

At the Organizational and Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 6th, of January, 2014 at 7:00 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Eugene Young	Councilor
James J. Rowley	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Naomi R. Bray	Councilor
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The meeting was called to order by Supervisor Ulatowski at 7:00 P.M. All present joined in the Pledge of Allegiance.

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ORGANIZATIONAL MEETING – JANUARY 6, 2014
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Official Rules of Procedure - Robert Rules of Order:

Supervisor Ulatowski moved the adoption of a resolution that Roberts Rules of Order be the official rules of procedures at Town Board Meetings, subject to the Rules provided by the Town Law and like Statutes which shall prevail (except that there shall be no second reading of resolutions at Town Board Meetings unless the same is requested, and that there shall be no votes taken when the question of a pending resolution is called, unless an objection is stated to voting upon such resolution forthwith). Motion was seconded by Councilor Edick.

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

Town Board Meeting Schedule

Supervisor Ulatowski moved the adoption of a resolution establishing the **first** and **third Mondays** of each month as the meeting nights for the **Town Board** and **7:30**

P.M., local time, as the hour of commencement. Motion was seconded by Councilor Rowley.

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

Supervisor Ulatowski moved the adoption of a resolution rescheduling the Monday, January 20th 2014 (Martin Luther King, Jr. Day) Town Board Meeting to Wednesday, January 22nd 2014; rescheduling the Monday, September 1st 2014 (Labor Day) Town Board Meeting to Wednesday, September 3rd 2014 and rescheduling the Monday, November 3rd 2014 (Election Day - Tuesday, November 4th) Town Board Meeting to Wednesday, November 5th 2014. Motion was seconded by Councilor Edick.

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

Councilor Young moved the adoption of a resolution cancelling the **July 7th and August 4th, 2014 Town Board Meetings. NOTE: The Town Board will meet only July 21st and August 18th, 2014.** Motion was seconded by Councilor Weaver.

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

Councilor Young moved the adoption of a resolution that the Town Hall will be closed on the following Holidays in **2014**; New Year's Day, Wednesday January 1st; Martin Luther King, Jr. Day - Monday, January 20th(observed); Presidents' Day - Monday, February 17th (observed) cancelling the Town Board Meeting; Good Friday - April 18th (Town Hall to close at 12:15 P.M., Highway at 11:00 A.M.); Memorial Day Weekend - Friday, May 23rd and Monday, May 26th (observed); Independence Day Friday July 4th; Labor Day - Monday, September 1st; Election Day - Tuesday, November 4th; Veteran's Day - Tuesday, November 11th; Thanksgiving Day - Thursday, November 27th and Friday, November 28th; Christmas Eve - Wednesday, December 24th; and Christmas Day - Thursday, December 25th. Motion was seconded by Councilor Weaver.

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

GENERAL COMMITTEE appointment by the Supervisor:

Special Districts	Supervisor Ulatowski
Finance	Supervisor Ulatowski & Councilors Edick and Rowley
Parks & Recreation	Councilor Bick
Public Safety	Councilor Bick
Highway & Public Works	Councilor Weaver

Planning & Development	Councilors Young & Bray
Zoning Board of Appeals	Councilors Young & Bray
Personnel	Supervisor Ulatowski
Industrial Development	Supervisor Ulatowski & Councilor Rowley
Building	Councilors Edick and Weaver
Rec Facilities & Grants	
Special Committee	Councilor Bick
Liaison N Syracuse School District	Supervisor Ulatowski & Councilor Edick
Liaison Liverpool School District	Councilor Young

Salaries:

Councilor Bick moved the adoption of a resolution that the annual salaries for the **Town Personnel** for **2014** be established as follows:

Supervisor	<u>\$ 50,930.00</u>
Deputy Supervisor	<u>\$13,119.00</u>
Councilpersons	<u>\$11,856.00</u>
Judges	<u>\$38,165.00</u>
Commissioner of Parks Recreation	<u>\$61,526.00</u>
Commissioner of Finance	<u>\$30,980.00</u>
Commissioner of Planning & Development	<u>\$70,904.00</u>
Town Clerk	<u>\$52,200.00</u>
Receiver of Taxes	<u>\$52,200.00</u>
Assessor	<u>\$73,444.00</u>
Highway Superintendent	<u>\$83,341.00</u>
Water Superintendent	<u>\$64,556.00</u>

Motion was seconded by Councilor Edick.

