APPROVED

At the ORGANIZATIONAL MEETING and REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 6th of January, 2020 at 7:00 P.M., there were:

PRESENT:

Damian Ulatowski Supervisor

Eugene Young Councilor

Brian Hall Councilor

Rvan Pleskach Councilor

Kevin Meaker 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

David Hess Councilor

OTHERS PRESENT:

Russ Mitchell; Planning Board Chairman, Hal Henty; Planning Board Member and Jim Rowley; County Legislator.

The meeting was called to order by Supervisor Ulatowski at 7:00 P.M. All present joined in the Pledge of Allegiance.

ORGANIZATIONAL MEETING: 7:00 P.M.

Official Rules of Procedure - Roberts Rules of Order:

Supervisor Ulatowski moved the adoption of a resolution that Roberts Rules of Order be the official rules of procedure at Town Board Meetings, subject to the Rules provided by the Town Law and like Statutes which shall prevail (except that there shall be no second reading of resolutions at Town Board Meetings unless the same is requested, and that there shall be no votes taken when the question of a pending resolution is called, unless an objection is stated to voting upon such resolution forthwith). Motion was seconded by Councilor Pleskach.

Town Board Meeting Schedule:

Supervisor Ulatowski moved the adoption of a resolution establishing the **first** and **third** Mondays of each month as the meeting nights for the **Town Board** and **7:30 P.M.,** local time, as the hour of commencement. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Supervisor Ulatowski moved the adoption of a resolution rescheduling the Monday, January 20th 2020 (Martin Luther King, Jr. Day) Town Board Meeting to Wednesday, January 22nd 2020; rescheduling the Monday, September 7th 2020 (Labor Day) Town Board Meeting to Wednesday, September 9th 2020 and rescheduling the Monday, November 2nd 2020 (Election Day - Tuesday, November 3rd) Town Board Meeting to Wednesday, November 4th 2020. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Supervisor Ulatowski moved the adoption of a resolution cancelling the **July 6**th and **August 3**rd, **2020** Town Board Meetings. **NOTE: The Town Board will meet only July 20th and August 17th, 2020.** Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

The Town Hall will be closed on the following Holidays in **2020**; New Year's Day, Tuesday, January 1st; Martin Luther King, Jr. Day - Monday, January 20th (observed); Presidents' Day - Monday, February 17th (observed) cancelling the Town Board Meeting; Good Friday – April 10th (Town Hall to close at 12:15 P.M., Highway at 11:00 A.M.); Memorial Day Weekend - Friday, May 22nd and Monday, May 25th (observed); Independence Day Friday July 3rd; Labor Day - Monday, September 7th; Election Day - Tuesday, November 3rd; Veteran's Day - Wednesday, November 11th (observed); Thanksgiving Day - Thursday, November 26th and Friday, November 27th; Christmas Eve - Thursday, December 24th and Christmas Day, Friday, December 25th.

GENERAL COMMITTEE appointment by the Supervisor:

Special Districts
Finance
Parks & Recreation
Public Safety
Highway & Public Works
Planning & Development

Supervisor Ulatowski Supervisor Ulatowski /Councilor Pleskach Councilor Meaker Councilor Young Councilor Hess Councilor Hall Zoning Board of Appeals Councilor Pleskach

Personnel Supervisor Ulatowski/ Councilor Bick

Industrial Development

Building

Recreation Facilities & Grants Special Committee

Liaison North Syracuse School District

Councilor Pleskach
Councilor Bick
Councilor Bick
Councilor Meaker

Liaison Liverpool School District Councilor(s) Pleskach and Hall

Councilor Meaker moved the adoption of a resolution that the annual salaries for the **Town Personnel** for **2020** be established as follows:

Supervisor	\$ 59,641.00
Deputy Supervisor	\$ 15,363.00
Councilors	\$ 13,885.00
Judges	\$ 45,692.00
Commissioner of Parks & Recreation	\$ 72,049.00
Commissioner of Finance	\$ 33,439.00
Commissioner of Planning & Development	\$ 86,096.00
Town Clerk	\$ 64,348.00
Receiver of Taxes	\$ 64,348.00
Assessor	\$ 88,081.00
Highway Superintendent	\$ 95,693.00
Water Superintendent	\$ 77,250.00

Motion was seconded by Councilor Hall.

