

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 18th of December, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
David Hess	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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OTHERS PRESENT:

David Palmer; former Supervisor and Member of the Town Board, Ryan Pleskach; Member of the Zoning Board of Appeals, Russ Mitchell and Hal Henty; Members of the Planning Board & Dorothy Heller; Town Historian.

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 made a motion to approve the minutes of the December 4th, 2017 meeting. Motion was seconded by Councilor Rowley. Councilor Hess abstained due to his absence at that meeting.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried.*

Supervisor Ulatowski explained before he began the meeting that there were three proclamations that will be read for the long serving Town Board Members that will be leaving. Supervisor Ulatowski said that Councilor Bray sent a letter, which he read prior to reading the following proclamation for Mrs. Bray.

PROCLAMATION

At the Regular Meeting of the Town Board, held on December 18th, 2017, the following resolution was duly adopted

WHEREAS, NAOMI R. BRAY moved to the Town of Clay in 1973 and has been a member of the Town of Clay Town Board since 1993; and

WHEREAS, prior to her service to the Town of Clay, Naomi worked in various capacities at the State and County levels, including working with Senator Marty Auer and Senator Tarkey Lombardi and Governor George Pataki; and

WHEREAS, in 2012 Naomi was honored by being chosen as the recipient of the Ronald Reagan Lifetime Achievement Award; and

WHEREAS, Naomi has coordinated efforts to reclaim and revitalize 85 acres of Town land along Three Rivers and the Barge Canal for future development for the enjoyment of the residents; and

WHEREAS, Naomi worked tirelessly on the Northern Land Use Study working to preserve the northern portion of the Town and guide future development; and

WHEREAS, Naomi has diligently worked to secure grant funding for NYS Brownfield Opportunity Area to implement revitalization and conduct feasibility studies; and

WHEREAS, Naomi has contributed her vast knowledge and experience for the betterment of the residents of the Town of Clay; and

WHEREAS, Naomi has selflessly volunteered her time and efforts for several non-profit organizations, including the Syracuse Symphony Association and the Alzheimer's Association:

NOW, THEREFORE, BE IT RESOLVED that the members of the Clay Town Board, on behalf of themselves and the community, publicly acknowledge their gratitude and appreciation to **NAOMI R. BRAY** for her many years of devoted service to the Town of Clay, her commitment to the residents and her vision for the future and wish her health and happiness in this next chapter of her life.

IN WITNESS WHEREOF, by order of the Town Board, I have hereunto set my hand and caused the **Great Seal of the Town of Clay** to be affixed at the Town Hall this 18th day of **December** in the Year of our Lord, **Two Thousand Seventeen**.

Damian M. Ulatowski, Supervisor

PROCLAMATION

At a Regular Meeting of the Town Board of the Town of Clay, held on the 18th day of December, 2017, the following resolution was duly adopted:

WHEREAS, WILLIAM C. WEAVER (“Bill”) has faithfully served the residents of the Town of Clay for 51 years in which countless projects were initiated that will have a positive impact on the Town of Clay residents for generations to come; and

WHEREAS, he began his career as an employee of the Highway Department in 1954. He left the department in 1959 and then returned to the Town of Clay in 1970 to take the position of Highway Superintendent. He worked 34 years as Superintendent until his retirement in 2004, and he was appointed as a Town Councilor in 2005; and

WHEREAS, as Superintendent he updated and streamlined Town highway operations and equipment, improved town wide drainage and had oversight for the installation of water and sanitary sewers on Horseshoe Island, and worked with New York State Canal Corporation to reduce water levels. He also worked on the Land Use Study for zoning north of Route 31; and

WHEREAS, Bill supervised the maintenance, paving and plowing of 170+ center miles of town roads, installed speed limit and other safety street signs in the neighborhoods and upgraded all of the parks throughout the Town; and

WHEREAS, Bill had a lasting influence on our community by establishing of the Clay Refuse and Brush Districts, developing the Clay Historical Park, and remodeling the Clay Senior Center. He served on as a key member of the building committee for the new Town Hall until it opened in 2003. Bill was honored in September 2016 when the CNY Land Trust dedicated The Weaver Trail in Riverwalk and in April 2017, when the town dedicated the William C. Weaver Clay Highway Garage in his honor; and

NOW, THEREFORE, BE IT RESOLVED, that the members of the Clay Town Board on behalf of themselves and the community want to publicly acknowledge their heartfelt gratitude and appreciation to **WILLIAM C. WEAVER** for his many years of faithful service to the Town of Clay and offer their best wishes.

