

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 3rd of February, 2014 at 7:30 P.M., there were:

**PRESENT:**

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

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 Edick moved the adoption of a resolution to **Approve** the Minutes of the January 22<sup>nd</sup>, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

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

**Cancellation and/or requested adjournments.**

Supervisor Ulatowski said that item #8 on the agenda, the Special Permit for Plus Real Estate, LLC, will be adjourned at the request of the applicant. Councilor Bray made a motion to **adjourn** the public hearing to **March 3<sup>rd</sup> 2014 at 7:44 P.M.** Motion was seconded by Councilor Edick.

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

**Correspondence:**

Supervisor Ulatowski said that the bid for the phone system will not be opened at the County as previously stated, but at the Town Hall.

**Regular Meeting:**

**Special Permit (SEQR) – Town Board Case # 1055 FASTRAC MARKETS:**

Councilor Rowley moved the adoption of a resolution that the application of **FASTRAC MARKETS and MOYERS CORNERS ROUTE 57, LLC FOR A SPECIAL PERMIT pursuant to Section 230.16 D. (2)(e)[1] of the Town Code**, located at **8467 Oswego Road, Tax Map No. 019.-02-23.1**; to allow for an addition of a Drive-Thru Service and facade improvements to the existing Fastrac Market, 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 Bick.

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

**Special Permit (A) – Town Board Case # 1055 FASTRAC MARKETS:**

Councilor Rowley moved the adoption of a resolution approving the application of **FASTRAC MARKETS and MOYERS CORNERS ROUTE 57, LLC FOR A SPECIAL PERMIT pursuant to Section 230.16 D. (2)(e)[1] of the Town Code**, located at **8467 Oswego Road, Tax Map No. 019.-02-23.1**; to allow for an addition of a Drive-Thru Service and facade improvements to the existing Fastrac Market. **This special permit expires upon the transfer of the property.** Motion was seconded by Councilor Bick.

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

**Special Permit (PH) – Town Board Case #1056 PLUS REAL ESTATE, LLC:**

Adjourned to March 3<sup>rd</sup> 2014 at 7:44 P.M.

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

A public hearing to consider the application of **CASUAL ESTATES MOBILE HOME COURT**, for the renewal of its license for the year **2014**. (Adjourned to this date and time from the January 22, 2014 Town Board Meeting) was opened by the Supervisor; proof of publishing and posting was furnished by the Town Clerk.

Joseph Carbone was present for the applicant. Mr. Carbone began by explaining that RIT Properties had purchased the Park in April of 2013 and it has been a smooth transition. He continued that They have been in business since 1988 as owners and operators of manufactured homes.

Supervisor Ulatowski asked if they have a manager on site. Mr. Carbone said that Rebekah Zajack is the onsite manager for the park. The Supervisor continued that

the Town has not received the application fee yet. Mr. Carbone said that it will be forthcoming. The Supervisor continued that the Planning Department has done an inspection and the existence of a burned out unit is problematic for the issuance of the license. Mr. Carbone said that the trailer is owned by a mortgage company and that is holding up the removal of the unit. Supervisor Ulatowski said that the license will not be issued until the burned unit is removed and the application fee is submitted to the town; he then thanked Mr. Carbone for coming to the meeting to update the Town Board on the park.

Councilor Edick suggested that the applicant contact the Planning and Development department for documentation for the Mortgage companies' insurance company adding that the applicant should make them aware that the unit will hold up the issuance of the Mobile Home License.

Joyce Cirrito added that the previous owners had said that they would add a buffer of trees to the Route 57 side of the park. The Supervisor agreed adding that the applicant should work on this. He told the Commissioner of Planning and Development to keep the dialogue open with the applicant.

**Street Lights(5) (A) Red Barn Acres Subdivision:**

Councilor Young moved the adoption of a resolution authorizing the installation of five (5) 100 watt high pressure fixtures on fourteen (14') foot fiberglass embedded poles using 100 watt fixtures to help illuminate the **Red Barn Acres Subdivision**. The estimated annual cost for these underground lighting fixtures is **\$1,575.45**. In addition, a 250 watt HPS light will be placed over Buckley Road at the intersection of Hyland Drive to help illuminate this soon to be 4-way intersection. The estimated annual cost for the overhead light is **\$241.48**. Motion was seconded by Councilor Weaver.

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

**Project/ Securities (posting) - MAPLE PARK SUBDIVISION:**

Councilor Edick moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer, drainage, and lighting facilities located within **MAPLE PARK SUBDIVISION**, (Maple Park Sewer District, Contract No. 1, Maple Park Drainage District, Contract No. 1, Maple Park Lighting District, Contract No.1) and the construction of said facilities having been completed in accordance with the Plans and Specifications thereof; The Town Engineers having certified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of January 31, 2014: **Overland Drainage Facilities - \$20,000.00; Maintenance Guarantee - \$12,000** (\$7,000.00 Sewer and \$5,000.00 Drainage); **Highway - \$32,312.00;**

**Monument Deposit - \$1,800.00; Parkland Contributions - \$9,500.00; Future Engineering/Inspection Fees - \$8,000.00; \$1,000.00 for legal and \$500.00 for administrative fees**, and any other unpaid fees that may be owed by the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **JMG, INC.**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

**Project/ Easement - MAPLE PARK SUBDIVISION:**

Councilor Bray moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **MAPLE PARK SUBDIVISION**, (Maple Park Sewer District, Contract No. 1, and Maple Park Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **February 14, 2013**. Motion was seconded by Councilor Weaver.

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

**Project / Warranty, Deed etc - MAPLE PARK SUBDIVISION:**

Councilor Rowley moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **MAPLE PARK SUBDIVISION**; from **JMG, INC.**, (Greenberry Drive having Permeable Shoulders). Motion was seconded by Councilor Edick.

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

**ONONDAGA COUNTY COMMUNITY DEVELOPMENT FUNDS – 2014 (CPH):**

Councilor Bick moved the adoption of a resolution calling a public hearing **March 3, 2014**, commencing at **7:35 P.M.**, local time, to solicit from Town of Clay residents their comments and input regarding the use of funds by the Town of Clay with respect to the applications for funding filed with the **ONONDAGA COUNTY COMMUNITY DEVELOPMENT** for the year **2014**. Motion was seconded by Councilor Edick.

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

**ZONE CHANGE (CPH) – Town Board Case # 1057 - 3910 BREWERTON ROAD, L.P.:**

Councilor Weaver moved the adoption of a resolution calling a public hearing **March 3, 2014**, commencing at **7:41 P.M.**, local time, to consider the application of **3910 BREWERTON ROAD, L.P.** for a **ZONE CHANGE** from **LuC-1** Limited Use for Gasoline Services to **NC-1** Neighborhood Commercial **to allow for Retail use in an existing plaza at 3910 Brewerton Rd, Tax Map No. 118.-01-06.1.** Motion was seconded by Councilor Bray.

**Appointment – Deputy Town Clerk:**

Councilor Weaver moved the adoption of a resolution appointing Kristine Alpuerto as **Deputy Town Clerk** for a term of two (2) years to fill the unexpired term of Patricia Coates. Said term to expire **December 31, 2015.** Motion was seconded by Councilor Edick.

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

**Adjournment:**

The meeting was adjourned at 7:49 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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