APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on October 19, 2026, at 7:30 P.M., there were:

PRESENT:

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
Robert Germain	Town Attorney

ABSENT:

Ron DeTota	Town Engineer

OTHERS PRESENT:

Russ Mitchell, Hal Henty and Paul Graves, Planning Board Members Mike Redhead, Fire Inspector and Mike Brown, Code Enforcement.

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:

No Action

CORRESPONDENCE:

Deputy Supervisor Bick said that he knew of no correspondence. He asked if anyone wished to address the Board on anything not on the agenda.

Kate Caveny, of Bayberry said that Bayberry has seen an increasing number of rentals. Many times, the property owner is not living locally, and the rental is often left to deteriorate creating a problem for the community. She continued, a home in her neighborhood has been non-owner occupied. The renter was evicted, and the home was left in disrepair. She is concerned, lawns that are not maintained can create a rodent problem.

Ms. Caveny suggest perhaps the Town could have a property management company oversee the rentals to ensure the investment in the neighborhood.

REQUESTS for ADJOURNMENTS:

None

REGULAR MEETING

LOCAL LAW NO. 10 OF THE YEAR 2026 (PH) (f/k/a Local Law No. 11) Chapter 5 Appearance Tickets:

Councilor Wisnowski moved the adoption of a resolution that **LOCAL LAW NO. 10 OF THE YEAR 2026** (f/k/a Local Law No. 11 of the year 2026), Amending provisions of the Town of Clay Code Chapter 5-Appearance Tickets, 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 Young.

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

LOCAL LAW NO. 10 OF THE YEAR 2026 (PH) (f/k/a Local Law No. 11) Chapter 5 Appearance Tickets:

Councilor Wisnowski moved the adoption of a resolution **approving LOCAL LAW NO. 10 OF THE YEAR 2026**, Amending provisions of the Town of Clay Code Chapter 5-Appearance Tickets.

WHEREAS, amendments to Chapter 5-Appearance Tickets to more clearly define authority for issuing tickets in the Town to be updated and delegated to the Commissioner of Code Enforcement as well as Town Code Enforcement Officers and amending the erroneous reference to Chapter 81 of the Code which has been repealed and replaced by Chapter 80. Motion was seconded by Councilor Young.

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

TENTATIVE BUDGET for the Year 2027 (IH):

An informational hearing to consider the **TENTATIVE BUDGET FOR THE TOWN OF CLAY FOR THE YEAR 2027** was opened by the Deputy Supervisor. He began by reading following the Budget Message from the last meeting:

TOWN OF CLAY 2027 TENTATIVE BUDGET MESSAGE

The 2027 Tentative Budget Appropriations for general and highway purposes totals $21.2 million. The Estimated Revenue is $6.4 million and the Appropriated Fund Balance is $4.25 million. As a result the Amount to be Taxed is $10,536,546. This is a decrease of $225,777 from the 2026 Adopted Budget.

As proposed, the tax rate for Town residents will decrease 2.12% or $1.49 per thousand of assessed value. This is $8.06 for a home valued at $225,000. While expenditure is expected to continue increasing the revenues are currently consistent and Fund Balance is available to offset the need to raise taxes.

He concluded, the Fund Balance is available to be prepared for catastrophe and would provide provisions for the Town for one year. He added that if the Fund balance becomes to large it would be misuse of taxpayer money; for this reason, they have decided to use some (Fund Balance) to offset the increases the Town will experience.

There being no questions or comments; the Informational Hearing was **closed**.

SPECIAL PERMIT (PH/Adj.) Town Board Case # 1259 – DELTA SONIC CAR WASH SYSTEMS, INC.:

A public hearing to consider the application of Town Board Case #1259: **DELTA SONIC CAR WASH SYSTEMS, INC.,** to allow for a Special Permit pursuant to Section 230-16C.(2)(e)[3] - Automobile car wash facility, to allow for outdoor vacuums on property located at **3728-3770 Brewerton Road, Tax Map No. 118.-01-15.0**, consisting of +/- 0.61 acres of land. The property is located in the RC-1 Regional Commercial District. *(Referred to Planning*

Board and adjourned from the 09/09/2026 Town Board meeting) The Planning Board gave a favorable recommendation at its September 30, 2026, meeting), was opened by the Deputy Supervisor.

Matthew Oates and Mike Yount of Delta Sonic were present. Mr. Oates began by stating the Planning Board gave a favorable recommendation. They have not made any changes from the last meeting. Exiting from the drying area will be right-out only. They estimate 1 car per minute in the drying area.

Councilor Capria said that he goes frequently to that Delta Sonic and has noticed that sometimes it moves faster and other times slower. The applicant confirmed this and said approximately 60 cars go through per hour.

Councilor Gauthier said that she is still not satisfied with all traffic directed north from the drying/vacuum area, adding that it will force motorists to cut through

businesses creating greater possibility of accidents. Mr. Oates said that Onondaga County DOT recommends this.

Councilor Young asked about a bail out lane, avoiding hand drying and using the free vacuums. Mr. Oates said it will be possible to pass the drying area. Councilor Young asked how other cars not utilizing the carwash will access the vacuums. Mr. Oates said the vacuums are only for carwash customers.

