

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
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ABSENT:

None

OTHERS PRESENT:

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The meeting was called to order by Supervisor Ulatowski at 7:30 P.M. All present joined in the Pledge of Allegiance.

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Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzal Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned to February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE from R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzal Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

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

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

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

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

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

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

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

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

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

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

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

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

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

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzell Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

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

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

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

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

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

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

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

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

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

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

Ayes-7 and Noes-0. *Motion carried.*

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

Ayes – 7 and Noes – 0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

Ayes-7 and Noes-0. *Motion carried.*

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

Ayes – 7 and Noes – 0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned to February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

Ayes-7 and Noes-0. *Motion carried.*

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

Ayes – 7 and Noes – 0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

Ms. Johnson said that they have allocated 7.1 acres for open space which exceed the Town of Clay's 20% requirement. They are proposing to modify the existing stormwater and add to it to facilitate the increase in development.

Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

Ayes-7 and Noes-0. *Motion carried.*

Jill Hageman-Clark RMC, Town Clerk

APPROVED

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 15th of December, 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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell - Planning Board Member, Dorothy Heller – Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

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 Rowley moved to **Approve** the Minutes of the December 1st, 2014 Town Board Meeting. Motion was seconded by Councilor Bick.

Ayes-6 and Noes-0. *Motion carried. (Councilor Edick abstained due to his absence at that meeting.)*

Cancellation and/or requested adjournments.

Supervisor Ulatowski items 9 and 15 on the agenda will not be heard.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike of 9343 River Island Drive asked about an easement and a permit for a garage. Supervisor Ulatowski explained that the easement will be addressed and is on the additional agenda; however building permits must be handled by the Planning and Development Department during regular business hours.

REGULAR MEETING

R14-166 LOCAL LAW No. 3 of the YEAR 2014 (SEQR):

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way**” 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 Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-167 LOCAL LAW No. 3 of the YEAR 2014 (A):

Councilor Bick moved the adoption of a resolution **approving** the application of proposed local law to be entitled “**LOCAL LAW NO. 3 OF THE YEAR 2014** to amend **Chapter 230** entitled “**ZONING**” by amending **Chapter 230-11C** by adding the word “**fences**” to **Structure, Accessory and Yard, Side**, and removing “**accessory structures**” and replacing with “**fences**” to **Yard, Rear**. This local law will also amend **Section 230-20B (2)(c)** by striking the words “**a drainage easement per Section 185.20, Stormwater Drainage**” and replacing with “**any easement or right of way.**” Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1069- LOK DEVELOPMENT, LLC:

A public hearing to consider the application of **LOK DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **R-10 Residential District**; to allow for a single-family residential development on properties located at **8073 & 8097 Morgan Road, Tax Map Nos. 069.-01-05.1 & 081.-29-01.0**. (Adjourned from the November 5, 2014 Town Board Meeting) was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Hal Romans, surveyor, was present on behalf of the applicant. Supervisor Ulatowski asked Mr. Romans to reorient the public and the Town Board to the parcel. Mr. Romans explained that this application has been amended to include the entire parcel. He continued that the applicant is proposing two roads, one coming out onto Morgan Road and the other running parallel to Morgan to come out across from Waterhouse Road. They are requesting that the entire parcel be rezoned to R-10 and be constructed in phases. There will be 130 to 140 lots and there will be a minimal

impact on the wetlands. Mr. Romans said that the existing wetlands to the north will remain undeveloped.

Supervisor Ulatowski asked if the applicant is proposing a connection to the existing Cross Creek Development and that is what is being proposed. Mr. Romans continued that the Planning Board will dictate the placement of a road. Supervisor Ulatowski asked if there will be any driveways on Morgan Road and Mr. Romans said that there will not.

There was a great deal of discussion regarding stormwater management.

Supervisor Ulatowski asked the Commissioner of Planning and Development what the OCPB recommended. He said that they had recommended disapproval prior to the amendment to the application.

Supervisor Ulatowski asked if there were any more questions; hearing none he said that he would like to adjourn the public hearing to January 5, 2015. He added that he would like the applicant to provide a clearer rendering of the lay out.

Councilor Edick made a motion to **adjourn** the public hearing until **January 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bray.

Ayes – 7 and Noes – 0. *Motion carried.*

Zone Change (PH) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:

The public hearing was **adjourned** to **February 2, 2015 time to be announced**, at the request of the applicant.

Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District to R-APT Apartment District** to allow for an apartment complex located on **Verplank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land, was opened by the Supervisor; proof of posting and publication was furnished by the Town Clerk.

Kate Johnson, legal counsel for COR Development and Hal Romans, surveyor for the applicant were present. Ms. Johnson began by explaining that currently apartments exist on the south 2 parcels and the applicant wishes to construct town homes like apartments on the portion currently zoned for single family homes. She continued that the rental town homes would be a different style from traditional apartments. The existing apartments are at 95% capacity. The parcel is situated on private property with roadways being maintained and plowed by the owner. There will be emergency access by way of VerPlank Road, however the access will be gated to

restrict residential traffic. The County DOT recommended in the Traffic Analysis that they do not feel that the development will impact Dell Center Drive and Route 31 but recommend a connection to VerPlank Road.

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Alex Wisnewski of LJR Engineering detailed the stormwater management. He also detailed the current amenities, such as the club house and pool at the existing apartments, adding that they will construct the same for the new development.

Supervisor Ulatowski asked why the applicant decided to construct apartments instead of single family homes as previously approved. Kate Johnson explained that they have only sold five residential lots and after the five sales Ryan Homes terminated the contract with COR Development. She said that they have not had luck enticing other developers. Councilor Edick asked Mr. Territo if they had contacted the owners of the five homes regarding this public hearing. Mr. Territo said that he had.