Ayes -5 and Noes -0. *Motion carried*.

Appointments:

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Supervisor Ulatowski moved the adoption of a resolution appointing Councilor **Bick** as **Deputy Supervisor**. Motion was seconded by Councilor Pleskach.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Pleskach moved the adoption of a resolution appointing the Supervisor as **Administrator of Special Districts**. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Pleskach moved the adoption of a resolution approving the annual membership of the Town of Clay in the **Association of Towns** and payment of the annual dues in the amount of \$1650.00. Motion was seconded by Councilor Young.

Councilor Pleskach moved the adoption of a resolution appointing **Supervisor Ulatowski** as **delegate** to the **Association of Towns.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Pleskach moved the adoption of a resolution appointing **Councilor Meaker** as **alternate delegate** to the **Association of Towns.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Authorization - Check Signing:

Councilor Pleskach moved the adoption of a resolution authorizing the **Deputy Supervisor Bick** to sign checks drawn on Town funds in the absence of the Supervisor. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Town Engineers:

Councilor Pleskach moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such **Special District** services as the Town may require and authorizing the Supervisor to enter into an annual contract with said firm. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Pleskach moved the adoption of a resolution authorizing the **Town Engineers** to update the "**Town of Clay Zoning Map**" annually, with payment for same to be authorized from the General Fund of the Town of Clay. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Pleskach moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such services as the Town Board, Planning Board and Zoning Board of Appeals may require for a term of two (2) years. Motion was seconded by Councilor Young.

Town Attorneys:

Councilor Pleskach moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the Town of Clay for a term of two (2) years. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Pleskach moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the **Zoning Board of Appeals**, and to receive **\$16,000.00** for the **Zoning Board of Appeals** work for the year **2020**. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Bank Designation:

Councilor Meaker moved the adoption of a resolution designating the following as the official 2020 depository banks for the Town of Clay: M & T Bank; JP Morgan Chase Bank; Key Bank National Association; Bank of America Bank; Alliance Bank, N.A.; Solvay Bank, RBS Citizens Bank, First Niagara Bank, NY CLASS and Pathfinder Bank – pooled cash investment program (class), or successor. Motion was seconded by Councilor Hall.

Ayes -5 and Noes -0. *Motion carried*.

Newspaper Designation:

Councilor Meaker moved the adoption of a resolution designating the **Syracuse Post Standard** as the official Town Newspaper for **2020** and designating the **Eagle Star Review** as an additional newspaper for the publication of legal notices.
Motion was seconded by Councilor Pleskach.

Ayes -5 and Noes -0. *Motion carried*.

Appointment – Town Officers:

Councilor Meaker moved the adoption of a resolution appointing **Joe Nicoletti** as **Highway Superintendent** for a term of two (2) years. Motion was seconded by Councilor Young.

Councilor Meaker moved the adoption of a resolution appointing **Frank Mazzye** as **Water Superintendent** for a term of two (2) years. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Meaker moved the adoption of a resolution appointing **Mark Territo** as **Commissioner of Planning & Development** for a term of two (2) years. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Meaker moved the adoption of a resolution appointing **John Shehadi** as **Commissioner of Finance** for a term of two (2) years. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Young moved the adoption of a resolution appointing **Wayne Morris** as **Commissioner of Recreation** for a term of nine (9) months. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Young moved the adoption of a resolution appointing **Russ Mitchell** as **Chairman of the Planning Board** for the year **2020**. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Young moved the adoption of a resolution appointing **Jim Palumbo** as a **Member of the Planning Board.** Said term to expire December 31, 2026. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Young moved the adoption of a resolution appointing **Edward Wisnowski** as **Chairman of the Zoning Board of Appeals** for the year **2020**. Motion was seconded by Councilor Meaker.