Councilor Wisnowski asked about changing the direction of the detail area (hand-dry and vacuum). The applicant said that two of every three customers does not use the hand-drying and this option is better for overall circulation.

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

ZONE CHANGE (PH) – Town Board Case # 1249 – THE BLUFFS AT VERPLANK ROAD:

A public hearing to consider the application of Town Board Case #1249: **THE BLUFFS AT VERPLANK ROAD/SSO HOLDINGS, LLC.,** for a Zone Change from RA-100 Residential Agricultural District to R-40 One-Family Residential District to allow for subdivision of lots for future construction of three single-family homes on land located on **Henry Clay Blvd, Tax Map No. 030.-01-01.0,** consisting of +/-5.46 acres of land. *(Adjourned from the 10/05/2026 Town Board Meeting),* was opened by the Deputy Supervisor.

Tim Coyer of Ianuzzi and Romans spoke on behalf of the applicant giving a brief description of the site. They are requesting a zone change from RA-100

to R-40 to divide the parcel into 2 or 3 lots for the construction of single-family homes.

They do not require any variances and there are no issues with wetlands. There will be one curb cut to access all the residential homes, the surrounding zone is RA-100 and R-40 across the street. Public water is available.

Councilor young asked who owns the property. Mr. Coyer responded, John Russo is the owner.

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

Deputy Supervisor Bick opened both of the Sweetheart Corner Development cases together.

SPECIAL PERMIT (PH) Town Board Case # 1262 – SWEETHEART CORNER DEVELOPMENT:

A public hearing to consider the application of Town Board Case #1262: **SWEETHEART CORNER REDEVELOPMENT/ANTHONY GIZZIE (STREAMLINE)** for a Special Permit pursuant to Section 230-16 C.(2)(e)[2] – Drive-in Service, to allow for drive-thru service at the existing building for a proposed bank on land located at **5380 W. Taft Road, Tax Map No. 117.-10-20.1**, consisting of +/- 4.27 acres of land. The property is in the RC-1 Regional Commercial District. *(Adjourned from the 10/05/2026 Town Board Meeting)*,

and

SPECIAL PERMIT (PH) Town Board Case # 1263 – SWEETHEART CORNER DEVELOPMENT:

A public hearing to consider to consider the application of Town Board Case #1263: **SWEETHEART CORNER REDEVELOPMENT/ANTHONY GIZZIE (STREAMLINE)** for a Special Permit pursuant to Section 230-16 C.(2)(e)[2] – Drive-in Service, to allow for drive-thru service for a proposed restaurant on land located at **5380 W. Taft Road, Tax Map No. 117.-10-20.1**, consisting of +/- 4.27 acres of land. The property is in the RC-1 Regional Commercial District. *(Adjourned from the 10/05/2026 Town Board Meeting)*, were opened by the Deputy Supervisor.

Present were Mat Lester, Matt Napierala and Anthony Gizzie. Mr. Lester began; they are proposing to restore the former Rite Aid building and divide the building into four units operating food service. One will utilize the drive-thru window as pick up service only; orders will be made online (case 1263).

They are also proposing to construct a small building for a bank with two drive-thru service windows (case 1262). The ZBA has granted all necessary variances and the lots have been combined.

Councilor Young asked if the SWEETHEART sign will remain. Mr Lester said the owner insists on it.

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

LOCAL LAW NO. 11 OF THE YEAR 2026 Section 487 of the Real Property Tax Law (RPTL):

A public hearing to consider **LOCAL LAW NO. 11 OF THE YEAR 2026** pursuant to Section 487 of the Real Property Tax Law (RPTL) to "opt out" of allowing real

property tax exemptions pursuant to Section 487 of the RPTL and declare Battery Energy Storage Systems fully taxable in the Town of Clay, was opened by the Deputy Supervisor.

Robert Germain, Legal Counsel, explained that New York State (RPTL) laws offer an exemption for alternative energy initiatives, and the Towns have the opportunity to opt out. Mr. Germain continued, the Town of Clay has opted out of Wind and Solar exemptions and is now opting out of Battery Energy Storage System (BESS) exemptions.
There being no more questions or comments, Deputy Supervisor Bick **closed** the public hearing.

TENTATIVE BUDGET as the TOWN of CLAY PRELIMINARY BUDGET 2027:

Councilor Capria moved the adoption of a resolution approving the **TENTATIVE BUDGET** as proposed or modified, for the Town of Clay for the year **2027** as the **TOWN OF CLAY PRELIMINARY BUDGET** for the fiscal year commencing **January 1, 2027.** Motion was seconded by Councilor Young.

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

TOWN of CLAY SPECIAL DISTRICTS BUDGET 2027 (CPH):

Councilor Capria moved the adoption of a resolution calling a public hearing **November 4, 2026,** commencing at **7:35 p.m.,** local time, to consider the adoption of the proposed **2027 Special Districts Budget for the Town of Clay.** Motion was seconded by Councilor Russell.

