

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 16th of November, 2015 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	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

OTHERS PRESENT:

Russ Mitchell, Hal Henty – Planning Board Members and 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 Bick moved to **Approve** the Minutes of the November 4th, 2015 Town Board Meeting. Motion was seconded by Councilor Rowley.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski stated that he knew of no cancellations or adjournments.

Correspondence:

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

REGULAR MEETING:

Zone Change (PH) – Town Board Case # 1087 MAPLERIDGE, LLC:

A public hearing to consider the application of **MAPLERIDGE, LLC FOR A ZONE CHANGE** from **RC-1 Regional Commercial** to **R-APT Apartment** to add the landlocked parcel to phase 2 of the construction of the Ravada Hill Apartments located to the rear of **4850 Buckley Road, Tax Map No. 096.-11-05.0**; consisting of approximately .6± acres of land. (Adjourned to this date and time from the October 19, 2015 Town Board Meeting).

Hal Romans Planner/Surveyor for the applicant was present to speak on behalf of this application. Mr. Romans began by explaining that this is a landlocked parcel that will not be developed. The use for this parcel will merely be to add to the total density for the apartments. He continued that the applicant has a purchase offer contingent on the zone change approval. Mr. Romans stated that there will be no change to the site. The site also has a National Grid easement and a Town easement.

Supervisor Ulatowski asked how many units are in Phase II of this project. Mr. Romans said that there are 4 buildings with 24 units per each. The Supervisor asked how many garages are there. Mr. Romans stated that he believes that there are at least one per unit but knows that the Alberici's provide adequate parking taking into consideration guest parking.

Supervisor Ulatowski asked if the Board had any questions and they did not. He then opened it to the residents. A gentleman explained that he had been at the previous meeting and asked about continuing to maintain the grass in that parcel. He added that before he maintained it, kids went back there to do drugs. The Supervisor explained that this would not be part of the application process but it was admirable for him to want to do that. Mr. Romans added that he had spoken with the applicant and they were willing to discuss the possibility but wanted to secure the zone change first.

Being there were no more questions, the Supervisor **closed** the public hearing.

**Traffic & Vehicles (PH) – FOUR STOP SIGNS - LOBELIA DRIVE/
WINTERSWEET DRIVE; LOBELIA DRIVE/ ASTILBE PATH; ASTILBE
PATH/ WINTERSWEET DRIVE & WINTERSWEET DRIVE/ OPAL DRIVE:**

A public hearing to consider the amendment of **CHAPTER 211, TRAFFIC AND VEHICLES ORDINANCE** of the Code of the Town of Clay, **SECTION 211-12 “STOP INTERSECTIONS,” SCHEDULE IX (§211-42)**, of the Town of Clay Municipal Code to designate and provide for **FOUR (4) STOP SIGNS** to be

installed on the northeast corner of **LOBELIA DRIVE** where it intersects with **WINTERSWEET DRIVE**, southwest corner of **LOBELIA DRIVE** where it intersects with **ASTILBE PATH**, northwest corner of **ASTILBE PATH** where it intersects with **WINTERSWEET DRIVE** and the northeast corner of **WINTERSWEET DRIVE** where it intersects with **OPAL 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.

The Supervisor began by explaining that the request for STOP signs had been submitted along with the required petition. He continued that the Highway Superintendent as well as the Town Constable had responded favorably to the request.

Cheryl Hawa of 4944 Wintersweet Drive explained that they would like some additional signage where Wintersweet and Astilbe meet adding that now there is a business there.

Another resident from Astilbe Path said that she would like to see more STOP signs because people drive too fast. The Supervisor said that STOP signs are not designated to reduce speed. The resident asked if the application could be modified. The Supervisor explained that it could not as the recommendations made were based solely on the original application. He explained that if they could amend the application and do it quickly he would try to expedite the process.

There being no more questions, the Supervisor **closed** the public hearing.

