

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 17th of October, 2016 at 7:30 P.M., there were:

PRESENT:

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| 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 |
| Neal Germain | Town Attorney |
| Ron DeTota | Town Engineer |

ABSENT:

None

OTHERS PRESENT:

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 October 3rd, 2016 meeting. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried. Councilor Bray abstained due to her absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that he knew of no requests for adjournments.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Two residents approached the Town Board to discuss a paving job that was recently completed on Look Kinney Circle. Mr. D'Onofrio began explaining that the quality of work done on the resurfacing of his street was poor. He continued that the drainage is worse. He explained that the sealer does not go to the edge of the street.

He said that he was not sure why it was even done. Mr. Lovecchio agreed with Mr. D’Onofrio adding that he was upset that he had contacted several people at Town Hall and no one had returned his calls. Supervisor Ulatowski said that he and the Highway Superintendent would look into it.

Mr. Lovecchio explained that he also owns property in Cicero and appreciated the fact that they notified him when they were paving there. He produced a notice that the Highway department in Cicero gave to residents when a project would be done. The Supervisor agreed that this was a good practice, asking if he could keep the notice for reference. The Supervisor then explained that the process used by the Highway department is a process scientifically designed by Cornell University to be economical and environmentally conscientious.

REGULAR MEETING

TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2017(IH):

Supervisor Ulatowski opened the Informational hearing to consider the **TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2017**. He began by reading the 2017 Budget Message. He explained that they had worked diligently to trim the budget from the preliminary budget and again have come in below the Governors 2% tax cap. He asked if there were any questions. There were none.

Local Law No. 8 of the YEAR 2017 (PH):

The Supervisor explained that this was a precaution that the Town was taking, however since the budget is below the cap this item will be **withdrawn**.

R-16-180 TENTATIVE BUDGET (amended)for the TOWN OF CLAY FOR THE YEAR 2017(IH):

Councilor Bick moved the adoption of a resolution to amend the **2017 Tentative Budget for the Town of Clay** as follows:

Decrease account A1330.1 Tax – Personal Services by \$2,000.00.

Decrease account A1355.1 Assessor – Personal Services by \$2,512.00.

Decrease account A1410.1 Town Clerk – Personal Services by \$2,000.00.

Decrease account A7020.1 Recreation Administration – Personal Services by \$2,415.00.

Decrease account A9010.805 Employee Benefits – Hospital & Medical by \$59,400.00.

Decrease account B9010.805 Employee Benefits – Hospital & Medical by \$25,400.00.

Increase account DM5130.2 Highway Machinery – Equipment by \$30,000.00.

Decrease account DS9010.805 Employee Benefits – Hospital & Medical by \$31,000.00.

Decrease Unexpended Balance in the General Fund by \$75,000.00

Decrease Unexpended Balance in the Highway Fund by \$50,000.00

Motion was seconded by Councilor Hess.

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

R-16-181 TENTATIVE BUDGET 2017 as the TOWN OF CLAY PRELIMINARY BUDGET(A):

Councilor Hess moved the adoption of a resolution approving the **TENTATIVE BUDGET** as proposed or modified, for the Town of Clay for the year **2017** as the **TOWN OF CLAY PRELIMINARY BUDGET** for the fiscal year commencing January 1, 2017. Motion was seconded by Councilor Bray.

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

R-16-182 Securities (100% release)/Project - NORTHFORK SUBDIVISION SECTION NO. 2:

Councilor Weaver moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **100%** of the original amount posted for Highway Construction Guarantee by **GROUP ONE DEVELOPMENT, LLC** for **NORTHFORK SUBDIVISION SECTION NO. 2 (Appaloosa Trail 1,660, 1f)**. The roads have been completed in accordance with Town Highway specifications. Motion was seconded by Councilor Bick.

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

R-16-183 Securities (75% release)/Project - NORTHFORK SUBDIVISION SECTION NO. 3:

Councilor Weaver 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 **NORTHFORK SUBDIVISION SECTION NO. 3 (Appaloosa Trail 1,660, 1f)**. Gravel, gutters, binder and top are in place in accordance with Town Highway specifications. Motion was seconded by Councilor Bray.

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

R-16-184 Authorization/Application (A) State and Municipal Facilities Program (SAM)(playground):

Councilor Bick moved the adoption of a resolution approving the application for the State and Municipal Facilities Program (SAM) for the construction of an all-inclusive playground at Clay Central Park, and authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Hess.

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

R-16-185 Authorization/Application (A) State and Municipal Facilities Program (SAM)(greenhouse):

Councilor Bick moved the adoption of a resolution approving the application for the State and Municipal Facilities Program (SAM) for the construction of a greenhouse, and authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Bray.

