

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the September 8, 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

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 August 16, 2021 meeting. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried. Councilor Hall abstained due to his absence at that meeting.*

**Cancellation and/or requested adjournments.**

None

**Correspondence:**

There was no correspondence.

**REGULAR MEETING:**

**Fire Hydrant – (A) 4806 W. Taft Road:**

Councilor Hall moved the adoption of a resolution **approving** the installation of one (1) fire hydrant in the existing 0395 Clay Consolidated Water District as proposed on OCWA Map File No. 1005, for **4806 W. Taft Road (Tactair Building)** and authorizing the Supervisor to execute the OCWA fire hydrant application. **Fire**

**Hydrant No. 14643, OCWA Project No. 9004027.** The Developer, Tactair, will pay for the hydrant installation in conjunction with the 6” water main extension. The Town will be notified when the hydrant is in service, and will be billed the annual hydrant maintenance rate, which is currently \$74.50 per hydrant per annum. Motion was seconded by Councilor Bick.

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

**Agreement/ Authorization -: CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS:**

Councilor Pleskach moved the adoption of a resolution authorizing the Supervisor to enter into an agreement with **CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS** for the year **2022** in the amount of \$10,477.08, for all services for the treatment of animals on behalf of the **TOWN OF CLAY**, and execute the necessary document therefore. Motion was seconded by Councilor Meaker.

Councilor Hess asked what the cost of the contract was last year, adding that it seems a bit high and there was not supposed to be an increase. Supervisor Ulatowski said that he would look into it and that he would table the item for now.

Councilor Pleskach said moved the adoption of a resolution **withdrawing** the previous resolution, pending further information. Motion was seconded by Councilor Meaker.

Ayes – 7 and Noes – 0. *Motion carried, No Action on the Agreement.*

**Appointment – Board of Assessment Review:**

Councilor Bick moved the adoption of a resolution appointing Anne Stenham to the **Board of Assessment Review** for a term of five years. Said term to expire **September 30, 2026**. Motion was seconded by Councilor Pleskach.

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

**Establishing Lead Agency – CLAY MARKETPLACE:**

Councilor Meaker moved the adoption of a resolution pursuant to provisions of **6 NYCRR Part 617** that the application of a Planned Development District (PDD) to be known as **CLAY MARKETPLACE**, located on the Northeast corner of NYS Route 31 and Henry Clay Blvd, **Tax Map No. 045.-01-02.1.**, as a **Type I Action** for the purpose of SEQRA. The project has a completed Environmental Assessment Form (EAF) on record with the Town Planning Department. The proposed project involves an Amended Concept Plan consisting of a total of 14.9 acres comprised of ninety-six (96) unit, three-story apartment complex, and a commercial site consisting

of ±30,000 square feet of retail, restaurant and office space. The Town of Clay Town Board intends to serve as Lead Agency for the purpose of SEQRA compliance and in this capacity will determine if the proposed action will have a significant effect upon the environment. The Lead Agency will undertake a coordinated review of the application and will circulate a Lead Agency Notice to all Involved and Interested agencies and they will be give thirty (30) days to from the date of mailing to challenge the Lead Agency designation. The proposed project does not involve any other permit granting agency outside of the Town of Clay. We hereby designate the Town of Clay Town Board as the “**Lead Agency**” for the purpose of SEQRA. Motion was seconded by Councilor Hess.

Roll Call vote as follows:

Councilor Meaker – Aye

Councilor Hall – Aye

Councilor Young – Aye

Supervisor Ulatowski – Aye

Councilor – Bick – No

Councilor Hess – Aye

Councilor Pleskach – No

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

**LOCAL LAW No. 3 of the YEAR 2020 (extension) (CPH):**

Councilor Young moved the adoption of a resolution calling a public hearing **September 20, 2021**, commencing at **7:35 P.M.**, local time, to consider a six (6) month extension to **LOCAL LAW NO. 3 OF THE YEAR 2020** (originally set to expire July 20, 2021, three (3) month extension granted at June 21, 2021 Town Board Meeting). The purpose of said law is to provide an extension of the temporary moratorium against the consideration of any and all applications for solar utility substations, building permits, and other development for 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, 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. Motion was seconded by Councilor Hess.

Councilor Pleskach asked if a six (6) month extension was necessary. Supervisor Ulatowski explained that Legal Council recommended an extension, taking into consideration the delays because of COVID 19 and the inability to meet regularly. He added that Council said that they could rescind the extension if necessary. Councilor Young expounded that they are close to wrapping up.

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

**Adjournment:**

The meeting was adjourned at 7:37 P.M. upon motion by Councilor Young and seconded by Councilor Hall.

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

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Jill Hageman-Clark RMC / Town Clerk