

APPROVED

At the ORGANIZATIONAL and REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the January 3, 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
- Mark V. Territo Commissioner of Planning and Development
- Robert Germain Town Attorney
- Ron DeTota Town Engineer

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Cody Kelly, Onondaga County Legislator.

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

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ORGANIZATIONAL MEETING JANUARY 3, 2022

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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 procedures 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 Bick.

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

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 Hess.

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

Supervisor Ulatowski moved the adoption of a resolution rescheduling the Monday, January 17, 2022 (Martin Luther King, Jr. Day) Town Board Meeting to Wednesday, January 19, 2022; rescheduling the Monday, September 5, 2022 (Labor Day) Town Board Meeting to Wednesday, September 7, 2022 and rescheduling the Monday, November 7, 2022 (Election Day - Tuesday, November 8th) Town Board Meeting to Wednesday, November 9, 2022. Motion was seconded by Councilor Hess.

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

Supervisor Ulatowski moved the adoption of a resolution cancelling the **July 4** and **August 1, 2022** Town Board Meetings. **NOTE: The Town Board will meet only July 18 and August 15, 2022.** . Motion was seconded by Councilor Meaker.

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

The Town Hall will be closed on the following Holidays in **2022**; Martin Luther King, Jr. Day - Monday, January 17th; Presidents’ Day - Monday, February 21st cancelling the Town Board Meeting; Good Friday – April 15th (Town Hall to close at 12:00 P.M., Highway at 11:00 A.M.); Memorial Day Weekend - Friday, May 27th and Monday, May 30th; Independence Day Monday, July 4th; Labor Day - Monday, September 5th; Election Day - Tuesday, November 8th; Veteran’s Day – Friday, November 11th (observed); Thanksgiving Day - Thursday, November 24th and Friday, November 25th; Christmas - Friday, December 23rd and Monday, December 26th. Motion was seconded by Councilor Hess.

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

GENERAL COMMITTEE appointment by the Supervisor:

Special Districts	Supervisor Ulatowski
Finance	Supervisor Ulatowski & Councilor Pleskach
Parks & Recreation	Councilor Meaker
Public Safety	Councilor Young
Highway & Public Works	Councilor Hess
Planning & Development	Councilor Magaro-Dolan & Councilor Meaker
Zoning Board of Appeals	Councilor Pleskach
Personnel	Supervisor Ulatowski & Councilor Bick
Industrial Development	Councilor Bick & Councilor Pleskach
Building	Councilor Bick
Recreation Facilities & Grants	
Special Committee	Councilor Bick & Councilor Magaro-Dolan
Liaison North Syracuse School District	Councilperson Bick
Liaison Liverpool School District	Councilor Magaro-Dolan

Councilor Meaker moved the adoption of a resolution that the annual salaries for the **Town Personnel** for the year **2022** be established as follows:

Supervisor	\$ 71,513.00
Deputy Supervisor	\$ 19,388.00
Councilors	\$ 16,971.00
Judges	\$ 48,475.00
Commissioner of Parks & Recreation	\$ 65,000.00
Commissioner of Finance	\$ 35,475.00
Commissioner of Planning & Development	\$ 91,339.00
Town Clerk	\$ 68,266.00
Receiver of Taxes	\$ 68,266.00
Assessor	\$ 93,445.00
Highway Superintendent	\$ 101,521.00
Water Superintendent	\$ 84,342.00

Motion was seconded by Councilor Young.

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

APPOINTMENTS:

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

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

Councilor Meaker moved the adoption of a resolution appointing the **Supervisor** as **Administrator of Special Districts**. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Meaker moved the adoption of a resolution approving the annual membership for the Town of Clay in the Association of Towns and payment of the annual dues in the amount of **\$ 1,650.00**. Motion was seconded by Councilor Hess.

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

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

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

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

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

Authorization – Check Signing:

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

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

Town Engineers:

Councilor Bick 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 Pleskach.

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

Councilor Bick moved the adoption of a resolution authorizing the **C & S Engineers, Inc.** 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 Hess.

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

Councilor Bick 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 Magaro-Dolan.

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

Town Attorneys:

Councilor Bick 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 Hess.

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

Councilor Bick moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the **Zoning Board of Appeals**, and to receive \$18,000.00 for the **Zoning Board of Appeals** work for the year **2022**. Motion was seconded by Councilor Pleskach.

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

Bank Designation:

Councilor Hess moved the adoption of a resolution designating the following as the official **2022 depository banks** for the Town of Clay: **M & T Bank; JP Morgan Chase Bank; Bank of America Bank.; Solvay Bank; KeyBank; NBT Bank; Pathfinder Bank and NY CLASS Bank** – pooled cash investment program (class), or successor. Motion was seconded by Councilor Meaker.

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

Newspaper Designation:

Councilor Hess moved the adoption of a resolution designating the **Syracuse Post Standard** as the official Town Newspaper for **2022** and designating the **Eagle Star Review** as an additional newspaper for the publication of legal notices. Motion was seconded by Councilor Magaro-Dolan.

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

Appointment – Town Officers:

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

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

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

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

Councilor Hess moved the adoption of a resolution appointing **Mark Teritto** as **Commissioner of Planning & Development** for a term of two (2) years. Motion was seconded by Councilor Magaro-Dolan.

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

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

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

Councilor Hess moved the adoption of a resolution appointing **James Muscatello** as **Commissioner of Recreation** for a term of two (2) years. Motion was seconded by Bick.

Ayes - 6 and Noes – 1. *Motion carried. Councilor Meaker opposed.*

Councilor Pleskach moved the adoption of a resolution appointing **Russ Mitchell** as **Chairman of the Planning Board** for the year **2022**. Motion was seconded by Councilor Meaker.

