

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 21st of September, 2015 at 7:30 P.M., there were:

PRESENT:

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

ABSENT:

William C. Weaver	Councilor
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OTHERS PRESENT:

Russ Mitchell- Planning Board Member; Hal Henty- Planning Board Member; Dorothy Heller- Town Historian.

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 September 9th, 2015 Town Board Meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that item number 14 will be adjourned to a later date.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

John Irwin of Trina Circle explained that he had come before the Town Board on August 17, 2015 to ask about the repair of the tract marker on his property and wondered when the work would be done. Supervisor Ulatowski explained that he

had been to see the marker and believed that the Highway Department had begun work. Mr. Irwin stated that no work has been done; it remains the same as it did when it was damaged. Supervisor Ulatowski said that it will be completed by the end of September, beginning of October as previously stated.

REGULAR MEETING:

R-15-145 Special Permit (PH) – Town Board Case # 1084 - SOS REAL ESTATE HOLDING COMPANY, LLC:

A public hearing to consider the application of **SOS REAL ESTATE HOLDING COMPANY, LLC FOR A SPECIAL PERMIT** pursuant to Section No. 230-18 of the Town Code to allow for site development on vacant land for a 2-story Medical Office Building on property located at **8324 Oswego Road, Tax Map No. 054.-01-49.1**, currently zoned PDD was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Paul Huysman began by explaining that the applicant wishes to construct a two story medical office, residential in character, adjacent to the existing Eye Surgery Center. He continued that he had addressed the comment made by the county suggesting that the proposed building should be located closer to Oswego Road by pulling it forward on the map. They will share a driveway with the Eye Center creating no new curb cuts. Mr. Huysman continued that he assumes that the County will require left turns to be made at Canvass Back.

Supervisor Ulatowski asked what the hours of operation will be. Mr. Huysman said perhaps office hours will be until 9 PM but that it will not be a 24 hour operation.

Councilor Bick asked how many doctors will be on staff at one time. Mr. Huysman said that there will likely be six at a time. He added that they may have an Urgent Care for Orthopedic care only. He continued that there is a possibility that they will do X-Rays and CT Scans but no surgery.

Councilor Hess asked about the number of required parking spaces adding that it should be on the map. Councilor Hess and Mr. Huysman discussed the parking spaces; Councilor Hess recommended that he add that information to the plan.

Councilor Bray asked about the Stormwater discharge and the protective area. Ron DeTota explained that FEMA has strict regulations. He asked if the applicant has the flood plain depicted on the map. Mr. Huysman said that the flood way is shown on the map. Mr. DeTota said that they both should be shown. Mr. DeTota cautioned that a lot of information is required with wetlands.

Supervisor Ulatowski voiced concern about the stormwater run off with regard to the amount of asphalt that this project would have.

Councilor Bick asked about the sewage treatment and where it would go. Mr. Huysman said that he thought that it would be directed to Oak Orchard. Councilor Bick recommended that the applicant contact County Planning regarding sewage treatment.

There was a brief discussion regarding the zoning as this parcel was zoned PUD and changed to PDD when the new Zoning Code was done.

Bill Camperlino interjected that the PDD was designated for commerce when the residential property was developed adding that Camperlino, Fatti and Barnabus developed the area. Councilor Bick asked if there was a PDD plan and Commissioner Territo said that it was filed in the basement.

Supervisor Ulatowski stated that he will refer this application to the Planning Board for review and recommendation.

Councilor Rowley made a motion to **adjourn** the public hearing to **October 19, 2015 at 7:38**. Motion was seconded by Councilor Hess.

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

R-15-146 Project (lighting) (A) - ORANGE COMMONS LIGHTING DISTRICT:

Councilor Bick moved the adoption of a resolution approving the creation of a lighting district within the Town of Clay to be designated and known as “**ORANGE COMMONS LIGHTING DISTRICT,**” (Orange Commons Subdivision). Motion was seconded by Councilor Rowley.

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

R-15-147 Project/Sewer – (A) HARKE FARMS SEWER DISTRICT CONTRACT NO. 2 – LATERAL:

Councilor Young moved the adoption of a resolution approving the creation of a sewer district within the Town of Clay to be designated and known as “**HARKE FARMS SEWER DISTRICT, CONTRACT NO. 2 LATERAL.**” (Harke Farms Subdivision as amended). Motion was seconded by Councilor Rowley.

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

R-15-148 Project/Drainage – (A) HARKE FARMS DRAINAGE DISTRICT CONTRACT NO. 2 – LATERAL:

Councilor Young moved the adoption of a resolution approving the creation of a drainage district within the Town of Clay to be designated and known as “**HARKE FARMS DRAINAGE DISTRICT, CONTRACT NO. 2 LATERAL.**” (Harke Farms Subdivision as amended). Motion was seconded by Councilor Rowley.

