

**Approved**

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 6<sup>th</sup> of February, 2017 at 7:30 P.M., there were:

**PRESENT:**

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

**ABSENT:**

William C. Weaver	Councilor
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**OTHERS PRESENT:**

Hal Henty & Russ Mitchell; Members of the Planning Board, Rob Bick; Assessor & 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 January 18<sup>th</sup>, 2017 meeting. Motion was seconded by Councilor Rowley.

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

**Cancellation and/or requested adjournments.**

Supervisor Ulatowski said that item 10 on the agenda will be adjourned at the request of the applicant.

**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 # 1104 - SYRACUSE BRICK HOUSE, INC. D/B/A SYRACUSE BEHAVIORAL HEALTHCARE:**

Councilor Bick moved the adoption of a resolution that the application for **SYRACUSE BRICK HOUSE, INC. D/B/A SYRACUSE BEHAVIORAL HEALTHCARE FOR A SPECIAL PERMIT** to allow for a hospital/clinic, pursuant to Section 203-17 C.(2)(e)[8] located at **4567 Crossroads Park Drive, Tax Map No. 115.-01-19.1** 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 # 1104 - SYRACUSE BRICK HOUSE, INC. D/B/A SYRACUSE BEHAVIORAL HEALTHCARE:**

Councilor Bick moved the adoption of a resolution approving the application of **SYRACUSE BRICK HOUSE, INC. D/B/A SYRACUSE BEHAVIORAL HEALTHCARE FOR A SPECIAL PERMIT** to allow for a hospital/clinic, pursuant to Section 203-17 C.(2)(e)[8] located at **4567 Crossroads Park Drive, Tax Map No. 115.-01-19.1**. Motion was seconded by Councilor Hess.

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

**Zone Change (SEQR) Town Board Case # 1105 – 8302 OSWEGO ROAD, LLC (ROBERT ALUZZO):**

Councilor Young moved the adoption of a resolution that the application for **8302 OSWEGO ROAD, LLC (ROBERT ALUZZO) FOR A ZONE CHANGE FROM RA-100 RESIDENTIAL AGRICULTURAL TO 0-1 NEIGHBORHOOD OFFICE** to allow for a proposed office building located at **8302 Oswego Road, Tax Map No. 054.-01-03.1** consisting of approximately .42± 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 Bray.

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

**Zone Change (A) Town Board Case # 1105 – 8302 OSWEGO ROAD, LLC (ROBERT ALUZZO):**

Councilor Young moved the adoption of a resolution approving the application of **8302 OSWEGO ROAD, LLC (ROBERT ALUZZO) FOR A ZONE CHANGE FROM RA-100 RESIDENTIAL AGRICULTURAL TO 0-1 NEIGHBORHOOD OFFICE** to allow for a proposed office building located at **8302 Oswego Road, Tax Map No. 054.-01-03.1** consisting of approximately .42± acres of land. Motion was seconded by Councilor Bray.

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

Councilor Bray requested that the applicant consider providing an ingress/egress easement across the portion of the gravel road located on the applicant's property used to access Willowstream dam's outlet structure and embankment during the Site Plan approval process.

**Special Permit (PH/Adj.) Town Board Case # 1102 - MCDONALDS USA, LLC AND WEGMANS FOOD MARKETS, INC.:**

The applicant requested an adjournment to July.  
Councilor Hess made a motion to adjourn to **July 17, 2017 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

**ZONE CHANGE (PH) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):**

A public hearing to consider the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE FROM I-2 INDUSTRIAL to HC-1 HIGHWAY COMMERCIAL** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land, was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Hilary Donohue began by explaining that the applicant is working with Freight Yard Brewing; they wish to renovate the existing structure to house a tap room. Ms. Donohue continued that they will use the existing infrastructure. Supervisor Ulatowski asked if there is septic currently and Ms. Donohue explained that there is, adding that they will not be brewing there, it will be used as retail only. She added that they will concentrate on revitalizing by giving this building a facelift.

Councilor Hess asked if they would need to obtain variances. Ms Donohue said that they would need several, such as reduction of the lot area, highway overlay, reduction of the front setback, signage and a landscape buffer. Councilor Rowley asked if they could accommodate the required parking and they could. Councilor Young asked to see the map. Rob Bick, Assessor for the Town of Clay asked what the applicant would do about the existing apartments if the zone change were granted. Mr. Sotherden explained that under the new zoning apartments would not be an allowed use but offices would. Dorothy Heller explained that the parishioners of the Immanuel Lutheran Church (the oldest church in the Town of Clay) are supportive of this zone change.

Supervisor Ulatowski asked if there were any additional questions or comments; hearing none he said that he would refer this application to the Planning Board for review and recommendation.

Councilor Hess made a motion to adjourn the public hearing to **March 6, 2017** at **7:44 P.M.** Motion was seconded by Councilor Bick.

**Zone Change (PH) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:**

A public hearing to consider the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land.

**Zone Change (PH) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:**

A public hearing to consider the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land.

Supervisor Ulatowski said that he would open both public hearings together; proof of publication and posting were furnished by the Town Clerk.