IN WITNESS WHEREOF, by order of the Town Board, I have hereunto set my hand and caused the **Great Seal of the Town of Clay** to be affixed at Town Hall this **18th** day of **December**, in the year of our Lord, **Two Thousand Seventeen**.

Damian M. Ulatowski, Supervisor

PROCLAMATION

At the Regular Meeting of the Town Board of the Town of Clay, held on the 18th day of December, 2017, the following resolution was duly adopted:

WHEREAS, the Town of Clay desires to recognize **JAMES J. ROWLEY**, (“Jim”) and express their appreciation and gratefully acknowledge the value of his service throughout the years.

WHEREAS, Jim has given generously of his time and efforts in a dignified, faithful and professional manner and has served the residents of the Town of Clay since 1996 as a member of the Town Board, Deputy Supervisor and Supervisor in 2006. While serving as Supervisor he spearheaded the consolidation effort between the Clay Police Department merger with the Onondaga County Sheriff’s Department which saved the Clay taxpayers \$1 million annually and maintained Clay’s property tax rate as the third lowest in the County; and

WHEREAS, Jim oversaw continued development within the Town until 2008 when he was appointed as Chief Fiscal Officer of Onondaga County; and

WHEREAS, Jim left the County in 2011 and was appointed Assistant Superintendent at Oneida City School District and was once again reelected to the Clay Town Board in 2012.

WHEREAS, Jim announced his resignation as Town Councilor, effective December 31, 2017 after being elected Second District Legislator of the County of Onondaga, which includes the eastern portion of the Town of Clay; and

NOW, THEREFORE, BE IT RESOLVED, through the efforts of Jim and the Town Board, the Town of Clay continues to be a better place to live, work and raise children. The Town Board on behalf of themselves and the community, wish to publicly acknowledge their heartfelt gratitude and appreciation for his many years of dedicated service to the Town of Clay and offer their best wishes and success in all his future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the **Great Seal of the Town of Clay** to be affixed at Town Hall this 18th day of **December**, in the year of our Lord, **Two Thousand Seventeen**.

Damian M. Ulatowski, Supervisor

Each Board member took a few moments to reflect and speak on behalf of the dedication and the contributions that Mrs. Bray, Mr. Weaver and Mr. Rowley have made to the Town of Clay and the community as a whole in each of their tenure.

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that he knew of no cancellations or requests for adjournments.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. There were none.

REGULAR MEETING

Supervisor Ulatowski explained that he would open the next four public hearings together.

Project/Sewer (PH) GASKIN ROAD SEWER DISTRICT:

A public hearing to consider a Petition for the creation of a sewer district within the Town of Clay to be known as “**GASKIN ROAD SEWER DISTRICT**” and for the construction and acquisition of a sewer system therein to be designated and known as “**GASKIN ROAD SEWER DISTRICT, EXTENSION NO. 1, CONTRACT NO. 21 - LATERAL.**” (River Grove Subdivision), was opened by the Supervisor; Proof of publication and posting was furnished by the Town Clerk.

Project/Drainage (PH) VICKSBURG DRAINAGE DISTRICT:

A public hearing to consider a Petition for the creation of a drainage district within the Town of Clay to be known as “**VICKSBURG DRAINAGE DISTRICT**” and for the construction and acquisition of a drainage system therein to be designated and known as “**VICKSBURG DRAINAGE DISTRICT, CONTRACT NO. 3 - LATERAL.**” (River Grove Subdivision), was opened by the Supervisor; Proof of publication and posting was furnished by the Town Clerk.

Project/Water (PH) RIVER GROVE WATER SUPPLY DISTRICT:

A public hearing to consider a Petition for the creation of a water supply district within the Town of Clay to be known as “**RIVER GROVE WATER SUPPLY DISTRICT**” and for the construction and acquisition of a water supply system therein to be designated and known as “**RIVER GROVE WATER SUPPLY DISTRICT.**” (River Grove Subdivision), was opened by the Supervisor; Proof of publication and posting was furnished by the Town Clerk.

