

Approved

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 7th of May, 2018 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Brian Hall	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Russ Mitchell; Chairman of the Planning Board Hal, Henty; Member of the Planning Board, Legislators James Rowley and Casey Jordan & Dorothy Heller; Town Historian.

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

Supervisor Ulatowski began by introducing Onondaga County Legislators Jim Rowley and Casey Jordan who were present to discuss what is happening at the County level.

Legislator Rowley began by explaining that the Local Law Amending the Onondaga County Charter and Administrative Code to Provide Clarification and Guidance Related to the County Legislature's Authority to Hire Outside Counsel to Provide Legal Services, Including the Preparation of Local Law's, Ordinances, Resolutions, Legalizing Acts or Other Legislation was vetoed although the Legislature had passed it 17-0. He explained that it is up for vote again and does not know if the County Executive will veto it this time.

Mr. Rowley went on to reiterate his recommendation to Town to go to the vendor who was the lowest bidder for the (paving) hot mix. He reminded that all of the bids were refused and she extended the current contract and there is the possibility of a lawsuit. He concluded by stating that this was a very controversial bid. Mike LaPoint asked who she was. Mr. Rowley said the County Executive. Nancy Kinnetz

asked if the County Legislature Agenda will be attached to the minutes (see attached).

Mr. Jordan continued by explaining that the Local Law regarding dogs being tethered outside in extreme temperatures was rejected. Mr. Jordan explained that he proposed an alternative bill, based on research from Tufts University, one of the most respected veterinary schools in the country. He said that his bill does not just limit the law to dogs; different breeds have different needs. The Legislator suggested that there is more discretion in his bill with regard to breed, age, health etc. He said that his law also did not pass but will continue to work to advocate for animals as well as trying to protect well intentioned caring pet owners.

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that he knew of no requests for adjournments.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda.

Mike LaPoint asked about the paving schedule, specifically if it could be posted on the website. Supervisor Ulatowski said that he was not in favor of setting the schedule in stone. He explained that while the Town Highway department follows the schedule, there may be the occasion where an emergency road may come up especially with the climate and impact on the roads in Central New York. He proposed that the schedule would be available in the Town Clerks office to review. Mr. LaPoint explained that one of the side streets off Bear Road was done recently by Suit Kote and is already spider webbing. He also asked about the paving of the parking lot for soccer fields near Clay Park Central. He added that there are seniors and parents with strollers trying to navigate on loose gravel. Supervisor Ulatowski said that he would look into it.

REGULAR MEETING

Bid Award - CONSTRUCTION OF WATER SYSTEMS SERVICE INSTALLATIONS & REPAIRS for WATER DISTRICTS:

Councilor Pleskach moved the adoption of a resolution awarding a contract for **CONSTRUCTION OF WATER SYSTEMS SERVICE INSTALLATIONS & REPAIRS for WATER DISTRICTS** within the **TOWN OF CLAY** to **D.E. TAROLLI INC.** This is a time and materials based contract. **D.E. TAROLLI INC.** was the lowest qualified responsible bidder. Motion was seconded by Councilor Hess.

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

Bid Award - FURNISH ADULT CROSSING GUARDS FOR THE 2018-2019 SCHOOL YEAR:

Councilor Meaker moved the adoption of a resolution that the Town of Clay recommends that Onondaga County Office of Purchasing Division award the low bid received to **FURNISH ADULT CROSSING GUARDS FOR THE 2018-2019 SCHOOL YEAR** for approximately thirty-six (36) weeks to **ALL CITY MANAGEMENT SERVICES**. Motion was seconded by Councilor Hall.

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

LEASE AGREEMENT – LIVERPOOL CENTRAL SCHOOL DISTRICT:

Councilor Hall moved the adoption of a resolution authorizing the Supervisor to execute a **LEASE AGREEMENT** between the **LIVERPOOL CENTRAL SCHOOL DISTRICT** and the **TOWN OF CLAY** with regards to the use of the school's facilities for the Town's Athletic Sports Programs for the current year which shall extend from **June 25, 2018** to **August 30, 2018**, at a cost of approximately **\$3,190.50**. Motion was seconded by Councilor Hess.

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

Appointment (A) – MOYERS CORNERS FIRE DEPARTMENT, INC - STATION 1:

Councilor Meaker moved the adoption of a resolution approving the appointment of **Stephen Fedorko** and **Alex Lafond** as volunteer members of the **MOYERS CORNERS FIRE DEPARTMENT, INC. – STATION 1**. Motion was seconded by Councilor Pleskach.

