

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the November 17, 2025, at 7:30 P.M., there were:

PRESENT:

Joseph Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
Deborah Magaro-Dolan	Councilor
David Capria	Councilor
Jill Hageman-Clark	Town Clerk
Robert Germain	Town Attorney
Ron DeTota	Town Engineer
Brian Bender	Commissioner Plan & Development

ABSENT:

Damian Ulatowski	Supervisor
Ryan Pleskach	Councilor
Edward Wisnowski	Councilor

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty and Paul Graves, Planning Board Members. Joe Nicoletti, Highway Superintendent; Mike Redhead, Fire Inspector and Mike Brown, Chief MCFD.

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

APPROVAL of MINUTES:

Councilor Magaro-Dolan made a motion to approve the minutes of the November 5, 2025 Regular Town Board Meeting. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

CORRESPONDENCE:

Caitlyn and Jarrett Winders spoke on the ongoing noise issues at Sharkey's, reading a letter about their dilemma with the business (see attached) and submitted (to the Town Clerk) a petition to request denial on the forthcoming petition from the business. Deputy Supervisor Bick thanked them.

REQUESTS FOR ADJOURNMENTS:

None

REGULAR MEETING

SPECIAL PERMIT (SEQR) – Town Board Case # 1238 – NORTHERN CREDIT UNION:

Councilor Young moved the adoption of a resolution regarding the application of Town Board Case #1238: NORTHERN CREDIT UNION, for a Special Permit pursuant to Section 230-16 C.(2)(e)[2] – Uses Allowed: Drive-In Service, to allow for a bank with drive-in services on land located at 3584 State Route 31, Baldwinsville, Tax Map No. 052.-02-11.3, consisting of +/- 1.3 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. **The Planning Board, at its October 22nd meeting, issued a favorable recommendation for the Town Board's consideration of the request.* Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) – Town Board Case # 1238 – NORTHERN CREDIT UNION:

Councilor Young moved the adoption of a resolution (approving/denying) Town Board Case #1238: NORTHERN CREDIT UNION, for a Special Permit pursuant to Section 230-16 C.(2)(e)[2] – Uses Allowed: Drive-In Service, to allow for a bank with drive-in services on land located at 3584 State Route 31, Baldwinsville, Tax Map No. 052.-02-11.3, consisting of +/- 1.3 acres of land. The property is located in the RC-1 Regional Commercial District. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

LOCAL LAW No.1 of the YEAR 2025(PH)(f/k/a Local Law # 2) – Chapter 211-Traffic and Vehicles (PH):

Councilor Capria moved the adoption of a resolution **approving** LOCAL LAW NO. 1 OF THE YEAR 2025 (f/k/a LOCAL LAW NO. 2 OF THE YEAR 2025) to amend Chapter 211 entitled “Traffic and Vehicles,” Section 5 entitled “Speed Limits” of the Town of Clay Municipal Code, for the reduction of the present 55 MPH speed limit to 45 MPH on the west end of Mud Mill Road, from Caughdenoy Road, extending to the Town of Cicero line and authorization to install the necessary signs therefor. . Motion was seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*

ZONE CHANGE (PH/Adj.) – Town Board case # 1236 – HINERWADELS SITE:

A public hearing to consider the application of Town Board Case #1236: HINERWADELS SITE, for a Zone Change from R-10 One-Family Residential and LuC-2 Limited Use District for Restaurants, to R-7.5 One-Family Residential District and O-2 Office District on land located at 5300 W. Taft Road, Tax Map Nos. 117.-09-25.0, 117.-09-24.0, 117.-09-23.0 & 117.-10-01.0, consisting of +/- 29.1 acres, to allow for construction of residential lots and two commercial lots. (09/15/2025 Referred to Planning Board; Adjourned from 09/15/2025, 10/06/2025 & 10/20/2025 Town Board meetings) **The Planning Board at their October 8th meeting considered the item and through a vote of seven to zero composed a favorable recommendation with supportable comments for the Zone Change.*

Deputy Supervisor Bick opened the public hearing and explained that 45 residents were notified about the public hearing, 6 from Wally Road.

Ben Harrell of CHA was present to continue the discussion. He distributed a legal description to the Town Board and explained the Traffic Study is currently in progress. He continued the study will assess 13 intersections from West Taft Road and Buckley Road to West Taft and South Bay as well as Route 11 and Wally Road. Deputy Supervisor Bick said the Town Board will not make a decision on the zone change until the Board has had the opportunity to review the study.

There was a discussion regarding the possibility of connecting the new development to Wally Road, enabling a second egress. This is being considered but not definitely happening.

One resident asked if a traffic light at Wally is being proposed. The applicant is not proposing it and would need to be approved by State DOT.

Two residents (from Wally Road) were present again to speak out against the possible connection to Wally Road and Brought up concerns such as increased traffic, speeding and additional delays.

One of the residents asked if the Clerk had located a document dating back to when the development was constructed making the road permanently a dead-end road (If records exist they would likely be filed at the county level). He continued that the Town Board wants this application and the connection to Wally Road. The other resident asked the Board to listen to the people.

Councilor Young explained this application is to approve or deny the zone change. The possibility of the connection to Wally Road will come later or from a different Board, unless the approval states that the connection is made.

Deputy Supervisor Bick said he will **close** the public hearing, and a decision will not be rendered until the Town Board has the opportunity to review the traffic study.