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

Appointments:

Supervisor Ulatowski moved the adoption of a resolution appointing Councilor **Robert Edick** as **Deputy Supervisor**, by the Supervisor. Motion was seconded by Councilor Weaver.

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

Appointment - Special Districts:

Councilor Rowley moved the adoption of a resolution appointing the Supervisor as **Administrator of Special Districts**. Motion was seconded by Councilor Bick.

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

Association of Towns - Membership/Dues/Delegate & Alternate Delegate:

Councilor Rowley moved the adoption of a resolution approving the annual membership of the Town of Clay in the Association of Towns and payment of the annual dues in the amount of \$1,650.00. Motion was seconded by Councilor Edick.

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

Councilor Rowley moved the adoption of a resolution appointing Councilperson **Robert Edick** as **delegate** to the **Association of Towns**. Motion was seconded by Councilor Bick.

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

Councilor Young moved the adoption of a resolution appointing Councilperson **James Rowley** as **alternate delegate** to the **Association of Towns**. Motion was seconded by Councilor Edick.

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

Authorization - Check Signing:

Councilor Young moved the adoption of a resolution authorizing the **Deputy Supervisor** to sign checks drawn on Town funds in the absence of the Supervisor. Motion was seconded by Councilor Bick.

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

Town Engineers:

Councilor Young moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such services as the Town Board, Planning Board and Zoning Board of Appeals may require for a term of two (2) years. Motion was seconded by Councilor Weaver.

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

Councilor Young moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such **Special District** services as the Town may require and authorizing the Supervisor to enter into an annual contract with said firm. Motion was seconded by Councilor Weaver.

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

Councilor Young moved the adoption of a resolution authorizing the **Town Engineers** to update the "**Town of Clay Zoning Map**" annually, with payment for same to be authorized from the General Fund of the Town of Clay. Motion was seconded by Councilor Weaver.

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

Town Attorneys

Councilor Rowley moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the Town of Clay for a term of two (2) years. Motion was seconded by Councilor Bick.

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

Councilor Rowley moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the Zoning Board of Appeals, to receive **\$16,000.00** for the Zoning Board of Appeals work for the year **2014**. Motion was seconded by Councilor Bick.

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

Bank Designation:

Councilor Bick moved the adoption of a resolution designating the following as the official **2014 depository banks** for the Town of Clay: **M & T Bank; JP MorganChase Bank; Key Bank National Association; Bank of America Bank; Alliance Bank, N.A.; Solvay Bank, RBS Citizens Bank, First Niagara Bank, NY CLASS and Pathfinder Bank** – pooled cash investment program(class), or successor. Motion was seconded by Councilor Edick.

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

Newspaper Designation:

Councilor Bick moved the adoption of a resolution designating the **Syracuse Post Standard** as the official Town Newspaper for **2014** and designating the **Star News**

and **Liverpool-Salina Review** as an additional newspaper for the publication of legal notices. Motion was seconded by Councilor Rowley.

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

Appointments - Town Officers:

Councilor Bick moved the adoption of a resolution appointing **Tom Weaver** as **Highway Superintendent** for a term of two (2) years. Motion was seconded by Councilor Edick.

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

Councilor Bick moved the adoption of a resolution appointing **Mark Territo** as **Commissioner of Planning & Development** for a term of two (2) years. Motion was seconded by Councilor Weaver.

