

## APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the May 17<sup>th</sup>, 2021 at 7:30 P.M., there were:

### PRESENT:

Damian Ulatowski	Supervisor
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
Ron DeTota	Town Engineer

### ABSENT:

None

### OTHERS PRESENT:

Russ Mitchell; Planning Board Chairman and Hal Henty; Planning Board Member and 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 May 3<sup>rd</sup>, 2021 Town Board meeting. Motion was seconded by Councilor Hess.

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

### **Cancellation and/or requested adjournments.**

Supervisor Ulatowski said that he knew of no requests for adjournments or cancellations.

### **Correspondence:**

Nancy Schilling of Orange Commons explained that there are still many concerns in the development that have not been addressed by the developer. She asked about a truck load of dirt for 3' deep holes and cleaning of the pond. Ute Wood also of Orange Commons brought up other ongoing issues such as no maintenance of the green areas.

Supervisor Ulatowski explained that the Town has been diligently trying to get the developer to correct the issues brought up by the residents. (update: a list has been submitted to the Clerk and to the Town Attorney, to submit to the developer for corrective action.)

**REGULAR MEETING:**

**Special Permit (PH) – Town Board Case # 1163 - GUGGENHEIM DEVELOPMENT SERVICES, LLC.:**

A public hearing to consider the application of **GUGGENHEIM DEVELOPMENT SERVICES, LLC., FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (E) [4]** to allow for Motor Vehicle Service (**JIFFY LUBE**), on land located at **5229 W. Taft Road, Clay, Tax Map No. 112.-06-13.3.** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Caryn Mlodzianowski of Bohler Engineering spoke on behalf of the applicant; she began by explaining that they are proposing a Jiffy Lube next to the existing Auto Zone Store. There will be no additional curb cuts and egress will be from the Auto Zone driveway. There is ample greenspace, fourteen parking spaces and a Norway Spruce buffer to the east between this parcel and the neighboring residential parcel. All lighting will be on the building itself and inside for security purposes.

Councilor Young asked if they would need to obtain any variances from the Zoning Board of Appeals. Ms. Mlodzianowski explained that they have been before the ZBA and were granted variances for setbacks. Councilor Hess asked about the possibility of a fence as well as the spruce buffer. Ms. Mlodzianowski said that they have offered a fence as well. Councilor Hess said that he would like to see the Jiffy Lube constructed as close to the Auto Zone as possible adding that he thinks this is a good use for this parcel.

Councilor Pleskach asked how many cars they expect to service a day. Ms. Mlodzianowski said typically 15-20 when first opening up to 35-40 once established. Councilor Hess asked how many bays; there will be four.

Paul Graves of Hibiscus Drive asked if the residents would look out the window and see a fence or a Jiffy Lube. Ms. Mlodzianowski explained that the Jiffy Lube will be constructed far behind the line of the existing residential home as well as behind the detached garage at the rear of the parcel.

There being no further questions or comments, Supervisor Ulatowski **closed** the public hearing.

**Agreement - JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY HIGHWAY DEPARTMENT:**

Councilor Hall moved the adoption of a resolution authorizing the Supervisor to enter into an agreement for **JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY HIGHWAY DEPARTMENT, 4483 St. Route 31, Clay, NY,** with **Oswego Industries, Inc.** for two-thousand one hundred and twelve dollars and 50/100 (**\$2,112.50**) to be billed on a monthly basis under the same terms and conditions for a term commencing **May 3rd through June 30th, 2021.** Thereafter, this agreement will run consecutively with the Town Hall Janitorial/Cleaning Services Agreement, **July 1 through June 30.** The agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Meaker.

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

**ABANDONMENT – Weller Canning Road:**

Councilor Hess moved the adoption of a resolution declaring the northern paper street portion of **Weller Canning Road** as depicted on a Map made by **Ianuzi and Romans Land Surveying, P.C.** dated **January 9th, 2021** in the Town to be excess, and without municipal value. The upper portion of roadway as shown on the map is surrounded by private property. Upon the recommendation of the Highway Superintendent, we hereby move and resolve to formally abandon any present and future rights, ownership, control and maintenance responsibility of the northern portion of Weller Canning Road as legally described in a proposed Quit-Claim Deed and accompanying documents to the adjoining land owner. The resolution authorizes the Town Supervisor to execute any and all documents necessary to complete this transaction. The adjoining owner will pay all necessary recording costs. Motion was seconded by Councilor Pleskach.

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

**Appointment – PLANNING BOARD:**

Councilor Bick moved the adoption of a resolution appointing **Albert McMahon** to the **Planning Board** to fill the seat previously held by Allen Kovac. Said term to expire **December 31, 2027.** Motion was seconded by Councilor Hess.

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

**ONONDAGA COUNTY COMMUNITY DEVELOPMENT FUNDS – 2021 (CPH):**

Councilor Meaker moved the adoption of a resolution calling a public hearing **June 7, 2021,** commencing at **7:41 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 **ONONDAGA COUNTY COMMUNITY DEVELOPMENT** for the year **2021**. Motion was seconded by Councilor Young.

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

**LOCAL LAW NO. 3 OF THE YEAR 2020 (CPH)(amendment/extension):**

Councilor Hall moved the adoption of a resolution calling a public hearing on **June 7, 2021**, commencing at **7:38 P.M.**, local time, to solicit from Town of Clay residents their comments and input for consideration of a three (3) month extension to **LOCAL LAW NO. 3 OF THE YEAR 2020** (originally set to expire July 20, 2021). The purpose of said law is to provide for a temporary moratorium against the consideration of any and all applications for solar utility substations, building permits, and other development 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 within defined corridors or areas of the Town, 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 Hess.

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

**Adjournment:**

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

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

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Jill Hageman-Clark RMC / Town Clerk