

May 2, 2011

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 2nd of May, 2011 at 7:30 P.M., there were:

PRESENT:

Damian M. Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
Clarence A. Rycraft	Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Bruce N. Johnson	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert M. Germain	Town Attorney
Ron DeTota	Town Engineer

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 Edick moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **April 18th, 2011**. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

PRESENTATION BY THE DIRECTOR OF LIVERPOOL LIBRARY RE: BUDGET.

Jean Polly, Timothy Dodge and Mark Spadafore were present to give a brief presentation on the Liverpool Public Library. Ms. Polly began by updating everyone on the new services provided by the library. She explained that the library is now accepting passport applications. Supervisor Ulatowski asked if they are taking the photos and they are not.

Ms. Polly continued that they now offer *Freegal* which is free legal music down loads offered to libraries. In addition they have *Consumer Report* online and *Media Bank* which acts like the *Red Box* movie rental. The library is very active with approximately 350,000 visitors last year. She stated that the Liverpool Library plans to purchase e-readers for loan this year and currently has downloadable books.

She ended by stating that there will be approximately a 2% increase in taxes this year and that there are two seats up for trustees. The vote is May 17th during the school district election.

Supervisor Ulatowski thanked them for coming and the information that they provided.

Special Permit (SEQR) Town Board Case # 1026 - MARCOS DIEGO:

Councilor Edick moved the adoption of a resolution that the application of **MARCOS DIEGO**, for a **SPECIAL PERMIT TO ALLOW A COMMERCIAL NURSERY FOR THE RETAIL SALE OF PLANTS** on property located at **4511 Buckley Road, Liverpool, New York**, Tax Map No. 087.-01-28.0, 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 on an EIS. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

Special Permit (A) Town Board Case # 1026 - MARCOS DIEGO:

Councilor Edick moved the adoption of a resolution approving the application of **MARCOS DIEGO**, for a **SPECIAL PERMIT TO ALLOW A COMMERCIAL NURSERY FOR THE RETAIL SALE OF PLANTS** on property located at **4511 Buckley Road, Liverpool, New York**, Tax Map No. 087.-01-28.0. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

Special Permit (PH) Town Board Case # 1027 - MARK WEISS:

A public hearing to consider the application of **MARK V. WEISS** for a **SPECIAL PERMIT TO ALLOW A COMMERCIAL NURSERY AND COMMERCIAL GREENHOUSE FOR THE RETAIL SALE OF PERENNIAL PLANTS** on property located at **4913 New York State Route 31, Tax Map Nos. 046.-01-27.0 and 046.-01-25.0** was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Mark Weiss spoke on his own behalf. Mr. Weiss began by explaining that the property is 28 acres with access on Route 31 and Van Hosen Road (not for cars). They wholesale plants seasonally. At this time they are also selling at the Farmers Markets (Regional and Bayberry) and wish to add to that. They currently have approximately 15,000 plants that are grown in containers. Mr. Weiss continued by stating that they also have a sign application and will need a variance for the 25' set back.

Supervisor Ulatowski asked if the applicant plans to sell the plants at the street and he does not. He also inquired as to approximately how many customers they have per day. Mr. Weiss said about 10 daily and perhaps 20 on the weekends. He then asked if there were any traffic issues and the applicant stated that there were none.

The Supervisor asked if there were questions or comments. Councilor Weaver stated that he had purchased some very good plants from the applicant.

Supervisor Ulatowski asked if there were any further comments or questions and there were none. All persons wishing to be heard having been heard the hearing was closed.

Zone Change (PH) Town Board Case # 1023 - MICHAELS FARM:

Public hearing to consider the application of **MICHAELS FARM LLC**, for a change of zone on **part of Tax Map No. 069.-01-0.1** from **RA-100 Residential Agricultural District** to **R-SR Senior Residence District, LUC-1 Limited Use for Gasoline Services District and R-10 One-Family Residential District** on property located at **8097 Morgan Road**; and on **part of Tax Map Nos. 081.-29-01.0** from **RA-100 Residential Agricultural District** to **R-10 One-Family Residential District** on property located at **8073 Morgan Road**. Adjourned to this date and time at the April 2nd, 2011 Town Board Meeting.

