

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 21st, of October, 2013 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:

*Supervisor Ulatowski said that he would like to make a correction to the 10/7/2013 minutes. The correct amount for the Bid Award to Matrix was **\$18,540.00** instead of the incorrect amount of \$18,500.00 as stated in those minutes.*

Councilor Weaver moved the adoption of a resolution to **Approve** the Minutes of the October 7, 2013 Town Board Meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that there will be **NO ACTION** on the **ABANDONMENT on OPAL DRIVE** (item # 6 on the agenda) pending legal wording; and **Yelann Momot** of **BERGMANN ASSOCIATES** and **SUNOCO, INC. (R&M)** (item #9 on the agenda) has requested an adjournment to the November 18th meeting.

Correspondence:

Janet Romanowicz of 109 Riverine Road said that the house next door to her home, 111 Riverine Road, has been vacant for several years. She continued that someone “maintains” it; however the large tree in the front has lost several limbs making it dangerous. She submitted photos and indicated a large branch that fell down and she and her teenage son had to move it back on the property. Supervisor Ulatowski said that he would look into this with the Planning Department.

Melinda Norderhus of Trastevere Road said that she is still having difficulty receiving her mail despite the passing of a Town Ordinance, amending Chapter 211, Section 211-18 and Section 211-47 of the TRAFFIC and VEHICLE ORDINANCE of the Code of the Town of Clay, “*PROHIBITING PARKING AT ALL TIMES on both sides of Trastevere Road from Fortuna Parkway to Weblank Way*” on May 20th 2013.

Ms. Norderhus continued that she has been harassed by neighbors that violate the Ordinance, and now the Post Office will no longer deliver her mail. She submitted a letter from the Post Office stating this. Supervisor Ulatowski asked if there are any other residents on the street that have received similar notices from the Post Office. Ms. Norderhus said that there are and that she will try to get them to submit the notices that they have received. She said that they are in the process of renting postal boxes from the Post Office. Furthermore, when she calls the Sheriff’s Department, she is told that the Town Board must handle this situation. Ms. Norderhus expressed her frustration over this ordeal. Supervisor Ulatowski said that he will research this and try to find a solution. He added that it may take a little time but he is committed to try to rectify this.

REGULAR MEETING:

ABANDONMENT (A/D) - OPAL DRIVE:

NO ACTION

TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2014(IH)

An Informational hearing to consider the **TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2014** was opened by the Supervisor. Supervisor Ulatowski began by explaining that the Town of Clay is once again taking a “No Frills” approach to the Town Budget; which means adding no new positions. The tentative budget for 2014 is \$12,827,447.00, a decrease of \$918.00 from the 2013 budget. He continued that this was accomplished by a reduction in debt services. The fuel facility in the Highway Department and Planning & Development software were paid off this year. In addition the crossing guards are now provided by an outside vendor therefore releasing the Town of the

responsibility of employee benefits. Supervisor Ulatowski surmised that the taxpayers will see no significant change between the town and county taxes for the 2014 year.

Supervisor Ulatowski asked if there were any questions; hearing none, he **closed** the informational hearing.

LOCAL LAW No. 1 of the YEAR 2013 - OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C (PH):

A public hearing to consider adding a proposed Local Law to be entitled “**LOCAL LAW NO. 1 OF THE YEAR 2013 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**” to the code of the Town of Clay was opened by the Supervisor. He began by explaining that this is a precautionary step put in place to safeguard the town in response to the Governors 2% tax cap implemented in 2012. Councilor Bray agreed stating that this is a prudent move. He continued that the Tentative Town Budget for 2014 shows a 1.7% increase over the 2013 budget. John Shehadi, the Town Comptroller added that the Special Districts still need to be added to the budget. The Special Districts include Fire Districts and Water Districts. The Clerk reminded the Supervisor that this Local Law was passed last year and the Town stayed below the cap.

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

Special Permit (PH/adj.) – Town Board Case # 1054 Yelann Momot of BERGMANN ASSOCIATES and SUNOCO, INC. (R&M):

Adjourned to the November 18th meeting.