LOCAL LAW No.2 of the YEAR 2025(PH))(f/k/a Local Law # 3) – Section 230-16B (2) (e) :

A public hearing to consider LOCAL LAW NO. 2 OF THE YEAR 2025 (f/k/a/ LOCAL LAW NO. 3 OF THE YEAR 2025) amending Town Code, Section 230-16 - Commercial Districts, B. HC-1 Highway Commercial (b)(2) Uses Allowed: item (6) Shopping Center, to add the requirement of the issuance of a Special Permit from the Town Board pursuant to Town Code Section 230-27 (Special Permit Review) for the following use within a Shopping Center: (e)[15] Gasoline Service Station.
(Adjourned from the 11/05/2025 Town Board meeting) Adjourn to 12/01/2025 @ 7:41 P.M.

Deputy Supervisor Bick explained, the need for this Local Law is to clarify wording in the Town Code that could be misconstrued. A case was heard for a shopping center that included fuel service (this was understood by the Town Board, however, when the Planning Board reviewed the case, they didn't read the current code to allow the fuel service. This was sent to the Zoning Board of appeals for interpretation, and it was determined it would be an allowed use.

Councilor Young stated gasoline service is serious enough that the applicant would now need to obtain a special permit. This local law will serve to clarify future cases.

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

Audit – Justice Audit 2024:

Councilor Capria moved the adoption of a Resolution that the Town of Clay hereby accepts the Judicial Audit for the Fiscal Year ending December 31, 2024. Motion was seconded by Councilor Bick.

Ayes – 4 and Noes – 0. *Motion carried.*

Intermunicipal Agreement – Town of Clay and Town of Lysander:

Councilor Magaro-Dolan moved the adoption of a resolution approving the Supervisor to re-enter into an Intermunicipal Agreement between the Town of Clay and the Town of Lysander to provide for the services of sign creation. The anticipated term of the agreement is for a three (3) year period beginning January 1,

2026, and terminating on December 31, 2028; and authorizing the Supervisor to execute the necessary document therefor. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

Appointment – STORMWATER AND FLOOD PLAN ADMINISTRATOR:

Councilor Magaro-Dolan moved the adoption of a resolution authorizing the Commissioner of Planning and Development, Brian Bender, to serve as the Town of Clay's Stormwater and Floodplain Administrator, a role that has been temporarily filled by Town Engineer Ron DeTota. Motion was seconded by Councilor Young.

Ayes – 4 and Noes – 0. *Motion carried.*

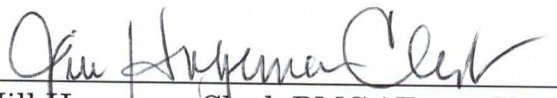
LOCAL LAW No.3 of the YEAR 2025 (PH) – Section 230-14(A)(2):

NO ACTION

Adjournment:

The meeting was adjourned at 8:05 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

Ayes – 4 and Noes – 0. *Motion carried.*


Jill Hageman-Clark RMC / Town Clerk

Petition to Oppose Excessive Noise and Illegal Concerts at Sharkey's Bar and Grill and Deny Proposed Zoning Change

To:

Town of Clay Board Members
Local Government and Noise Regulation Authorities

From:

Concerned Residents of the Towns of Clay and Salina

We, the undersigned residents of the Towns of Clay and Salina, respectfully submit this petition to express our strong opposition to the ongoing excessive noise, illegal concerts, and proposed zoning change requested by Sharkey's Bar and Grill, located at 7240 Oswego Rd, Liverpool, NY 13090.

Overview of the Issue:

Sharkey's Bar and Grill has become a consistent source of noise pollution and public disturbance due to its frequent live concerts and large events. These events routinely exceed the legal noise limits, especially during evening and nighttime hours, negatively impacting the health, peace, and quality of life for nearby residents.

Despite existing noise ordinances that prohibit excessive sound beyond certain hours (9:00 PM as per Table 1 of code 152-4), Sharkey's continues to violate these constraints. This is not a minor inconvenience - it is a recurring and disruptive issue that affects families, the elderly, and working individuals in the surrounding residential areas. Not only do they exceed noise limits, they also do not hold the proper permits or zoning to conduct these concerts.

Residents have had to endure:

- Loud music and bass vibrations continued well past the noise ordinance hours.
- Sleep disruption, particularly for families with young children, elderly individuals, and those who work early hours.
- Increased frustrations due to the constant disruption of the peaceful atmosphere that is expected in our private residences and yards due to the excessive vibrations and noises heard inside and outside our houses.

- A general decline in neighborhood tranquility and livability.
 - Town of Clay noise codebook violations (152-4D, 152-4K, and 230-14A(2))
-

Concern Over Proposed Zoning Change:

Sharkey's Bar and Grill is now seeking a zoning change from REC-1 to Regional/Commercial-1. This change with a permit would **allow the venue to legally operate as a nightclub**, likely increasing the frequency and intensity of these disruptive events.

We firmly believe this zoning change request is an attempt to avoid accountability and bypass existing noise regulations rather than to address the community's valid concerns. If Sharkey's gets the zoning change, they will still not abide by the noise limits set in the codebook.

Our Requests:

1. Deny the Zoning Change Request:

We respectfully urge the Town of Clay to **deny** Sharkey's request to rezone from REC-1 to Regional/Commercial-1. This change would only worsen the current situation and set a dangerous precedent for future commercial activity in residential zones.

2. Immediate Investigation:

We request that local authorities conduct a thorough investigation into the sound levels during concerts and events at Sharkey's Bar and Grill to assess ongoing violations of noise ordinances.

3. Enforce Existing Noise Laws:

We ask that fines, penalties, or other enforcement actions be taken when violations occur, and that a clear process be implemented for ongoing monitoring and accountability. If concerts continue, the town should authorize local police to shut down any concerts that go past the noise ordinance hours.

4. Engage with the Business:

If concerts continue, the town should require Sharkey's management to implement meaningful noise mitigation strategies, including soundproofing, reduction in amplification levels, and strict adherence to event end times and noise limits.
