

UNAPPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on July 20, 2026, at 7:30 P.M., there were:

PRESENT:

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

ABSENT:

Eugene Young	Councilor
Courtney Gauthier	Councilor
Robert Germain	Town Attorney

OTHERS PRESENT:

Russ Mitchell, Planning and Paul Graves, Planning Board Members.

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 July 6, 2026 SPECIAL Town Board Meeting. Motion was seconded by Councilor Capria.

Ayes – 4 and Noes – 0. *Motion carried. Supervisor Ulatowski abstained.*

CORRESPONDENCE:

e-Bike briefing with Onondaga County Sheriff's Office Supervisor Ulatowski said that the Town Offices have received numerous complaints regarding e-bikes and reached out to the Sheriffs Office to speak about them. Lieutenant Siddell, Deputy Greenwood and Deputy Badman were present to answer questions regarding e-Bike rules and regulations.

Lieutenant Siddell explained the laws were not written when e-Bikes gained popularity. They are relatively new and the rules are difficult to enforce. In addition, some are modified to go faster than intended.

Many resident voiced concerns regarding speed, safety and parental responsibility. The e-bikes fall into three different categories based on speed and pedals. Children under the age of 16 cannot legally ride an e-bike or e-scooter on public roads.

Helmets are **required** for 16–17-year-olds on e-scooters and class 3 e-bikes and strongly recommended for everyone else. E-bikes can be ridden in bike lanes and on roads with a speed limit of 30 MPH or less and are not to be operated on sidewalks.

The Sheriffs Department is working diligently to educate parents about the dangers of these, as well as the responsibility involved.

Many residents said the riders are operating irresponsibly and risk getting hurt or hurting someone else. One resident suggested if the police have to respond more than once, the parents should be arrested for endangering the welfare of a child. Deputy Greenwood explained the laws have not caught up to rapidly evolving situation with e-bikes and e-scooters. Some residents referred to two recent fatalities involving e-bikes.

Lieutenant Siddell explained how difficult it is for the Sheriffs Department to police this issue when the operator of the bike drives through residential yards to evade the police.

One resident asked how the Town of Clay can address these concerns, adding could a Local Law be passed? Lieutenant Siddell said the problem is still enforcement. The resident asked if a Local Law was passed, could the Sheriffs enforce it; they could.

Another resident asked about adding signs to parks and green areas prohibiting e-bikes in them. Another suggested putting the rules (see attached) on the website to make people more aware.

One man said they are driving on his property to get to the easement. He asked about *No Trespassing* signs. The officers said that anyone 15 and older could be arrested for trespassing.

Supervisor Ulatowski concluded by explaining the Town is aware of the issue and recognizes this must be curtailed. He continued the Town is partnering with the Sheriffs Department for more patrols and increased public safety. A Local Law may be a possibility. The Town wants to take care handling this responsibly for the residents of Clay.

Supervisor Ulatowski asked if anyone wished to address the Town Board on anything not on the agenda.

Mark Goettel asked if the Town had made a decision to modify the LOSAP benefit for the fire departments. Supervisor Ulatowski said that we are in the process of getting quotes and they cannot be completed until the Annual Valuations are completed for 2026 by the insurance company. Mr. Goettel thanked the Supervisor.

Freddie Harris asked if the Town of Clay Code Section 197-3 (see below) could be amended to include snow shoveled off a roof onto another property. She explained,

her neighbor shovels the snow off the roof onto the property between the two town houses. This was extremely difficult with the extreme amount of snow this past year. Ms. Harris said she spoke with Commissioner Grispino regarding this. He suggested she come to the meeting and bring it to the Town Boards attention, adding it would be an amendment to the Town Code, replacing the word ~~driveway~~* and replacing it with the word **property**. Supervisor Ulatowski said that he would talk to the Commissioner of Code Enforcement. Ms. Harris thanked the Supervisor.

§ 197-3 Regulations.

