

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the March 7, 2022 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/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
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

David Hess	Councilor
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OTHERS PRESENT:

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

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 Bick made a motion to approve the minutes of the February 7, 2022 Town Board meeting. Motion was seconded by Councilor Pleskach.

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

Cancellation and/or requested adjournments.

None

Correspondence:

There was no correspondence.

REGULAR MEETING:

Special Permit (SEQR) - Town Board Case# 1169 - CLASSY CHASSY/KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Meaker moved the adoption of a resolution that the application of **CLASSY CHASSY/KIMBROOK ROUTE 31 DEVELOPMENT, LLC. FOR A SPECIAL PERMIT** pursuant to Section 230-16C. (2)(e)[3] to allow for an Automobile Car Wash on ±1.50 acres of land, located at **3610 NYS Route 31, Tax Map No. 052.-02-11.6.**, 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 Pleskach.

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

Special Permit (A) - Town Board Case# 1169 - CLASSY CHASSY/KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Meaker moved the adoption of a resolution **approving** the application of **CLASSY CHASSY/KIMBROOK ROUTE 31 DEVELOPMENT, LLC., FOR A SPECIAL PERMIT** pursuant to Section 230-16C.(2)(e)[3] to allow for an Automobile Car Wash on ±1.50 acres of land, located at **3610 NYS Route 31, Tax Map No. 052.-02-11.6.** Motion was seconded by Councilor Magaro-Dolan.

The Supervisor called for a roll call vote and it went as follows:

Councilor Magaro-Dolan – Aye	Councilor Meaker - Aye
Councilor Young – Aye	Supervisor Ulatowski – Aye
Councilor Bick – Aye	Councilor Pleskach – No

Ayes – 5 and Noes – 1. *Motion carried.*

Local Law No. 1 of the Year 2022 (amendment) SOLAR ENERGY SYSTEMS (PH):

Councilor Young moved the adoption of a resolution amending **Local Law No. 1** of the year **2022** - Section 230-20-H titled “**Solar Energy Systems**” to delete paragraph “K” titled “Agricultural Resources” inadvertently included in the initial draft of the proposed law and published on the Town Website. The language contained in paragraph “K” conflicts with the language in the remainder of the Local Law and should be removed for clarification. Motion was seconded by Councilor Meaker.

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

Agreement (A) - COUNTY OF ONONDAGA:

Councilor Bick moved the adoption of a resolution approving a contract between the Town of Clay and the **COUNTY OF ONONDAGA** (Onondaga County Development Division) for \$159,627.00 in funding for the Main Street Beautification Revitalization Grant for a term from December 1, 2022 through December 31, 2023, and further authorizing the Supervisor to execute the same. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Bick interjected that the Highway Department was instrumental in helping the Girl Scouts to distribute 25 pallets of Girls Scout Cookies from the storage garage down the road. He concluded that it was a great experience!

Agreement (A) PILOT – Morgan Road East Solar, LLC & Town of Clay:

Councilor Bick moved the adoption of a resolution approving two (2) payments in lieu of tax agreements between Morgan Road Solar East, LLC and the Town of Clay for properties located at 4471 Waterhouse Road (Tax Map No. 070.-01-07.1/1) and 4521 Waterhouse Road (Tax Map No. 070.-01-07.1/2). The agreements call for the developer to make payments to the Town of Clay based upon a formula in accordance with the size of the proposed solar developments to be located on the properties. A copy of the proposed agreement has been provided to the Supervisor and Board members, and the payment calculation has been approved by the Town Assessor. This resolution also authorizes the Supervisor to execute the documents. Motion was seconded by Councilor Pleskach.

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

Agreement (A) – JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING AND SENIOR CENTER:

Councilor Meaker moved the adoption of a resolution authorizing the Supervisor to execute an agreement with **JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING AND SENIOR CENTER** with - Oswego Industries for Two Thousand Seven Hundred Seventy and 63/100 (\$2,770.63) Dollars to be billed on a monthly basis under the same terms and conditions for a term of four (4) months, commencing March 1, 2022 and terminating June 30, 2022. The agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Magaro-Dolan.

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

Agreement (A) – JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY HIGHWAY DEPARTMENT:

Councilor Meaker moved the adoption of a resolution authorizing the Supervisor to execute an agreement with **JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY HIGHWAY DEPARTMENT** with Oswego Industries for Two Thousand Three Hundred Fourteen and 05/100 (\$2,314.05) Dollars to be billed on a monthly basis under the same terms and conditions for a term of four (4) months, commencing March 1, 2022 and terminating June 30, 2022. The agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Magaro-Dolan.

