APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on October 5, 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:

Councilor Young made a motion to approve the minutes of the September 21, 2026 Regular Town Board Meeting. Motion was seconded by Councilor Capria.

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

REQUESTS for ADJOURNMENTS:

None

CORRESPONDENCE

Deputy Supervisor asked if anyone wanted to address the Board on anything not on the agenda.

Ralph Turner said he questioned the operations of the current trash hauler. He said that the contacted them on several occasions and has been told to leave it out, they would be a day late etc. He continued that one day he watched two trucks pass, going in different directions and still miss the entire street. Mr. Turner suggested considering a more reliable hauler.

Deputy Supervisor Bick said he was glad Mr. Turner brought this up. He continued, he has met with the hauler, and they are trying to work out a solution. He does not want to put the company out of business. The hauler has subcontracted with another company to help achieve a more orderly hauling. Councilor Capria asked if the issue is with trash or recyclables. The Clerk said complaints have been received about both.

Deputy Supervisor Bick explained, by law, that the Town is required to take the lowest responsible bid and this hauler has held the contract for brush collection for many years with no problems. He concluded the hauler has a couple of weeks to get it together, if not, they will replace them.

Next, Wayne Barnes asked if any of the money from Micron will be used for the installation of sidewalks and the purchase of vehicles to maintain them.
Deputy Supervisor Bick said currently, sidewalks are the resident's responsibility for maintenance, however, the Board has had some discussions regarding this.

REGULAR MEETING

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

Councilor Capria moved the adoption of a resolution that the application of 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, 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 Russell.

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

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

Councilor Capria moved the adoption of a resolution **denying** 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 Russell.

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

SPECIAL PERMIT (SEQR) TOWN BAORD CASE # 1264 - MATTHEWS AUTO GROUP:

Councilor Wisnowski moved the adoption of a resolution that the application of Town Board Case #1264: **MATTHEWS AUTO GROUP** for a Special Permit pursuant to Section 230-16 C.(2)(e)[4] – Motor Vehicle Service, to allow for service of motor vehicles on property located at **4155 State Route 31, Tax Map No. 028.-01-47.0**, consisting of +/- 5.82 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 Capria.

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

SPECIAL PERMIT (A) TOWN BAORD CASE # 1264 - MATTHEWS AUTO GROUP:

Councilor Wisnowski moved the adoption of a resolution **approving** Town Board Case #1264: **MATTHEWS AUTO GROUP** for a Special Permit pursuant to Section 230-16 C.(2)(e)[4] – Motor Vehicle Service, to allow for service of motor vehicles on property located at 4155 State Route 31, Tax Map No. 028.-01-47.0, consisting of +/- 5.82 acres of land. The property is located in the RC-1 Regional Commercial District. Motion was seconded by Councilor Young.

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

LOCAL LAW NO. 9 OF THE YEAR 2026 (SEQR) f/k/a Local Law No. 10 of the Year 2026 – (Amending) Section 230-22:

Councilor Russell moved the adoption of a resolution that **LOCAL LAW NO. 9 OF THE YEAR 2026** (f/k/a Local Law No. 10 of the year 2026), amending Section 230-22(C)(1)(c)[1] of the Town of Clay Zoning Ordinance adding Section 230-22(C)(1)(c)[1][a][i] to allow for the placement of electronic message signs in the Industrial 1 (I-1) Zoning District, and add Section 230-22(C)(1)(c)[1][a][ix] containing the following language - Electronic message signs shall be designed and operated to minimize glare and light trespass onto adjoining properties and A public rights-of-way. When an electronic message sign is located adjacent to a residential zoning district or residential use, the Town may require additional screening, shielding, reduced brightness, or other mitigation measures to prevent unreasonable impacts, is an unlisted action with a completed EAF and involves no other permit granting

agency outside the Town. The proposed will not have a significant effect on the environment and therefore does not require the preparation of an EIS. Motion was seconded by Councilor Wisnowski. Deputy Supervisor Bick said that this is not an appropriate land use.

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

LOCAL LAW NO. 9 OF THE YEAR 2026 (A) f/k/a Local Law No. 10 of the Year 2026 – (Amending) Section 230-22:

Councilor Russell moved the adoption of a resolution **approving LOCAL LAW NO. 9 OF THE YEAR 2026** amending Section 230-22(C)(1)(c)[1] of the Town of Clay Zoning Ordinance adding Section 230-22(C)(1)(c)[1][a][i] to allow for the placement of electronic message signs in the Industrial 1 (I-1) Zoning District, and add Section 230-22(C)(1)(c)[1][a][ix] containing the following language - Electronic message signs shall be designed and operated to minimize glare and light trespass onto adjoining properties and A public rights-of-way. When an electronic message sign is located adjacent to a residential zoning district or residential use, the Town may require additional screening, shielding, reduced brightness, or other mitigation measures to prevent unreasonable impacts. Motion was seconded by Councilor Wisnowski.

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

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. ***Per e-mail received 09/22/2026, applicant requested tan adjournment to 10/19/2026 Town Board Meeting (7:38 P.M.)**

Councilor Russell moved the adoption of a resolution adjourning the public hearing to October 19, 2026 at 7:38PM. Motion was seconded by Councilor Wisnowski.

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

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, was opened by the Deputy Supervisor.

