

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the December 4, 2023 at 7:30 P.M., there were:

PRESENT:

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

ABSENT:

David Hess	Councilor
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OTHERS PRESENT:

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 Bick made a motion to approve the minutes of the November 20, 2023 Regular Town Board meeting. Motion was seconded by Councilor Hess.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that item numbered 7, has a correction and item numbered 10 was withdrawn at the request of the applicant and item numbered 12 will not be heard.

Correspondence:

There was no correspondence.

REGULAR MEETING:

LOCAL LAW NO. 4 (f/k/a LOCAL LAW NO. 5) OF THE YEAR 2023 to amend Chapter 163 entitled “Parks and Recreation” (D):

Supervisor Ulatowski opened the public hearing to consider **LOCAL LAW NO. 4 (f/k/a LOCAL LAW NO. 5) OF THE YEAR 2023** to amend Chapter 163 entitled “Parks and Recreation” by amending Section 163-6 entitled “Prohibited uses and activities,” adding Section 163-6 (O) Smoking: Smoke and vaping free zones.

Tobacco or marijuana smoking and/or vaping and tobacco or marijuana use shall be prohibited in all Town-owned buildings owned, leased, used, operated, or maintained by the Town of Clay or any department of the Town of Clay (hereinafter "Town building"), without exception.

Tobacco or marijuana smoking (or vaping) and tobacco or marijuana use in any form shall also be prohibited within 30 feet of any Town building not located in a park, recreation area or playground.

Tobacco or marijuana smoking (and vaping) and tobacco or marijuana use of any type shall be prohibited in all Town-owned parks, playgrounds, and recreation areas.

The Town Board further determines and declares that all Town-owned parks, recreation areas and playgrounds shall be designated as tobacco-free and marijuana-free zones. **(ADJOURNED FROM THE 11/8/23 TOWN BOARD MEETING).**

The Supervisor explained that the Town Board took on the initiative to protect the welfare of youth by adding marijuana and or vaping to the current restrictions in Town parks.

Councilor Hess asked if the restriction of 30’ from the Town buildings refers to the building in its entirety or the doors or entrances. There was a lengthy discussion about this.

Councilor Meaker asked who will enforce this, and what will the penalty be. The Sheriff’s department will enforce and it will depend on the statute.

Councilor Magaro-Dolan clarified that the No Smoking in parks is already in place and if marijuana and vaping will just be added.

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

ZONE CHANGE (SEQR) – Town Board Case # 1191- WOODSIDE COMMERCIAL, LLC. / INVERNESS GARDENS SENIOR APARTMENTS:

Councilor Magaro-Dolan moved the adoption of a resolution for the application on a portion of the **WOODSIDE COMMERCIAL, LLC. / INVERNESS GARDENS SENIOR APARTMENTS** for a zone change from PDD, Planned Development District, to R-SR, Senior Residence District, to allow for construction of Senior Apartments on land located at **4938 West Taft Road, Tax Map No. 116.1-01-01.1** consisting of ± 6.65 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 (A.) – Town Board Case # 1191- WOODSIDE COMMERCIAL, LLC. / INVERNESS GARDENS SENIOR APARTMENTS:

Councilor Magaro-Dolan moved the adoption of a resolution **approving** the application on a portion of the **WOODSIDE COMMERCIAL, LLC. / INVERNESS GARDENS SENIOR APARTMENTS** as set forth on the survey, for a zone change from PDD, Planned Development District, to R-SR, Senior Residence District, to allow for construction of Senior Apartments on land located at **4938 West Taft Road, Tax Map No. 116.1-01-01.1** consisting of ± 6.65 acres of land. Motion was seconded by Councilor Hess.

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

ZONE CHANGE (PH) – Town Board Case # 1193 - VICKSBURG ESTATES, LLC. / RIVER GROVE APARTMENTS:

APPLICANT REQUESTED TO WITHDRAW APPLICATION VIA EMAIL DATED - TUESDAY, NOVEMBER, 21, 2023.

LOCAL LAW NO. 4 (f/k/a LOCAL LAW NO. 5) OF THE YEAR 2023 to amend Chapter 163 entitled “Parks and Recreation” (A):

Councilor Young moved the adoption of a resolution approving **LOCAL LAW NO. 4 (f/k/a LOCAL LAW NO. 5) OF THE YEAR 2023** to amend Chapter 163 entitled “Parks and Recreation” by amending Section 163-6 entitled “Prohibited uses and activities,” adding Section 163-6 (O) Smoking: Smoke and vaping free zones.

Tobacco or marijuana smoking and/or vaping and tobacco or marijuana use shall be prohibited in all Town-owned buildings owned, leased, used, operated, or maintained by the Town of Clay or any department of the Town of Clay (hereinafter "Town building"), without exception.

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The Town Board further determines and declares that all Town-owned parks, recreation areas and playgrounds shall be designated as tobacco-free and marijuana-free zones.

Motion was seconded by Supervisor Ulatowski. A roll count vote went as follows:

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

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

Assessment – Low Income Seniors:

NO ACTION

LOCAL LAW NO. 5 OF THE YEAR 2023 to amend Chapter 211 entitled “Traffic and Vehicles” (PH):

A public hearing to consider amending Chapter 211 entitled "Traffic and Vehicles," Section 5 entitled “Speed Limits” of the Town of Clay Municipal Code, for the

reduction of the present 30 MPH speed limit to 15 MPH around the 90-degree corner located on **Ginger Road** and authorization to install the necessary signs therefor was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Beverly Gibbs of Ginger Road was present to speak on behalf of this request and began by explaining that she has lived there for 27 years and has watched the neighborhood change. There are more delivery vehicles as well as walkers, cyclists, joggers and children. She continued that it is impossible to make the curve at 30 MPH and is requesting a speed reduction to 15 MPH on this curve. Supervisor Ulatowski said that he visited the area and is in agreement. He said that the Highway Superintendent concurs as well. Councilor Meaker thanked Ms. Gibbs for taking the initiative to make a difference. Councilor Pleskach agreed that it is a sharp turn.

All questions and comments being heard, Supervisor Ulatowski **closed** the public hearing.

LOCAL LAW NO. 5 OF THE YEAR 2023 to amend Chapter 211 entitled “Traffic and Vehicles” (A):

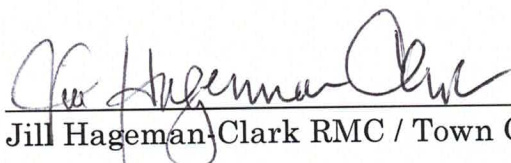
Councilor Meaker moved the adoption of a resolution **approving LOCAL LAW NO. 5 OF THE YEAR 2023**, amending Chapter 211 entitled “Traffic and Vehicles”, Section 5 entitles “Speed Limits” of the Town of Clay Municipal Code, for the reduction of the present 30 MPH speed limit around the 90-degree corner located on **Ginger Road** and authorization to install the necessary signs therefore. Motion was seconded by Councilor Young.

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

Adjournment:

The meeting was adjourned at 7:59 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*



Jill Hageman-Clark RMC / Town Clerk