

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of April, 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
Bruce N. Johnson	Councilor
Eugene Young	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Doug Wickman	Town Engineer

ABSENT:

Joseph A. Bick	Councilor
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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 March 18th, 2013 Town Board Meeting. Motion was seconded by Councilor Weaver.

Ayes-4 and Noes-0. Motion carried. Supervisor Ulatowski and Councilor Johnson abstained due to their absence at the March 18th Meeting.

Cancellation and/or requested adjournments.

None

Correspondence:

Supervisor Ulatowski said that he wished to acknowledge the North Syracuse Volunteer Fire Department on the 100th Anniversary with the following:

Proclamation

The Town Board of the Town of Clay wishes to acknowledge the dedication and service to the community by the ***NORTH SYRACUSE VOLUNTEER FIRE DEPARTMENT***, over the last one hundred years.

WHEREAS, the ***North Syracuse Volunteer Fire Department***, began its history in the winter of 1912-1913 when a group of residents presented a petition to

the Board of Supervisors of Onondaga County, requesting that a fire district be established in the Village of North Syracuse, thereby being the first village in the State to take advantage of a new law giving communities the right to establish districts for the purpose of fire protection; and

WHEREAS, in the fall of 1913, the Board of Fire Commissioners purchased two hand drawn chemical fire engines, which were lodged in a building on Church Street, across from the current Andrews Memorial Church. The first fire signal used to alert firefighters of an emergency was a large steel wheel from a locomotive along with a sledge hammer to strike it with; and

WHEREAS, in 1921 a barn was purchased and placed on property located on Ferguson Avenue, which became the new ‘firehouse’ and housed the first motorized fire equipment, a Model T Ford truck. Over the years more modern apparatus was purchased, as well as other buildings, to house the equipment. The Village then remodeled the ‘old trolley station’ at South Bay Road and Church Street, converting it into a fire station, thus making it the first modern building from which the department operated. In 1983, the first ‘purpose built’ fire station was opened and dedicated at its present location at 109 Chestnut Street; and

WHEREAS, the Village of North Syracuse is still an all-volunteer Municipal fire department and is one of only 205 in New York State that holds an Insurance Service Offices, Inc. (I.S.O.), Public Protection Class 3 rating for providing fire protection service. The department responds to emergencies in the Village of North Syracuse, as well as parts of the Towns of Clay and Cicero. Their district consists of approximately fifteen square miles and they provide protection for about 25,000 residents, averaging 1000 calls for service annually. The North Syracuse Volunteer Fire Department is also one of the few fire departments in Onondaga County that respond as a New York State Certified Advanced Life Support rescue.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board on behalf of themselves and the community, duly acknowledge the dedicated service, hard work and continuous training of the members of the **NORTH SYRACUSE VOLUNTEER FIRE DEPARTMENT**, who have volunteered their time and expertise to and for the residents of the Town of Clay for the past one hundred years.

(S E A L) **IN WITNESS WHEREOF**, by order of the Town Board, I have here unto set my hand and caused the **Great Seal of the Town of Clay** to be affixed at the Town Hall this **1st** day of **April** in the Year of our Lord, **Two Thousand Thirteen**.

DAMIAN M. ULATOWSKI, Supervisor

REGULAR MEETING:

Agreement/ Termination of Covenants & Restrictions (SEQR) - WAL-MART REAL ESTATE BUSINESS TRUST:

Councilor Edick moved the adoption of a resolution that the proposed Termination of Covenants and Restrictions Agreement by and between **WAL-MART REAL ESTATE BUSINESS TRUST** and the **TOWN OF CLAY** on part of land located at **8770 Dell Center Drive** 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 Johnson.

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

Agreement/ Termination of Covenants & Restrictions (A) - WAL-MART REAL ESTATE BUSINESS TRUST:

Councilor Edick moved the adoption of a resolution approving the proposed Termination of Covenants and Restrictions Agreement by and between **WAL-MART REAL ESTATE BUSINESS TRUST** and the **TOWN OF CLAY** on part of land located at **8770 Dell Center Drive**. Motion was seconded by Councilor Johnson.

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

Zone Change - (PH) Town Board Case # 1050 - MICHAELS FARM, LLC:

Public hearing to consider the application of **MICHAELS FARM, LLC**, for a **CHANGE OF ZONE** from **RA-100 Residential Agricultural District** to **R-SR Senior Residence District** on properties located at **8073 and 8097 Morgan Road, Tax Map Nos. 069.-01-5.1 and 081.-29-01**, to allow for the construction of a 450 Unit Senior Housing Development was opened by the Supervisor, proof of publication and posting was furnished by the Town Clerk.