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

R-16-186 Authorization/Application (A) State and Municipal Facilities Program (SAM)(three pavilions):

Councilor Bick moved the adoption of a resolution approving the application for the State and Municipal Facilities Program (SAM) for the construction of (3) three pavilions at Three Rivers Point, and authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Bray.

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

Supervisor Ulatowski explained that all three of the SAM applications are for grant monies – no cost to the taxpayers.

R-16-187 Project/ Securities (posting) - RIVERWALK SUBDIVISION SECTION NO. 3A AMENDED:

Councilor Young moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer, drainage and water supply facilities located within the **RIVERWALK SUBDIVISION SECTION NO. 3A AMENDED**, (Riverwalk Sewer District, Contract No. 1; Riverwalk Drainage District, Contract No. 1) and the construction of said facilities having been substantially completed in accordance with the Plans and Specifications thereof; The Town Engineers having verified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of October 12, 2016: **Overland Drainage Facilities - \$5,000; Maintenance Guarantee –**

\$3,631 (\$1,955 Sewer and \$1,676 Drainage); **Highway - \$2,772; Monument Deposit - \$450; Parkland Contributions - \$2,500; Future Engineering/ Inspection Fees - \$2,000;** and any other unpaid fees that may be owed to the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **RIVERWALK ASSOCIATES, INC.**, that the Town accept title to such facilities. Motion was seconded by Councilor Bray.

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

R-16-188 Project/ Easement - RIVERWALK SUBDIVISION SECTION NO. 3A AMENDED:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **RIVERWALK SUBDIVISION SECTION NO. 3A AMENDED**, (Riverwalk Sewer District, Contract No. 1, and Riverwalk Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **April 15, 2016**. Motion was seconded by Councilor Hess.

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

R-16-189 Warranty/ Deed etc. - RIVERWALK SUBDIVISION SECTION NO. 3A AMENDED:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **RIVERWALK SUBDIVISION SECTION NO. 3A AMENDED**; from **RIVERWALK ASSOCIATES, INC.**, (Beaver Watch Path having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R-16-190 2017 Special Districts Budget for the Town of Clay (CPH).

Councilor Rowley moved the adoption of a resolution calling a public hearing **November 9, 2016**, commencing at **7:35 p.m.**, local time, to consider the adoption of the proposed **2017 Special Districts Budget for the Town of Clay**. Motion was seconded by Councilor Bick.

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

R-16-191 2017 Fire Protection Budget for the Town of Clay (CPH).

Councilor Rowley moved the adoption of a resolution calling a public hearing **November 9, 2016**, commencing at **7:38 p.m.**, local time, to consider the adoption of the proposed **2017 Fire Protection Budget for the Town of Clay**. Motion was seconded by Councilor Hess.

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

R-16-192 2017 Uniform Water Budget for the Town of Clay(CPH):

Councilor Rowley moved the adoption of a resolution calling a public hearing **November 9, 2016**, commencing at **7:41 p.m.**, local time, to consider the adoption of the proposed **2017 Uniform Water Budget for the Town of Clay**. Motion was seconded by Councilor Bray.

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

R-16-193 2017 Preliminary Budget for the Town of Clay, as the 2017 ANNUAL BUDGET:

Councilor Rowley moved the adoption of a resolution calling a public hearing **November 9, 2016**, commencing at **7:44 p.m.**, local time, to consider the adoption of the proposed **2017 Preliminary Budget for the Town of Clay**, as the annual budget. Motion was seconded by Councilor Hess.

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

R-16-194 Zone Change (CPH) – Town Board Case # 1103 - DANIEL BURROWS:

Councilor Bray moved the adoption of a resolution calling a public hearing **November 9, 2016**, commencing at **7:47 p.m.**, local time, to consider the application of **DANIEL BURROWS FOR A ZONE CHANGE** from **O-2 Office** to **NC-1 Neighborhood Commercial** to allow for a café in addition to the antique shop on land located at **7468 Oswego Rd., Tax Map No. 094.-21-01.0**; consisting of 1.9 acres of land. Motion was seconded by Councilor Bick.

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

R-16-195 Special Permit (CPH) Town Board Case # 1102 - MCDONALDS USA, LLC AND WEGMANS FOOD MARKETS, INC.:

Councilor Hess moved the adoption of a resolution calling a public hearing **November 9, 2016**, commencing at **7:50 p.m.**, local time, to consider the application

of **MCDONALDS USA, LLC AND WEGMANS FOOD MARKETS, INC. FOR A SPECIAL PERMIT** pursuant to Section 230-16C.(2) (e) [2] to allow for a drive thru for a proposed McDonalds Restaurant on land located at **4979 Taft Rd., Tax Map No. 107.-20-01.1**; consisting of 19.99 acres of land. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 8:12 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