

## DRAFT

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on February 2, 2026, at 7:30 P.M., there were:

### PRESENT:

Damian Ulatowski	Supervisor
Joseph Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
David Capria	Councilor
Edward Wisnowski	Councilor
Ryan Russell	Councilor
Courtney Gauthier	Councilor
Jill Hageman-Clark	Town Clerk
Brian Bender	Commissioner Planning & Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

### ABSENT:

None

### OTHERS PRESENT:

Russ Mitchell, Planning & Hal Henty and Paul Graves, Planning Board Members. Mike Redhead, Fire Inspector and Mike Brown, Chief of MCFD.

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 January 21, 2026 Regular Town Board Meeting. Motion was seconded by Councilor Wisnowski.

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

**CORRESPONDENCE:**

Supervisor Ulatowski asked if the resident that asked about the maintenance of the sidewalks by area businesses was present. He was. The Supervisor said he has looked into this and a reminder to keep sidewalks clear of snow and ice is on the Town website.

**REQUESTS for ADJOURNMENTS:**

Item # 12; the Local Law #1 of the Year 2026, updating the fee schedule will not be heard.

**REGULAR MEETING**

*Supervisor Ulatowski opened all three applications for Summit Federal Credit Union together.*

**ZONE CHANGE (PH) TOWN Board Case # 1240 – SUMMIT FEDERAL CREDIT UNION, TAFT ROAD BRANCH:**

Supervisor Ulatowski opened a public hearing to consider the application of Town Board Case #1240: **THE SUMMIT FEDERAL CREDIT UNION, TAFT ROAD BRANCH**, for a Zone Change from O-1 Neighborhood Office District to O-2 Office District to allow for demolition of an existing office building and construction of a new Credit Union on property located at **4955 West Taft Road, Tax Map Nos. 107.-14-26.1 and 107.-14-27.1**, consisting of +/-1.07 acres of land.

**SPECIAL PERMIT (PH) TOWN Board Case # 1242 – SUMMIT FEDERAL CREDIT UNION:**

Supervisor Ulatowski opened a public hearing to consider the application of Town Board Case #1242: **THE SUMMIT FEDERAL CREDIT UNION**, for a Special Permit pursuant to Section 230-15 B.(2)(e)[2] – Uses Allowed: Bank/Credit Union, to allow for use of a Credit Union on property located at **4955 West Taft Road, Tax Map Nos. 107.-14.26.1 and 107.-14-27.1**, consisting of +/- 1.07 acres of land. The property is **tentatively** (*with approval of Town Board Case #1240*) in the O-2 Office District.

**SPECIAL PERMIT (PH) TOWN Board Case # 1241 – SUMMIT FEDERAL CREDIT UNION:**

Supervisor Ulatowski opened a public hearing to, to consider the application of Town Board Case #1241: **THE SUMMIT FEDERAL CREDIT UNION**, for a Special Permit pursuant to Section 230-15 B.(2)(e)[4] – Uses Allowed: Drive-In Service, to allow for construction of a Credit Union with drive-thru service on property located at **4955 West Taft Road, Tax Map Nos. 107.-14.26.1 and 107.-14-27.1**, consisting of +/- 1.07 acres of land. The property is **tentatively** (*with approval of Town Board Case #1240*) in the O-2 Office District.

Tim Coyer from Ianuzzi and Romans was present on behalf of the applicant. He began by explaining David Harrish was also present as a representative of the Summit Federal Credit Union. He explained, the Summit Federal Credit Union is a not-for-profit credit union. Formerly the Syracuse Police Department Federal Credit Union, Summit sponsors many local activities such as the Taste of Syracuse and the North Syracuse Family Festival as well as making charitable contributions to the community.

Mr. Coyer said that the applicant is under contract to purchase two parcels at Carriage Parkway and Taft Road. If the applications are approved, they will combine the two parcels into one. The applicant is seeking the Zone Change and Special Permits to construct the new facility at this location.

Mr. Coyer continued, there will be no significant changes to the traffic, and they are proposing a buffer in consideration of the neighbors. The lighting plan projects zero spillover. The vehicles will enter and exit from Carriage Parkway. They calculate stacking for the drive-thru will be 5-6 vehicles with no stacking onto Carriage Parkway.

Councilor Young asked of the applicant will seek any area variances? They will not. He asked how many cars would enter hourly. Mr. Coyer said he did not have that information but would investigate it.

Councilor Capria said he lives on Allen Road (near the current location) and sees no impact.

Councilor Young asked if the applicant would be receptive to a restriction of a curb cut onto Taft Road. The applicant said they would.

Supervisor Ulatowski referred to the Planning Board, all three cases for recommendation. Councilor Wisnowski moved the adoption of a resolution **adjourning** public hearing #1240 to **3/2/2026 at 7:35PM**

~and~

public hearing #1242 to **3/2/2026 at 7:38PM**

~and~

public hearing #1241 to **3/2/2026 at 7:41PM**. Motions were seconded by Councilor Gauthier.

