UNAPPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on November 4, 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
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:
None

OTHERS PRESENT:
Russ Mitchell, Hal Henty, Paul Graves and Karen Guinnup, Planning Board Members Mike Redhead, Fire Inspector.

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 Wisnowski made a motion to approve the minutes of the October 5, 2026 and the October 19, 2026 Regular Town Board Meeting. Motion was seconded by Councilor Capria.

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

CORRESPONDENCE:

None.

REQUESTS for ADJOURNMENTS:

None.

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

Mark Goettel said that he would like to thank Jill Hageman-Clark for the time and effort she has put in over the years working on the Length of Service Awards Program (LOSAP) for the fire departments.

Amanda Sass of Edward Street said she would like to thank Dave Capria and Joe Nicoletti (Highway Superintendent) for addressing the drainage issues they have been having on their street.

REGULAR MEETING

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

Councilor Russell moved the adoption of a resolution 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, 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 Wisnowski.

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

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

Councilor Russell moved the adoption of a resolution **approving** 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. Motion was seconded by Councilor Wisnowski.

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

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

Councilor Wisnowski moved the adoption of a resolution that 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 a 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, 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.*

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

Councilor Wisnowski moved the adoption of a resolution **approving** 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. Motion was seconded by Councilor Young.

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

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

Councilor moved the adoption of a resolution that 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, 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 Winsnowski.

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

SPECIAL PERMIT (A/D) Town Board Case # 1262 – SWEETHEART CORNER DEVELOPMENT:

Councilor Gauthier moved the adoption of a resolution **approving** 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. Motion was seconded by Councilor Young.

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

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

Councilor Gauthier moved the adoption of a resolution that 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, is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed project (will/will not) have a significant effect on the environment and therefore (does/does not) require the preparation of an EIS. Motion was seconded by Councilor Wisnowski.

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

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

Councilor Gauthier moved the adoption of a resolution **approving** 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. Motion was seconded by Councilor Capria.

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

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

Councilor Young moved the adoption of a resolution that **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, 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/does not) require the preparation of an

EIS. Motion was seconded by Councilor Wisnowski.

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

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

Councilor Young moved the adoption of a resolution **approving 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 Councilor Wisnowski.

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

Deputy Supervisor Bick opened all of the Budget hearings at the same time.

TOWN of CLAY SPECIAL DISTRICTS BUDGET 2027 (PH):

A public hearing to consider the adoption of the proposed **2027 Special Districts Budget** for the Town of Clay.

and

TOWN of CLAY FIRE PROTECTION BUDGET 2027 (PH):

A public hearing to consider the adoption of the proposed **2027 Fire Protection Budget for the Town of Clay.**

and

TOWN of CLAY UNIFORM WATER BUDGET 2027 (PH):

A public hearing to consider the adoption of the proposed **2027 Uniform Water Budget for the Town of Clay.**

and

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

A public hearing to consider the adoption of the proposed **2027 Preliminary Budget for the Town of Clay** as the adopted budget, were opened by the Deputy Supervisor, who began by explaining the Special District budget covers items such as drainage repairs and lighting (National Grid charges), both of which have significantly increased. He continued, stating the Town has been working with the fire department on their budgets. He said that money has been budgeted to allow a long-requested increase to the LOSAP benefit.

The water budget has increased by 5% due to the increase in rates of 11%, from OCWA (Onondaga County Water Authority) that supplies the water to the Town.

The Town of Clay Preliminary Budget reflects a 2.1% decrease over last years budget despite the increases the Town faces.

There being no questions or comments, the Deputy Supervisor **closed** the public hearings.

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

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

Ben Harrell of CHA spoke on behalf of the applicant. He began by explaining that the applicant purchased the vacant single-family home and added it to the parcel. The south portion (including the newly added parcel) will be used for 70,000 square feet of commercial development.

