

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 17th of March, 2014 at 7:30 P.M., there were:

PRESENT:

Robert L. Edick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Eugene Young	Councilor
James Rowley	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Damian Ulatowski	Supervisor
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OTHERS PRESENT:

David Hess, Chairman of the Planning Board, Hal Henty and Russ Mitchell
Planning Board Members, Frank Crispin Moyers Corners Fire Department

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

Approval of Minutes:

Councilor Bick moved to **Approve** the Minutes of the March 3rd, 2014 Town Board Meeting. Motion was seconded by Councilor Bray.

Ayes-6 and Noes-0. *Unanimously carried.*

Cancellation and/or requested adjournments.

Deputy Supervisor Edick said that he knew of no cancellations or adjournments.

Correspondence:

Regular Meeting

Deputy Supervisor Edick acknowledged that it was 7:31 and he could not open the public hearing until 7:35 P.M. therefore he went on to the next item on the agenda adding that he would return to this after 7:35.

Special Permit (PH) – Town Board Case #1056 PLUS REAL ESTATE, LLC:

A public hearing to consider the application of **PLUS REAL ESTATE, LLC** for a **SPECIAL PERMIT TO ALLOW A MEDICAL OFFICE** in part of a building owned by Avon Office Park, LLC., located at **7445 Morgan Road, (being part of Tax Map No. 104.-03-15.6, consisting of a 2,208 sq. ft. Non-medical office)**, and zoned O-2 office district.

Bob Ventre, Legal Counsel for the applicant, reiterated from the previous meeting adding that they now have a five year lease for the additional parking at the vacant lot. Councilor Bray said that the five year contract was a valuable concession.

Deputy Supervisor Edick asked if there were any questions or comments from the board; from the public. There were none. Deputy Supervisor Edick made a motion to **close** the public hearing. Motion was seconded by Councilor Weaver.

Ayes- 6 and Noes- 0. *Unanimously carried.*

R-14-73 MUNICIPAL COOPERATIVE INVESTMENT:

Councilor Rowley moved the adoption of a resolution approving the **MUNICIPAL COOPERATIVE INVESTMENT RESOLUTION** as on file in the office of the Town Clerk as follows:

Whereas, New York General Municipal Law, article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations [defined in article 5-G, Section 119-n to include school districts boards of cooperative educational services, counties, cities, town and villages] and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

Whereas, **The TOWN OF CLAY** wishes to invest certain of its available investment funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement;

Whereas, **The TOWN OF CLAY** wishes to assume the safety and liquidity of its funds;

Now, therefore, it is hereby resolved as follows:

The Town Supervisor, Damian M. Ulatowski, is hereby authorized to execute and deliver the **COOPERATIVE INVESTMENT AGREEMENT** in the name

of and on behalf of **THE TOWN OF CLAY**. Motion was seconded by Councilor Bick.

Ayes- 6 and Noes- 0. *Unanimously carried.*

R-14-74 Hydrants(5) (A) - ORANGE COMMONS WATER SUPPLY DISTRICT:

Councilor Bick moved the adoption of a resolution authorizing the installation of five (5) fire hydrants in the Orange Commons Water Supply District and authorizing the Supervisor to execute the OCWA fire hydrant application (Orange Commons). Motion was seconded by Councilor Bray.

Ayes- 6 and Noes- 0. *Unanimously carried.*

R-14-75 Appointment – CLAY VOLUNTEER FIRE DEPARTMENT, INC.:

Councilor Weaver moved the adoption of a resolution approving the appointment of **Roy Hess** and **Christopher Jacques** as volunteer members of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bick.

Ayes- 6 and Noes- 0. *Unanimously carried.*

R-14-76 Agreement/ Contract (A) – TOWN OF CLAY LANDFILL POST CLOSURE ENVIRONMENTAL MONITORING PROGRAM:

Councilor Bray moved the adoption of a resolution authorizing the Supervisor to execute a contract with **C & S ENGINEERS, INC.**, for services to be rendered for the year **2014** in compliance with the DEC Regulations for the **TOWN OF CLAY LANDFILL POST CLOSURE ENVIRONMENTAL MONITORING PROGRAM**. Said services not to exceed the sum of **\$6,452.00**. Motion was seconded by Councilor Weaver.

Ayes- 6 and Noes- 0. *Unanimously carried.*

At this time Deputy Supervisor Edick opened the public hearing.

R-14-77 Agreement/ Amendment (A) – ALL CITY MANAGEMENT SERVICES, INC.:

Councilor Rowley moved the adoption of a resolution authorizing the Supervisor to execute an Amendment to the existing Agreement with **ALL CITY MANAGEMENT SERVICES, INC.**, for providing **School Crossing Guard Services** for a period of time which commences July 1, 2014 and terminating June 30, 2015 (2014/2015 school year), and for such term thereafter as agreed upon. The Town agrees to pay for the services rendered pursuant to the Agreement, the sum of **Nineteen Dollars and Fifty-Seven Cents (\$19.57)** per hour of guard service to be provided. The cost of providing **Two Thousand, One Hundred Sixty (2,160) hours** of service shall not exceed **Forty-Two Thousand, Two Hundred and Seventy-One Dollars**

(\$42,271.00), and further authorizing the Supervisor to execute the necessary documents therefore. The Amendment shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Bick.

Ayes- 6 and Noes- 0. *Unanimously carried.*

Special Permit (CPH) Town Board Case # 1059 - RAMZI ABDEL-AZIZ:

Councilor Bick made a motion Calling a Public Hearing **April 7, 2014**, commencing at **7:38 P.M.**, local time, to consider the application of **RAMZI ABDEL-AZIZ** for a **SPECIAL PERMIT TO ALLOW FOR A TWO-FAMILY DWELLING pursuant to Section 230-13 A.(2)(e)[7]** on property located at 4993 State Route 31, **Tax Map No. 046.-01-13.1**. Motion was seconded by Councilor Rowley.

Ayes- 6 and Noes- 0. *Unanimously carried.*

Deputy Supervisor Edick said that there are two items on the additional agenda as follows.

R-14-78 Special Permit (A) – Town Board Case #1056 PLUS REAL ESTATE, LLC:

Councilor Young moved the adoption of a resolution approving of the application of **Plus Real Estate, LLC** for a special permit, move to grant the applicant the special permit subject to the applicant acquiring enough parking spaces to meet the code required or obtaining an area variance. Motion was seconded by Councilor Rowley.

Ayes- 6 and Noes- 0. *Unanimously carried.*

R-14-79 Authorization/Contract (A) – Town of Clay Property:

Councilor Young moved the adoption of a resolution authorizing the Supervisor of the Town of Clay to enter into a contract to sell certain premises in the Town of Clay, being a part of lot 35 and containing about .260 acres as shown on a survey dated 11/26/2013, revised 2/13/2014; for tax parcel 054.-01-03.1 as prepared and signed by George A. Venditti, Jr., licensed surveyor; for a price of \$5000.00 supported by an indication of value. Motion was seconded by Councilor Weaver.

Deputy Supervisor Edick explained that this parcel is landlocked. It abuts another parcel that was sold at tax auction and has two structures that are situated on both parcels. By selling the landlocked piece the Town will relinquish responsibility to maintain or demolish the structures, while retaining access to the dam.

Ayes- 6 and Noes- 0. *Unanimously carried.*

Adjournment:

The meeting was adjourned at 7:45 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy St. Patrick's Day.

Ayes-6 and Noes-0. *Motion carried.*

Jill Hageman-Clark RMC, Town Clerk