Project/Lighting (PH) RIVER GROVE LIGHTING DISTRICT:

A public hearing to consider a Petition for the creation of a lighting district within the Town of Clay to be designated and known “**RIVER GROVE LIGHTING DISTRICT.**” (River Grove Subdivision), was opened by the Supervisor; Proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski opened the meetings and Alex Wisnewski spoke on behalf of the applicant explaining that the application is for 36 structures (72 duplex units) to be constructed on a parcel adjacent to the Seneca River. There will be sanitary sewers that will pump to the Wetzel Road pump station.

The drainage will be maintained in the storm sewers with a cost of \$.91 per unit. The petition for Town of Clay water will cost \$5.06 per unit and the underground lighting (provided by National Grid) will cost \$93.00 per lot. The application originated approximately 15 years ago for multiunit development. The new application is for patio homes and will have a lesser impact on the Christopher Crossing development.

Councilor Rowley asked about the vegetation that would buffer the development and the drainage; both concerns brought by residents. Mr. Wisnewski explained that the drainage will be off site. He continued that the applicant will plant trees near the pond and the storm water area will act as a natural buffer. He added that they will clear some trees but plan to preserve the natural vegetation. He continued that the applicant is willing to supplement the vegetation with new plantings. Supervisor Ulatowski said that it sounds like the developer is trying to be a good neighbor by being accommodating. Councilor Bick asked if the development is outside of the flood zone. Commissioner Territo said that a portion is in the flood zone however construction will be outside of the flood plain. There was a brief discussion regarding the buffer and what the applicant will be willing to do. Supervisor Ulatowski asked if there were any other questions or comments; hearing none he **closed** all four of the public hearings.

Special Permit (PH) Town Board Case # 1120 - HUMANE CNY:

A public hearing to consider the application of **HUMANE CNY FOR A SPECIAL PERMIT** to allow for use as an animal shelter, pursuant to **Section 203-13A. (2) (e) [2] & [3]**, on property located at **4915 ½ W. Taft Road, Tax Map No. 107.-21-54.0**, consisting of approximately 3.00± acres of land, was opened by the Supervisor; Proof of publication and posting was furnished by the Town Clerk.

Cheryl Robinson of Humane CNY began by giving a brief overview. She continued that they are before the Town Board again to obtain a Special Permit to continue to operate the Animal Shelter after the approval of the zone change.

Ms. Robinson addressed all six items outlined in the *Standards of Proof* (a copy is available in the Town Clerks office to be retained with the application).

There was a brief question and comment period where one resident spoke out against the application and several residents spoke out in support of the application adding that the Humane Association does a great deal of good in the community. There was a question of sound and again the applicant provided a sample of the sound proofing block that will be used in construction.

The question of the footprint was revisited. The footprint will not be the same however the square footage will be less than the current structure. The applicant has agreed to constructing the maximum height fence (7') on both sides of the parcel. After hearing support of and resistance to this application Supervisor Ulatowski **closed** the public hearing.

Project/Sewer (A) GASKIN ROAD SEWER DISTRICT:

Councilor Hess moved the adoption of a resolution **approving** the creation of a sewer district within the Town of Clay to be designated and known as “**GASKIN ROAD SEWER DISTRICT, EXTENSION NO. 1, CONTRACT NO. 21 - LATERAL.**” Motion was seconded by Councilor Bick.

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

Project/Drainage (A) VICKSBURG DRAINAGE DISTRICT:

Councilor Hess moved the adoption of a resolution **approving** the creation of a drainage district within the Town of Clay to be designated and known as “**VICKSBURG DRAINAGE DISTRICT, CONTRACT NO. 3 - LATERAL.**” Motion was seconded by Councilor Rowley.

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

Project/Water (A) RIVER GROVE WATER SUPPLY DISTRICT:

Councilor Hess moved the adoption of a resolution **approving** the creation of a water supply district within the Town of Clay to be designated and known as “**RIVER GROVE WATER SUPPLY DISTRICT.**” Motion was seconded by Councilor Bick.

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

Project/Lighting (A) RIVER GROVE LIGHTING DISTRICT:

Councilor Hess moved the adoption of a resolution **approving** the creation of a

lighting district within the Town of Clay to be designated and known “**RIVER GROVE LIGHTING DISTRICT.**” Motion was seconded by Councilor Bick.