The applicant wants to modify the plan to increase the number of apartments to 512. There will be first-floor parking garages and egress will be from Legionnaire Drive, access from Route 31 will be right-in, right-out only with a signal if State DOT requires it.

Councilor Young asked what the density is now. Mr. Harrell said the current density is 256 units; they plan to increase it to 512 units each having only 1-2 bedrooms. The original plans from 2011 provided larger apartments, however with Micron coming they anticipate a need for a greater number of smaller apartments. Councilor Young asked why the density needs to be there. Mr. Harrell explained the proximity to Micron makes it ideal. The other option would be to build out onto VerPlank which is not designed for such dense growth.

Someone asked it there was a possibility of a roundabout; Mr. Harrell said he doesn't think the State DOT would require it.

Someone else asked about the other single-family home on Route 31 (next door). Mr. Harrell said that it is under contract and will be absorbed into the PDD once the owner sells. The line dividing the Town of Clay from the Town of Cicero is between both of the existing homes and will be before the Cicero Board when the time comes.

There being no more questions or comments, Deputy Supervisor Bick referred this to the Planning Board. Councilor Young moved the adoption of a resolution **adjourning** the public hearing to **December 7, 2026** at **7:37 PM.** 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.:

A public hearing 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, was opened by the Deputy Supervisor.

Lauren Hall and Emily Thomas of Carson Power were present to speak on behalf of this application. Ms. Hall began explaining the applicant was first before the Board in January prior to the adopted moratorium regarding BESS. She continued, the proposal will be low impact, straight forward and compact in size. This site is ideal because it is hard to develop and they are proposing a small footprint in the heart of the Town of Clay. Ms. Hall went on; the application meets all requirements. Ms. Thomas said the footprint inside the fence is smaller because the unit is smaller, adding they have tweaked the landscaping and the gate.

Ralph Turner, resident, stated we don't need or want the BESS units. He wants to ensure the health ands safety of future generations of children. He continued, the risks outweigh the benefits. The risk of potential harmful chemicals, lithium, ion... adding this falls short of benefitting the Town.

Janet Rathburn asked if the Town can set a limit on the number of units constructed in the Town. She said she is also not in favor of clustering the units. She asked about the evacuation plan. The applicant said that an evacuation plan is not required. Ms. Rathburn asked if it is just left to burn? If a fire would be monitored? How often the ground soil is tested for contamination. How long before contamination reaches the air? The applicant said she could not say that nothing would be in the air. She said they had provided the Town with all the data.

Deputy Supervisor Bick said he would put a submission package on the Town of Clay website. Another resident said there is a school less than ¼ mile away adding this location is not appropriate for BESS.

Councilor Young said section 6.6 of the BESS law stating that the application shall possess no potential hazard to the community. Ms. Hall said that the BESS would provide no more hazard than the average home. Councilor Young countered the average home does not have lithium batteries. He continued the hazmat analysis indicates BESS has far greater hazard potential than many other uses. Ms. Hall said it is extremely rare.

There was a great deal of back and forth regarding this application. Many residents spoke out in opposition, citing many reasons including but not limed to health and safety for the residents, noise generated by the incessant running of the fans, lack of benefit to the residents, the only ones that will benefit will be the company (Carson Power) and National Grid.

There was s discussion about the fans and noise generated. Someone asked how close the closest BESS was to check the noise generated. The applicant said west of Rochester. Councilor Capria said that he was heading to Buffalo and would check it out.

Deputy Supervisor Bick said he would refer this to the Planning Board for recommendation. Councilor Young moved the adoption of a resolution **adjourning** the public hearing to **December 7, 2026** at **7:40 PM.** Seconded by Councilor Capria.

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

TOWN of CLAY SPECIAL DISTRICTS BUDGET 2027 (A):

Councilor Russell moved the adoption of a resolution **approving** and adopting the proposed **2027 Special Districts Budget** for the Town of Clay. Motion was seconded by Councilor Capria.

