

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 December, 2012 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
Bruce N. Johnson	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

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 to **Approve** the Minutes of the November 19th 2012 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. Motion carried. Councilor Edick abstained due to his absence.

Cancellation and/or requested adjournments.

None

Correspondence:

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

David Weigel of Horseshoe Island said that he has encouraged the homeowners on Horseshoe Island to use the Town Website to keep on top of what is going on in the town. Since they have been doing this they have begun asking questions regarding a lighting district. Mr. Weigel indicated that the residents want to know how to go about this. Supervisor Ulatowski said that he had heard in passing that the residents were interested in a lighting district. He asked Mr. Weigel to give him a month or so to further research it with the Town Engineer and National Grid. He said that it would be possible to do it however he was not sure of the cost.

Supervisor Ulatowski asked for this to be noted by the clerk.

REGULAR MEETING:

Project (Sewer)(PH) - HARKE FARMS SEWER DISTRICT:

A public hearing to consider a Petition for the creation of a sewer district within the Town of Clay to be designated and known as "**HARKE FARMS SEWER DISTRICT**" and for the construction and acquisition of a sewer system therein to be designated and known as "**HARKE FARMS SEWER DISTRICT, CONTRACT NO. 1.**" (Harke Farms Subdivision) was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Alex Wisnewski of LJR was present for COR Development. Mr. Wisnewski explained that the creation of the Harke Farms Sewer District will serve 87 of the 105 residential homes in the new Harke Farms Development. The sewers will be constructed at no cost to the Town.

Project (Sewer)(PH) - GASKIN ROAD SEWER DISTRICT:

A public hearing to consider a Petition for the construction and acquisition of a lateral sewer system within the **GASKIN ROAD SEWER DISTRICT, EXTENSION NO. 2** within the Town of Clay to be designated and known as "**GASKIN ROAD SEWER DISTRICT, EXTENSION NO. 2, CONTRACT NO. 5 LATERAL.**" (Harke Farms Subdivision) was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Mr. Wisnewski continued by explaining that the extension of the Gaskin Road Sewer District will serve the remaining 18 lots. The sewers will be constructed at no cost to the Town.

Project (Drainage)(PH) - HARKE FARMS DRAINAGE DISTRICT:

A public hearing to consider a Petition for the creation of a drainage district within the Town of Clay to be designated and known as "**HARKE FARMS DRAINAGE DISTRICT**" and for the construction and acquisition of a drainage system therein to be designated and known as "**HARKE FARMS DRAINAGE DISTRICT, CONTRACT NO. 1.**" (Harke Farms Subdivision) was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Mr. Wisnewski explained that the creation of the Harke Farms Drainage District will serve 87 of the 105 stormwater sewers in the new Harke Farms Development. The drainage will be constructed at no cost to the Town.

Project (Drainage)(PH) - GROSSMAN'S DRAINAGE DISTRICT:

A public hearing to consider a Petition for the construction and acquisition of a lateral drainage system within the **GROSSMAN'S DRAINAGE DISTRICT** within

the Town of Clay to be designated and known as "**GROSSMAN'S DRAINAGE DISTRICT, CONTRACT NO. 5 LATERAL.**" (Harke Farms Subdivision) was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Mr. Wisnewski explained that the extension of the Grossman's Drainage District will serve the remaining 18 lots. The drainage will be constructed at no cost to the Town.

Project (Lighting)(PH) - HARKE FARMS LIGHTING DISTRICT:

A public hearing to consider a Petition for the creation of a lighting district within the Town of Clay to be designated and known as "**HARKE FARMS LIGHTING DISTRICT.**" (Harke Farms Subdivision) was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Mr. Wisnewski continued that the proposed lighting district will serve all of the lots in the development and the cost will be approximately \$75.00 per lot.

Project (Water)(PH) - GASKIN ROAD WATER SUPPLY DISTRICT:

A public hearing to consider a Petition for the extension of a water supply district within the **GASKIN ROAD WATER SUPPLY DISTRICT** within the Town of Clay to be designated and known as "**GASKIN ROAD WATER SUPPLY DISTRICT, EXTENSION NO. 3.**" (Harke Farms Subdivision) was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Mr. Wisnewski concluded that the extension (No. 3), to the Gaskin Road Water Supply District will serve all of the 105 lots. The water carrier will be OCWA (*Onondaga County Water Authority*) and the only cost to the town will be incurred by the estimated 11 hydrants.

Supervisor Ulatowski asked the Town Attorney if they will become a part of the Consolidated Hydrant District. Mr. Germain indicated that they will.

David Weigel asked if the sewers will drain to the Oak Orchard Sewage Plant. There was a brief dialogue and Mr. Wisnewski gave a succinct discussion regarding the Counties Local Law regarding sustainability. He added that this project will not be affected. He added that the sewers will in fact drain to the Oak Orchard Sewage Plant.

Supervisor Ulatowski asked if there were any additional questions or comments. Hearing none he **closed** all of the aforementioned public hearings.

Special Permit (PH/Adj) Town Board Case # 1045 - NIAGARA MOHAWK POWER CORPORATION, A NATIONAL GRID COMPANY:

A public hearing to consider the application of **NIAGARA MOHAWK POWER CORPORATION, A NATIONAL GRID COMPANY, FOR A SPECIAL**

PERMIT pursuant to Section 230-27 I. (2)(e)[1][a] of the Clay Code TO ALLOW FOR A UTILITY SUBSTATION located at **4683 Wetzel Rd.** being part of **Tax Map No. 082.-01-01.0** and part of **Tax Map No. 082.-01-02.0.** (Adjourned to this date and time from the November 19, 2012 meeting) was opened by the Supervisor. Bruce Workman of National Grid was present for the applicant. Mr. Workman began by explaining that they had gone before the Planning Board and received a favorable recommendation. There are no changes to the previous meetings application.

