

September 7, 2011

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 7th of September, 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
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

The meeting was called to order by Supervisor Ulatowski at 7:30 P.M. All present joined in the Pledge of Allegiance.

Supervisor Ulatowski began by wishing Councilor Rycraft a Happy Birthday.

Approval of Minutes:

Councilor Edick moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **August 15, 2011**. Motion was seconded by Councilor Bick.

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

Correspondence/ Other Business:

Supervisor Ulatowski asked if anyone wished to address the Board on anything that is not on the agenda.

No one replied.

The Supervisor stated that he had looked into the concerns brought up at the previous meeting. He continued that the Highway Superintendent had been notified regarding the resident with the sump pump issue.

The issues with Horseshoe Island had been corrected with the exception of the road being striped. He added that the highway department said that it has never been striped and will not be.

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

A public hearing to consider, on motion of the Town Board, 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. Adjourned to this date and time at the August 15th, 2011 Town Board Meeting.

Lisa Pachmayer, Executive Director of the YMCA spoke on behalf of the North Area YMCA. Ms. Pachmayer stated that the YMCA is also very concerned for the safety of their members as well as the safety of the residents in the surrounding area. She added that the Y only wishes to be good neighbors. Ms. Pachmayer continued on stating that the YMCA is aware of the parking issues associated with the 11,000 members of the North Area branch and that they have begun implementing new strategies to reduce the issues. Some of these include reducing the overlapping of classes as well as shortening some. Some programs have been moved to Baldwinsville. Staff is encouraged to park in the rear or in the furthest spots. They are also in the process of organizing a car pool system for peak programs. Ms. Pachmayer said that they share our concerns.

Kirk Narburgh, Partner with King and King Architects stated that he was a 13 year member of the Board for the YMCA. He said that there are currently 230 spaces and that there is a plan to add 66-70 more but easements, wetlands and set backs can make this difficult. Supervisor Ulatowski said that the Board welcomes the YMCA but must also recognize the needs of the residents. Councilor Edick asked if the new parking will be asphalt or crushed stone. Mr. Narburgh said that it will be asphalt as the stone would not alleviate drainage retention.

Supervisor Ulatowski asked if there were any additional questions and there were none. He stated that he would leave the public hearing open.

Councilor Edick made a motion to **adjourn** the public hearing to **October 3, 2011** at **7:38 P.M.** Motion was seconded by Councilor Bray.
Ayes-7 and Noes-0. *Motion carried.*

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

A public hearing to consider the application of **RED BARN COUNTRY, LLC**, for a

change of zone from **HC-1 Highway Commercial District** to **NC-1 Neighborhood Commercial District** on part of property located at **7165 Buckley Road**, and being part of Tax Map No. 117.-01-06.3. Adjourned to this date and time at the August 15th, 2011 Town Board Meeting.

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

A public hearing to consider the application of **RED BARN COUNTRY, LLC**, for a change of zone from **R-7.5 One-Family Residential District** and **R-10 One Family Residential District** to **HC-1 Highway Commercial District** on part of properties located at **7165 & 7191 Buckley Road**, and being part of Tax Map Nos. 117-01-06.1 and 117.-01-6.3. Adjourned to this date and time at the August 15th, 2011 Town Board Meeting.

Supervisor Ulatowski said that he would open both public hearings together.

Hal Romans was present on behalf of the applicant. Mr. Romans began by explaining that the applicant has obtained referrals from the Planning Board and the *County Department of Transportation*. The two obstacles outlined in the referral regarding drainage and traffic, have both been addressed. They have modified the drainage plan and obtained a traffic study indicating that there will not be a significant increase in traffic generated.

Supervisor Ulatowski stated that this application makes perfect sense. He added that a lot of the site needs to be cleaned up. Bill Camperlino stated that he understands and is working to clean up the area, some of the structures will be demoed and other things will be moved. Mr. Camperlino added that the *Red Barn* will be cleaned up until it comes down. Mr. Camperlino said that he knows that you can not sell lots with the current condition of the property.