Tim Coyer of Ianuzi and Romans and Paul Curtain, attorney for the applicant were present. Mr Curtain began by explaining that the applicant currently owns the two

parcels and is trying to change the zone to be compatible with the surrounding parcels. He continued that the surrounding parcels are a funeral home, health club, car wash etc. Mr. Curtain said that the applicant will eliminate the curb cuts and access will be gained from the existing access road. Continuing, he explained that the applicant will “clean up” the access road and the trash will be housed in dumpster enclosures. The access road to Theodolite Drive will be straightened out and repaved. There was a great deal of discussion about the current condition of the road as well as the unsightliness of the fence and overgrown brush. Several residents asked about the maintenance of the area behind the existing Rite Aid and the Plaza as well as the access road. Tom Fritz of Bubbling Springs said that the access road is used as a dump, he is in favor of the approval of this zone change but would like to see an improvement to the rear of the plaza and the access road. Jean Bastro, another resident from Bubbling Springs, asked if trucks would be using the access road for deliveries. Mr. Curtain said that they would not. She then asked if the pharmacy would operate 24 hours a day. Mr. Curtain said that Rite Aid does not usually operate 24 hours a day but he could not say for sure.

Again the conversation turned to the ownership of the access road and fence and the maintenance of them. Supervisor Ulatowski asked Commissioner Territo to find out who is responsible for the maintenance.

Supervisor Ulatowski said that he will refer both cases to the Planning Board for review and recommendation.

Councilor Hess made a motion to **adjourn** the public hearings to **March 6, 2017 at 7:47 and 7:50 P.M.** Motion was seconded by Councilor Bray.

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

**Fire Hydrants (3) Clay Consolidated Water Supply District – Farmstead Section No. 3:**

Councilor Hess moved the adoption of a resolution authorizing the installation of three (3) fire hydrants in the Clay Consolidated Water Supply District and authorizing the Supervisor to execute the OCWA fire hydrant application. (The Farmstead, Section No. 3). Motion was seconded by Councilor Rowley.

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

**STANDARD WORKDAY REPORTING – NEW YORK STATE RETIREMENT SYSTEM:**

Councilor Rowley moved the adoption of a resolution that the Town of Clay hereby establishes the standard work days for elected and appointed officials who choose to participate in the New York State Retirement System, and will report the days

worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by the officials to the Town Clerk of the Town of Clay, all as shown on a resolution to be filed in the Town Clerk’s Office and posted on the Town of Clay website and posted on the Official Board located at 4401 State Route 31, Clay NY 13041 for not less than 30 days after the adoption of such resolution, as required by the State Comptroller’s Office.

**Standard Work Day Reporting – Elected Officials**

TITLE	NAME	TERM	HRS.	Not Submitted	Tier 1
Supervisor	Damian M Ulatowski	01/01/2016-12/31/2017	7.5		
Town Clerk	Jill Hageman-Clark	01/01/2016-12/31/2017	7.5		
Tax Receiver	JoDee Kelly	01/01/2014-12/31/2017	7.5		
Town Justice	Brian Lauri	01/01/2012-12/31/2017	6		
Town Justice	D. Jeffrey Gosch	01/01/2012-12/31/2017	6		X
Board Member	Eugene Young	01/01/2016-12/31/2019	6	X	

**Standard Work Day Reporting – Appointed Officials**

TITLE	NAME	TERM	HRS.	Not Submitted	Tier 1
Assessor	Rob Bick	10/01/2013-12/31/2020	7.5		
Highway Supr.	Thomas Weaver	01/01/2016-12/31/2017	8		
Comm. Rec	Wayne Morris	01/01/2016-12/31/2017	7.5		X
Comm. P&D	Mark Territo	01/01/2016-12/31/2017	7.5		
Water Super.	Greg Root	01/01/2016-12/31/2017	8		
Planning Board	Karen Guinup	01/01/2016-12/31/2017	6		

Motion was seconded by Councilor Hess.

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

**ONONDAGA COUNTY COMMUNITY DEVELOPMENT FUNDS - 2017 (CPH).**

Councilor Bick moved the adoption of a resolution calling a public hearing **March 6, 2017**, commencing at **7:35 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 COUNTY COMMUNITY DEVELOPMENT** for the year **2017**. Motion was seconded by Councilor Hess.

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

**Zone Change (CPH) Town Board Case # 1110 – EVERGREEN FAMILY LIMITED PARTNERSHIP:**

Councilor Bray moved the adoption of a resolution calling a public hearing **March 6, 2017**, commencing at **7:38 P.M.**, local time, to consider the application of **EVERGREEN FAMILY LIMITED PARTNERSHIP FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow future commercial expansion along the route 31 corridor located at **3728-3744 State**

**Route 31, Tax Map No. 053.-01-15.1, 16.1 & 17.1;** consisting of approximately 4.67± acres of land. Motion was seconded by Councilor Rowley.

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

**SPECIAL PERMIT (CPH) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:**

Councilor Hess moved the adoption of a resolution calling a public hearing **March 6, 2017**, commencing at **7:41 P.M.**, local time, to consider the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**. Motion was seconded by Councilor Rowley.

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

**Authorization- INFORMATION TECHNOLOGY SERVICES AND INFRASTRUCTURE UPDATE OF ALL NETWORKED DEVICES:**

Councilor Hess moved the adoption of a resolution authorizing the advertisement for a request for proposals on **INFORMATION TECHNOLOGY SERVICES AND INFRASTRUCTURE UPDATE OF ALL NETWORKED DEVICES**. Said proposals will be received by the Office of the Purchasing Director, County of Onondaga, 421 Montgomery Street, Syracuse, New York, until **2:00 P.M.**, local time, on **March 20, 2017**. Motion was seconded by Councilor Bick.

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

**Adjournment:**

The meeting was adjourned at 8:25 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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

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Jill Hageman-Clark RMC / Town Clerk