

**APPROVED**

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 20<sup>th</sup> of October, 2014 at 7:30 P.M., there were:

**PRESENT:**

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

**ABSENT:**

No one

**OTHERS PRESENT:**

Hal Henty and Russ Mitchell – Planning Board Members; John Shehadi – Comptroller; Lisa Vincitore – Secretary to the Town Attorney; Dorothy Heller – Historian and Sara Hall – News Journalist.

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 October 6<sup>th</sup>, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

**Cancellation and/or requested adjournments.**

None

**Correspondence:**

Supervisor Ulatowski explained that the Riverwalk application is supposed to be on the agenda for the next meeting (on November 5<sup>th</sup>, 2014 but the applicant has requested an adjournment to the November 17<sup>th</sup> meeting.)

## **REGULAR MEETING:**

### **TENTATIVE BUDGET for the TOWN OF CLAY for the YEAR 2015 (IH):**

An Informational Hearing to consider the **TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2015** was opened by the Supervisor.

Supervisor Ulatowski began by explaining that the total budget for the Town of Clay is \$13,519,814.00 at this point adding that this is the first attempt at the budget and in the next few weeks they will be looking to shave it down a little more. He continued that they have worked hard to keep the budget under the Governors tax cap of 2% adding that this is difficult with the rising costs of items such as wages and benefits. The Supervisor explained that they are proposing 2.5% increase in employee wages and the cost for benefits has increased 5.1%. He added that there are things such as pension costs and the increased cost of asphalt that the Town has no control over. Supervisor Ulatowski explained that the Town is also trying to reduce spending by using GPS to monitor fuel consumption in Town Vehicles; the Solar Arrays have significantly reduced energy costs to both the Highway Garage and the Town Hall building. Clay has received grant money to assist with the cost of road maintenance from the County and the State. He added that the *Save the Rain Project* gave the Town of Clay \$300,000.00 for a new “pilot” porous paving project in Bayberry.

Supervisor Ulatowski explained that as the budget stands now, there will be an average increase of \$10.28 outside of the Village and \$5.58 inside of the Village. He added that this is just the Tentative Budget and the goal is to stay under the Governors 2% Tax Cap. He reminded that the Town of Clay has consistently stayed under the cap since it was implemented.

Councilor Rowley questioned whether the Village would see an increase or a decrease in taxes. John Shehadi, Comptroller for the Town of Clay concurred that it is a reduction of taxes for the Village in the amount of \$5.58. Councilor Rowley continued that he would like to further research the highway fund. He added that it looks like the budget was well done but there will still be questions from the board going forward in the process. Supervisor Ulatowski said that he appreciated Councilor Rowley’s positive remarks.

Russ Mitchell explained that he would like to see the Town of Clay create paving districts to better maintain the roads. Supervisor Ulatowski agreed but added that once the Tax Cap was put in place it made it complicated to create districts and allocate taxes specifically for those districts.

Supervisor Ulatowski **closed** the Informational Hearing.

**Special Permit (PH/Adj.) - Town Board Case # 1064- SHARKEY'S ECLECTIC SPORTS LOUNGE, LLC:**

A public hearing to consider the application of **SHARKEY'S ECLECTIC SPORTS LOUNGE, LLC FOR A SPECIAL PERMIT** on vacant land pursuant to **Section 230-13A. (2) (e)** for recreational use on part of properties located at **7240 Oswego Road, Tax Map Nos. 114.-01-32, 114.-01-34 and 114.-01-37.** (Adjourned from the September 15, 2014 Town Board Meeting). Tim Coyer from Ianuzi and Romans was present in addition to Jim Nichols, the applicant.

Mr. Coyer began by distributing maps depicting the parcel and explaining that Mr. Nichols wishes to add Bocce Courts to his outdoor sports at the *Sharkeys Eclectic Sports Lounge*. The leagues will play Tuesday and Wednesday evenings and Saturday afternoons. He added that they will end before dark therefore eliminating the need for lighting however there is a single light to illuminate the walkway to the parking lot. Supervisor Ulatowski asked if drinking would be allowed on the courts. Mr. Nichols said that the area is corded off and drinking would be allowed but there will not be wait staff available to serve, the patrons will go to the bar themselves.

Councilor Bray asked if there is access only from the restaurant area. Mr. Nichols said that there is no other access.

Councilor Young asked Mr. Nichols if he would have a problem with the Special Permit limiting the use to Bocce only. Mr. Nichols said that would not be a problem.

Supervisor Ulatowski said that he would not send this to the Planning Board for review and recommendation but will **close** the public hearing.

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

A public hearing to consider adding a 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.

Supervisor Ulatowski said that this Local Law has been instituted each year since the Governor created the Tax Cap however the Town of Clay has done diligence to stay below the 2% cap, adding that this is a precautionary step. The Supervisor continued the Fire Departments have worked at the Towns request, to trim their budgets as well.

