

APPROVED1

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 4th of October, 2021 at 7:30 P.M., there were:

PRESENT:

Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Eugene Young	Councilor
Brian Hall	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney

ABSENT:

Damian Ulatowski	Supervisor
Ron DeTota	Town Engineer

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman and John Shehadi, Town Comptroller.

The meeting was called to order by Deputy Supervisor Bick 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 20, 2021 Town Board meeting. Motion was seconded by Councilor Hall.

Ayes – 6 and Noes – 0. *Motion carried. Deputy Supervisor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

None.

Correspondence:

There was no correspondence.

REGULAR MEETING:

Town Clerk presents the **2022 TOWN OF CLAY TENTATIVE BUDGET** to the Town Board Members pursuant to Town Law.

Deputy Supervisor read the following Budget Message:

TOWN OF CLAY 2022 BUDGET MESSAGE

The Tentative Budget for general and highway purposes totals \$16.8 million. As proposed, the tax rate for Town residents remains the same for the second consecutive year. Total spending is \$300,000 greater or .19% over the adopted budget for 2021. The increase includes necessary additions to contractual expenditures as well as employee salaries, wages & benefits.

The budget funds several Town maintenance projects which total \$117,000; \$20,000 is for the Highway Pole Barn roof, \$20,000 for siding at the Senior Center, \$77,000 for Improvements to Clay Park Central, Clay Park South and Meltzer Park.

The Town is continuing its effort to provide preventative road repair as a much less costly method for maintaining roads rather than waiting until costly reconstruction of the road surface is required. The 2022 budget includes a total appropriation for paving of \$2,300,000 which is targeted to keep on schedule with road maintenance as determined by the Cornell Road Condition Survey.

In 2019 the Town's Water Department embarked on a major project to install radio read capability for every water meter in the Uniform Water District at a cost of \$876,000 all of which was paid for with available funds of the Water District. This project is expected to continue through 2021 and 2022. The new meters are giving the Water Department the ability to more efficiently capture consumption thus providing additional revenue. Installation is being performed by Water Department employees to minimize the overall cost.

The Town has been and will continue to be proactive in securing grant funding for various projects totaling more than \$4.6 Million dollars. Here are some of the projects for which grants have been applied for and/or secured during the last several years:

- Highway Street Sweeper: \$200,000 (DASNY)
- Three Rivers Point – Gazebos and Portable Restroom Trailer: \$70,000 (DASNY)
- All-inclusive Playground: \$75,000 (DASNY)
- Clean Vehicle –\$5,000 (NYSDEC)
- Greenhouse & Solar Array System: \$50,000 (DASNY)
- Memorial Park: \$50,000 (DASNY)
- Clay Park Restroom: \$75,000 (DASNY)
- Education Center: \$125,000 (DASNY)
- Brownfield Environmental Restoration Program: \$2.9 million (NYSDEC)
- Wellness Grant (providing wellness opportunities for staff) - \$400/annually (PERMA)

- LED Lighting Town-wide Switchover: \$300,000 provided by NYSERDA's CEC (Clean Energy Communities Program). The Town was named a Clean Energy Community by the State of NY for completing four (4) High Impact Actions: (1) Created a Unified Solar Permit (2) Clean Energy Upgrades (3) Completed Energy Code Enforcement Training (4) Installation of a Clean Fleet Charging Station.
 - Gaskin Road Repair Project: \$600,000 (Onondaga County)
 - Three Rivers BOA Grant: \$220,900 (NYSDEC)
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We strive to provide the best possible delivery of services to our residents at the least possible cost.

LOCAL LAW No. 3 of the YEAR 2020 (extension)(A) – SEQR:

Councilor Young moved the adoption of a resolution that the proposed six (6) month extension to **LOCAL LAW NO. 3 OF THE YEAR 2020** is an unlisted action for the purpose of SEQRA compliance. The proposed extension will not have a significant effect on the environment, and therefore does not require the preparation of an EIS. Motion was seconded by Councilor Hess.

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

LOCAL LAW No. 3 of the YEAR 2020 (extension)(A) – SEQR:

Councilor moved the adoption of a resolution **approving** a six (6) month extension to **LOCAL LAW NO. 3 OF THE YEAR 2020**. The purpose of said law is to provide an extension of the temporary moratorium against the consideration of any and all applications for solar utility substations, building permits, and other development for as yet unpermitted commercial solar energy related requests to allow time for the Town Board to further investigate and study issues related to the development of the Town's commercial solar policy, and for the receipt and implementation of formal recommendations for corresponding changes to the Town Code, laws, rules or policy. This law does not apply to existing permitted uses, nor does it apply to individual residential solar installations, and industrial zoned parcels. Motion was seconded by Councilor Meaker.

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

LOCAL LAW No. 1 of the YEAR 2021 (CPH):

Councilor Hall moved the adoption of a resolution calling a public hearing **October 18, 2021**, commencing at **7:35 p.m.**, local time to consider adding a proposed Local Law to be entitled “**LOCAL LAW NO. 1 OF THE YEAR 2021 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**” to the code of the Town of Clay. Motion was seconded by Councilor Meaker.

Deputy Supervisor Bick explained that this is standard precautionary measure. He continued that this is the Towns practice and is rescinded if the Town of Clay approves a budget below the Governors 2% tax cap which has been the case since the cap was enacted.

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

Appointment (A) - CLAY VOLUNTEER FIRE DEPARTMENT, INC:

Councilor Young moved the adoption of a resolution approving the appointment of **MISTY BARDEN** as a member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Hall.

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

ADDITIONAL AGENDA

Councilor Meaker moved the adoption of a resolution authorizing and approving the settlement of the New York State Supreme Court Tax Certiorari actions entitled **Sir Properties Trust v. The Assessor of the Town of Clay et. al (Index No. 004111/2020) and 8687 Carling Road, LLC v. the Board of Assessors and the Board of Assessment review of the Town of Clay and the Town of Clay (Index No. 006444/2021)** concerning Tax Map No. 021.-01-06.5 for property located at 8687 Carling Road in Clay (Bryant and Stratton) by reducing the assessment for 2020 from \$147,000 to \$59,250 (FMV 1,500,000) for the year 2020, and reducing the assessment for 2021 and forward to \$36,700 (FMV 1,000,000). The proposed settlement includes payment of refunds due based upon a fair market value of 1,500,000 for 2020 for the Sir Properties Trust matter in an amount not to exceed \$6,500.00 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 and Consent Order. This resolution also authorizes the Supervisor and Town Attorney to execute any and all documents necessary to complete this matter and for the Town to pay the proportionate share of legal

expenses associated with obtaining a professional appraisal. Motion was seconded by Councilor Pleskach.

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

Adjournment:

The meeting was adjourned at 7:40 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