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

TOWN of CLAY FIRE PROTECTION BUDGET 2027 (A):

Councilor Russell moved the adoption of a resolution **approving** and adopting the proposed **2027 Fire Protection Budget** for the Town of Clay. Motion was seconded by Councilor Capria.

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

TOWN of CLAY UNIFORM WATER BUDGET 2027 (A):

Councilor Russell moved the adoption of a resolution **approving** and adopting the proposed **2027 Uniform Water Budget** for the Town of Clay. Motion was seconded by Councilor Capria.

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

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

Councilor Russell moved the adoption of a resolution **approving** and adopting the **PRELIMINARY BUDGET** as (proposed or modified), as the **TOWN OF CLAY ANNUAL BUDGET** for the fiscal year commencing **January 1, 2027.** Motion was seconded by Councilor Capria.

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

AGREEMENT/CONTRACT (renewing) - NYSID/Mozaic Chapter, NYSARC, Inc. (f/k/a Oswego Industries, Inc):

Councilor Capria moved the adoption of a resolution authorizing the Town Deputy Supervisor to renew an existing agreement with NYSID/Mozaic Chapter, NYSARC, Inc. (f/k/a Oswego Industries, Inc.) under the same terms and conditions for **JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY TOWN HALL BUILDING** for one (1) year, commencing November 4, 2026, and terminating November 4, 2027. The original agreement allows for two additional one-year renewal periods under the same terms and conditions. Motion was seconded by Councilor Russell.

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

ZONE CHANGE (CPH) – Town Board Case # 1261 - NORTHLAND COMMONS/LJB COMPANIES, LLC./DEREK C. PERSSE:

Councilor Wisnowski moved the adoption of a resolution calling a public hearing on **November 16, 2026**, commencing at **7:35 P.M.,** local time, to consider Town Board Case #1261: **NORTHLAND COMMONS/LJB COMPANIES, LLC./DEREK C. PERSSE** for a Zone Change from RA-100 Residential Agricultural District to PDD Planned Development District on land located at **4647 State Route 31, Tax Map Nos. 045.-01-05.1, 044.-01-29.1 and part of 045.-01-03.1**, consisting of +/- 50 acres of land, to allow for mixed-use development. Motion was seconded by Councilor Young.

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

Grant Application (A) – New York State Canal System:

Councilor Russell moved the adoption of a resolution authorizing and supporting a Grant Application to the New York State Canal System Tourism Infrastructure and Event Grant Program to improve connectivity between Lock 23 State Canal Park and the Project Green Center through installation of a pedestrian bridge and supporting trail elements.

WHEREAS, the Town of Clay recognizes the vital importance of parks, recreational facilities, trails, open spaces, and community amenities in promoting the health, well-being, and quality of life of its residents; and

WHEREAS, the Town established the Green Center as an educational and recreational resource to promote appreciation of, and engagement with, the natural environment; and

WHEREAS, the Green Center abuts Lock 23 State Canal Park, and the installation of a pedestrian bridge will establish a safe and convenient connection between the two facilities, enhancing accessibility and providing visitors with greater opportunities to enjoy and experience these community amenities; and

WHEREAS, the Town seeks the maximum available grant award of $24,000, requiring a fifty-percent local match, and anticipates completing the project within a twelve-month period; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clay hereby supports the submission of a grant application to the New York State Canal Corporation's Tourism Infrastructure & Event Grant Program to obtain funding for the installation of a pedestrian bridge and associated trail improvements connecting the Green Center with Lock 23 State Canal Park; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor, Commissioner of Recreation, and Commissioner of Planning and Development, and such other Town officials as may be necessary to prepare, submit, and execute all documents associated with the grant application and administration thereof. Motion was seconded by Councilor Wisnowski.

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

ADJOURNMENT

The meeting was adjourned at 8:29 P.M. upon motion by Councilor Young and seconded by Deputy Supervisor Bick.

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

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Jill Hageman-Clark RMC / Town Clerk