

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the December 19, 2022 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Eugene Young	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Deborah Magaro-Dolan	Councilor
Jill Hageman-Clark	Town Clerk
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Mark V. Territo	Commissioner of Planning and Development
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OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board Member.

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 September 29, 2022 **Special Town Board**, Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. Motion carried. Three abstentions due to absence at this meeting.

Councilor Bick made a motion to approve the minutes of the December 5, 2022 Regular Town Board Meeting. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 6 and Noes – 0. Motion carried. Councilor Hess abstained due to his absence at said meeting.

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that the applicants for the Warner's Road Project and Delta Sonic have requested adjournments.

Correspondence:

There was no correspondence.

REGULAR MEETING:

LOCAL LAW NO. 5 OF THE YEAR 2022 amending CHAPTER 230 entitled “ZONING” (SEQR):

Councilor Meaker moved the adoption of a resolution that proposed **LOCAL LAW NO. 5 OF THE YEAR 2022 amending CHAPTER 230** entitled “ZONING” by amending **Section 230-15A.(2)(c)** to add new item [3] “**VETERINARY CARE FACILITY- less than 5,000 square feet**” 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 Magaro-Dolan

Ayes – 7 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 5 OF THE YEAR 2022 amending CHAPTER 230 entitled “ZONING” (A):

Councilor Meaker moved the adoption of a resolution **approving LOCAL LAW NO. 5 OF THE YEAR 2022 amending CHAPTER 230** entitled “ZONING” by amending **Section 230-15A.(2)(c)** to add new item [3] “**VETERINARY CARE FACILITY- less than 5,000 square feet**” with a Planning Board Special Permit to said section of the Code of the Town of Clay. Motion was seconded by Councilor Magaro-Dolan

Ayes – 7 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) – Town Board Case #1176 – WARNERS ROAD DEVELOPMENT, LLC:

Councilor Hess made a motion to adjourn the public hearing to **January 18, 2023 at 7:35 P.M.**

Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

Adjournment requested by applicant via email December 15, 2022. Adjourn to January 18th, 2023 at 7:35 P.M., local time.

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

Councilor Hess made a motion to adjourn the public hearing to **January 18, 2023 at 7:38 P.M.**

Motion was seconded by Councilor Magaro-Dolan.

Ayes – 7 and Noes – 0. Motion carried.

Adjourned by request of applicant from the December 5, 2022 Town Board Meeting.

Authorization – Transfer of Appropriations:

Councilor Hess moved the adoption of a resolution authorizing transfer of appropriations and amending the 2022 Town of Clay Budget in various funds to provide monies for 2022 expenditures. Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. Motion carried.

Authorization – Transfer Funds (ARPA):

Councilor Hess moved the adoption of a resolution authorizing the Supervisor to transfer **American Rescue Plan Act (ARPA)** funding in the amount of \$146,487.07 to the General Capital Fund for the Gaskin Road Infrastructure Repairs project and transfer funding in the amount of \$199,730.75 to the Consolidated Drainage Fund for the Forest Hills drainage replacement project. Motion was seconded by Councilor Pleskach.

Ayes – 7 and Noes – 0. Motion carried.

Agreement – Superintendent of Highways and the Town Board:

Councilor Pleskach moved the adoption of a resolution approving an agreement between the **Superintendent of Highways** and the **Members of the Town Board** for the expenditures of highway monies in the Town of Clay for the fiscal year ending December 31, 2023. Motion was seconded by Councilor Hess.

Ayes – 7 and Noes – 0. Motion carried.

Licenses and Permits (CPH) - CASUAL ESTATES (MOBILE HOME COURT) LLC, d/b/a MADISON VILLAGE:

Councilor Pleskach moved the adoption of a resolution calling a public hearing **January 4, 2023**, 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 **2023**. Motion was seconded by Councilor Hess.

Ayes – 7 and Noes – 0. *Motion carried.*

Assessment/ Certiorari - Syracuse Windsor Land LLC:

Councilor Young moved the adoption of a resolution authorizing and approving the settlement of the New York State Supreme Court Tax Certiorari actions entitled **Syracuse Windsor Land LLC v. The Assessor of the Town of Clay et. al (Index Nos. 006636/18, 006158/19, 004180/2020 and 006302/2021)** concerning Tax Map No. 117.-11-21.1 for property located at 3803 Brewerton Road in Clay (Airport Plaza) by reducing the assessment for 2018 from \$205,200 to \$199,430, reducing the assessment for 2019 from \$205,200 to \$190,660, reducing the assessment for 2020 from \$205,200 to \$187,525, reducing the assessment for 2020 from \$205,200 to \$179,670 and reducing the assessment for 2022 from \$205,200 to \$179,670. The proposed settlement includes payment of refunds due in an amount not to exceed \$6,000.00 on behalf of the Town, as well as a full waiver of statutory interest by the Petitioner, all in accordance with the terms and conditions as stated in a proposed Stipulation & Order of Settlement. This resolution also authorizes the Supervisor and Town Attorney to execute any and all documents necessary to complete this matter. Motion was seconded by Councilor Meaker.

Ayes – 7 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 7:41 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*



Jill Hageman Clark RMC / Town Clerk