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

TOWN of CLAY FIRE PROTECTION BUDGET 2027 (CPH):

Councilor Capria moved the adoption of a resolution calling a public hearing **November 4, 2026,** commencing at **7:38 p.m.,** local time, to consider the adoption of the proposed **2027 Fire Protection Budget for the Town of Clay.** Motion was seconded by Councilor Russell.

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

TOWN of CLAY UNIFORM WATER BUDGET 2027 (CPH):

Councilor Capria moved the adoption of a resolution calling a public hearing **November 4, 2026,** commencing at **7:41 p.m.,** local time, to consider the adoption of

the proposed **2027 Uniform Water Budget for the Town of Clay.** Motion was seconded by Councilor Wisnowski.

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

TOWN of CLAY PRELIMINARY BUDGET 2027 as the ADOPTED BUDGET (CPH):

Councilor Capria moved the adoption of a resolution calling a public hearing **November 4, 2026,** commencing at **7:44 p.m.,** local time, to consider the adoption of the proposed **2027 Preliminary Budget for the Town of Clay** as the adopted budget. Motion was seconded by Councilor Russell.

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

ZONE CHANGE (CPH) Town Board Case # 1265 - TOCCO VILLAGGIO PDD AMENDMENT:

Councilor Gauthier moved the adoption of a resolution calling a public hearing on **November 4, 2026,** commencing at **7:47 P.M.,** local time, to consider the application of Town Board Case #1265: **TOCCO VILLAGGIO PDD AMENDMENT,** for a Zone Change from RA-100 Residential Agricultural District to PDD Planned Development District on land located at **5509 State Route 31, Tax Map No. 051.-01-01.0**, to allow for modification of the existing Tocco Villagio Planned Development District (PDD) to allow mixed use per recommendation of the Onondaga County Planning Board. The property consists of +/- .54 acres of land. *Parcels already included in Tocco Villagio PDD zoning are State Route 31, Tax Map No. 051.-01-02.1, Tax Map No. 051.-01-02.4, Tax Map No. 051.-02-01.0. All parcels combined consist of +/- 40.62 acres of land.* Motion was seconded by Councilor Capria.

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

SPECIAL PERMIT (CPH) Town Board Case # 1267 - WETZEL BESS A & B/CARSON POWER, LLC.:

Councilor Russell moved the adoption of a resolution calling a public hearing on **November 4, 2026,** commencing at **7:50 P.M.,** local time, to consider the application of Town Board Case #1267: **WETZEL BESS A & B/CARSON POWER, LLC.,** for a Special Permit pursuant to Chapter 209 to allow for a Tier Three Battery Energy Storage System on land located at **7846 Goguen Drive, Tax Map No. 087.-01-53.0 & Goguen Drive, Tax Map No. 087.-01-08.2,** consisting of +/- 2.65 acres of land.

The property is located in the I-1 Industrial Zoning District. Motion was seconded by Councilor Wisnowski.

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

Contract/Agreement (1 year renewal) - Information Technology Services Agreement/NetManageIT:

Councilor Wisnowski moved the adoption of a resolution approving and authorizing a one-year renewal of the **Information Technology Services Agreement** with **NetManageIT** for a term commencing **November 1, 2026, and expiring November 1, 2027**, under the same terms and conditions set forth in the original agreement. The original agreement provides for two additional one-year renewal terms under the same terms and conditions. The resolution shall further authorize the Deputy Supervisor to execute any and

all documents necessary to effectuate such renewal. Motion was seconded by Councilor Young.

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

Hydrants (3) – (A) RIVERWALK WATER DISTRICT:

Councilor Young moved the adoption of a resolution approving the installation of three (3) fire hydrants in the existing O469 Riverwalk Water District as proposed on OCWA Map File No. 1822, sheet six (6), authorizing the Deputy Supervisor to execute the OCWA fire hydrant application. Fire Hydrant No. 15458 – Kenzie Grace Path (+/- 200' West of Wolf Tree Path), Fire Hydrant No. 15459 – Wolf Tree Path (+/- 250' South of Kenzie Grace Path) and Fire Hydrant No. 15460 – Wolf Tree Path (+/- 150' North of Kenzie Grace Path). The Developer, Cornerstone Homes CNY, will pay for the hydrant installations in the conjunction with the 8" Water Main Extension. The Town will be notified when the hydrants are in service and then will be billed the annual hydrant maintenance rate, which is currently $99.47 per hydrant per annum. Motion was seconded by Councilor Russell.

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

JUDICIAL AUDIT (A) YEAR ENDING DECEMBER 31, 2025:

Councilor Young moved the adoption of a resolution that the Town of Clay hereby accepts the **Judicial Audit** for the Fiscal Year ending **December 31, 2025.** Motion was seconded by Councilor Capria.

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

TOWN AUDIT (A) YEAR ENDING DECEMBER 31, 2025:

Councilor Young moved the adoption of a resolution that the Town of Clay hereby accepts the **Town Audit** for the Fiscal Year ending **December 31, 2025.** Motion was seconded by Councilor Capria.

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

ADJOURNMENT

The meeting was adjourned at 8:16 P.M. upon motion by Councilor Young and seconded by Councilor Capria.

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

Jill Hageman-Clark RMC / Town Clerk