

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the November 9, 2022 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
David Hess	Councilor
Eugene Young	Councilor
Deborah Magaro-Dolan	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Joseph A. Bick	Deputy Supervisor/Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Robert Germain	Town Attorney

OTHERS PRESENT:

Hal Henty, Planning Board Member. Rob Bick, Town Assessor; Mike Redhead, Clay Volunteer Fire Chief.

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 Hess made a motion to approve the minutes of the October 17, 2022 Town Board meeting. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

**Cancellation and/or requested adjournments.**

None

**Correspondence:**

There was no correspondence.

**REGULAR MEETING:**

Supervisor Ulatowski began by explaining that he would open all of the budget hearings together:

**Budget (PH) – 2023 SPECIAL DISTRICTS BUDGET for the TOWN OF CLAY:**

A public hearing to consider the adoption of the proposed **2023 Special Districts Budget for the Town of Clay** was opened by the Supervisor; proof of publication and posting was provided by the Town Clerk.

**Budget (PH) – 2023 FIRE PROTECTION BUDGET for the TOWN OF CLAY:**

A public hearing to consider the adoption of the proposed **2023 Fire Protection Budget for the Town of Clay** was opened by the Supervisor; proof of publication and posting was provided by the Town Clerk.

**Budget (PH) – 2023 UNIFORM WATER BUDGET for the TOWN OF CLAY:**

A public hearing to consider the adoption of the proposed **2023 Uniform Water Budget for the Town of Clay** was opened by the Supervisor; proof of publication and posting was provided by the Town Clerk.

**ADOPTION of the PROPOSED 2023 PRELIMINARY BUDGET for the TOWN OF CLAY (PH):**

A public hearing to consider the adoption of the proposed **2023 Preliminary Budget for the Town of Clay** was opened by the Supervisor; proof of publication and posting was provided by the Town Clerk.

John Shehadi and Paula Caron began with a power point presentation, first outlining the Special Districts budget. Mr. Shehadi explained that the trash fees had increased 2.7%, sewer decreased, drainage increased significantly and overhead lighting costs went down.

The Fire Budgets are not increasing though the cost for LOSAP is. LOSAP is the *Length of Service Awards Program* that is offered, as an incentive to the Volunteer Fire Fighters. This year the benefit is increasing. Councilor Hess thanked the volunteer fire fighters for providing this service to the town.

There is an increase to the Uniform Water Budget that will be offset fund balance. Mr. Shehadi said that he does not anticipate an increase next year.

The Preliminary Budget is under 17,220,000.00 and is essentially unchanged from last year. The Town of Clay has secured 1.8 million in grant money for improvements such as park equipment, software updates etc. The Town of Clay Highway department is on track with road improvements outlined in the Cornell Study. The taxes will stay the same for the third consecutive year.

They concluded by showing a pie chart detailing the 2022 Town and County Taxes and the 2022-2023 School Taxes; They are as follows:

School/Library Tax	60.15%
County Taxes	13.8%
County Sewer/Water	9.07%
Town Highway	4.83%
Special Districts	4.43%
Trash/Brush	4.39%
Fire Protection	2.32%
Town Administrative	1.73%

Supervisor Ulatowski thanked John Shehadi and Paula Caron for their work on keeping the budget low for the services provided. He then **closed** the public hearings.

**ZONE CHANGE (PH) – Town Board Case #1175 – DELTA SONIC CAR WASH SYSTEMS INC.:**

A public hearing to consider the application of Delta Sonic Car Wash Systems, Inc., for a Zone Change located on **3805 - 3809 State Route 31, Tax Map Nos. 020.-01-01.1, 020.-01-02.1 & 020.-01-02.2** from RA-100 to LuC-1 to allow for the construction of a car wash on +/-10.31 acres of land was opened by the Supervisor; proof of publication and posting was provided by the Town Clerk.

Matthew Oates spoke on behalf of Delta Sonic. He began by explaining that the parcel is 10 acres making it the largest Delta Sonic proposed in the area. The application shows 9 double sided single gasoline pumps, a convenience store, a carwash, interior detailing area that will house the interior vacuum and self-service vacuum areas.

They are proposing two curb cuts, one a right in at the eastern portion of the parcel and the traffic will follow a circular one-way pattern; the other is full access. There is a proposed pond for stormwater management and proposed green space.

The model for this project can be found in Lancaster and Oswego with high vaulted ceilings. Delta Sonic has looked at other properties in the town of Clay.

Supervisor Ulatowski asked if all traffic enters from the two entrances, both on Route 31. They will. The Traffic Impact Study provided by the applicant recommends a three color signal at the intersection and an improvement to the right-in, right-out driveway at Texas Roadhouse making it full access with one lane entering and one lane exiting. The Supervisor asked about stacking. Mr. Oates said that there is room for stacking 90 vehicles adding that there are three spray areas converging into one lane for the carwash. The retail shop is proposed at the north east portion with traffic traveling west to reach the carwash; after exiting the carwash traffic will continue to the drying areas and then on to the detailing areas. There will be self-serve vacuums for patrons with a monthly membership. Councilor Hess asked about a waiting area for detailing and one will be provided.

There was a brief discussion about the traffic and configuration at the Salina Delta Sonic. Mr. Oates said that this project is two and a half times the size of Salina; Fairmount is only on a 5.5 acre parcel, making this project almost twice the size. He went on to explain that they will use a water reclamation system, the water will be stored into underground tanks, cleaned and reused for the prewash spray area only. Fresh water will be used in the actual carwash.

