

June 20, 2011

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 June, 2011 at 7:30 P.M., there were:

**PRESENT:**

Damian M. Ulatowski	Supervisor
Clarence A. Rycraft	Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Bruce N. Johnson	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert M. Germain	Town Attorney
Ron DeTota	Town Engineer

**ABSENT:**

Robert L. Edick	Deputy Supervisor/Councilor
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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 Bray moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **June 6<sup>th</sup>, 2011**. Motion was seconded by Councilor Bick.

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

**CORRESPONDENCE:**

None

**CANCELLATIONS AND/OR REQUESTED ADJOURNMENTS:**

None

**Traffic & Vehicles (Stop Sign) (A) - KIDRON LANE:**

Councilor Bick moved the adoption of a resolution approving the amendment of **CHAPTER 211 TRAFFIC AND VEHICLES ORDINANCE, SECTION 211-12**

**STOP INTERSECTIONS –SCHEDULE IX (§ 211-42)** of the Town of Clay Municipal Code to designate and provide for a **STOP SIGN on the northeast corner of KIDRON LANE as it intersects with MESA LANE and the installation of the necessary signs therefore.** Motion was seconded by Councilor Johnson.

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

**Traffic & Vehicles (Stop Sign) (A) - AMBLEWOOD LANE:**

Councilor Bick moved the adoption of a resolution approving the amendment of **CHAPTER 211 TRAFFIC AND VEHICLES ORDINANCE, SECTION 211-12 STOP INTERSECTIONS –SCHEDULE IX (§ 211-42)** of the Town of Clay Municipal Code to designate and provide for **STOP SIGNS ON AMBLEWOOD LANE as it intersects with HUNTINGCREEK and the installation of the necessary signs therefore.** Motion was seconded by Councilor Johnson.

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

**Special Permit - (SEQR/ Decision/No Action) STEPHANIE MATTHEWS:**

Move the adoption of a resolution that the application of **STEPHANIE MATTHEWS FOR A SPECIAL PERMIT TO ALLOW ANIMAL BOARDING AND BREEDING** on property located at **8539 Oswego Road, Tax Map No. 019.-02-18.1.**

Supervisor Ulatowski said that he will defer this to a later date due to some additional research.

**Special Permit - (PH) - Town Board Case # 1029 MARIO MIRRA and TKORZ, ENTERPRISES, LLC:**

A public hearing to consider the application of **MARIO MIRRA and TKORZ, ENTERPRISES, LLC** for a **SPECIAL PERMIT TO USE 2,754 SQ. FT. OF PAVED ASPHALT DIVIDED INTO 18 LEGAL PARKING SPACES FOR AUTO SALES** on part of property located at **7190 Buckley Road, Tax Map Nos. 117.-02-47.0** was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Kendra Jones was present on behalf of the applicant. Ms. Jones began by explaining that the applicant wishes to utilize 18 parking spaces and a small office to sell used cars. Currently one of the car wash bays is out of service due to the sagging economy. The applicant is hopeful that the auto sales may help to increase

the car wash business. There will be no additional lighting or signage. The applicant does however plan to replace the existing *Four Seasons Car Wash* sign.

Councilor Bray asked what effect the spaces used for auto sales will have on the traffic flow to the rear of the parcel. Ms. Jones said that it will have no effect as there is a three lane width.

Supervisor Ulatowski asked how many operable bays are left and Ms. Jones said that there are four.

Councilor Johnson asked if the applicant plans on doing mechanical repairs. The applicant explained that the repairs are done at his residence but if space were to become available he may utilize it but only for the vehicles that he is selling.

June Baycura asked about snow removal and the applicant said that he will shovel between the vehicles.

Supervisor Ulatowski asked if there were any further comments or questions and there were none. All persons wishing to be heard having been heard the hearing was closed.

**Zone Change (PH) - Town Board Case # 1025 - AFFORDABLE SENIOR HOUSING OPPORTUNITIES OF NEW YORK, INC., RONALD H. POST, ALISON G. POST:**

A public hearing to consider the application of **AFFORDABLE SENIOR HOUSING OPPORTUNITIES OF NEW YORK, INC., RONALD H. POST, ALISON G. POST** and **LIVERPOOL CENTRAL SCHOOL** for a change of zone from **RA-100 Residential Agricultural District** and **HC-1 Highway Commercial District** to **R-SR Senior Residence District** on part of 8565± Morgan Road, part of Tax Map No. 055.-01-14.1 and part of Tax Map No. 055.-01-13.1 being vacant property on Morgan Road. Adjourned to this date and time at the May 16th, 2011 Town Board Meeting was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Arthur Densie presented for the applicant. Mr. Densie began by explaining that since the last public hearing the applicant has received a positive recommendation from the Planning Board and a traffic study has been completed.

