

April 5, 2010

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 5th, of April 2010 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
Dave Balcer	Planner
Robert M. Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Mark V. Territo	Commissioner of Planning and Development
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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 approving the Minutes of the Regular Town Board Meeting held on March 15, 2010. Motion was seconded by Councilor Bick.

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

Cancellations and/or requested adjournments :

None

Correspondence:

Supervisor Ulatowski spoke briefly regarding the Energy Committee Report, adding that the members of the committee are; Wayne Morris (Commissioner of Recreation), Tom Weaver (Highway Superintendent), Mark Territo (Commissioner of Planning and Development), Dawn Brocious (Administrative Assistant to the Supervisor) and Councilor Weaver.

He continued adding that the Town has applied and received Federal Monies for improving Energy Efficiency and Green Technology. He further explained that the Town is looking into Solar Energy as well.

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

Harold Baker, historian for the Town stated that he had contacted the Board of Elections regard a lever voting machine for the Historical Association, as they are now obsolete. He was told that they could purchase a retired machine for \$1.00.

Local Law No. 3 of the Year 2010(SEQR) Chapter 230, entitled ‘ZONING’:

Councilor Bick moved the adoption of a resolution that proposed Local Law No. 3 of the Year 2010, amending Chapter 230, entitled “ZONING”, amending Section 230-16 B.(2)(e) to delete the present subparagraph [4] Motor vehicle sales, service, and rental and renumber the subparagraphs accordingly and to add subparagraphs [7] Motor vehicle service. [8] Motor vehicle sales and [9] Motor vehicle rentals to said Section 230-16 B. (2) (e); amending Section 230.16 C. (2) (e) to delete the present subparagraph [4] Motor vehicle sales, service, and rental and renumber the subparagraphs accordingly and to add subparagraphs [6] Motor vehicle service. [7] Motor vehicle sales and [8] Motor vehicle rentals to said Section 230.17 C.(2)(e); to amend Section 230.17 C.(2)(e) to add subparagraph [3] Motor vehicle rental; to amend Section 230.17 D.(2)(e) to add subparagraph [5] Motor vehicle rental; and to amend Section 230-11 Terms defined. to delete the term MOTOR VEHICLE SALES, SERVICE, RENTAL and to add the terms MOTOR VEHICLE RENTAL, MOTOR VEHICLE SALES, MOTOR VEHICLE SERVICE is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed local law will not have a significant effect on the environment and therefore does not require the preparation of an EIS. Motion was seconded by Councilor Edick.

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

Local Law No. 3 of the Year 2010(A) Chapter 230, entitled ‘ZONING’:

Councilor Bick moved the adoption of a resolution approving proposed Local Law No. 3 of the Year 2010, amending Chapter 230, entitled “ZONING”, amending Section 230-16 B.(2)(e) to delete the present subparagraph [4] Motor vehicle sales, service, and rental and renumber the subparagraphs accordingly and to add subparagraphs [7] Motor vehicle service. [8] Motor vehicle sales and [9] Motor vehicle rentals to said Section 230-16 B. (2) (e); amending Section 230.16 C. (2) (e) to delete the present subparagraph [4] Motor vehicle sales, service, and rental and renumber the subparagraphs accordingly and to add subparagraphs [6] Motor vehicle service. [7] Motor vehicle sales and [8] Motor vehicle rentals to said Section 230.17 C.(2)(e); to amend Section 230.17 C.(2)(e) to add subparagraph [3] Motor vehicle rental; to amend Section 230.17 D.(2)(e) to add subparagraph [5] Motor vehicle rental; and to amend Section 230-11 Terms defined. to delete the term MOTOR VEHICLE SALES, SERVICE, RENTAL and to add the terms MOTOR VEHICLE RENTAL, MOTOR VEHICLE SALES, MOTOR VEHICLE SERVICE to said Section 230-17 of the Code of the Town of Clay. The purpose of said amendments is to clarify the terms for better application and understanding in the Code of the Town of Clay . Motion was seconded by Councilor Johnson.

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

Special Permit (PH) FORTH TROMBLEE DENTAL ASSOCIATES, PLLC:

Supervisor Ulatowski opened a public hearing to consider the application of FORTH TROMBLEE DENTAL ASSOCIATES, PLLC, for a SPECIAL PERMIT FOR THE

CONSTRUCTION AND OPERATION OF A MEDICAL OFFICE BUILDING to be located at 5241 Witz Drive, (Tax Map No. 112.-06-13.7). was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Garson Zausmer, architect for the applicant began by explaining that the applicant wishes to construct a 3850 square foot dental office at 5241 Witz Road, at the corner of Allen and Taft Roads. The exterior would blend with the existing buildings

Supervisor Ulatowski asked if there were any further comments or questions and there were none. He referred the applicant to the Planning Board for Site Plan review. Councilor Edick moved to adjourn to **May 5th, 2010 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Bid Award - IMPROVEMENTS TO TOWN OF CLAY HIGHWAY GARAGE AND ADMINISTRATIVE OFFICES:

Councilor over the adoption of a resolution awarding a contract for the IMPROVEMENTS TO TOWN OF CLAY HIGHWAY GARAGE AND ADMINISTRATIVE OFFICES to **D. HILLMAN and SONS** for the low bid of **\$313,000.00** for **Contract A** and **ERIE MECHANICAL CONTRACTORS, INC.** for the low bid of **\$132,427.00** for **Contract B (Mechanical)**. Said amount being the lowest responsible bidder. Motion was seconded by Councilor .

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

CanTeen - the

Councilor Johnson moved the adoption of a resolution to waive \$6,200.00 from the Youth Services Grant to the Town of Cicero for the CanTeen. Motion was seconded by Councilor .

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

Councilor Rycraft moved the adoption of a resolution approving the Final Plans for the NORTHFORK SECTION NO. 2 SUBDIVISION (Northfork Drainage District, Contract No. 1 and Northfork Water Supply Water District) and authorizing the Supervisor to execute the necessary forms therefore. (Contract documents) Motion was seconded by Councilor .

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

Move the adoption of a resolution appointing Mark Smith as a member of the ZONING BOARD OF APPEALS to fill the unexpired term of David Hess. Said term to expire December 31st, 2014. Motion was seconded by Councilor Edick.

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

Councilor Edick moved the adoption of a resolution calling a public hearing **April 19th, 2010** commencing at **7:50 P.M** local time, to solicit from Town of Clay residents their comments and input regarding the use of funds by the Town of Clay with respect to the applications for funding filed with **ONONDAGA COMMUNITY DEVELOPMENT**

for the year 2010. Motion was seconded by Councilor Bray.

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

Councilor Bray moved the adoption of a resolution appointing **ANNE STENHAM**, as a member of the Board of Assessment Review, to fill the unexpired term of **RUSSELL MITCHELL**, said term to expire **September 30th, 2012**. Motion was seconded by Councilor Weaver.

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

Adjournment:

The meeting was adjourned at P.M. upon motion by Councilor Bray and seconded by Councilor. Ayes-7 and Noes-0. *Carried.*

Motion was seconded by Councilor .

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

Supervisor Ulatowski asked if there were any further comments or questions and there were none. All persons wishing to be heard having been heard the hearing was closed.

was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.