

**APPROVED**

At the ORGANIZATIONAL and REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the January 3, 2024 at 7:00 P.M., there were:

**PRESENT:**

- |                      |  |
|----------------------|--|
| Damian Ulatowski     | Supervisor                               |
| Joseph A. Bick       | Deputy Supervisor/Councilor              |
| Eugene Young         | Councilor                                |
| Ryan Pleskach        | Councilor                                |
| Luella Miller        | Councilor                                |
| Deborah Magaro Dolan | Councilor                                |
| David Hess           | Councilor                                |
| Jill Hageman-Clark   | Town Clerk                               |
| Mark V. Territo      | Commissioner of Planning and Development |
| Ron DeTota           | Town Engineer                            |
| John Marzocchi       | Town Attorney                            |

**ABSENT:**

None

**OTHERS PRESENT:**

Jeffrey Schiano, Town Justice; Anthony Germano, Town Justice; Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board Member and Paul Graves, Planning Board Member.

The meeting was called to order by Supervisor Ulatowski at 7:00 P.M. All present joined in the Pledge of Allegiance.

Councilor Pleskach moved the adoption of a resolution appointing **David Hess** as Councilor to fill the unexpired term of Kevin Meaker. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried. Councilor Hess took a seat on the bench.*

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**ORGANIZATIONAL MEETING: 7:00 P.M.**

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**Official Rules of the Procedure – Roberts Rules of Order:**

Supervisor Ulatowski moved the adoption of a resolution that Roberts Rules of Order be the official rules of procedures at Town Board Meetings, subject to the Rules provided by the Town Law and like Statutes which shall prevail (except that there shall be no second reading of resolutions at Town Board Meetings unless the same is requested, and that there shall be no votes taken when the question of a pending resolution is called, unless an objection is stated to voting upon such resolution forthwith). Motion was seconded by Councilor Hess.

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

**Town Board Meeting Schedule:**

Supervisor Ulatowski moved the adoption of a resolution establishing the **first and third** Mondays of each month as the meeting nights for the **Town Board** and **7:30 P.M.**, local time, as the hour of commencement. Motion was seconded by Councilor Hess.

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

Supervisor Ulatowski moved the adoption of a resolution rescheduling the Monday, January 15, 2024 (Martin Luther King, Jr. Day) Town Board Meeting to Wednesday, January 17, 2024; rescheduling the Monday, September 2, 2024 (Labor Day) Town Board Meeting to Wednesday, September 4, 2024 and rescheduling the Monday, November 4, 2024 (Election Day - Tuesday, November 5) Town Board Meeting to Wednesday, November 6, 2024. Motion was seconded by Councilor Pleskach.

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

Supervisor Ulatowski moved the adoption of a resolution cancelling the **February 19, 2024, July 1, 2024 and August 5, 2024** Town Board Meetings. **NOTE: The Town Board will meet only February 5, 2024, July 15, 2024 and August 19, 2024.** Motion was seconded by Councilor Magaro-Dolan.

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

Supervisor Ulatowski read:

The Town Hall will be closed on the following Holidays in **2024**;

Martin Luther King, Jr. Day – Monday, January 15

Presidents' Day – Monday, February 19

Good Friday – March 29 (Town Hall to close at 12:00 P.M., Highway at 11:00 A.M.)

Memorial Day Weekend – Friday, May 24 and Monday, May 27

Juneteenth – Wednesday, June 19

Independence Day - Thursday, July 4

Labor Day – Monday, September 2

Election Day – Tuesday, November 5

Veteran's Day – Monday, November 11

Thanksgiving Day – Thursday, November 28 and Friday, November 29

Christmas – Tuesday, December 24 and Wednesday, December 25

**GENERAL COMMITTEE** appointment by the Supervisor:

Special Districts

Councilor **Damian Ulatowski**

Finance

Councilor **Damian Ulatowski / Ryan Pleskach**

Parks & Recreation	Councilor <b>Luella Miller</b>
Public Safety	Councilor <b>Eugene Young</b>
Highway & Public Works	Councilor <b>David Hess</b>
Planning & Development	Councilor <b>Deborah Magaro-Dolan</b>
Zoning Board of Appeals	Councilor <b>Ryan Pleskach</b>
Personnel	Councilor <b>Damian Ulatowski / Joseph Bick</b>
Industrial Development	Councilor <b>Joseph Bick / Ryan Pleskach</b>
Building	Councilor <b>Joseph Bick</b>
Recreation Facilities & Grants	
Special Committee	Councilor <b>Joseph Bick / Deborah Magaro-Dolan</b>
Liaison North Syracuse School District	Councilor <b>Joseph Bick</b>
Liaison Liverpool School District	Councilor <b>Deborah Magaro-Dolan</b>

