

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1<sup>st</sup> of February, 2021 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Eugene Young	Councilor
Brian Hall	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development (Virtually)
Robert Germain	Town Attorney (Virtually)
Ron DeTota	Town Engineer (Virtually)

ABSENT:

None

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

**Approval of Minutes:**

Councilor Hess made a motion to approve the minutes of the January 20, 2021 Town Board Meeting. Motion was seconded by Councilor Meaker.

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

**Cancellation and/or requested adjournments.**

**Correspondence:**

Several residents from VerPlank Road, were present (virtually), to again ask about the two current solar projects.

A question was asked about the curb cuts for the Waterhouse Road project. The resident thought that there would be 3 roads to the arrays; two on Waterhouse and 1 on Norcross. Without having the case in front of them the Board suggested that there is **no** access on Norcross and in fact the land (the Stub Road) has been deeded to the homeowners. Mark Territo, Commissioner of Planning and Development agreed that this is true.

A resident asked if the True North Daycare Center had been notified about the possible solar substation when the other neighbors were sent mail. Again, without having the case in front of the board members and no prior warning of these

questions the board was unable to answer this question (update 2-2-2021, upon review, the owner at the time of the daycare was notified per the mailing list). There was a discussion about the trees to be planted on the VerPlank Road project and why there will not be trees completely shielding the parcel as there will be for the Waterhouse project. Commissioner Territo explained that each project is different and the Planning Board decides during the process what is practical for each parcel.

Other residents asked about the Solar Moratorium; how long it will last and who will be on the board. Supervisor Ulatowski asked any interested individuals to send a resume and letter of intent to the Town Clerk. He concluded that he would like to have the board assembled before March 1<sup>st</sup> 2021.

There was a brief conversation about the White Plains Industrial project. The Supervisor explained that he does not have much information regarding the County project but will share information as it becomes available.

**REGULAR MEETING:**

**SPECIAL PERMIT (SEQR) – TOWN BOARD CASE # 1158 – B. SCOTT GILLESPIE (4-5 LUMBER WAY, LLC):**

Councilor Meaker moved the adoption of a resolution that the application of **B. SCOTT GILLESPIE (4-5 LUMBER WAY, LLC) FOR A SPECIAL PERMIT** pursuant to **Section 230-17 C. (2) [E][3]** to allow for motor vehicle rental, on land at **4 Lumber Way, Liverpool, Tax Map No. 114.-02-22.3**. 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 Bick.

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

**SPECIAL PERMIT (A) – TOWN BOARD CASE # 1158 – B. SCOTT GILLESPIE (4-5 LUMBER WAY, LLC):**

Councilor Meaker moved the adoption of a resolution **approving** the application of **B. SCOTT GILLESPIE (4-5 LUMBER WAY, LLC) FOR A SPECIAL PERMIT** pursuant to **Section 230-17 C. (2) [E][3]** to allow for motor vehicle rental, on land at **4 Lumber Way, Liverpool, Tax Map No. 114.-02-22.3**. Motion was seconded by Councilor Hess.

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

**Zone Change (PH) – Town Board Case # 1161- SAMUEL BARTORILLO:**

A public hearing to consider the application of **SAMUEL BARTORILLO FOR A ZONE CHANGE** from **RA-100** to **R-40** to allow for a two-lot subdivision on property located at **8191 Maple Road, Tax Map No. 073-01-08.0** located on 3.69± acres of land was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Tim Coyer of Ianuzi and Romans, was present on behalf of the applicant. Mr. Coyer explained that the applicant is trying to divide the existing parcel to create two tax parcels. The Supervisor clarified, two building lots. Mr. Coyer agreed. There was a discussion about sewers versus septic and Mr. Coyer explained that if the zone change is granted, the applicant will move forward with the septic or sewer. Mr. Detota said, either could be a possibility.

Councilor Young asked why the applicant is requesting a change of zone to R-40, suggesting that the applicant may construct more than two homes if that is granted. Mr. Territo explained that with the available frontage, they could only divide into two lots. Councilor Hall suggested that should the applicant wish to build more he would need to again come before the board for approval.