There was a lengthy discussion about the sewer. Currently the site is served by an 8" sewer line emptying into a 24" line that ties directly into the pump station. There was a discussion about upgrading the line at the site to 24" to better serve the site. Mr. Oakes said that he did not see a problem in changing it to a 24" line. Councilor Hess said that he likes this application especially if they are willing to upgrade the sewer line to 24". Supervisor Ulatowski agreed. He asked if the applicant had reached out to COR regarding Onondaga County Planning Boards recommendation encouraging the applicant to work with the adjacent landowners to provide a roadway connection to existing shopping and alleviate pressure on Route 31. Mr. Oates said that they had, but COR was not accommodating. Again the Supervisor complimented the applicant on choosing this parcel that appears to be a perfect fit.

Councilor Young asked about the possibility of approval contingent upon the installation of a traffic light to serve this parcel and the parcel directly across Route

31 as well as the improvement of a 24” sewer line for this parcel. Legal counsel agreed this could be done.

Ron DeTota asked if there will be any charging stations for electric cars. Mr. Oates said not at this time as the applicant sells gasoline.

There being no more questions or comments the Supervisor said he would refer this application to the Planning Board for review and recommendation.

Councilor Hess made a motion to **adjourn** the public hearing to November 21, 2022 at 7:35 PM. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

**Transfer of Appropriations 2023 Budget:**

Councilor Hess moved the adoption of a resolution amending the **2023 Preliminary Budget** by increasing the Appropriation Account A7140.4 from \$182,500 to \$192,500, and

reducing the Appropriated Fund Balance in the General Fund Part-Town from \$250,000 to \$225,000, and

reducing the Appropriated Fund Balance in the Highway Fund from \$775,000 to \$750,000,

and increasing the Amount to be Raised by Taxes by \$10,000 in the General Fund, \$25,000 in the General Fund Part-Town and by \$25,000 in the Highway Fund. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

**Budget (A) – 2023 SPECIAL DISTRICTS BUDGET for the TOWN OF CLAY:**

Councilor Hess moved the adoption of a resolution approving and adopting the proposed **2023 Special Districts Budget** for the Town of Clay. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

**Budget (A) – 2023 FIRE PROTECTION BUDGET for the TOWN OF CLAY:**

Councilor Hess moved the adoption of a resolution approving and adopting the proposed **2023 Fire Protection Budget** for the Town of Clay. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

**Budget (A) – 2023 UNIFORM WATER BUDGET for the TOWN OF CLAY:**

Councilor Hess moved the adoption of a resolution approving and adopting the proposed **2023 Uniform Water Budget** for the Town of Clay. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

**ADOPTION of the PROPOSED 2023 PRELIMINARY BUDGET for the TOWN OF CLAY (A):**

Councilor Hess moved the adoption of a resolution approving and adopting the **PRELIMINARY BUDGET** as (proposed or modified), as the **TOWN OF CLAY ANNUAL BUDGET** for the fiscal year commencing **January 1, 2023**. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

**LOCAL LAW NO. 5 OF THE YEAR 2022 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C (RESCINDING):**

Councilor Magaro-Dolan moved the adoption to **rescind** proposed Local Law “**LOCAL LAW NO. 5 OF THE YEAR 2022 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C,**” formerly Local Law No. 1 of the year 2023, to the code of the Town of Clay. Motion was seconded by Councilor Hess.

Ayes – 4 and Noes – 0. *Motion carried.*

**LOCAL LAW NO. 3 of the YEAR 2022 (A) repealing Chapter 80 and Chapter 81 replacing with new Chapter 80 entitled Building Code Administration:**

Councilor Magaro-Dolan moved the adoption of a resolution **approving** proposed **LOCAL LAW NO. 3 OF THE YEAR 2022**, repealing the present **CHAPTER 80** entitled “Building Code Administration” and **CHAPTER 81** entitled “Building Construction,” and adding a new **CHAPTER 80** entitled “Building Code Administration” to the Code of the Town of Clay. Motion was seconded by Councilor Hess.

Ayes – 4 and Noes – 0. *Motion carried.*

**LOCAL LAW NO. 4 of the YEAR 2022 (A) amending CHAPTER 105 entitled Fees:**

Councilor Magaro-Dolan moved the adoption of a resolution **approving** proposed **LOCAL LAW NO. 4 OF THE YEAR 2022**, to amend **CHAPTER 105** entitled “Fees” to the Code of the Town of Clay. Motion was seconded by Councilor Hess.

Ayes – 4 and Noes – 0. *Motion carried.*

**Intermunicipal Agreement with the Town of Lysander (to provide them sign services):**

Councilor Young moved the adoption of a resolution approving the Supervisor to enter into an Intermunicipal Agreement between the **Town of Clay** and the **Town of Lysander** to provide for the services of sign creation. The anticipated term of the contract is for a three (3) year period beginning January 1, 2023 and terminating on December 31, 2025; and authorizing the Supervisor to execute the necessary document therefore. Motion was seconded by Councilor Hess.

Ayes – 4 and Noes – 0. *Motion Carried.*

**Appointment (A) – MOYERS CORNERS:**

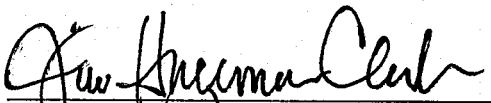
Councilor Young moved the adoption of a resolution approving the appointment of **TIMOTHY GANEY** and **DORAN EDMOND** as members of **MOYERS CORNERS FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

**Adjournment:**

The meeting was adjourned at 8:19 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

  
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Jill Hageman-Clark RMC / Town Clerk