

**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 April, 2015 at 7:30 P.M., there were:

**PRESENT:**

Damian Ulatowski	Supervisor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
Jill Hageman-Clark	Town Clerk
Cindy Beckhusen	Deputy Commissioner of Planning & Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

**ABSENT:**

Robert L. Edick	Deputy Supervisor/Councilor
-----------------	-----------------------------

**OTHERS PRESENT:**

Russ Mitchell, Hal Henty & David Hess – Planning Board Members; Dorothy Heller – Town Historian and Rob Bick – Town Assessor.

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 to **Approve** the Minutes of the March 16<sup>th</sup>, 2015 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes - 3 and Noes - 0 and 3 – Abstaining. *Councilors Rowley and Young and Supervisor Ulatowski abstained due to their absence at that meeting.*  
***Motion failed.***

**Cancellation and/or requested adjournments.**

Supervisor Ulatowski said that the public hearing for **Associated Group Services** and **Riverwalk Associates** will be **adjourned**.

**Correspondence:**

Russ Mitchell asked about the 2015 brush collection; Supervisor Ulatowski said that it will be addressed in the meeting (specifically item 11).

**REGULAR MEETING:**

**Zone Change (PH) – Town Board Case # 1075 - ASSOCIATED GROUP SERVICES, INC.:**

Councilor Bick mad a motion to **adjourn** the public hearing to the **April 20** meeting at **7:38 P.M.** Motion was seconded by Councilor Bray.

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

**Zone Change (PH/Adj.) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:**

Councilor Bick mad a motion to **adjourn** the public hearing to the **June 15** meeting at **7:35 P.M.** Motion was seconded by Councilor Bray.

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

**Zone Change (PH) – Town Board Case # 1074 - BANK OF AMERICA:**

A public hearing to consider the application of **BANK OF AMERICA FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **O-2 Office District** to allow for a Drive-up ATM Kiosk on vacant land located on **State Route 31, Tax Map No. 053.-01-20.1**, between the railroad tracks and Lowe’s; consisting of approximately 0.5± acres of land. (Adjourned from the March 2, 2015 Town Board Meeting), was opened by the Supervisor.

Matt Welch, Engineer for the applicant began by explaining that they had been before the Planning Board since they had last been here. He continued that the Planning Board gave a positive recommendation. Mr. Welch said that they are working to update the design to get site plan approval.

Councilor Rowley reiterated that he had concerns with newly vacated branch of the Bank of America in the Kimbrook Plaza just down the road and questioned the need for this kiosk. He again asked why the applicant had closed that branch. Mr Welch explained that he had asked that question and had been told that they closed due to a lease issue.

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

**Zone Change (PH) – Town Board Case # 1076 - MARK BROSH:**

A public hearing to consider the application of **MARK BROSH FOR A ZONE CHANGE** from **I-2 Industrial District** to **R-40 One-Family District** to allow for future development on vacant land located on **Verplank Road, Tax Map No. 043-01-10.1**; consisting of approximately 1.95± acres. (Adjourned from the March 2, 2015 Town Board Meeting), was opened by the Supervisor.

Hal Romans was preset on behalf of the applicant. Mr Romans began by distributing new maps to the Town Board along with a letter from Mr. Brosh. The new map detailed the existing drainage and the setbacks in addition to a conceptual plan indicating the home and the proposed drainage. Mr Romans continued that the drainage had been redirected to the property edge and that the easement will be realigned. Mr Romans said that the applicant is aware that he will be responsible to pay fees (\$1500.00) to the Town Engineer for review of the grading. He explained that if this application was for commercial property all of the draining and grading issues would be addressed in site plan review however there is no process for residential, for that reason the applicant will follow a grading plan that will be accepted by the Town prior to accepting the easement. Additionally the septic must be approved by the Onondaga County Health Department (OCHD) and will likely be a raised bed. The driveway will be decided by the Onondaga County Department of Transportation (DOT).

Supervisor Ulatowski asked if the applicant is willing to grade the property for the preservation of the surrounding properties, also asking if the detached garage depicted in the plan would be in the flood plan. Mr Romans said that the garage will not necessarily be as indicated on the conceptual plan.

Councilor Bick asked about the size of the proposed home. Councilor Young asked if Mr. Brosh is the owner or if there is a sale pending on the zone change. Mr. Romans indicated that the sale is pending zone change approval. Councilor Young asked if the septic will be located at the front of the property; it will Mr Romans explained adding that it is a special system that will be in the front set back.

Phil Saucier of 4817 VerPlank Road explained that his property is to the west of this parcel and is concerned with the drainage with regards to his driveway, and questioning if the mitigation will incorporate the adjoining 7 acres affected. Ron DeTota said that that he had not had the opportunity to visit the site yet.

Ray Florczyk of 4848 VerPlank Road explained that he is also concerned with the drainage. He continued that he has an airport on his property. Supervisor Ulatowski asked where the airport is on the map. Mr Florczyk said that it is north of the property, indicating it on the map adding that the airport is privately owned and open to the public.

Mike Corelli said that his property is to the east of the parcel and that he is against this zone change. He added that he would like to see a business go in that would operate during the day and be gone at night.

Supervisor Ulatowski explained that the Town Engineer will be involved to mitigate the drainage and the grading. Mr DeTota added that the Planning Department will be involved as well. Mr Corelli asked if his property gets flooded who will be responsible. Supervisor Ulatowski explained that the Town Board would be responsible because they make a decision based on the expertise of the Town Engineer and the applicants Surveyor and Planner.

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

**R15-68 Agreement - OCRRA:**

Councilor Weaver moved the adoption of a resolution approving the Onondaga County Participating Municipality Solid Waste Delivery Agreement and Indemnification Agreement between the Town and OCRRA, and authoring the Supervisor to execute both documents. Motion was seconded by Councilor Bick.

*Councilor Rowley asked for a copy of the Indemnity Agreement. Councilor Bray said that we have it. Councilor Rowley said that he would abstain from voting so that he would have the opportunity to read the agreement.*

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

**R15-69 Agreement –(A) – Town of Clay and Superior Waste Management:**

Councilor Bick moved the adoption of a resolution approving a Temporary Agreement between the **Town of Clay and Superior Waste Removal** for the service of Brush Districts Nos. 2, 3, 4, 5, 7 and 8, and authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Rowley.

*Supervisor Ulatowski explained that the Brush contract went out to bid in November for the coming year. At that time the bid was awarded to the lowest bidder. That contractor has been unable to fulfill the contract therefore the Town of Clay is entering into a temporary agreement with the previous contractor who has graciously agreed to extend the contract and expeditiously get the bush on track including the pickup of Christmas trees. The Supervisor apologized for the un-timeliness and thanked the contractor for stepping in.*

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

**R15-70 Bid Advertisement (A) TO FURNISH ADULT CROSSING GUARDS FOR THE 2015-2016 SCHOOL YEAR:**

Councilor Young moved the adoption of a resolution authorizing the advertisement of bids **TO FURNISH ADULT CROSSING GUARDS FOR THE 2015-2016 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 two (2) o'clock P.M., local time on April 28, 2015. Motion was seconded by Councilor Bray.

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

**Adjournment:**

The meeting was adjourned at 8:15 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes-6 and Noes-0. *Unanimously carried.*

---

Jill Hageman-Clark RMC, Town Clerk