Contract/Authorization – DECALS:

Councilor Bick moved the adoption of a resolution authorizing the Town Clerk of the Town of Clay to sign the **DECALS** contract with the **New York State Department of Environmental Conservation** on behalf of the Town of Clay. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. Motion carried.

Appointment - CLAY VOLUNTEER FIRE DEPARTMENT, INC.:

Councilor Edick moved the adoption of a resolution approving the appointment of **Thomas Sims** as a volunteer member of the **TOWN OF CLAY FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bick.

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

Project/Securities (posting) – THE FARMSTEAD SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer, drainage, water supply and lighting facilities located within **THE FARMSTEAD SUBDIVISION SECTION NO. 1**, (The Farmstead Sewer District, Contract No. 1, The Farmstead Drainage District, Contract No. 1, The Farmstead Lighting District, Contract No.1) and the construction of said facilities having been completed in accordance with the Plans and Specifications thereof; The Town Engineers having certified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of October 16, 2013: **Overland Drainage Facilities and Pump Station Guarantee - \$65,000.00; Maintenance Guarantee - \$33,745.00** (\$21,352.00 Sewer and \$12,393.00 Drainage); **Highway - \$69,720.00; Monument Deposit - \$1,800.00; Parkland Contributions - \$18,000.00; Future Engineering/Inspection Fees - \$10,000.00; and \$1,500.00 for administrative fees**, and any other unpaid fees that may be owed by the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **MAPLE ROAD ASSOCIATES, INC.**, that the Town accept title to such facilities. Motion was seconded by Councilor Weaver.

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

Project/ Easement – THE FARMSTEAD SUBDIVISION, SECTION NO. 1:

Councilor Johnson moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **THE FARMSTEAD SUBDIVISION SECTION NO. 1**, (The Farmstead Sewer District, Contract No. 1, and The Farmstead Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **June 27, 2013, revised July 9, 2013**. Motion was seconded by Councilor Bick.

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

Project/ Warranty, Deed etc. – THE FARMSTEAD SUBDIVISION SECTION NO. 1:

Councilor Bray moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads in Section One (1) located within **THE FARMSTEAD SUBDIVISION SECTION NO. 1**; from **MAPLE ROAD ASSOCIATES, INC.**, Lynnville Way, Lepinske Farm Place and Mediator Way all having Permeable Shoulders. Motion was seconded by Councilor Edick.

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

TENTATIVE BUDGET 2014 as the TOWN OF CLAY PRELIMINARY BUDGET (A):

Councilor Edick moved the adoption of a resolution approving the **TENTATIVE BUDGET** as proposed or modified, or the Town of Clay for the year **2014** as the **TOWN OF CLAY PRELIMINARY BUDGET** for the fiscal year commencing January 1, 2014. Motion was seconded by Councilor Bick.

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

2014 Special Districts Budget for the Town of Clay (CPH):

Councilor Young moved the adoption of a resolution calling a public hearing **November 6, 2013**, commencing at **7:35 p.m.**, local time, to consider the adoption of the proposed **2014 Special Districts Budget for the Town of Clay**. Motion was seconded by Councilor Bray.

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

2014 Fire Budget for the Town of Clay (CPH):

Councilor Bick moved the adoption of a resolution calling a public hearing **November 6, 2013**, Commencing at **7:38 p.m.**, local time, to consider the adoption of the proposed **2014 Fire Budget for the Town of Clay**. Motion was seconded by Councilor Johnson.

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

2014 Uniform Water Budget for the Town of Clay (CPH):

Councilor Weaver moved the adoption of a resolution calling a public hearing **November 6, 2013**, commencing at **7:41 p.m.**, local time, to consider the adoption of the proposed **2014 Uniform Water Budget for the Town of Clay**. Motion was seconded by Councilor Edick.

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

Adoption of the Proposed 2014 Preliminary Budget for the Town of Clay (CPH):

Councilor Bray moved the adoption of a resolution calling a public hearing **November 6, 2013**, commencing at **7:44 p.m.**, local time, to consider the adoption of the proposed **2014 Preliminary Budget for the Town of Clay**, as the annual budget. Motion was seconded by Councilor Weaver.

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

Adjournment:

The meeting was adjourned at 8:03 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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