Aves -5 and Noes -0. Motion carried.

Councilor Young moved the adoption of a resolution appointing **Dennis Lyons** as a **Member of the Zoning Board of Appeals.** Said term to expire December 31, 2024. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Robert Dugan** for a term of **5** years as a member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics. Said term to expire December 31, 2024. Motion was seconded by Councilor Meaker.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Dorothy Heller** and **Harold Baker** as **Town Historians** for the year **2020.** Motion was seconded by Councilor Pleskach.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Wayne Morris** as **Safety Committee Chairman** for the year **2020.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Michael McCarthy** as **Constable** for the year **2020**. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Richard Helterline** as **Substitute Constable** for the year **2020.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Jill Hageman-Clark**, as a **Marriage Officer** for the Town of Clay, pursuant to Section 11 of the New York State Domestic Relations Law, effective immediately. Said appointment expires **December 31, 2020.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Councilor Hall moved the adoption of a resolution appointing **Gloria Wetmore** and **Kristine Alpuerto** as **Deputy Town Clerks** for a term of two(2) years. Said term to expire December 31, 2021. Motion was seconded by Councilor Young.

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Approval of Minutes:

Councilor Pleskach made a motion to approve the Minutes of the **December 16**, **2019** Regular Town Board Meeting. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that he knew of no cancellations or requests for adjournments but recognized Legislator Rowley who was present to update the Town on current happenings at the County Legislature.

Legislator Rowley began by reporting that David Knapp was appointed Onondaga County Legislature Chairman; Brian May – Majority Leader and Linda Ervin – Minority Leader. He continued that the Legislature voted to authorize the increase for room occupancy from 5% to 7% for Hotels. Legislator Rowley explained that the extra money will be used to increase tourism. This resolution is supported by hotels, the OnCenter Operations, Support the Arts community and Visit Syracuse; an organization promoting travel and tourism and stimulating economic development. Legislator Rowley said that it is a riskless vote and the decision rests in the hands of the State; adding his only concern is how the revenue is spent.

Councilor Meaker thanked Mr. Rowley for his attendance and said that he supports areas of growth for the community; however, he would like to see a waver be given for local residents using the hotels and such. Legislator Rowley said that he would take the suggestion back to the County.

Supervisor Ulatowski thanked Legislator Rowley as well for his efforts regarding reimbursement for a sewer project involving a large break.

Matthew Vincent asked if he could address the room regarding the 2020 Census. Mr. Vincent gave a little background about the Census and explained the importance of participating. They will begin collecting information in March of 2020. He thanked everyone for allowing him to speak to the residents.

LOCAL LAW NO. 1 OF THE YEAR 2020 (SEQR) - create new Chapter 230-20 F. titled 'Small Cell Wireless Deployment Requirements':

Councilor Meaker moved the adoption of a resolution that the Town action to adopt a new Local Law Number 1 of 2020 by enacting and adding a new Section 230-20 F. titled "Small Cell Wireless Deployment Requirements" as well as the approval of the proposed Design Standards and General Guidelines for Small Cell Wireless Telecommunication Facilities are Unlisted Actions for the purpose of SEQRA compliance. The proposed adoptions involve no permit granting authorities outside the Town. The proposed actions will not have a negative effect on the environment, and therefore do not require the preparation of Draft Environmental Impact Statements. Motion was seconded by Councilor Young.

Ayes -4 and Noes -1. *Motion carried*.

The Town Clerk called for a Roll Call vote and it went as follows:

Councilor Meaker - Aye Councilor Hall - Aye Councilor Young - Aye Supervisor Ulatowski- No

Councilor Pleskach - Aye

LOCAL LAW NO. 1 OF THE YEAR 2020 (A) - create new Chapter 230-20 F. titled 'Small Cell Wireless Deployment Requirements':

Councilor Meaker moved the adoption of a resolution **approving** the adoption of Local Law Number 1 of 2020 enacting and adding a new Section 230-20 F. to the Town Code titled "Small Cell Wireless Deployment Requirements" as proposed. Motion was seconded by Councilor Young.

