

Approved

At the Organizational & Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 4th of January, 2016 at 7:00 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Naomi R. Bray	Councilor
William C. Weaver	Councilor

OTHERS PRESENT:

Russ Mitchell – Planning Board Member, Dorothy Heller – Town Historian, Rob Bick – Town Assessor and Lisa Vincitore – Secretary to the Town Attorney.

The meeting was called to order by Supervisor Ulatowski at 7:00 P.M. All present joined in the Pledge of Allegiance.

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ORGANIZATIONAL MEETING: 7:00 P.M.

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R-16-01 Official Rules of Procedure - Roberts Rules of Order:

Supervisor Ulatowski moved the adoption of a resolution that Roberts Rules of Order be the official rules of procedures at Town Board Meetings, subject to the Rules provided by the Town Law and like Statutes which shall prevail (except that there shall be no second reading of resolutions at Town Board Meetings unless the same is requested, and that there shall be no votes taken when the question of a pending resolution is called, unless an objection is stated to voting upon such resolution forthwith). Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-02 Town Board Meeting Schedule

Supervisor Ulatowski moved the adoption of a resolution establishing the **first and third** Mondays of each month as the meeting nights for the **Town Board** and **7:30 P.M.**, local time, as the hour of commencement. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-03 Councilor Hess moved the adoption of a resolution rescheduling the Monday, January 1st 2016 (Martin Luther King, Jr. Day) Town Board Meeting to Wednesday, January 20th 2016; rescheduling the Monday, September 5th 2016 (Labor Day) Town Board Meeting to Wednesday, September 7th 2016 and rescheduling the Monday, November 7th 2016 (Election Day - Tuesday, November 8th) Town Board Meeting to Wednesday, November 9th 2016. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-04 Councilor Hess moved the adoption of a resolution cancelling the **July 4th and August 8th, 2016** Town Board Meetings. **NOTE: The Town Board will meet only July 18th and August 15th, 2016.** Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

Councilor Young made a motion that the Town Hall will be closed on the following Holidays in **2016**; New Year's Day, Friday, January 1st; Martin Luther King, Jr. Day - Monday, January 18th (observed); Presidents' Day - Monday, February 15th (observed) cancelling the Town Board Meeting; Good Friday – March 25th (Town Hall to close at 12:15 P.M., Highway at 11:00 A.M.); Memorial Day Weekend - Friday, May 27th and Monday, May 30th (observed); Independence Day Monday July 4th; Labor Day - Monday, September 5th; Election Day - Tuesday, November 8th; Veteran's Day - Friday, November 11th; Thanksgiving Day - Thursday, November 24th and Friday, November 25th; Christmas - Friday, December 23rd and Monday, December 26th. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

GENERAL COMMITTEE appointment by the Supervisor:

Special Districts
Finance
Parks & Recreation
Public Safety

Supervisor Ulatowski
Supervisor Ulatowski, Councilors Rowley & Bick
Councilor Bick
Councilor Young

Highway & Public Works	Councilor Weaver and Supervisor Ulatowski
Planning & Development	Councilors Bray & Hess
Zoning Board of Appeals	Councilors Hess & Bray
Personnel	Supervisor Ulatowski
Industrial Development	Councilor Bick & Supervisor Ulatowski
Building	Councilor Weaver
Recreation Facilities & Grants	
Special Committee	Councilor Bick
Liaison N. Syracuse School District	Councilor Hess
Liaison Liverpool School District	Councilor Rowley

R-16-05 Salaries for 2016

Supervisor Ulatowski moved the adoption of a resolution that the annual salaries for the **Town Personnel** for **2016** be established as follows:

Supervisor	\$53,508
Deputy Supervisor	\$13,783.
Councilors	\$12,457.
Judges	\$40,097.
Commissioner of Parks & Recreation	\$64,641.
Commissioner of Finance	\$30,000.
Commissioner of Planning & Devlpmt	\$74,388.
Town Clerk	\$54,843.
Receiver of Taxes	\$54,843.
Assessor	\$77,162.
Highway Superintendent	\$87,561.
Water Superintendent	\$67,824.

Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-06 Appointments:

Supervisor Ulatowski moved the adoption of a resolution appointing Councilperson **Joe Bick** as **Deputy Supervisor**. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-07 Councilor Hess moved the adoption of a resolution appointing the Supervisor as **Administrator of Special Districts. Motion was seconded by Councilor Bick.**

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-08 Councilor Hess moved the adoption of a resolution approving the annual membership of the Town of Clay in the Association of Towns and payment of the annual dues in the amount of \$**1,650.00**. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-09 Councilor Hess moved the adoption of a resolution appointing Councilperson **Joe Bick** as **delegate** to the **Association of Towns**. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-10 Councilor Rowley moved the adoption of a resolution appointing **Supervisor Ulatowski** as **alternate delegate** to the **Association of Towns**. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-11 **Authorization – Check Signing:**

Councilor Rowley moved the adoption of a resolution authorizing the **Deputy Supervisor** to sign checks drawn on Town funds in the absence of the Supervisor. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-12 **Town Engineers:**

Councilor Rowley moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such **Special District** services as the Town may require and authorizing the Supervisor to enter into an annual contract with said firm. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-13 Councilor Rowley moved the adoption of a resolution authorizing the **Town Engineers** to update the “**Town of Clay Zoning Map**” annually, with payment for same to be authorized from the General Fund of the Town of Clay. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-14 Town Attorneys:

Councilor Bick moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the Town of Clay for a term of two (2) years. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-15 Zoning Board Attorneys:

Councilor Bick moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the **Zoning Board of Appeals**, and to receive **\$16,000.00** for the **Zoning Board of Appeals** work for the year **2016**. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-16 Bank Designation:

Councilor Bick moved the adoption of a resolution designating the following as the official **2016 depository banks** for the Town of Clay: **M & T Bank; JP Morgan Chase Bank; Key Bank National Association; Bank of America; Alliance Bank, N.A.; Solvay Bank, RBS Citizens Bank, First Niagara Bank, NY CLASS and Pathfinder Bank** – pooled cash investment program (class), or successor. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-17 Newspaper Designation:

Councilor Bick moved the adoption of a resolution designating the **Syracuse Post Standard** as the official Town Newspaper for **2016** and designating the **Eagle Star Review** as an additional newspaper for the publication of legal notices. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

Appointments – Town Offices:

R-16-18 Councilor Young moved the adoption of a resolution appointing **Thomas Weaver** as **Highway Superintendent** for a term of two (2) years. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-19 Councilor Young moved the adoption of a resolution appointing **Greg Root** as **Water Superintendent** for a term of two (2) years. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-20 Councilor Young moved the adoption of a resolution appointing **Mark Territo** as **Commissioner of Planning & Development** for a term of two (2) years. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-21 Councilor Young moved the adoption of a resolution appointing **John Shehadi** as **Commissioner of Finance** for a term of two (2) years. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-22 Councilor Young moved the adoption of a resolution appointing **Wayne Morris** as **Commissioner of Recreation** for a term of two (2) years. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-23 Councilor Hess moved the adoption of a resolution appointing **Karen Guinup** as **Chairperson of the Planning Board** for the year **2016**. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-24 Councilor Hess moved the adoption of a resolution re-appointing **Russ Mitchell** as a **member of the Planning Board**. Said term to expire December 31, 2022. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-25 Councilor Hess moved the adoption of a resolution appointing **Chuck Mangan** as **Chairman of the Zoning Board of Appeals** for the year **2016**. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-26 Councilor Hess moved the adoption of a resolution appointing **Chuck Mangan** as a **member of the Zoning Board of Appeals**. Said term to expire December 31, 2020. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-27 Councilor Rowley moved the adoption of a resolution appointing **Nick Layou** as a **member of the Zoning Board of Appeals**, replacing Mark Smith. Said term to expire December 31, 2019. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-28 Councilor Rowley moved the adoption of a resolution appointing **Jill Hageman-Clark** for a term of 5 years as a member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics. Said term to expire December 31, 2020. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-29 Councilor Rowley moved the adoption of a resolution appointing **Mike Ploski** and **Jim Bowles** as **Dog/Animal Control Officers** for the year **2016**. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-30 Councilor Rowley moved the adoption of a resolution appointing **Dorothy Heller** and **Harold Baker** as **Town Historians** for the year **2016**. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-31 Councilor Young moved the adoption of a resolution appointing **Wayne Morris** as **Safety Committee Chairman** for the year **2016**. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-32 Councilor Young moved the adoption of a resolution appointing **Mike McCarthy** as **Constable** for the year **2016**. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-33 Councilor Young moved the adoption of a resolution appointing **Timothy Snyder** as **Substitute Constable** for the year **2016**. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-34 Councilor Young moved the adoption of a resolution approving an agreement between the **Superintendent of Highways** and the **Members of the Town Board** for the expenditure of highway monies in the Town of Clay for the fiscal year ending **December 31, 2016**. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-35 Councilor Young moved the adoption of a resolution appointing **Jill Hageman-Clark**, as a **Marriage Officer** for the Town of Clay, pursuant to Section 11 of the New York State Domestic Relations Law, effective immediately. Said appointment expires **December 31, 2016**. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-36 Councilor Young moved the adoption of a resolution appointing **Gloria Wetmore** and **Krissy Alpuerto** as **Deputy Town Clerks** for a term of two (2) years, said term to expire December 31, 2017. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

