

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 15th of October, 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 October 1st, 2012 Town Board Meeting. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. Motion carried.

Cancellation and/or requested adjournments.

None

Correspondence:

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

No one responded.

REGULAR MEETING:

Zone Change (SEQR) - Town Board Case #1041 - LAKEWOOD DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application of **LAKEWOOD DEVELOPMENT, LLC** and **RICHARD L** and **ARLENE DESOCIO** for a change of zone from **RA-100 Residential Agricultural District** to **R-SR Senior Residence District** on property located at **8198 Soule Road, Tax Map No. 068.-29-22**, is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed project will have a significant effect on the environment and therefore does require the preparation of an EIS. Motion was seconded by Councilor Edick.

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

Zone Change (D) - Town Board Case #1041 - LAKEWOOD DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution **Denying** the application of **LAKEWOOD DEVELOPMENT, LLC** and **RICHARD L** and **ARLENE DESOCIO** for a change of zone from **RA-100 Residential Agricultural District** to **R-SR Senior Residence District** on property located at **8198 Soule Road, Tax Map No. 068.-29-22**. Motion was seconded by Councilor Edick.

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

TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2013(IH):

An informational hearing to consider the **TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2013** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski explained that the Board has worked diligently to provide a responsible Budget to the residents of the Town of Clay for the year 2013. He added that there are no new positions to be added and will continue to be a "no frills" approach to providing town services.

The total budget for General and Highway purposes is \$12,826,529, an increase of \$806,393 over the 2012 budget however this reflects a decrease of \$109,380 from the 2011 budget. He stated that the increase consists entirely of employee wages and benefits. This breaks down to an anticipated increase of \$643,650 for pension, health and social security in addition to the \$135,638 allocated for employee raises representing a 2.5% increase.

Supervisor Ulatowski outlined several areas where the Town has reduced spending or achieved savings including a contract to privatize the functions performed by the school crossing guards as well as refinancing bonds issued in 2002 that will provide an annual savings of \$37,500 for the next 15 years. In addition the County tax bill is expected to drop this year.

Supervisor Ulatowski ended by saying that we will strive to provide the best possible services to the residents at the least possible cost. He asked if there were any questions.

Ed Paolini asked when the Budget would be available. Supervisor Ulatowski said that it would be available the next day at the Town Clerks office and that it would be placed on the web as well.

Tom Sperryak asked that it be placed in the web in a timely manner. Supervisor Ulatowski said that it will be on the web within 48 hours.

Supervisor Ulatowski asked if there were any additional questions or comments. Hearing none, he **closed** the public hearing.

Zone Change (PH/Adj.) Town Board Case # 1044 - MATTHEW J. RAHALSKI:

A public hearing to consider the application of **MATTHEW RAHALSKI** for a change of Zone from **LuC-1 Limited Use District For Gasoline Services** to **HC-1 Highway Commercial District** at the address located at **7459 Morgan Road, Tax Map No. 104.-03-14.0**, to allow for commercial uses on the property. (Adjourned from the October 1, 2012 Town Board meeting) was opened by the Supervisor.

Mr. Rahalski spoke on his own behalf.

He stated that he appeared before the Planning Board and received a favorable recommendation. He added that he will not be making any changes to the building. Supervisor Ulatowski asked if he planned to shield stored auto parts from view. Mr. Rahalski said that there is a gate on the side but would install a privacy fence if the Board wishes. He stated that he has applied for a variance for the non conforming property but the property would be conforming if the old Code was still in effect. He said that if the zone change is granted he will still need to obtain a special permit. Councilor Edick stated that he felt that the intent of the new code is good, but must allow for non-conforming parcels.

Supervisor Ulatowski asked if there were any additional questions or comments. Hearing none, he **closed** the public hearing.

Traffic & Vehicles - Stop Sign(s) (CPH):

A public hearing to consider 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 **2 STOP SIGNS** to be installed at the northeast and southeast corners of **Laser Drive** where it intersects with **Dell Center Drive**; and the **installation of the necessary signs therefore** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski stated that the Highway Superintendent and the Town Constable both sent letters supporting the need for the stop signs at the intersections of Laser Drive and Dell Center Drive.

Karen Witter, Property Manager for Rivers Pointe said that she has collected petitions from the residents requesting the installation of Stop Signs. She continued that the Development has already installed Stop Signs on the private road.

Supervisor Ulatowski asked if there were any additional questions or comments. Hearing none, he **closed** the public hearing.