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

Authorization - Town of Clay’s Public Employer Mandatory Health Emergency Plan:

Councilor Bick moved the adoption of a resolution allowing the Supervisor to reauthorize the **Town of Clay’s Public Employer Mandatory Health Emergency Plan**. This law was signed by the Governor on September 7, 2020 and requires public employers to create plans to protect employees and contractors in the event of another public health emergency declaration in NYS. The Town of Clay’s plan has been developed in accordance with NYS legislation S8617B/A10832 and approved by Teamster’s Local 317 on February 2, 2021. Motion was seconded by Councilor Meaker.

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

Purchase/Highway - ONE (1) 2023 WESTERN STAR 47X CUMMINS X12 500HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY:

Councilor Pleskach moved the adoption of a resolution approving the purchase of **ONE (1) 2023 WESTERN STAR 47X CUMMINS X12 500HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Seventy-Seven Thousand, Two Hundred and Eighty-Six Dollars and 00/100 (**\$277,286.00**), under **ONONDAGA COUNTY TRUCK BID #8996**. Motion was seconded by Councilor Bick.

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

Bond Resolution/Purchase/Highway - ONE (1) 2023 WESTERN STAR 47X CUMMINS X12 500HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY:

Councilor Pleskach moved the adoption of a **BOND RESOLUTION** in the amount of **\$277,286.00** for the purchase of **ONE (1) 2022 WESTERN STAR 47X CUMMINS X12 500HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Bick.

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

Purchase/Highway - ONE (1) 2023 WESTERN STAR 47X DD13 505HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY:

Councilor Pleskach moved the adoption of a resolution approving the purchase of **ONE (1) 2023 WESTERN STAR 47X DD13 505HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Eighty Thousand, Eight Hundred and Seventy-Two Dollars and 00/100 (**\$280,872.00**), under **ONONDAGA COUNTY TRUCK BID #8996**. Motion was seconded by Councilor Magaro-Dolan.

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

Bond Resolution/Purchase/Highway - ONE (1) 2023 WESTERN STAR 47X DD13 505HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY:

Councilor Pleskach moved the adoption of a **BOND RESOLUTION** in the amount of **\$280,872.00** for the purchase of **ONE (1) 2023 WESTERN STAR 47X DD13 505HP TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Bick.

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

Purchase/Highway - ONE (1) 2022 FORD F-150 V-6 TRUCK, ONE (1) 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCK and (2) TWO 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCKS:

Councilor Pleskach moved the adoption of a resolution approving the purchase of **ONE (1) 2022 FORD F-150 V-6 TRUCK** for a sum not to exceed Forty-Seven Thousand, Five Hundred and Ninety Dollars and 00/100 (**\$47,590.00**); **ONE (1) 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCK** for a sum not

to exceed **\$65,000.00**; and **(2) TWO 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCKS** for a sum not to exceed **\$91,342.00**. Motion was seconded by Councilor Bick.

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

Bond Resolution/Purchase/Highway - ONE (1) 2022 FORD F-150 V-6 TRUCK, ONE (1) 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCK and (2) TWO 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCKS:

Councilor Pleskach moved the adoption of a **BOND RESOLUTION** in the amount not to exceed **\$203,932.00**, for the purchase of **ONE (1) 2022 FORD F-150 V-6 TRUCK, ONE (1) 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCK and (2) TWO 2022 CHEVROLET SILVERADO 2500HD CUSTOM 4WD TRUCKS FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Bick.

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

Purchase/Highway - ONE (1) 2021 NEW HOLLAND SKID STEER W/18' BRADCO 3 FUNCTION COLD PLANER:

Councilor Pleskach moved the adoption of a resolution approving the purchase of **ONE (1) 2021 NEW HOLLAND SKID STEER W/18' BRADCO 3 FUNCTION COLD PLANER FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Eighty One Thousand, Six Hundred and Ninety Dollars and 00/100 (**\$81,690.00**), under **NYSOGS BID NO. PC67265** (Contractor – Tracey Road Equipment). Motion was seconded by Councilor Bick.

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

Purchase/Highway - ONE (1) 2022 FELLING XF110-3 HDG-SL LOWBOY TRAILER:

Councilor Pleskach moved the adoption of a resolution approving the purchase of **ONE (1) 2022 FELLING XF110-3 HDG-SL LOWBOY TRAILER FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Six Thousand, Two Hundred and Forty Eight Dollars and 00/100 (**\$96,248.00**), under **SOURCEWELL CONTRACT #121918-FTS** (Contractor – Tracey Road Equipment). Motion was seconded by Councilor Bick.