Ayes -4 and Noes -1. Motion carried.

The Town Clerk called for a Roll Call vote and it went as follows:

Councilor Meaker - Aye Councilor Hall - Aye Councilor Young - Aye Supervisor Ulatowski- No

Councilor Pleskach - Aye

'Small Cell Wireless Deployment Requirements' (A) Design Standards and General Guidelines:

Councilor Meaker moved the adoption of a resolution approving and enacting Design Standards and General Guidelines for Small Cell Wireless Telecommunication Facilities in the Town of Clay as proposed. Motion was seconded by Councilor Young.

The Town Clerk called for a Roll Call vote and it went as follows:

Councilor Meaker - Aye Councilor Hall - Aye

Councilor Young - Aye Supervisor Ulatowski- No

Councilor Pleskach - Aye

<u>Special Permit (SEQR) - Town Board Case # 1145 - OMNI NAVITAS</u> HOLDINGS, LLC AND GEORGE YOUNG:

Councilor Meaker moved the adoption of a resolution that the application of **OMNI NAVITAS HOLDINGS, LLC AND GEORGE YOUNG FOR A UTILITY SUBSTATION SPECIAL PERMIT** pursuant to **Section 230-27 I. (2) (e)** to allow for a solar farm located at **9177 Caughdenoy Road, Tax Map No. 043.-01-01.0,** 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 Young.

Ayes -5 and Noes -0. *Motion carried*.

<u>Special Permit (D) – Town Board Case # 1145 – OMNI NAVITAS</u> HOLDINGS, LLC AND GEORGE YOUNG:

Councilor Meaker moved the adoption of a resolution (approving/denying) the application of **OMNI NAVITAS HOLDINGS**, **LLC AND GEORGE YOUNG FOR A UTILITY SUBSTATION SPECIAL PERMIT** pursuant to **Section 230-27 I**. (2) (e) to allow for a solar farm located at 9177 Caughdenoy Road, Tax Map No. 043.-01-01.0. Motion was seconded by Councilor Young.

Ayes -3 and Noes -2. *Motion failed*.

The Town Clerk called for a Roll Call vote and it went as follows:

Councilor Meaker - Aye Councilor Hall - No

Councilor Young - Aye Supervisor Ulatowski- No

Councilor Pleskach - Aye

<u>Special Permit (SEQR) - Town Board Case # 1146 - TJA CLEAN ENERGY</u> <u>FOR A UTILITY SUBSTATION SPECIAL PERMIT:</u>

Councilor Pleskach moved the adoption of a resolution that the application of **TJA CLEAN ENERGY FOR A UTILITY SUBSTATION SPECIAL PERMIT** pursuant to **Section 230-27 I. (2) (E)** to allow for a solar farm located at **4893**

Grange Road, Tax Map No. 063.-01-08.0, 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 Young.

Ayes -5 and Noes -0. *Motion carried*.

Special Permit (D) – Town Board Case # 1146 – TJA CLEAN ENERGY FOR A UTILITY SUBSTATION SPECIAL PERMIT:

Councilor Pleskach moved the adoption of a resolution **denying** the application of **TJA CLEAN ENERGY FOR A UTILITY SUBSTATION SPECIAL PERMIT** pursuant to **Section 230-27 I. (2) (E)** to allow for a solar farm located at **4893 Grange Road, Tax Map No. 063.-01-08.0.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

The Town Clerk called for a Roll Call vote and it went as follows:

Councilor Meaker - Aye Councilor Hall - Aye

Councilor Young - Aye Supervisor Ulatowski- Aye

Councilor Pleskach - Aye

<u>License Renewal - (PH) CASUAL ESTATES, LLC D/B/A MADISON</u> VILLAGE MOBILE HOME COURT:

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 **2020** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Speaking on behalf of the applicant was Rebekah Steele. Ms. Steele began by explaining that they have removed many of the Ash Borer Trees and are working on new plantings. They got a late start on paving but have made progress. Approximately 6 older mobile homes (from the 1970s-1980s) have been demolished and 10 new homes have been placed. They are planning on about 15 more in 2020. She continued that they are trying to improve the landscaping along Route 57 but some of the surrounding businesses have made it difficult. They were served with a cease and desist order for maintaining the lawn of an adjoining property owner.

Councilor Meaker asked about tractor trailers parked near the park. Ms. Steele explained that they are parking off the property and have an agreement with that owner.

Supervisor Ulatowski congratulated Ms. Steele for continuing to make improvements. There being no further questions or comments, he **closed** the public hearing.

<u>License Renewal - (A) CASUAL ESTATES, LLC D/B/A MADISON VILLAGE MOBILE HOME COURT:</u>

Councilor Meaker moved the adoption of a resolution **approving** the application of **CASUAL ESTATES, LLC D/B/A MADISON VILLAGE MOBILE HOME COURT** for the renewal of its license for the year **2020.** Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

Agreement - CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (Dog Control Services):

Councilor Hall moved the adoption of a resolution authorizing the Supervisor to enter into an agreement with **CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS** to provide Dog Control Services for the Town of Clay. This agreement shall be effective January 1, 2020 and terminate December 31, 2022; and further authorizes the Supervisor to execute the document therefore. Motion was seconded by Councilor Young.

Ayes -5 and Noes -0. *Motion carried*.

<u>Intermunicipal Agreement - Shared Services (Dog Control Services):</u>

Councilor Pleskach **RESOLVED**, the Town of Clay Board hereby approves continuation of a shared service agreement and a new Intermunicipal Agreement for the provision of Dog Control services (utilizing the Central New York Society for the Prevention of Cruelty to Animals) to the Town of Cicero by the Town of Clay. The proposed new IMA is for a three year period commencing January 1st, 2020 and ending December 31st, 2022. The cost contracted for services shall be \$15,000.00 for 2020, \$17,500.00 for 2021, and \$20,000.00 for 2022. The proposed Intermunicipal Agreement includes language specifically waiving any conflict of interest issue as a result of the fact Germain & Germain represents both the Town of Clay and the Town of Cicero, and this resolution also authorizes the Supervisor to execute the Agreement.

2019 ONONDAGA COUNTY MULTI- JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE.:

Councilor Young moved the adoption of a resolution that the Town Board of the Town of Clay authorizes the adoption of the **2019 ONONDAGA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**.

WHEREAS, all jurisdictions within Onondaga County have exposure to natural hazards that increase the risk to life, property, environment, and the county and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs, including the preparation of Hazard Mitigation Plans; and

WHEREAS, Onondaga County, with a Planning Partnership of Onondaga County municipalities, has gathered information and prepared the 2019 Onondaga County Multi-Jurisdictional Hazard Mitigation Plan Update (the "Plan"), in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Partnership has completed a planning process that has engaged the public with opportunity for input and public comment, assessed the risk and vulnerability to the impacts of natural hazards, developed a mitigation strategy consistent with a set of uniform goals and objectives, and created a plan for implementing, evaluating and revising this strategy; and

WHEREAS, the Town of Clay has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED that the Town of Clay adopts in its entirety, the 2019 Onondaga County Multi-

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Jurisdictional Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.

Motion was seconded by Councilor Hall.

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

Councilor Pleskach asked Legislator Rowley to send him a copy of the "Plan".

Adjournment:

The meeting was adjourned at 7:48 P.M. upon motion by Councilor Young and seconded by Councilor Hall.

Ayes -5 and Noes -0. *Motion carried*.

Jill Hageman-Clark RMC / Town Clerk