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REGULAR AGENDA – JANUARY 4, 2016
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Approval of Minutes:

Councilor Bick made a motion to approve the Minutes of the **December 21, 2015** Regular Town Board Meeting. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

Cancellation and/or requested adjournments.

None

Correspondence:

None

REGULAR MEETING:

Mobile Home License 2016 (PH):

A public hearing to consider the application of **CASUAL ESTATES, LLC D/B/A MADISON VILLAGE MOBILE HOME COURT**, for the renewal of its license for the year **2016** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Rebekah Steele was present on behalf of the Madison Village Community. She gave a brief overview beginning by explaining that they have focused on demoing some of the older mobile homes (8) and bringing in five (5) new homes in 2015. The focus for 2016 is updating some of the electrical boards, gas lines and painting. Supervisor Ulatowski asked about violations. Ms. Steele said that there were none. He then asked how the abandoned homes were handled. Ms. Steele explained that a Court order giving ownership to the park, 90 days after the home is abandoned at which time the park may demo or repair. She explained that of the five new homes, four were brand new and one was moved into the park from Elbridge.

There was a discussion on the use of the community room, which Ms. Steele said is booked regularly. There was also a discussion about the empty parcel (former pizza shop) and Ms. Steele said that the only issue is parking there however it is going to be a dental office.

Ms. Steele said that there are 851 sites, 74 are not developable and approximately 450 are occupied. She said that Mr. Condon, the Code Enforcement Officer gave a favorable recommendation. Councilor Hess said that he has seen the improvement in the park.

Being that there were no further questions or comments; Supervisor Ulatowski **closed** the public hearing.

R-16-37 Local Law No. 1 of the Year 2016 amending Chapter 105 entitled “Fees,” §105-4 Schedule of fees, Chapter 81 entitled “Building Construction(D):

Councilor Hess moved the adoption of a resolution approving **Local Law No. 1 of the Year 2016 amending Chapter 105 entitled “Fees,” §105-4, Schedule of fees, Chapter 81 entitled “Building Construction,” §81-12 Mobile Home: Installation in mobile home court, Chapter 144 entitled “Mobile Home Courts,” §144-11B; Chapter 167 entitled “Peddling and Soliciting,” §167-12(B) Additional fees, and Chapter 230 entitled “Zoning,” § 230-9 Penalties**

for offenses; enforcement, by amending, increasing and adding new fees to the Code of the Town of Clay. Motion was seconded by Councilor Young.

Councilor Rowley asked for a roll call vote and it went as follows:

Councilor Young - Yes	Supervisor Ulatowski - Yes
Councilor Bick - No	Councilor Hess - Yes
Councilor Rowley – No	

Ayes – 3 and Noes – 2. *Motion failed.*

R-16-38 Zone Change (CPH) - Town Board Case # 1091 - NELSON ASSOCIATES, LLC and ROUTE 31 PARTNERSHIP:

Councilor Rowley moved the adoption of a resolution calling a public hearing **January 20, 2016**, commencing at **7:47 p.m.**, local time, to consider the application of **NELSON ASSOCIATES, LLC and ROUTE 31 PARTNERSHIP** for a **ZONE CHANGE** from **RA-100 Residential Agricultural** to **HC-1 Highway Commercial** to allow for a FOX automotive dealership on vacant land located at **3687 State Route 31 and the parcel immediately to the north, Tax Map No. 020.-01-06.1 & 05.3**; consisting of approximately 7.04 ± acres of land. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-39 Zone Change (CPH) - Town Board Case # 1090 - THE WIDEWATERS GROUP INC. and JULIA LA SALLE:

Councilor Bick moved the adoption of a resolution calling a public hearing **January 20, 2016**, commencing at **7:50 p.m.**, local time, to consider the application of **THE WIDEWATERS GROUP INC. and JULIA LA SALLE** for a **ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** for a proposed retail development on vacant land located at **3715 State Route 31, Tax Map No. 020.-01-05.1 & 05.2**; consisting of approximately 46.12 ± acres of land. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-40 Local Law No. 2 of the Year 2016 amending Chapter 230 entitled “ZONING,” §230-22 Schedule Land Uses and Structures(CPH):

Councilor Young moved the adoption of a resolution calling a public hearing **February 1, 2016**, commencing at **7:35 P.M.**, local time to consider proposed **Local Law No. 2 of the Year 2016** amending **CHAPTER 230 “ZONING”** of the Town Code to amend **§230-22 Land Uses and Structures** by adding to **§230-22 B.** two

new definitions and replacing the definition of Electronic Message Boards, and adding **§230-22C.(1)(c) Special Permit Uses** and to be included in the Town of Clay Municipal Code. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-41 Local Law No. 3 of the Year 2016 amending Chapter 230 entitled “ZONING,” §230-9 Penalties for Offenses(CPH):

Councilor Hess moved the adoption of a resolution calling a public hearing **February 1, 2016**, commencing at **7:38 P.M.**, local time to consider proposed **Local Law No. 3 of the Year 2016** amending **CHAPTER 230 “ZONING”** of the Town Code to amend **§230-9A. Penalties for offenses; enforcement** increasing the punishable fine and adding to the end of said paragraph the words **“for which no further notice of any kind need to be filed,”** and to be included in the Town of Clay Municipal Code. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-42 Local Law No. 4 of the Year 2016 amending Chapter 69 entitled “ANIMALS” §69-18 Penalties for Offenses(CPH):

Councilor Rowley moved the adoption of a resolution calling a public hearing **February 1, 2016**, commencing at **7:41 P.M.**, local time to consider proposed **Local Law No. 4 of the Year 2016** amending **CHAPTER 69 “ANIMALS”** of the Town Code to amend **§69-18 Penalties for offenses** increasing the civil penalties for violations to the Town of Clay Municipal Code. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-43 Ordinance 2016-01 amending Chapter 78 “BRUSH, GRASS, RUBBISH and WEEDS” to amend §78-7 Penalties for Offenses(CPH):

Councilor Bick moved the adoption of a resolution calling a public hearing **February 1, 2016** commencing at **7:44 P.M.**, local time to consider proposed **Ordinance 2016-01** amending **CHAPTER 78 “BRUSH, GRASS, RUBBISH AND WEEDS”** of the Town Code to amend **§78-7 Penalties for offenses** increasing the punishable fine and adding to the end of said paragraph the words **“for which no further notice of any kind need to be filed,”** and to be included in the Town of Clay Municipal Code. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-44 Ordinance 2016-02 amending Chapter 216 “VEHICLES ABANDONED, JUNKED or INOPERATIVE” to amend §216-4 Penalties for Offenses(CPH):

Councilor Young moved the adoption of a resolution calling a public hearing **February 1, 2016**, commencing at **7:47 P.M.**, local time to consider proposed **Ordinance 2016-02** amending **CHAPTER 216 “VEHICLES ABANDONED, JUNKED OR INOPERATIVE”** of the Town Code to amend **§216-4 Penalties for offenses** replacing **Article “X”** with **Article “I”** and adding to the end of said paragraph the words **“for which no further notice of any kind need to be filed,”** and to be included in the Town of Clay Municipal Code. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-45 Ordinance 2016-03 amending Chapter 217 “VEHICLES for SALE” to amend §217-7 Penalties for Offenses(CPH):

Councilor Hess moved the adoption of a resolution calling a public hearing **February 1, 2016**, commencing at **7:50 P.M.**, local time to consider proposed **Ordinance 2016-03** amending **CHAPTER 217 “VEHICLES FOR SALE”** of the Town Code to amend **§217-7 Penalties for offenses** by adding to the end of said paragraph the words **“for which no further notice of any kind need to be filed,”** and to be included in the Town of Clay Municipal Code. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

R-16-46 Appointment – C&S Engineers:

Councilor Hess moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such services as the Town Board, Planning Board and Zoning Board of Appeals may require for a term of two (2) years. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 7:48 P.M. upon motion by Councilor Bray and seconded by Councilor Hess.

Ayes-5 and Noes-0. *Motion carried.*

Jill Hageman-Clark, RMC Town Clerk