Code/Ch 197: Streets and Sidewalks/Ch 197 Art I: Snowplowing Regulations

A. No person shall plow, shovel, sweep or pile snow, ice or other such materials in or beyond the right-of-way of any street or public highway or cause such to be done so as to interfere with the safety and convenience or public travel or such as to constitute an obstruction of the sight of persons traveling by vehicle or by foot on public streets or sidewalks or on private driveways.

B. No person shall plow, shovel or pile snow from a private or public driveway* in such a manner as to deposit the same in the public roadway or on a public right-of-way or sidewalk or across the street from said driveway or onto the property of another without that person's consent.

REQUESTS for ADJOURNMENTS:

Town Board Case # 1244 - NEXAMP, INC, d/b/a LONG BRANCH STORAGE, LLC.
Town Board Case #1245 – CARSON POWER, LLC.

REGULAR MEETING

SPECIAL PERMIT (PH/Adj.) – Town Board Case # 1257 – AT&T MOBILITY:

A public hearing to consider the application of Town Board Case #1257: **AT&T MOBILITY** for a Utility Substation Special Permit pursuant to Section 230-27 I.(2)(e)[1][g] – Utility Substation; Communication towers, radio and television towers, relay stations, or transmitting or booster antennas, to allow for installation and operations of an antenna and associated equipment cabinets and generator for AT&T's telecommunications network on property located at **7200 Henry Clay Blvd, Tax Map No. 106.-04-07.2**, consisting of +/- 3.61 acres of land. The property is located in the GOV-RA-100 District. *(the Planning Board acted on the referral at their June 10th hearing and found no concerns with the request & adjourned from the 06/15/2026 Town Board meeting)* was opened by the Supervisor.

Mark Fuentes asked if anyone had any questions not answered at the last hearing. Councilor Capria said that it was explained well at the last meeting.

There being no questions from the Town Board or the public, the Supervisor closed the public hearing.

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

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. *(Adjourned from the 02/02/2026 Town Board Meeting and referred to the Planning Board; Adjourned from the 03/02/2026 Town Board meeting per applicant request; Adjourned from the 03/16/2026, 05/18/2026 & 06/15/2026 Town Board meeting)* ***APPLICANT REQUESTED CONTINUATION OF PERMIT REVIEW VIA E-MAIL RECEIVED 07/13/2026** was opened by the Supervisor.

Olivia Sproviero was present on behalf of NexAmp and began explaining the application has been updated as the Battery Code has been established, adding they have put a lot of time into this already. She said she would like to move forward working within the provisions of the code rather than starting from scratch. Councilor Bick concurred, saying they should not need to start over. He continued, he knows much more about battery storage than he thought possible.

There was a brief discussion about the applicant moving forward and Commissioner Bender explained, legal council should weigh in on this. Supervisor Ulatowski said he is comfortable closing the public hearing pending opinions from council. The Board agreed the process could move forward.

Janet Rathburn asked if the public hearing is closed would the Board need to open it again to amend it?

Olivia Sproviero asked if the moratorium would be lifted because the application was already in process?

Councilor Russell asked Commissioner Bender if the six-month moratorium could be suspended. Commissioner Bender said the moratorium began in April and would end in October so perhaps they could accept applications in September. The Commissioner said he has 5 applications in limbo and feels the Board should take a little breathing room. He said he is not ready to accept a bunch of new applications and feels they should close the hearings and act on the current applications. He suggested new applications apply after the Town has established how many applications the max will be, who pays for them, how much energy is it taking from the grid and what benefit is it to the town?

Councilor Bick moved the adoption of a resolution adjourning the public hearing to August 17, 2026 at 7:44 PM. Motion was seconded by Councilor Russell.

Ayes – 5 and Noes – 0. Motion Carried.

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

***APPLICANT REQUESTED TO ADJOURN TO 08/17/2026**

Councilor Bick moved the adoption of a resolution adjourning the public hearing to August 17, 2026 at 7:47 PM. Motion was seconded by Councilor Russell.

Ayes – 5 and Noes – 0. Motion Carried.