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

R-15-149 Project/Drainage – (A) HARKE FARMS DRAINAGE DISTRICT CONTRACT NO. 3 – LATERAL:

Councilor Young moved the adoption of a resolution approving the creation of a drainage district within the Town of Clay to be designated and known as “**HARKE FARMS DRAINAGE DISTRICT, CONTRACT NO. 3 LATERAL.**” (Harke Farms Subdivision as amended). Motion was seconded by Councilor Rowley.

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

R-15-150 Project/Lighting – (A) HARKE FARMS LIGHTING DISTRICT:

Councilor Young moved the adoption of a resolution approving the creation of a lighting district within the Town of Clay to be designated and known as “**HARKE FARMS LIGHTING DISTRICT.**” (Harke Farms Subdivision as amended). Motion was seconded by Councilor Rowley.

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

R-15-151 Project (acquire public facilities) - HARKE FARMS SUBDIVISION:

Councilor Hess moved the adoption of a resolution that is in the public interest that the Town of Clay approve the construction and acquire the public facilities located within the “**HARKE FARMS SUBDIVISION**” (Harke Farms Sewer District, Contract No. 2 Lateral, Harke Farms Drainage District, Contract No. 2 Lateral and Harke Farms Drainage District, Contract No. 3 Lateral) as amended in accordance with the terms and conditions of a certain Agreement entered into between the Town of Clay and the developer **VERPLANK ROAD COMPANY, LLC.** Motion was seconded by Councilor Rowley.

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

R-15-152 Project (FINAL PLANS) - HARKE FARMS SUBDIVISION:

Councilor Hess moved the adoption of a resolution authorizing the Supervisor to enter into an amended contract on behalf of the Town and approve final plan for **COR VERPLANK ROAD COMPANY, LLC** for the construction/development of the **HARKE FARMS SUBDIVISION AS AMENDED**. Motion was seconded by Councilor Rowley.

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

Inverness Gardens Planned Development District/Motor Vehicle Service Facility:

Supervisor Ulatowski said that this item will be adjourned to a later date.

R-15-153 Bid Award/Recommendation- JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING:

Councilor Rowley moved the adoption of a resolution that the Town of Clay recommends that Onondaga County Office of Purchasing Division award the low bid received for **JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING** to **OSWEGO INDUSTRIES**. Motion was seconded by Councilor Hess.

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

R-15-154 Bid Agreement (A) - JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING:

Councilor Rowley moved the adoption of a resolution authorizing the Supervisor to execute an agreement with **JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING** with **OSWEGO INDUSTRIES** for the low bid of **19,940.00** for a term of one (1) year, commencing October 01, 2015 and terminating September 30, 2016 with an option to renew under the same terms and conditions for two (2) additional one year periods, and upon written consent of both parties. The agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Hess.

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

R-15-155 Project/Securities (posting)(A) – COR VERPLANK COMPANY, LLC (Harke Farms River Pointe North Apartments):

Councilor Bray moved the adoption of a resolution approving a Security Posting Agreement between the **Town of Clay** and **COR Verplank Company, LLC** for the posting of \$30,000.00 in additional security to insure the satisfactory completion of a proposed 8 inch sewer lateral pursuant to the plans and specifications contained in the “Final Plan-Harke Farms River Pointe North Apartments Subdivision Map” as prepared by Ianuzi and Romans Land Surveying, P.C. dated August 10, 2015, and authorizing the Supervisor to execute same. Motion was seconded by Councilor Bick.

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

R-15-156 Project/Securities (release)(A) – RIVERWALK:

Councilor Hess moved the adoption of a resolution, pursuant to the written recommendation of the Town Engineers in their letter dated **September 16, 2015**, recommending the **release of the repair and maintenance securities** withheld for **RIVERWALK** as follows:

Riverwalk Sewer District, Contract No. 1 from \$10,168 to \$0.
Riverwalk Drainage District, Contract No. 1 from \$8,715 to \$0.
Overland Drainage Facilities from \$65,000 to \$0.

To the developer, **Riverwalk Associates, Inc.**

Motion was seconded by Councilor Rowley.

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

R-15-157 Project/Drainage (SEQR) - CLAY CONSOLIDATED DRAINAGE DISTRICT (River Island Estates):

Councilor Bick moved the adoption of a resolution that the Petition to add **RIVER ISLAND ESTATES** to the **CLAY CONSOLIDATED DRAINAGE DISTRICT** 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 Rowley.

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

**R-15-158 Project/Drainage (A) - CLAY CONSOLIDATED DRAINAGE DISTRICT
(River Island Estates):**

Councilor Bick moved the adoption of a resolution approving the petition to add **RIVER ISLAND ESTATES** to the **CLAY CONSOLIDATED DRAINAGE DISTRICT**. (River Island Estates Subdivision). Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 8:04 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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

Jill Hageman-Clark, RMC Town Clerk