

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 20<sup>th</sup> of December, 2010 at 7:30 P.M., there were:

**PRESENT:**

Damian M. Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
Clarence A. Rycraft	Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	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

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 Bick moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **December 6, 2010**. Motion was seconded by Councilor Edick.

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

**CANCELLATION AND/OR REQUESTED ADJOURNMENTS:**

None

**Correspondence:**

Energy Report

The Supervisor read the following update on the Energy Report:

At this time we are still awaiting news from NYPA regarding funding for the solar project. When we last spoke with them in early December, they told us that the project was behind schedule, but they are hoping to start awarding the contracts sometime in January of 2011. We are hopeful that the Town will be selected as a host site for this project, but we are also looking at alternate funding sources in the event we are not.

The Energy efficient upgrades to the Town Highway Garage are nearly completed. They are finishing up the HVAC system installation this week and should be able to finish the rest of the project in the spring.

**REGULAR MEETING:**

**Bid Award - PROVIDE AND MAINTAIN A POUND/SHELTER FOR ANIMALS SEIZED BY AN ANIMAL CONTROL OFFICER, OR OTHER AUTHORIZED OFFICER OR EMPLOYEE OF THE TOWN OF CLAY:**

Councilor Johnson moved the adoption of a resolution awarding a 1 year contract to **PROVIDE AND MAINTAIN A POUND/SHELTER FOR ANIMALS SEIZED BY AN ANIMAL CONTROL OFFICER, OR OTHER AUTHORIZED OFFICER OR EMPLOYEE OF THE TOWN OF CLAY**, within the Town of Clay to CNY Veterinary Services for the low bid of \$140.00 base. Said amount being the lowest responsible bidder. Motion was seconded by Councilor Edick.

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

**Project - TOCCO VILLAGGIO:**

Councilor Edick moved the adoption of a resolution that the Town Board of the Town of Clay refers the **TOCCO VILLAGGIO PROPOSED RESIDENTIAL DEVELOPMENT PROJECT PLAN** as submitted by **JOLU DEVELOPMENT COMPANY**, on a map dated December 7th, 2009 revised April 5th, 2010, and the Tocco Villaggio PDD narrative dated July 14th, 2010, last revised August 2nd, 2010 to the Town of Clay Planning Board.

**WHEREAS** an application has been received for a **PDD-Planned Development District** to be known as **TOCCO VILLAGGIO**, which application proposes a total of 40.06 acres comprised of residential (54 units of townhouses, 192 units of apartments ), and offices (27,750 sq. ft.)

**NOW, THEREFORE, BE IT RESOLVED** that the said application be and the same hereby is referred to the Town Planning Board of the Town of Clay for its review and comment pursuant to the Town of Clay Zoning Code, and for its review and recommendation as to the possible environmental significance of the project pursuant to the New York State Environmental Quality Review Act. Motion was seconded by Councilor Weaver.

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

**Budget Transfer of Appropriations:**

Councilor Bray moved the adoption of a resolution authorizing the transfer of appropriations and amending the **2011 Town of Clay Budget** in various funds to provide monies for **2011** expenditures. Motion was seconded by Councilor Weaver.

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

**Meeting - Town Board (Organizational):**

Councilor Bick 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 3<sup>rd</sup>, 2011**, prior to the Regular Town Board Meeting. Motion was seconded by Councilor Johnson.

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

**Meeting - Date Change:**

Councilor Weaver moved the adoption of a resolution canceling the **January 17th, 2011, Town Board Meeting** and rescheduling same to **January 19th, 2011 at 7:30 P.M.**, due to **Martin Luther King Day**. Motion was seconded by Councilor Rycraft.

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

**Grant/Recreation - New York State Office of Children & Family Services (formerly NYS Division for Youth):**

Councilor Bick moved the adoption of a resolution authorizing application for **2011** funding for New York State Office of Children & Family Services (formerly NYS Division for Youth) which includes the Town of Clay Recreation Department in the amount of **\$12,337.00**. The Youth Bureau is anticipating reduction in State Aid to all YDDP programs, and this figure may vary 6%-8% cut in the amount allocated to all municipalities. As soon as they have exact figures, they will pass this along to each Supervisor's office. Motion was seconded by Councilor Johnson.

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

**Securities (release)/ Project COMBAT CONSTRUCTION, INC:**

Councilor Weaver moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **75%** of the original amount posted for Highway Construction Guarantee by **COMBAT CONSTRUCTION, INC.**, for **WATERHOUSE LANDING, SECTION NO. 1 (Norcross Drive, 685 and Millstream Drive, 1485 lf.)**. Gravel, gutters, binder and top are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Rycraft.

