

**APPROVED**

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 16<sup>th</sup> of April, 2018 at 7:30 P.M., there were:

**PRESENT:**

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Brian Hall	Councilor
Kevin Meaker	Councilor
Ryan Pleskach	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

**ABSENT:**

Eugene Young	Councilor
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**OTHERS PRESENT:**

Russ Mitchell; Chairman of the Planning Board, Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 Hess made a motion to approve the minutes of the April 2, 2017 meeting. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

**Cancellation and/or requested adjournments.**

Supervisor Ulatowski said that he knew of no requests for adjournments, however item number 11 on the agenda would not be heard at this time.

Supervisor Ulatowski said that he would take this time to acknowledge a firefighter by reading a proclamation dedicated to him for his vast service to the Town of Clay. The Supervisor applauded the dedicated fire fighters in the Town of Clay adding that there are 5 fire companies within the town, Clay, Moyers Corners, Brewerton, Caughdenoy and North Syracuse. There are 44 paid fire companies within New York State and 1800 volunteer fire companies. The service provided by the

volunteers greatly reduces the taxes paid by residents. Supervisor Ulatowski read the following Proclamation as a tribute to Chief Kenneth Stach:

## **PROCLAMATION**

At a Regular Meeting of the Town Board of the Town of Clay, held on the 16<sup>th</sup> day of **April, 2018**, the following resolution was duly adopted:

**WHEREAS**, the Town of Clay wishes to recognize and honor **CHIEF KENNETH STACH** for his 37 years of dedicated service to the residents of the Town of Clay.

**WHEREAS**, (“Ken”), a devoted firefighter has served as Chief and Deputy Chief of the **CLAY VOLUNTEER FIRE DEPARTMENT** since 1996, and is a Life Member.

**WHEREAS**, Ken oversaw the development of the Clay Fire Training Facility established in September of Two Thousand. He was instrumental in the design and building of the Tower located behind Station No.1 and contributed countless time and effort into the operation and maintenance of the Tower.

**WHEREAS**, as a New York State Fire Instructor, Ken has been instrumental in educating our future firefighters.

**NOW, THEREFORE, BE IT RESOLVED**, that the members of the Clay Town Board on behalf of themselves and the community want to publicly acknowledge their gratitude and appreciation to **CHIEF KENNETH STACH** for his efforts, service and commitment to the community and offer their best wishes for the future.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the *Great Seal of the Town of Clay* to be affixed at Town Hall this 16<sup>th</sup> day of **April**, in the year of our Lord, **Two Thousand Eighteen**.

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Damian M. Ulatowski, Supervisor

Supervisor Ulatowski then introduced Legislator Rowley who explained that he was there to keep the Board and the residents up to date on what is happening at the County level. Mr. Rowley began by explaining about the name change for the amphitheater and why he voted against it. He explained that the way this was handled was a blatant disregard for transparency. He continued that this went to a vote after only one informational hearing whereas there is usually another chance for discussion. The contract is for \$1.5 million over five (5) years to be split between

Onondaga County and Live Nation (the promoter for events). Legislator Rowley did not feel that this contract was a good choice for the County. He pointed out that the ampitheater has been losing thousands of dollars since its opening; however, the County Executive does not break out the ampitheater budget. Mr. Rowley also suggested that the contract may or may not be in violation of procurement laws.

Legislator Rowley also reported that the County had rejected all of the bids for the Hot Mix Contract. He explained that Onondaga County would save \$470,000.00 if they had accepted the lowest bid. Mr. Rowley suggested that if the Towns request a rebid, the County may have to comply.

Councilor Meaker asked for clarification regarding the vote and the informational hearing on the ampitheater. Mr. Rowley explained that he is not on the Ways and Means Committee and normally an informational hearing indicates more opportunity for information at future meetings not usually an immediate vote.

