

**APPROVED**

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1<sup>st</sup> of December, 2014 at 7:30 P.M., there were:

**PRESENT:**

Damian Ulatowski	Supervisor
Naomi R. Bray	Councilor
Joseph A. Bick	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Doug Wickman	Town Engineer

**ABSENT:**

Robert L. Edick	Deputy Supervisor/Councilor
William C. Weaver	Councilor

**OTHERS PRESENT:**

Russ Mitchell – Planning Board Member; Dorothy Heller – Town Historian,  
Lisa Vincitore – Secretary to the Town Attorney.

The meeting was called to order by Supervisor Ulatowski at 7:30 P.M. All present joined in the Pledge of Allegiance.

**Approval of Minutes:**

Councilor Rowley moved to **Approve** the Minutes of the November 17<sup>th</sup>, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-5 and Noes-0. *Motion carried.*

**Cancellation and/or requested adjournments.**

None

**Correspondence:**

Supervisor Ulatowski announced that Doug Wickman, Senior Engineer with C&S Engineers will be retiring. He continued that Mr. Wickman has been a friend to the Town of Clay for the past 30 plus years and thanked him for his dedication to the Town and expressed that Mr. Wickman will be missed.

Councilor Bray agreed adding her thanks for his service to the Town of Clay.

**REGULAR MEETING:**

**R-14-156 Special Permit (SEQR) – Town Board Case # 1072 - LIVERPOOL WORLD CAR CORP. (HONDA CITY):**

Councilor Rowley moved the adoption of a resolution that the application of **LIVERPOOL WORLD CAR CORP. (HONDA CITY) FOR A SPECIAL PERMIT pursuant to Section 230-16C (2)(E)[4] of the Town Code** to allow for motor vehicle repairs at the used car lot located at **7140 Henry Clay Boulevard, Tax Map No. 116.-01-01.3** is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an EIS. Motion was seconded by Councilor Bick.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-157 Special Permit (A) – Town Board Case # 1072 - LIVERPOOL WORLD CAR CORP. (HONDA CITY):**

Councilor Rowley moved the adoption of a resolution **approving** the application of **LIVERPOOL WORLD CAR CORP. (HONDA CITY) FOR A SPECIAL PERMIT pursuant to Section 230-16C (2)(E)[4] of the Town Code** to allow for motor vehicle repairs at the used car lot located at **7140 Henry Clay Boulevard, Tax Map No. 116.-01-01.3**. Motion was seconded by Councilor Bick.

Ayes- 5 and Noes- 0. *Motion carried.*

**LOCAL LAW NO. 2 OF THE YEAR 2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C (PH) (RESCINDING):**

A public hearing to consider rescinding proposed Local Law to be entitled “**LOCAL LAW NO. 2 OF THE YEAR 2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**” to the code of the Town of Clay was opened by the Supervisor.

Supervisor Ulatowski began by explaining that by working assiduously, the Town of Clay has approved a budget for the year 2015 that comes in significantly below the Tax Cap imposed by the Governor, therefore making this Local Law superfluous.

Supervisor Ulatowski asked if there were any questions or comments, hearing none, he **closed** the public hearing.

**LOCAL LAW NO. 3 OF THE YEAR 2014 (PH) to amend Chapter 230 entitled “ZONING” by amending Chapter 230-11C:**

A public hearing to consider the application of proposed local law to be entitled **“LOCAL LAW NO. 3 OF THE YEAR 2014 to amend Chapter 230 entitled “ZONING” by amending Chapter 230-11C by adding the word “fences” to Structure, Accessory and Yard Side, and removing “accessory structures” and replacing with “fences” to Yard, Rear.** This local law will also amend **Section 230-20B (2)(c) by striking the words “a drainage easement per Section 185.20, Stormwater Drainage” and replacing with “any easement or right of way.”** (Adjourned from the November 17, 2014 Town Board Meeting) was opened by the Supervisor.