Councilor Bick asked if the property will drain to Salina or to *North Med*. Mr. Romans said that the majority will flow to Salina with a small portion flowing to North Medical Center. Sewers and Stormwater will be provided to Salina. Ron DeTota said that he will review the design to insure that Jewell Manor is not affected.

Denise Murray of Waxwood Circle inquired about the Red Barn building. Mr. Romans said that there are no plans for it yet. She also asked if the property across the street would be part of the zone change or construction and it will not.

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

Agreement/Authorization - Plumley Engineering, P.C.:

Councilor Bray moved the adoption of a resolution approving an Agreement between the Town of Clay and Plumley Engineering, P.C. for Environmental Consulting Services with regard to the BOA grant, and authorizing the Supervisor

to execute said Agreement. Motion was seconded by Councilor Weaver. Ayes-7 and Noes-0. *Motion carried.*

Agreement/Authorization - Sunoco, Inc. (R&M):

Councilor Weaver moved the adoption of a resolution approving an Access Agreement between Sunoco, Inc. (R&M) and the Town of Clay (and its environmental Contractors and Consultants) granting access to the Sunoco Site – 3473 Maider Road, and further authorizing the Supervisor to execute said Agreement. Motion was seconded by Councilor Bray.

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

Project (Final Plans) - INVERNESS GARDENS SUBDIVISION, SECTION NO. 2:

Councilor Edick moved the adoption of a resolution approving the **Final Plans** for the **INVERNESS GARDENS SUBDIVISION, SECTION NO. 2** (Bear Road Sewer District, Contract No. 32 Lateral and Inverness Gardens Drainage District, Contract No. 1; 20/80 lots); and authorizing the Supervisor to execute the necessary forms therefore. (Contract documents) Motion was seconded by Councilor Bick.

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

Project/Securities (posting) - INVERNESS GARDENS SUBDIVISION, SECTION NO. 2:

Councilor Bick moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of drainage and sewer facilities located within **INVERNESS GARDENS SUBDIVISION, SECTION NO. 2** (Bear Road Sewer District, Contract No. 32 Lateral and Inverness Gardens Drainage District, Contract No. 1; 20/80 lots) 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 \$20,000.00 to guarantee the cost of completing the Overland Drainage Facilities; Maintenance Guarantee for sewer district \$5,750.00; Storm Sewers \$8,750.00; Highway Construction \$14,784.00 (528 linear feet – Astilbe Path); Monument deposit \$900.00; Parkland Contribution \$10,000.00, as well as Engineering estimated future fees \$5,000.00 for site visits record drawing, one year utility inspection and MS4 SWPP compliance inspection per NYS DEC regulations pursuant to the recommendations of the Town Engineers under correspondence dated August 30th, 2011; and estimated Legal \$1,800.00 and Administrative \$800.00 and contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **WOODSIDE DEVELOPERS, INC.**, and **WOODSIDE RUNNE, LLC.**,

that the Town accept title to such facilities. Motion was seconded by Councilor Edick. Ayes-7 and Noes-0. *Motion carried.*

Project/Easement - INVERNESS GARDENS SUBDIVISION, SECTION NO. 2:

Councilor Johnson moved the adoption of a resolution accepting the on-site easements for drainage and sewer facilities located within **INVERNESS GARDENS SUBDIVISION, SECTION NO. 2** (Bear Road Sewer District, Contract No. 32 Lateral and Inverness Gardens Drainage District, Contract No. 1; 20/80 lots) from **WOODSIDE RUNNE, LLC**. Motion was seconded by Councilor Bick.

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

Project/Warranty, Deed etc. - INVERNESS GARDENS SUBDIVISION, SECTION NO. 2:

Councilor Johnson moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of Damages for the Town Highway located within **INVERNESS GARDENS SUBDIVISION, SECTION NO. 2** from **WOODSIDE RUNNE, LLC** (Astilbe - 528' – Pavement Width 26' – with 2' Gutter each side). Motion was seconded by Councilor Bick.

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

Adjournment:

The meeting was adjourned at **8:22 P.M.** upon motion by Councilor Bray and seconded by Councilor Bick. Ayes-7 and Noes-0. *Motion carried.*