Proposed 2016 Preliminary Budget for the Town of Clay as the Annual Budget(PH):

A public hearing to consider the adoption of the proposed **2016 Preliminary Budget for the Town of Clay**, as the annual budget was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

John Shehadi was again present to elucidate about the preliminary budget explaining that originally it was \$14,023,000.00 and they have reduced it further to \$13,938,000.00 adding that the annual impact to the owner of a \$100,000.00 home outside the village would result in an increase of \$6.71 or about \$.50 per month and the Village will receive a decrease annually of \$.76.

Supervisor Ulatowski thanked Mr. Shehadi and his committee for the hard work they did to deliver this budget and remain below the tax cap.

The Supervisor asked if the Town Board had any questions about the budget; hearing none he asked the public if there were any questions.

Ed Pauline of Irongate reminded Supervisor Ulatowski that they had met in July to discuss shortening the curbing of the island at the entrance to the Irongate development. He continued that the Supervisor had said at that time that they would look at it as a budget item this year and wondered if it was included in the 2016 budget. Supervisor Ulatowski said that a line had been added to the highway portion of the budget to repair and make it more accessible. Mr. Pauline asked if they would use granite and the Supervisor said he believed so.

Hearing no more questions or comments the Supervisor **closed** the public hearing.

Zone Change (PH/adj.) – Town Board Case # 1085 - STEWART'S SHOPS CORP. AND PITCHER HILL ASSOCIATES:

A public hearing to consider the application of **STEWART'S SHOPS CORP. FOR A ZONE CHANGE from R-APT Apartment to LUC-1 Limited Use for Gasoline/R-APT Apartment** to construct a Stewart's Shop and fuel facility in the front portion and leave the rear portion as is, on vacant land located at the southeast corner of **Buckley and Bear Roads, Tax Map No. 097.-01-08.1;** consisting of approximately 9.02± acres of land. (Adjourned to this date and time from the November 4, 2015 Town Board Meeting) was opened by the Supervisor.

James Trasher of CHA Engineers was present along with Tim Faulkner also of CHA and Chuck Marshall of Stewarts.

Mr. Trasher gave a brief overview. He explained that the applicant is proposing to construct a Stewarts on the 3 acre portion of the total parcel. He continued that there is a perimeter strip that will remain forever wild with some deed restrictions and the remainder will stay R-Apt. Mr. Trasher explained that he has tried to address all of the questions and concerns of the Town Board as well as the residents.

Councilor Rowley asked Mr. Trasher to explain the traffic impact study in layman's terms. Tim Faulkner, Senior Traffic Engineer for CHA explained that the construction of Stewarts would have a minimal impact on the Bear and Buckley Road intersection. He explained that this would force the County DOT to retime the signals which would improve the traffic flow. He continued that the main driveway, across from Coffee Tree Lane, exiting Stewarts is a level D and that the right turn only in from Buckley Road is a Level A. He said that the entrance/exit on Bear Road is also a level A, adding that the County DOT is recommending a left in and a right in and out.

There was a brief discussion about the left turn in with regard to the merge lane as well as the gap analysis. Mr. Faulkner explained that the gap analysis provides

information about how many gaps there are during peak travel times. He continued that sufficient gaps for a left turn are conservatively counted at 7+ seconds when there is a break in traffic. Some of the gaps may be 25-30 seconds.

Councilor Young asked about the turn lane and the median. Mr. Trasher explained that the median will be used for left turns. Supervisor Ulatowski asked if the left turn in will be separate from the left turning lane for Buckley Road and it will be.

Councilor Bray asked about the right turn lane and the left turn lane and if they will be constructed and maintained to design standards. She continued that she is concerned with adding another lane for right turn in with the existing two lane merge. Mr. Marshall explained that they will not impact the merge lane adding that the right in only will be on the Stewarts parcel.

Supervisor Ulatowski asked if there were any questions from the public.