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

***Supervisor Ulatowski opened both applications for NEXAMP Wetzel Road Storage and NEXAMP Longbranch Storage, together.***

**SPECIAL PERMIT (PH) TOWN Board Case # 1243 - NEXAMP, INC, d/b/a WETZEL ROAD STORAGE, LLC:**

Supervisor Ulatowski opened a public hearing to consider the application of Town Board Case #1243: **NEXAMP, INC, d/b/a WETZEL STORAGE, LLC.**, for a Utility Substation Special Permit pursuant to Section 230-27 I.(2)(e)[1][a] - Utility Substation and Section 230-27 I.(2)(e)[1][i] - Other public utility uses, to allow for a proposed battery energy storage system (BESS) utilizing Tesla Megapack batteries and an interconnection to the National Grid distribution system on property located at **4664 Wetzel Road, Tax Map No. 087.-01-12.0**, consisting of +/- .92 acres of land. The property is located in the I-1 Industrial 1 District.

**SPECIAL PERMIT (PH) TOWN Board Case # 1244 - NEXAMP, INC, d/b/a LONG BRANCH STORAGE, LLC:**

Supervisor Ulatowski opened a public hearing to consider the application of Town Board Case #1244: **NEXAMP, INC, d/b/a LONG BRANCH STORAGE, LLC.**, for a Utility Substation Special Permit

pursuant to Section 230-27 I.(2)(e)[1][a] - Utility Substation and Section 230-27 I.(2)(e)[1][i] - Other public utility uses, to allow for a proposed battery energy storage system (BESS) utilizing Tesla Megapack batteries and an interconnection to the National Grid distribution system on property located on **Long Branch Road, Tax Map No. 104.-02-09.1**, consisting of +/- .78 acres of land. The property is located in the RC-1 Regional Commercial District.

Olivia Sproviero, Mike DeAngelo and another representative of Nexamp spoke on behalf of this request. They gave a brief background and explained that they will connect to National Grid through the power lines on Matledge Road. They said they have sent the site plans to the local fire departments for their input. The batteries will charge at nighttime “levelizing” the grid. A resident asked about the noise. Ms. Sproviero said it would be approximately 75 decibels. They are proposing a screening by trees and a wall if necessary, adding the site on Wetzel is currently screened on three sides by trees.

The applicant continued, the Longbranch Road site will have 8’ trees and an 8’ fence. Lighting will be provided for maintenance only; they propose testing only once a year.

Councilor Gauthier asked what the emergency response time will be. The applicant said that the Emergency dispatch is in Massachusetts 6-8 hours away. They continued, they have the ability to be there in 4 hours and are working with local fire departments. Mike Brown, Chief of MCFD, asked who they were working with.

A resident stated the Town of Clay doesn’t have a paid Fire Department, and this will strain the volunteer fire departments, especially with a 4-8 hour window for Nexamp to respond. He also asked about evacuation. The applicant said that if the product burns, they would test the air quality in a 100’ radius.

The applicant said they would sell power back to National Grid which would offset the proposed 29% increases for delivery rates. They continued, 4 hours a day of battery power could power 37 average homes per month. In addition, Nexamp will upgrade the 100-year-old system National Grid is using.

Councilor Bick asked how long it would take to burn all the cells? The applicant didn't know. He asked how many cells they were storing; again, the applicant could not answer. Councilor Bick asked the Commissioner of Planning and Development if the Town Code limits the number of cells they could store. Commissioner Bender said the limit is a 5000-sf building, adding the setbacks are 115' from the center line as well as supplemental setbacks outlined in the code.

Councilor Young asked how many of the metal cabinets are being proposed. The applicant said 6, 8' by 20' cabinets on both sites. He asked if they are considering future expansion and if they would accept restrictions. They answered yes, maybe not on the number of containers but on the total number of megawatts.

Councilor Capria asked about the decommission plan. The applicant did not supply one and Councilor Capria said he would like to see what the decommission plan looks like.

Councilor Wisnowski stated concerns with possible fires and monitoring the air quality. He asked what the chemical analysis was for the 2023 fires. The applicant said that the current technology is phosphate while previous products were cobalt that has a higher probability of combustion.

Supervisor Ulatowski asked if Nexamp currently has any storage in Onondaga County. They said they have them in Rome, Lansing and Johnstown and are in the process of proposing several in Onondaga County.

Russell Pope asked about training for the volunteer fire departments, adding that this is a lot to expect from them especially considering the half day it will take to put the batteries out. He asked who oversees the 'savings'? National Grid restricts the supply and demand.

The applicant said the Tesla mega packs go through rigorous testing through State and Federal Code regulations. They added new technology works well with the fire departments.

A resident said there are 4 buildings that house 16 families 130' from the (Longbranch) parcel. Many spoke about the proximity to homes, school and playground for both parcels.

Others voiced concerns over the possibility of fires and the burden it will place on our fire departments and the additional hazmat training that will be required. Chief Brown asked if they expect the fire department to hang around for four hours, adding, this will be a large event for them.

There were comments about the noise and the impact on property values. A resident asked how they pick these sites. Why not somewhere more rural? Another asked if they owned the parcels. They will lease. Concerns for the wetlands. A resident asked if they had done an environmental study and they said they are working with the DEC.

