

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the February 6, 2023 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Deborah Magaro-Dolan	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

David Hess	Councilor
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OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board Member and Rob Bick, Town Assessor.

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 Pleskach made a motion to approve the minutes of the January 18, 2023 Regular Town Board meeting. Motion was seconded by Councilor Young.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that there are no requests for adjournments.

Correspondence:

Mr. Glenn Eastmond of Castle Road, North Syracuse, stated that he had submitted a claim through the Town of Clay on September 22, 2021 for sewer repair expenses. He continued that the Sedgwick Insurance Company (towns secondary carrier) did not respond until December when Liz, the adjuster called to say the claim was denied.

Mr. Eastmond supplied the Board members with pictures and a brief outline of the correspondence between Sedgwick (Liz) and Mr. Eastmond. He explained that he has spent nearly \$10,000.00 on the repair of the incorrectly installed sewer drain pipe and is seeking reimbursement. He continued that the repair exposed a connection of a 4" pipe into a 6" pipe.

Supervisor Ulatowski said that he was aware of this claim and that Legal Counsel and the Town Engineer are present to answer any questions. There was a lengthy discussion regarding the improvement from septic (at the time of construction 1952) to sewers and the town roadway. Ron DeTota asked where the trap is located and who installed it.

Supervisor Ulatowski said that he and Ron DeTota would make a site visit to further investigate this. He instructed Mr. Eastmond to reach out to the Town Clerk to coordinate a time for a visit.

REGULAR MEETING:

Zone Change (SEQR) – Town Board Case #1176 – WARNERS ROAD DEVELOPMENT, LLC:

Councilor Young moved the adoption of a resolution that the application of **WARNERS ROAD DEVELOPMENT, LLC** for a Zone Change for **WARNERS ROAD PROJECT** located at **3723 Brewerton Road**, from R-10 Residential District to RC-1 Regional Commercial District, **Tax Map No. 117.-11-24.0** consisting of 2.10 +/- 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 Meaker.

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

Zone Change (A) – Town Board Case #1176 – WARNERS ROAD DEVELOPMENT, LLC:

Councilor Young moved the adoption of a resolution **approving** the application of **WARNERS ROAD DEVELOPMENT, LLC** for a Zone Change for **WARNERS ROAD PROJECT** located at **3723 Brewerton Road**, from R-10 Residential District to RC-1 Regional Commercial District, **Tax Map No. 117.-11-24.0**. Motion was seconded by Councilor Magaro-Dolan.

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

ZONE CHANGE (PH/Adj.) – 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. (Adjourned from the January 18, 2023 Town Board Meeting) was opened by the Supervisor.

Matthew Oates was present on behalf of the applicant. He began by explaining that they have been waiting for NYS DOT to render a recommendation. They agree with the proposed traffic signal and the right turning lane. However, they recommend widening 31 to eastbound thru lane west to avoid traffic queuing over the railroad tracks. In addition, they recommend constructing a right turn lane for the proposed right-in driveway, continuing past the driveway to an exclusive right turn at the signal. The NYS DOT additionally commented that the highway design is to match the existing curb, sidewalk and closed drainage. The traffic signal is to have a railroad preemption and battery backup system due to close proximity to the railroad tracks to the west. The developer will assume responsibility to coordinate and receive approval for access changes and impacts to other properties.

Furthermore, any work within the state Right-of-Way (ROW) will require coordination with NYSDOT to obtain a highway work permit. The developer should continue to coordinate with the regional *Highway Work Permit Group*.

Councilor Pleskach stated that it will be costly for widening the road, and will the developer be responsible to pay for it and they will. Councilor Young asked if the Texas Roadhouse and Starbucks across Route 31 are ok with this. Councilor Meaker asked if it was fair to say that this investment by Delta Sonic will improve the traffic flow? He added that the extensive improvement is a windfall to the adjacent businesses that will now have full access instead of right in, right-out only.

Councilor Magaro-Dolan asked if the NYSDOT has provided a comprehensive plan. She continued that the construction of Micron should be factored in to the generated traffic.

Ron DeTota asked about the size of the parcel in relation to other Delta Sonic carwashes. He added that the Delta Sonic in Camillus has so much stacking that it spills over onto West Genesee Street. Mr. Oakes explained that this parcel is larger and there is room for 90 cars to stack internally. Councilor Meaker stated that he

had recently visited the Delta Sonic in Tonawanda and that parcel is larger and there were never more than 27 cars in line at a time. Mr. Oakes agreed saying this is why they are building on a larger parcel now.

