

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 9th of November, 2016 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

William C. Weaver	Councilor
David Hess	Councilor

OTHERS PRESENT:

Karen Guinup; Chairwoman, Russ Mitchell, Hal Henty, Allen Kovac, Michelle Borton & James Palumbo ; Members of the Planning Board, Gloria Wetmore; Secretary to the Planning Board, Scott Chatfield; Attorney for the Planning Board & Dorothy Heller; Town Historian.

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 Rowley made a motion to approve the minutes of the October 17th, 2016 meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that item number 14 on the agenda would not be heard as it was withdrawn at the previous meeting.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

No one responded.

REGULAR MEETING

Supervisor Ulatowski said that he would open the next three public hearings together.

2017 Special Districts Budget for the Town of Clay (PH):

A public hearing to consider the adoption of the proposed **2017 Special Districts Budget for the Town of Clay** and

2017 Fire Protection Budget for the Town of Clay (PH).

A public hearing to consider the adoption of the proposed **2017 Fire Protection Budget for the Town of Clay** and

2017 Uniform Water Budget for the Town of Clay(PH):

A public hearing to consider the adoption of the proposed **2017 Uniform Water Budget for the Town of Clay** were all opened by the Supervisor.

John Shehadi, Comptroller for the Town of Clay gave a brief overview of the proposed Special Districts, Fire and Water budgets. He explained that the Special Districts encompasses drainage, sewer, water, lighting and trash and is status quo. The Fire Districts are comprised of five (5) fire protection districts and they have once again submitted a lean budget. He closed by saying that the Town of Clay has once again worked diligently to provide a budget below the Governors 2% Tax Cap despite ever increasing costs for benefits and cost of living.

Supervisor Ulatowski asked if there were any questions or comments; hearing none he **closed** the public hearings.

2017 TOWN OF CLAY PRELIMINARY BUDGET as the ANNUAL BUDGET (PH):

A Public hearing to consider the adoption of the proposed **2017 Preliminary Budget for the Town of Clay**, as the annual budget was opened by the Supervisor. Supervisor Ulatowski read the (attached) 2017 BUDGET MESSAGE.

Paul Strail asked if the tax base in the Town of Clay is expanding. Supervisor Ulatowski agreed that the tax base is growing but requires new infrastructure; adding that it is becoming increasingly difficult to stay below the tax cap. He added

that the checks that residents should be receiving are because the Town has stayed below the cap. There being no more questions or comments, the Supervisor **closed** the public hearing.

Zone Change (PH) – Town Board Case # 1103 - DANIEL BURROWS:

A public hearing to consider the application of **DANIEL BURROWS FOR A ZONE CHANGE** from **O-2 Office** to **NC-1 Neighborhood Commercial** to allow for a café in addition to the antique shop on land located at **7468 Oswego Rd., Tax Map No. 094.-21-01.0**; consisting of 1.9 acres of land was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Tim Frateschi, attorney for the applicant explained that the applicant is seeking a change of zone to allow for a small café in the existing antique shop. The shop is located in a 5700 sq' barn located on Laurel Lane. The parcel is zoned O-2 (office) and is legal non-conforming; the approval of the zone change would make the business conforming as well as allowing for the proposed modest café as an accessory use. The applicant does not plan to prepare food but to sell packaged food and coffee. The café would follow the same hours of operation as the antique shop. They are not proposing a separate entrance.

Councilor Young asked if the applicant was going to expand and they are not planning to. He suggested that if the applicant were to obtain the zone change they would be able to demo and build a larger building. Councilor Rowley asked the Commissioner how large a building they could build. Commissioner Territo said that they could build up to 5,000 square feet and 15,000 square feet with a special permit on this 2 acre ± parcel. Councilor Bray asked if there was another way to allow for the café without changing the zone. Commissioner Territo explained that the café would be an accessory use in the NC-1.

Joyce Cerrito of Bayberry Circle stated that the Bayberry Community is not in favor of this zone change. She added that 6 homes on Bayberry Circle and 7-8 homes on Jay Path would be directly impacted by this. June Baycura supported Ms. Cerrito adding that they had decided no new retail on Route 57. She continued that once the NC-1 zone change is granted there is no guarantee of what will go into that parcel. Ms. Baycura continued that traffic exiting Laurel Lane onto Route 57 is dangerous especially those turning left.