There was a discussion about the traffic study with regards to the additional traffic that would be generated by an increase in residents with apartments over single family homes. There was a discussion about the width of the roads with regard to emergency vehicles.

Ron Detota explained that the sewers will flow to the Wetzel Road treatment plant. There was a lengthy discussion regarding sewers, capacity and pump stations. Supervisor Ulatowski asked for a graphic rendition of the proposed sewers.

Councilor Edick said that he is concerned with the amount of parking for the proposed town houses. He added that he assumed that the apartments are built on slabs and that often in this case garages are used primarily for storage. He explained that the Town had a case prompting "No Parking" because of inadequate parking in a town home community. He said that the residents were not receiving mail due to on street parking. Ms. Johnson explained that the mail will be delivered to a central location instead of individual residential mailboxes on each property. She added that there are 110 guest spaces proposed. Councilor Edick said that he would also like to see two exits onto VerPlank Road. Supervisor Ulatowski said that he would like to see the traffic layout and flow to Route 31 mapped out. In addition he would like to adjourn pending comments from the Planning Board.

Councilor Bray made a motion to **adjourn** the public hearing to **January 21, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

R14-168 Project/Securities (posting) (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

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 water supply facilities located within the **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, Orange Commons Drainage 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 December 10, 2014: **Overland Drainage Facilities - \$7,000.00; Maintenance Guarantee - \$25,310.00** (\$15,575.00 Sewer and \$9,735.00 Drainage); **Highway - \$65,324.00; Monument Deposit - \$2,700.00; Parkland Contributions - \$22,000.00; Future Engineering/Inspection Fees - \$7,000.00;** 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 **KRDD CLAY, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

R14-169 Project/Easement (A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**, (Orange Commons Sewer District, Contract No. 1, and Orange Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **November 22, 2013, last revised November 24, 2014**. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-170 Project/ Warranty, Deed etc.(A) - ORANGE COMMONS SUBDIVISION SECTION NO. 1:

Councilor Young moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **ORANGE COMMONS SUBDIVISION SECTION NO. 1**; from **KRDD CLAY, LLC**, (Pace Lane, Duany Avenue and McNamara Drive all having Permeable Shoulders). Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

R14-171 Release of Securities (A) - RED BARN ACRES SUBDIVISION:

Councilor Rowley moved the adoption of a resolution, pursuant to the written recommendation of the Superintendent of Highway, authorizing the release of **50%** of the original amount posted for Highway Construction Guarantee by **SOUTHWEST BUCKLEY PROPERTIES, LLC** for **RED BARN ACRES SUBDIVISION (Red Barn Circle, 1524 lf; Mann Drive, 284 lf & “Future Street” 165 lf)**. Gravel, gutters, binder are in place in accordance with Town Highway Specifications. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

Agreement (A) Highway Monies:

Not heard at this time.

R14-172 Authorization – Transfer of Appropriations:

Councilor Rowley moved the adoption of a resolution authorizing transfer of appropriations and amending the 2014 Town of Clay Budget in various funds to provide monies for 2014 expenditures. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Motion carried.*

John Shehadi, Comptroller for the Town of Clay explained that this is routine end of year business. Monies are transferred into needed items.

R14-173 Inter- Municipal Agreement (correction)- New York State Office of Children and Family Services for the year 2014:

Councilor Bick moved the adoption of a resolution making a correction to the December 1, 2014 Minutes in that the amount of **funding for the New York State Office of Children and Family Services for the year 2014** is **\$6,284.00**, and not **\$6,248.00** as previously stated. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

R14-174 Easement/ Termination (A)- 9342 River Island Drive, Brewerton, New York 13029:

Councilor Bick moved the adoption of a resolution approving the **termination of a drainage easement** on the property owned by Andrew Wickline located at **9342 River Island Drive, Brewerton, New York 13029** and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the landowner also. The landowner will bear the responsibility and costs associated with the execution of the document. This resolution is in response to the request of the landowner and the Town Engineer and Planning Department have determined the

easement no longer serves any legitimate governmental purpose. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

R14-175 Purchase/Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a resolution approving the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars, under **Onondaga County Truck Bid No. 7823**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-176 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK:

Councilor Young moved the adoption of a **Bond Resolution** in the amount of **\$230,000.00** for the purchase of **ONE (1) 2015 WESTERN STAR 4900SB TANDEM AXLE PLOW/DUMP TRUCK FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-177 Purchase/Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bray moved the adoption of a resolution approving the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Ninety Thousand and 00/100 (\$90,000.00) Dollars, under **New York State Contract Award 2014-2018, Award No. PGB 22792**. (Contractor - Tracey Road Equipment). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

R14-178 Bond Resolution/ Purchase/ Highway - ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND LOADER AUXILIARY HYDROLOGICS:

Councilor Bick moved the adoption of a **Bond Resolution** in the amount of **\$90,000.00** for the purchase of **ONE (1) 2015 NEW HOLLAND B95C, 4-WHEEL DRIVE BACKHOE WITH HYDRAULIC EXTENDABLE DIPPER AND**

LOADER AUXILIARY HYDROLICS FOR USE BY THE HIGHWAY DEPARTMENT. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:08 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Councilor Bray wished everyone a Happy Holiday and a Happy New Year. Councilor Edick added Merry Christmas.

Ayes-7 and Noes-0. *Motion carried.*

Jill Hageman-Clark RMC, Town Clerk