An unidentified resident asked if the residents could vote to not exceed the limit. Councilor Rowley said that it is decided by majority vote of the Town Board unlike the school budgets that are voted on by the residents.

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

**R-14-131 TENTATIVE BUDGET 2015 as the TOWN OF CLAY PRELIMINARY BUDGET (A):**

Councilor Rowley moved the adoption of a resolution **approving** the **TENTATIVE BUDGET** as proposed or modified, for the Town of Clay for the year **2015** as the **TOWN OF CLAY PRELIMINARY BUDGET** for the fiscal year commencing January 1, 2015. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-132 Streetlights - VanHosen Road and Appaloosa Trail:**

Councilor Weaver moved the adoption of a resolution authorizing the installation of one (1) 150 watt high pressure sodium street light to be placed on pole 8-1 to help illuminate the intersection of **VanHosen Road** and **Appaloosa Trail** in the **Town General District** as shown on the map provided by National Grid. The estimated annual cost for the additional lighting fixture is **\$196.80**. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-133 Hydrants (5) - Tocco Villagio Subdivision, Section No. 1:**

Councilor Edick moved the adoption of a resolution authorizing the installation of five (5) fire hydrants in the Clay Consolidated Water District and authorizing the Supervisor to execute the OCWA hydrant application. (Tocco Villagio Subdivision, Section No. 1). Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-134 Bid Advertisement - ROOF REPAIR TO THE EUCLID STORAGE BUILDING IN THE TOWN OF CLAY:**

Councilor Weaver moved the adoption of a resolution authorizing the advertisement of bids for **ROOF REPAIR TO THE EUCLID STORAGE BUILDING IN THE TOWN OF CLAY**. Said Bids to be received at the office of the Town Clerk, Town of

Clay, until **November 13, 2014 at 11:00 A.M.**, local time. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-135 (CPH) 2015 Special Districts Budget for the Town of Clay:**

Councilor Bick moved the adoption of a resolution calling a public hearing **November 5, 2014**, commencing at **7:35 p.m.**, local time, to consider the adoption of the proposed **2015 Special Districts Budget for the Town of Clay**. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-136 (CPH) 2015 Fire Protection Budget for the Town of Clay:**

Councilor Bick moved the adoption of a resolution calling a public hearing **November 5, 2014**, commencing at **7:38 p.m.**, local time, to consider the adoption of the proposed **2015 Fire Protection Budget for the Town of Clay**. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-137 (CPH) 2015 Uniform Water Budget for the Town of Clay:**

Councilor Bick moved the adoption of a resolution calling a public hearing **November 5, 2014**, commencing at **7:41 p.m.**, local time, to consider the adoption of the proposed **2015 Uniform Water Budget for the Town of Clay**. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-138 (CPH) Adoption of the Proposed 2015 Preliminary Budget for the Town of Clay:**

Councilor Bick moved the adoption of a resolution calling a public hearing **November 5, 2014**, commencing at **7:44 p.m.**, local time, to consider the adoption of the proposed **2015 Preliminary Budget for the Town of Clay**, as the annual budget. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**R-14-139 Zone Change (CPH) – Town Board Case #1071 - SHERLYLE PROPERTIES CO.:**

Councilor Young moved the adoption of a resolution calling a public hearing **November 17, 2014**, commencing at **7:35 p.m.**, local time, to consider the application of **SHERLYLE PROPERTIES CO. FOR A ZONE CHANGE from RA-100 Residential Agricultural District to R-APT District**, to allow for the construction of a 24 unit (one bedroom) building on properties located at **7671, 7681 and 7683 Oswego Road, Tax Map Nos. 085.-13-08.0, 09.0 and 10.1**. Motion was seconded by Councilor Rowley.

*Ayes-7 and Noes-0. Motion carried.*

**R-14-140 Special Permit (CPH) – Town Board Case # 1072 - LIVERPOOL WORLD CAR CORP. (HONDA CITY):**

Councilor Bray moved the adoption of a resolution calling a public hearing **November 17, 2014**, commencing at **7:38 p.m.**, local time, to consider 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 Edick.

*Ayes-7 and Noes-0. Motion carried.*

**R-14-141 LOCAL LAW NO. 3 OF THE YEAR 2014 (CPH) to amend Chapter 230 entitled “ZONING” by amending Chapter 230-11C:**

Councilor Young moved the adoption of a resolution calling a public hearing **November 17, 2014**, commencing at **7:41 p.m.**, local time to consider 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.”** Motion was seconded by Councilor Bray.

*Ayes-6 and Noes-1. Motion carried. Councilor Bick opposed.*

**Adjournment:**

The meeting was adjourned at 8:13 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

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Jill Hageman-Clark RMC, Town Clerk