Local Law No. 5 of the Year 2012 (A) - TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C”:

Councilor Edick moved the adoption of a resolution approving the proposed Local Law to be entitled “**LOCAL LAW NO. 5 OF THE YEAR 2012 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-7 and Noes-0. *Motion carried.*

Appointment - MOYERS CORNERS FIRE DEPARTMENT:

Councilor Edick moved the adoption of a resolution approving the appointment at **STATION 1-BRIAN ELSEVER, DOMINICK ALBANESE, and TIMOTHY RICHARDS;** at **STATION 2 – TRAVIS RUDD;** and at **STATION 3 – DANIEL BEAUDOIN and RICHARD GOODSON** as volunteer members of the **MOYERS CORNERS FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bick.

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

Appointment - CLAY FIRE DEPARTMENT:

Councilor Edick moved the adoption of a resolution approving the appointment of **DONALD MORRELL** and **CHRISTOPHER SMITH** as volunteer members of the **TOWN OF CLAY FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bick.

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

TENTATIVE BUDGET/2013 as the TOWN OF CLAY PRELIMINARY BUDGET(A):

Councilor Edick move the adoption of a resolution approving the **TENTATIVE BUDGET** as proposed or modified, for the Town of Clay for the year **2013** as the **TOWN OF CLAY PRELIMINARY BUDGET** for the fiscal year commencing January 1, 2013. Motion was seconded by Councilor Bick.

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

2013 Special Districts Budget for the Town of Clay(CPH):

Councilor Weaver moved the adoption of a resolution calling a public hearing **November 7, 2012**, commencing at **7:41 p.m.**, local time, to consider the adoption of the proposed **2013 Special Districts Budget for the Town of Clay.** Motion was seconded by Councilor Bray.

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

2013 Fire Budget for the Town of Clay(CPH):

Councilor Young moved the adoption of a resolution calling a public hearing **November 7, 2012**, commencing at **7:44 p.m.**, local time, to consider the adoption of the proposed **2013 Fire Budget for the Town of Clay**. Motion was seconded by Councilor Weaver.

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

2013 Uniform Water Budget for the Town of Clay(CPH):

Councilor Edick moved the adoption of a resolution calling a public hearing **November 7, 2012**, commencing at **7:47 p.m.**, local time, to consider the adoption of the proposed **2013 Uniform Water Budget for the Town of Clay**. Motion was seconded by Councilor Johnson.

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

Adoption of the Proposed 2013 Preliminary Budget for the Town of Clay (CPH):

Councilor Bray moved the adoption of a resolution calling a public hearing **November 7, 2012**, commencing at **7:50 p.m.**, local time, to consider the adoption of the proposed **2013 Preliminary Budget for the Town of Clay**, as the annual budget. Motion was seconded by Councilor Weaver.

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

Special Permit (CPH) - Town Board Case # 1045 - NIAGARA MOHAWK POWER CORPORATION:

Councilor Edick moved the adoption of a resolution calling a public hearing **November 19, 2012**, commencing at **7:35 p.m.**, local time, to consider the application of **NIAGARA MOHAWK POWER CORPORATION, A NATIONAL GRID COMPANY, FOR A SPECIAL PERMIT TO ALLOW FOR A UTILITY SUBSTATION** located at 4683 Wetzell Rd. being (part of) TM#: 082.-01-01.0 & (part of) TM#: 082.-01-02.0. Motion was seconded by Councilor Bick.

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

Agreement - ALL CITY MANAGEMENT SERVICES, INC., for Crossing Guards Services:

Councilor Young moved the adoption of a resolution authorizing the Supervisor to execute an agreement with **ALL CITY MANAGEMENT SERVICES, INC.**, for Crossing Guards Services for a term of one (1) year commencing September 4th, 2012 and terminating June 30th, 2013, (2012-2013 school year), with an option to renew for an additional two (2) year term. The

agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Weaver.

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

Agreement - Asbestos Air Monitoring/Analysis-Controlled Demolition:

Councilor Bick moved the adoption of a resolution authorizing the Supervisor to execute a Letter Agreement for the Asbestos Air Monitoring/Analysis-Controlled Demolition at 9604 Black Creek Road, Clay, New York at an estimated cost of \$660.00 (based on monitoring one (1) large work area, weekday monitoring only, over a period of two (2) days. If the service exceeds two (2) days there will be a unit rate charge as shown on Letter Agreement. This Letter Agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Johnson.

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

Adjournment:

The meeting was adjourned at 8:09 P.M. upon motion by Councilor Bray and seconded by Councilor Weaver.

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