**Annual Salaries:**

Councilor Hess moved the adoption of a resolution that the annual salaries for the **Town Personnel** for the year **2024** be established as follows:

Supervisor	\$ 80,000.00
Deputy Supervisor	\$ 23,085.00
Councilpersons	\$ 20,000.00
Judges	\$ 51,428.00
Commissioner of Parks & Recreation	\$ 73,008.00
Commissioner of Finance	\$ 38,001.00
Commissioner of Planning & Development	\$ 97,843.00
Town Clerk	\$ 73,127.00
Receiver of Taxes	\$ 73,127.00
Assessor	\$ 100,098.00
Highway Superintendent	\$ 108,749.00
Water Superintendent	\$ 90,347.00

Motion was seconded by Councilor Pleskach.

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

**Appointments**

Supervisor Ulatowski moved the adoption of a resolution appointing Councilor Joseph Bick as **Deputy Supervisor**, by the Supervisor. Motion was seconded by Councilor Pleskach.

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

**Appointment of Special Districts:**

Councilor Bick moved the adoption of a resolution appointing the **Supervisor** as **Administrator of Special Districts**. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Bick moved the adoption of a resolution approving the annual membership of the Town of Clay in the Association of Towns and payment of the annual dues in the amount of **\$1,950.00**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing Councilor **Damian Ulatowski** as **delegate** to the **Association of Towns**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing Councilor Bick as **alternate delegate** to the **Association of Towns**. Motion was seconded by Councilor Hess.

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

**Authorization – Check Signing:**

Councilor Bick moved the adoption of a resolution authorizing the **Deputy Supervisor** to sign checks drawn on Town funds in the absence of the Supervisor. Motion was seconded by Councilor Magaro-Dolan.

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

**Town Engineers:**

Councilor Bick moved the adoption of a resolution that **C & S Engineers, Inc.** be retained by the Town of Clay to perform such **Special District** services as the Town may require and authorizing the Supervisor to enter into an annual contract with said firm. Motion was seconded by Councilor Pleskach.

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

Councilor Bick moved the adoption of a resolution authorizing the **C & S Engineers, Inc.** to update the **“Town of Clay Zoning Map”** annually, with payment for same to be authorized from the General Fund of the Town of Clay. Motion was seconded by Councilor Hess.

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

Councilor Magaro-Dolan moved the adoption of a resolution authorizing the **C & S Engineers, Inc.** to be retained by the Town of Clay to perform such services as the Town Board, Planning

Board and Zoning Board of Appeals may require for a term of two (2) years. Motion was seconded by Councilor Young.

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

**Town Attorneys:**

Councilor Magaro-Dolan moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the **Town of Clay** for a term of two (2) years. Motion was seconded by Councilor Young.

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

Councilor Magaro-Dolan moved the adoption of a resolution retaining **Germain & Germain** as attorney(s) for the **Zoning Board of Appeals**, and to receive **\$18,000.00** for the **Zoning Board of Appeals** work for the year **2024**. Motion was seconded by Councilor Young.

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

**Bank Designation:**

Councilor Magaro-Dolan moved the adoption of a resolution designating the following as the official **2023 depository banks** for the Town of Clay: **M & T Bank; JP Morgan Chase Bank; Bank of America Bank; Solvay Bank, Key Bank, NBT Bank, Pathfinder Bank; Community Bank and NY CLASS** – pooled cash investment program (class), or successor. Motion was seconded by Councilor Young.

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

**Newspaper Designation:**

Councilor Magaro-Dolan moved the adoption of a resolution designating the **Syracuse Post Standard** as the official Town Newspaper for **2024** and designating the **Eagle Star Review** as an additional newspaper for the publication of legal notices. Motion was seconded by Councilor Young.

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

**Appointments – Town Officers:**

Councilor Pleskach moved the adoption of a resolution appointing **Joseph Nicoletti** as **Highway Superintendent** for a term of two (2) years. Motion was seconded by Councilor Hess.

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

Councilor Pleskach moved the adoption of a resolution appointing **Frank Mazzye** as **Water Superintendent** for a term of two (2) years. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Pleskach moved the adoption of a resolution appointing **Mark Territo** as **Commissioner of Planning & Development** for a term of two (2) years. Motion was seconded by Councilor Magaro-Dolan

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

Councilor Pleskach moved the adoption of a resolution appointing **Paula Caron** as **Commissioner of Finance** for a term of two (2) years. Motion was seconded by Councilor Magaro-Dolan

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

Councilor Pleskach moved the adoption of a resolution appointing **James Muscatello** as **Commissioner of Recreation** for a term of two (2) years. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Pleskach moved the adoption of a resolution appointing **Russ Mitchell** as **Chairman of the Planning Board** for the year **2023**. Motion was seconded by Councilor Hess.

