimously carried.

AUDIT—05-2-2008

Vouchers 20080633-20080689; Total \$27,864.58; Gen. \$16,815.19; Hwy. \$10,740.69; SS \$308.70.

Motion by councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

Motion to adjourn at 7:43 p.m. by Councilperson Hoy

Second by Councilperson Didas

Unanimously carried.

Respectfully submitted,

Sharon S. Mattison

Town Clerk

APPROVED 06-10-2008