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, was opened by the Deputy Supervisor.

Deputy Supervisor Bick asked if anyone was present to describe the applications. No one was there.

Councilor Young said that this should be considered one application because they are only showing one proposed drive thru. Deputy Supervisor Bick pointed out the second one.

Councilor Capria made a motion to **adjourn** the **Town Board case #1262** until **October 19, 2026** at **7:41** PM. Motion was seconded By Councilor Gauthier.

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

Councilor Gauthier made a motion to **adjourn** the **Town Board case #1263** until **October 19, 2026** at **7:44** PM. Motion was seconded By Councilor Capria.

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:

A public hearing to consider **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, was opened by the Deputy Supervisor.

WHEREAS, the Town Board recognizes that it is in the A public interest to periodically review and amend the Town Code to reflect updated, streamlined and legal Code enforcement practices in the Town, and,

WHEREAS, the purpose of the A public hearing is to consider 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 to consider amending the erroneous reference to Chapter 81 of the Code which has been repealed and replaced by Chapter 80.

Deputy Supervisor Bick opened the public hearing and explained, this law serves to clean up ambiguous language about issuing appearance tickets. Currently, the law indicates that police (abolished in 2008) are allowed to issue tickets, a job that is to be handled by Code Enforcement. This law cleans up outdated language.

Janet Rathburn asked if there will be other local laws updating the code. Deputy Supervisor Bick concurred, saying this will be the first of many.

There being no more questions or comments, he **closed** the public hearing.

PRESENTATION OF THE 2027 TENTATIVE BUDGET:

Town Clerk presents the **2027 TOWN OF CLAY TENTATIVE BUDGET** to the Town Board Members pursuant to Town Law.

Deputy Supervisor Bick read the following budget message:

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 expenditures are expected to continue increasing the revenues are currently consistent and Fund Balance is available to offset the need to raise taxes.

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

Councilor Gauthier moved the adoption of a resolution calling a public hearing on **October 19, 2026,** commencing at **7:47 P.M.,** local time, 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 PRTL and declare Battery Energy Storage Systems fully taxable in the Town of Clay. Motion was seconded by Deputy Supervisor Bick.

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

LOCAL LAW NO. 3 OF THE YEAR 2026 (extending) battery storage systems:

Councilor moved the adoption of a resolution calling a public hearing on **October 19, 2026,** commencing at **7:44 P.M.,** local time, to consider a six (6) month extension to **LOCAL LAW NO. 3 OF THE YEAR 2026.** The purpose of said local law is to prohibit the consideration of any and all applications for zone changes, special permits, and other development related land use decisions related to battery storage systems in the Town to allow time for the Town Board to research and consider the adoption of new Town Code provisions related to battery storage systems.

No Action/Not Heard

Agreement (A) Professional Service Agreement – Colliers Valuation and Advisory Services:

Councilor Young moved the adoption of a resolution approving a **Professional Service Agreement** between the **Town of Clay** and **Colliers Valuation and Advisory Services** for the purpose of providing appraisal services in connection with a tax certiorari proceeding; and that the cost of such appraisal services shall be shared equally, fifty percent (50%) by the Town of Clay and fifty percent (50%) by the Liverpool School District; and authorizing the Town Attorney to execute any and all documents necessary, therefore. Motion was seconded by Councilor Russell.

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

ADDITIONAL AGENDA

AGREEMENT (A) - Professional Services Agreement between the Town of Clay and ResilienX, Inc.:

Councilor Russell moved the adoption of a resolution approving and authorizing the Deputy Supervisor to execute a Professional Services Agreement between the Town of Clay and ResilienX, Inc.

WHEREAS, ResilienX operates ORION-X, an automated, remotely operated unmanned aircraft system (UAS) platform that provides on-demand aerial data collection and related software services;

WHEREAS, beginning in March 2026, ResilienX deployed an ORION-X system at the Town Highway Garage and conducted an initial pilot evaluation of municipal use cases at no cost to the Town;

WHEREAS, that no-cost evaluation demonstrated potential value across the Town's Highway, Assessment, Code Enforcement, Planning, and constituent-response functions, and the Town wishes to continue and expand the evaluation under a paid program,

WHEREAS, the Services constitute professional and technical services requiring specialized skill, training, equipment, and professional judgment, and the Town intends to procure the Services in accordance with its procurement policy and Section 104-b of the New York General Municipal Law;

WHEREAS, this Agreement establishes an introductory pilot program in which the Town will pay a service fee of Two Thousand Five Hundred Dollars ($2,500.00) per month during the term, whether the term is six (6) months or (12) months, and the fees set forth herein reflect special pilot pricing extended for this initial deployment and do not represent ResilienX's standard commercial pricing for its products or services;

WHEREAS, ResilienX wishes to provide, and the Town wishes to receive, the Services on the terms set forth in this Agreement.

Deputy Supervisor Bick said retaining drones will assist with work in the Assessors, Codes and Highway Departments. Use will be determined internally, by the Deputy Supervisor with policies and privacy taken into consideration. This will serve to save taxpayer money. Motion was seconded by Councilor Capria.

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

ADJOURNMENT

The meeting was adjourned at 7:57 P.M. upon motion by Councilor Young and seconded by Councilor Russell.

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

Jill Hageman-Clark RMC / Town Clerk