

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the **21<sup>st</sup> of March , 2011** at 7:30 P.M., there were:

**PRESENT:**

Damian M. Ulatowski	Supervisor
Clarence A. Rycraft	Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Bruce N. Johnson	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert M. Germain	Town Attorney
Ron DeTota	Town Engineer

**ABSENT:**

Robert L. Edick	Deputy Supervisor/Councilor
Joseph A. Bick	Councilor

The meeting was called to order by Supervisor Ulatowski at 7:30 P.M. Supervisor Ulatowski stated that there were two Boy Scout Troops at the meeting and asked them to lead us in the Pledge of Allegiance.

**Approval of Minutes:**

Councilor Bray moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **March 7, 2011**. Motion was seconded by Councilor Johnson.

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

**Cancellations:**

None

**Correspondence:**

None

**Regular Meeting:**

**Zone Change (SEQRA) Town Board Case # 1024 - MARIE C. GRAVINA, EXECUTRIX TO THE ESTATE OF EUGENE C. GRAVINA and MAPLERIDGE PROPERTIES, LLC:**

Councilor Johnson moved the adoption of a resolution that the application of **MARIE C. GRAVINA, EXECUTRIX TO THE ESTATE OF EUGENE C. GRAVINA and MAPLERIDGE PROPERTIES, LLC**, for a change of zone from **RC-1 Regional Commercial District** to **R-APT Apartment District** on property located at **4816 Buckley Road (Tax Map No. 096.-11-03.0)**, 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 on an EIS. Motion was seconded by Councilor Bray.

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

**Zone Change (A) Town Board Case # 1024 - MARIE C. GRAVINA, EXECUTRIX TO THE ESTATE OF EUGENE C. GRAVINA and MAPLERIDGE PROPERTIES, LLC:**

Councilor Johnson moved the adoption of a resolution approving the application of **MARIE C. GRAVINA, EXECUTRIX TO THE ESTATE OF EUGENE C. GRAVINA and MAPLERIDGE PROPERTIES, LLC**, for a change of zone from **RC-1 Regional Commercial District** to **R-APT Apartment District** on property located at **4816 Buckley Road (Tax Map No. 096.-11-03.0)**. Motion was seconded by Councilor Bray.

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

**Agreement - COR VERPLANK ROAD COMPANY, LLC:**

Councilor Bray moved the adoption of a resolution authorizing the Supervisor to enter into a Standard Developer's Agreement on behalf of the Town with **COR VERPLANK ROAD COMPANY, LLC**, for the development of **CLAY NORTH APARTMENTS – NYS ROUTE 31 SITE**. Motion was seconded by Councilor Weaver.

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

**Project - (approving final plans) - NEWBURY WOODS SUBDIVISION:**

Councilor Weaver moved the adoption of a resolution approving the **Final Plans** for the **NEWBURY WOODS SUBDIVISION** (Newbury Woods Sewer District, Contract No. 1, Newbury Woods Drainage District, Contract No. 1, Newbury Woods Lighting District and Newbury Woods Water Supply District) and authorizing the Supervisor to execute the necessary forms therefore. (Contract documents) Motion was seconded by Councilor Rycraft.

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

**Securities (release) - WATERHOUSE LANDING SUBDIVISION, SECTION NO. 1, to COMBAT CONSTRUCTION, LLC:**

Councilor Weaver moved the adoption of a resolution authorizing the release of **\$1,800.00** security posted for four (4) monuments within **WATERHOUSE LANDING SUBDIVISION, SECTION NO. 1**, to **COMBAT CONSTRUCTION, LLC**, pursuant to the written certification of Sequin Land Surveying, P.L.L.C. that 4 monuments have been set as shown on the Waterhouse Landing- Section No. 1 Subdivision Map prepared by Sequin Land Surveying, P.L.L.C. Motion was seconded by Councilor Rycraft.

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

**Project (sewer)(CPH) - CLAY NORTH APARTMENTS SEWER DISTRICT, CONTRACT NO. 1:**

Councilor Bray moved the adoption of a resolution calling a public hearing **April 4th, 2011**, commencing at **7:41 P.M., local time**, to consider a Petition for the creation of a sewer district within the Town of Clay to be designated and known as "**CLAY NORTH APARTMENTS SEWER DISTRICT**", and for the construction and acquisition of a lateral sewer district therein to be designated and known as "**CLAY NORTH APARTMENTS SEWER DISTRICT, CONTRACT NO. 1**". (Clay North Apartments – NYS Route 31). Motion was seconded by Councilor Weaver.