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

**Securities (release)/ Project WATERHOUSE LANDING SEWER DISTRICT:**

Councilor Edick moved the adoption of a resolution, pursuant to the written recommendation of the Town Engineers, authorizing the release of the remaining **\$9,570.00** security posted for the Waterhouse Landing Sewer District, Contract No. 1 and **\$9,570.00** Waterhouse Landing Drainage District, Contract No. 1 for utilities located within the **WATERHOUSE LANDING**

**SECTION NO. 1 SUBDIVISION** to the developer **COMBAT CONSTRUCTION, INC.**  
Motion was seconded by Councilor Bray.

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

**Local Law No. 1 of the Year 2011 (CPH) - Chapter 230, entitled 'ZONING':**

Councilor Johnson moved the adoption of resolution calling a public hearing **January 19th, 2011** commencing at **7:35 P.M.**, local time, to consider proposed local law to be entitled **Local Law No. 1 of the Year 2011** amending **Chapter 230**, entitled **'ZONING'**, **Sections 230-17C I-1 Industrial District, paragraph (2)(e) and 230-17D. I-2 Industrial District, paragraph (2)(e)** by adding to such paragraphs **Commercial Nursery** and **Commercial Greenhouse** and renumbering accordingly to the Code of the Town of Clay. The purpose of this amendment would permit Commercial Nursery and Commercial Greenhouse in the I-1 and I-2 zoning districts by Town Board Special Permit approval. Motion was seconded by Councilor Rycraft.

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

**Local Law No. 2 of the Year 2011 (CPH) - Chapter 22, entitled 'ETHICS', Rules with respect to conflicts of interest; 22-6 Standards applying to all Town Employees:**

Councilor Bray moved the adoption of a resolution calling a public hearing **January 19th, 2011**, commencing at **7:38 P.M.**, local time, to consider proposed local law to be entitled **Local Law No. 2 of the Year 2011** amending **Chapter 22** entitled **'ETHICS'**, **Sections 22-5 Rules with respect to conflicts of interest; 22-6 Standards applying to all Town Employees; and 22-14 Powers**, to make improvements to the Code of Ethics of the Town of Clay to comply with recommendations by NYS Comptroller. Motion was seconded by Councilor Rycraft.

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

**Agreement - MUNICIPALITY® INTEGRATED PARCEL MANAGEMENT SOFTWARE:**

Councilor Johnson moved the adoption of a resolution approving the agreement for the purchase of **MUNICIPALITY® INTEGRATED PARCEL MANAGEMENT SOFTWARE** not to exceed the amount of **\$100,000.00** and further authorizing the Supervisor to execute same. Motion was seconded by Councilor Bray.

Ayes-6 and Noes-1. *Motion carried.*

**Bond Resolution - FOR MUNICIPALITY® INTEGRATED PARCEL MANAGEMENT SOFTWARE FOR USE BY THE TOWN OF CLAY MUNICIPAL OFFICES:**

Councilor Johnson moved the adoption of a **Bond Resolution** in the amount of **\$100,000.00** **FOR MUNICIPALITY® INTEGRATED PARCEL MANAGEMENT SOFTWARE FOR USE**

**BY THE TOWN OF CLAY MUNICIPAL OFFICES.** Motion was seconded by Councilor Bray.

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

**Assessment & Taxation /Certiorari - MORELANDIGAN:**

Councilor Bick moved the adoption of a resolution authorizing and approving the settlement of the certiorari action entitled **MORELANDIGAN vs. THE TOWN OF CLAY**, et al., Tax Map No. 114.-01-01-31.0, on property located at 7240 Oswego Road, Our File No. TOC 1948 reducing the Assessment from **\$44,000.00** to **\$25,920.00** for Tax Year **2009/10, Index No.: 2009-5320**; from **\$44,500.00** to **\$30,000.00** for Tax Year **2010/11, Index No.: 2010-4022** and further agreeing that the property assessment shall be based on a full value of \$694,444.00 and the most recent State Equalization Rate for Tax Years 2011/12; 2012/13 and 2013/14. Said sum of such payback on behalf of the Town will not exceed \$2,200.00. Motion was seconded by Councilor Edick.

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

Councilor Rycraft asked if it was on the record that he was opposed to the agreement regarding **MUNICIPALITY® INTEGRATED PARCEL MANAGEMENT SOFTWARE**. This secretary stated that it had been recorded as a **NO** vote. Councilor Rycraft said that he would like to change to a **YES** vote making it unanimously passed.

Russ Mitchell asked about Local Law # 1 of 2011 and the Town Attorney clarified for him.

**Adjournment:**

The meeting was adjourned at 8:00 P.M. upon motion by Councilor Bray and seconded by Councilor Edick. Ayes-7 and Noes-0. *Motion carried.*