

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 22nd of January, 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
Eugene Young	Councilor
James Rowley	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

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 Bick moved the adoption of a resolution to **Approve** the Minutes of the January 6th, 2014 Town Board Meeting, noting that the motion to approve the salaries was made by him. The clerk said that it had already been noted. Motion was seconded by Councilor Edick.

Ayes-6 and Noes-0. Motion carried. Councilor Bray abstained due to her absence at that meeting.

Cancellation and/or requested adjournments.

None

Correspondence:

REGULAR MEETING:

Special Permit (PH) – Town Board Case # 1053 - MICHAEL BELL:

The applicant has requested an adjournment.

Councilor Edick asked if there had been any correspondence from the applicant because this has been going on for quite some time. Ron DeTota added that there were residents present for the public hearing when he came in. Supervisor Ulatowski agreed and said that the applicant needs to make an effort to be here for the next scheduled meeting.

Councilor Bray made a motion to **adjourn** the public hearing to **March 3rd, 2014 at 7:38 P.M.** Motion was seconded by Councilor Edick.

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

Licenses and Permits (PH) - CASUAL ESTATES (MOBILE HOME COURT) LLC, d/b/a MADISON VILLAGE:

Supervisor Ulatowski said that this public hearing would not be heard at this time. Councilor Bick made a motion to **adjourn** the public hearing to **February 3rd, 2014 at 7:38 P.M.** Motion was seconded by Councilor Bray.

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

Special Permit (PH/adj.) – Town Board Case # 1055 FASTRAC MARKETS:

A public hearing to consider the application of **FASTRAC MARKETS and MOYERS CORNERS ROUTE 57, LLC FOR A SPECIAL PERMIT pursuant to Section 230.16 D. (2)(e)[1] of the Town Code**, located at **8467 Oswego Road, Tax Map No. 019.-02-23.1**; to allow for an addition of a Drive-Thru Service and facade improvements to the existing Fastrac Market was opened by the Supervisor.

Matt Napierala of Napierala Consulting was present on behalf of the applicant. Mr. Napierala began by giving an overview of what happened at the previous Town Board meeting and the changes that have been made since that time. He explained that the business will undergo enhancements to the interior and exterior of the building. There will be no change to the gas pumps or the foot print of the structure with the exception of the drive thru service.

Mr. Napierala said that he had reviewed the County's comments and wished to comment that the water is handled by the Wetzels Road Water Treatment Plant not Oak Orchard as previously thought. He said that they have also looked into the possibility of utilizing two lanes that will merge into one at the order board. Mr. Napierala said that this will allow for approximately 12 cars to stack instead of 8 as displayed in the single lane plan, adding that the double stacking is popular with some of the McDonalds restaurants. Supervisor Ulatowski asked if the Planning Board has seen the application with the double stacking modification. Mr. Napierala said that they have not. He added that there is ample seating.

Supervisor Ulatowski asked Commissioner Territo if a modification could be made to the application or if the applicant will need to submit another application. The Commissioner said that this is a grey area with the major change being the addition of the drive-thru area, and the additional stacking area should not require a new application.

Supervisor Ulatowski said that he felt that he has a pretty good understanding and made a motion to **close** the public hearing. Councilor Edick seconded the motion.

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

Agreement/ Authorization - Inter Municipal Agreement - Stormwater Management Program (SWMP):

Councilor Edick moved the adoption of a Resolution authorizing the Supervisor to renew an **Inter Municipal Agreement** between the Town and the County of Onondaga for services to be performed by the Onondaga County Department of Water Environmental Protection (OCDWEP) for the **Stormwater Management Program (SWMP)** beginning **January 1, 2014** and ending **December 31, 2018**. This Agreement provides for the establishment of a Hotline to field illicit discharge calls, as well as the establishment of an investigation mechanism, outfall inspections, laboratory and other services associated with stormwater management. The potential costs associated with this contract may include \$55.00 per hour fee for investigative tracking and "at cost" pricing of laboratory services. There will be no fees charged to the Town by the County for hotline or outfall inspections. Motion was seconded by Councilor Bick.

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

Street Lights (A) NYS Route 31/ Eastern entrance Town Hall:

Councilor Young moved the adoption of a resolution authorizing the replacement of the existing 250 watt high pressure sodium lights on poles 95 and 96 with 400 watt high pressure sodium lights, to increase the lighting level along the **NYS Route 31** in front of the Eastern entrance of Town Hall. The estimated additional annual cost for these additional wattage increases is \$190.22 and charged to the **TOWN GENERAL LIGHTING DISTRICT**. Motion was seconded by Councilor Bray.

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

Street Lights(14) (A) The Farmstead Subdivision:

Councilor Young moved the adoption of a resolution authorizing the installation of nine (9) 100 watt high pressure fixtures on fourteen (14') foot fiberglass embedded poles using 100 watt fixtures as shown on the Final Plat for **The Farmstead Subdivision**, to illuminate **Section No. 1**, the site of the 2014 Parade of Homes. The estimated annual cost for the underground lighting fixtures is \$2,835.81. Motion was seconded by Councilor Weaver.

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

Appointment – BOARD of ETHICS:

Councilor Rowley moved the adoption of a resolution appointing **Vivian Mason** to fill the unexpired term of James Rowley as a member of the Board of Ethics; effective immediately. Said term to expire **December 31, 2017**. Motion was seconded by Councilor Bick.

Appointment - CLAY VOLUNTEER FIRE DEPARTMENT, INC.:

Councilor Edick moved the adoption of a resolution approving the appointment of **Peter Kazmirski** as a member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Rowley.

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

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

Councilor Bray moved the adoption of a resolution calling a public hearing **February 3, 2014**, commencing at **7:35 P.M.**, local time, 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. Motion was seconded by Councilor Edick.

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

Adjournment:

The meeting was adjourned at 8:02 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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