There being no more questions the Supervisor referred this to the Planning Board.

Councilor Hess made a motion to adjourn the public hearing to **March 1, 2021 at 7:35 PM.** Motion was seconded by Councilor Bick.

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

**Zone Change (PH/Adj.) – Town Board Case # 1159 – ROBERT ALUZZO:**

A public hearing to consider the application of **ROBERT ALUZZO FOR A ZONE CHANGE** from **RA-100** to **I-2** on 0.48± acres of overall 0.786-acre parcel located at **4993 Route 31, part of Tax Map No. 046.-01-13.1.** (Adjourned to this date and time from the January 20, 2021 Town Board Meeting.)

Steve Calocerinos spoke on behalf of the applicant. He gave a brief overview of the project explaining that this is a .786 acre parcel that .48 acres is zoned residential (RA-100). The applicant is proposing a 2000 square foot pole barn and a contractors yard for his existing business equipment. The surrounding parcels are a combination of residential and industrial. Supervisor Ulatowski asked about the proposed location of the storage building. Mr. Calocerinos explained that the building would not be constructed closer to the road than the existing structures (behind the property lines). Mr. Calocerinos explained that if the zone change is granted, the applicant will likely need to obtain variance(s).

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

**Appointment (A) – CLAY VOLUNTEER FIRE DEPARTMENT, INC.:**

Councilor Young moved the adoption of a resolution approving the appointment of **Kirsten Fedorko, Mary Anson, John Coldwell and Jeff Romanick** as members of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Meaker.

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

**Purchase/ Highway - (1) 2022 WESTERN STAR 4700SF TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Hess moved the adoption of a resolution approving the purchase of **ONE (1) 2022 WESTERN STAR 4700SF TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Two Hundred Forty-Five Thousand, Four Hundred and Forty-Four Dollars and 00/100 (**\$245,444.00**), under **ONONDAGA COUNTY TRUCK BID #8996**. Motion was seconded by Councilor Bick.

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

**Bond Resolution/ Purchase/ Highway - (1) 2022 WESTERN STAR 4700SF TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Hess moved the adoption of a **BOND RESOLUTION** in the amount of **\$245,444.00** for the purchase of **ONE (1) 2022 WESTERN STAR 4700SF TANDEM AXLE PLOW/DUMP TRUCK - EVEREST STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Bick.

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

**Purchase/ Highway - 2022 FREIGHTLINER 114SD SINGLE AXLE DUMP TRUCK – HENDERSON STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Hess moved the adoption of a resolution approving the purchase of **ONE (1) 2022 FREIGHTLINER 114SD SINGLE AXLE DUMP TRUCK – HENDERSON STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed One Hundred Fifty Thousand,

Fourteen Dollars and 00/100 (**\$150,014.00**), under **ONONDAGA COUNTY TRUCK BID #8996**. Motion was seconded by Councilor Bick.

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

**Bond Resolution/ Purchase/ Highway - 2022 FREIGHTLINER 114SD SINGLE AXLE DUMP TRUCK – HENDERSON STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Pleskach moved the adoption of a **BOND RESOLUTION** in the amount of **\$150,014.00** for the purchase of **ONE (1) 2022 FREIGHTLINER 114SD SINGLE AXLE DUMP TRUCK – HENDERSON STAINLESS STEEL DUMP BODY FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Hess.

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

**Purchase/ Highway - HOLLAND E60C MINI EXCAVATOR RUBBER TRACK, 2 WAY DOZER BLADE, 2 BUCKETS AND A THUMB FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Pleskach moved the adoption of a resolution approving the purchase of **ONE (1) NEW HOLLAND E60C MINI EXCAVATOR RUBBER TRACK, 2 WAY DOZER BLADE, 2 BUCKETS AND A THUMB FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Seventy-Nine Thousand, Nine Hundred and Thirty-Five Dollars and 00/100 (**\$79,935.00**), under **NYSOGS BID NO. PC67265**. (Contractor – Tracey Road Equipment). Motion was seconded by Councilor Hess.