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

Councilor Pleskach moved the adoption of a resolution appointing **Karen Guinup** as a **Member of the Planning Board**. Said term to expire **December 31, 2030**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing **Paul Graves** as a **Member of the Planning Board**, to fill unexpired term of Scott Soyster. Said term to expire December 31, 2024. Motion was seconded by Councilor Magaro-Dolan.

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

Councilor Bick moved the adoption of a resolution appointing **Marie Giannone** as a **Secretary of the Planning Board**. Said term to expire **December 31, 2024**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing **Edward Wisnowski** as **Chairman of the Zoning Board of Appeals** for the year **2024**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing **David Porter** as a **Member of the Zoning Board of Appeals**. Said term to expire **December 31, 2028**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing **Chelsea Clark** as **Secretary of the Zoning Board of Appeals**. Said term to expire December 31, 2024. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing **Francis Fiorito** for a term of **5** years as members of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics. Said term to expire **December 31, 2028**. Motion was seconded by Councilor Hess.

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

Councilor Bick moved the adoption of a resolution appointing **Tricia Masterpol** for a term of **3** years as member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV, Board of Ethics. Said term to expire December 31, 2026, to fill the unexpired term of Margaret Freeman. Motion was seconded by Councilor Hess.

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

Councilor Magaro-Dolan moved the adoption of a resolution appointing **Keith Dupra** for a term of **1** year(s) as member of the **Board of Ethics**, pursuant to Ethics Law, Chapter 22, Article IV,

Board of Ethics. Said term to expire December 31, 2024. Motion was seconded by Councilor Young.

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

Councilor Magaro-Dolan moved the adoption of a resolution appointing **Judy Rios** as **Safety Committee Chairperson** for the year **2024** and **Chelsea Clark** as **Safety Co-Chairperson**. Motion was seconded by Councilor Young.

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

Councilor Magaro-Dolan moved the adoption of a resolution appointing **Mike McCarthy** as **Constable** for the year **2024**. Motion was seconded by Councilor Young.

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

Councilor Magaro-Dolan moved the adoption of a resolution appointing **Steven McBurnie** as **Deputy Constable** for the year **2024**. Motion was seconded by Councilor Young.

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

Councilor Magaro-Dolan moved the adoption of a resolution appointing **Holly Page** and **Andrea Sackett** as **Deputy Town Clerks** for a term of two (2) years. Said term to expire December 31, 2025. Motion was seconded by Councilor Young.

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

Councilor Magaro-Dolan moved the adoption of a resolution appointing **Jill Hageman-Clark**, as a **Marriage Officer** for the Town of Clay. Pursuant to Section 11 of the New York State Domestic Relations Law which states no public officer listed in Section 11 shall be prohibited from accepting any fee or compensation having a value of one hundred dollars or less, whether in the form of money, property, services, or entertainment, for the solemnization of the marriage by such public officer at a time and place other than the public officer's normal public place of business and during normal hours of business. Said appointment expires **December 31, 2024**. Motion was seconded by Councilor Young.

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



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**REGULAR AGENDA – JANUARY 3, 2024**

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**APPROVAL of MINUTES:**

Councilor Hess made a motion to approve the minutes of the December 18, 2023 Regular Town Board Meeting. Motion was seconded by Councilor Pleskach.

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

**CORRESPONDENCE:**

None

**CANCELLATIONS and/or REQUESTED ADJOURNMENTS:**

None

**REGULAR AGENDA (REVISED) – JANUARY 3, 2024**

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**Franchise Renewal/Spectrum – (PH):**

A public hearing to consider the proposed ten (10) year franchise renewal agreement between the Town of Clay and **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski asked if anyone was present to speak on behalf of the applicant. No one was present. Councilor Young made a motion to **adjourn** the public hearing pending representation from Spectrum on **February 5, 2024 at 7:35 PM**. Motion was seconded by Councilor Pleskach.

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

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

Councilor Hess moved the adoption of a resolution calling a public hearing **January 17, 2024**, commencing at **7:35 P.M.**, local time to consider the application of **CASUAL ESTATES, LLC D/B/A MADISON VILLAGE MOBILE HOME COURT**, for the renewal of its license for the

year **2024**. Motion was seconded by Councilor Bick. Supervisor Ulatowski asked the Commissioner of Planning to reach out to the applicant to have someone present to update the Town Board on the mobile home court.

