

August 15, 2011

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

PRESENT:

Damian M. Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
Clarence A. Rycraft	Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Bruce N. Johnson	Councilor
Joseph A. Bick	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert M. 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 Weaver moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **July 18th, 2011**. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0 Motion carried.

Correspondence/ Other Business:

Energy Grant Committee Report.

Supervisor Ulatowski delivered an update on the energy committee stating that there was a ribbon cutting ceremony on June 8th to commemorate the completion of the energy efficient upgrades to the Town Highway Garage. There were several representatives there including some from Congresswoman Buerkle's office, Senator De Francisco's office and a representative from the Department of Energy. Assemblyman Don Miller was present and added that he would investigate to see if there was any funding available to cover the installation of new overhead doors for the Highway Garage.

The Supervisor continued by outlining some of the money saving improvements that have been completed such as the lighting retrofits in the Highway Garage, that will save electricity and reduce pollutants from the air and by not illuminating the new vending machines in the employee break. In addition the Town is working with Toshiba to join the *Zero-to-Landfill* program for recycling used toners, print

drums etc. 100% of the waste is used to make plastic lumber to be donated to *Habitat for Humanity*.

The Town is also working with the Governors office on an application for a Solar Initiative and any information regarding this will be passed along.

Presentation by Kate McCaffery, Executive Director of NOPL regarding the services of the library.

Kate McCaffery gave a brief overview of the services offered by the ***Northern Onondaga Public Library*** system adding that NOPL encompasses three buildings, one in North Syracuse, one in Cicero and one in Brewerton. The three new buildings opened in July of 1999 and in 2010 there were over 300,000 visitors. Ms. McCaffery discussed some of the newer services offered by the library such as *freegal* which is downloadable free and legal music. The library also offers genealogy kits, e-readers and ipads to try before buying.

Meg Backus, Public Relations Specialist discussed some of the other programs offered by the library including the library farm, knitting club and many summer projects for children.

Supervisor Ulatowski thanked them for the informative presentation.

Supervisor Ulatowski addressed the room by stating that he had not been able to discuss Mr. Mitchell's concern from the July 18th meeting regarding the neighbor with the construction/sump pump and the workers in his yard. Mr. Mitchell stated that the neighbor called 3 times and no one returned his call. Supervisor Ulatowski assured Mr. Mitchell that he would get some answers.

David Weigel of Horseshoe Island Road stated that Mr. Beckwith had a permit (from the town) to put driveways in. Now there is a water problem and the drainage pipe is lying on top of the ground (exposed). Supervisor Ulatowski noted this and said that he would look into it by the next meeting.

Mr. Weigel also asked about the roads being striped. Again the Supervisor said that he would talk with the Highway Superintendent before the next meeting.

Mr. Weigel stated that two different residents spoke with the Planning Department regarding some issues and the Code Officer stated that each person could be sited for violations. Mr. Weigel said that he would like to know if they are in violation so that it may be corrected; adding that he would like a list of what is a violation in our town. Ron DeTota said that he has spoken with the Highway Superintendent and he did not allow Mr. Beckworth to build a driveway and a ***STOP WORK ORDER*** was issued. Mr. DeTota said that Mr. Beckworth was informed that he could dismantle the culvert or the Highway Department would. He was also instructed that he needs a Stormwater Pollution Plan to be included and has yet to hear anything. He added that there should be no additional operations.

Supervisor Ulatowski stated that he would look into this further and address Mr. Weigel's concerns.

Krista Vessell of Grampian Road stated that there are many speeding cars in her development causing a dangerous situation with all of the curves in the road.

Ms. Vessell also stated that when she spoke with a sheriff, she was told that they were too busy to patrol this area and that they are understaffed. She asked about having the road reconfigured. Supervisor Ulatowski said that he was not familiar with the road pattern but would research it. Councilor Weaver stated that at the time that those roads were constructed in the 1970's, that it was the trend to make roads curved to slow down the traffic.

Ms. Vessell also complained of *Boom Cars* in the area. Explaining that 'Boom Cars' are cars altered to have louder stereo equipment than the factory installed type creating a disturbance to the area. Supervisor Ulatowski said that he would follow up with the police and look further into this.

Michelle Caruso spoke regarding the driveway issues dating back to 1997 on Wildcreek/Plum Hollow. Ms. Caruso states that she has a building permit and a letter of permission to construct her driveway on Wildcreek Way. Ms. Caruso said that she has spoken to two previous Supervisors and the previous Commissioner of Planning and Development regarding this. Councilor Edick said that he thought that the Town had paid to move a hydrant or sewer line. Councilor Weaver said that Wildcreek Way was designed as a main thoroughfare and that there were to be no driveways on it.