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

Project (acquire public facilities) - RIVER GROVE SUBDIVISION:

Councilor Young moved the adoption of a resolution that it is in the public interest that the Town of Clay approve the construction and acquire the public facilities located within the “**RIVER GROVE SUBDIVISION**” (Gaskin Road Sewer District, Extension No. 1, Contract No. 21 – lateral, Vicksburg Drainage District, Contract No. 3 – lateral, River Grove Water Supply District & River Grove Lighting District) in accordance with the terms and conditions of a certain Agreement entered into between the Town of Clay and the developer **VICKSBURG ESTATES, LLC**. Motion was seconded by Councilor Hess.

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

Project (approving final plans) - RIVER GROVE SUBDIVISION:

Councilor Young moved the adoption of a resolution **approving the Final Plans** for the “**RIVER GROVE SUBDIVISION**” (Gaskin Road Sewer District, Extension No. 1, Contract No. 21 – lateral, Vicksburg Drainage District, Contract No. 3 – lateral, River Grove Water Supply District & River Grove Lighting District) and authorizing the Supervisor to execute the documents necessary therefore **with the condition that evergreen trees will be planted along the westerly rear property lines of lots 53, 54, 55, 56, 57, 58 and 59. The recommended species shall be evergreen 2 ½ foot basal diameter spaced approximately 20’ apart and 6’ high.** Motion was seconded by Councilor Hess.

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

Agreement - VICKSBURG ESTATES, LLC:

Councilor Young moved the adoption of a resolution authorizing the Supervisor to enter into an Agreement with **VICKSBURG ESTATES, LLC** to authorize the construction of certain development facilities (Gaskin Road Sewer District, Extension No. 1, Contract No. 21 – lateral, Vicksburg Drainage District, Contract No. 3 – lateral, River Grove Water Supply District & River Grove Lighting District) as specified in a petition from **L.J.R Engineering, P.C.** dated **November 1, 2017**, to serve lands owned by the developer and/or others located within a tract of land known as **RIVER GROVE SUBDIVISION**. Motion was seconded by Councilor Hess.

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

Special Permit (SEQR) Town Board Case # 1120 - HUMANE CNY:

Councilor Bick moved the adoption of a resolution that the application for **HUMANE CNY FOR A SPECIAL PERMIT** to allow for use as an animal shelter, pursuant to **Section 203-13A. (2) (e) [2] & [3]**, on property located at **4915 ½ W. Taft Road, Tax Map No. 107.-21-54.0**, consisting of approximately 3.00± acres of land, 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 Rowley.

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

Special Permit (A) Town Board Case # 1120 - HUMANE CNY:

Councilor Bick moved the adoption of a resolution **approving** the application of **HUMANE CNY FOR A SPECIAL PERMIT** to allow for use as an animal shelter, pursuant to **Section 203-13A. (2) (e) [2] & [3]**, on property located at **4915 ½ W. Taft Road, Tax Map No. 107.-21-54.0**, consisting of approximately 3.00± acres of land. Motion was seconded by Councilor Rowley.

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

Budget Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2017 Town of Clay Budget in various funds to provide monies for 2017 expenditures. Motion was seconded by Councilor Hess.

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

License Renewal - CASUAL ESTATES, LLC D/B/A MADISON VILLAGE MOBILE HOME COURT:

Councilor Bick moved the adoption of a resolution calling a public hearing **January 3, 2018**, commencing at **7:35 P.M.**, local time, to consider the application of **CASUAL ESTATES, LLC D/B/A MADISON VILLAGE MOBILE HOME COURT**, for the renewal of its license for the year **2018**. Motion was seconded by Councilor Hess.

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

Special Permit (CPH) Town Board Case # 1121 - DEVIN DALPOS LAKER DEVELOPMENT GROUP, LLC & AILEEN SCHMIDT:

Councilor Bick moved the adoption of a resolution calling a public hearing **January 17, 2018**, commencing at **7:38 P.M.**, local time, to consider the application of **DEVIN**

DALPOS LAKER DEVELOPMENT GROUP, LLC & AILEEN SCHMIDT FOR A SPECIAL PERMIT to allow for a Drive Thru for Starbucks pursuant to **Section 203-16C. (2) (e) [2]**, on vacant land located at **3820-3848 State Route 31, Tax Map No. 053.-01-19.1**, consisting of approximately 6.049± acres of land. Motion was seconded by Councilor Hess.

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

Adjournment:

The meeting was adjourned at 8:47 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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

Jill Hageman-Clark RMC / Town Clerk