Supervisor Ulatowski said that he would like to adjourn the public hearing pending more information from NYSDOT pertaining to how/if the traffic study related to the proposed Micron project from Moyers Corners to Cicero and a Comprehensive Plan.

Councilor Bick made a motion to **adjourn** the public hearing to **March 6, 2023 at 7:35 P.M.** Motion was seconded by Councilor Meaker.

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

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

A public hearing 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**. (Adjourned from the January 18, 2023 Town Board Meeting) was opened by the Supervisor.

Peter Russo, the site manager for the Casual Estates/Madison Village Mobile Home Park was present. He began by stating that there are 12 new sites, sold and ready to go and there is actually a waiting list. There were 13 demolitions (and clean up) for vacated homes due to death, residents moving out or just disrepair of the homes.

They have made some repairs to the roadways filling in potholes and improved standing water issues. They have also improved the utility panels and are working with National Grid, replacing or refurbishing the meters. They have upgraded the playgrounds adding new basketball hoops and resealing and restriping the courts. Further work has included painting light posts and improving walkways. Supervisor Ulatowski asked if they are using asphalt or concrete. Mr. Russo said he believed concrete. Supervisor Ulatowski said that they have continually made improvements and have come a long way. He asked how many are vacant. Mr. Russo said 2-3 hundred, adding that they are adding 16-20 new homes in 2023, 4 are in progress now.

Councilor Magaro-Dolan asked what the value is of the new homes. Mr. Russo said the recent ones are \$89,000.00. There was a discussion of the 2-3 hundred pad vacancies. Mr. Russo explained that they are vacant parcels not vacant structures. He said that there is room for 900 spots and there are 400 owner occupied homes.

There are currently 56 rentals but they have been grandfathered in, and the tenant owns all homes now.

Mr. Russo closed by adding that the crime has declined steadily since 2014, perhaps because of a greater police presence or that the park looks cleaner.

There being no more questions, the Supervisor **closed** the public hearing.

Project/Easement – 7899 Morgan Road:

Councilor Pleskach moved the adoption of a resolution accepting an easement located at **7899 Morgan Road, Tax Map No. 082.-01-42.2** from **Self Storage Morgan Road**, pursuant to the recommendation of the Town of Clay Planning Board. Motion was seconded by Councilor Magaro-Dolan.

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

Appointment (A) – MOYERS CORNERS FIRE DEPARTMENT, INC:BU

Councilor Young moved the adoption of a resolution approving the appointment of **SAMANTHA CALL, ANTHONY FEDELE and CHARLES SMITH III** as volunteer members of **MOYERS CORNERS FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Pleskach.

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

Appointment (A) - Interim Comptroller:

Councilor Bick moved the adoption of a resolution appointing Paula Caron as Interim Comptroller. Said appointment to expire no later than **December 31, 2023**. Motion was seconded by Councilor Pleskach.

Ayes – 5 and Noes – 1. *Motion carried. Councilor Meaker opposed.*

Town Hall Closed (A) (observance of Juneteenth):

Councilor Meaker moved the adoption of a resolution acknowledging Town Hall will be closed in observance of the Juneteenth holiday, Monday June 19, 2023. Motion was seconded by Councilor Bick.

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

Meeting Date Change:

Councilor Meaker moved the adoption of a resolution rescheduling the Monday, June 19, 2023 (Juneteenth) Town Board Meeting to Tuesday, June 20, 2023. Motion was seconded by Councilor Magaro-Dolan.

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

Release of Securities - RIVERWALK ASSOCIATES, INC., for RIVERWALK SECTION 3:

Councilor Magaro-Dolan moved the adoption of a resolution authorizing the release of 100% of the original amount posted (\$1,800.00) for Monument Deposit by **RIVERWALK ASSOCIATES, INC., for RIVERWALK SECTION 3**, per recommendation of the Town Engineer. Motion was seconded by Councilor Young.

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

Easement Rights (A) (permanent) – National Grid:

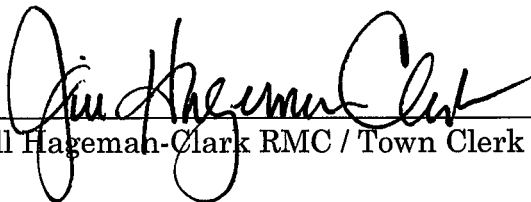
Supervisor Ulatowski moved the adoption of a resolution authorizing the Town of Clay to allow for permanent easement rights to National Grid in connection with the installation of a gas line that would serve the proposed White Pine project. *Temporary easement rights were granted at the March 21, 2022 Town Board Meeting.* Motion was seconded by Councilor Magaro-Dolan.

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

Adjournment:

The meeting was adjourned at 8:31 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