Councilor Edick asked what the substation is used for. Mr. Workman explained that the substation will transform the existing line to lower power for public consumption. He added that there is a need in the Cicero and Clay area.

Supervisor Ulatowski asked if there were any additional questions or comments. Hearing none he **closed** the public hearing adding that the applicant had done a very good job explaining everything at the last meeting. Councilor Bray concurred.

Project (Sewer)(A) - HARKE FARMS SEWER DISTRICT:

Councilor Bick 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**" and for the construction and acquisition of a sewer system therein to be designated and known as "**HARKE FARMS SEWER DISTRICT, CONTRACT NO. 1.**" (Harke Farms Subdivision). Motion was seconded by Councilor Edick.

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

Project (Drainage)(A) - HARKE FARMS DRAINAGE DISTRICT:

Councilor Bick 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**" and for the construction and acquisition of a drainage system therein to be designated and known as "**HARKE FARMS DRAINAGE DISTRICT, CONTRACT NO. 1.**" (Harke Farms Subdivision). Motion was seconded by Councilor Johnson.

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

Project (Lighting)(A) - HARKE FARMS 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 "**HARKE FARMS LIGHTING DISTRICT.**" (Harke Farms Subdivision). Motion was seconded by Councilor Edick.

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

Project (Water)(A) - GASKIN ROAD WATER SUPPLY DISTRICT:

Councilor Johnson moved the adoption of a resolution approving the extension of a water supply district within the **GASKIN ROAD WATER SUPPLY DISTRICT** within the Town of Clay to be designated and known as "**GASKIN ROAD WATER SUPPLY DISTRICT, EXTENSION NO. 3.**" (Harke Farms Subdivision). Motion was seconded by Councilor Bick.

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

Project (acquire public facilities) - HARKE FARMS SUBDIVISION:

Councilor Johnson moved the adoption of a resolution that it 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. 1, Gaskin Road Sewer District, Extension No. 2, Contract No. 5 Lateral, Harke Farms Drainage District, Contract No. 1, Grossman's Drainage District Contract No. 5 Lateral, Harke Farms Lighting District, Gaskin Road Water Supply District, Extension No. 3) in accordance with the terms and conditions of a certain Agreement entered into between the Town of Clay and the developer **COR VERPLANK ROAD COMPANY, LLC**. Motion was seconded by Councilor Bick.

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

Project (Final Plans)(A) - HARKE FARMS SUBDIVISION:

Councilor Bray moved the adoption of a resolution approving the **Final Plans** for the "**HARKE FARMS SUBDIVISION**" (Harke Farms Sewer District, Contract No. 1, Gaskin Road Sewer District, Extension No. 2, Contract No. 5 Lateral, Harke Farms Drainage District, Contract No. 1, Grossman's Drainage District Contract No. 5 Lateral, Harke Farms Lighting District, Gaskin Road Water Supply District, Extension No. 3) and authorizing the Supervisor to execute the documents necessary therefore. Motion was seconded by Councilor Weaver.

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

Contract- TOWN OF CLAY LANDFILL POST CLOSURE ENVIRONMENTAL MONITORING PROGRAM:

Councilor Weaver moved the adoption of a resolution authorizing the Supervisor to execute a contract with **C & S ENGINEERS, INC.**, for services to be rendered for the year **2013** in compliance with the DEC Regulations for the **TOWN OF CLAY LANDFILL POST CLOSURE ENVIRONMENTAL MONITORING PROGRAM**. Said services not to exceed the sum of **\$22,534.00**, which amount

includes an estimated **\$12,290.00** for laboratory testing. Motion was seconded by Councilor Johnson.

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

Agreement (OUTSIDE USER AGREEMENT)(A) - HYLAND GARDENS SUBDIVISION:

Councilor Young moved the adoption of a resolution approving the **OUTSIDE USER AGREEMENT** between **THE TOWN OF SALINA** and the **TOWN OF CLAY**, whereby the sanitary sewer facility in the Hyland Gardens Tract will serve solely the (13) single-family residential lots in **HYLAND GARDENS SUBDIVISION**, and the sanitary sewer system to serve the (2) commercial lots in **HYLAND GARDENS SUBDIVISION** be connected to the sanitary sewer system serving the Pitcher Hill Sanitary Sewer District, and further authorizing the supervisor to execute same. Motion was seconded by Councilor Weaver.

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

Organizational Meeting for the Town of Clay:

Councilor Edick moved the adoption of a resolution that the **Organizational Meeting for the Town of Clay** will commence at **7:00 P.M.**, local time, **January 7, 2013**, prior to the Regular Town Board Meeting. Motion was seconded by Councilor Bick.

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

Meeting - Date Change:

Councilor Edick moved the adoption of a resolution cancelling the **January 21, 2013** Town Board Meeting and rescheduling same to Wednesday, **January 23, 2013**, commencing at **7:30 P.M.**, local time due to Martin Luther King Holiday. Motion was seconded by Councilor Bick.

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

Meeting - Cancellation:

Councilor Edick moved the adoption of a resolution cancelling the **February 18, 2013** Town Board Meeting time due to President's Day. Motion was seconded by Councilor Weaver.

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

Adjournment:

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

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