Many residents spoke in opposition to both applications, some asked for denial and others suggested a moratorium as other towns have adopted. Residents sent emails and submitted letters asking for denial or a 1-year moratorium.

Supervisor Ulatowski referred both cases to the Planning Board for recommendation. Councilor Bick moved the adoption of a resolution **adjourning** public hearing #1243 to **3/2/2026 at 7:44PM**

~and~

public hearing #1244 to **3/2/2026 at 7:47PM**. Motions were seconded by Councilor Young.

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

**SPECIAL PERMIT (PH) TOWN Board Case # 1245 - CARSON POWER, LLC:**

Supervisor Ulatowski opened a public hearing to consider the application of Town Board Case #1245: **CARSON POWER, LLC.**, for a Utility Substation Special Permit pursuant to Section 230-27 I.(2)(e)[1][a] - Utility Substation and Section 230-27 I.(2)(e)[1][i] - Other public utility uses, to allow for a proposed battery energy storage system (BESS) utilizing twelve (12) units on property located at 7846 & 7850 Goguen Drive, **Tax Map Nos. 087.-01-53.0 and 087.-01-08.2**, consisting

of +/- .2.65 acres of land. The property is in the I-1 Industrial 1 District.

Emily Thomas, Erik Anderson and Dan Murray were present to speak on behalf of this application. Mr. Anderson explained that Mr. Murray was in charge of the emergency response. He continued these a 2 parcels are on the south side of Wetzel Road and is proposing 2 MW systems that will tie into the local electric grid. They have supplied post commission agreements and are equipped to fund the local fire departments. There will not be a lot of foot traffic.

Mr. Murray said that the Emergency Safety Response is made up of fire fighters that will train local departments. There are walkthroughs to test batteries for safety, adding that these are the most advanced, less volatile technology. They are not as energy dense, and the battery health is tracked by computers. There is a remote shutdown if all systems fail and they will not explode but are designed to burn down. Hazmat measurements are within the EPA standard and the 26 container fires over the past 10 years have produced no evidence of contamination, but the worst case would occur with heavy wind and could require evacuation.

Councilor Capria asked if the technology could sense the system getting too hot and would shut down automatically. Mr. Murray said that it would. Councilor Gauthier asked if the Emergency response Team would work with the local fire departments. They would.

A man said that they seem better prepared than the last applicant but would still like to see a moratorium for 6 months or more until we all know and understand the impact on our community.

Supervisor Ulatowski referred this case to the Planning Board for recommendation. Councilor Capria moved the adoption of a resolution **adjourning** public hearing #1245 to **3/2/2026 at 7:50PM**. Motion was seconded by Councilor Bick.

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

**Amending the Town Code Chapter 105 entitled “FEES” (CPH):**

Move the adoption of a resolution calling a public hearing on March 2, 2026, commencing at 7:35 P.M., local time, to consider amending the Code of the Town of Clay, Chapter 105 entitled “Fees,” Section 4, Schedule of Fees; Paragraph B. Additional Fees; adding sub paragraph (4) entitled “Recreation Department” as follows:

<b>Item/Subject Matter</b>	<b>Fee</b>
Program	5% of total income collected
Athletic Field/Court	Not for Profit, \$15/hour For Profit, \$30/hour
Gazebo Rental	\$15/day
Pavilion Rental	\$25/day
Motion was seconded by Councilor.	

**NOT HEARD**

**AGREEMENT – STORMWATER AND EDUCATION COMPLIANCE ASSISTANCE PROGRAM:**

Councilor Young moved the adoption of a resolution WHEREAS, the Town of Clay, herein called the “Municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve-month timeframe.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CLAY, that the Supervisor or such person's successor in office is the representative authorized to act on behalf of the Municipality's governing body in all matters related the Project;

That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption. That this Resolution take effect immediately. Motion was seconded by Councilor Wisnowski.

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

### **ADDITIONAL AGENDA**

#### **LOCAL LAW No. 1 of the Year 2026 – Temporary Moratorium (CPH):**

#### **NOT HEARD**

#### **AGREEMENT (retainer) – Bond Schoneck & King:**

Councilor Wisnowski moved the adoption of a resolution approving a retainer agreement between the Town of Clay and Bond Schoeneck & King, PLLC, in relation to Article 78 proceeding and authorizing the Supervisor to execute necessary documents, therefore. Motion was seconded by Councilor Young.

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

**AGREEMENT - Letter of Intent – ResilienX:**

Councilor Wisnowski moved the adoption of a resolution approving a Letter of Intent between the Town of Clay and ResilienX, Inc. for a pilot program to evaluate the use of drone-in-a-box system hosted at the Town of Clay Highway Garage and authorize the Supervisor to execute necessary documents, therefore. Said Letter of Intent is non-binding and does not create any legal, financial, or procurement obligation for either party. It is intended solely to document the parties' mutual interest in conducting a pilot program and continuing discussions. Motion was seconded by Councilor Young.

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

**ADJOURNMENT**

The meeting was adjourned at 9:56 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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

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Jill Hageman-Clark RMC / Town Clerk