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

**Project (drainage)(CPH) - CLAY NORTH APARTMENTS DRAINAGE DISTRICT, CONTRACT NO. 1:**

Councilor Johnson moved the adoption of a resolution calling a public hearing **April 4th, 2011**, commencing at **7:44 P.M., local time**, to consider a Petition for the creation of a drainage district within the Town of Clay to be designated and known as "**CLAY NORTH APARTMENTS DRAINAGE DISTRICT**", and for the construction and acquisition of a lateral drainage district therein to be designated and known as "**CLAY NORTH APARTMENTS DRAINAGE DISTRICT, CONTRACT NO. 1**", (Clay North Apartments – NYS Route 31). Motion was seconded by Councilor Bray.

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

**Project (water supply)(CPH) - CLAY NORTH APARTMENTS WATER SUPPLY DISTRICT, CONTRACT NO. 1:**

Supervisor Ulatowski moved the adoption of a resolution calling a public hearing **April 4th, 2011**, commencing at **7:47 P.M., local time**, to consider a Petition for the creation of a water supply district within the Town of Clay to be designated and known as "**GASKIN ROAD**

**WATER SUPPLY DISTRICT, EXTENSION NO. 2".** (Clay North Apartments – NYS Route 31). Motion was seconded by Councilor Bray.

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

**Community Development Funding (CPH):**

Councilor Bray moved the adoption of a resolution calling a public hearing **April 4th, 2011**, commencing at **7:50 P.M.**, local time, to solicit from Town of Clay residents their comments and input regarding the use of funds by the Town of Clay with respect to the applications for funding filed with **ONONDAGA COUNTY COMMUNITY DEVELOPMENT DIVISION** for the year **2011**. Motion was seconded by Councilor Rycraft.

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

**Zone Change (CPH) - Town Board Case # 1025 - AFFORDABLE SENIOR HOUSING OPPORTUNITIES OF NEW YORK, INC., RONALD H. POST, ALISON G. POST and LIVERPOOL CENTRAL SCHOOL:**

Councilor Johnson moved the adoption of a resolution calling a public hearing **April 18th, 2011**, commencing at **7:35 P.M.**, local time, to consider the application of **AFFORDABLE SENIOR HOUSING OPPORTUNITIES OF NEW YORK, INC., RONALD H. POST, ALISON G. POST** and **LIVERPOOL CENTRAL SCHOOL** for a change of zone from **RA-100 Residential Agricultural District** and **HC-1 Highway Commercial District** to **R-SR Senior Residence District** on part of 8565± Morgan Road, part of Tax Map No. 055.-01-14.1 and part of Tax Map No. 055.-01-13.1 being vacant property on Morgan Road. Motion was seconded by Councilor Weaver.

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

**Special Permit (CPH) Town Board Case # 1026 - MARCOS DIEGO:**

Councilor Bray moved the adoption of a resolution calling a public hearing **April 18th, 2011**, commencing at **7:38 P.M.**, local time, to consider the application of **MARCOS DIEGO**, for a **SPECIAL PERMIT TO ALLOW A COMMERCIAL NURSERY FOR THE RETAIL SALE OF PLANTS** on property located at **4511 Buckley Road, Liverpool, New York**, Tax Map No. 087.-01-28.0. Motion was seconded by Councilor Rycraft.

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

**Contract (A) Onondaga County Community Development Division/Road Reconstruction Project:**

Councilor Weaver moved the adoption of a resolution approving a contract between the **Onondaga County Community Development Division** and the **Town of Clay** for their funding of the **Road Reconstruction Project** in the amount of **\$152,969.99**, (Norstar Blvd; Dell Center

Drive/Laser Drive/Carling Road; Bennett Road; Maider Road East, Davis Road and Jackson Road.) and further authorizing the Supervisor to execute any and all necessary documents therefore. All documents subject to approval by the Town Attorney. Motion was seconded by Councilor Rycraft.

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

**Certiorari (Appraisal) Sam's Real Estate Business Trust vs. The Town Of Clay:**

Councilor Johnson moved the adoption of a resolution approving and authorizing the appraisal of property located at **3895 State Route 31, Tax Map No. 021.-01-03.3** with respect to a certiorari action entitled **Sam's Real Estate Business Trust vs. The Town Of Clay, et al**, for tax years 2009/10 and 2010/11 for an amount not to exceed **\$4,500.00**. Motion was seconded by Councilor Weaver.

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

**Personnel - Elimination of Positions:**

Supervisor Ulatowski moved the adoption of a resolution pursuant to Civil Service requirements confirming the layoffs of David Balcer (Planner 1) and Richard Niver (Laborer) both effective 12/31/2010, and the elimination of both underlying positions. The Town was forced to make the necessary cuts as part of an overall financial plan to address budgetary constraints in these financially challenging times. Motion was seconded by Councilor Weaver.

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

**Adjournment:**

The meeting was adjourned at 7:45 P.M. upon motion by Councilor Bray and seconded by Councilor Johnson.

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