

Approved

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the March 20th, 2023 at 7:30 P.M., there were:

PRESENT:

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

ABSENT:

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board Member.

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 February 6, 2023 Town Board meeting. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried. Councilor Pleskach abstained due to his absence.*

Cancellation and/or requested adjournments:

None.

Correspondence:

There was no correspondence.

REGULAR MEETING:

ZONE CHANGE (PH/Adj.) – Town Board Case #1175 – DELTA SONIC CAR WASH SYSTEMS INC.:

Councilor Hess moved the adoption of a resolution that the application of **Delta Sonic Car Wash Systems, Inc.**, for a Zone Change located on **3805 - 3809 State Route 31, Tax Map Nos. 020.-01-01.1, 020.-01-02.1 & 020.-01-02.2** from RA-100 to LuC-1 to allow for the construction of a car wash on 10.31 ± acres of land 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 Meaker.

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

ZONE CHANGE (PH/Adj.) – Town Board Case #1175 – DELTA SONIC CAR WASH SYSTEMS INC.:

Councilor Hess moved the adoption of a resolution **approving** the application of **Delta Sonic Car Wash Systems, Inc.**, for a Zone Change located on **3805 - 3809 State Route 31, Tax Map Nos. 020.-01-01.1, 020.-01-02.1 & 020.-01-02.2** from RA-100 to LuC-1 to allow for the construction of a car wash on 10.31± acres of land. Motion was seconded by Councilor Meaker.

A roll count vote went as follows:

Councilor Magaro-Dolan	No	Councilor Meaker	Yes
Councilor Young	Yes	Supervisor Ulatowski	Yes
Councilor Bick	Yes	Councilor Hess	Yes
Councilor Pleskach	No		

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

ZONE CHANGE (PH) – Town Board Case #1177 – ROUTE 31 HOLDING COMPANY LLC:

A public hearing to consider the application of **ROUTE 31 HOLDING COMPANY, LLC** for a Zone Change located at **5252 State Route 31**, from RA-100 Residential Agricultural District to HC-1 Highway Commercial District, **Tax Map No. 064.-01-12.3** consisting of 20 ± acres of land was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Joseph Frateschi spoke on behalf of the applicant. He began by explaining that the applicant is attempting to subdivide 20 ± acres and change the zoning to Highway

Commercial. The remaining 15 acres can be developed for housing for the proposed Micron.

Councilor Hess asked if Mr. Frateschi had maps for the Board and public to orient themselves to the parcel. Maps were provided.

Supervisor Ulatowski asked the size of the frontage on Route 31. There is 300 feet. Councilor Bick asked what the zoning is where the building is located. Mr. Frateschi said that it is RA-100. Councilor Bick asked if a Veterinary Hospital is an allowed use in RA-100. Commissioner Territo said that it is. Councilor Bick then asked if the majority of frontage is on Stearns Road. Mr. Frateschi said that it is, across from the proposed Micron site.

Supervisor Ulatowski asked if they are seeking to change all three parcels. They are.

Councilor Magaro-Dolan asked what the zoning is for the surrounding parcels. Mr. Frateschi said that it is Agricultural to the East and West. South is Agricultural as well, adding that it is close to the proposed Micron and other Industrial zones.

Supervisor Ulatowski asked if there were any plans for the property. Mr. Frateschi said they are planning for what is coming.

Councilor Meaker said that the majority of the parcel is on Stearns Road; are there any other commercially zoned parcels on Stearns? Mr. Frateschi said that the North side of Route 31 has Commercial and Industrial zones.

All questions having been heard, Supervisor Ulatowski **adjourned** the public hearing to the Planning Board for referral. Councilor Bick made a motion to **adjourn** to the **April 3, 2023** meeting at **7:35 P.M.** Motion was seconded by Councilor Pleskach.

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

Agreement/Securities (posting) – NAUTILUS SOLAR:

Councilor Meaker moved the adoption of a resolution approving a Security Posting Agreement between the Town of Clay and Nautilus Solar accepting the posting of \$244,307.00 cash and \$244,307.00 letter of credit for VerPlank Road Solar North; and \$288,747.00 cash and \$288,747.00 letter of credit for VerPlank Road Solar South, decommissioning plans. Motion was seconded by Councilor Young.

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

Contract (A) - TOWN OF CLAY LANDFILL POST CLOSURE ENVIRONMENTAL MONITORING PROGRAM (2023):

Councilor Pleskach moved the adoption of a resolution authorizing the Supervisor to execute a contract with C&S ENGINEERS, INC., for professional services to be rendered for the year 2023 in compliance with the DEC Regulations for the **TOWN OF CLAY LANDFILL POST CLOSURE ENVIRONMENTAL MONITORING PROGRAM**. Said services not to exceed the sum of \$24,000.00. Motion was seconded by Councilor Magaro-Dolan.

Councilor Hess asked if this was consistent with the 2022 contract. Ron DeTota said he believed that it is.

Ayes – 7 and Noes – 0. Motion carried.

Contract (A) (renewal) – Adult Crossing Guard Services:

Councilor Pleskach moved the adoption of a resolution authorizing a contract renewal for an additional one (1) year period for Adult Crossing Guard Services with All City Management Services in the amount of \$29.18/hour, per guard, based upon 1,980 hours, not to exceed a price of \$57,776.40/year. Said period shall commence July 1, 2023 and terminate June 30, 2024. Motion was seconded by Councilor Hess.

Councilor Meaker asked why this is the responsibility of the town and not the school districts. Councilor Hess explained that he had asked that question and was told that the school districts cannot control traffic, roadways or speed. Legal Counsel concurred.

Ayes – 7 and Noes – 0. Motion carried.

GRANT APPLICATION (A) COMMUNITY PROJECT FEDERAL FUNDING GRANT:

Councilor Bick moved the adoption of a resolution authorizing the Supervisor to apply for a Community Project Federal Funding grant (General CPF FY24) with New York's 22nd Congressional District and Congressman Brandon Williams Office in the amount of \$15,000,000.00 US dollars. Said grant would be utilized for land acquisition at 4531 State Route 31, Clay, New York and construction of a new Highway Garage. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 7 and Noes – 0. Motion carried.

Agreement (A) - Three Rivers Brownfield Opportunity Area (BOA) Pre-Development Project, Three Rivers Point:

Councilor Magaro-Dolan moved the adoption of a resolution authorizing the Supervisor to enter into an agreement with Plumley Engineering, P.C. for professional and technical services associated with NYS Department of State Contract Grant #C1001677 and **Components 1 – 3 of the Three Rivers Brownfield Opportunity Area (BOA) Pre-Development Project, Three Rivers Point**, within the Town of Clay. Said services are not to exceed \$220,900.00 and expires April 30, 2025. Motion was seconded by Councilor Meaker.

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

Adjournment:

The meeting was adjourned at 7:55 P.M. upon motion by Councilor Young and seconded by Councilor Meaker.

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



Jill Hageman-Clark RMC / Town Clerk