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

Councilor Bick moved the adoption of a resolution appointing **John Shehadi** as **Commissioner of Finance** for a term of two (2) years. Motion was seconded by Councilor Rowley.

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

Councilor Bick moved the adoption of a resolution appointing **Wayne Morris** as **Commissioner of Recreation** for a term of two (2) years. Motion was seconded by Councilor Weaver.

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

Councilor Rowley moved the adoption of a resolution appointing **Greg Root** as **Water Superintendent** for a term of two (2) years. Motion was seconded by Councilor Bick.

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

Councilor Rowley moved the adoption of a resolution appointing **Anne Stenham** to fill the unexpired term of Arthur Fennhahn. Said term to expire December 31, 2017. Motion was seconded by Councilor Bick.

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

Councilor Rowley moved the adoption of a resolution appointing **Allen Kovac** as a **member of the Planning Board**. Said term to expire December 31, 2020. Motion was seconded by Councilor Edick.

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

Councilor Rowley moved the adoption of a resolution appointing **David Hess** as **Chairman of the Planning Board** for the year **2014**. Motion was seconded by Councilor Edick.

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

Councilor Rowley moved the adoption of a resolution appointing **Charles Mangan** as **Chairman of the Zoning Board of Appeals** for the year **2014**. Motion was seconded by Councilor Bick.

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

Councilor Rowley moved the adoption of a resolution appointing **Michael Ploski** and **James Bowles** as **Animal Control Officers** for the year **2014**. Motion was seconded by Councilor Bick.

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

Councilor Rowley moved the adoption of a resolution appointing **Dorothy Heller** - and **Harold Baker** as **Town Historians** for the year **2014**. Motion was seconded by Councilor Bick.

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

Supervisor Ulatowski recognized Dorothy Heller and thanked her for her work and dedication to the history of the Town of Clay.

Councilor Rowley moved the adoption of a resolution appointing **Wayne Morris** as **Safety Committee Chairman** for the year **2014**. Motion was seconded by Councilor Bick.

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

Councilor Young moved the adoption of a resolution appointing **Michael McCarthy** as **Constable** for the year **2014**. Motion was seconded by Councilor Weaver.

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

Councilor Young moved the adoption of a resolution appointing **Regan Roach** as **Substitute Constable** for the year **2014**. Motion was seconded by Councilor Weaver.

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

Councilor Young moved the adoption of a resolution appointing **Edward Koolakian** for a term of 5 years as a member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics. Motion was seconded by Councilor Bick.

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

Councilor Young moved the adoption of a resolution appointing **Jill Hageman-Clark**, as a **Marriage Officer** for the Town of Clay, pursuant to Section 11 of the New York State Domestic Relations Law, effective immediately. Said appointment expires **December 31, 2014**. Motion was seconded by Councilor Edick.

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

Councilor Young moved the adoption of a resolution appointing **Gloria Wetmore** and **Patricia Coates** as **Deputy Town Clerks** for a term of two (2) years, said term to expire **December 31, 2015**. Motion was seconded by Councilor Weaver.

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

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REGULAR AGENDA – JANUARY 6, 2014
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Approval of Minutes:

Councilor Edick moved the adoption of a resolution to **Approve** the Minutes of the December 16th, 2013 Town Board Meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

None

Correspondence:

None

REGULAR MEETING:

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

A public hearing 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 was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Matt Napierala of Napierala Consulting and Jason Bacento of Fastrac Markets were present. Mr. Napierala began by explaining that Fastrac is in the process of changing the prototype for their markets and Clay will have the first store of this type. This application will provide enhancement to the façade and the interior of the existing building. He continued that the focus is being shifted from the gas sales to the prepared food sales. The enhancements will include awnings, ‘cleaned up sidewalks’ and a drive thru service. There will be no change to the footprint of the building.

