

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 3rd of October, 2016 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Naomi R. Bray	Councilor
---------------	-----------

OTHERS PRESENT:

Russ Mitchell, Hal Henty; Members of the Planning Board, Lisa Vincitore; Secretary to the Town Attorney & 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 Hess made a motion to approve the minutes of the September 19th, 2016 meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that there were no adjournments or cancellations.

Correspondence:

At this time no one spoke.

REGULAR MEETING

Town Clerk presents the **2017 TOWN OF CLAY TENTATIVE BUDGET** to the Town Board Members pursuant to Town Law.

Supervisor Ulatowski asked legal counsel if he could open the next two items together. Legal counsel said that he could.

ZONE CHANGE (PH/Adj.) – Town Board Case # 1100 - JAMES DONEGAN (NYS Route 31):

A public hearing to consider the application of **JAMES DONEGAN FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **NC-1 Neighborhood Commercial** to allow for neighborhood commercial use located on **State Route 31, Tax Map No. 020.-01-05.4**; consisting of approximately 1.07± acres of land. (Adjourned to this date and time from the September 19, 2016 Town Board Meeting).

ZONE CHANGE (PH/Adj.) – Town Board Case # 1101 - JAMES DONEGAN (NYS Route 31):

A public hearing to consider the application of **JAMES DONEGAN FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **NC-1 Neighborhood Commercial** to allow for neighborhood commercial use located on **State Route 31, Tax Map No. 020.-01-14.5**. (Adjourned to this date and time from the September 19, 2016 Town Board Meeting).

Supervisor Ulatowski opened both public hearings. Brian Sinsabaugh was present on behalf of the applicant. Mr. Sinsabaugh distributed the applications to the Board Members and gave a brief overview of the application. He explained that the applicant is seeking a zone change for small retail or office space for these parcels. He has not revealed to Mr. Sinsabaugh exactly what he specifically wishes to do. He continued that Mr. Donegan purchased the parcels in 1991 and it was a mixed use area at that time. He added that he does not expect excess traffic will be generated by this zone change and will work with the Town Board.

Supervisor Ulatowski asked if there would be any curb cuts on Rt.31. Mr. Sinsabaugh said that he thought that there was one. The Supervisor asked if there was a proposed use and Mr. Sinsabaugh said that the applicant is waiting for an approval for the zone change. Supervisor Ulatowski asked if there would be one building on each parcel and Mr. Sinsabaugh said yes.

Councilor Rowley asked about the size of the lots and if they would require variances. The proposed buildings are approximately 5000 sf. And would require a *Special Permit* if larger than 5000 sf.

Supervisor Ulatowski asked if the lots were contiguous. Mr. Territo explained that the Fox property is between these two parcels. The Supervisor asked about connect-

ability. Mr Sinsabaugh said that he believed that his client spoke with the Fox Dealership but not much has happened.

There was a discussion about the zone change and the variance. Mr. Sinsabaugh said that the applicant has received a variance for the lot size and if additional setback variances are required, they will apply for them after the zone change is approved. Councilor Hess added that he does not think that there is a curb cut for either of Mr. Donegan's parcels.

Supervisor Ulatowski asked if the applicant had seen the County comments (OCPB) adding that they recommend that the applicant work with the neighboring parcels to ensure traffic flows safely.

Councilor Rowley asked if this would go to the Planning Board and it will. Supervisor Ulatowski said that he would adjourn both public hearing pending Planning Board recommendation.

Councilor Rowley made a motion to **adjourn** the public hearings to **November 9, 2016 at 7:53 and 7:56**. Motion was seconded by Councilor Hess.

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

R-16-172 Appointment (A) – CLAY VOLUNTEER FIRE DEPARTMENT, INC.:

Councilor Young moved the adoption of a resolution approving the appointment of **Vedad Busuladzic** as a volunteer member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Hess.

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

R-16-173 Appointment (A) – MOYERS CORNERS FIRE DEPARTMENT, INC.:

Councilor Young moved the adoption of a resolution approving the appointment of **Michael Huling** as a volunteer member of the **MOYERS CORNERS FIRE DEPARTMENT, INC. – STATION 1** and **Mark Atkinson Jr. and Derek Herman** as volunteer members of the **MOYERS CORNERS FIRE DEPARTMENT, INC. – STATION 3**. Motion was seconded by Councilor Hess.

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

R-16-174 Appointment (A) – BOARD of ASSESSMENT REVIEW:

Councilor Hess moved the adoption of a resolution appointing **Patrick Salvador**, to the **Board of Assessment Review** for a term of five years. Said term to expire **September 30, 2021**. Motion was seconded by Councilor Rowley.

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

R-16-175 Street Lights - Section H -County Meadows Subdivision:

Councilor Rowley moved the adoption of a resolution authorizing the installation of eight (8) 100w high pressure fixtures to be installed on 14' fiberglass embedded poles using 100w fixtures to help illuminate **Section H** in the **County Meadows Subdivision**. The estimated annual cost for the underground lighting fixtures is **\$2,520.72**. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried. Councilor Hess abstained.*

R-16-176 Agreement (A) - Town of Clay and the New York State Department of Transportation:

Councilor Bick moved the adoption of a resolution approving the application for an Undertaking for Highway Work Permits between the **Town of Clay** and the **New York State Department of Transportation**, whereas said Permits are issued and used by the **Town of Clay** in connection with work affecting the Right-of-Way of a State Highway and valid for up to 20 years; pursuant to Sections 52, 103, 203 and/or 234 of State Highway Law, and further authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Hess.

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

R-16-177 Authorization/Application (A) - State and Municipal Facilities Program (SAM):

Councilor Hess moved the adoption of a resolution approving the application for the State and Municipal Facilities Program (SAM) for the construction of an educational facility, and authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Rowley.

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

R-16-178 Local Law No. 8 of the YEAR 2016 (CPH):

Councilor Rowley moved the adoption of a resolution calling a public hearing **October 17, 2016**, commencing at **7:35 p.m.**, local time to consider adding a proposed Local Law to be entitled **“LOCAL LAW NO. 8 OF THE YEAR 2016 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 – 6 and Noes – 0. *Motion carried.*

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 for the past two years the Town of Clay has been under the cap and rescinded the Local Law.

R-16-179 Grant/ Justice Department – Authorization/ Application:

Councilor Bick moved the adoption of a resolution authorizing **Judge Gosch** and **Judge Lauri** to make necessary applications for a grant from New York State for the **JUSTICE COURT ASSISTANCE PROGRAM** and the execution therefore. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 7:57 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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

Jill Hageman-Clark, RMC Town Clerk