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

Transfer of Funds (Capital Reserve) – Highway Purchase ONE (1) 2021 NEW HOLLAND SKID STEER W/18’ BRADCO 3 FUNCTION COLD PLANER and ONE (1) 2022 FELLING XF110-3 HDG-SL LOWBOY TRAILER:

Councilor Pleskach moved the adoption of a resolution approving the transfer in the amount of **\$177,938.00** from the Capital Reserve Account to the Highway Capital Fund to pay for the purchase of **ONE (1) 2021 NEW HOLLAND SKID STEER W/18’ BRADCO 3 FUNCTION COLD PLANER FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Eighty One Thousand, Six Hundred and Ninety Dollars and 00/100 (**\$81,690.00**) and **ONE (1) 2022 FELLING XF110-3 HDG-SL LOWBOY TRAILER FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Six Thousand, Two Hundred and Forty Eight Dollars and 00/100 (**\$96,248.00**), said resolution subject to permissive referendum. Motion was seconded by Councilor Bick.

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

PDD – CLAY MARKETPLACE (A) – Accepting Recommendation for Project Plan:

Councilor Meaker moved the adoption of a resolution that the Town Board of Clay accepts the recommendations of the Planning Board for the **CLAY MARKETPLACE** project plan, as submitted by **LAN-DEV ASSOCIATES, LLC.**, as well as shown on the map, dated October 28, 2020, last revised March 14, 2021, to reflect a Planned Development District (PDD).

WHEREAS, a Project Plan was received for a Preliminary Planned Development District (PDD) to be known as **CLAY MARKETPLACE**, located on the Northeast corner of NYS Route 31 and Henry Clay Blvd, Tax Map No. 045.-01-02.1. Amended Project Plan consists of a total of 14.9 acres comprised of ninety-six (96) apartment units, in two (2), three-story buildings, and commercial sites consisting of ±30,000 square feet of retail, restaurant and office space.

NOW THEREFORE, BE IT RESOLVED that the said application be the same and is hereby accepted. Motion was seconded by Councilor Magaro-Dolan.

The Supervisor called for a roll call vote and it went as follows:

Councilor Magaro-Dolan – Aye	Councilor Meaker - Aye
Councilor Young – Aye	Supervisor Ulatowski – Aye
Councilor Bick – No	Councilor Pleskach – No

Ayes – 4 and Noes – 2. *Motion carried.*

Zone Change (CPH) – Town Board Case # 1171 - CHICK-FIL-A:

Councilor Magaro-Dolan moved the adoption of a resolution calling a public hearing **March 21, 2022**, commencing at **7:35 P.M.**, local time, to consider the application of **BOHLER ENGINEERING.**, for a Zone Change for **CHICK-FIL-A**, South Bay Road, from **R-10 to LuC-2, Tax Map No. 118.-01-02.0** consisting of +/- .25 acres of land. Motion was seconded by Councilor Young.

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

Zone Change (CPH) – Town Board Case # 1172 – CLAY VOLUNTEER FIRE DEPARTMENT INC:

Councilor Magaro-Dolan moved the adoption of a resolution calling a public hearing **March 21, 2022**, commencing at **7:38 P.M.**, to consider the application of **IANUZI & ROMANS LAND SURVEYING, P.C.**, for a Zone Change for **CLAY VOLUNTEER FIRE DEPARTMENT INC.**, located at 4383 State Route 31, from **Government District to R-15, Tax Map Nos. 075.-01-02.1 and 075.-01-02.2** consisting of +/- .84 acres of land. Motion was seconded by Councilor Meaker.

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

ZONE CHANGE (CPH) – Town Board Case # 1157 –CLAY MARKETPLACE (PDD):

Councilor Meaker moved the adoption of a resolution calling a public hearing **March 21, 2022**, commencing at **7:41 P.M.**, local time, to consider the zone change to a Preliminary Planned Development District (PDD) to be known as **CLAY MARKETPLACE**, located on the Northeast corner of NYS Route 31 and Henry Clay Blvd, **Tax Map No. 045.-01-02.1**. Amended Project Plan consists of a total of 14.9 acres comprised of ninety-six (96) apartment units, in two (2), three-story buildings, and commercial sites consisting of ±30,000 square feet of retail, restaurant and office space. Motion was seconded by Councilor Magaro-Dolan.

The Supervisor called for a roll call vote and it went as follows:

Councilor Magaro-Dolan – Aye	Councilor Meaker - Aye
Councilor Young – Aye	Supervisor Ulatowski – Aye
Councilor Bick – No	Councilor Pleskach – No

Ayes – 4 and Noes – 2. *Motion carried.*

Contract/Agreement (A) –Plumley Engineering:

Councilor Magaro-Dolan moved the adoption of a resolution allowing the Town to enter into a contract with **Plumley** for **ENGINEERING SERVICES** for the Willow

Stream Dam State ID #082-5265 located in the Town of Clay in the amount of \$14,700.00. Proposal to include Dam Inspection and Mapping; Development and implementation of an Inspection and Maintenance Plan; Development of an Emergency Action Plan; Engineering Assessment; and DEC Submission. Motion was seconded by Councilor Bick.

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

Adjournment:

The meeting was adjourned at 7:56 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