

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 July, 2017 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
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

David Hess	Councilor
Eugene Young	Councilor

OTHERS PRESENT:

Russ Mitchell and Hal Henty; Members 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 Bray made a motion to approve the minutes of the June 19th, 2017 meeting. Motion was seconded by Councilor Rowley.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that item number 8 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

Zone Change (SEQR) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Bick moved the adoption of a resolution that the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA FOR A ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Rd., Tax Map No. 107.-21-49.0, 50.0 & 51.0**, consisting of approximately 6.0± 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 Rowley.

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

Zone Change (A) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Bick moved the adoption of a resolution **approving** the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA FOR A ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Rd., Tax Map No. 107.-21-49.0, 50.0 & 51.0**, consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Rowley.

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

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

Councilor Rowley made a motion to **adjourn** this public hearing (at the request of the applicant) to **January 17, 2018 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Ordinance 2017-02 (PH) Chapter 78 “BRUSH, GRASS, RUBBISH AND WEEDS”:

A public hearing to consider proposed **Ordinance 2017-02** amending **Chapter 78 “BRUSH, GRASS, RUBBISH AND WEEDS”** of the town code **§78-3 ‘Duty of Owner,’** by deleting the words **“identified as building lots, in a residential district”** and **“on the average”** in paragraph (B) from the Town of Clay municipal

code, was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski said that this will allow enforcement for a broader scope including compliance for grass in commercially zoned parcels. He added that this will not impact agricultural but will serve to clean up the code.

Councilor Bick asked if there had been a problem recently with this. Commissioner Territo said that the problem is not new. The Supervisor **closed** the public hearing.

Project /Drainage (PH) – SPRING STORAGE DRAINAGE DISTRICT:

A public hearing to consider an amended Petition for the drainage district within the Town of Clay known as “**SPRING STORAGE DRAINAGE DISTRICT**” and for the construction and acquisition of a drainage system therein to be designated and known as “**SPRING STORAGE DRAINAGE DISTRICT CONTRACT NO. 2 - LATERAL.**” (Store America Henry Clay Boulevard) , was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Steve Calcerenous spoke on behalf of the applicant; he explained that they are proposing to relocate the storm sewer from the south side of the parcel to the north side. Councilor Bick asked if they planned to abandon a portion of the existing easement. Mr Calcerenous said that the new easement will be shifted 30’ but will still provide the same function. Councilor Bick asked which way the water flowed. Mr Calcerenous said to the north. Being there were no more questions or comments, Supervisor Ulatowski **closed** the public hearing.

Appointment - CLAY Volunteer Fire Department Inc.:

Councilor Bray moved the adoption of a resolution approving the appointment of **Victor Ososkalo** as a volunteer member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Bick.

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

Street Lights - Sections 3 & 3A in the Riverwalk Subdivision:

Councilor Bray moved the adoption of a resolution authorizing the installation of ten (10) 100w high pressure fixtures to be installed on 14’ fiberglass embedded poles using 100w fixtures to help illuminate **Sections 3 & 3A in the Riverwalk Subdivision.** The estimated annual cost for the underground lighting fixtures is **\$3,497.40.** Motion was seconded by Councilor Rowley.

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

Agreement - Dr. John E. Davis, DVM and CNY Veterinary Services, PLLC (animal shelter):

Councilor Bray moved the adoption of a resolution approving the agreement between the **Town** and **Dr. John E. Davis, DVM and CNY Veterinary Services, PLLC** for providing and maintaining a pound/shelter for animals seized by **Dog Control** officer, or other authorized officer or employee of the Town of Clay for the year **2017** with one (1) additional one year period, under the same terms and conditions, upon written consent of both parties, and authorizing the Supervisor to execute the necessary document therefore. Motion was seconded by Councilor Rowley.

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

Project (storm sewer) – EMERALD MANAGEMENT HENRY CLAY, LLC:

Councilor Rowley moved the adoption of a resolution authorizing the Supervisor to enter into an Agreement on behalf of the Town with **EMERALD MANAGEMENT HENRY CLAY, LLC**, for the construction of a storm sewer system located within the Store America property. Motion was seconded by Councilor Bray.

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

Project (drainage – modification) - SPRING STORAGE DRAINAGE DISTRICT:

Councilor Rowley moved the adoption of a resolution **approving** the modification of a drainage district within the Town of Clay known as “**SPRING STORAGE DRAINAGE DISTRICT**” for the construction and acquisition of a drainage system therein to be designated and known as “**SPRING STORAGE DRAINAGE DISTRICT, CONTRACT NO. 2 – LATERAL.**” (Store America f/k/a Spring Storage). Motion was seconded by Councilor Bick.