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

**SPECIAL PERMIT (CPH) Town Board Case # 1196 – GOGUEN DRIVE REALTY, LLC:**

Councilor Hess moved the adoption of a resolution calling a public hearing **January 17, 2024**, commencing at **7:38 P.M.**, local time to consider the application of **GOGUEN DRIVE REALTY, LLC.**, for a Special Permit pursuant to Section 230-17 E.(2)(a)[4] - Bulk Processing Facility, to allow for a Concrete Batch Plant on land located at **7842 Goguen Drive, Tax Map No. 087.-01-54.0** consisting of ± 6.24 acres of land. Motion was seconded by Councilor Bick.

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

**LOCAL LAW # 1 of 2024 - CHAPTER 230 “ZONING” of the Town Code amending SECTION 230-22 “SIGNS” :**

Councilor Hess moved the adoption of a resolution calling a public hearing **January 17, 2024**, commencing at **7:41 P.M.**, local time to consider proposed **LOCAL LAW NO. 1 THE YEAR 2024** to amend **CHAPTER 230 “ZONING” of the Town Code amending SECTION 230-22 “SIGNS”** by amending 230-22C.(1)(c)[1][a][i] adding “NC-1” after “HC-1” and to be included in the Town of Clay Municipal Code. \*This language would allow for electronic message signs in all Neighborhood Commercial (NC-1) zoning districts with a Special Permit from the Planning Board. Motion was seconded by Councilor Magaro-Dolan.

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

**Agreement - CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (for Dog Control Services) for the year 2024:**

Councilor Young moved the adoption of a resolution authorizing the Supervisor to enter into a contractual agreement with **CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS** to provide Dog Control Services for the Town of Clay. This agreement shall be effective January 1, 2024, and terminate December 31, 2024; and further authorizes the Supervisor to execute the documents, therefore. Motion was seconded by Councilor Magaro-Dolan.

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

**BOARD of ETHICS – Duties and Responsibilities:**

Councilor Young moved the adoption of a resolution approving that the Board of Ethics will meet at least once annually and require the Chairman to provide a full in-person report to the Town Board at or immediately after the annual Organization Meeting of the Town. The Town Board will review all financial disclosure forms for completeness and shall have access to the inquiry procedure. A list of active Town vendors will also be supplied to the Board of Ethics annually for conflict screening review and maintained by the Board for consultation on a case-by-case basis. Motion was seconded by Councilor Hess.

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

**Assessment – Low Income Seniors:**

Councilor Pleskach moved the adoption of a resolution allowing the Assessor to add full taxable IRA distributions to exemption(s) for low-income senior citizens and those with disabilities. Said resolution is to insure that only legitimate low income senior citizens and those with disabilities qualify for the exemptions (RP-459 and RP-467) designed to keep them in their homes by allowing the Assessor to include IRA distributions and IRA annuities not included in the Federally Adjusted Gross Income (FAGI) in the calculation of income for exemption purposes. By doing so, this will fine tune the income calculation process by excluding those applicants who are not low-income applicants from receiving the exemption, thus assisting the town in keeping tax rates stable for all taxpayers. Motion was seconded by Councilor Hess.

Councilor Young said that this resolution will remove a much needed property tax exemption from senior citizens and handicapped residents, the most vulnerable among us and there is no proof of how much this will increase the town tax base. He concluded that he will vote against it.

Councilors Bick and Pleskach both stated that this is reasonable and that it follows state and federal guidelines regarding low income status.

A roll count vote went as follows:

Councilor Miller	No	Councilor Magaro-Dolan	Yes
Councilor Young	No	Councilor Ulatowski	Yes
Councilor Bick	Yes	Councilor Hess	Yes
Councilor Pleskach	Yes		

Ayes – 5 and Noes – 2. *Motion carried.*

**Agreement – Highway/ Town of Clay for Highway Expenditures 2024:**

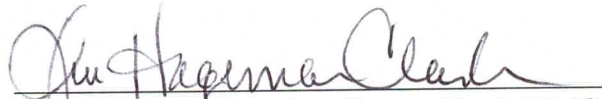
Councilor Pleskach moved the adoption of a resolution approving an agreement between the Superintendent of Highways and the Members of the Town Board for the expenditures of highway monies in the Town of Clay for the fiscal year ending December 31, 2024. Motion was seconded by Councilor Bick.

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

**Adjournment:**

The meeting was adjourned at 7:41 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

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

  
Jill Hageman-Clark – Town Clerk/RMC