SPECIAL PERMIT (PH/Adj.) Town Board Case #1245 – CARSON POWER, LLC.:

***APPLICANT REQUESTED TO ADJOURN TO 08/17/2026**

Councilor Bick moved the adoption of a resolution adjourning the public hearing to August 17, 2026 at 7:50 PM. Motion was seconded by Councilor Russell.

Ayes – 5 and Noes – 0. Motion Carried.

ZONE CHANGE (CPH) – Town Board Case #1260 SAND HILL ACRES:

Councilor Capria moved the adoption of a resolution calling a public hearing on August 17, 2026, commencing at 7:35 P.M., local time, to consider Town Board Case #1260: SAND HILL ACRES for a Zone Change from RA-100 Residential Agricultural District to R-APT to Residential Apartment District to allow for future development of multi-family apartment buildings on property located at Henry Clay Boulevard, Tax Map No. 062.-01-08.0, consisting of +/- 17.54 acres of land. Motion was seconded by Councilor Wisnowski.

Ayes – 5 and Noes – 0. Motion Carried.

Sanitary Sewer Lateral Connection - CALOCERINOS ENGINEERING, PLLC.:

Councilor Bick moved the adoption of a resolution approving and authorizing a sanitary sewer connection, pursuant to the written request of CALOCERINOS ENGINEERING, PLLC., (property owner), to the existing Summerwood Sewer

District, Contract No. 1 – Lateral, for servicing property located at 4793 Buckley Road, Tax Map No. 088.-01-13.1. The Town of Clay will bear no construction

expenses for the project. The property owner agrees to pay all costs (Town and private) associated with the sanitary sewer connection as well as the Town of Clay Operation and Maintenance charges as annually assessed and the County Sanitary District charges. The property owner further agrees to pay all annual Town and County charges thereafter. *(Check received on 06/16/2026 for engineering, legal and administrative fees from Calocerinos Engineering, PLLC., as requested by C&S Engineers).* Motion was seconded by Councilor Wisnowski.

Ayes – 5 and Noes – 0. Motion Carried.

GRANT APPLICATION (A) - Empire State Development Strategic Planning and Feasibility Studies Program:

Councilor Russell moved the adoption of a resolution authorizing the Town of Clay to submit a grant application to the **Empire State Development Strategic Planning and Feasibility Studies Program** for funding to prepare a **Town of Clay Parks and Recreation Master Plan**, and to accept any grant funds awarded for that purpose. Motion was seconded by Councilor Capria.

Ayes – 5 and Noes – 0. *Motion carried.*

Project Sewer & Drainage (A) “MICHAEL’S FARM SEWER DISTRICT, CONTRACT NO. 1” and “MICHAEL’S FARM DRAINAGE DISTRICT, CONTRACT NO.1”:

Councilor Wisnowski moved the adoption of a resolution **approving** the extension of a public sanitary sewer main and storm drainage system within the Town of Clay to be designated and known as **“MICHAEL’S FARM SEWER DISTRICT, CONTRACT NO. 1”** and **“MICHAEL’S FARM DRAINAGE DISTRICT, CONTRACT NO.1”** respectively. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

Project – Acquire Public Facilities (A) “MICHAEL’S FARM SEWER DISTRICT, CONTRACT NO. 1” and “MICHAEL’S FARM DRAINAGE DISTRICT, CONTRACT NO.1”:

Councilor Wisnowski moved the adoption of a resolution that it is in the public interest that the Town of Clay approve the construction and acquire the public facilities located within **“MICHAEL’S FARM DRAINAGE DISTRICT, CONTRACT NO.1”** and **“MICHAEL’S FARM SEWER DISTRICT CONTRACT NO.1”** and in accordance with the terms and conditions of a certain Agreement to be entered into between the Town of Clay and **LOK DEVELOPMENT, LLC**, for the construction and acquisition of said facilities. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

Project (A) (final plans) – MICHAEL’S FARM SUBDIVISION:

Councilor Wisnowski moved the adoption of a resolution **approving** the Contract Documents **for Michael’s Farm Subdivision** (Michael’s Farm Sewer District Contract No.1 and Michaels Farm Drainage District Contract No. 1) and authorizing the Supervisor to execute the necessary forms, therefore. Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

Establishing a New Section 210 of the Code of the Town of Clay:

Councilor Bick moved the adoption of a resolution establishing Chapter 210 of the Code of the Town of Clay for the codification of Local Law No. 7 of the year 2026, entitled “Large-Scale Development Permit and Community Host Agreement Authorization Law”

WHEREAS the Town Board of the Town of Clay duly adopted Local Law No. 7 of the year 2026 at a Special Town Board Meeting on July 7, 2026, by a vote of six to zero; and

WHEREAS, for purposes of codification and implementation of Local Law No. 7 of the year 2026, a new Chapter 210 of the Town Code shall be established and designated as the "Large-Scale Development Permit and Community Host Agreement Authorization Law"; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clay hereby acknowledges the need to establish Chapter 210 of the Code of the Town of Clay, to be entitled the "Large-Scale Development Permit and Community Host Agreement Authorization Law," for the purpose of codifying the provisions of Local Law No. 7 of the year 2026.

Motion was seconded by Councilor Capria.

Ayes – 5 and Noes – 0. *Motion carried.*

LOCAL LAW No. 8 of the Year 2026 Amending Chapter 230

Councilor Bick moved the adoption of a resolution calling a public hearing on **August 17, 2026**, commencing at **7:38 P.M.**, local time, for **LOCAL LAW NO. 8 OF THE YEAR 2026**, to consider an amendment to Section 230-16(A)(2) of the Town of Clay Zoning Ordinance to permit indoor & outdoor concerts as allowed uses within the Neighborhood Commercial (NC-1) Zoning District and Limited Use District for Restaurants (LuC-2).

WHEREAS the Town Board recognizes that periodically amending the Zoning Ordinance to address evolving community needs and recreational opportunities serves the public interest and promotes the appropriate use of land within the Town of Clay; and

WHEREAS, the purpose of the public hearing is to consider the appropriateness of permitting indoor & outdoor concerts as an allowed use within the Neighborhood Commercial (NC-1) Zoning District and Limited Use District for Restaurants (LuC-2) through the addition of subsection (f) to Section 230-16(A)(2) of the Town of Clay Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clay shall hold a public hearing on August 17, 2026, at 7:38 P.M., to receive public comment and consider a proposed amendment to Section 230-16(A)(2) of the Town of Clay Zoning Ordinance to permit indoor & outdoor concerts as an allowed use within the Neighborhood Commercial (NC-1) Zoning District and Limited Use District for Restaurants (LuC-2).

Motion was seconded by Councilor Capria.

Ayes – 5 and Noes – 0. *Motion carried*

Appointment (A) Zoning Board of Appeals (alternate):

Councilor Russell moved the adoption of a resolution appointing **Mary Lou DesRosiers** as alternate member of the Zoning Board of Appeals, filling the unexpired term of Michael Becker. Said term to expire **December 31, 2026**.

Motion was seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried*.

Appointment (A) Public Employer Risk Management Association (PERMA) Board:

Councilor Bick moved the adoption of a resolution to appoint and approve Damian Ulatowski as liaison for the Town of Clay to the Public Employer Risk Management Association (PERMA) Board. Motion was seconded by Councilor Wisnowski.

Ayes – 4 and Noes – 0. *Motion carried. Supervisor Ulatowski abstained.*

Offensive Street Name Change (CPH):

Councilor Bick moved the adoption of a resolution calling a public hearing on **August 17, 2026**, commencing at **7:44 P.M.**, local time, to consider the renaming of Plantation Boulevard to **Owen P. Honors Boulevard**. Motion was seconded by Councilor Capria.

Ayes – 5 and Noes – 0. *Motion carried.*

ADJOURNMENT

The meeting was adjourned at 8:39 P.M. upon motion by Councilor Bick and seconded by Councilor Russell.

Ayes – 5 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk