

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 17th of June, 2019 at 7:30 P.M., there were:

PRESENT:

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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell; Planning Board Chairman, Hal Henty; Planning Board Member and Dorothy Heller; Historian.

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 June 3, 2019 meeting. Motion was seconded by Councilor Hess.

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

Cancellation and/or requested adjournments.

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

Correspondence:

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

REGULAR MEETING:

Special Permit (PH) – Town Board Case # 1140 – SEMPER FORTIS LLC, D/B/A DREAM DRIVE EXOTICS:

A public hearing to consider the application of **SEMPER FORTIS LLC, D/B/A DREAM DRIVE EXOTICS FOR A SPECIAL PERMIT** pursuant to **Section 230-16C. (2) (e) [11] & [12]** to allow for outdoor recreation in the former Sears parking lot at the Great Northern Mall, located at **4155 State Route 31, Tax Map No. 028.-01-40.4.** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Councilor Hess reminded the Board that it was not yet 7:35 P.M., the advertised time for the Public Hearing. Supervisor Ulatowski asked if there was anyone present to speak on behalf of the applicant, no one replied. The Supervisor said that he would continue with the agenda and come back to the public hearing.

Street Light(s) – Henry Clay Boulevard:

Councilor Hall moved the adoption of a resolution authorizing the installation of a 96w LED fixture to be installed on pole 142 to help illuminate the area in which residents are crossing Henry Clay Boulevard as shown on a sketch plan provided by National Grid. The estimated annual cost for the overhead lighting fixture is \$158.06. Motion was seconded by Councilor Young.

Ayes – 6 and Noes – 0. *Motion carried. Councilor Hess abstaining due to employment.*

Appointment – MOYERS CORNERS FIRE DEPARTMENT, INC.:

Councilor Young moved the adoption of a resolution approving the appointment of **Christi Quesada** as a member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Hall.

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

Easement – (drainage)(partial abandonment) (A)- 5039 Audrey Drive:

Councilor Meaker moved the adoption of a resolution approving the small partial abandonment of a drainage easement located on property known as **5039 Audrey Drive** in North Syracuse, to the owner, Court Street SOSF Holdings, LLC, c/o James H. Messenger, Jr. Esq., pursuant to the Town Board approval of the partial abandonment of the easement as described in “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 Hall.

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

Project/ Securities (posting) – RIVERWALK SUBDIVISION SECTION NO. 4:

Councilor Hess moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer and drainage facilities located within **RIVERWALK SUBDIVISION SECTION NO. 4**, (Riverwalk Sewer District, Contract No. 1; Riverwalk Drainage District, Contract No. 1) and the construction of said facilities having been substantially completed in accordance with the Plans and Specifications thereof; The Town Engineers having verified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of June 14, 2019: **Overland Drainage Facilities - \$25,000; Maintenance Guarantee - \$8,715** (\$4,693 Sewer and \$4,022 Drainage); **Highway - \$13,916; Monument Deposit - \$1,350; Parkland Contributions - \$6,000; Future Engineering/Inspection Fees - \$5,000;** and any other unpaid fees that may be owed by the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **RIVERWALK ASSOCIATES, INC.**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

Project/ Easements – RIVERWALK SUBDIVISION SECTION NO. 4:

Councilor Hess moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **RIVERWALK SUBDIVISION SECTION NO. 4**, (Riverwalk Sewer District, Contract No. 1, and Riverwalk Drainage District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **August 1, 2018**. Motion was seconded by Councilor Bick.

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

Project/Warranty, Deed etc. – RIVERWALK SUBDIVISION SECTION NO. 4:

Councilor Hess moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads located within **RIVERWALK SUBDIVISION SECTION NO. 4**; from **RIVERWALK ASSOCIATES, INC.**, (Wood Duck Path having Permeable Shoulders). Motion was seconded by Councilor Bick.

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

Project/ Securities (posting) – NORTH END COMMONS:

Councilor Pleskach moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer and drainage facilities located within **NORTH END COMMONS**, (North End Commons Sewer District, Contract No. 1; North End Commons Drainage District, Contract No. 1) and the construction of said facilities having been substantially completed in accordance with the Plans and Specifications thereof; The Town Engineers having verified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of June 14, 2019: **Overland Drainage Facilities - \$25,000; Maintenance Guarantee - \$44,300** (\$15,300 Sewer and \$29,000 Drainage); **Future Engineering/Inspection Fees - \$7,000**; and any other unpaid fees that may be owed by the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **MJL Clay, LLC**, that the Town accept title to such facilities. Motion was seconded by Councilor Hess.

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

Project/ Easements – NORTH END COMMONS:

Councilor Pleskach moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **NORTH END COMMONS**, (North End Commons Sewer District, Contract No. 1, and North End Commons Drainage District, Contract No. 1) all as shown on a Final Plan prepared by C.T. Male Associates, dated **December 26, 2017, last revised June 12, 2019, having file project no.: 17.7455**. Motion was seconded by Councilor Hess.

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

Appointment – ZONING BOARD:

Councilor Hess moved the adoption of a resolution appointing **Edward Wisnowski** as Chairman of the Zoning Board of Appeals effective **July 1, 2019** to fill the unexpired term of Charles Mangan; said term to expire December 31, 2019. Motion seconded by Councilor Bick.

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

Supervisor Ulatowski asked if there was anyone present to speak on behalf of the application for **SEMPER FORTIS LLC, D/B/A DREAM DRIVE EXOTICS** for a **SPECIAL PERMIT**; there was not. Mr. and Mrs. Wells of VerPlank Road were present and to ask questions and discuss concerns about how this application could impact their property. Supervisor Ulatowski said that he was not familiar with the

application and the public hearing(s) gives an opportunity to ask questions and gain insight adding that he was disappointed that the applicant did not show for the hearing. The Supervisor adjourned the public hearing to **July 15, 2019 at 7:35 PM.**

Adjournment:

The meeting was adjourned at 7:45 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

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

Jill Hageman-Clark RMC / Town Clerk