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

Project (acquire public facilities) (A) – STORE AMERICA:

Councilor Rowley moved the adoption of a resolution that it is in the public interest that the Town of Clay approve the construction and acquire the public facilities located within “**STORE AMERICA**” (Spring Storage Drainage District, Contract No. 2 – Lateral) in accordance with the terms and conditions of a certain Agreement entered into between the Town of Clay and the developer “**EMERALD MANAGEMENT HENRY CLAY, LLC.**” Motion was seconded by Councilor Bick.

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

Project (final plans- drainage) (A) – STORE AMERICA:

Councilor Bick moved the adoption of a resolution approving the Final Plans for “STORE AMERICA” (Spring Storage Drainage District, Contract No. 2 – Lateral) and authorizing the Supervisor to execute the necessary documents therefore. Motion was seconded by Councilor Rowley.

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

Project (accepting easement(s)) - BUCKLEY MEADOW SUBDIVISION (from SOUTHWEST BUCKLEY PROPERTIES, LLC):

Councilor Bick moved the adoption of a resolution accepting the on-site easements located within **BUCKLEY MEADOW SUBDIVISION** from **SOUTHWEST BUCKLEY PROPERTIES, LLC**, all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated August 13, 2015, revised March 3, 2016. Motion was seconded by Councilor Bray.

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

Project (accepting easement(s)) - BUCKLEY MEADOW SUBDIVISION (from JOHN J. & CATHERINE V. STANKOSKY):

Councilor Bick moved the adoption of a resolution accepting the on-site easements located within **BUCKLEY MEADOW SUBDIVISION** from **JOHN J. & CATHERINE V. STANKOSKY**, all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated August 13, 2015, revised March 3, 2016. Motion was seconded by Councilor Bray.

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

Project (acquire public facilities) - BUCKLEY MEADOW SUBDIVISION:

Councilor Bick moved the adoption of a resolution that the Town of Clay having conducted a public hearing to consider the construction and acquisition of the sanitary sewer and drainage facilities located within **BUCKLEY MEADOW SUBDIVISION** (Allen Road Sewer District, Contract No. 29 – Lateral; Buckley Meadow Drainage District, Contract No. 1) and the construction of said facilities having been completed in accordance with the previously approved plans and specifications thereof; the Town Engineers having verified that the facilities have been satisfactorily completed; and contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and

SOUTHWEST BUCKLEY PROPERTIES, LLC, that the Town accept title to such facilities. Motion was seconded by Councilor Rowley.

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

Authorization/ Agreement - CNY Regional Planning & Development Board:

Councilor Rowley moved the adoption of a resolution authorizing the Supervisor to enter into an Agreement on behalf of the **Town** in participation with the **CNY Regional Planning & Development Board (CNY RPDB)** to convert all 1,670 cobra head roadway lights within the Town to LEDs via National Grid's roadway utility owned LED Cost-Benefit Project, and further authorizing the Supervisor to execute the necessary documents therefore. *This improvement will decrease costs by up to 2/3s by using a more efficient product. He added that the cost to the town should be recovered in just over a year and the revenue generated going forward will save taxpayers money.* Motion was seconded by Councilor Bray.

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

Moyers Corners Fire Department, Inc.(CPH):

Councilor Bray moved the adoption of a resolution that the **Town of Clay** approves a public hearing to be conducted by the **Moyers Corners Fire Department, Inc.** located at **7200 Henry Clay Blvd., Liverpool, New York, on August 7, 2017** commencing at **7:00 p.m.**, local time with respect to a commercial mortgage loan with M&T Bank primarily for the purposes of refinancing the existing mortgage indebtedness for the Department's Station #1 located at 8481 Oswego Rd, Baldwinsville, currently held by Chase Bank; financing renovations to the Department's Station #3 located at 7200 Henry Clay Blvd., Liverpool; and acquiring certain real property adjacent to the Department's Station #3.

Supervisor Ulatowski explained that this will be within Moyers Corners budget.
Motion was seconded by Councilor Bick.

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

Contract/ Abundant Solar Power, Inc.:

Councilor Bray moved the adoption of a resolution authorizing the Supervisor to enter into formal contract negotiations on behalf of the **Town** with **Abundant Solar Power, Inc., a program of the CNY Regional Planning & Development Board (CNY RPDB)** for the purpose of developing a solar energy system(s) on designated property owned by the Town of Clay, and authorizing the Supervisor to execute the necessary documents therefore. *Supervisor Ulatowski explained that this was another way the Town of Clay is expanding the green footprint. He*

continued that this application is to allow for solar panels on town owned land on Maider Road and it will generate power back to the grid to offset costs.

Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 8:03 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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

Jill Hageman-Clark RMC / Town Clerk