Paul Strail asked if a café could be allowed without changing the zone. Councilor Young asked the Commissioner why a café could not be a secondary use in the office zone. Commissioner Territo explained that the Antique Shop in an O-2 is already a non-conforming use and adding a secondary use would be not be allowed. Councilor Young asked legal counsel for his interpretation. Mr Germain agreed with Commissioner Territo, explaining that the zone change is a cleaner way of allowing the café than to add a secondary non-conforming use.

Councilor Bick made a motion to **adjourn** the public hearing to **November 21, 2016** at **7:38 P.M.** Motion was seconded by Councilor Rowley.

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

Special Permit (PH) Town Board Case # 1102 - MCDONALDS USA, LLC AND WEGMANS FOOD MARKETS, INC.:

A public hearing to consider the application of **MCDONALDS USA, LLC AND WEGMANS FOOD MARKETS, INC. FOR A SPECIAL PERMIT** to allow for a drive thru for a proposed McDonalds Restaurant on land located at **4979 Taft Rd., Tax Map No. 107.-20-01.1**; consisting of 19.99 acres of land was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Steve Wilson of Bohler Engineering began by explaining that the applicant is proposing a 4400 square foot McDonald's restaurant to be constructed at the south east corner of the existing Wegmans parking lot. The restaurant will have 66 seats, 67 parking spaces and a side by side drive thru. The applicant will lease the space from Wegmans. There will be no change to the entrances to the parking lot from Taft Road and Cedarpost Road.

There was a discussion about the traffic flow and the number of entrances to the McDonalds from the parking lot, the applicant is showing four entrances and the traffic will circulate around the building.

Councilor Rowley asked about traffic exiting the parking lot and if the applicant plans on conducting a traffic study as required in the Onondaga County Planning Boards comments. He added that the nearby intersection of Taft and Buckley Roads is one of the worst in the town.

Many residents were present to comment on this application. Most were concerned with the traffic; some complained about the additional noise, smells and garbage

that would be generated as a result of the approval of this application. One resident asked about the hours of operation and Mr. Wilson said that he believed that the hours would be from 5 AM until Midnight. The resident asked for a guarantee that this would not be a 24 hour business. Supervisor Ulatowski asked if there would be a free standing sign. Mr. Wilson said that the applicant is proposing a 20' tall 5' by 5' free standing illuminated sign.

There was more discussion about the traffic and the impact on the intersection of Cedarpost and Taft Roads which is un signaled. Supervisor Ulatowski reminded the applicant that a traffic study would need to be conducted. Councilor Bick made a motion to **adjourn** the public hearing to **December 5, 2016 at 7:35 P.M.** and refer the applicant to the Planning Board for review and recommendation. Motion was seconded by Councilor Rowley.

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

Supervisor Ulatowski asked legal counsel if he could open the next two items together. Legal counsel said that he could.

ZONE CHANGE (PH/Adj.) – Town Board Case # 1100 - JAMES DONEGAN (NYS Route 31):

A public hearing to consider the application of **JAMES DONEGAN FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **NC-1 Neighborhood Commercial** to allow for neighborhood commercial use located on **State Route 31, Tax Map No. 020.-01-05.4**; consisting of approximately 1.07± acres of land. (Adjourned to this date and time from the October 3, 2016 Town Board Meeting).

ZONE CHANGE (PH/Adj.) – Town Board Case # 1101 - JAMES DONEGAN (NYS Route 31):

A public hearing to consider the application of **JAMES DONEGAN FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **NC-1 Neighborhood Commercial** to allow for neighborhood commercial use located on **State Route 31, Tax Map No. 020.-01-14.5**. (Adjourned to this date and time from the October 3, 2016 Town Board Meeting).