Supervisor Ulatowski said that he'd like to update everyone on the issues pertaining to the Ordinance on RVs/ Trailers etc. He continued that after much deliberation the Town has decided to put a Blue Ribbon Commission into place to ferret out any concerns. He added that this Code originated in 1988 and was only amended in 2017. The Supervisor made a motion to create the group and explained that the group will consist of 1 Town Board member, 1 person from the Planning Department, 1 resident with concerns regarding the amendment to the code and an RV owner and 1 resident without an RV with concerns. The Commission will be chaired by Councilor Pleskach who will build the rest of the group. The Supervisor explained that this will give all parties representation. Councilor Bick said that this was a great idea and seconded the motion.

Ayes – 6 and Noes – 0. *Motion carried.*

### **Correspondence:**

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

### **Regular Meeting:**

**Special Permit (SEQR) – Town Board Case # 1126 CRAIG KOWADLA and W. JAMES CAMPERLINO – BROOKLYN PICKLE:**

Councilor Bick moved the adoption of a resolution that the application for **CRAIG KOWADLA (ANVIL & SONS, LLC) AND W. JAMES CAMPERLINO (RED BARN COUNTRY, LLC) FOR A SPECIAL PERMIT** pursuant to **Section 230-16B. (2) (e) [2]** to allow for the construction of a new Brooklyn Pickle Restaurant located at **7175 Buckley Road**, part of **Tax Map No. 117.-01-06.1 & 07.0** consisting of approximately 1.26± acres of land, 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. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

**Special Permit (A) – Town Board Case # 1126 CRAIG KOWADLA and W. JAMES CAMPERLINO – BROOKLYN PICKLE:**

Councilor Bick moved the adoption of a resolution **approving** the application of **CRAIG KOWADLA (ANVIL & SONS, LLC) AND W. JAMES CAMPERLINO (RED BARN COUNTRY, LLC) FOR A SPECIAL PERMIT** pursuant to **Section 230-16B. (2) (e) [2]** to allow for the construction of a new Brooklyn Pickle Restaurant located at **7175 Buckley Road**, part of **Tax Map No. 117.-01-06.1 & 07.0** consisting of approximately 1.26± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

**Special Permit (SEQR) – Town Board Case # 1124 - AMERCO REAL ESTATE COMPANY:**

Councilor Pleskach moved the adoption of a resolution that the application for **AMERCO REAL ESTATE COMPANY FOR A SPECIAL PERMIT** pursuant to **Section 230-16C. (2) (e) [6]** to allow for the rental of U-Haul's on land located at **8015 Oswego Road, Tax Map No. 080.-01-01.0**, consisting of approximately 48.24± acres of land, 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. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

**Special Permit (A/D) – Town Board Case # 1124 - AMERCO REAL ESTATE COMPANY:**

Councilor Pleskach moved the adoption of a resolution **approving** the application of **AMERCO REAL ESTATE COMPANY FOR A SPECIAL PERMIT** pursuant to **Section 230-16C. (2) (e) [6]** to allow for the rental of U-Haul's on land located at **8015 Oswego Road, Tax Map No. 080.-01-01.0**, consisting of approximately 48.24± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

**ZONE CHANGE (PH) – Town Board Case # 1125 JOSEPH LIGOCI, JR. and TIMOTHY NEEDLE – ALLSTATE INSURANCE OFFICE:**

A public hearing to consider the application of **JOSEPH LIGOCI, JR. AND TIMOTHY NEEDLE FOR A ZONE CHANGE** from **R-10 One Family Residential District** to **0-1 Neighborhood Office District** to allow for an Allstate Insurance Office in the existing residence located at **5307 W. Taft Road, Tax Map No. 113.-01-22.0**, consisting of approximately 0.36± acres of land. (Adjourned to this date and time from the April 2, 2018 Town Board Meeting) was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Clifton Carden, Attorney for the applicant presented. He began by distributing packets to the Town Board Members. Supervisor Ulatowski asked if they had seen the County Planning comments. Mr. Carden said he had not. The Supervisor asked if he would like copies; he said not now.