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

Appointment (A) – CLAY VOLUNTEER FIRE DEPARTMENT, INC:

Councilor Meaker moved the adoption of a resolution approving the appointment of **Benjamin Abar** as a volunteer member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC**. Motion was seconded by Councilor Pleskach.

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

Easement- abandonment (A) - 7988 Spruce Hill Drive:

Councilor Hess moved the adoption of a resolution approving an abandonment of a portion of the existing rear yard drainage easement located on property known as **7988 Spruce Hill Drive** in the Town of Clay, to the owner, Ryan D. O'Donnell, pursuant to Town Board approval as shown on a map as "Exhibit A," and authorizing the Supervisor to execute the necessary instrument therefore. Contingent upon receipt and approval of a legal description for said release of easement by the Town Engineers and as to form and content by the Town Attorney. Motion was seconded by Councilor Bick.

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

Agreement – (A) VetCor d/b/a CNY Veterinary Services, PLLC:

Councilor Hall moved the adoption of a resolution approving an amendment to the agreement between the **Town of Clay** and **VetCor** doing business as **CNY Veterinary Services, PLLC** providing and maintaining a pound/shelter for animals seized by a Dog Control Officer, or other authorized officer or employee of the Town of Clay from May 1, 2018 to April 30, 2019, with revised terms and conditions, upon written consent of both parties, and authorizing the Supervisor to execute the necessary document therefore. Motion was seconded by Councilor Bick.

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

Special Permit – Town Board Case # 1127 (CPH) Niagara Mohawk Power Corporation d/b/a National Grid for a Utility Substation:

Councilor Bick moved the adoption of a resolution calling a public hearing **May 21, 2018**, commencing at **7:38 P.M.**, local time to consider the application of **NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID** for a **UTILITY SUBSTATION PERMIT** pursuant to Section 230-27 I. (2)(e) to allow for the location/configuration of 2 utility poles with voltage regulators, known as a Utica Rack on land located at **7333 Buckley Road, Tax Map No. 107.-09-01.0**. Motion was seconded by Councilor Hall.

Ayes – 5 and Noes – 0 and 1 abstaining. *Motion carried. Councilor Hess abstained due to employment.*

Special Permit – Town Board Case # 1128 (CPH) Niagara Mohawk Power Corporation d/b/a National Grid for a Utility Substation:

Councilor Bick moved the adoption of a resolution calling a public hearing **May 21,**

2018, commencing at **7:41 P.M.**, local time to consider the application of **NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID** for a **UTILITY SUBSTATION PERMIT** pursuant to Section 230-27 I. (2)(e) to allow for the location/configuration of 2 utility poles with voltage regulators, known as a Utica Rack on land located at **8530 Henry Clay Boulevard, Tax Map No. 061.-01-16.3**. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0 and 1 abstaining. *Motion carried. Councilor Hess abstained due to employment.*

Special Permit – Town Board Case # 1129 (CPH) Niagara Mohawk Power Corporation d/b/a National Grid for a Utility Substation:

Councilor Bick moved the adoption of a resolution calling a public hearing **May 21, 2018**, commencing at **7:44 P.M.**, local time to consider the application of **NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID** for a **UTILITY SUBSTATION PERMIT** pursuant to Section 230-27 I. (2)(e) to allow for the location/configuration of 2 utility poles with voltage regulators, known as a Utica Rack on vacant land located at **3537 Ver Plank Road, Tax Map No. 017.-03-14.0**. Motion was seconded by Councilor Pleskach.

Ayes – 5 and Noes – 0 and 1 abstaining. *Motion carried. Councilor Hess abstained due to employment.*

Easement- Burr Drive (A) (Affidavit – clarification)

Councilor Pleskach Councilor moved the adoption of the following resolution. Motion was seconded by Councilor Hess.

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

WHEREAS, an “Easement for Access” is shown on the Final Plan for Strathmore Industrial Park made by O’Brien and Gere dated August 27th, 1965 and,

WHEREAS, access for ingress and egress to and from the real property known as 4724 Burr Drive to Burr Drive has been questioned and,

WHEREAS, Burr Drive as depicted on the Final Plan has been used by vehicles in the common use and continuously maintained by the Town up to the property line of 4724 Burr Drive for a period greatly in excess of ten (10) years, and,

WHEREAS, an Affidavit of the Town Highway Superintendent has been requested in order to resolve the issue and a copy provided to the Board, it is here by,

RESOLVED, The Highway Superintendent is authorized to execute the proposed Affidavit as requested.

Adjournment:

The meeting was adjourned at 8:04 P.M. upon motion by Councilor Bick and seconded by Councilor Pleskach.

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

Jill Hageman-Clark RMC / Town Clerk