David Kelly reiterated his concerns with the reckless driving with the merge lane. He also asked if the applicant had requested a gap study exiting Meadow Wood Drive. Mr. Trasher explained that it is not required by County DOT.

Carol Duerr stated that there have been many accidents on the corner of Bear and Buckley Roads adding that the motorists race around the corner from two lanes at 45 MPH and then must merge in one lane. She added that the retiming of the signal will not improve the intersection.

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

R-15-211 Proposed 2016 Preliminary Budget for the Town of Clay as the Annual Budget(A):

Councilor Rowley moved the adoption of a resolution approving and adopting the **PRELIMINARY BUDGET** as (proposed or modified), for the Town of Clay for the year **2016** as the **TOWN OF CLAY BUDGET** for the fiscal year commencing January 1, 2016. Motion was seconded by Councilor Bick.

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

R-15-212 Release of Securities – COUNTRY MEADOWS SUBDIVISION, SECTION G:

Councilor Young moved the adoption of a resolution, pursuant to the written recommendation of the Town Engineers in their letter dated **November 12, 2015**, recommending the **release of the repair and maintenance securities** withheld for **Country Meadows Subdivision, Section G** as follows:

Country Meadow Sewer District, Extension No. 2, Contract No. 3 - Lateral from \$4,200 to \$0.

Country Meadow Drainage District, Extension No. 2, Contract No. 3 - Lateral from \$5,400 to \$0.

Overland Drainage Facilities from \$20,000 to \$0.

To the Developer, **JMG Homes, Inc.**

Motion was seconded by Councilor Rowley.

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

R-15-213 Release of Securities - GROUP ONE DEVELOPMENT, LLC for NEWBURY WOODS SUBDIVISION:

Councilor Hess moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **75%** of the original amount posted for Highway Construction Guarantee by **GROUP ONE DEVELOPMENT, LLC for NEWBURY WOODS SUBDIVISION (Newbury Place, 2603 and Bedford Lane, 454 lf)**. Gravel, gutters, binder and top are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Bick.

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

R-15-214 Special Permit (CPH) – Town Board Case # 1088 - SPRING STORAGE PARK:

Councilor Bick moved the adoption of a resolution calling a public hearing **December 7, 2015**, commencing at **7:44 p.m.**, local time, to consider the application of **SPRING STORAGE PARK, INC.** for a **SPECIAL PERMIT pursuant to section 230-17C. (2) (e) [7] of the Town Code to allow for motor vehicle storage located at 7733 & 7739 Henry Clay Blvd., Tax Map. No. 087.-01-21.1;** consisting of approximately 6.77± acres of land. Motion seconded by Councilor Hess.

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

R-15-215 LOCAL TRANSPORTATION FUNDING RESOLUTION:

Councilor Young moved the adoption of a resolution that the Town is in favor of Local Transportation Funding.

Whereas, a reliable transportation infrastructure is vital for the safety of New York’s travelling public and its economy; and
Whereas, 85 percent of New York’s roads and bridges are maintained by local governments; and

Whereas, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

Whereas, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

Whereas, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

Whereas, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

Whereas, funding for our local system has been far short of what is needed and we’ve fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

Whereas, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

Whereas, in the early 1990’s the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems’ capital programs; and

Whereas, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

Whereas, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

Whereas, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

NOW THEREFORE BE IT RESOLVED, that the Town of Clay calls upon the Governor and the state Legislature to make additional state funding and

resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and

BE IT FURTHER RESOLVED, that the Town of Clay calls upon the Governor and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

BE IT FURTHER RESOLVED, that the Town of Clay calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs by voting on the plans simultaneously.

Supervisor Ulatowski explained that this resolution will serve to let New York State Legislature know that Upstate New York wants to receive the same funding for roadways as is given to Downstate. He added that we have been left out but the NYS DOT should be receiving parity with MTA.

Motion was seconded by Councilor Bick.

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

Adjournment:

The meeting was adjourned at 8:14 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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

Jill Hageman-Clark, RMC Town Clerk