Hal Romans, surveyor; was present of behalf of the applicant. Mr. Romans began by explaining that the applicant was resubmitting an amended application. After meeting with the residents in the past the applicant has changed the application to only senior housing. He continued that there will be 450 units and the application no longer includes retail space. They are showing 2 entrances on the plan; however Mr. Romans said that the applicant would consider moving one of the entrances to align directly across from Waterhouse Road as recommended in the County referral. He added that a utility pole would need to be relocated and there is an expense involved. In addition the County stated in the referral that there is no public

transportation service to this location. The County Planning Agency recommended disapproval for those reasons. Mr. Romans went on to explain that there will be no connectivity to the existing Cross Creek development, nor will there be any commercial development. They are proposing large amounts of green space with a large buffer between this development and Cross Creek. There will be 25' of undisturbed land with a landscape buffer to the north. The parking will be to the south of the parcel with plenty of green space.

Supervisor Ulatowski asked if the residences will be privately owned or rentals. Mr. Romans said that it will be a rental community therefore eliminating the possibility of pool and/or shed requests and altering the drainage easement. There will be driveways that will accommodate two vehicles. The lighting will not spill onto the existing lots and will be addressed at the Planning Board. Supervisor Ulatowski asked if Mr. Romans would consider trying to attract public transportation and he stated that he would work with Cento to try to make it accessible.

Councilor Bray asked if there will be any support services on site. Mr. Romans said perhaps in the community building but that there will not be any retail.

Jim Steigert of Bordeaux Ave wished to voice his concerns with the road width the border and the lighting. He also asked about the Oak Orchard Waste Water Plant, adding that he is concerned about the additional homes that it will service.

Dave Morgan of Morgan Road said that he also is concerned with the capacity adding that he had heard that it is at 95% capacity. He added that he is also concerned with the traffic that will be generated and the effect that it will have on the wetlands. Mr. Morgan explained that he was not in favor of the three story buildings and would prefer to see all patio homes. Mr. Romans explained that the combination of buildings will accommodate more people with different needs.

Bob Trombley of Morgan Road was also concerned with the traffic.

Carrie Prue of Cross Creek Drive thanked the developer for listening to the residents concerns and making changes based on them. She asked if the zone change went through what assurance the residents have against another zone change request for a gas station as originally requested. Supervisor Ulatowski explained that the applicant would need to apply for a new zone change and go through the process again from the beginning.

Dave Morgan said that he is also concerned with the private roads and the ability to accommodate fire apparatus. Mr. Romans stated that the Fire Chief is involved, even more so being senior housing and these concerns are addressed at the Planning Board.

Gene Young said that he would like to see the entrance across from Waterhouse Road on the map. Mr. Romans said that this is just a sketch plan.

Bob Trombley asked how long this project will take to complete. Mr. Romans said that it will likely be erected in phases with the completion in about ten years.

Ken Baird of Morgan Road asked who would be responsible for the installation of a traffic light and there was some discussion. Doug Wickman said that it could be the

developer or it could be the county but it probably would need a *signal warrant study*.

Supervisor Ulatowski said that the Town Board will refer this to the Planning Board for review and recommendation.

Councilor Bray made a motion to adjourn to May 6, 2013 at 7:38 P.M. Motion was seconded by Councilor Edick.

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

Zone Change - (CPH) Town Board Case # 1051 - CRAIG AND COLLEEN BUCK:

Councilor Johnson move the adoption of a resolution calling a public hearing **May 6, 2013**, commencing at **7:35 P.M.**, local time, to consider the application of **CRAIG AND COLLEEN BUCK**, for a **CHANGE OF ZONE** from **RA-100 Residential Agricultural District** to **NC-1 Neighborhood Commercial District** to allow for potential commercial uses on property located at **8180 Oswego Road, Tax Map No. 067.-01-03.1**. Motion was seconded by Councilor Bray.

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

Resolution regarding Vacant Structures:

Councilor Young moved the adoption of a **RESOLUTION THAT THE TOWN BOARD OF THE TOWN OF CLAY IS IN SUPPORT OF NEW YORK STATE WITH REGARDS TO THE PROPOSED LAWS CONCERNING CONTACT INFORMATION FOR VACANT STRUCTURES.**

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Clay Town Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the Town of Clay hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Town of Clay support the passage of said Bills.

Motion was seconded by Councilor Edick.

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

Adjournment:

Councilor Bray made a motion to adjourn the meeting at 8:23 P.M. Councilor Weaver seconded the motion.

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