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

Councilor Pleskach moved the adoption of a resolution appointing **Michelle Borton** as a **Member of the Planning Board**. Said term to expire December 31, 2028. Motion was seconded by Councilor Bick.

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

Councilor Pleskach moved the adoption of a resolution appointing **Edward Wisnowski** as **Chairman of the Zoning Board of Appeals** for the year **2022**. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Pleskach moved the adoption of a resolution appointing **Karen Liebi** as a **Member of the Zoning Board of Appeals**. Said term to expire December 31, 2026. Motion was seconded by Councilor Hess.

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

Councilor Pleskach moved the adoption of a resolution appointing **Margaret Freeman** for a term of five (5) years as member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics. Said term to expire December 31, 2026. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Pleskach moved the adoption of a resolution appointing **Francis Fiorito** for a term of two (2) years as member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics to fill the unexpired term of Edward

Koolakian. Said term to expire December 31, 2023. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Meaker moved the adoption of a resolution appointing **Dorothy Heller** as **Town Historian** for the year **2022**. Motion was seconded by Councilor Pleskach.

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

Councilor Meaker moved the adoption of a resolution appointing **Judy Rios** and **Chelsea Clarks** as **Safety Committee Chairpersons** for the year **2022**. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Meaker moved the adoption of a resolution appointing **Mike McCarthy** as **Constable** for the year **2022**. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Meaker moved the adoption of a resolution appointing **Richard Helterline** as **Substitute Constable** for the year **2022**. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Meaker moved the adoption of a resolution appointing **Krissy Alpuerto** and **Holly Page** as **Deputy Town Clerks** for a term of two (2) years. Said term to expire December 31, 2024. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Meaker 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 which states no public officer listed in Section 11 shall be prohibited from accepting any fee or compensation having a value of one hundred dollars or less, whether in the form of money, property, services, or entertainment, for the solemnization of the marriage by such public officer at a time and place other than the public officer's normal public place of business and during normal hours of business. Said appointment expires **December 31, 2022**.

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REGULAR AGENDA – JANUARY 3, 2022

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Approval of Minutes:

Councilor Hess made a motion to approve the minutes of the December 20, 2021 meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that there were no cancellations or requests for adjournments.

Correspondence:

Janet Ward explained that she had submitted comments regarding the Local Law and was available if anyone had any questions regarding her comments.

MOBILE HOME LICENSE 2022 (CPH):

Councilor Hess moved the adoption to call a Public hearing for January 19, 2022, 7:35 p.m., 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 **2022**. Motion was seconded by Councilor Bick.

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

SPECIAL PERMIT (CPH) – TOWN BOARD CASE # 1170 – NELSON ASSOCIATES, LLC):

Councilor Hess moved the adoption to call a Public hearing for January 19, 2022, 7:38 p.m., to consider the application of **NELSON ASSOCIATES, LLC, FOR A SPECIAL PERMIT** pursuant to Section 230-16B.(2)(e)[4] to allow for an Automobile Body Shop on +/-3.8 acres of land, located at **3593 State Route 31, Tax Map Nos. 019.-02-22.2 and 019.-02-24.1**. Motion was seconded by Councilor Pleskach.

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

Local Law No. 1 of the Year 2022(formerly Local Law No. 1 of the year 2021(adding a new chapter) SOLAR ENERGY SYSTEMS (SEQR):

Councilor Young moved the adoption of a resolution that proposed **LOCAL LAW No. 1** of the year **2022**, is an unlisted action for the purpose of SEQRA compliance. The proposed law 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 – 7 and Noes – 0. *Motion carried.*

Local Law No. 1 of the Year 2022(formerly Local Law No. 1 of the year 2021(adding a new chapter) SOLAR ENERGY SYSTEMS (A):

Councilor Young moved the adoption of a resolution **approving LOCAL LAW NO. 1** of the year **2021**, enacting a new Town Code section titled Solar Energy Systems.

Motion was seconded by Councilor Meaker.

A roll call vote went as follows:

Councilor Magaro-Dolan – Aye
Councilor Young – Aye
Councilor Bick – No
Councilor Pleskach – No

Councilor Meaker – Aye
Supervisor Ulatowski – Aye
Hess – Aye

Ayes – 5 and Noes – 2. *Motion carried.*

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

Councilor Magaro-Dolan moved the adoption of a resolution authorizing the Supervisor to enter into a contractual 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, 2022 and terminate December 31, 2022; and further authorizes the Supervisor to execute the document therefore. Motion was seconded by Councilor Meaker.

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

Intermunicipal Agreement – Shared Services (Dog Control Services):

Councilor Magaro-Dolan moved the adoption of the following resolution; seconded by Councilor Meaker.

RESOLVED, the Town of Clay Board hereby approves continuation of an Intermunicipal arrangement 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 IMA is for a three-year period, which commenced

on January 1, 2020 and ends December 31, 2022. The cost of contracted services shall be \$15,000.00 for 2020, \$17,500.00 for 2021, and \$20,000.00 for 2022. The 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 this continual Agreement.

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

Board of Ethics (schedule and responsibility):

Councilor Young moved the adoption of a resolution approving that the Board of Ethics will meet at least once annually, and require the Chairman to provide a full in-person report to the Town Board at or immediately after the annual Organization Meeting of the Town. The Town Board will review all financial disclosure forms for completeness and shall have access to the inquiry procedure. A list of active Town vendors will also be supplied to the Board of Ethics annually for conflict screening review and maintained by the Board for consultation on a case-by-case basis. Motion was seconded by Councilor Magaro-Dolan.

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

Adjournment:

The meeting was adjourned at 7:58 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