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

**Purchase/ Highway - HOLLAND E60C MINI EXCAVATOR RUBBER TRACK, 2 WAY DOZER BLADE, 2 BUCKETS AND A THUMB FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Pleskach moved the adoption of a **BOND RESOLUTION** in the amount of **\$79,935.00** for the purchase of **ONE (1) NEW HOLLAND E60C MINI EXCAVATOR RUBBER TRACK, 2 WAY DOZER BLADE, 2 BUCKETS AND A THUMB FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Hess.

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

**Purchase/ Highway - 2021 JOHN DEERE 624 P WHEEL LOADER JDLINK 5 YEAR EXTENDED WARRANTY FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Hall moved the adoption of a resolution approving the purchase of **ONE (1) 2021 JOHN DEERE 624 P WHEEL LOADER JDLINK 5 YEAR EXTENDED WARRANTY FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed One Hundred Seventy-Nine Thousand, Two-Hundred and Seventy dollars and 00/100 (**\$179,270.00**), under **NYSOGS BID NO. PC67075**. (Contractor – Five Star Equipment). Motion was seconded by Councilor Meaker.

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

**Bond Resolution/ Purchase/ Highway - 2021 JOHN DEERE 624 P WHEEL LOADER JDLINK 5 YEAR EXTENDED WARRANTY FOR USE BY THE HIGHWAY DEPARTMENT:**

Councilor Hall moved the adoption of a **BOND RESOLUTION** in the amount of **\$179,270.00** for the purchase of **ONE (1) 2021 JOHN DEERE 624 P WHEEL LOADER JDLINK 5 YEAR EXTENDED WARRANTY FOR USE BY THE HIGHWAY DEPARTMENT**. Motion was seconded by Councilor Pleskach.

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

**Fire Hydrant(s) (A) – Riverwalk Water Supply District:**

Councilor Meaker moved the adoption of a resolution **approving (4) fire hydrants** in the **Riverwalk Water Supply District** as proposed on **OCWA Map File No. 1822, Sheet 5** for the **8” Extension Riverwalk, Section 5** and authorizing the Supervisor to execute the OCWA fire hydrant application. **Fire Hydrant Nos. 14648, 14649, 14650 and 14651. OCWA Project No. 4210041**. Motion was seconded by Councilor Bick.

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

**Intermunicipal Agreement (A) – Town of Clay and the Village of North Syracuse:**

Councilor Young moved the adoption of a resolution approving an **Intermunicipal Agreement** between the **Town of Clay** and the **Village of North Syracuse** to provide temporary Highway Department services to the Village. The purpose of this agreement is to provide the Village with assistance due to a Covid-19 outbreak severely limiting the ability of the Village to maintain necessary highway services on a temporary basis. This resolution also approves and authorizes execution of a Conflict Waiver Letter for Germain & Germain, LLP. The Board members have been provided with a draft of the proposed Agreement and Waiver Letter, and this

resolution authorizes the executive to execute the agreement and any other necessary documents to accomplish this task. Motion was seconded by Councilor Bick.

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

### **Additional Agenda**

Councilor Bick moved the adoption of a resolution stating,

**Whereas**, the New York State Division of Local Government and School Accountability conducted an ethics oversight audit for the Town of Clay and the Town of Clay Board of Ethics covering the period of January 1<sup>st</sup>, 2017 to September 30<sup>th</sup>, 2018, and,

Whereas, the audit report contained several recommendations for improving training of Town officers and employees with regard to potential conflicts of interests and ethical compliance, procedure development to ensure proper receipt, review and screening of financial disclosure forms, periodic Code review and amendment and the need for at least annual meetings and posting of Code and GML provisions, and,

**Whereas**, the Town of Clay considers ethical compliance to be a vital part of proper local governance, it is hereby:

**Resolved:** The Town of Clay will post a copy of the Ethic Oversight Audit on the Town website and will endeavor to execute a Corrective Action Plan consistent with the Town response contained in the Audit.

Motion was seconded by Councilor Hess.

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

### **Adjournment:**

The meeting was adjourned at 8:15 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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

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Jill Hageman-Clark RMC / Town Clerk