

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 7th of June, 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
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board; Rob Bick, Town Assessor and Cody Kelly, County Legislator.

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

Approval of Minutes:

Councilor Hess made a motion to approve the minutes of the May 17, 2021 meeting. Motion was seconded by Councilor Hall.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that item number 8 (CTV,LLC) on the agenda would not be heard at this time as the applicant requested an adjournment and was still working on the changes requested at the May 3, 2021 meeting.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda and added that it had come to his attention that the website mentions

a Town Board meeting on July 5th and the correct date for July is the 19th. He said that the website will reflect the correction and apologized for any confusion.

No one responded.

REGULAR MEETING:

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

Councilor Meaker moved the adoption of a resolution that the application of **GUGGENHEIM DEVELOPMENT SERVICES, LLC., FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (E) [4]** to allow for Motor Vehicle Service (**JIFFY LUBE**), on land located between **5229-5255 W. Taft Road, Clay, Tax Map No. 112.-06-14.0**, 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 Hess.

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

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

Councilor Meaker moved the adoption of a resolution **approving** the application of **GUGGENHEIM DEVELOPMENT SERVICES, LLC., FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (E) [4]** to allow for Motor Vehicle Service (**JIFFY LUBE**), on land located between **5229-5255 W. Taft Road, Clay, Tax Map No. 112.-06-14**. Motion was seconded by Councilor Hess.

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

ZONE CHANGE (PH/Adj.) – Town Board Case # 1160 - CTV, LLC.:

Councilor Hess moved the adoption of resolution **adjourning** the public hearing, at the request of the applicant, to **June 21 at 7:44 P.M.**; motion was seconded by Councilor Pleskach.

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

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

A public hearing to solicit from Town of Clay residents their comments and input for consideration of a three (3) month extension to **LOCAL LAW NO. 3 OF THE YEAR 2020** (originally set to expire July 20, 2021), was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

The purpose of said law is to provide for a temporary moratorium against the consideration of any and all applications for solar utility substations, building permits, and other development as yet unpermitted commercial solar energy related requests to allow time for the Town Board to further investigate and study issues related to the development of the Town's commercial solar policy within defined corridors or areas of the Town, and for the receipt and implementation of formal recommendations for corresponding changes to the Town Code, laws, rules or policy. This law does not apply to existing permitted uses, nor does it apply to individual residential solar installations, and industrial zoned parcels.

Supervisor Ulatowski explained that the commission to research the moratorium is comprised of Town Board member(s), residents in the local community, Solar and NYSERDA. They are midway through the study and would like to extend it for three months.

Councilor Bick said that he is in favor of extending this to obtain all pertinent information.

A resident asked about the difference between Industrial and Commercial. Councilor Hall asked if he was referring to the reference to commercial solar policy with regard to the calling of two public hearings. The resident asked why they are on the agenda. The Supervisor explained that they are just calling the public hearings and that they are in the Industrial Zone; the Industrial Zone is exempt from the Moratorium.

Another resident asked if there were any vacancies and if the committee was finalized. Councilor Young said that it is and he doesn't see adding anyone this late in the game. She then asked if there were minutes to the meetings of this commission. Councilor Young said that there are not as there is no secretary.

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

ONONDAGA COUNTY COMMUNITY DEVELOPMENT FUNDS – 2021 (CPH):

A public hearing to solicit from Town of Clay residents their comments and input regarding the use of funds by the Town of Clay with respect to the applications for funding filed with **ONONDAGA COUNTY COMMUNITY DEVELOPMENT** for the year **2021**, was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski began by explaining that each year funds are allocated for "low income" areas as defined by the census. These funds are typically used for road repair and improvement. He continued that the Town of Clay has 160 miles of Town Roads but would like to make improvements to the *Town of Clay Senior Center*. He

continued that the well utilized Senior Center is in need of some rehab and would like to allocate the funds for this as permitted.

Councilor Bick asked if they could use some of the money for *The Canteen*. Supervisor Ulatowski clarified that it is another budget line item. A resident asked if it could be used for infrastructure; it cannot.

All questions and comments having been heard, the Supervisor **closed** the public hearing.