Mr. Napierala explained that in the past the focus for gas/ convenience stores was on the car wash but that trend is changing. He said that they will eliminate the large sign and replace it with marquee type sign. He said that there will be outdoor seating and a small area to sit inside. They will renovate all of the Fastrac stores and Clay will be the first of the new prototype.

Mr. Napierala said that he had just received the Counties comments that afternoon and was in the process of looking into them. He said that he was aware of the Sewer Moratorium and did not think that that would affect them as they will not be increasing the square footage. He continued that he doesn’t think that the drive thru will have an impact on the traffic on Rt. 57. He feels that there will be adequate stacking for the drive thru service.

Supervisor Ulatowski asked if they will be adding additional gas pumps and they will not. He asked about additional lighting and Mr. Napierala said that they will change the lighting to a more modern and efficient type but not increasing it. The Supervisor asked if they will be adding entrances or egress and the applicant responded that they will not change.

Councilor Weaver asked where the entrance to the drive thru will be. The applicant said that it will be in the NE corner of the lot and there will be a single window to pay and pick up the purchase. Councilor Weaver questioned if there would actually be enough stacking room adding that perhaps the plan could be adjusted to provide for more stacking. Supervisor Ulatowski said that perhaps the applicant could take a creative look at additional stacking and adding that the board would need the opportunity to review the County Planning comments. Supervisor Ulatowski said that he will refer this to the Planning Board for review.

Supervisor Ulatowski made a motion to **adjourn** this public hearing to the **January 22, 2014** meeting at **7:41 P.M.** Motion was seconded by Councilor Edick.

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

Appointment (A) CLAY FIRE DEPARTMENT, INC.:

Councilor Young moved the adoption of a resolution approving the appointment of **Stefanos Malelis** as a volunteer member of the **CLAY FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Rowley.

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

Street Lights - OLD WETZEL ROAD:

Councilor Rowley moved the adoption of a resolution authorizing the installation of a 100 watt high pressure sodium light to be placed on pole 15-2 and installed on the **OLD WETZEL ROAD** at DEC parking lot to help illuminate this area. The estimated annual cost for the additional light is \$125.82. This will be charged to the **OVERHEAD CONSOLIDATED LIGHTING DISTRICT (LT245)**. Motion was seconded by Councilor Edick.

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

Agreement (A)- Superintendent of Highways and the Members of the Town Board:

Councilor Weaver moved the adoption of a resolution approving an agreement between the **Superintendent of Highways** and the **Members of the Town Board** for the expenditure of highway monies in the Town of Clay for the fiscal year ending **December 31, 2014**. Motion was seconded by Councilor Rowley.

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

Purchase/ Highway – 2014 JOHN DEERE 624K PAYLOADER FOR USE BY THE HIGHWAY DEPARTMENT:

Councilor Weaver moved the adoption of a resolution approving the purchase of **ONE (1) 2014 JOHN DEERE 624K PAYLOADER FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed One Hundred Fifty Seven Thousand and 00/100 (**\$157,000.00**) Dollars, under **NYSOGS Contract No. PC22063**. (Contractor - Five Star Equipment, Inc.). Motion was seconded by Councilor Rowley.

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

Bond Resolution/ Purchase/ Highway – 2014 JOHN DEERE 624K PAYLOADER FOR USE BY THE HIGHWAY DEPARTMENT:

Councilor Weaver moved the adoption of a **Bond Resolution** in the amount of **\$157,000.00** for the purchase of **ONE (1) 2014 JOHN DEERE 624K PAYLOADER FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Edick.

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

Licenses and Permits (CPH) - CASUAL ESTATES (MOBILE HOME COURT) LLC, d/b/a MADISON VILLAGE:

Councilor Bick moved the adoption of a resolution calling a public hearing **January 22, 2014**, commencing at **7:38 P.M.**, local time, to consider the application of **CASUAL ESTATES (MOBILE HOME COURT) LLC, d/b/a MADISON VILLAGE**, for the renewal of its license for the year **2014**. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 8:01 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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