Supervisor Ulatowski asked if there were any further comments or questions and there were none. All persons wishing to be heard having been heard the hearing was closed.

**Bid Award - BUILDING DEMOLITION AT THE CIBRO BULK STORAGE TERMINAL, 3414 MAIDER ROAD, TOWN OF CLAY:**

Councilor Bray moved the adoption of a resolution awarding a contract to A.J. Montclair Inc. for the **BUILDING DEMOLITION AT THE CIBRO BULK STORAGE TERMINAL, 3414 MAIDER ROAD, TOWN OF CLAY**, for the low bid of \$ 127,560.00. Said amount being the lowest responsible bid. Motion was seconded by Councilor Weaver.

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

**Contract/Agreement (A) - COUNTY OF ONONDAGA (Purchasing Agreement) :**

Councilor Johnson moved the adoption of a resolution approving a Contract with the **COUNTY OF ONONDAGA** to perform certain purchasing services for the Town of Clay, pursuant to General Municipal Law Sections 119-o and 103(3) of the State of New York and further authorizing the Supervisor to execute any and all necessary documents relating thereto. Said contract term to commence on **January 1st, 2011** and shall continue through **December 31st, 2015**. Said agreement shall automatically be renewed for one additional five (5) year period. The County or Town may terminate said agreement to take effect no earlier than **January 1st, 2013**, by providing twelve months advance written notice to the other party. Thereafter, the County Executive or the Town may terminate the agreement at any time, including the renewal period by providing twelve months prior written notice, which termination to take place 12 months from the postmark date or e-mail transmittal date of such notice. Motion was seconded by Councilor Bick.

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

**Appointment (A) CLAY VOLUNTEER FIRE DEPARTMENT, INC.:**

Councilor Weaver moved the adoption of a resolution approving the appointment of **EDWARD LA MOTT** and **DAVID HOUDE, SR.**, as volunteer members of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bray.

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

**Appointment (A) MOYERS CORNERS FIRE DEPARTMENT, INC.:**

Councilor Weaver moved the adoption of a resolution approving the appointment of at **STATION 1 - VANESSA FRYCEK** and **BRYAN SKIPWORTH**; **STATION 2 - ROBERT LENT** and **JASON PARKER**; **STATION 3 - TIMOTHY O'LEARY** and **KYLE PIEPER**; and **STATION 4 - FRANK PRUE** and **SARAH WOOD** as

volunteer members of the **MOYERS CORNERS FIRE DEPARTMENT, INC.**  
Motion was seconded by Councilor Bray.

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

**Agreement/ Authorization - WALGREENS – TAFT AND BUCKLEY ROADS PROJECT:**

Councilor Bick moved the adoption of a resolution authorizing the Supervisor to enter into a Standard Developer's Agreement as amended, on behalf of the Town with **CHARLES L. HAFNER, CAC REALTY ASSOCIATES** and **HAFNER REALTY LLC** for the development of **WALGREENS – TAFT AND BUCKLEY ROADS PROJECT**. Motion was seconded by Councilor Johnson.

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

**Agreement - Town of Clay / Teamsters Local 317 (Non-bargaining unit excluding elected):**

Councilor Weaver moved the adoption of a resolution equally applying the terms of the Arbitration Award between the Town of Clay and Teamsters Local 317 to the non-bargaining work unit within the Town and authorizing the Supervisor to take whatever actions are necessary to implement said action. Motion was seconded by Councilor Rycraft.

Supervisor Ulatowski stated that he will hold his position, that this will not include elected officials.

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

**Agreement - (60 day extension) TOCCO VILLAGGIO PDD:**

Councilor Johnson moved the adoption of a resolution granting a 60 day extension to the Town of Clay Planning Board to review the project plan with regard to the proposed **TOCCO VILLAGGIO PDD**. Motion was seconded by Councilor Bray.

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

**Assessment/Certiorari/Settlement (A) Valvoline Instant Oil Change, Inc., - vs- the Town of Clay, et al for the tax years 2008/09 and 2009/10:**

Councilor Bray moved the adoption of a resolution authorizing and approving the proposed settlement of the certiorari action of **Valvoline Instant Oil Change, Inc., -vs- the Town of Clay, et al** for the tax years **2008/09** and **2009/10**, reducing

the assessment from **\$25,000.00** to **\$15,120.00** for such tax years in question. The estimated payback by the Town of Clay is approximately **\$1,332.31**. Motion was seconded by Councilor Rycraft.

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

**Adjournment:**

The meeting was adjourned at 8:07 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Ayes-6 and Noes-0. *Motion carried.*