Supervisor Ulatowski explained that the applicant is withdrawing his application due to the many concerns raised by the residents and the Board. The applicant does however plan to resubmit the application with changes.

Agreement/Onondaga County - Community Development 2011 Funding for the CIBRO SITE DEMOLITION:

Councilor Bick moved the adoption of a resolution approving the applications for Community Development 2011 Funding for the **CIBRO SITE DEMOLITION** in the amount of \$200,000.00 and the 2011 Road Improvements in the amount of \$100,000.00 (Improvement estimated cost \$150,000.00, Town of Clay has \$50,000.00 towards the project), and authorizing the Supervisor to execute any and all documents that may be necessary for the aforementioned projects. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Unanimously carried.*

Easement - (drainage) - LOT NO. 27 BAYBERRY COMMUNITY:

Councilor Johnson moved the adoption of a resolution accepting a Drainage Easement from **LIVERPOOL CENTRAL SCHOOL DISTRICT** for the **RESUBDIVISION OF LOT NO. 27 BAYBERRY COMMUNITY, SECTION NO. 10A**. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Unanimously carried.*

Bid Advertisement - BUILDING DEMOLITION AT THE CIBRO BULK STORAGE TERMINAL:

Councilor Bray moved the adoption of a resolution authorizing the advertisement of bids for **BUILDING DEMOLITION AT THE CIBRO BULK STORAGE TERMINAL, 3414 MAIDER ROAD, TOWN OF CLAY**. Said Bids to be received until **May 20th, 2011, at 11:00 A.M.**, local time. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Unanimously carried.*

Supervisor Ulatowski explained that this is a very positive move in the progression of Three Rivers Project and he was very thankful to Councilor Bray for all of her work on this project.

NORTHERN LAND USE STUDY (CIH):

Councilor Johnson moved the adoption of a resolution calling an informational hearing **June 6th, 2011**, commencing at **7:35 P.M.**, local time, to obtain input from Town of Clay residents regarding the proposed **NORTHERN LAND USE STUDY**. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

Traffic & Vehicles (CPH) - STOP SIGNS - KIDRON LANE:

Councilor Weaver moved the adoption of a resolution calling a public hearing **June 6th, 2011** commencing at **7:38 P.M.**, local time, to consider the amendment of **CHAPTER 211 TRAFFIC AND VEHICLES ORDINANCE, SECTION 211-12 STOP INTERSECTIONS –SCHEDULE IX (§ 211-42)** of the Town of Clay Municipal Code to designate and provide for a **STOP SIGN on the northeast corner of KIDRON LANE as it intersects with MESA LANE and the installation of the necessary signs therefore**. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

Traffic & Vehicles (CPH) - STOP SIGNS - AMBLEWOOD:

Councilor Weaver moved the adoption of a resolution calling a public hearing **June 6th, 2011**, commencing at **7:41 P.M.**, local time, to consider the amendment of **CHAPTER 211 TRAFFIC AND VEHICLES ORDINANCE, SECTION 211-12**

STOP INTERSECTIONS –SCHEDULE IX (§ 211-42) of the Town of Clay Municipal Code to designate and provide for a **STOP SIGN ON AMBLEWOOD LANE as it intersects with HUNTINGCREEK DRIVE and the installation of the necessary signs therefore.** Motion was seconded by Councilor Johnson.

Ayes-7 and Noes-0. *Unanimously carried.*

Special Permit (CPH) - Town Board Case # 1028 STEPHANIE MATTHEWS:

Councilor Bray moved the adoption of a resolution calling a public hearing **June 6th, 2011**, commencing at **7:44 P.M.**, local time, to consider the application of **STEPHANIE MATTHEWS FOR A SPECIAL PERMIT TO ALLOW ANIMAL BOARDING AND BREEDING** on property located at **8539 Oswego Road, Tax Map No. 019.-02-18.1.** Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Unanimously carried.*

Adjournment:

The meeting was adjourned at 8:00 P.M. upon motion by Councilor Bray and seconded by Councilor Weaver. Ayes-7 and Noes-0. *Motion carried.*