Bid Award – ADULT CROSSING GUARDS FOR THE 2021-2022 SCHOOL YEAR:

Councilor Pleskach moved the adoption of a resolution authorizing the Supervisor to execute an Agreement with **ALL CITY MANAGEMENT SERVICES, INC.**, for providing **School Crossing Guard Services** for a one (1) year period; to commence on or around July 1, 2021 to June 30, 2022 (2021/2022 school year). This agreement may be renewed under the same terms for two (2) additional school years (2022-2023 and 2023-2024) upon written consent by both parties. The Town agrees to pay for the services rendered pursuant to the Agreement, the sum of **Twenty Five Dollars and Seventy One Cents (\$25.71)** per hour of guard service to be provided. The cost of providing **One Thousand, Nine Hundred Eighty (1,980) hours** of service shall not exceed **Fifty Thousand, Nine Hundred and Six 00/100 Dollars (\$50,906.00)**, and further authorizing the Supervisor to execute the necessary documents therefore. The Agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Bick.

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

Agreement (Lease) – LIVERPOOL CENTRAL SCHOOL DISTRICT:

Councilor Bick moved the adoption of a resolution authorizing the Supervisor to execute a **LEASE AGREEMENT** between the **LIVERPOOL CENTRAL SCHOOL DISTRICT** and the **TOWN OF CLAY** with regards to the use of the school's facilities for the Town's Athletic Sports Programs for the current year which shall extend from **June 21, 2021** through **August 26, 2021**, at a cost of approximately **\$2,415.00**. Subject to additions or deletions of programs falling under this agreement due to lack of registration. Motion was seconded by Councilor Hess.

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

Agreement - NEW YORK STATE DEPARTMENT of TRANSPORTATION (CHIPS):

Councilor Hess moved the adoption of a resolution authorizing the Supervisor to accept **\$578,619.82** in **Consolidated Local Street and Highway Improvement**

Program funding from the **New York State Department of Transportation** and authorizing the execution of agreements;

WHEREAS, the formula for New York State’s Consolidated Local Street and Highway Improvement Program (CHIPS) included **\$578,619.82** in funding for the Town of Clay; and

WHEREAS, it is necessary to amend the budget to include such funds in the Town of Clay Highway Departments 2021 budget to repair and maintain Town roads; now, therefore be it

RESOLVED, that the Supervisor is authorized to execute agreements and such other documents as may be reasonably necessary to implement the intent of this resolution. Motion was seconded by Councilor Bick.

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

Special Permit (CPH) - Town Board Case # 1164 - ANTHONY DANIELE, DANIELE FAMILY COMPANIES, LLC.:

Councilor Hall moved the adoption of a resolution calling a public hearing **June 21, 2021**, commencing at **7:35 P.M.**, local time, to consider the application of **ANTHONY DANIELE, DANIELE FAMILY COMPANIES, LLC., for a SPECIAL PERMIT** pursuant to Section 230-16B(2)(e)[3] allow for an Automobile Car Wash facility (Royal Car Wash), on land located at **7376 Oswego Road, Tax Map No. 104.-03-04.1**. Motion was seconded by Councilor Meaker.

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

Special Permit (CPH) – Town Board Case #1165 - SOUTH VERPLANK ROAD SOLAR, VP ROAD SOLAR, LLC.:

Councilor Pleskach moved the adoption of a resolution calling a public hearing **June 21, 2021**, commencing at **7:38 P.M.**, local time, to consider the application of **SOUTH VERPLANK ROAD SOLAR, VP ROAD SOLAR, LLC., for a SPECIAL PERMIT** pursuant to Section 230-27I.(2)(e) to allow for a Utility Substation, on 81.75 acres of land, located at **4936+/- Verplank Road, Tax Map No. 047.-01-09.1**. Motion was seconded by Councilor Hess.

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

Special Permit (CPH) – Town Board Case #1166 - NORTH VERPLANK ROAD SOLAR, VP ROAD SOLAR, LLC.:

Councilor Bick moved the adoption of a resolution calling a public hearing **June 21, 2021**, commencing at **7:41 P.M.**, local time, to consider the application of **NORTH**

VERPLANK ROAD SOLAR, VP ROAD SOLAR, LLC., for a SPECIAL PERMIT pursuant to Section 230-27I.(2)(e) to allow for a Utility Substation, on 22.99 acres of land, located at **0 Verplank Road, Tax Map No. 047.-01-07.0.** Motion was seconded by Councilor Pleskach.

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

Adjournment:

The meeting was adjourned at 7:51 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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

Jill Hageman-Clark RMC / Town Clerk