Commissioner Territo said that he would like to clarify that the reason for this Local Law is to “clean up” some of the perplexity with the language of the code as it stands now. Councilor Bick thanked the Commissioner and Joe Grispingo (Code Officer) explaining that he now has a better understanding of this.

Supervisor Ulatowski asked if there were any additional questions or comments; hearing none, he **closed** the public hearing.

**R-14-158 Agreement - CNY VETERINARY SERVICES for PROVIDING AND MAINTAINING A POUND/SHELTER for the year 2015:**

Councilor Bick moved the adoption of a resolution renewing a contract with **CNY VETERINARY SERVICES for PROVIDING AND MAINTAINING A POUND/SHELTER FOR ANIMALS SEIZED BY ANIMAL CONTROL OFFICER, OR ANOTHER AUTHORIZED OFFICER OR EMPLOYEE OF THE TOWN OF CLAY** for an additional one (1) year period, under the same terms and conditions, upon written consent of both parties. Motion was seconded by Councilor Rowley.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-159 Inter- Municipal Agreement - New York State Office of Children and Family Services for the year 2014:**

Councilor Bick moved the adoption of a resolution authorizing the application for **funding for the New York State Office of Children and Family Services for the year 2014** in the amount of **\$6,248.00**; and further authorizing the Supervisor to apply for and execute an Inter-Municipal Agreement with Onondaga County, on behalf of the Town of Clay, for **Youth Recreation Grant Funding for the year 2014.** Motion was seconded by Councilor Rowley.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-160 LOCAL LAW NO. 2 OF THE YEAR 2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C (A):**

Councilor Rowley moved the adoption of a resolution approving rescinding proposed Local Law to be entitled “**LOCAL LAW NO. 2 OF THE YEAR 2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**” to the code of the Town of Clay. Motion was seconded by Councilor Bick.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-160 Release of Securities (100%) - RED BARN COUNTRY, LLC for HYLANDGARDENS SUBDIVISION:**

Councilor Young moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **100%** of the original amount posted for Highway Construction Guarantee by **RED BARN COUNTRY, LLC** for **HYLAND GARDENS SUBDIVISION (Hyland Drive, 873 lf)**. The roads have been completed in accordance with Town Highway Specifications. Motion was seconded by Councilor Bray.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-161 Release of Securities (100%) – JMG, INC. for COUNTRY MEADOW SUBDIVISION:**

Councilor Bray moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **100%** of the original amount posted for Highway Construction Guarantee by **JMG, INC.** for **COUNTRY MEADOW SUBDIVISION, SECTION G (Lilith Lane, 1622 lf)**. The roads have been completed in accordance with Town Highway Specifications. Motion was seconded by Councilor Young.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-162 Organizational Meeting for the Town of Clay:**

Councilor Young moved the adoption of a resolution that the **Organizational Meeting for the Town of Clay** will commence at **7:00 P.M.**, local time, **January 5, 2015**, prior to the Regular Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-163 Meeting – Date Change:**

Councilor Bick moved the adoption of a resolution cancelling the **January 19, 2015** Town Board Meeting and rescheduling same to Wednesday, **January 21, 2015**, commencing at **7:30 P.M.**, local time due to the Martin Luther King Holiday. Motion was seconded by Councilor Rowley.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-164 Meeting – Cancellation:**

Councilor Rowley moved the adoption of a resolution cancelling the **February 16, 2015** Town Board Meeting due to President's Day. Motion was seconded by Councilor Bick.

Ayes- 5 and Noes- 0. *Motion carried.*

**R-14-165 Zone Change (CPH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:**

Councilor Bray moved the adoption of a resolution calling a public hearing **December 15, 2014**, commencing at **7:41 p.m.**, local time to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land. Motion was seconded by Councilor Young.

Ayes- 5 and Noes- 0. *Motion carried.*

**Adjournment:**

The meeting was adjourned at 7:49 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes- 5 and Noes-0. *Motion carried.*

---

Jill Hageman-Clark RMC, Town Clerk