Brian Sinsabaugh, attorney for the applicant began by explaining where the parcels are located (across from the new Davidson Ford) on Route 31 near the intersection of Route 57. He continued that they are looking to offer small retail on both parcels

and that no variances would be required. He said that there are wetlands to the north east outside of the parcel. Supervisor Ulatowski asked if there would be adequate space for parking. Mr Sensaba assured him that there would be, adding that the applicant is looking to attract a small business such as a cell phone store that would not generate a lot of traffic. Supervisor Ulatowski asked if the applicant would consider right in and right out only.

There was a discussion about the setbacks. Commissioner Territo explained that the parcels would be subject to the highway overlay which requires that the building be constructed not less than 165' from the center highway line.

Supervisor Ulatowski said that he would **close** both public hearings.

Local Law No. 8 of the YEAR 2016 (PH):

Withdrawn October 17, 2016

R-16-196 2017 Special Districts Budget for the Town of Clay (A).

Councilor Young moved the adoption of a resolution approving and adopting the proposed **2017 Special Districts Budget for the Town of Clay**. Motion was seconded by Councilor Bick.

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

R-16-197 2017 Fire Protection Budget for the Town of Clay (A).

Councilor Young moved the adoption of a resolution approving and adopting the proposed **2017 Fire Protection Budget for the Town of Clay**. Motion was seconded by Councilor Bray.

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

R-16-198 2017 Uniform Water Budget for the Town of Clay(A):

Councilor Young moved the adoption of a resolution approving and adopting the proposed **2017 Uniform Water Budget for the Town of Clay**. Motion was seconded by Councilor Bray.

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

R-16-199 PRELIMINARY BUDGET 2017 as the TOWN OF CLAY 2017 BUDGET (A):

Councilor Young moved the adoption of a resolution approving and adopting the **PRELIMINARY BUDGET** as (proposed or modified), for the Town of Clay for the year **2017** as the **TOWN OF CLAY BUDGET** for the fiscal year commencing January 1, 2017. Motion was seconded by Councilor Bick.

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

R-16-200 Traffic & Vehicles – (Stop Signs) (CPH)- New Hope and New Hope North:

Councilor Bick moved the adoption of a resolution calling a public hearing **November 21, 2016**, commencing at **7:35 P.M.**, local time to consider the amendment of **CHAPTER 211, TRAFFIC AND VEHICLES ORDINANCE** of the Code of the Town of Clay, **SECTION 211-12 “STOP INTERSECTIONS,” SCHEDULE IX (§211-42)**, of the Town of Clay Municipal Code to designate and provide for **THREE (3) STOP SIGNS** to be installed at the intersection of New Hope and New Hope North to make a three-way stop; and the installation of the necessary signs therefore. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:12 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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

Jill Hageman-Clark RMC / Town Clerk

TOWN OF CLAY 2017 BUDGET MESSAGE – NOVEMBER 9, 2016

The Preliminary budget for General and Highway purposes is \$14,418,382. This represent an increase of \$469,897, or 3.26% over the adopted budget for 2016.

Employee salaries & wages represent \$158,639 of the increase. Other increases are \$200,000 more for paving, a dog control van for \$29,000, park maintenance equipment for \$48,000 and \$56,000 for highway pick ups. \$25,000 is budgeted for HVAC improvements to the Highway Garage. There is also \$20,000 for a new roof and windows for the Senior Center that the Clay Fire Company is giving to the Town next year.

The price for salt at \$48.81 per ton will remain the same and the price of asphalt is dropping from \$51.88 per ton to \$45.26 per ton. The cost for health insurance premiums is also expected to drop. Although the premiums for employees represented by bargaining units will cost an additional 5%, there are savings expected from a change in coverage to a comparable plan for non represented employees and retirees.

The Town completed a Road Condition Survey which was created by Cornell University. They found that early preventative maintenance is a much less costly method to maintaining roads rather than wait until costly reconstruction of the road surface is required. The additional \$200,000 budgeted for paving is to avoid costly reconstruction and provide the public with adequate driving conditions.

For a homeowner of a \$100,000 house located outside of the Village of North Syracuse, the tax impact is estimated to be \$0.71, an increase of .26%. Village residents that reside within the Town would see a decrease of \$1.28 for the year.

We continually strive to provide the best possible delivery of services to our residents at the least possible cost.