

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 2nd of December, 2013 at 7:30 P.M., there were:

PRESENT:

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

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 the adoption of a resolution to **Approve** the Minutes of the November 18th, 2013 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. Motion carried. Councilor Edick abstained due to his absence at that meeting.

Cancellation and/or requested adjournments.

Supervisor Ulatowski announced that item #8 on the agenda (the Formal Abandonment / Opal Drive) would not be heard at this time.

Correspondence:

The Supervisor stated that he had no correspondence to report.

REGULAR MEETING:

Special Permit (SEQR) – Town Board Case # 1054 Yelann Momot of BERGMANN ASSOCIATES and SUNOCO, INC. (R&M):

Councilor Bick moved the adoption of a resolution that the application of **Yelann Momot of BERGMANN ASSOCIATES and SUNOCO, INC. (R&M)** for a **SPECIAL PERMIT TO ALLOW FOR A DRIVE THRU**, to be limited to Dunkin' Donuts, pursuant to **Section 230-16 D. (2) (e) [1]** as part of a proposed project to removed the existing car wash building at the Sunoco fuel station located at **8450 Oswego Rd, Tax Map No. 053.-01-8.2**; and to construct an **APlus Convenience Store**, 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 Edick.

Ayes-6 and Noes-1. *Councilor Johnson opposed. Motion carried.*

Special Permit (A) – Town Board Case # 1054 Yelann Momot of BERGMANN ASSOCIATES and SUNOCO, INC. (R&M):

Councilor Bick moved the adoption of a resolution approving the application of **Yelann Momot of BERGMANN ASSOCIATES and SUNOCO, INC. (R&M)** for a **SPECIAL PERMIT TO ALLOW FOR A DRIVE THRU**, to be limited to **Dunkin' Donuts**, pursuant to **Section 230-16 D. (2) (e) [1]** as part of a proposed project to remove the existing car wash building at the Sunoco fuel station located at **8450 Oswego Rd, Tax Map No. 053.-01-8.2**; and to construct an **APlus convenience store**. Motion was seconded by Councilor Edick.

Ayes-6 and Noes-1. *Councilor Johnson opposed. Motion carried.*

ABANDONMENT (A/D) - OPAL DRIVE:

NO ACTION

Contract (Renewing) - CNY VETERINARY SERVICES:

Councilor Weaver moved the adoption of a resolution renewing a contract with **CNY VETERINARY SERVICES** for **PROVIDING AND MAINTAINING A POUND/SHELTER FOR ANIMALS SEIZED BY ANIMAL CONTROL OFFICER, OR ANOTHER AUTHORIZED OFFICER OR EMPLOYEE OF THE TOWN OF CLAY** for an additional one (1) year period, under the same terms

and conditions, upon written consent of both parties. Motion was seconded by Councilor Johnson.

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

Organizational Meeting for the Town of Clay:

Councilor Bray moved the adoption of a resolution that the **Organizational Meeting for the Town of Clay** will commence at **7:00 P.M.**, local time, **January 6, 2014**, prior to the Regular Town Board Meeting. Motion was seconded by Councilor Weaver.

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

Meeting - Date Change:

Councilor Johnson moved the adoption of a resolution cancelling the **January 20, 2014** Town Board Meeting and rescheduling same to Wednesday, **January 22, 2014**, commencing at **7:30 P.M.**, local time due to the Martin Luther King Holiday. Motion was seconded by Councilor Bick.

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

Meeting - Cancellation:

Councilor Johnson moved the adoption of a resolution cancelling the **February 17, 2014** Town Board Meeting time due to President's Day. Motion was seconded by Councilor Bick.

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

Special Permit (CPH – Town Board Case # 1055 FASTRAC MARKETS:

Councilor Young moved the adoption of a resolution calling a public hearing **January 6, 2014**, commencing at **7:38 P.M.**, local time, to consider the application of **FASTRAC MARKETS** and **MOYERS CORNERS ROUTE 57, LLC FOR A SPECIAL PERMIT pursuant to Section 230.16 D. (2)(e)[1] of the Town Code**, located at **8467 Oswego Road, Tax Map No. 019.-02-23.1**; to allow for an addition of a Drive-Thru Service and facade improvements to the existing Fastrac Market. Motion was seconded by Councilor Bray.

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

Traffic & vehicles (CPH) Amendment to Traffic & Vehicle Ordinance
Chapter 211 Sections 211-30, 211-30B, 211-31 and 211-32:

Councilor Edick moved the adoption of a resolution calling a public hearing **December 16, 2013 at 7:35 P.M.**, local time, at which time the Town Board will consider the amendment of **CHAPTER 211, TRAFFIC and VEHICLES ORDINANCE** of the Code of the Town of Clay, **SECTION 211-30 “AUTHORITY TO IMPOUND VEHICLES,”** by deleting the words “under the direction of the Commissioner of Public Safety,” and replacing with “under the direction of the Commissioner of Planning and Development or the Town Constable” and further adding to **SECTION 211-30B** “where said vehicle constitutes an obstruction to traffic” or “obstructs a fire hydrant, driveway or residential mailbox” to the Town Code of the Town of Clay. This ordinance will also amend **SECTION 211-31 “STORAGE and CHARGES”** and **SECTION 211-32 “NOTICE OF REMOVAL”** by deleting “Department of Public Safety” and replacing with “Department of Planning and Development” to the Town of Clay Municipal Code; and to designate and provide for the installation of necessary **“TOW AWAY”** signs therefore within the Town of Clay. Motion was seconded by Councilor Bray.

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

Adjournment:

The meeting was adjourned at 7:43 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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