

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the May 5, 2025, at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
Ryan Pleskach	Councilor
Deborah Magaro-Dolan	Councilor
David Capria	Councilor
Edward Wisnowski	Councilor
Jill Hageman-Clark	Town Clerk
Robert Germain	Town Attorney
David Tessier	Interim Commissioner Plan & Development

ABSENT:

Ron DeTota	Town Engineer
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OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty and Paul Graves, Planning Board Members. Mike Redhead, Fire Inspector.

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 April 21, 2025 Regular Town Board Meeting. Motion was seconded by Councilor Magaro-Dolan.

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

CORRESPONDENCE:

A resident from Caughdenoy Road approached the Board and asked if they had seen the front page of the Sunday paper. She continued that she is deeply disturbed by the increasing interest in residents that wish to have chickens and various other livestock and non-domestic animals in residential neighborhoods. She continued that she has lived in her home for several decades and now is wakened by roosters. She also has seen an increase in the number of coyotes and foxes with the increase of livestock. She stated that one of the neighbors got a variance to keep one horse on the property, then there were two, then three and they keep a bucket by the road offering free manure.

She urged the Town Board to restrict farm animals to agricultural zones. Supervisor Ulatowski said that he would investigate this.

CANCELLATIONS and/or REQUESTED ADJOURNMENTS:

Town Board Case #1220: **GOGUEN DRIVE REALTY, LLC.**, adjourned to 6/16 @ 7:35 P.M.

Town Board Case #1224: **MCDONALD'S USA LLC.**, adjourned to 6/2 @ 7:35 P.M.

Town Board Case #1222: **SONBYRNE SALES, INC./CLAY-DOLSHIRE BYRNE DAIRY**, adjourned to 5/19 @ 7:35 P.M

REGULAR MEETING

Community Development Block Grant 2025 (A):

Councilor Bick moved the adoption of a resolution **approving** the **2025** application of street repairs for **Community Development Block Grant (CDBG)** funding. After a street reassessment by the Highway Superintendent, it was determined an urgent need of road repairs to Woodward Way and Winchester Drive is required this year rather than Steelway Blvd. South which will Councilor moved to year 2027. Motion was seconded by Councilor Pleskach.

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

Community Development Block Grant 2026 (A):

Councilor Bick moved the adoption of a resolution **approving** the **2026** application of street repairs for **Community Development Block Grant (CDBG)** funding for Maltage Drive and Goguen Drive for application due April 11, 2025. Motion was seconded by Councilor Magaro-Dolan.

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

SPECIAL PERMIT (PH) – Town Board Case #1227 - CANANDAIGUA NATIONAL BANK:

A public hearing to consider the application of Town Board Case #1227: **CANANDAIGUA NATIONAL BANK** for a Special Permit pursuant to Section 230-16 C.(2)(e)[2] – Drive-in Service, to allow for construction of a bank with drive-in service on land located at **7515 & 7519 Oswego Road, Tax Map No. 093.-04-08.1**, consisting of +/- 74.82 acres of land. The property is located in the RC-1 Regional Commercial

District was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Lisa Wennberg of Keplinger, Freeman and Associates was present to speak on behalf of the applicant. She began by explaining that the parcel is located at the north portion of the Wegmans John Glenn parking lot. They are not going to add a curb cut onto Route 57 but will use the existing two entrances. They will construct three traffic lanes; one for ATM and two teller manned lanes. There is also a proposed bail out lane. They will not require any variances. Councilor Capria asked if the tellers will be live manned. They will but will be on a camera screen, not face to face. There will also be inside service.

Councilor Magaro-Dolan asked about the retention pond. Ms. Wennberg said that the engineer will check the stormwater runoff. The Councilor then asked if there will only be one entrance/exit tot the bank. Ms. Wennberg confirmed that there will.

There will be a 40' green area that will abut the road and some trees will need to be relocated. Supervisor Ulatowski asked about the (Veteran) flags placed by the Boy Scouts. She said that they are figuring that out, but they may be relocated.

All question and comment having been heard, the Supervisor **closed** the public hearing.

Special Permit – (PH/Adj.) Town Board Case # 1220 - GOGUEN DRIVE REALTY, LLC.:

Councilor Pleskach moved the adoption of a resolution **adjourning** the public hearing to **June 16, 2025 at 7:38 PM** (at the request of the applicant). Motion was seconded by Councilor Magaro-Dolan.

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

SPECIAL PERMIT (PH) – Town Board Case # 1224 – MCDONALD’S USA, LLC:

Councilor Pleskach moved the adoption of a resolution **adjourning** the public hearing to **June 2, 2025 at 7:35 PM** (at the request of the applicant). Motion was seconded by Councilor Magaro-Dolan.

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

SPECIAL PERMIT (PH/Adj.) – Town Board case # 1222 - SONBYRNE SALES, INC./CLAY-DOLSHIRE BYRNE DAIRY.:

Councilor Pleskach moved the adoption of a resolution **adjourning** the public hearing to **May 19, 2025 at 7:35 PM** (at the request of the applicant). Motion was seconded by Councilor Magaro-Dolan.

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

SPECIAL PERMIT (PH) – Town Board Case #1225 - SENECA SAVINGS FINANCIAL FACILITY:

A public hearing to consider the application of Town Board Case #1225: **SENECA SAVINGS FINANCIAL FACILITY** for a Special Permit pursuant to Section 230-15 B.(2)(e)[2] – Bank/Credit Union, to allow for a bank with drive-thru service on land located at **5332 State Route 31, Tax Map No. 051.-01-11.1**, consisting of +/- 2.66 acres of land. The property is located in the O-2 Office District. (*Referred to Planning Board & adjourned from 04/21/2025 Town Board meeting*) was opened by the Supervisor.

Geoff Hillenbrand of Plumley Engineers was present on behalf of the applicant. He began by explaining that they received a positive referral from the Planning Board. He continued they have the potential for more vehicle stacking than anticipated. They will landscape around the perimeter.

Councilor Pleskach said that he feels this is a good use for this parcel and is happy with the O-2 zoning. He concluded that this may set a precedence for future development along the Route 31 corridor.

There being no more questions or comments; the Supervisor **closed** the public hearing.

SPECIAL PERMIT (PH) – Town Board Case #1226 - JUSTIN'S CANINE CAMPUS:

A public hearing to consider the application of Town Board Case #1226: **JUSTIN'S CANINE CAMPUS** for a Special Permit pursuant to Section 230-16 C.(2)(e)[14] – Animal Care/Training Facility, to allow for a dog daycare facility on land located at **4112 State Route 31, Tax Map No. 055.-01-06.1 (Marketfair North Plaza)**, consisting of +/- 0.345 acres of land. The property is located in the RC-1 Regional Commercial District. (*Referred to Planning Board & adjourned from 04/21/2025 Town Board meeting*) was opened by the Supervisor.

Tim Coyer of Ianuzi and Romans was present on behalf of the applicants. He began by stating that they were before the Planning Board last week and received a positive referral. He continued that the applicant is proposing to open in the former Firestone building. They will see 80-100 dogs per day with arrival and departures staggered. They will fence the property to the rear and add a fence.

Councilor Pleskach asked about the hot pavement on the paws in the summer. The applicant said that they will continually hose it down to cool the pavement and clean the area, concluding that the pavement is preferable.

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

ZONE CHANGE (PH) – Town Board Case # 1223 – NORTHERN CREDIT UNION:

This application was **WITHDRAWN** by the applicant.

WORKPLACE VIOLENCE PREVENTION PROGRAM (amended) (A):

Councilor Magaro-Dolan moved the adoption of a resolution approving an amended version of the Town of Clay's **Workplace Violence Prevention Program**, in accordance with the requirements of New York State Labor Law §27-b and 12 NYCRR Part 800.6, which mandate that public employers develop and implement such a program. The Town of Clay affirms its commitment to providing a safe and healthy workplace for all employees and recognizes the importance of preventing and mitigating incidents of workplace violence. Further authorization is granted to the Supervisor, or their designee, to take all necessary actions to implement and maintain the Program, including but not limited to conducting employee training, maintaining appropriate documentation, and reviewing and updating the Program annually or as otherwise required. Motion was seconded by Councilor Young.

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

BID Advertisement - Phase II General Contracting Services - New Green Education Center.

Councilor Pleskach moved the adoption of a resolution authorizing the advertisement of bids for **Phase II General Contracting Services** for the **New Green Education Center** project located at **9604 Black Creek Road, Brewerton, New York**. This project is **partially funded through the American Rescue Plan Act (ARPA)** and is intended to support **environmental education and community engagement initiatives**. The scope of work includes **plumbing, flooring, mechanical systems,**

sheetrock installation, decking, siding, gutter system, and electrical services, in accordance with the design documents prepared for the facility. Sealed bids will be received by **Jill Hageman-Clark, Town Clerk**, at the **Town of Clay offices**, 4401 State Route 31, Clay, NY, until **1:00 p.m. (local time) on June 4, 2025**, at which time they will be **publicly opened and read aloud**. A mandatory pre-bid site visit will be held on **May 22, 2025, at 10:00 a.m.**, at the project site (9604 Black Creek Road, Brewerton, NY). Specifications, drawings, and other related documents will be available starting **May 15, 2025**, at **Syracuse Blueprint Co., Inc., 825 E. Genesee Street, Syracuse, NY**, and online at <https://www.syracuseblueprintplanroom.com> or by email at info@syracuseblueprint.com. The Town of Clay Town Board reserves the right to **waive any informalities, reject any or all bids, and re-advertise** if deemed in the best interest of the Town to do so. Motion was seconded by Councilor Magaro-Dolan.

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

Project/Release of Securities – RIVERWALK SUBDIVISION, SECTION No.4:

Councilor Wisnowski moved the adoption of a resolution, pursuant to the written recommendation of the Town Engineer April 29, 2025, recommending the **release of securities** withheld for **Riverwalk Subdivision Section No. 4** as follows: Riverwalk Drainage District, Contract No. 1 (Overland Drainage) from \$25,000.00 to \$0.00; Riverwalk Drainage District, Contract No. 1 (Storm Sewers) from \$4,022.00 to \$0.00 and Riverwalk Sewer District, Contract No. 1 (Sanitary Sewers) from \$4,693.00 to \$0.00, to the developer.). Motion was seconded by Councilor Magaro-Dolan.

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

Project/Release of Securities – RIVERWALK SUBDIVISION, SECTION No.5:

Councilor Wisnowski moved the adoption of a resolution, pursuant to the written recommendation of the Town Engineer dated April 29, 2025, recommending the **release of securities** withheld for **Riverwalk Subdivision Section No. 5** as follows: Riverwalk Drainage District, Contract No. 1 (Overland Drainage) from \$15,000.00 to \$0.00; Riverwalk Drainage District, Contract No. 1 (Storm Sewers) from \$10,056.00 to \$0.00 and Riverwalk Sewer District, Contract No. 1 (Sanitary Sewers) from \$11,731.00 to \$0.00, to the developer. Motion was seconded by Councilor Magaro-Dolan.

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

Project/Release of Securities – FARMSTEAD SUBDIVISION, SECTION No.5:

Councilor Wisnowski moved the adoption of a resolution, pursuant to the written recommendation of the Town Engineer April 29, 2025, recommending the **release of securities** withheld for **Farmstead Subdivision Section No. 5** as follows: Farmstead Drainage District, Contract No. 1 (Overland Drainage) from \$15,000.00 to \$0.00; Farmstead Drainage District, Contract No. 1 (Storm Sewers) from \$5,852.00 to \$0.00 and Farmstead Sewer District, Contract No. 1 (Sanitary Sewers) from \$10,083.00 to \$0.00, to the developer. Motion was seconded by Councilor Magaro-Dolan.

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

Contract – Award (A) – ISAAC HVACAR Commercial& Industrial Services:

Councilor Capria moved the adoption of a resolution awarding a contract for the purchase and installation of a new A.O. Smith High Efficiency Tankless Water Heater located at 4401 State Route 31, Clay, NY. The Town applied for and received **grant funding of \$205,000.00** from the New York State Energy Research and Development Authority (NYSERDA) under the Clean Energy Communities Program to assist with the cost of installing an energy-efficient tankless water heater. After a thorough review, Isaac HVACAR Commercial & Industrial Services, was determined to be the lowest responsible and responsive bidder and has proposed to complete the scope of work for a total amount not to exceed \$11,300.00, as outlined in their proposal dated March 31, 2025. The Town Supervisor is hereby authorized to execute any and all necessary documents to effectuate this project, which will be offset through NYSERDA grant funding as outlined above. Motion was seconded by Councilor Young.

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

Contract – Award (A) – HUEN ELECTRIC, Inc.:

Councilor Young moved the adoption of a resolution awarding a contract for LED Lighting Renovations at the Town of Clay Town Hall Offices located at 4401 State Route 31, Clay, NY. The Town applied for and received **grant funding of \$205,000.00** from the New York State Energy Research and Development Authority (NYSERDA) under the Clean Energy Communities Program to assist with the cost of energy-efficient lighting improvements. In accordance with procurement requirements, three (3) proposals were received. After a thorough review, Huen Electric, Inc., was determined to be the **most responsible** and responsive bidder and has proposed to complete the scope of work for a total amount not to exceed \$77,661.00, as outlined in their proposal dated **April 28, 2025**. The Town Supervisor is hereby authorized to

execute any and all necessary documents to effectuate this project, which will be offset through NYSEERDA grant funding as outlined above. Motion was seconded by Councilor Magaro-Dolan.

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

ZONE CHANGE (CPH) – Town Board Case # 1229 – NORTHERN CREDIT UNION:

Councilor Bick moved the adoption of a resolution calling a public hearing on **May 19, 2025**, commencing at **7:38 P.M.**, local time, to consider the application of Town Board Case #1229: **NORTHERN CREDIT UNION** to allow for a Zone Change from PDD Planned Development District and R-10 One-Family Residential District to O-2 Office District on land located at **5004-5008 West Taft Road, Tax Map Nos. 116.1-01-04.1 and 116.1-01-05.0** to allow for use of a Bank/Credit Union with a drive-in service on +/- 2.52 acres of land. Motion was seconded by Councilor Capria.

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

Adjournment:

The meeting was adjourned at 8:07 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

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



Jill Hageman-Clark RMC / Town Clerk