

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 6th of June, 2016 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell and Hal Henty; members of 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 Hess made a motion to approve the minutes of the May 16th, 2016 meeting. Motion was seconded by Councilor Rowley.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said item numbers 7 & 8 on the agenda will be adjourned at the request of the applicant.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Town Board on anything not on the agenda. No one spoke.

REGULAR MEETING

Special Permit (PH) Town Board Case # 1096 – FOX DEALERSHIPS:

A public hearing to consider the application of **FOX DEALERSHIPS FOR SPECIAL PERMIT** pursuant to Section 230-16 B. (2) (e) [4] [5] of the Town Code to allow for an automobile sales and service facility on vacant land located at **3687 State Route 31, Tax Map No. 020.-01-05.3 & 06.1**; currently zoned HC-1 was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Joe Durand of TDK Engineering explained that he was there on behalf of Sharon Chevrolet. They are trying to obtain a special permit to allow automobile sales and service.

The discussion quickly turned to access to the adjoining parcels. Mr. Durand explained that he has worked with the Widewaters Group as well as trying to work with the Donegan family regarding the purchase of the adjoining parcels and creation of a sewer district.

Councilor Bray suggested that the County Planning comments and reasons for denial seem to have already been mitigated or are in the process. Mr. Durand agreed adding that they (County Planning) may not be aware of the changes to the original plan. Supervisor Ulatowski agreed that the applicant had worked diligently with the adjoining parcels on interconnectivity. He added that the Zone Change had been approved based upon the following verbiage from the April 4, 2016 approving resolution; *This zone change is granted upon the execution of a Development Agreement in a form and content that is acceptable to the Town Attorney between the applicant and the Town of Clay containing language confirming the applicant has reserved a 60 (sixty) foot stub road to be located near the north west corner of the applicants parcel generally as shown on the accompanying map (Exhibit A) for purposes of connecting the subject parcel to lands to the west of the subject parcel and eventually to County Route 57, when development is contemplated on said lands to the west. The purpose of this condition is to insure proper planning for public infrastructure and the Town Planning Board is hereby instructed to consider the creation of future easements and ingress/egress connection rights to properties to the west of the subject parcel in all future site plan considerations of adjacent or nearby parcels to avoid impermissible segmentation. No site plan approval per the land in question shall be granted until the agreement and contingencies are met.*

Mr. Durand explained that he was not sure that he had that information and the clerks said that she would get it to him.

Mr. Durand then said that he had some questions regarding the billing in the creation of a sewer district and how the charges are determined. Supervisor Ulatowski suggested that Mr. Durand begin with the Assessor's office regarding the billing and charges. The Supervisor then asked if there were any more questions or comments; hearing none he **closed** the public hearing.

Zone Change (PH) – Town Board Case # 1094 - NEW COURT STREET, LLC:

Councilor Bick moved to adjourn the public hearing to **June 20, 2016** at **7:44 P.M.** Motion was seconded by Councilor Hess.

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

Zone Change (PH/Adj.) – Town Board Case # 1095 - GEORGIAN COURT ENTERPRISES, LLC AND FERNANDO VONA:

Councilor Bick moved to adjourn the public hearing to **July 18, 2016** at **7:35 P.M.** Motion was seconded by Councilor Hess.

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

R-16-117 Appointment – (A) Zoning Board of Appeals:

Councilor Hess moved the adoption of a resolution appointing **Luella Miller-Allgaier** as an alternate member of the **Zoning Board of Appeals**. Motion was seconded by Councilor Bick.

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

R-16-118 Zone Change (CPH) – Town Board Case # 1097 - SYRACUSE BRICK HOUSE, INC. D/B/A SYRACUSE BEHAVIORAL HEALTHCARE AND 1914 TEALL AVENUE ASSOCIATES:

Councilor Bick moved the adoption of a resolution calling a public hearing **June 20, 2016**, commencing at **7:41 P.M.**, local time, to consider the application of **SYRACUSE BRICK HOUSE, INC. D/B/A SYRACUSE BEHAVIORAL HEALTHCARE AND 1914 TEALL AVENUE ASSOCIATES** for a **ZONE CHANGE** from **I-1 Industrial** to **NC-1 Neighborhood Commercial** to allow for a medical office located at **4567 Crossroads Park Drive, Tax Map No. 115.-01-19.1**; consisting of approximately **5.68±** acres of land. Motion was seconded by Councilor Hess.

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

**R-16-119 RESOLUTION AUTHORIZING INTERMUNICIPAL COOPERATION
AGREEMENT FOR PARTICIPATION IN SOLARIZE CNY INITIATIVE**

Councilor Young moved the adoption of the following resolution. Motion was seconded by Councilor Hess.

WHEREAS, the Central New York Regional Planning and Development Board (“CNY RPDB”), a public planning agency established in 1966 by Cayuga, Cortland, Madison, Onondaga, and Oswego Counties under the provisions of Article 12-B of the New York State General Municipal Law, has established a program designed to provide municipal entities and certain other public partners in the Central New York region with information, tools, and resources to make solar electric energy more accessible to their facilities and thereby reduce their energy costs through a regional solar initiative (the “Solarize CNY Initiative”); and

WHEREAS, The Town of Clay strongly supports the development of renewable energy in the Town of Clay and the Central New York region, and recognizes the widespread benefits of the Solarize CNY Initiative developed by the CNY RPDB; and

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations and districts to enter into cooperative agreements for the performance or exercise of services, functions, powers or activities on a cooperative or contract basis among themselves or one for the other, and

WHEREAS, the Town of Clay deems it in the best interest of the Town of Clay and its residents to enter into an intermunicipal cooperation agreement (the “Intermunicipal Cooperation Agreement”) to form an intermunicipal group (the “CNY Solar Intermunicipal Group”), for purposes of participating in the CNY Solar Initiative, including authorizing the CNY RPDB to (1) study particular sites owned by Town of Clay and others, identified as potentially viable for installation of a solar photovoltaic facility for each site’s solar capacity and the resulting potential annual savings from producing solar energy, and (2) on behalf of the CNY Solar Intermunicipal Group, to prepare and disseminate a joint solicitation package, including template agreements, and to make a recommendation for the selection of one or more solar provider(s) to develop, design, finance, construct, operate and maintain small to mid-sized commercial solar PV systems on a defined portfolio of project sites in Central New York and to sell the solar energy produced by such systems at a defined price, all as set forth in the Intermunicipal Cooperation

Agreement and in accordance with all applicable laws, including any applicable procurement laws and policies.

NOW THEREFORE, BE IT RESOLVED that the Board hereby determines that it is in the best interest of the Town of Clay to enter into the Intermunicipal Cooperation Agreement;

BE IT FURTHER RESOLVED the Town of Clay Supervisor is hereby authorized to execute and deliver the Intermunicipal Cooperation Agreement and such other documents, and take such other actions, as may be necessary or appropriate to carry out the intent of this resolution.

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. Councilor Bray added congratulations to Councilor Rowley’s daughter on her upcoming wedding.

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

Jill Hageman-Clark, RMC Town Clerk