Supervisor Ulatowski said that he would research this.

REGULAR MEETING:

Special Permit (SEQR) Town Board Case # 1029 - MARIO MIRRA and KORZ, ENTERPRISES:

Councilor Bick moved the adoption of a resolution that the application of **MARIO MIRRA and TKORZ, ENTERPRISES, LLC** for a **SPECIAL PERMIT TO USE 2,754 SQ. FT. OF PAVED ASPHALT DIVIDED INTO 16 LEGAL PARKING SPACES FOR AUTO SALES** on part of property located at **7190 Buckley Road, part of Tax Map No. 117.-02-47.0**, is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an EIS. Adjourned to this date and time at the July 18th, 2011 Town Board Meeting. Motion was seconded by Councilor Edick.
Ayes-7 and Noes-0. *Motion carried.*

Special Permit (A) Town Board Case # 1029 MARIO MIRRA and TKORZ, ENTERPRISES:

Councilor Bick moved the adoption of a resolution approving the **MODIFIED** application of **MARIO MIRRA and TKORZ, ENTERPRISES, LLC** for a **SPECIAL PERMIT TO USE 2,754 SQ. FT. OF PAVED ASPHALT DIVIDED INTO 16 LEGAL PARKING SPACES FOR AUTO SALES, [TO BE STRIPED AND BLOCKED]**, on part of property located at **7190 Buckley Road**, part of **Tax Map No. 117.-02-47.0**. Adjourned to this date and time at the July 18th, 2011 Town Board Meeting. Motion was seconded by Councilor Edick. Ayes-7 and Noes-0. *Motion carried.*

Traffic & Vehicles (No Parking)(PH) - Amendment to Traffic & Vehicle Ordinance - Chapter 211 Section 211.18 and 211.47:

A public hearing to consider **Amendment of Chapter 211, Traffic and Vehicles Ordinance** of the **Town of Clay** by amending **Section 211.18 Parking Prohibited at All Times**, and **Section 211.47 Schedule XIV Parking Prohibited at All Times** to designate and provide for **PARKING PROHIBITED AT ALL TIMES** on either side of **Wetzel Road** from **Henry Clay Boulevard** to **Majestic 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 a few residents had voiced concerns regarding parking on Wetzel Road by YMCA members adding that the Board was willing to listen to the residents. Janet Rathburn a resident for the neighborhood across the street spoke up, asking how this will be enforced. Supervisor Ulatowski stated that it is a County Road therefore the County Sheriffs will enforce it. Ms. Rathburn then asked if the Board would notify the YMCA. The Supervisor stated that he did not know. He added that it is posted further down Wetzel Road, NO PARKING but doesn't know why there is no signage by the YMCA.

Councilor Bick stated that if there is limited parking and parking is prohibited on Wetzel Road that the likelihood of overflow parking ending up in the development across the street is likely. There was discussion about posting NO PARKING in the neighborhood as well.

Jeff Harrington said that he thought that the YMCA had expanded and wondered if the parking met the code. Commissioner Territo said that the parking met the code at the time however the code has been revised since that time.

Russ Mitchell said that he thought that the YMCA was dragging their feet because they thought that some of their members would use the proposed Lysander YMCA however now that the proposal has been defeated they must address the problem. Supervisor Ulatowski said that he would leave the public hearing open to allow more residents to voice their opinions on this.

Councilor Bick made a motion to adjourn this public hearing to **September 7th** at 7:35 P.M. Motion was seconded by Councilor Bray
Ayes-7 and Noes-0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1020 - COR VERPLANK ROAD COMPANY, LLC:

The applicant requested that the public hearing be adjourned to **October 3, 2011** at **7:35 P.M.**

Zone Change (PH/Adj.) Town Board Case # 1030 - RED BARN COUNTRY, LLC:

Zone Change (PH/Adj.) Town Board Case # 1031 - RED BARN COUNTRY, LLC:

The applicant requested that both public hearings be adjourned to **September 7, 2011** at **7:38 P.M.** and **7:41 P.M.**

Bid Award - CIBRO DEMOLITION AIR MONITORING SERVICES:

Councilor Bick moved the adoption of a resolution awarding a contract for the **CIBRO DEMOLITION AIR MONITORING SERVICES** to HSE, LLC. Said amount being the lowest responsible bidder and authorizing the Supervisor to execute same. Motion was seconded by Councilor Johnson.
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 **STEPHEN PACE** as a volunteer member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bick.
Ayes-7 and Noes-0. *Motion carried.*

Adjournment:

The meeting was adjourned at 8:42 P.M. upon motion by Councilor Bray and seconded by Councilor Weaver. Ayes-7 and Noes-0. *Motion carried.*