Mr. Carden said that currently Mr. Ligoci is renting space on Main Street in North Syracuse for his Allstate Insurance Agency. He added that another Allstate agent sent a reference for the variance. Mr. Carden explained that Mr. Ligoci would rather own the property than rent and this property is ideal. Mr. Ligoci has an offer to purchase this property contingent upon the granting of the variance. Supervisor Ulatowski asked for clarification as to whether Mr. Ligoci is applying for a variance or a zone change. Mr. Carden said a zone change. Mr. Needle was also present and confirmed that they had reached a deal on the purchase if the zone change is granted.

Councilor Bick asked about parking; some would be in the front and some would be in the rear. There was a discussion as to the driveway going to the rear of the parcel and if it will be one-way or two-way traffic. Councilor Hall asked how many spots are required. Commissioner Territo said 9-10. Supervisor Ulatowski explained that the Onondaga County Planning Board recommends that the applicant and municipality include parking requirements in any driveway design to ensure sufficient parking and safe access and backing of vehicles within the driveway.

Scott Soyster asked if clients would be bringing boats and recreation vehicles when they are licensed. Mr. Carden explained that they encourage their customers to sign up for automatic withdrawal and Allstate rewards the agents for customer participation in this program.

Nancy Kinertz asked if they plan on an addition to the structure if clients increase, adding that this was the case with another agent nearby. Mr. Carden explained that the agent is committed to maintain a hometown feel.

Supervisor Ulatowski asked if there were any additional questions or comments; hearing none he referred the application to the Planning Board for referral.

**Agreement – Shelter Services:**

No action

**Bid - TO FURNISH ADULT CROSSING GUARDS FOR THE 2018-2019 SCHOOL YEAR:**

Councilor Hall moved the adoption of a resolution authorizing the advertisement of bids **TO FURNISH ADULT CROSSING GUARDS FOR THE 2018-2019 SCHOOL YEAR**, for approximately thirty-six (36) weeks, for the **TOWN OF CLAY**. Said bids to be received at the Office of the Purchasing Director, County of Onondaga, 421 Montgomery Street, Syracuse, New York, until 2:00 P.M., local time on May 3, 2018. Motion was seconded by Councilor Pleskach. Supervisor Ulatowski explained that the Town of Clay is responsible for providing crossing guards.

Ayes – 6 and Noes – 0. *Motion carried.*

**SPECIAL PERMIT (SEQR) – Town Board Case # 1122 - WIDEWATERS FARRELL ROAD II COMPANY, LLC:**

Councilor Hess moved the adoption of a resolution that the application for **WIDEWATERS FARRELL ROAD II COMPANY, LLC** for a **SPECIAL PERMIT** pursuant to Section 230-16C (2) (e)[2] to allow for two (2) separate drive-in services located on the vacant land **Tax Map No. 020.-01-05.1**, consisting of approximately 42.69±acres of land, is an unlisted action with a completed EAF and involves no other permit granting agency outside of the Town. The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an EIS. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

**SPECIAL PERMIT (A) – Town Board Case # 1122 - WIDEWATERS FARRELL ROAD II COMPANY, LLC:**

Councilor Hess moved the adoption of a resolution approving the application of **WIDEWATERS FARRELL ROAD II COMPANY, LLC** for a **SPECIAL PERMIT** pursuant to Section 230-16C (2) (e)[2] to allow for two (2) separate drive-in services located on the vacant land **Tax Map No. 020.-01-05.1**, consisting of approximately 42.69± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

**SPECIAL PERMIT (establishing lead agency) – Town Board Case # 1122 - WIDEWATERS FARRELL ROAD II COMPANY, LLC:**

Councilor Hess moved the adoption of a resolution that the Town Board of the Town of Clay declares that it shall be the lead agency for the environmental review for the proposed establishment of the Fox/Widewaters Sanitary Sewer District Extension, Contract No. 1 (Widewaters Commons Route 31). Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

**Appointment:**

Councilor Hall made a motion to appoint Scott Soyster as a member of the Planning Board, effective immediately. Motion seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Councilor Pleskach abstained. Motion carried.*

**Adjournment:**

The meeting was adjourned at 8:12 P.M. upon motion by Councilor Bick and seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Jill Hageman-Clark RMC / Town Clerk